



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

I. REGULAR MEETING CALLED TO ORDER (7:00 p.m.)

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.*

Monty Holmes of Salida provided a letter from Hylton lumber concerning the width of H Street in front of the lumber yard with the narrower street. Holmes also delivered a letter from Captian Zipline, LLC. Holmes stated that narrowing H Street is dangerous and it was not included in the plan. Holmes said that if the Council can individually and collectively be responsible for a death, then he can walk away, otherwise it needs to be fixed.

David Griggs of Salida felt the taskforce failed over the last six months. He stated that recruitment of new and young leadership is necessary and he is hoping the Council can find some people that are pro-art as well as some from HWY 50.

Ken Burndt of Salida stated he will speak on the CDOT MOU when it is discussed.

Monika Griesenbeck of Salida was concerned about the five minute time limit that is imposed on public hearings. Not sure if it is legal because public hearings are required for the budget and to get input. Some clarification should be given because groups that support one issue can be repetitive. She stated that she volunteered on a forum, which is supposedly going promote communication between the City Council and the Citizens.

Brown thought that it may be a good idea to get some clarification on the time limits.

Dara stated that she had met with the mayor in regard to the length of the meetings and it was determined that the language would be added to the agenda. Hallett felt that the length of the meetings was how agenda items were stacked up and not necessarily how long the public comment was.

Nancy Dominick of Chaffee County stated that Jennifer Davis, County Attorney, makes \$93,000, the part time Social Service Attorney makes \$55,000 and the paralegal makes \$29,696. Dominick stated that she has been fighting with her water situation for ten years and does not have water. Dominick felt that Applegate was suggested by Hanlon because it was from Glenwood Springs. MacDonald clarified that Applegate was not from Glenwood Springs and it predated any involvement between the City and Hanlon's firm. Dominick

stated that in the last five years, she has only received 24% of her water.

Vern Davis of Salida stated that Dominick's water is working, but it's not a long term fix. He continued to state that the sewer smell is terrible and the health department or EPA needs to check it because people are breathing it.

Jim Sebastian of Salida wanted to make sure that the City Council was aware of the Town Hall Meeting this upcoming Friday and encouraged the Council Members to attend.

Rogers stated that the Mayor was at the last meeting in addition to other members.

Jimmy Descant of Salida said he has two words plus one, Please Act Right.

Robin NeJame of Salida thought that Town Hall Meetings were City Sponsored and to make sure that it is posted. She continued to state that the City Council needs to stand by the employees and have say that the rudeness cannot be tolerated.

V. Colorado Department of Transportation Memorandum of Understanding (Dan Osborn/Mike McVaugh)

Resolution 2014-69 authorizing the City Administrator to enter into a Memorandum of Understanding with the Colorado Department of Transportation concerning the restriping of US 50 through Salida.

Osborn introduced the Resolution, which was originally introduced in September.

Brown asked about the GOCO Grant street lamp project. Dara stated that GOCO only funds parks.

Bowers asked if it would be effective when approved, Hanlon clarified that this would be for the City Council to agree to the MOU.

Hallett thought there may have been another project with sidewalks Dara clarified that it was a grant specific project.

McVaugh stated that the MOU is just establishing an agreement between the City and CDOT about what the HWY 50 Corridor will look like. He continued to state that CDOT will honor the roadway template even if they came in without the city to do the work. He stated a restripe is not hard to change, however; a median would be difficult to change.

Hallett stated that Poncha and Buena Vista are going through something similar and maybe Salida needs to wait and see how they deal with it. Hallett thought the city could try more police presence to lower the speed on the HWY.

Rogers believed the change would make a difference and drivers are more careful to stay within the lanes.

Bowers felt that the change would be confusing and cause people to slow down. Bowers asked what the diagonal lines and strait lines mean. McVaugh explained that they are chevrons to indicate to drivers that it is an area to stay away from.

Brown noted that the gutter pan would reduce the bike lane width.

