



**MEETING OF THE CITY COUNCIL
City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, August 19, 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 Christian Samora.

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

Monika Griesenbeck of Salida stated she would be speaking about Robert's Rules of Order. At the last council meeting certain council members engaged in a back and forth exchange with the public. Griesenbeck wanted to know if such an exchange is in the Robert's Rules of order. Greisnebeck stated the public should be allowed to speak without the interruption of council members.

Dale Hoffman of Salida recommended public education and awareness. There would be a public outcry if deer are being killed inside city limits and the City would ultimately face a lawsuit because studies show lack of success in long term reduction in herds. The overpopulation of deer will ultimately result in a natural reduction in population.

Mary Hay of Salida did not believe it is in the purview of the City to be slaughtering a species. Mary also stated xeriscaping is an attractive way to ultimately conserve and is a deterrent for deer. The best solution is to let residents and property owners take responsibility of their own yards. Xeriscaped yards are beautiful and there are many beautiful yards in Salida. Mary thanked the Council.

V. PRESENTATION

1. Police Department Accreditation – Presented by Chief John Jackson, President of the Colorado Association of Chiefs of Police and Chief of Police in Greenwood Village, Colorado

Chief Jackson stated that out of the 232 law enforcement agencies in Colorado, only 19% are certified to the ACP standards. On site verifications and inspections to ensure that a department is following their policy. Jackson said the Council Should be very proud of the police department, and it's achievements from progressive and visionary leadership. Chief Jackson presented Salida

Chief of Police, Terry Clark with the Professional Standards Compliance Award.

Chief Terry Clark thanked Chief Jackson, the citizens of Salida, Salida City Council and staff.

VI. NEW BUSINESS

Brown suggested the City Council formally adopt having work session in the same format as a City Council meeting, so citizens may have an easier time hearing.

Rogers felt it would be too formal to have the work sessions in the same configuration as the regular City Council meetings.

Brown suggested that the City Council take whatever action necessary to provide a microphone to the City Clerk and City Treasurer, so the public may hear more clearly. Brown felt it was particularly important that the public have access to the work sessions as the City Council goes through the budget cycle.

Bowers would like to see a memorial with an American flag and Colorado flag. The American flag would be in memorial of veterans and the Colorado flag would be in recognition of railroad workers. MacDonald will draft a budget proposal for the two flag poles and commemorative stone.

VII. SCHEDULED ITEMS – 5 minute time limit. *The Council would like to hear different viewpoints of all citizens and needs to conduct its business in an orderly and efficient manner. Public comments will be taken during scheduled public hearings. Comments should be concise and not repetitive.*

1. Consent Agenda (Christian Samora)

- Approval of Agenda
- Awarding a bid for construction of a bike rack to be placed on Sackett
- Approval of Dog Daze event at Alpine Park

Hallett asked how many total bike racks are to be installed. MacDonald stated that there will be three racks. Varnman corrected that there will be a total of four bike racks.

Hallett asked if the Executive Session can be postponed until the following meeting. Hanlon stated that there will be information in the executive session that may be beneficial to making a final decision, but there would not be any action following the executive session.

Baker motioned to remove the Bike Rack from the Consent Agenda, add a discussion before the executive session and to combine and approve the consent agenda. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

2. Expanding Number of Retail Marijuana Licenses 2nd Reading (Continued)

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

Hanlon stated he received direction from City Council to find a middle ground to allow the current Medical Marijuana license holders apply for a retail marijuana license. He noted the biggest revisions in the Ordinance were in 6-3-150.

The Ordinance allows a temporary increase to three retail marijuana license, but would decrease if a license were to be revoked or surrendered.

The application fee is for covering administrative costs for staff to process the application.

Mayor Dickson opened a public hearing with a limit of five minutes per speaker.

The public hearing was closed because there was no participation from the public.

Hallett wanted to go back to the original ordinance because it would be setting precedence by not following the original ordinance.

Brown believed the intent of the council was that only current medical marijuana license holders could apply.

Brown felt that all license applicants should have been notified of the interpretation that only two licenses would be allowed.

MacDonald responded that the instruction given was to process applications in the order that they are received.

Hanlon stated that there needs to be approval from both jurisdictions for Retail Marijuana Licenses. The state would not process an application that has not received local approval. The license issuance is contingent upon the state approval, just like the liquor licensing.

