



## REGULAR MEETING OF THE CITY COUNCIL

City Council Chambers  
448 East 1<sup>st</sup> Street, Room 190  
City of Salida, Colorado  
**Tuesday March 20, 2018 6:00 p.m.**

*The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.*

### **I. REGULAR MEETING CALLED TO ORDER**

### **II. PLEDGE OF ALLEGIANCE – Led by Mayor PT Wood**

### **III. ROLL CALL**

**Council Members Present:** Cheryl Brown-Kovacic, Justin Critelli, Harald Kasper, Rusty Granzella, Dan Shore, and Mike Bowers; Mayor PT Wood.

### **IV. PRESENTATION-**

#### **A. Upper Arkansas Water Conservancy District (Chelsey R. Nutter)**

- Ms. Nutter provided background information and addressed all of Council's questions.

#### **B. Child Abuse Prevention Month (Monica Haskell)**

- Haskell provided background information and requested permission to hang a blue ribbon on S mountain. Mayor Wood stated a decision would be made during New Business.

### **V. 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.***

**Vern Davis**, of Salida, discussed Tenassee ditch and Nancy Dominick. He submitted copies of information sent from Mrs. Dominick's attorney to Ron Mazzeo, Notice of Easement rights, and a Right to Farm and Ranch Policy.

**Monica Griesenbeck**, of Salida, expressed concern regarding a pot hole in the alley between F and G street.

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## VI. SCHEDULED ITEMS

1. **Consent Agenda** – (Lynda Travis)
  - a) Approval of Agenda
  - b) Approval of Meeting Minutes-March 6, 2018

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

2. **Elchsons Enterprises, LLC dba The Lost Cajun Liquor License Application & Public Hearing**  
(Lynda Travis)

Travis provided background information and introduced one of the applicant's, Mrs. Annette Dickinson.

Mayor Wood opened and closed the public hearing after determining no one was present to speak.

**Crittelli motioned to approve Hotel and Restaurant (City) license for Elchson's, LLC dba The Lost Cajun at 1110 E. Highway 50 in Salida, Colorado. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.**

3. **Ordinance 2018-04 Salida Crossing Planned Development, 2<sup>nd</sup> Reading & Public Hearing-continued from March 6, 2018 Regular Meeting** (Glen Van Nimwegen)

VanNimwegen provided background information and discussed some recent changes to the development. He stated the applicant is requesting additional height and density and in exchange the applicant would provide 30 deed restricted units, street improvements, and the applicant will be responsible to pay school fees and open space fees.

Brown-Kovacic questioned whether #5 on Exhibit D should state 30 deed restricted units instead of 20. Van Nimwegen confirmed she was correct. She then expressed concern regarding the HOA fees.

Bowers expressed concern regarding drainage issues for the site and asked whether the development would be able to withstand an earthquake.

Shore asked about the proposed sales prices. He stated he noticed the gap between standard pricing and restricted pricing has narrowed. He asked what the reason for that was.

Granzella asked whether the buildings could be lowered any further.

Kasper stated he is interested in learning more about the images showing effects of the building from the perspective of the Lowry's property.

Bowers inquired regarding the parking estimation prior to underground parking being considered.

The applicant, Duane Cozart, came forth to discuss the project and to address Council's questions. He addressed Granzella's question regarding height and Bower's question regarding the parking requirement.

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Cozart discussed other possibilities for the property that would not require approval from Council and would have more shadows than the currently proposed one. He then presented a shadow study video.

Cozart answered all of Council's questions.

Mayor Wood opened the Public Hearing:

Ken Berndt, of Salida, stated a stop light is needed for the area and discussed HOA fees.

Dale Hoffman, of Salida, spoke in opposition to the project.

Reed McCulloch, of Chaffee Housing Trust, spoke in favor of the project.

Angie Schmitz, attorney for Lornie Lowry, spoke in opposition to the project.

Lornie Lowry, of Salida, spoke in opposition to the project. She also shared stories involving her deceased husband Fred Lowry and stated if he was still alive that he too would be in opposition.

