



**MEETING OF THE CITY COUNCIL**  
**City Council Chambers**  
**448 East 1<sup>st</sup> Street, Room 190**  
**City of Salida, Colorado**  
**Tuesday, November 18, 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, 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, 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.*

Vickie Sue Vigil from the Mountain Mail reminded everyone of the Parade of Lights on the Friday after Thanksgiving and thanked the City for all of their assistance.

Cathy Chochon of Salida was upset about the lack of ability for the City Council to talk to Salida employees. She felt that it was inappropriate that there was a gatekeeper. Chochon asked if invoices are scanned into the accounting system or if they are hand coded and entered into the system. MacDonald stated that they are hand-coded and entered into the system. Chochon encouraged the city to invest and utilize technologies to simplify access to the public. In closing, she thanked the City Council.

Susan Brown of Salida will speak about the proposed ordinance at the appropriate time.

Oren Dreeben of Salida will speak about the proposed ordinance at the appropriate time.

Monika Griesenbeck of Salida felt that the City Administrator had too much authority about when the Council can communicate with the department heads. Griesenbeck felt there was a time that Council could send a memorandum to the department head, or it could be forwarded to the administrator to pass to the department head. She continued to say that there were public meetings with committees and department heads, who could directly answer questions.

Billy Carlisle of Salida felt that the Salida is losing its way and that the City Council was shouting down people at the podium. He would like for everyone to speak to each other in a civil way. Carlisle stated that sometimes people feel intimidated and he is standing up for them. He hopes that Salida can find its way back to civility.

Nancy Dominick of Chafee County stated that she is very happy that she doesn't live in the City of Salida. She stated that the last five years have not been pleasant and that Councilmember Baker's behavior wasn't acceptable at the previous work session.

Judy Ensley of Salida she stated that the first time she spoke at a council meeting she felt intimidated and was told that she was on a retaliation list. She stated that people do feel intimidated by the Council and she has spoken to many people who feel the same way. Ensley felt that the streets in Salida are a disgrace. Ensley continued to say that she moved here eight years ago and enjoyed it more when she first moved here.

Robert Lilly of Salida stated that he didn't feel intimidated. He did not really understand the need for such division, he didn't understand it even if he'd like to. He thought it could be that human beings enjoy confrontation, but that's not the reason why. Lilly stated that he is sad that this beautiful town, almost perfect town, would have this. He felt as though it's a matter of spending money, which goes against three of the member's desires. He felt the division was a large price to pay. Lilly stated that the Council should go with the City Administrator and Jan Schmidt because they are professionals and know what they are doing.

Steve Tucker of Salida stated that he grew up in a huge city and he moved here because everyone was friends. He stated that the community is changing; he finds it sad and did not feel that he should have to come down to the Council Meeting to speak. He felt let down by the Council and the Council should be community minded and do what's best for the community. He didn't understand why everyone is so upset when there is so much going on. He stated that it's a beautiful place and everyone can work together to make it better.

## V. PRESENTATION

### a. Pro-Cycling Challenge (Dana Porter & Robin NeJame)

Ms. Porter introduced both herself and Robin NeJame. She stated that there presentation is to wrap up the Pro Cycling Challenge and say thank you to the City. Porter stated that they had worked for over nine months with over 125 volunteers in preparation and during. She stated the City of Salida shared the best finish award with Breckenridge, which was quite an accomplishment.

Ms. NeJame shared the various outlets that were used including being on the NBC sports network for 2.5 hours, broadcasted internationally in over 108 countries. She stated that users from over 180 countries visited the website and there were over one million publications distributed. There was also a significant number of online Google searches for the Monarch Mountain race.

Ms. Porter and Ms. NeJame presented a shadow box with various autographs and items to the Mayor.

## VI. NEW BUSINESS

Hallett stated that she would like to see Old Business on future agendas, so that there is an opportunity to address subjects that may come up.

## VII. SCHEDULED ITEMS

### 1. Consent Agenda (Christian Samora)

- Approval of Agenda
- Approval of Minutes: November 4, 2014
- Chisholm Park Replacement Final Settlement
- Sewer Jetting Final Settlement

Brown asked if there are any open claims on the Sewer Jetting Project due to some overflow caused by the jetting. MacDonald stated that she was not aware of any outstanding claims.

**Yerkey motioned to combine and approve the items on the Consent Agenda. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.**

**2. Fee Reduction Request – Salida Spartan Swimming Team (Theresa Casey)**

Ms. Casey introduced Sandy Love and explained that the fee for the facility was capped at \$500.00 for the last four seasons.

Sandy Love stated that the team has been around for 10-11 years as a fundraising group. Baker asked if it would be encumbering future councils. Hanlon stated that it could be clarified to state that it may change in the future. Yerkey asked if it would need to be in the budget. MacDonald stated that it would not need to be in the budget.

