



**MEETING OF THE CITY COUNCIL  
City Council Chambers  
448 East 1<sup>st</sup> Street, Room 190  
City of Salida, Colorado  
Tuesday, May 5, 2015 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 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 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.*

Alisa Pappenfort of Salida stated that she heard the Council state that they would not want to take jobs. She felt that they need to be swift and act now. She stated that the unintended consequences fall on city workers, she was shocked and saddened that city employees are at times not treated well. She spoke of how large portions of city budgets are typically personnel costs. She urged the Council to find a solution.

Vern Davis of Salida asked what the protocol would be for the meeting. He stated that the circuit breaker at the Dominick water supply was down.

George Hinman of County Rd 105 stated that he did not feel the parking in that area would need dust management for the concert in August. He stated that four people passed him while he was unloading children at the boys and Girls Club at the intersection of Teller and Park Avenue. He asked when the intersection would be corrected for the safety of the children.

Louise Fish of Salida addressed Bowers, Brown and Hallett. She stated that she was very disappointed that they did not attend the recent Town Hall Meeting. She wanted to know why they were not in attendance. She felt it was extremely inappropriate that they did not attend and she hopes it does not happen again.

Shawn Gillis of Salida stated that he attended the last Town Hall Meeting. He had prepared a question for Bowers, Brown and Hallett. He stated that in the last two years he has been present in the room when the City Auditor presented the City's Audit. He asked what they expect to find with the Audit Committee and where will the money be spent.

Monika Griesenbeck of Salida thanked Bowers, Brown and Hallett for enduring what she perceived as a display of hatred at the last Council Meeting. She felt she had seen all the things that Clark had spoken of in regard to civility. She felt that an elderly lady was left standing when she wanted to speak. She felt the meeting was out of control.

## V. PRESENTATION

The Mayor Read a Proclamation declaring May 14, 2015 as Arbor Day in the City of Salida.

## VI. SCHEDULED ITEMS

1. **Consent Agenda** (Christian Samora)
  - a. Approval of Agenda
  - b. Approval of Minutes: April 21, 2015
  - c. FIBArk
  - d. Bluegrass on the Arkansas
  - e. Central Colorado Foodshed Alliance Farmers Market
  - f. Shakespeare in the Park
  - g. Salida Art Walk
  - h. Salida Arts Festival

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

2. **Lease of First Street Parking Lot, 2<sup>nd</sup> Reading and Public Hearing** (Dara MacDonald)  
Ordinance 2015-06 approving a commercial property lease for a parking lot located at 323 West First Street with RJPA Holdings, LLC

MacDonald introduced the agenda item.

Yerkey wanted to table the item and hear from the public as well.

Bowers felt it was a good idea and he felt the parking lot was being utilized.

Mayor Dickson opened the Public Hearing

Ron Mazzeo of Salida asked if there would be an opportunity to speak when it is brought back for consideration.

Monika Griesenbeck of Salida stated that if there is a desire was to eliminate costs, to look at cutting the \$11,000 in the Salida Pool budget for travel.

Ron Mazzeo felt that his lot was being singled out. He felt that the City should have notified him of the possibility for cuts. He felt the Railroad lot lease should be terminated as well. He read a section of the Railroad Lease aloud. He felt that both leases should be ended. He felt it was the City Administrator's interpretation of the lease.

Mayor Dickson closed the Public Hearing

**Yerkey motioned to continue the public hearing to the June 2<sup>nd</sup> City Council Meeting. Baker seconded the motion. With all in favor, THE MOTION CARRIED.**

3. **City Treasurer Duties, 2<sup>nd</sup> Reading and Public Hearing** (Cheryl Brown-Kovacic)  
Ordinance 2015-07 amending 2-3-50 of the Salida Municipal Code regarding duties of the City Treasurer

Brown Kovacic introduced the Agenda Item.

Hallett felt that maybe it should be continued until the next meeting.