Hallett asked if an establishment has the right to sell a license. Hanlon stated that they may be transferred, but all licenses would be going through the City Council for approval. Hanlon suggested that the ordinance could state that no licenses could be transferred.

Hallett asked if the definitions clear enough. Hanlon replied that cultivation by definition is growing and harvesting, but not manufacturing products. Hanlon will add additional clarification to the definition with the Council's direction.

Discussion continued.

Rogers motioned to approve Ordinance 2014-19 with the changes made to 6-3-150 and for licenses to be non-transferable as discussed. Yerkey seconded the motion. In a 3-3 vote, Mayor Dickson voted in favor of the Ordinance, THE MOTION CARRIED. Bowers, Brown and Hallett had the dissenting votes.

- 3. Solar Power Purchase Agreement 2nd Reading and Public Hearing** (Dara MacDonald)
Ordinance 2014-22 approving a solar power purchase agreement with SS MUSA VI, LLC, SS MUSA VII, LLC, SS MUSA IX, LLC, and SS GARCO, LLC.

Dickson opened the public hearing and several citizens spoke.

Baker motioned to approve Ordinance 2014-22 an ordinance of the City Council of the City of Salida, Colorado, approving a solar power purchase agreement with SS MUSA VI, LLC, SS MUSA VII, LLC, SS MUSA IX, LLC, and SS GARCO, LLC, and ordering the ordinance to be published by title only. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

- 4. Amendment to Town & Country Annexation Agreement 2nd Reading and Public Hearing** (Dan Osborn)
Ordinance 2014-24 approving an amendment to the Town and Country Annexation Agreement

Osborn referenced the memo provided in the City Council Packet and stated the applicant is willing to provide a trail easement.

Dickson opened the public hearing. Seeing no public comment, the public hearing was closed.

Baker motioned to approve Ordinance No. 24, 2014, an ordinance of the City Council for the City of Salida, Colorado approving the First Amendment to the Town and Country Annexation Agreement and ordering the ordinance to be published in full. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

5. Bike Rack Discussion (Michael Varnum)

Varnum reported that the proposed bike rack is the fourth and last bike rack to be placed. The initial three were approved by the task force and \$1,000.00 was received from the Pro-Cycling Challenge for the new bike rack.

Yerkey clarified there was a total of four bike racks, Varnum confirmed.

Rogers asked if the new rack would accommodate as many bikes as the existing racks, Varnum confirmed.

Baker motioned to approve the proposed design for the new bike rack. Yerkey seconded the motion. In a 5-1 vote, THE MOTION CARRIED. Bowers had the dissenting vote.

6. License Agreements for Solar Installations 1st Reading (Dara MacDonald)

Ordinance 2014-25 approving license agreements with SHDP MUSA IV, LLC for solar power generating facilities

MacDonald referenced the memo included in the City Council Packet.

Rogers asked if staff recommended this opportunity. MacDonald responded that the first recommendation was made through Hanlon's firm and has evolved from there over the last several years.

Baker motioned to approve Ordinance 2014-25 an ordinance of the City Council of the City of Salida, Colorado, approving license agreements with SHDP MUSA IV, LLC, setting the public hearing for September 2, 2014 and ordering the ordinance to be published in full. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Professional Services Agreement with Recreation Engineering & Planning (Dan Osborn)

Resolution 2014-64 approving a Professional Services Agreement with Recreation Engineering & Planning, INC. for design and engineering of the Salida Trail Project

Osborn referenced the memo and additional information provided in the City Council Packet before providing background information

Hallett asked if projects are supposed to go out for bid if it is for a specific amount. Hanlon stated that professional services are not required to go out for bid.

Bowers felt that it was only fair to put it out to bid. Brown asked if there was a policy. MacDonald responded that Council created a policy, which does not require professional services to be put out for bid.

Discussion Continued.

Yerkey motioned to approve Resolution 2014-64, a resolution of the City Council of the City of Salida, Colorado, approving a professional services agreement with Recreation Engineering & Planning, Inc. for design and engineering of the Salida River Trail Project and authorizing the Mayor to sign the agreement. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

8. Designation of Lago, Italy as a Sister City (Emily Katsimpalis)
Resolution 2014-65 approving the designation of Lago, Italy as Salida’s Sister City

Katsimpalis reported that this was mentioned at the last meeting after a presentation by Dr. Francesco Gallo at the Community Center. With the Sister City Designation, the City can become a part of the Sister Cities international.

