



MEETING MINUTES OF THE CITY COUNCIL
City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, May 6, 2014 7:00 p.m.

I. REGULAR MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE – Led by Mayor Jim Dickson

III. ROLL CALL

IV. CITIZEN PARTICIPATION – 3 minute time limit. *Citizen participation is for items not on the agenda or for items that are not public hearings.*

Jackie Powell of Salida said she worked with Dara MacDonald for several years and said she is flexible, firm, fair, knowledgeable, capable and calm. She said she is sorry Michael Yerman is leaving, and that City has developed a good staff.

Terry Higgins of Salida said MacDonald was by far the best candidate when he served on the hiring board for the City planning position. He said as he can recall, she also had the most enthusiastic letters of recommendation. He said she has integrity, and the City is in better shape than in 2000.

Tom Pokorny of Salida said he would like to follow up on comments regarding MacDonald. He said he worked with her for development and design, and he said she is helpful and brings money into the City.

Sandy Lacey of Salida thanked the City for welcoming flags at the Colorado Creative Industries Summit. She asked if the City Council could put more ADA or handicap parking in the City's parking lots downtown.

Vickie Sue Vigil of Salida thanked the City and Creative District for the Colorado Creative Industries Summit. She said once people visit Salida, they will come back. She mentioned the July 4th Celebration. She said as a private citizen, she is asking Council to be rapid in making decisions regarding sidewalks.

Louise Fish of Salida said she would like to congratulate City and SteamPlant staff for the Creative Industries Summit. She also thanked businesses and artists. She said the Friends of the SteamPlant are raising money for new seats and has raised \$14,000 thus far. She said the SteamPlant is important economically and culturally and encourage people to donate money for seats.

Shawn Gillis of Salida spoke regarding positive changes in the City. He said he paid for architecture drawings for handicap access at his downtown business. He said he paid for concrete. He said for 15 years he has had no complaints regarding access in front of his business until he spoke last month in front of the City Council and thanked them for the positive changes in the community. He said bullying is not right, and that the council meetings are a challenge for the public to endure. He said the malcontent and vindictiveness needs to stop.

Yerkey said he thinks Gillis should be thanked for what he has done in this community.

Deb York, Salida property owner, said she thinks the City runs more like a dictatorship instead of democracy. She said she was served a summons regarding a fence she built at the Sherman Hotel. She said the lack of consistency makes her want to move out of the City and that the Historic Preservation is a dictatorship.

Mike Smith of Salida said he is here to thank City Council and Mayor for their service. He said Council does not hear from 99% of citizens. He said the Comprehensive Plan has been well thought out, and he hopes Council continues to use that as guiding principle. He thanked the City Administrator and staff. He said no one is perfect, but there are positive things going on.

Lee Hart of Salida said she'd like Council to continue to support recreation as it is a great resource for the community. She personally thanked Councilman Yerkey.

Irv Browning of Salida said he is on the Accountability Board with the Salida School District. He said Salida was in an Automobile Association magazine featuring Salida as a place to go for music. He thanked Council.

Ira Curry of Salida said he would like to give accolades to city staff. He said government is not perfect. He said he would like the Mountain Mail and KHEN to ask questions of Citizens for Accountable Government. He listed several questions.

Monika Grisenbeck of Salida said she would like to thank Ira for his positive effort. She said she didn't come here to defend a \$40,000 cost to the City. She said she does not think MacDonald has the qualifications to be the chief of operations with the City. She said MacDonald is not capable of negotiating or controlling her temper. She said MacDonald has a tendency to support and benefit her friends.

Earl Walker of Salida said he is employed with Absolute Bikes. He said he would like to thank council and city administration. He said respect is something that is earned. He said there is not room for disrespect in the community, and people need to find common ground.