Mayor Dickson opened the Public Hearing

Jeff Auxier felt that in the last five or six years administration, part of the City Council and the Administrator

has been moving to make Salida a Home Rule City instead of a Statutory City. He felt that the Administrator has absolute control over everything. He was disappointed to see the current treasurer agree with this ordinance. He urged the Council to reject the ordinance and address the problems created in the City Clerk's and Treasurer's positions.

Baker felt that the City needs professionals in those positions.

Rogers agreed with Keith, she felt that it does not make sense to give the Treasurer Jan Schmidt's responsibilities because there needs to be a professional in that position.

Brown-Kovacic was in agreement and felt that someone with a financial background needs to be in the position.

Hallett felt that there are definite issues, perhaps to extend the term to six years or three terms of six years. She felt that the public will not be able to hold the elected officials accountable.

**Yerkey motioned to adopt Ordinance 2015-07, an ordinance of the City Council, City of Salida amending 2-3-50 of the Salida Municipal Code regarding duties of the City Treasurer and ordering the Ordinance published by title only. Rogers seconded the motion.**

Brown stated that he did not feel it was reasonable to expect someone to do that kind of a job for \$140 a month.

Hallett stated that she wanted a second opinion on the matter.

**In a 4-2 roll call vote, THE MOTION CARRIED. Hallett and Bowers had the dissenting votes.**

**4. Block 19 Alley Vacation, 1<sup>st</sup> Reading (Dan Osborn)**

Ordinance 2015-09 vacating a portion of the alley right-of-way in Block 19 Between First and Second Streets and Southeast of I Street

Osborn introduced the agenda item.

**Baker motioned to approve Ordinance 2015-09, an ordinance of the City Council, City of Salida vacating a portion of the alley right-of-way in Block 19 Between First and Second Streets and Southeast of I Street and ordering the ordinance published in full to set a public hearing date for May 19, 2015. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.**

**5. Appointment of Members to the Planning Commission (Dan Osborn)**

Resolution 2015-35 approving citizen appointments to the Planning Commission

Osborn introduced the agenda item.

**Rogers motioned to approve Resolution 2015-35 approving citizen appointments to the Planning Commission to be PT Wood with a term to expire in 2019, Harald Kasper with a term to expire in 2019 and Tom Pokorny as an alternate with a term to expire in 2019. Baker seconded the motion.**

Hallett asked if it was a yes or no vote.

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

**6. Bid Award for the 2015 Sidewalk Project (Bob Salmi)**

Resolution 2015-39 approving the award of an agreement for the 2015 Sidewalk Replacement Project and Authorizing the City Administrator to enter into a Construction Services Agreement between the City and Blejwas Construction, LLC

Salmi introduced the agenda item.

**Yerkey motioned to approve Resolution 2015-39, a resolution of the City Council, City of Salida, approving the award of an agreement for the 2015 Sidewalk Replacement Project and Authorizing the City Administrator to enter into a Construction Services Agreement between the City and Blejwas Construction, LLC. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.**

**7. Appointment of Members to the Public Art Commission (Michael Varnum)**  
Resolution 2015-40 approving appointments to the Public Art Commission

Varnum introduced the agenda item.

**Rogers motioned to approve Resolution 2015-40, a resolution of the City Council, City of Salida, approving appointments to the Public Art Commission to be Gayle Ann Dudley with a term to expire in 2018, Kenneth Brandon with a term to expire in 2018, Stephan Smalzel with a term to expire in 2017, Geraldine W Alexander with a term to expire in 2017, Martin Jolly with a term to expire in 2016 and William Boddy with a term to expire in 2016. Baker seconded the motion. With all in favor, THE MOTION CARRIED.**

**8. Operating Budget Shortfall Discussion (Dara MacDonald)**

MacDonald stated that the agenda item was added as a placeholder for the subject of the budget shortfall.

Bowers said he was willing to pay for an additional opinion.

Yerkey said he would not support a reallocation of the 2% sales tax.

Brown did not see there was a legal question if the Council were to put it to a legal vote.

