



MEETING MINUTES OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado
Tuesday, February 3, 2015 7:00 p.m.

I. REGULAR MEETING CALLED TO ORDER AT 7:38 P.M.

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.*

George Henman of Salida stated that he could not believe that the City Council would consider reducing HWY 50 to two lanes. He continued to state that it was very difficult to make left hand turns onto HWY 50.

Monika Griesenbeck of Salida requested clarification on whether dogs are allowed on the trail through Marvin Park. She stated that three weeks ago, she saw a young man receive a citation from the officer and the officer told Griesenbeck to leave with her dog. She said that she assumed that the signage was for the ball field. Bowers suggesting that Griesenbeck contact the Police Chief in regard to the matter for more information.

Lee Dodge of Salida thanked the City Council for the new chairs and tables in the Salida Scout Hut. He felt that the plan to update the Scout Hut was a great opportunity because it sits on prime land along the river. Dodge thanked the City Council for their support.

Jeff Auxier of Salida thanked the Council and staff for having the Town Hall Meeting and would like to see more disclosure about the NRDC.

V. NEW BUSINESS

Brown suggested that the Council give staff direction to include a line item to fund the audit committee in the upcoming budget amendment. MacDonald suggested waiting until the next budget amendment to include funding for the audit committee. Brown felt it would be a test to see how serious the council is about having an audit committee and suggested that it could be \$50,000.

Rogers felt the audit committee needs to be established first.

Brown felt that the public will be looking to see how serious the Council is about establishing an audit committee.

Hanlon stated that perhaps the Council can discuss an actual dollar amount at a later hearing.

Brown motioned to add a line-item for the Audit Committee with an amount to be determined at a later

date. Baker seconded the motion. With all in consensus, **THE MOTION CARRIED.**

VI. OLD BUSINESS

Bowers asked when the heart-shaped decorations are going to be taken down from various City-owned properties. MacDonald stated that the hearts will be taken down after Valentine's Day.

VII. SCHEDULED ITEMS

1. Consent Agenda (Christian Samora)

- Approval of Agenda
- Approval of Minutes: January 20, 2015

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

2. Ordinance Creating an Audit Committee – 2nd Reading & Public Hearing (Jan Schmidt)

Ordinance 2015-01 Replacing Article XV and creating a new Article XVI in Chapter 2 of the Salida Municipal Code in order to establish an Audit Committee

Schmidt stated that the publication was missed by one day, so the Ordinance will need to be continued until the next City Council Meeting.

Hallett did not feel that it could be done that way. Hanlon stated that it is recommended to take public comment, but take action in the 17th.

Schmidt introduced and noted changes that were made at the last meeting.

Hanlon stated that GFOA recommends that the Treasurer not be on the committee.

The Council was in agreement that the requirement of the Treasurer being one of the Committee Members should be removed from the Ordinance. Additionally, 2-15-50 was revised to require the Audit Committee's budget and work plan be submitted to Council by September 1.

Jeff Auxier of Salida stated that the statutory authority of the Treasurer is what is important and the Council has effectively eliminated the City Clerk's Position and the Police Chief has been moved under the City Administrator instead of the Mayor. Hanlon stated that statute states to provide a report on a monthly basis. Auxier felt that the Treasurer hushed him at a Town Hall Meeting. He continued to state that he felt the City Treasurer has interest in what the city is doing and that 2-15-50 needed to be clarified.

Monika Griesenbeck of Salida stated that she was very happy that the City is going to create an audit committee. She felt that it would be best if the Treasurer would not be appointed to the committee because the treasurer could not be objective on the committee.

Billie Carlisle of Salida agreed with Griesenbeck and felt that more than one committee has been created as a sham to pacify people.

Brown motioned to continue the hearing to February 17, 2015 and to include the changes discussed. Baker seconded the motion. In a roll call vote, THE MOTION CARRIED.

3. Ordinance Proposing an Alternate Ballot Measure – 2nd Reading & Public Hearing (Jan Schmidt)

Ordinance 2015-02 To provide for a change in disposition of the sales tax fund capital spending, and submitting this ordinance for approval of the registered voters of the City of Salida at a special election on March 24, 2015

Schmidt stated that the public hearing will need to be opened and continued just as Ordinance 2015-01 was continued.

The City Council was in agreement to remove the sunset clause in the ordinance.

Hallett did not feel that it addressed the operating expenditures. Schmidt stated that a policy in regard to operating expenditures was adopted in the last meeting.

Mayor Dickson opened the Public Hearing.

Jeff Auxier of Salida stated that it was described as the "Brown/Baker initiative". Brown stated that there are significant differences, but he felt that it would be better to wait until they were voting to address that. Auxier stated that MacDonald and Schmidt stated that the city spends a lot on capital compared to other cities and wanted to make it clear that grant money is included in the percentage of capital spending. He felt that the citizens have been misled.