Steve Stewart of Salida thanked Council and staff as well as boards and commissions for their service. He said he thinks the community needs to work through issues with respect. He said a vast majority are happy with what Council is doing, including working with businesses, artists and the recreation community. He mentioned being on Council when MacDonald was appointed. He said the process was rigorous, and MacDonald was in the top 10 percent of anyone who has taken the skill test used. He said her salary is low compared to what it could be in other areas of the state.

Harry Brull of Chaffee County said he is chair of KHEN. He referenced an e-mail between MacDonald and himself. He said it was never his intention to take a personal comment to him and make it public. He said he was the consultant during the city administrator process. He said he has been doing this type of work for 36 years. He said this is his community, and he loves living here.

Mary Ann Davidson of Chaffee County said this community has improved over the eight years she has lived here except for the bitter contention as of late. She said she hopes the community can find ways to talk through issues with respect.

Michael Haines of 809 Windmill Lane said we could have chosen any place to live. He said the sense of community is what has kept him here. He said it is possible to temper criticism with sincere thanks.

Ray Kitson of Chaffee County said he is here to support MacDonald. He said he has not always supported MacDonald, and that he sent a letter not supporting MacDonald for the administrator

position. He said he was wrong. He said her staff rallies around her under much criticism, and they support her.

Jeff Auxier of Salida said he has heard a lot of things about intimidation, rants and being angry. He said he began a conflict with the City because he felt he was dealing with thugs. He said he believes that's the influence of Mr. Hanlon and the City Administrator. He said the City is hiding money and spending with the guidance of the City Attorney.

Paige Garden of Salida said she has been in Salida about a year and spoke positively about the City.

Robert Lowe of Salida said he has been here 8 years, and he said he has always loved where he lives since he moved away from New Jersey. He said he has thoroughly enjoyed his time here.

Billy Carlisle of Salida said he can assert his discontent and criticism because he loves this city. He said he is speaking for the people who can't. He said he has also fought bullies. He said he thinks it's important to treat everyone fairly.

V. PRESENTATION

1. Arbor Day Proclamation – Mayor Jim Dickson

Dickson read a proclamation for Arbor Day.

2. Higher Education Community Survey – Wendell Pryor, Chaffee County Economic Development Corporation

Wendell Pryor referenced the Higher Education Community Survey and requested the City contribute to the joint effort in distributing the survey.

Rogers made a motion to approve spending \$1,500 toward the effort. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

Brown said education is a vital component to economic development.

VI. NEW BUSINESS

VII. SCHEDULED ITEMS

1. Consent Agenda (Audrey Gilpin)

- Approval of Agenda
- Approval of Minutes: April 15, 2014 and Special Meeting Minutes April 21, 2014 and April 28, 2014
- Property Requests & Special Event Liquor Permits: 1) Salida Community Center Special Event Liquor Permit May 9th 2) FIBArk's Cruiser Crit Property Request and Street Closure Permit May 17th 3) Salida Business Alliance July 4th Celebration Property Request and Street Closure Permit
- Final Settlement with Moltz for Wastewater Treatment Plant Project
- Final Settlement with Y&K Construction for Dominick Infiltration Project
- Final Settlement with Y&K Construction for the Alpine/Walnut Project
- Final Settlement with DSI for 2013 Streets Project

Baker motioned to remove approval of the agenda and otherwise combine and approve the consent agenda. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Approval of Agenda

Brown motioned to continue item #13 and to defer the executive session to the next regular meeting, May 20th. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

3. Chapter 16 Land Use Code Adoption 2nd Reading Cont'd and Public Hearing

(Michael K. Yerman)

Ordinance 2014-05 repealing and reenacting Chapter 16 of the Salida Municipal Code, Land Use and Development Code adopted by the City of Salida via Ordinance 2012-24 and amending parts thereof.

Yerman referenced a memo provided in the city council packet for the record.

Dickson opened the public hearing.

Billy Carlisle of Salida referenced the Presbyterian Church.

Yerman answered Carlisle's questions regarding expanding non-conforming uses.