Diana Smith spoke in opposition to the project.

Ray Kitson, of Salida, spoke in favor of the project.

Paula Lallier, of Chaffee County, expressed concerns regarding the project.

Danny Stotler, an investor in the project and a resident of Salida, spoke in favor of the project.

Monika Griesenbeck, of Salida, spoke in opposition to the project.

Jody Keene, of Salida, spoke in favor of the project.

Ken Greisel, of Salida, expressed concerns regarding the project.

Lorri Lau, of Salida, spoke in opposition to the project.

Robin NeJame, of Salida, spoke in favor of the project.

Wendell Pryor, of Salida, spoke in favor of the project.

Jackie Berndt, of Salida, spoke in opposition to the project.

Steve Biloscus, co-owner of Mountain Motel and resident of Salida, spoke in opposition to the project.

5-minute break-

**Kasper motioned to approve Ordinance 2018-04 approving the Salida Crossings Planned Development. Shore seconded the motion.**

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Mayor Wood opened the subject for discussion amongst Council.

Cozart stated a lottery system was going to be implemented to those who get a unit.

Brown-Kovacic expressed her concerns but stated she needed to make her decision on what is best for Salida.

Bowers stated he appreciated Cozart working with the Council but that he had some concerns, including but not limited to, height.

Kasper stated he was in favor of the project. He added that giving locals the opportunity to buy within this project is also something he would like to discuss in the future.

Critelli expressed concerns regarding the height and the design. He stated Highway 50 was an appropriate place for it and gave reasons why it would be better than what is currently there. He also stated "if not now then when?" when referring to when a decision was going to be made regarding affordable housing.

Granzella expressed concerns regarding the height and stated the density of the project is a personal choice. He then stated he liked the proposed location of the building, the retail space at the front of the building and the underground parking.

**Granzella motioned to amend the motion under consideration, restricting height to a maximum of 42 feet on buildings B and C. Critelli seconded the motion. In a 2: 4 voice vote, The motion to amend failed.**

Shore thanked everyone for attending the public hearing, discussed the need for affordable housing and thanked Mr. Cozart for his willingness to work with the City on the Salida Crossings project. He then provided examples of the types of persons who would be able to afford a unit in this project. After briefly contrasting Salida with Breckenridge he stated he would be voting in favor of the Salida Crossings project.

**Mayor asked for the vote on the original motion to approve Ordinance 2018-04 approving the Salida Crossings Planned Development. In a 4:2 roll call vote, THE MOTION CARRIED. Bowers and Granzella had the dissenting votes.**

**Bowers motioned to extend the meeting past 9 pm. Brown-Kovacic seconded the motion. In a voice vote, THE MOTION CARRIED.**

**4. Ordinance 2018-08 Approving the Abandonment of a Segment of Alley Right-of-Way, 2nd Reading & Public Hearing (Glen Van Nimwegen)**

Van Nimwegen provided background information including reminding Council the Ordinance was introduced on First Reading on March 6, 2018.

Mayor Wood opened the Public Hearing and subsequently closed it since no one was in attendance to speak.

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**Kasper motioned to approve Ordinance 2018-08 approving the vacation of a segment of Alley Right-of-Way. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.**

**5. Ordinance 2018-07-Approving Amendment to Chapter 16 regarding Downtown Street Patios, 2nd Reading & Public Hearing (Glen Van Nimwegen)**

Van Nimwegen provided background information and addressed Council's questions and concerns.

Mayor Wood opened the Public Hearing.

Chris Tracy, of Salida and owner of Current's restaurant, spoke in favor of grandfathering in the existing patios. He also addressed Bower's concerns regarding downtown patios.

Public Hearing was then closed by Mayor Wood.