MacDonald clarified that the information about capital spending has been presented to include grant funding, but has also been presented to exclude grant funding. Both of which are included in the same report.

Billie Carlisle of Salida pointed out a discussion about a few CORA requests that he has made over the past few months. One of the things he requested was how much was spent on Streets in 2013. He was told it would be several hundred dollars for the request. He stated that he made very specific requests and was told the information that did not exist.

Hallett stated that the previous Deputy City Clerk did not charge for CORA requests. Schmidt stated that the City does charge for retrieval time when requests go above and beyond the initial first hour that is included in the Open Records Requests.

Monika Griesenbeck of Salida asked if it was a public hearing because council members are speaking and she felt staff is countering what the public is saying. She felt it was a travesty. She felt the original 2A was flawed because it had "other infrastructure" in the language. Griesenbeck felt the whole 2A is about trust and her trust is in the citizens who did the work with the initiative.

Jeff Auxier of Salida referenced an open records request that Carlisle made.

Baker motioned to continue the hearing to February 17th and to remove the sunset clause. Yerkey seconded the motion. With all in consensus, THE MOTION CARRIED.

4. **Setting of Ballot Language for March 24th Special Election** (Betty Schwitzer/Christian Samora)
Resolution 2015-12 certifying ballot language for a special election to be held on March 24, 2015, regarding the 2A Initiative and an additional measure being submitted by the City Council to the electors of Salida

Brown moved to continue Resolution 2015-12 to February 17, 2015. Bowers seconded the motion.

Hallett felt that there has been a lot of foot dragging and there is very little time for alternative arguments.

With all in favor, the motion carried.

5. **Agreement with Chaffee County** (Betty Schwitzer/Christian Samora)
Resolution 2015-13 approving a contract between the City of Salida and Chaffee County for assistance and administration of an election to be held on March 24, 2015

Schwitzer introduced the Resolution.

Yerkey moved to approve Resolution 2015-13 of the City Council, City of Salida, Colorado approving a contract between the City of Salida and Chaffee County for assistance and administration of an election to be held on March 24, 2015. Rogers seconded the motion. With all in favor, THE MOTION CARRIED.

6. **Termination of Property Maintenance Agreement with NRCDC** (Dara MacDonald)

Resolution 2015-14 terminating the Property Management and Financial Services Agreement with the Salida Natural Resource Center Development Corporation

MacDonald introduced the Resolution.

Brown motioned to continue the resolution for six months for consideration at that time. Rogers seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED.

7. Madison House Presents Use Agreement (Dara MacDonald)

Resolution 2015-15 approving a facilities use agreement with Madison House Presents, LLC for a music festival and concert event at the Vandaveer Ranch

MacDonald introduced the agreement and stated that the largest change is the pedestrian bridge. She stated that Madison House has embraced the bridge, but will pay up to \$40,000k. MacDonald continued to state that the NRCDC recommended adopting the agreement as drafted and that if for some reason, if the construction is not complete, MHP will contribute \$25k.

Rogers motioned to approve Resolution 2015-15, a resolution of the City Council, City of Salida, Colorado approving a facilities use agreement with Madison House Presents, LLC for a music festival and concert event at the Vandaveer Ranch to include a payment of \$25k should the city not install a bridge. Baker seconded the motion.

Jeff Auxier stated that the trail would benefit the city; he stated that he was told the NRCDC would have zero benefit. He felt it would benefit the NRCDC to have the trail completed. He did not feel that Yerkey or Baker should vote in the matter.

Billie Carlisle of Salida stated that he would need to review the entire meeting, but it seemed pretty clear that Hanlon gave successful and good legal advice about the Treasurer. He felt that if the two council members continue to vote on NRCDC matters, that Yerkey and Baker are ignoring good legal advice.

Yerkey resigned from the NRCDC Board as well as Councilmember Baker.

In a 5-1 roll call vote, THE MOTION CARRIED. Bowers had the dissenting vote.

8. Administrator/City Attorney/Deputy City Clerk

- a. City Administrator Report – Dara MacDonald
- b. City Attorney Report – Karp, Neu, Hanlon, PC
- c. Deputy City Clerk Report – Christian Samora

9. 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. Yerkey requested that his resignation be effective after the seat is filled. Hanlon stated that

VIII. EXECUTIVE SESSION –

An Executive Session was not held.

IX. ADJOURN –

Vern Davis of Salida asked if SGM would be left to complete the Dominick Project.

Rogers motioned to adjourn at 10:38, Brown seconded the motion. With all in favor, THE MOTION CARRIED.


[SEAL]
Deputy City Clerk


Mayor