Hallett referenced how someone new to town understands the land use and planning process so that mistakes are not made. She suggested creating a YouTube video.

Jeff Auxier of Salida said that Council is aware that he has a dispute regarding an ADU by his house. He said that the applicant submitted false plans. He said that this code is not enforced. He said this code is not enforced because of public noticing conflicts. He said procedurally this code adoption is flawed. He said the exact text of the code has to be attached to the application, which was not done. He said something has been changed regarding the application. He referenced an e-mail that Gilpin sent him. He said he was bullied at City Hall. He said the administrator is not a judge, and he said the administrator would give special treatment to people like Ira Curry or Lorrie Lau.

MacDonald said that she would never do such a thing, and that his comment is inappropriate.

Tom Pokorny of Salida said he suggests Council take action on this code. He said there is this environment of uncertainty in the building community. He said Council can't make everyone happy. He said there is a process to amend the code.

Jeff Schwaltzer of Salida said he has not had any problems with the code. He said he has done property line adjustments, and a lot of work has been done under this code. He said he thinks Council needs to move on.

Jim Miller of Chaffee County urged council to pass the code. He said Auxier will never be happy with any code.

Monika Griesenbeck of Salida said she wishes Council would enforce not making personal attacks. She said she doesn't know what the changes are. She said the ADU that Fritz has is horrible in the historic district.

Deb York said she is another person that can't get anything done regarding the historic process. She said it's suggestive. She said one person can't be determining the fate of an historic building.

Dickson closed the public hearing.

Rogers made a motion to approve Ordinance 2014-05, an ordinance of the City Council for the City of Salida, Colorado, repealing and reenacting Chapter 16 Land Use and Development of the Salida Municipal Code, and ordering the ordinance to be published by title only with amendments adopted on 2nd reading. Baker seconded the motion.

Brown referenced timeliness of the code adoption and whether or not more time could be taken for him to understand it.

Yerkey said the code needs to be adopted, and Council will be able to amend the code from time to time as needed.

Hallett asked a question about the appeal process. Yerman responded.

Baker suggested moving forward with the adoption of the code.

Yerman thanked Council for the opportunity to work for the City of Salida, and he said Salida will always have a place in his heart.

Dickson asked Gilpin to conduct a roll call. Baker, Rogers, and Yerkey voted yes. Brown, Bowers, and Hallett voted no. With a tie vote, Mayor Dickson voted yes and THE MOTION CARRIED.

4. Toubert Building Lease for Department of Human Services, Division of Vocational Rehabilitation 2nd Reading and Public Hearing (Jan Schmidt)

Ordinance 2014-08 approving a lease agreement for property located at 448 East First Street with the Colorado Department of Human Services, Division of Vocational Rehabilitation.

Schmidt referenced a memo provided in the city council packet for the record.

Dickson opened the public hearing.

Monika Griesenbeck of Salida said the Toubert Building is competing with people who are paying taxes.

Hallett referenced having a public hearing on second or first reading.

Conklin referenced a confidential memo explaining this.

Dickson closed the public hearing.

Baker motioned to adopt Ordinance 2014-08, an ordinance of the City Council of the City of Salida, Colorado, approving a lease agreement for property located at 448 East 1st Street with the Colorado Department of Human Services, Division of Vocational Rehabilitation; and ordering the ordinance be published by title only. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

5. Reciprocal Toubert Building Leases between City of Salida and Chaffee County 2nd Reading and Public Hearing (Jan Schmidt)

Ordinance 2014-09 approving reciprocal leases between the City of Salida and Chaffee County.

Schmidt referenced a memo provided in the city council packet for the record.

Dickson opened public hearing.

No one spoke.

Dickson closed the public hearing.

Brown motioned to adopt Ordinance 2014-09, an ordinance of the City Council of the City of Salida, Colorado, approving reciprocal leases between the City of Salida and Chaffee County; and ordering the ordinance be published by title only. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Amendment to Union Pacific Parking Lot Lease 2nd Reading and Public Hearing

(Dara MacDonald)

Ordinance 2014-10 approving a supplemental agreement to the lease with Union Pacific Railroad Company.