MacDonald suggested using the May 18<sup>th</sup> Work Session to discuss the 2015 Budget.

Tom Pokorny of Salida stated that he was encouraged to hear that Bowers would be meeting with staff.

Shawn Gillis of Salida felt he Council made a good decision by not seeking another opinion and did not feel it would go well to change the voted for language. He would like to see a well thought out solution and to see it explained to the public. He felt that there should be more trust in the staff of the City because they do an amazing job.

Monika Griesenbeck of Salida stated that she would like to get clarification on what the reserve funds are and what the Contingency fund is for. MacDonald provided clarification and offered additional reports.

Jeff Auxier of Salida He felt that voters knew exactly what they were voting for. He did not feel that government can be trusted without being verified. He felt that Salida is lacking being verified. He stated that the City can submit an initiative and felt it would have a better chance of passing with an informative budget.

Billy Carlisle of Salida thanked everyone for the positive and constructive tone at the meeting. He felt that there was some unnecessary shouting down of people at the Town Hall Meeting. He stated that everyone is counting on the Mayor to keep civility. He stated that the idea of tracking and auditing is a good practice and it will help regain the support of the people.

Michelle Stoke, a City of Salida employee, stated that she wanted to address the statements that were made about the April 29<sup>th</sup> Meeting. She likes to spirit of cooperation that she has seen from four Council Members. She stated that the employees were pleading for their jobs and their benefits. She thanked Bowers for putting a face on his situation. She stated that she would like to see the same kinds of assurances from Brown and Hallett. She stated that she wants to trust the Council.

Kathy Davis-Peter of Salida thanked the City Council for coming forward with ideas without dipping into reserves. She stated that at the last meeting the employees were putting a face to who works for the City. She did not feel that it was fair to say that the employees were rioting or throwing bottles. She stated that she felt the employees were being respectful at the last work session meeting.

Mayor Dickson closed the Public Hearing.

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

- City Administrator Report – Dara MacDonald  
MacDonald reported that there will be a meeting Thursday, May 7<sup>th</sup> at 6:00 p.m. for the downtown patio seating at the SteamPlant  
The NRCDC revisited the idea of the frequency of audits. The NRCDC Board is interested in reducing the number of audits to a minimum of every three years.  
Rogers was in agreement. Yerkey and Baker were in favor. MacDonald stated that without a majority of the Council in support that she would not move forward with it.  
MacDonald stated that there was a suggestion to look at a governmental accounting class for the community. The cost would be about \$2,500 for a full day to have the instructor in Salida.  
Rogers asked if CML would be interested in providing a class.  
Brown suggested that maybe CGFOA could offer a class. Schmidt stated that CGFOA has already scheduled their classes for the year and it is not likely they will add another.  
Hallett felt maybe they could look a little further to help cut costs.  
Rogers asked if CGFOA would consider another year. Schmidt stated that they would.  
MacDonald stated that Harry Brull would like a few minutes on 5/18 to distribute his information in regard to the City Administrator's Performance review.  
MacDonald stated There were a number of unanswered questions at the Town Hall Meeting and staff is working to get them all answered and will be posting them on the website.  
MacDonald asked if the sound quality was better and explained how adjustments and improvements are being made.  
MacDonald stated that there would be a Madison House Event Plan Public Meeting on the Evening of Monday, May 11<sup>th</sup>.
- City Attorney Report – Karp, Neu, Hanlon, PC
- Deputy City Clerk Report – Christian Samora

#### 10. Elected Official Reports

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

### VII. EXECUTIVE SESSION

**Yerkey motioned to adjourn to 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); AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES:** Legal advice regarding water Case No. 04CW96 Rogers seconded. 9:37 p.m.

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

Baker reported that they were discussing advice from the Water Attorney, which should have no effect on Salida.

A motion to accept the recommendations was made by Rogers. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

**IX. ADJOURN –**

Baker motioned to adjourn. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

[SEAL]  
  
Deputy City Clerk

  
Mayor

