



**MEETING OF THE CITY COUNCIL
City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, September 2nd, 2014 7:00 p.m.**

I. REGULAR MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE – Led by Mayor Jim Dickson

III. ROLL CALL

Present at roll were Mayor Jim Dickson, Council members Keith Baker, Tom Yerkey, Eileen Rogers, Mike Bowers, Melodee Hallett and Hal Brown. Also present were City Treasurer Cheryl Brown-Kovacic, City Clerk Betty Schwitzer, Finance Director Jan Schmidt, City Attorney Jeffrey Conklin and Deputy City Clerk Christian Samora.

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

Asa Geiger of Salida stated he felt the new Crestone subdivision has slid through almost unnoticed. The project is very self-serving and will not address housing needs or needs of the community. Baker recused himself from any further comment on the subject.

Glorianne Elmer of Salida lives in the Cottonwood Green. She stated that the development has not been approved by anyone and does not have a home owners association. It would be a big mistake to build 3-story houses and they are so close together that it would take twenty years to get them all sold. Ms. Elmer did not believe it was the image that Salida needed.

Monika Griesenbeck of Salida wanted to thank junior council member from Ward 1 for doing the morally right thing in reference to the Marijuana Ordinance. Ms. Griesenbeck asked for clarification about public trees, she did not believe the City was following 11-5-30 of the Salida Municipal Code. She has three Siberian Elms along one side of her property that were trimmed by the city seven years prior. The tree across the street from Ms. Griesenbeck's property was trimmed very poorly and must be over 200 feet high; she felt it could possibly fall on her house if there is a strong wind. Ms. Griesenbeck asked for the city to inform the public of what the policy is for trimming trees.

Nancy Dominick of Chaffee County stated she was looking at a AAA magazine advertisement that said "Now This is Colorado" advertising Salida as the tree capital of Colorado. She continued to say when you drive in from the east you smell the sewer plant and all of the trees are dead from removing the water from the Vandaveer property. She stated that she has been fighting with the city for years because nothing is done and nothing is done right. Ms. Dominick closed by stating that she feels

sorry for the people of Cottonwood Estates because the City Administration does not listen to the citizens.

Vern Davis of Salida stated the NRCDC meeting was canceled, but the cancelation was not posted. Mr. Davis would be very appreciative if the City could post any meeting cancellations on the website.

V. PRESENTATION

1. Introduction of New Building/Planning Intern – Kyle Kearns (Dan Osborn)

Osborn introduced Mr. Kearns to the City Council and the members of the public present.

VI. NEW BUSINESS

VII. SCHEDULED ITEMS

1. Consent Agenda (Christian Samora)

- Approval of Agenda
- Property Requests: (1) Vapor Trail 125, September 6th & 7th
- Approval of Minutes: August 5th, 2014 and August 19th, 2014

Yerkey motioned to combine and approve the items on the consent agenda. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

2. POCO LLC Hotel and Restaurant Liquor License Application and Public Hearing (Christian Samora)

Samora explained the background of the application made by POCO LLC for a Hotel and Restaurant Liquor License.

Mayor Dickson opened a Public Hearing for input from the public.

With no participation from the public, the Public Hearing was closed.

Rogers motioned to approve a Hotel and Restaurant Liquor License for POCO, LLC at 123 W. 1st Street, Salida. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

3. Solar Site Lease Agreements 2nd Reading and Public Hearing (Jan Schmidt)

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

Schmidt gave a brief background and explained the Ordinance is up for the second reading and a Public Hearing.

Mayor Dickson opened a Public Hearing.

Jim Miller of Salida asked if there are only going to be three sites in the agreement. Rogers stated that only three of the twelve sites were funded. Mr. Miller thanked the Board.

Monika Griesenbeck of Salida asked if there was a possibility to run the street lights on solar power. She also asked if there was a possibility to have better street lights with less light pollution and to only have light where it is needed.

Vern Davis of Salida asked if there was any reason that the City has not considered purchasing solar panels that are made in the USA as opposed to China.

The Public Hearing was closed.

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, and ordering the ordinance to be published by title only. Brown seconded the motion. With all in consensus, **THE MOTION CARRIED.**

4. **Amendment of Emergency Telephone Charges 1st Reading** (Emily Katsimpalis/ Chief Clark) Ordinance 2014-26 amending sections 5-2-10 and 5-2-20 of the Salida Municipal Code.

Clark stated the purpose of the Ordinance was fairly simple, the City needed to amend 911 emergency telephone charges in the Municipal Code. City Charges are passed by Resolution, but the 911 emergency charges have remained in the Municipal Code, which is inconsistent with other charges.

Staff will draft a Press Release on the subject of E911 registration to be proactive in regard to public health and safety.