**Critelli motioned to approve Ordinance 2018-07 Amending Chapter 16 Regarding Downtown Street Patios. Kasper seconded the motion. In a 5:1 roll call vote, THE MOTION CARRIED. Bowers had the dissenting vote.**

**6. Ordinance 2018-03 Water Conservation Measures & Procedures for Enacting Mandatory Water Use Restrictions, 2nd Reading & Public Hearing (David Lady)**

Lady provided background information and addressed Council's questions and concerns.

**Granzella motioned to remove Item #4 from Ordinance 2018-03. Shore seconded the motion. A voice vote was taken. With all in favor, THE MOTION CARRIED.**

Mayor Wood opened the Public Hearing. No one was present to speak, and the hearing was subsequently closed.

**Kasper motioned to approve Ordinance 2018-03 amending Section 13-2-240 of the Salida Municipal Code regarding water conservation measures and striking Item #4 from the Ordinance. Critelli seconded the motion. With all in favor, THE MOTION CARRIED.**

**7. Resolution 2018-13 Approving J Street to have Commercial taps (Larry Lorentzen)**

Lorentzen provided background information.

Brown-Kovacic asked for clarification regarding how the resolution came about. Lorentzen provided background information based on his review of the situation but stated how the problem concerning the rate classification of apartments originally arose is difficult to ascertain.

Lorentzen continued to address all of Council's questions and concerns.

**Bowers motioned to extend the meeting for an additional 30 minutes. Brown-Kovacic seconded the motion. A voice vote was taken. With all in favor, THE MOTION CARRIED.**

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Kasper suggested continuing the matter.

Mr. and Mrs. Judd discussed the matter with the Council.

**Bowers motioned to continue the Resolution 2018-13 to the first meeting in April. Brown-Kovacic seconded the motion. With all in favor, THE MOTION CARRIED.**

**8. Resolution 2018-14 Approving Stipulation between City and Buena Vista in Water Court Case #2016CW3101 (Larry Lorentzen)**

Lorentzen provided background information.

**Granzella motioned to approve Resolution 2018-14, A Resolution of the City Council of the City of Salida, Colorado, Approving a Stipulation between applicant Town of Buena Vista and Opposer City of Salida in Case NO. 2016CW3101, District Court, Water Division NO. 2, Colorado. Critelli seconded the motion. With all in favor, THE MOTION CARRIED.**

**9. Administrator/Deputy City Clerk**

- City Administrator Report – Larry Lorentzen
  - Lorentzen and Brown-Kovacic to participate in an interview for the Housing Director position with the County.
  - Public Works will be fixing a directional sign on F street and Highway 50.
  - Lorentzen stated staff can draft an ordinance for use of the Bulk water if directed to do so by Council.
  - McClurkin continues to work on the Solar panel Xcel billing issue and the utilities assistance program, which was already adopted by resolution but needs to be implemented into the utilities software.
  - Rene Thonoff is creating utility account reports from utilities software into an Excel spreadsheet for modeling different rates.
- Finance Director-Jodi McClurkin
- Deputy City Clerk – Lynda Travis

**10. Elected Official Reports**

- City Clerk – Alisa Pappenfort
- City Treasurer – Carol Johnson
  - Johnson provided a sales tax report.

**Bowers motioned to continue the meeting 15 minutes. A voice vote was taken. With all in favor, THE MOTION CARRIED.**

- City Council – Kasper, Bowers, Brown-Kovacic, Granzella, Critelli, and Shore.
  - Granzella announced an upcoming Airport Board meeting on March 28, 2018.
- Mayor – PT Wood
  - Wood and staff presented the DOLA grant for the Multi-purpose facility to DOLA and expects to hear back soon.

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- Kayak for Flbark needs to be put on agenda for next regular meeting.
- Xcel planned outage announced.

**VII. NEW BUSINESS**


**Brown-Kovacic motioned to approve the placement and removal of the blue ribbon on S mountain. Shore seconded the motion. A voice vote was taken. With all in favor, THE MOTION CARRIED.**

**VIII. OLD BUSINESS**

**IX. ADJOURN - 10:03 pm**

[SEAL]

  
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City Clerk/Deputy City Clerk

  
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Mayor PT Wood