**Baker motioned to approve the fee reduction and to allow any future council to amend the agreement, Rodgers seconded the motion. With all in consensus, THE MOTION CARRIED**

**3. Holiday Park Storage Space Request (Dara MacDonald)**

MacDonald gave a brief overview of the request.

Chief Bess stated that it would be acceptable as long as it is orderly and the appropriate 2 feet is maintained between the tops of any stacks and the ceiling.

The City Council was in agreement to allow the use of the basement for storage.

**4. Initiative/Proposed Ordinance (Christian Samora/Betty Schwitzer)**

Ordinance 2014-28 amending section 4-3-50(b) of the Salida Municipal Code regarding the disposition of proceeds of the one percent (1.0%) increase in sales tax imposed by Ordinance No. 34, Series of 2008

Clerk Schwitzer introduced the agenda item and read a brief summary of the process leading up to the consideration of the ordinance.

Brown asked if there was an idea of when the Election would be. Hanlon stated it may be easier to discuss the date when the Council has made it to that part of the discussion.

Mayor Dickson opened a public hearing with a five minute time limit.

Steve Tucker of Salida asked what the City Council had come up with in the work session. Rogers stated that it was only discussed and no decisions were made.

Oren Dreeben of Salida felt that the current process is correct and felt that it seemed odd to have an initiative for something that is specific to a budget process which would constrain the spending. He continued to say that things change, some years capital expenditures are larger some years than others. He reiterated that it is the Council's and Staff's job to figure out what is needed in the Budget.

Susan Brown of Salida spoke about the 2A Initiative. She felt the original intent of the 2A funds has not been followed correctly. Ms. Brown felt that many people took the wording to mean something very different. She continued to say that the people voted for new roads and sidewalks and wound up with a new roof on the City building or a new strip on the airport runway. The revenue should not be used to increased salaries or used to pay off debts. She stated that she was proud of those who wrote the initiative and collected the required number of signatures.

Robert Lilly of Salida felt the previous speaker had a good point that perhaps it wasn't what they felt they voted for. He felt people will lose their jobs to make up for the difference; he was shocked when there was a consideration to terminate people and not give them cost of living increases. Mr. Lilly stated that he disagreed with the previous speaker.

Cathy Chochon of Salida stated that Ward 3 has bad streets and the sidewalks are non-existent. She said

there are a lot of improvements, but the funds are not being used properly. Chochon stated that she wanted a more walkable and usable town because walking and riding bikes is dangerous at night. She stated that there are items in the budget to hold off on and hopefully sales tax will increase from events coming to town.

Billy Carlisle of Salida stated that the 2A Initiative is a good thing for the community. He stated that people back in 2008 felt they needed an initiative to increase the sales tax. Mr. Carlisle read a letter from a 2008 Mountain Mail paper. He added that the Council needs to take into account that there were over 400 signatures on the petition.

Harald Kasper of Salida stated he was clearly against the 2A initiative because it's just common sense decisions.

Monika Griesenbeck of Salida stated that Kasper's comment made her wonder how the City Council managed before the original 2A. She felt that the majority of the revenues are from the poor, which are the people who serve food, work at the motels or take care of patients at the Columbine Manor. Griesenbeck read a letter by Hugh Young from a 2008 issue of the Mountain Mail. She stated that many people volunteered to circulate the petitions and make it clear to voters what they were signing. Griesenbeck felt there was an example of disrespecting voters in a past election.

Shawn Gillis of Salida was in Salida when 2A was passed in 2008, it was presented to repeal the property tax and increase the sales tax. At the end of 2014 69% of the roads will have been repaired since 2008. Gillis felt there has been a lot of street improvement in the last six years. Gillis stated that Salida spends quite a bit more than other cities in comparison. Gillis felt that Salida has changed quite a bit in an amazing way. He felt that it is important for transparency works both ways and hopes that Salida will continue to move forward.

Jim Miller stated that it took decades for the roads to deteriorate to the point that they did in 2008. He stated that the idea of eliminating the property tax would be to increase overall revenues. The proponents stated that the City Council was misappropriating money, but changed their arguments that they were lied to when they realized that wasn't the case. Miller continued to state that many people don't understand that 45% of the 3% is already restricting the revenues to be used on specific projects. He continued to state that jobs will be lost if 2A passed because 80% of the operating budget is salary. Miller stated that there is no other place in operations that the salaries can come from and it would be impossible to balance the budget if the initiative passes.

Bob Grether of Salida stated that he was at the work session and there was a lot of information provided. He agrees that the people elected the Council because they believed they could handle the job. Grether stated that 2A was a way of removing the burden from locals and placing it on the visitors with sales tax. He continued to say that the new initiative would remove the ability to improve other infrastructure. There are still dozens of streets that still need to be maintained and new streets could not be maintained under the definition in the proposed 2A ordinance. Grether encouraged the council to come up with an alternative to the proposed Ordinance.