Bowers motioned to approve Ordinance 2014-26, an ordinance of the City Council of the City of Salida, Colorado, amending sections of the Municipal Code Section 5-2-10 & 5-2-20 Emergency Telephone Charges of the Municipal Code, setting a public hearing for September 16th, 2014 and ordering the Ordinance published in full. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

5. **Water Treatment Plant Phase II Bid Award** (Bob Salmi) Resolution 2014-67 approving the award of an agreement for water treatment plant improvements phase II and authorizing the city administrator to into a construction services agreement between the City and Moltz Construction.

Salmi summarized the memorandum provided in the Board Packet and reported that Moltz Construction was the lowest bidder.

Salmi requested that the City Council consider approving an upgrade from a 2 million gallon plant to a 4 million gallon plant because the cost difference would be minimal.

Yerkey asked for the cost difference between the two option, Salmi replied that it would be approximately \$340,000.

Rogers clarified that it would be a net difference of about \$38,000.

Conklin suggested that the project would likely need to be re-bid because it may attract a different scope of companies.

Rogers stated that the contractor included construction to expand to 4 million gallon plant.

Rogers motioned to approve Resolution 2014-68, a resolution of the City Council of the City of Salida, Colorado, approving the award of an agreement for the Water Treatment Plant Improvements Phase II and authorizing the City Administrator to enter into a construction services agreement between the City and Moltz Construction. Bowers seconded the motion.

Hallett asked if they were in good territory.

Brown said they would be approving the contract and bid before them. The discussion was how it could be increased to a 4 million gallon capacity plant. Brown felt that whether it would need to be put out to bid again for the expansion is the next question.

Conklin will investigate, but felt it could be done with an amendment to the existing contract.

Brown wanted to be sure that the competitive bid process was being followed correctly.

Jim Miller stated that Ordinances allow for the City to allow a 10% preference to local bidders.

Ms. Schmidt made a clarification that the local preference is 3% rather than 10%

With all in consensus, THE MOTION CARRIED

Yerkey asked that the City Attorney work with the City Administrator to see what would be required to make the increase from a 2 million gallon plant to a 4 million gallon plant.

- 6. Lukas Annexation Agreement Acknowledgement of Completion** (Dan Osborn)
Resolution 2014-68 acknowledging completion of all terms and conditions of the Lukas Family Limited Partnership Annexation Agreement.

Osborn gave a brief background of the annexation agreement that was made with the Lukas family when the Burger King property was originally annexed into the City of Salida.

Baker motioned to approve Resolution No. 2014-68, a resolution of the City Council for the City of Salida, Colorado, acknowledging the completion of the terms and conditions of the Lukas Annexation Agreement. Rogers seconded the motion.

Eldon Elarton introduced himself and explained that the original annexation agreement between the City and the Lukas family appeared as an exception on the property even though the requirements of the agreement had already been met.

With all in consensus, THE MOTION CARRIED.

7. Administrator/City Attorney/Deputy City Clerk

- a. City Administrator Report – Jan Schmidt
Ms. Schmidt reported that Council provided direction to staff to investigate the cost of various additions to the Caboose relocation project. Ms. Schmidt reported that the total cost would be approximately \$3,495 out of the 2014 Budget.
- b. City Attorney Report – Karp, Neu, Hanlon, PC
Nothing to Report.
- c. Deputy City Clerk Report – Christian Samora
Mr. Samora reported that a new petition was submitted in regard to the 2A sales tax ordinance, but was submitted with a 75/25 allocation instead of the initial 85/15 allocation. Samora continued that the petition would likely be approved as to form later in the week.
Mr. Samora stated that the City received several Open Records Requests that specifically requested communications between council members. He continued to say that staff would retrieve the communications for the Council Members. Two council members were not comfortable with staff retrieving the information because the email would not be accessible until the password was reset. Mr. Samora stated that he would send the requests to the City Council, so that they can forward the requested information.

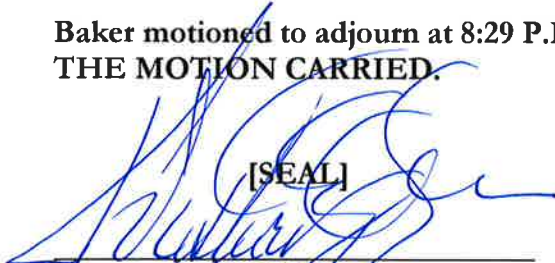
8. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic
Ms. Brown-Kovacic reported that she will miss the next budget session because she will be out of the country. She will leave a few comments or suggestions with Ms Schmidt,
- City Clerk – Betty Schwitzer
Nothing to report.
- Mayor – Jim Dickson
Mr. Dickson reported that the barbeque was very nice and had a big turn out.

- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.
Rogers reported that she visited the miniature alpaca farm and asked if there could be any at FiberFest. Ms. Schmidt replied that animals are prohibited in the park, but animals can be approved by City Council.

VIII. ADJOURN -

Baker motioned to adjourn at 8:29 P.M. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.


[SEAL]

City Clerk - Deputy



Mayor



