



## MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers  
448 East 1<sup>st</sup> Street, Room 190  
City of Salida, Colorado

Tuesday, December 16, 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.*

Shawn Gillis of Salida stated that he has attended quite a few council meeting and wanted to bring up things that he had noticed in the meetings. He stated that a lot of what is happening is dividing the Town. Gillis continued to stated that there needs to be respect, for one another, the community and for City staff. He stated that a lot of it is varying opinions and it is one thing to disagree; but it's another thing to do what is witnessed in this room, which is embarrassing. He stated that he appreciated the City Council and appreciated when reasons are given for how they vote. Gillis stated that citizens of Salida need to be treated fairly by the Council and those in the room. He stated that not listening to each other is dividing the community.

Monika Griesenbeck of Salida suggested changing the order of Council seats in the Council Chambers so that the same Council Members are not sitting next to each other. Several members of the Council switched chairs with each other.

Jeff Auxier of Salida asked the Mayor if he could approach and the Mayor agreed. Auxier passed out a copy of C.R.S. 31-4-102 which he stated outlines the duties of the Mayor. Auxier also passed out a copy of C.R.S. 31-4-102 and the Colorado budget law. Auxier stated that the dog gate generated a lot of comment because people in the City care. As well as the public art because a lot of people care about how the city spends money. He stated that citizens do not know what's going on and they need to know. He continued to stated that C.R.S. 29-1-109(2)(a) states that any change to the budget shall be noticed and there shall be a public comment and posted for a public hearing. He stated that the Mayor is supposed to enforce the laws and asked if he is going to do it. Hanlon stated that since the issue was just raised, they will take the necessary steps.

Nancy Dominick of Chaffee County stated that she has been attending City Council meetings for the last five years. She stated that the city has done nothing but destroy her property; she stated that she just wants her water because she has only received 23% of her water.

### V. PRESENTATION

#### 1. LiVecchi presentation (Mayor Dickson)

The Mayor thanked the LiVeechis for their service to the community by organizing the Thanksgiving Dinner for the last ten years. 2014 was the last year the LiVeechis organized the dinner, it will be passed onto the Burton's. The Mayor wished the LiVeechis the best luck to them and their family and presented a plaque as a token of appreciation.

## 1. Citizen Forum Presentation

Daniel Smith, Mike Rosso, Forrest Whitman, and Monika Griesenbeck were present for the presentation and each presented a different section of the recommendation.

## 2. Mesa Lane mural repainting (Donna Rhoads & Janine Frazee)

Rhoads explained that the Mesa Lane Mural is painted on a concrete retaining wall and was painted in 2004. She continued to state that ifn the mural is repainted, the Salida trail map would be painted in such a way to be a visual guide to visitors on the trail. SPOT is willing to pay for the project, which will be about \$300. Liza Marvel submitted a letter in agreement to paint the mural as another means of wayfinding on the trail. Frazee stated that the students are advanced level Juniors and Seniors who are well versed in painting. Frazee presented several projects that the students were working on.

**Rogers motioned to allow the repainting of the mural. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.**

## VI. SCHEDULED ITEMS

### 1. Consent Agenda (Christian Samora)

- Approval of Agenda
- Approval of Minutes: December 2, 2014
- Chafee County Running Club Run Through Time Marathon/Half Marathon
- Final Settlement with Y&K Excavation for Poncha sewer manhole project
- Final Settlement with Y&K Excavation for H Street Phase I

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

### 2. Resolution setting special election date (Christian Samora)

Resolution 2014-88 A resolution of the City Council of the City of Salida, Colorado setting a special mail ballot election to be held on March 10, 2015 regarding the 2A Initiative

Samora introduced Resolution 2014-88 and provided background information as well as steps moving forward.

**Baker motioned to approve Resolution 2014-88, a resolution of the City Council of the City of Salida, Colorado setting a special mail ballot election to be held on March 24, 2015 regarding the 2A initiative. Bowers seconded the motion. Brown proposed to amend the election date to 24<sup>th</sup> of March instead of the 10<sup>th</sup>, the original motion was amended. With all in consensus, THE MOTION CARRIED.**

### 3. Ordinance proposing alternative ballot measure (Jan Schmidt)

Ordinance 2014-29 An ordinance of the City of Salida, Colorado, to provide for a change in disposition of the sales tax to fund the current and future capital spending for streets, alleys and sidewalks, and submitting this ordinance for approval to the registered voters of the City of Salida at a Special Election on March 10, 2015.