Katsimpalis stated that 6% of Salida residents are descendants from Lago, Italy. The advantage to joining Sister Cities International at \$250/year would be access to networking and grant opportunities.

Baker motioned to approve Resolution 2014-68, a resolution of the City Council of the City of Salida, Colorado, approving the designation of Lago, Italy as Sister City, but striking the membership with Sister Cities International. Bowers seconded the motion. Will all in consensus, THE MOTION CARRIED.

9. Creation of Citizen Forum and Citizen Appointments (Emily Katsimpalis)
Resolution 2014-66 approving the formation of and appointments to a Citizen Forum

Katsimpalis explained the purpose of creating the citizen forum is to relay public recommendations and direction from the appointed members back to the City Council. The forum will meet a total of four times with a goal of 1.5 hours for each meeting. After the four meetings have concluded, they will report their findings back to the City Council.

Rogers motioned to approve Resolution 2014-67, a resolution of the City Council of the City of Salida, Colorado, approving the formation of and appointments to a Citizen Forum. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

10. Administrator/City Attorney/Deputy City Clerk

a. City Administrator Report – Dara MacDonald

MacDonald referenced various items included in her Administrative report, which was included in the City Council Packet.

There was further discussion in regard to the use of contraception to control the deer population in the City.

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

c. Deputy City Clerk Report – Christian Samora

Samora provided an update on the current status of the petitions being circulated to potentially place a question on the ballot to change the allocation of 2A Funds. He reported the petitions were approved as to form and were in circulation, but the petitioners have 180 days to circulate the petitions. Hanlon provided further clarification as to the election timeline and that the petitions would not likely be back in time for a coordinated election.

Yerkey stated he has been trying to reach out to the petitioners, but has not received a response.

11. Elected Official Reports

• City Treasurer – Cheryl Brown-Kovacic

Brown-Kovacic reported that June sales tax was the highest it’s ever been with a 1.4% overall increase because several refunds were processed during the month. Excluding transactions in June the increase was 4.2% in the first half of 2014. Businesses engaged in retail trade has an increase of 5-8%. Chaffee county tax for June was approximately \$144k. Total Revenues and expenses are up for the first half of the year. Mostly because of timing in capital projects.

- City Clerk – Betty Schwitzer
- Mayor – Jim Dickson
- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.

Bowers reported that he attended the car show, which was a great community event with 97 cars and a guitar was auctioned off for \$6k to benefit city programs.

Yerkey reported that Sunset magazine had a two-page article about Salida.

Baker stated that he would recuse himself from the executive session and left.

Hanlon reported that he sent out materials earlier in the day for the Executive Session to get some feedback from the Council.

Hallett felt the executive session should be postponed to allow the City Council more time to review the information provided.

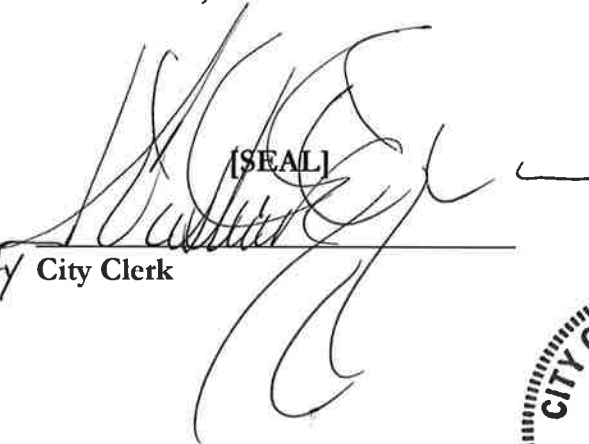
Brown did not feel the need for an executive session.

Hanlon suggested holding an executive session at the next City Council meeting on September 2nd.

The general consensus of the City Council was to postpone the executive session until the next City Council Meeting.

VIII. ADJOURN –

Rogers motioned to adjourn at 8:47 p.m. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.


 [SEAL]
 Deputy City Clerk


 Mayor