MacDonald referenced a memo provided in the city council packet for the record.

Dickson opened public hearing.

No one spoke.

Dickson closed the public hearing.

Baker motioned to approve Ordinance 2014-10, an ordinance of the City Council of the City of Salida, Colorado, approving a supplemental agreement to the lease with Union Pacific Railroad Company, and ordering the ordinance to be published by title only. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Integrate, Inc. Tavern Liquor License Application and Public Hearing (Audrey Gilpin)

Gilpin referenced a memo provided in the city council packet for the record.

Dickson opened the public hearing.

Deb York said she supported Casey getting the liquor license to make the business more successful.

Dickson closed the public hearing.

Baker made a motion to approve a Tavern Liquor License for Integrate, Inc. at 305 G Street, Salida. Rogers seconded the motion. In a 5-1 vote, THE MOTION CARRIED. Bowers had the dissenting vote.

8. Revisions to Chapter 13 of Salida Municipal Code 1st Reading (Jan Schmidt)

Ordinance 2014-11 amending Chapter 13 of the Salida Municipal Code.

Schmidt referenced a memo provided in the city council packet for the record.

Yerkey motioned to adopt Ordinance 2014-11, an ordinance of the City Council of the City of Salida, Colorado, amending Chapter 13 of the Salida Municipal Code; setting a public hearing for May 20, 2014 and ordering the ordinance be published in full. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

9. Centennial Park Master Plan (Theresa Casey)

Discussion of the Centennial Park Master Plan and requesting direction from City Council concerning further development of the concept.

Casey referenced a presentation and memo provided in the city council packet for the record.

Bowers asked about the current condition of the pool.

Baker and Rogers said they are in favor of moving forward with developing the plans presented.

Casey said in order to apply for a GOCO grant, the Council needs to represent that the project is viable.

Brown said he recognizes risk, but there is risk in everything.

Council gave direction to move forward with the grant application.

10. Pool Bid Award (Theresa Casey)

Resolution 2014-32 approving the award for the construction of the Salida Hot Springs Aquatic Center Project.

Casey referenced a memo provided in the city council packet for the record.

Yerkey motioned to approve Resolution 2014-32, a resolution of the City Council of the City of Salida, Colorado, approving the award of a Construction Agreement for the Salida Hot Springs Aquatic Center Project and authorizing the City Administrator to enter into a Construction Services Agreement between the City of Salida and Diesslin Structures, Inc. for the construction of the Salida Hot Springs Aquatic Center Project. Rogers seconded the motion.

Bowers asked for clarification regarding the project. He said there's no guarantee that this will work.

Mayor Dickson requested a roll call vote. In a 5-1 vote, THE MOTION CARRIED. Bowers had the dissenting vote.

11. Bike Rack Proposals Selection (Michael Varnum)

Resolution 2014-33 approving the award for the Creative District Bike Rack Project.

Varnum referenced a memo provided in the city council packet for the record.

Rogers motioned to approve Resolution 2014-33, a resolution of the City Council of the City of Salida, Colorado, awarding the Creative District Bike Rack Project to Max Keller for two bike racks and to Will Hodge for a bike rack and to approve the City Administrator to enter

into contracts with Max Keller and Will Hodge for the creation of the Creative District Bike Racks. Baker seconded the motion. With all in consensus, **THE MOTION CARRIED.**

12. Water Treatment Plant Phase II Pre-Purchase of Equipment (Bob Salmi)

Resolution 2014-34 approving a pre-purchase agreement for equipment for the Salida Water Treatment Plant Improvement Project Phase 2.

Salmi referenced a memo provided in the city council packet for the record.

