



**MEETING MINUTES OF THE CITY COUNCIL**  
City Council Chambers  
448 East 1<sup>st</sup> Street, Room 190  
City of Salida, Colorado  
Tuesday, July 1, 2014 6:00 p.m.

**I. REGULAR MEETING CALLED TO ORDER**

**II. PLEDGE OF ALLEGIANCE** – Led by Mayor Jim Dickson

**III. ROLL CALL**

Present at roll call were Mayor Jim Dickson and Council members Mike Bowers, Hal Brown, Keith Baker, Tom Yerkey, Eileen Rogers and Melodee Hallett. Also present were City Clerk Betty Schwitzer, City Treasurer Cheryl Brown-Kovacic, City Administrator Dara MacDonald, City Attorney Karl Hanlon and Deputy City Clerk Audrey Gilpin.

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

Billy Carlisle of Salida asked if there will be public discussion on the NRCDC agenda item. Council said yes.

Ray Kitson of Chaffee County said he is addressing the exhaustive review of the NRCDC Board Brown recommended occur. He said he would like to know what the results of that review were. He said he has not been contacted by any members of Council regarding the exhaustive review. He said the only thing exhaustive about the review is waiting for it.

Hal Brown said an exhaustive review has not occurred.

Billy Carlisle of Salida came back to the podium to say he agreed with Kitson regarding the NRCDC exhaustive review. He said he does not understand why this has not occurred.

Monika Griesenbeck of Salida said she was not intending to participate during this time, but she said Kitson's comments are derogatory. She said she wishes someone on Council would call point of order when this occurs.

Vern Davis of Salida said he agrees with Griesenbeck that the Mayor should be enforcing rules.

Lee Hart of Salida said she has a question regarding one of the agenda items. She asked what the rationale is behind increasing the number of retail marijuana licenses.

Hallett said at one point of time Council talked about allowing people to speak during the first reading of an ordinance.

Council directed staff to change the public hearing to the 1<sup>st</sup> reading of an ordinance.

## V. PRESENTATION

### 1. **Parks and Recreation Month Proclamation** – Theresa Casey, Arts and Recreation Director

Casey asked Council to designate July as National Parks and Recreation Month.

Mayor Dickson read the proclamation.

### 2. **South Arkansas Watershed Protection Plan** – Andrew Mackie, Land Trust of the Upper Arkansas

Mackie presented the South Arkansas Watershed Protection Plan

## VI. NEW BUSINESS

## VII. SCHEDULED ITEMS

### 1. **Consent Agenda** (Audrey Gilpin)

- Approval of Agenda
- Approval of Minutes: June 17, 2014
- Property Requests: None.
- Special Event Liquor License Request: (1) Salida Rotary July 4<sup>th</sup> Celebration.
- Moltz Final Settlement for Water Treatment Plant Improvement Phase I

**Baker made a motion to combine and approve the consent agenda. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.**

### 2. **Lease for Dump Station 2<sup>nd</sup> Reading and Public Hearing** (Dara MacDonald)

Ordinance 2014-18 approving a lease agreement with Salida Natural Resource Center Development Corporation.

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

Dickson opened the public hearing.

Billy Carlisle of Salida asked if there are cost recovery systems for the dump station.

MacDonald said historically people have been receiving water from the Chamber of Commerce for free, and the City asks for donations. The new system would require a fee for service.

Ray Kitson said the dump station is an asset not only for tourists but for the local community.

Monika Griesenbeck of Salida said she is opposed to any money coming out of the water and sewer fund to provide the dump station and service. She said it is odd that the City will sign a lease with the NRCDC when it is the City's land.

Brown projected a PowerPoint presentation for the record.

Schmidt answered Brown's question regarding possible revenue generated by the dump station fees for service.

Hanlon said there is a \$1 a year charge for the lease.

**Yerkey motioned to approve Ordinance 2014-18, an ordinance of the City Council of the City of Salida, Colorado, approving a lease agreement with Salida Natural Resource Center Development Corporation, and ordering the ordinance to be published by title only. Rogers seconded the motion.**

Hallett asked who is approving what regarding the NRCDC and City.

Baker responded.

Hanlon said it is not NRCDC business being presented.

**Brown, Bowers, and Hallett voted against the motion. Rogers, Baker and Yerkey voted for the motion. Mayor Dickson broke the tie with a yes vote, and THE MOTION CARRIED.**

**3. Expanding Number of Retail Marijuana Licenses 1<sup>st</sup> Reading**

Ordinance 2014-19 revising the number of licenses for retail marijuana stores and/or cultivation facilities.

Hanlon referenced a privileged and confidential memo he provided to Council a few weeks ago.

Yerkey said the Council does not have to do anything.

Bowers said two would be enough, and he said those two licenses would be offered to the medical marijuana licenses.

Hanlon said the current medical marijuana licensees could have applied immediately after and that there was an expectation they would do that.

Bowers said he would like to leave the ordinance as it is.

Baker said he would like the free market to dictate.

**Baker made motion to approve Ordinance 2014-19, an ordinance of the City Council of the City of Salida, Colorado, revising the number of licenses for retail marijuana stores and/or cultivation facilities, setting the public hearing for July 15, 2014 and ordering the ordinance to be published in full. Rogers seconded the motion.**

Brown said he is for a free market approach.

Hallett said she doesn't like the way retail marijuana has been handled.

**Gilpin conducted a roll call vote. In a 5-1 vote, THE MOTION CARRIED. Bowers had the dissenting vote.**

**4. Harriet Alexander Field Ground Lease 1<sup>st</sup> Reading (Dara MacDonald)**

Ordinance 2014-20 approving a ground lease with James Scott Middleton.

