



MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, July 7, 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.*

Chris Tracey of Salida thanked the City Council for approving the patio seating for his business on F Street. He continued to state that four and a half full time jobs were created with the increase in business and will be an increase of six by the end of the week. Tracey estimated that in 19 days it had generated over \$800 in sales tax revenue for the City. He loves how it has changed the street scape and felt there is less congestion on the sidewalk than there ever has been before.

Ken Berndt of Salida stated that back in 1966 they built his shop and realized that the City inherited the drainage problem with the shop. He thanked the Council for the work they have put in to resolve the problem. He stated that when they built the shop there was not nearly as much development in the area, which had contributed to the problem.

Monika Griesenbeck of Salida stated that there was very interesting discussion in the work session. She wanted to know what law overrides State Statute. MacDonald clarified that there was not a discussion about local law overriding state law. Brown state that the discussion was whether the local law was more restrictive than state law. He did not feel that anyone had the position of overriding State Statute.

Jeff Auxier of Salida wanted to know exactly what is going on with the Touber building. He did not think anyone knew what rooms are vacant and what rooms are being used for what in the building. He stated that he read a letter in the newspaper and felt the author grossly misstated his level of competence. He felt there was resistance from the Finance Director. Auxier stated tax law that Brown found is in the local government law. He wanted to know where the fund revenues go and stated that a letter was sent to Ms. Schmidt.

V. PRESENTATION

1. Proclamation Designating July as Parks and Recreation Month – Maggie Murdoch

Maggie Murdoch introduced the item and explained the benefits of having recreation in Salida. Murdoch read the proclamation.

2. Proclamation Designating July 18-25 Browns Canyon Week

Mayor Dickson read the Proclamation aloud to those present.

VI. NEW BUSINESS

VII. OLD BUSINESS

VIII. SCHEDULED ITEMS

1. **Consent Agenda** (Christian Samora)
 - a) Approval of Agenda
 - b) Approval of Minutes: June 16, 2015
 - c) South Central Racing – 2015 Salida Classic
 - d) 2014 Sidewalk Project Final Settlement (Bob Salmi)
 - e) 2015 Slurry Seal Project Final Settlement (Bob Salmi)

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

2. **Adoption of 2015 National Electric Code, 2nd Reading and Public Hearing** (Dan Swallow)
Ordinance 2015-12 amending Chapter 18 of the Salida Municipal Code Adopting the National Electrical Code of 2014

Swallow introduced the agenda item.

Mayor Dickson opened the public hearing.

There were no comments from the public.

Mayor Dickson closed the public hearing.

Baker motioned to adopt Ordinance 2015-12, an ordinance of the City Council, City of Salida amending Chapter 18 of the Salida Municipal Code Adopting the National Electrical Code of 2014. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

3. **Establish Streetlight Surcharge on Utility Bills, 2nd Reading and Public Hearing** (Jan Schmidt)
Ordinance 2015-13 establishing a streetlight electricity fee and amending Chapter 4 of the Salida Municipal Code

Schmidt introduced the agenda item and gave background information.

Mayor Dickson opened the public hearing.

Jeff Auxier of Salida stated that Brown has put forth a statute that allows for maintenance of capital improvements. He felt it would be impossible to go back three years to see what the capital expenditures were. He felt the street light fee would not be fair because a lot of people do not have a street light close to them. Auxier urged the City Council to disapprove of this ordinance and provide of real accounting.

Theresa Casey of Salida stated that she felt a great solution will come of the recent budget conversations. She stated that she is opposed to the fee and felt it could be saved for a day that it is truly needed. She was happy to hear that there was a motion to table the ordinance. She thanked the Council.

Monika Griesenbeck of Salida state that she is opposed to the ordinance and read her objections to Council adopting the ordinance. She felt it was closer to a tax than a fee. She stated that she read a Supreme Court Opinion. Griesenbeck felt it could be deferred to the ballot for the voters to decide.