McVaugh stated that the gutter pan is 18 inches and continued to state that the MOU being considered tonight is only for the long term plan.

Bowers asked how the speed limits would change. Mike stated that the majority of HWY 50 would remain the same, while the shoulders (east and west end of the city) would increase.

Ken Barr of Salida was under the impression that the stripping would be voted upon tonight. State Statute allows for the speed limits to be reduced. He stated that he would be in favor of increasing to a 10 foot sidewalk to narrow and slow the traffic.

Robin NeJame of Salida said it is about safety because Salida has a lot of bicycle traffic through the HWY 50 corridor. She believed in sharing the road and was very concerned about an increase in speed. NeJame continued to state that an increase in speed will give businesses in Salida less of an opportunity for visitors to stop. NeJame thanked the City Council for their time.

Zach Isaac of Salida. Stated that one of his classmates struck and killed a pedestrian in high school on HWY 50. Moving towards a safer highway is the right direction for the City. Salida is a crossroads for three different bike routes across the country. He stated that he would welcome a bike lane to make HWY 50 safer. The

construction in Poncha has greatly slowed traffic and the city has also received recognition for making this a bicycle friendly community. He thanked the City Council.

Billy Carlisle of Salida stated that a lot of pedestrians are trapped on either side of the road and felt that there was an insufficient amount of crosswalks. He asked if there a plan to improve crosswalks. McVaugh stated the speed limit is changed through an engineering speed study. Carlisle asked if the plan will leave flexibility or if there is a coercive nature? Osborn stated that there is not a coercive nature.

Ray Kitson of Salida would like to see a safe road regardless of vehicle speed. Kitson felt that the bike lanes, medians, and trees would all make it safer. He stated that he has read letters in the newspaper and has a hard time putting the welfare of trucks over the welfare of children and families. Kitson said to make it as bike friendly and as safe as possible. He concluded by stating Alamosa Pueblo have the same budget crunches and have managed to complete the same projects and to adopt it to move forward in a positive direction.

Harry Brull of Salida stated that he commutes by bicycle and car everyday into Salida. He strongly urged the Council to lower speed, because speed kills. Putting bicycles on the sidewalk is dangerous for both pedestrians and bicyclists. Brull stated that he understands fear, there are professionals that have been studying this for years, there is not a single study to show that narrowing lanes does not lower speed. CDOT does not have an agenda to promote bicyclists. Durango has done the same thing and it works, even with 8 times the overall traffic. Mr. Brull stated that he hopes the entire Council can be behind this.

Monika Griesenbeck of Salida stated that HWY 50 was the one roads that her son was not allowed to go when he was growing up. She stated that most traffic fatalities have happened on HWY 50. The situation in Salida is unique and cannot be compared to other cities. She felt there could be mixed use on the sidewalk rather than creating bike lanes. Griesenbeck said it's not about safety; it's about bicycles and to put the bicycles up on the sidewalk.

Shawn Gillis of Salida highlighted the CDOT Mission Statement. He stated that drivers have to slow down in surrounding small cities and towns. Gillis stated that the City Council already voted on the direction of the MOU in June. He continued to state that HWY 50 is right next to the Highschool and the Middle School with the most dangerous section being from Walmart all the way to Vandaveer. Gillis stated that Bike lanes are low hanging fruit to slow the speed of traffic down.

Ann Marie Holland of Salida urged the City Council to approve the memorandum. Holland felt that it would support multiple public purposes in town by reducing speeds, encouraged people to turn off and would make the corridor safer for bicyclists. Holland hoped for a unanimous vote.

Bob Grether of Salida asked the Council to all vote for the MOU because the research supports it and it's worth Pursuing.

Gregory Justice of Salida felt the CDOT proposal seems like the best way forward and hopes the Council will vote for it.