Jeff Auxier of Salida stated that the people will make the decision. He stated that the City Council has not spent anymore funds on roads since 2A was passed. Auxier felt that legal counsel has led the City Council, the NRCDC and the Administrator into hiding spending habits. He stated that the City Council has not acted in a way to merit trust and the citizens are the ones paying for it. He continued to state that the roads are scary and dangerous to ride on at night. Auxier felt the Council should pass the ordinance and come back in several years for an amendment.

Merrill Bergin of Salida stated that there are difficult decisions in the near future. He stated that the initiative is a red meat and bacon diet and the capital will grow weak over time. He stated that the City needs a balanced diet to be kept simple and viable. Bergin stated that the Council should find alternative language to the choices that the city is being faced with.

The public hearing closed.

Baker stated that no money was spent on the airport runway or the parking lot because it was done with grants through the county. He continued to state that over 50% of the roads have received treatment since 2A. Baker stated that the original ordinance has been followed and has not been deviated from because there is a huge restriction on a good portion of the City's funds. He continued to state that if you add even more restriction to the funds, then there's nothing left for operations because it pays salaries, the electric bills, day to day bills and packs for the police cars. He continued to state that If you pull over \$500,000 out of operations, then something is going to give. The City has the ability to pay cash rather than borrowing money to do everything. Baker wanted to clarify some of the items that were discussed. Baker stated that there is no sunset in the initiative language and could not see how will the city continue to spend 1.6 million every year on streets.

Yerkey stated that the well-meaning proponents probably honestly believe that they are speaking for the whole city. He felt that the City could very likely accomplish what this initiative is trying to in the six year plan, by maybe compressing it to a four year plan. Yerkey felt that there could be two measures on the ballot, one from the proponents and one from the City Council. It would allow the City to continue to do projects and would eliminate the need to take the axe to personnel. Yerkey stated that about \$370,000 would have come out of personnel. Yerkey wanted the Council to send the initiative along to an election along with another measure.

Brown stated that there are a lot of things in play. He stated that he is more aware after hearing input from the public and one of the challenges that will face the City Council is transparency and communication. Brown did not believe it was necessary for people to lose their jobs because spending could be moved from capital to operating. Brown did not feel that it would be wise for the City Council to adopt the Ordinance and felt it would be best to have the people vote on it along with an alternate measure on the ballot.

Bowers stated that he has lived in Salida since 1975 and would never do anything to hurt the community. He stated that he is proud of the City and what they do. Bowers felt that maybe some language needs to be changed, but would not like to see another measure alongside the initiative on the ballot.

Rodgers stated that the City is a service organization who serves humans and it takes humans to do that. She would like to have seen Carlisle and Farney approach the City Council with their ideas with more consensus in the community in a sit-down meeting. Rodgers stated that over 40% of the sales tax comes from the tourists. She continued to state that the City has completed 69% of the roads with the current plan. She agreed with Brown, Bowers and Yerkey to send this to the voters to make a decision.

Yerkey stated that the petition has been filed with the city and it cannot be changed. So the only way to have a different ordinance is to create an alternative ordinance on the ballot.

Hallett stated that it's pretty obvious that it will be the people's choice. She disagreed because she felt there was an opportunity for changes to be made when the proponents brought the initiative back eight times for approval.

Mayor Dickson stated that he agreed with everyone that it needs to be done by a vote of the people.

Discussion continued.

**Brown motioned in the matter of Ordinance 2014-28 amending section 4-3-50(b) of the Salida Municipal Code regarding the disposition of proceeds of the one percent (1.0%) increase in sales tax imposed by Ordinance No. 34, Series of 2008 to direct staff to draft a resolution for a special election and to disapprove the ordinance. Yerkey seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED. Bowers had the dissenting vote.**

The Council was in agreement that the December 1<sup>st</sup> Work Session could be dedicated to the review and discussion of an alternate measure.

5. **Amendment to Professional Services Agreement with Workshop Design, LLC** (Dan Osborn)  
Resolution 2014-84 approving the amendment of the design and fabrication contract for wayfinding signs and authorizing the City Administrator to amend the professional services agreement between the City of Salida and Workshop Design, LLC

Osborn explained the purpose of the resolution and provided background.

**Rodgers motions to approve Resolution 2014-84, a resolution of the City Council, City of Salida, Colorado approving the amendment of the design and fabrication contract for wayfinding signs and authorizing the City Administrator to amend the professional services agreement between the City of Salida and Workshop Design, LLC, Bowers seconded. With all in consensus, THE MOTION CARRIED.**

6. **Bid Award for SteamPlant Theater Seats** (Michael Varnum/Theresa Casey )  
Resolution 2014-85 approving the awarding of a contract for SteamPlant Theater seats to Irwin Seating Company

Varnum explained the purpose of the resolution and provided background.