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

**Bowers made a motion to approve Ordinance 2014-20, an ordinance of the City Council of the City of Salida, Colorado, approving a ground lease with James Scott Middleton, setting the public hearing for July 15, 2014 and ordering the ordinance to be published in full. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.**

**5. GOCO Grant Agreement for Salida River Trail (Dan Osborn)**

Resolution 2014-45 supporting the agreement between the City of Salida and the State Board of the Great Outdoors Colorado Trust Fund for the Salida River Trail Project.

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

**Yerkey motioned to approve Resolution 2014-45, a resolution of the City Council of the City of Salida, Colorado, supporting the agreement between the City of Salida and the State Board of the Great Outdoor Colorado Trust Fund for the Salida River Trail project and authorizing the Mayor to sign the agreement. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.**

**6. Potable Water Station Bid Award (Bob Salmi)**

Resolution 2014-46 approving the award of a construction agreement for the bulk water fill station and authorizing the city administrator to enter into a construction services agreement between the City and Flowpoint systems.

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

**Rogers made a motion to approve Resolution 2014-46, a resolution of the City Council of the City of Salida, Colorado, approving the award of a construction contract for the bulk water fill station and authorizing the City Administrator to enter into a construction services agreement between the City of Salida and Flowpoint Systems. Yerkey seconded the motion.**

Yerkey requested that MacDonald meet with SGM and nail down the engineering fees. Monika Griesenbeck asked what size tap the potable water station will require. MacDonald said she can send Griesenbeck an e-mail regarding the plans.

Brown-Kovacic asked MacDonald to clarify credit card process. MacDonald asked Council for direction regarding the Flow Point differential. Council gave direction to amend the resolution to \$34,329.56 which will include online training and remote start-up instead of on-site training. Council gave direction to not include the Scat Machine at this time and for staff to look into USDA funds to help.

**With all in consensus, THE MOTION CARRIED.**

- 7. DOLA Contract Amendment for Water Treatment Plant #1** (Dara MacDonald)  
Resolution 2014-47 supporting the contract amendment between the City of Salida and the State of Colorado for the Salida Water Plant Rehabilitation.  
MacDonald referenced a memo provided in the city council packet for the record.

**Yerkey made a motion to approve Resolution 2014-47, a resolution of the City Council of the City of Salida, Colorado, supporting the contract amendment between the City of Salida and the State of Colorado for the Salida Water Plant Rehabilitation. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.**

- 8. Natural Resource Center Development Corporation Board Amendment to Bylaws**  
(Dara MacDonald)  
Resolution 2014-48 approving an amendment to the bylaws of the Salida Natural Resource Center Development Corporation.  
MacDonald referenced a memo provided in the city council packet for the record.

Bowers said he does not feel like council members should vote on both boards. Hallett asked why the executive session did not take place in public for the NRCDC. Baker referenced the two entities discussed during executive session. Brown read a statement into the record. Baker referenced a business plan and what the board has been working on. Discussion continued.

Vern Davis of Salida addressed Yerkey, and he said if he didn't have the power to vote, he would resign. He said he thinks Council members on the NRCDC Board should not be voting on the matter on City Council. Monika Griesenbeck of Salida asked why should there be Council representation on the NRCDC Board if Council has the ultimate say. She said there should be a business plan, and she said there are no results but debt at the property. She referenced a quote from Chuck Rose in a Mountain Mail article regarding the NRCDC appointment. Ron Mazzeo of Salida said he has been an alternate on the Board for a few months. He said that there is no business plan. He said that he has never served on a board that is more secretive and

manipulative. He said he understands the concept as to why there were council members on the board originally. He thinks the board has not accomplished anything.

**Baker made a motion to continue Resolution 2014-48. Hallett seconded the motion. In a 5-1 vote, THE MOTION CARRIED. Yerkey had the dissenting vote.**

**9. Administrator/City Attorney/Deputy City Clerk**

a. City Administrator Report – Dara MacDonald

MacDonald referenced the solar power purchase agreement and the City locations that have been approved for installation. She mentioned the Salida High School has entered into a solar power purchase agreement.

MacDonald referenced a water lease.

MacDonald said the quarterly intergovernmental meeting will take place July 29<sup>th</sup> in Poncha Springs.

b. City Attorney Report – Karp, Neu, Hanlon, PC

Hanlon referenced the two pending Auxier cases.

Hanlon said an opening brief is due a week from today from Auxier for the land use appeal case.

Hanlon asked Council if they wanted to defend appeal regarding budget case. He said if Council had specific legal questions, the matter would need to be discussed in executive session.

**Yerkey motioned to defend the appeal. Baker seconded the motion. In a 5-1 vote, THE MOTION CARRIED. Hallett had the dissenting vote.**

c. Deputy City Clerk Report – Audrey Gilpin – No report.

**10. Elected Official Reports**

- City Treasurer – Cheryl Brown-Kovacic
- City Clerk – Betty Schwitzer
- Mayor – Jim Dickson

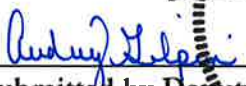
Dickson said the Fly-In at the airport was a success, and he said the caboose dedication went smooth.


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

Rogers mentioned ArtWalk. She said she spoke to Murdochs about their selling deer feed, and she recommended Council as a whole write a letter to the headquarters in Montana about not allowing the sale of deer feed.

Hallett referenced state statute regarding conflicts of interest.

**Yerkey made a motion to adjourn at 9.56 p.m. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.**

  
Submitted by Deputy City Clerk, Audrey Gilpin



  
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Mayor