Lisa Malde, Director of Live Well Chaffe County has been working to increase infrastructure and safety. She stated the 2013 Comp Plan includes a commitment to alternate modes of transportation. More than twice as many kids bike to school now than in 2011. It's not about drivers vs. bicyclists, it's about safety. Malde concluded by stating that she and her organization hope that Council will vote in favor of this issue.

Hallett asked if there is a street sweeping effort. Dara was not certain of the sweeping schedule, but there is not staff available to increase the frequency.

Public comment closed at 8:41PM

Rogers motioned to approve Resolution 2014-59, a resolution of the City Council of the City of Salida, Colorado, authorizing the City Administrator to enter into a Memorandum of Understanding with the Colorado Department of Transportation. Baker seconded the motion.

Brown thanked the citizens who participated and felt there was a significant difference in priorities. Brown stated there will be seven lanes instead of five and with all of the curb cuts it can prove to be problematic. He was not sure that adding bicycle lanes would make it any safer. He mentioned that someone pointed out in the previous meeting, there is a correlation in the time someone has to wait and the safe distance between cars. Brown stated that he tends to favor the MOU, but was not sure that he could vote for a restriping.

Yerkey felt the MOU was something that could be passed tonight and the striping could be considered later.

Yerkey disagreed with Brown about the bike lanes making HWY 50 more dangerous.

Bowers was concerned about safety, could not vote for this and be okay if a child were to be hit by a vehicle.

With all in consensus, THE MOTION CARRIED.

VI. PRESENTATION

1. Lago, Italy – Terry Scanga

Scanga stated that he received a call from Mayor Dickson requesting that he deliver the City Seal and Proclamation to the City of Lago. His grandparents were from Lago and had returned back to Lago from Salida in the 1920's where they later died. Scanga gave a short presentation from his recent visit to Lago, Italy.

The City Council thanked Scanga for his presentation.

2. Halloween Taskforce – Sandy Farrell/Chief Clark/Jessica Lattanzio

Farrell reported that the Taskforce met four times in all and discussed various subjects in regard to safety. Additionally, there will be an extra patrol car along F Street and the Boys and Girls Club will be organizing a Halloween Dance for older kids.

Farrell did not feel that there was a whole lot of cost involved, except for maybe the additional police officer. Clark stated that the Halloween taskforce did a great job working on this project. He continued to state that the only additional work will be placing cones and a speed trailer on F Street.

Lattanzio recapped what the Police chief said. She stated that the cones and speed signs are meant to help with congestion and slow traffic.

Baker asked if there will be additional police, Clark replied that there will be additional Police on Halloween.

Baker Motioned to approve the recommendations made by the Halloween Taskforce, Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

VII. NEW BUSINESS

VIII. 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
- Approval of Minutes: September 16, 2014
- Fire Dept. Open House Street Closure Request – October 11, 2014
- ShedFest Street Closure Request – October 18, 2014

Items 2 and 3 were reversed and item 5 was removed.

Motion to approve combine approve with changes. Rogers second. With all in consensus, THE MOTION CARRIED.

2. Tenderfoot Health Collective Retail Marijuana License Appeal (Dara MacDonald)

MacDonald provided background information in regard to the request for appeal made by Tenderfoot

Health Collective. MacDonald continues to explain that there are two possible ways to measure the distance requirement and one of the two distances was less than 1000 feet.

Hanlon felt that there would not be a material difference between the two routes.

Hallett asked if other medicinal licenses had to apply for a new retail license and why they were grandfathered in.

Hanlon stated that when it is a renewal, the distance is not considered again. He continued to say that the applicant is not being treated differently; they are applying for a new license. Hanlon felt that it would be fair for the City Council to make the determination that the two routes do not have a material difference.

Hallett felt this could have been address sooner had the City Council had the opportunity to address the issue sooner. She continued to say that she believed the authority to issue retail marijuana licenses should be that of the City Council rather than the City Administrator.

Baker said his recollection was that the power was given to the Administrator to shorten meeting and remove routine processes.