Billy Carlisle of Salida stated that he wanted to be on record opposing a fee for street lights. He stated that he agreed with Griesenbeck that it looks more like a tax than a fee. Carlisle stated that funds are available in the 2% sales tax as Brown had pointed out. He felt that the fee and other cuts were Draconian.

Jan Schmidt of Salida stated that she was opposed to the fee and was encouraged by the conversation to draft a new ordinance. She stated that the routine maintenance of the infrastructure is just as important. She stated that unfortunately the City Ordinance did not pass, but she did not feel the fee was addressing the real issue.

Mayor Dickson closed the public hearing.

Yerkey motioned to continue the hearing the second Council Meeting in August. Baker seconded the motion.

Bowers motioned an amendment to the original motion to table the item indefinitely. Hallett seconded the motion to amend. In a 3-4 roll call vote, THE MOTION FAILED. Baker, Rogers, Yerkey and Dickson had the dissenting votes.

In a 5-1 vote on the original motion, THE MOTION CARRIED. Bowers had the dissenting vote.

4. Discussion of Ward Boundaries (Betty Schwitzer/Christian Samora)

Schwitzer introduced the agenda item and explained that the precinct and ward boundary lines did not agree.

The City Council was in agreement with scheduling the first reading of an ordinance to amend the ward boundary lines for the next City Council meeting in July.

5. Aquatic Center Locker Room Project Change Order (Theresa Casey)

Casey introduced the agenda item.

Roger motioned to approve the change order. Baker seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED. Brown had the dissenting vote.

6. Adoption of Reserves Policy (Jan Schmidt)
Resolution 2015-58 adopting a reserves policy

Schmidt introduced the agenda item.

Rogers thanked Schmidt for preparing the policy.

Rogers motioned to approve Resolution 2015-58, a resolution of the City Council, City of Salida adopting a reserves policy. Baker seconded the motion.

Hallett stated that there is a note under the proprietary funds about operating being used for capital. Schmidt stated that the note is in reference to system development fees and is to clarify that ongoing operating revenue is appropriate to use on capital.

Brown stated that it's a good policy, but there are a lot of opportunities to make it better than it is. He felt there was inconsistency in the terminology. He felt it would be less confusing to make it more consistent. And would like the item to be continued.

Brown motioned to continue the resolution to the first meeting in September. Baker seconded the motion. With all in favor, THE MOTION CARRIED.

7. Bid Award for Water Line Extension to Wastewater Treatment Plant (Bob Salmi)

Resolution 2015-59 approving the award of an agreement for the Wastewater Treatment Plant Water Line Extension Project and authorizing the City Administrator to enter into a construction services agreement between the City and Avalanche Excavating, Inc

Salmi introduced the agenda item.

Baker motioned to adopt Resolution 2015-59, a resolution of the City Council, City of Salida approving the award of an agreement for the Wastewater Treatment Plant Water Line Extension Project and authorizing the City Administrator to enter into a construction services agreement between the City and Avalanche Excavating, Inc. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

George Hinman of Chaffee County asked what the problem is with the existing well. Salmi stated that it was a water quality issue. Salmi continued to state that aquifers can go in and out of safe readings for the well.

8. Revocable License Agreement for Wood's Distillery (Christian Samora)

Resolution 2015-60 approving a revocable license agreement with Wood's High Mountain Distillery for a portion of the sidewalk right-of-way adjacent to 144 W 1st Street in the City of Salida for the purpose of allowing temporary improvements

The City Council was in agreement that they would like to see community support for the request.

Yerkey motioned to continue the item until the next meeting. Brown seconded the motion. With all in favor, THE MOTION CARRIED.

9. Administrator/City Attorney/Deputy City Clerk

- City Administrator Report – Dara MacDonald
- 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.

IX. ADJOURN –

Rogers motioned to adjourn at 9:05 p.m. Baker seconded the motion. With all in favor, THE MOTION CARRIED.

[SEAL]

Deputy City Clerk

Mayor