Hanlon distributed a corrected ordinance to correct the last paragraph.

Ms. Schmidt gave a brief background on the ordinance.

Brown stated that one of the important concerns is the visibility and accountability about the way money is spent. Brown explained the various elements of his proposed ordinance.

The discussion continued.

Mayor Dickson opened a Public Hearing.

Ron Mazzeo of Salida stated that he is against the alternate ballot language because the proponents went door to door and got hundreds of signatures. He believed that the City Council needed to go through the same process to have an alternative measure on the ballot.

Jeff Auxier of Salida thanked the Mayor for allowing public comment because it is good leadership. He stated that he read Brown's proposal and had significant input in the Farney/Carlisle proposal. Auxier felt that Yerkey argues hard against accountability and felt that Yerkey, Hanlon and Ms. MacDonald had control.

Monika Griesenbeck of Salida stated that at the August 4<sup>th</sup>, 2008 City Council Meeting, a local citizen suggested dropping the other infrastructure language in the initiative. She felt that there have been delays in replacing streets because there is not funding to replace the water lines underneath.

Shawn Gillis of Salida felt that simplicity is better for transparency, so that the average citizen can read it and understand it.

Mayor Dickson closed the Public Hearing.

**Rogers motioned to schedule a Work Session for January 5<sup>th</sup>, 2015 at 6pm to discuss the alternative ballot measure language further. Baker seconded the motion. In a 2-4 roll call vote, THE MOTION CARRIED. Bowers and Hallett had the dissenting votes.**

4. **Music Festival Lease** (Dara MacDonald)

Resolution 2014-89 approving a facilities use agreement with Anschutz Entertainment Group for a music festival to be held on the Vandaveer Ranch

**Rob Treat stated that he owns property on County Rd 107 and his brother owns property on 104. He felt that it may be a good idea to notify the neighbors in the area surrounding the proposed music festival area.**

**Jeff Auxier of Salida asked if the cost of the bridge includes the access to the bridge. He felt having so many cars on the land could cause damage to the land. Auxier suggesting using a bank account skim and protect the city for payment.**

**MacDonald suggested notifying the neighbors and having a public meeting the week of New Years. The Council was in favor of the idea.**

**Rogers motioned to postpone Resolution 2014-91 and 2014-94 until the January 6, 2015 City Council Meeting. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.**

5. **Personnel Manual Update** (Jan Schmidt)

Resolution 2014-90 adopting updates to the 2012 Personnel Manual

Schmidt gave background and explained the purpose of the Resolution

**Bowers motioned to approve Resolution 2014-90, a resolution of the City Council of the City of Salida, Colorado adopting updates to the 2012 Personnel Manual. Baker seconded the motion. With all in consensus, THE MOTION CARRIED**

6. **Bid Award for SteamPlant Airlock** (Theresa Casey)

Resolution 2014-92 awarding a construction services agreement to KW Construction and to approve the City Administrator to enter into a construction services agreement with KW Construction for construction of an airlock entry at the Salida SteamPlant

Casey gave an introduction and background to the project. Casey also answered a number of questions related to the project.

**Rogers motioned to approve Resolution 2014-92, a resolution of the City Council of the City of Salida, Colorado awarding a construction services agreement to KW Construction and to approve the City Administrator to enter into a construction services agreement with KW Construction for construction of an airlock entry at the Salida SteamPlant. Baker seconded the motion. Bowers motioned to amend the amount in the resolution to be \$23,600. Yerkey seconded the motion.**

**In a 2-4 vote, THE MOTION WAS AMENDED. Rogers and Hallett had the dissenting votes for the amended motion.**

**In a 1-5 vote, THE MOTION CARRIED. Hallett had the dissenting vote in the final motion to approve the amended resolution.**

7. **Bid Award for Marvin Park Playground** (Kevin Crowley)

Resolution 2014-93 approving the award of an agreement for Marvin Park playground replacement project and authorizing the City Administrator to enter into a construction services agreement between the City and Made in the

Schade

Crowley gave an introduction and background to the playground replacement project.

