



MEETING OF THE CITY COUNCIL
City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, February 18, 2014 7:00 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 Jim Dickson

III. ROLL CALL

Present at roll call were Mayor Jim Dickson and Council Members Mike Bowers, Hal Brown, Tom Yerkey, Eileen Rogers, Keith Baker and Melodee Hallett. Also present were City Administrator Dara MacDonald, City Attorney Karl Hanlon, City Treasurer Cheryl Brown-Kovacic, City Clerk Betty Schwitzer and Deputy City Clerk Audrey Gilpin.

IV. CITIZEN PARTICIPATION – 3 minute time limit

Billy Carlisle of 208 Mesa Court thanked council for the work session regarding legal fees. He said his problem is with Council not administration. He said having an in-house attorney would keep money in the area. He said the quality of the current legal counsel should be looked at.

Jim Miller of Salida said he wants to thank Hal Brown for bringing up legal costs. He said legal issues will happen with water matters regardless. He said if you have a water right, being in water court is an unavoidable cost. He asked if Brown looked at the annual budgets of the cities and towns he compared Salida legal fees to and if he used CML for information. Brown said the costs he used were from available city budgets, and he had not used information from CML.

Ira Curry of Salida said he has a concern regarding divisiveness, which is costly in legal and staff time. He said council members are elected to represent a majority of their constituents and ten people should not be able to turn the City inside out. He said everyone should be allowed to express their opinion but need to give solutions.

Curtis Scheib with EcoDepot said he has been working on a solar power purchase agreement with the City for about a year and a half. He said last year Council directed staff to sign a letter of intent with them. He said since that time, the incentives have dropped. He said his understanding was that their solar power purchase agreement was going to be on the January 21st agenda, and he said he received an e-mail from the City stating that the City was going to go with another provider.

He said he would like a chance to submit their proposal and respond to the new proposal.

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Monika Griesenbeck of Salida commended council for reviewing legal counsel.

Jeff Auxier of Salida said as an attorney, he thinks the City's legal counsel should be a member of the community. He said there would be a more peaceful community if the City had a local lawyer.

Chuck Rose of Salida said he was the guy who had to fire the other attorney when he came to office. He mentioned several legal issues Karl Hanlon has helped with including the Poncha Sewer issue, the 2B lawsuit and obtaining the USDA grant. He said almost every contract needs to be reviewed by the City attorney. He mentioned the Dominick, Auxier and Marks litigation totaling \$80,000.

Jenifer Fowler of Salida said she reviewed the last minutes of the previous council meeting and directed questions toward MacDonald regarding what sales tax report she was on.

Baker mentioned the fiduciary responsibilities of the City.

Fowler said she did not advertise that she doesn't pay sales tax. She said MacDonald is acting on false communication from City staff members.

Nancy Dominick of Salida said she knows about water litigation and that she has been in it for 10 years. She said the County runs their meetings better, and their attorney doesn't say one word unless they're asked.

V. PRESENTATION

1. LiveWell Chaffee County City of Salida Certificate of Appreciation – Lisa Malde

Lisa Malde thanked City staff and Council for their assistance and effort in LiveWell Chaffee County programs.

2. Colorado Rural Water Association Award to City of Salida for "Wastewater System of the Year" – Bob Salmi

Salmi congratulated Dan Poole and Randy Sack for their assistance in receiving the 2013 Wastewater System of the Year award.

3. University of Colorado - Colorado Springs Water Meter Freezing Findings – Bob Salmi

University of Colorado – Colorado Springs students presented their findings on the frozen water meter issue.

VI. NEW BUSINESS

Yerkey motioned to go past 8 p.m. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

No new business was discussed.

VII. SCHEDULED ITEMS

1. Consent Agenda (Audrey Gilpin)

- Approval of Agenda
- Approval of Minutes: February 4, 2014
- Property Requests & Special Event Liquor Permits: (1) Salida Community Center Special Event

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Liquor License February 27 (2) Chaffee County Habitat for Humanity Special Event Liquor License March 13

- Street Closure: Salida Fire Department Street Closure Request February 22

Yerkey motioned to approve the consent agenda. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

2. ArtWalk Community Support Request (Audrey Gilpin)

Gilpin referenced a community support request application from Salida ArtWalk for \$5,000.

Gail and Lenny Brooks spoke about the event.

Yerkey motioned to increase the community support request fund by \$5,000 and approve the request. Baker seconded the motion.

Gilpin said the next agenda item is for a \$500 request.

Bowers motioned to continue this item to the next council meeting, March 4th to allow for more information to be provided. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

3. Salida High School After Prom Community Support Request (Audrey Gilpin)

Gilpin referenced a community support request application from the Salida High School After Prom Committee (Junior Parents) for \$500.

Sandra Feather spoke about the event.

Baker motioned to approve the \$500 community support request for the Salida High School After Prom event. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

4. D Street Vacation 1st Reading (Michael K. Yerman)

Ordinance 2014-03 vacating a portion of North D Street lying between East Sackett Street and the Arkansas River in the City of Salida.

Yerman referenced a memo provided in the city council packet for the record.

Jim Miller asked about the parking easement.

Michael Kimmett of Salida 207 N. D Street spoke about the vacation and agreement.

Discussion continued.