Baker motioned to approve Resolution 2014-34, a resolution of the City Council of the City of Salida, Colorado, approving the Jim Myers & Sons, Inc. and Meurer Research, Inc. Purchase Agreement and authorizing the Mayor of the City of Salida to execute the same. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

13. H Street Bid Award (Bob Salmi)

Resolution 2014-35 approving the award of a construction contract for the H Street project.

Salmi referenced a memo provided in the city council packet for the record.

Yerkey motioned to approve Resolution 2014-35, a resolution of the City Council of the City of Salida, Colorado, approving the award of a construction contract for the H Street Project and authorizing the City Administrator to enter into a construction services agreement between the City of Salida and Y&K Excavation. Baker seconded the motion. In a 5-1 vote, THE MOTION CARRIED. Brown had the dissenting vote.

Brown said he was not pleased with how the project was handled.

14. Amigo.net Lease 1st Reading (Dara MacDonald)

Ordinance 2014-12 approving the Tenderfoot II Communication Site lease with Zero Error Networks, LLC dba Amigo.net, LLC.

MacDonald referenced a memo provided in the city council packet for the record.

Baker motioned to approve Ordinance 2014-12, an ordinance of the City Council of the City of Salida, Colorado, approving the Tenderfoot II Communication site lease with AMIGO.NET, LLC, setting the public hearing for May 20, 2014 and ordering the ordinance published in full. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

15. Chapter 18 Sprinkler Code Text Amendment to the IBC and IFB 1st Reading (Dan Swallow)

Ordinance 2014-13 amending Section 18-1-30 and 18-3-30 of the Salida Municipal Code regarding amendments to the International Building Code, 2006 edition, and the International Fire Code, 2006 edition.

Swallow referenced a memo provided in the city council packet for the record.

Rogers motioned to approve Ordinance 2014-13, International Building Code and 2006 Edition and International Fire Code, an ordinance of the City Council of the City of Salida, Colorado, amending sections 18-1-30 and 18-3-30 of the Salida Municipal Code regarding amendments to the requirements for fire sprinklers, setting a public hearing date of May 20, 2014 and ordering the ordinance to be published in full. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

16. Hilltop Broadband Tower Lease 1st Reading (Dara MacDonald)

Ordinance 2014-14 approving Tenderfoot Communication Site lease with Smiling J, LLC dba Hilltop Broadband, LLC.

MacDonald referenced a memo provided in the city council packet for the record.

Baker motioned to approve Ordinance 2014-14, an ordinance of the City Council of the City of Salida, Colorado, approving the Tenderfoot Communication site lease with Hilltop Broadband, LLC, setting the public hearing for May 20, 2014, and ordering the ordinance published in full. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

17. Administrator/City Attorney/Deputy City Clerk

- a. City Administrator Report – Dara MacDonald
 - 1.) Q1 Financial Report

MacDonald referenced the Q1 Financial Report presented in the city council packet as well as on the City of Salida website.

MacDonald referenced a public access television meeting.

- b. City Attorney Report – Karp, Neu, Hanlon, PC – No report.
- c. Deputy City Clerk Report – Audrey Gilpin – No report.

18. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic – No report.
- City Clerk – Betty Schwitzer – No report.
- Mayor – Jim Dickson

Dickson recognized the Colorado Creative Industries Summit.

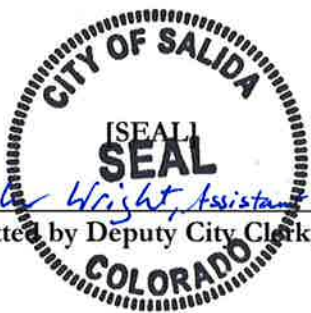
- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.

Yerkey said NRCDC has an affordable housing company coming to in the next week to discuss a possible project.

Hallett said the meetings run too long.

Hallett said she would like to have a meeting to discuss the role of city council and the administrator.

Baker made a motion to adjourn at 11:18 p.m. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.


Submitted by Deputy City Clerk, Audrey Gilpin



Mayor