Hallett was concerned about climbing ladder on the structure and the distance in between the steps.

Becky Bigelow stated that she has an architectural business in Salida. She continued to state that the advertisement did not include the actual dimensions of the site. Bigelow requested the Council to consider giving the project to a local business or to nullify the original advertisement.

Bigelow presented her design to the City Council.

Crowley stated that the advertisement said “roughly 30x50”, which is the approximate size of the property. He continued to state that the Bigelow proposal was also repurposing old equipment, which is more difficult to have approved by CIRSA, the City’s insurance provider.

**Rogers motioned to approve Resolution 2014-93. A resolution of the City Council of the City of Salida, Colorado approving the award of an agreement for Marvin Park playground replacement project and authorizing the City Administrator to enter into a construction services agreement between the City and Made in the Schade. Yerkey seconded the motion.**

Brown would like to see further review to make sure that the city has not strayed from fair competitive bid practices. Hanlon stated that the motion could be amended to state that legal council would review the process. There was a friendly amendment to the motion by Rogers to have legal counsel review the process.

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

**8. Fryingpan-Arkansas Contract (Dara MacDonald)**

Resolution 2014-95 authorizing the City Administrator to execute a temporary water storage contract with the Southeastern Water Conservancy District and the United States Bureau of Reclamation for the storage of non-project municipal and industrial water in the Fryingpan-Arkansas Project

**Baker motioned to approve Resolution 2014-95, a resolution authorizing the City Administrator to execute a temporary water storage contract with the Southeastern Water Conservancy District and the United States Bureau of Reclamation for the storage of non-project municipal and industrial water in the Fryingpan-Arkansas Project. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.**

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

a. City Administrator Report – Dara MacDonald

MacDonald asked if there were any suggestion for the Workforce Housing RFQ.

MacDonald stated that there will be a significant number of changes as far as signage. She continued to state that the City has been in contact with the school district, and they were comfortable with the changes.

Bowers stated that constituents felt there should be a four-way stop at 3<sup>rd</sup> and D Streets.

Over the River would like to extend their lease option should the event take place in the future.

Bowers asked if it would interfere

Brown asked for clarification on the Executive Session matter. MacDonald stated that the City has had a long-term lease with Hylton Lumber for the strip of land between Hylton Lumber and the ditch and the Council’s interest will need to be gauged in the property.

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

c. Deputy City Clerk Report – Christian Samora

**10. Elected Official Reports**

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

Yerkey asked that, ordinance on the 6<sup>th</sup> for an audit committee, hallet and rogers wanted to have a work session. Brown thought it could be a part of the discussions on the 5<sup>th</sup>.

Brown will forward the best audit committee document to the Council for further discussion.

**VII. EXECUTIVE SESSION –**

Brown motioned to adjourn into Executive Session 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  
**AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: Hylton Lumber land negotiation**

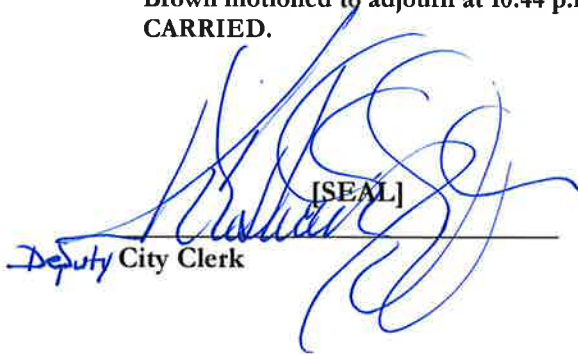
With all in consensus, **THE MOTION CARRIED.**


**VIII. REPORT/ACTION ON EXECUTIVE SESSION MATTERS**

**IX.** Hanlon stated that Council has given direction to negotiators. He stated that it was the consensus of the City Council that Council Member Brown, Dan Osborn and Dara MacDonald would be the appropriate people to negotiate on behalf of the City.

**X. ADJOURN -**

Brown motioned to adjourn at 10:44 p.m. Rogers seconded the motion. With all in consensus, **THE MOTION CARRIED.**

  
[SEAL]  
Deputy City Clerk

  
\_\_\_\_\_  
Mayor