Baker made a motion to approve Ordinance 2014-03, an ordinance of the City Council for the City of Salida, Colorado, approving vacating a portion of North D Street lying between East Sackett and the Arkansas River in the City of Salida allowing Kimmett to have a fence around the easement and allow Kimmett to have private access from his property to the dedicated trail easement setting the public hearing date for March 4, 2014 and ordering the ordinance to be published in full. Rogers seconded the motion. In a 4-2 vote, THE MOTION CARRIED. Bowers and Yerkey had the dissenting votes.

5. Planning Commission Citizen Appointment (Michael K. Yerman)

Resolution 2014-13 appointing citizens to the Planning Commission.

Yerman referenced a memo provided in the city council packet for the record.

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Hallett said while there needs to be qualified people on the commission, there should be a written policy so people aren't on the commissions to self-serve.

Yerman and Hanlon explained how these policies exist.

Baker made a motion to approve Resolution 2014-13, a resolution of the City Council for the City of Salida, Colorado, approving the appointment of Dwight Cocovinis and Paula Berg, as regular members of the Planning Commission and Dan Thomas as an alternate member of the Planning Commission. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

6. GOCO Salida River Trail Grant (Michael K. Yerman)

Resolution 2014-14 authorizing the application for funds from Great Outdoors Colorado for the Salida River Trail and stating the City's commitment of support to the project.

Yerman referenced a memo provided in the city council packet for the record.

Baker made a motion to approve Resolution 2014-14, a resolution of the City of Salida, Colorado, authorizing the application for funds from the Great Outdoors Colorado Paths to Parks Trail Grant application for the Salida River Trail and authorizing the City Administrator to sign the Paths to Parks GOCO Grant application. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.

7. Automatic Aid Agreement (Doug Bess)

Resolution 2014-15 approving an automatic-aid agreement between the City and Chaffee County Fire Protection District.

Bess referenced a memo provided in the city council packet for the record.

Yerkey made a motion to approve Resolution 2014-15, a resolution of the City Council of the City of Salida, Colorado, approving an Automatic Aid agreement between the City and Chaffee County Fire Protection District. Baker seconded the motion. With all in consensus, THE MOTION CARRIED.

8. Short Term Lease of Toubert Building Room 134 to Chaffee County (Dara MacDonald)

Resolution 2014-16 approving a short term lease agreement with Chaffee County for Toubert Building Room 134.

MacDonald referenced a memo provided in the city council packet for the record.

Baker made a motion to approve Resolution 2014-16, a resolution of the City Council of the City of Salida, Colorado, approving a short term lease agreement with Chaffee County for Toubert Building Room 134. Rogers seconded the motion. With all in consensus, THE MOTION CARRIED.

9. Short Term Lease of Toubert Building Room 216 from Chaffee County (Dara MacDonald)

Resolution 2014-17 approving a short term lease agreement with Chaffee County for Toubert Building Room 216.

Baker made a motion to approve Resolution 2014-17, a resolution of the City Council of the City of Salida, Colorado, approving a short term lease agreement with Chaffee County for Toubert Building Room 216. Bowers seconded the motion. With all in consensus, THE MOTION CARRIED.

10. Administrator/City Attorney/Deputy City Clerk

a. City Administrator Report – Dara MacDonald

MacDonald mentioned the upcoming appointments to the NR CDC Board of Directors. Hallett asked staff to put the advertising of the NR CDC board appointments on the city website.

1. H Street Project Scope

MacDonald referenced materials provided in the city council packet for the record. Hallett asked if Council would like to have a special meeting. Bowers said he would like a special meeting to occur. Yerkey, Baker and Rogers disagreed.

MacDonald said a public meeting to discuss the H Street project scope will occur March 3rd at 6:00 p.m. at the Salida Steam Plant.

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

c. Deputy City Clerk Report – Audrey Gilpin

Gilpin asked what date would work for Council for a special meeting to discuss the KHEN special event liquor license application. Council gave direction for 5:15 p.m. February 27.

11. Elected Official Reports

- City Treasurer – Cheryl Brown-Kovacic – sales tax report.
- City Clerk – Betty Schwitzer – No report.
- Mayor – Jim Dickson

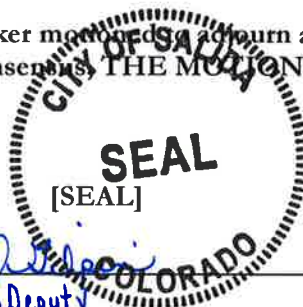
Dickson said the caboose will be coming to council March 4.

- City Council- Keith Baker, Michael Bowers, Melodee Hallett, Eileen Rogers, Hal Brown and Tom Yerkey.

Bowers asked if the two hour parking limit could be lifted on the east side of E Street. Salida Police Chief Terry Clark and MacDonald said there is not two hour parking limitations on that side of E Street.

Brown referenced the H Street project scope. Yerkey thanked council regarding the H Street decision in his absence. Rogers mentioned Monarch ski area’s snow. Baker said the NR CDC Board took a vote to contract Michael Scott as the attorney for the NR CDC. Yerkey directed Karl Hanlon to meet with Michael Scott. Hallett said she’s noticed an increase in visitation to downtown Salida. She asked for confirmation regarding Monday work sessions. Hallett asked about bids on agendas.

Baker motioned to adjourn at 10:05 p.m. Brown seconded the motion. With all in consensus, THE MOTION CARRIED.



Audrey Gilpin
City Clerk, Deputy

Jim Dickson

Mayor