7. **Yerkey motioned to approve Resolution 2014-85, a resolution of the City Council, City of Salida, Colorado approving the awarding of a contract for SteamPlant Theater seats to Irwin Seating Company. Rodgers seconded the motion. With all in consensus, THE MOTION CARRIED.**

8. **Renewal of Agreement for Physician Advisor Services** (Doug Bess)  
Resolution 2014-86 approving a contract for physician advisor services with Dr. Richard Ruiter

Chief Bess explained the purpose of the resolution and provided background.

**Rodgers motioned to approve Resolution 2014-86, a resolution of the City Council, City of Salida, Colorado approving a contract for physician advisor services with Dr. Richard Ruiter, Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.**

9. **Mutual Aid Agreement for Emergency Services** (Doug Bess)  
Resolution 2014-87 approving a mutual aid agreement for fire protection services for the Chaffee County emergency service provider

MacDonald explained the purpose of the resolution and provided background.

**Bowers motioned to approve Resolution 2014-87, a resolution of the City Council, City of Salida, Colorado approving a mutual aid agreement for fire protection services for the Chaffee County emergency service provider. Rodgers seconded the motion. With all in consensus, THE MOTION CARRIED.**

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

- a. City Administrator Report – Dara MacDonald  
MacDonald stated that the Christmas Mountain group would like to upgrade the “S” and the heart on Tenderfoot to LED lighting with the consent of the City Council. The City Council was in agreement to spend about half of the remaining amount in the budget item for holiday decorations before they pass the bylaws.  
The NRCDC Board would like to change the frequency of audits with the consent of the Salida City Council. The purpose of doing so is because there are a very limited number of transactions every year. The frequency would need to be at least every three years or when the City Council directs them to do so. MacDonald will have a resolution prepared for the December 16<sup>th</sup> Meeting.  
MacDonald reported that the water attorneys advised against leasing any water at this time because there is a pending case in the water court that could provide direction. Hanlon stated

that the state could aggressively go after newer decrees and the Sedalia case could provide clarification.

MacDonald clarified that the Council is more than welcome to speak with employees.

Baker suggested having a portion of the people address the whole council. Rodgers stated that Dara works many hours with the Department Heads to formulate the budget. MacDonald stated that the Treasurer can probably weigh in a lot on that.

MacDonald stated that there are a lot of indirect statements accusing staff of different things and asked the Council to challenge these accusations.

- b. City Attorney Report – Karp, Neu, Hanlon, PC  
Hanlon reported that the land use case should be having oral arguments towards the end of the first quarter. He continued to report that the budget case has not been briefed because Auxier has requested four continuations for various reasons. Hanlon estimated that case to be concluded by the end of third quarter of next year.
- c. Deputy City Clerk Report – Christian Samora  
No

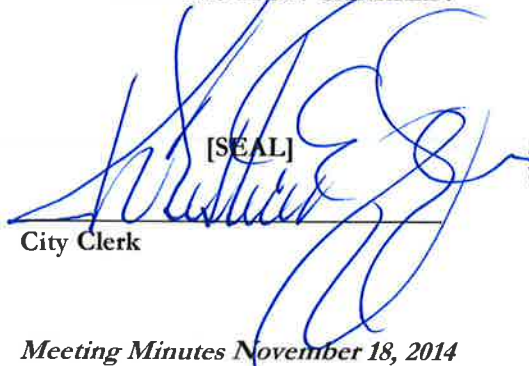
### 11. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic  
Ms. Brown-Kovacic provided the September Sales Tax Report, which was approximately a 5.8% increase over last year. September concludes the four month summer season when the sales tax collections are the highest. She stated that the budget is complicated and it may be a challenge to educate everyone they need to make a good decision in the 2A process. The budget does start with the department heads with their capital and staff needs. Kovacic felt that it's just a lack of information when people do not understand the process.
- 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.
- Bowers asked about a cut through the new asphalt for the dump station. Vern Davis stated that the cut was for the sewer and the black-top was redone. Bowers asked how the donations are taken. MacDonald stated that it is by credit card.
- Bowers addressed a comment earlier about how roads and streets are defined. Hanlon stated that streets and alleys are defined differently in the Municipal Code. MacDonald stated that the proposed ordinance specifically defines streets in the ordinance.

Vern Davis stated that he knew of outstanding sewer bills and there may be damages to the print shop. MacDonald stated that the settlement was specific to the subcontractors, which was advertised.

### VIII. ADJOURN –

Brown motioned to adjourn at 9:14 p.m., Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

  
[SEAL]  
City Clerk



  
Mayor