Rogers motioned to accept the application and issue the license assuming there is no material difference. Baker seconded the motion.

Bowers asked about a church that may have a daycare inside and how it would it be addressed. Hanlon stated that it would be an entirely different situation and is a matter of how the code is interpreted.

Hallett asked about the difference between the 500 and 1000 foot requirements. Hanlon stated that it is two different licenses and the requirements have changed.

With all in consensus, THE MOTION CARRIED.

3. Submission of Draft 2015 City Budget (Jan Schmidt)

Schmidt presented a PowerPoint presentation of the proposed 2015 City Budget and provided background information for each slide.

4. Poncha Sewer Manhole Project Bid Award (Bob Salmi)

Resolution 2014-73 approving the award of an agreement for Salida-Poncha Sewer Manhole Project and authorizing the city administrator to enter into a construction services agreement between the City and Y&K Excavation, INC.

Salmi referenced the information provided in the City Council Packet and gave a brief overview of the packet.

Yerkey Motioned to approve Resolution 2014-73, a resolution of the City Council of the City of Salida, Colorado approving the award of an agreement for the Salida-Poncha Sewer Manhole Project and authorizing the City Administrator to enter in to a construction services agreement between the City and Y&K Excavation, Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

5. Caldwell Reconstruction Project Bid Award (Bob Salmi)

Resolution 2014-74 approving the award of an agreement for the Caldwell Avenue reconstruction project and authorizing the city administrator to enter into a construction services agreement between the City and Y&K Excavation, INC.

Salmi referenced the information provided in the City Council Packet and gave a brief overview of the packet.

Baker Motioned to approve Resolution 2014-73, a resolution of the City Council of the City of Salida, Colorado approving the award of an agreement for the Caldwell Avenue Reconstruction Project and authorizing the City Administrator to enter in to a construction services agreement between the City and Y&K Excavation, Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

6. Administrator/City Attorney/Deputy City Clerk

- a. City Administrator Report – Dara MacDonald
Macdonald reported that a Pumpkin will be replacing the heart on S Mountain for the last part of October.
- b. City Attorney Report – Karp, Neu, Hanlon, PC
No report.
- c. Deputy City Clerk Report – Christian Samora
No Report.

7. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic
No Report.
- City Clerk – Betty Schwitzer
No Report.
- Mayor – Jim Dickson
No Report.
- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.
No Report.

IX. EXECUTIVE SESSION –

Brown motioned to adjourn into Executive Session for a conference with the City/Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). Rogers seconded the motion. Will all in consensus, **THE MOTION CARRIED. AND THE FOLLOWING ADDITIONAL DETAILS WERE PROVIDED FOR IDENTIFICATION**

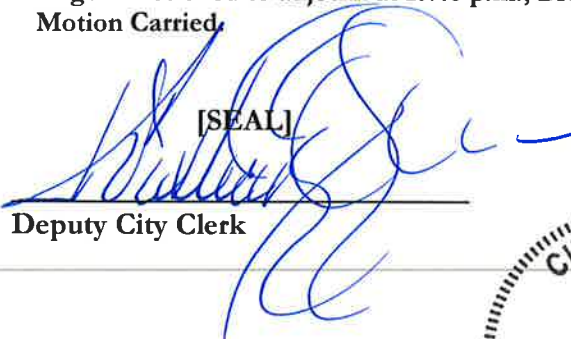
PURPOSES: Stipulation in the Dominick matter, Case No. 04CW125

X. REPORT/ACTION ON EXECUTIVE SESSION MATTERS

Hanlon reported that no decisions were made in the Executive Session. He continued to say that staff is requesting direction from Council to investigate the Dominick matter to find out what is going on. The Council was in agreement with the request.

XI. ADJOURN –

Rogers motioned to adjourn at 10:46 p.m., Brown seconded the motion. With all in consensus, The Motion Carried.


[SEAL]

Deputy City Clerk



Mayor

