CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
April 01, 2025 - 6:00 PM

AGENDA

Please register for Regular City Council Meeting
https://zoom.us/webinar/register/WN_IJIzcmlQTgqcTEDomhRz5A

After registering, you will receive a confirmation email containing information about joining the webinar. To watch live meetings:

http://www.youtube.com/@cityofsalidacolorado

CIVILITY INVOCATION

CALL TO ORDER

Pledge of Allegiance

Roll Call

CONSENT AGENDA

1. Approve Agenda
2. Approve March 4, 2025 Minutes

CITIZEN COMMENT–Three (3) Minute Time Limit

PROCLAMATIONS

3. Celebrating April 2025 as Arab American Heritage Month

UNFINISHED BUSINESS / ACTION ITEMS

NEW BUSINESS / ACTION ITEMS

4. **SOUND PERMIT** - Amplified Sound Permit Requests for High Side! Bar and Grill. **Public Hearing**

5. **Sound Permit** Ark Valley Indivisible Rally and March **Public Hearing**

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

Naccarato - CHA and Sustainability Board

Martin

Critelli

Stephens - Airport Board and PROST

Fontana - Finance Committe and Greater Salida Recreation Corporation Board

Pappenfort - Finance Committee

Mayor Report

Treasurer Report

6. Treasurer Report

Attorney Report

Department Updates

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

EXECUTIVE SESSION

7. **EXECUTIVE SESSION:** For discussion of a personnel matter under C.R.S. Section 24-6- 402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: **City Clerk's and City Attorney's annual performance evaluations**

ADJOURN

CITY OF SALIDA
SEAL
COLORADO

_____ _____

City Clerk | Deputy City Clerk Mayor Dan Shore

CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
March 04, 2025 - 6:00 PM

MINUTES

Register for Regular City Council Meeting

https://zoom.us/j/94566900437?pwd=LofScMIctMkI58imQPLIjhbohLUlFH.1
After registering, you will receive a confirmation email containing information about joining the webinar.

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CIVILITY INVOCATION

CALL TO ORDER

Pledge of Allegiance

Roll Call

PRESENT
Council Member Suzanne Fontana
Council Member Dominique Naccarato
Council Member Justin Critelli
Council Member Aaron Stephens
Council Member Alisa Pappenfort
Council Member Wayles Martin
Mayor Dan Shore

ABSENT
Treasurer Ben Gilling

CONSENT AGENDA

Council Member Pappenfort moved to combine and approve items 1 through 5 on the consent agenda and moved items 6 and 7 to New Business, Seconded by Council Member Critelli.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

Approve Agenda

Approve February 18, 2025 Minutes

Approve Special Event Liquor License for A Church

Approve contract with CivicBrand

Approve City Administrator 2024 Evaluation

MOTION PASSED

CITIZEN COMMENT–Three (3) Minute Time Limit

Joseph Elio and Adam Martinez spoke during citizen comment

PROCLAMATIONS

Celebrating March 2025 as Women's History Month

LIQUOR LICENSING AUTHORITY

New Hotel and Restaurant Liquor License for Hacienda Jalisco Family Restaurant, LLC, dba Hacienda Jalisco at 1220 E. Highway 50

Mayor Shore opened the Public Hearing. Hearing no comments the Mayor closed the public hearing.

Council Member Critelli moved to approve the new liquor license request, Seconded by Council Member Pappenfort.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

UNFINISHED BUSINESS / ACTION ITEMS

Ordinance 2025 –04 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO GRANTING A NON-EXCLUSIVE FRANCHISE TO ATMOS ENERGY CORPORATION FOR THE PURPOSE OF PROVIDING, SELLING, AND DELIVERING NATURAL GAS TO THE CITY AND ITS RESIDENTS, AND APPROVING A GAS UTILITY FRANCHISE AGREEMENT CONCERNING THE SAME. **Second Reading and Public Hearing**

Mayor Shore opened the Public Hearing. Curtis Paradisa of Atmos Energy spoke regarding the Franchise Agreement. Hearing no further comments the Mayor closed the public hearing.

Council Member Martin moved to approve Ordinance 2025-04, Seconded by Council Member Critelli.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Ordinance 2025-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO APPROVING TENDERFOOT COMMUNICATION SITE LEASE WITH VISIONARY BROADBAND. **Second Reading and Public Hearing**

Mayor Shore opened the Public Hearing. Brian Shepherd of Visionary Broadband spoke regarding the lease. Hearing no comments the Mayor closed the public hearing.

Council Member Martin moved to approve Ordinance 2025-05, Seconded by Council Member Naccarato.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

NEW BUSINESS / ACTION ITEMS

SOUND PERMIT - Amplified Sound Permit Request for High Side! Bar and Grill. **Public Hearing**

Mayor Shore opened the Public Hearing. Hearing no comments the Mayor closed the public hearing.

Council Member Critelli moved to approve the Amplified Sound Permit for March 28, 2025 from 6:00pm till 11:00pm, Seconded by Council Member Pappenfort.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Resolution 2025-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE PARKS, RECREATION, OPEN SPACE, AND TRAILS PURSUANT TO SECTION 2-14-20 a. OF THE SALIDA MUNICIPAL CODE

Council Member Fontana moved to approve Resolution 2025-09, Seconded by Council Member Naccarato.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Resolution 2025-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING THE ADOPTION OF A PARK DEVELOPMENT MANUAL FOR THE CITY OF SALIDA

Council Member Critelli moved to approve Resolution 2025-10, Seconded by Council Member Naccarato.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Resolution 2025-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING A CITIZEN APPOINTMENT TO THE SUSTAINABILITY COMMITTEE PURSUANT TO SECTION 2-18-10 OF THE SALIDA MUNICIPAL CODE

Council Member Naccarato moved to approve Resolution 2025-11, Seconded by Council Member Fontana.
Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Consent Agenda **Item #6**. Approve MOU between the City of Salida and Chaffee County Concerning Compensation and Development in the South Ark Neighborhood.

Council Member Martin moved to approve the MOU between the City of Salida and Chaffee County, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Consent Agenda **Item #7**. Approve MOU between the City of Salida and Colorado Mountain College Concerning Compensation and Development in the South Ark Neighborhood

Council Member Martin moved to approve the MOU between the City of Salida and CMC, Seconded by Council Member Fontana.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

Pappenfort - Finance Committee

Critelli

Naccarato - CHA and Sustainability Board

Martin

Stephens - Airport Board and PROST

Fontana - Finance Committe and Greater Salida Recreation Corporation Board

Reports were given.

Mayor Report

Report was given

Treasurer Report

Attorney Report

Report was given by Attorney Erica Romberg

Department Updates

EXECUTIVE SESSION

Executive Session: For discussion of a personnel matter under C.R.S. Section 24-6- 402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: **City Clerk annual performance evaluation**

> Council Member Martin moved to go into Executive Session, Seconded by Council Member Critelli. Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Pappenfort, Council Member Martin

MOTION PASSED

Council entered into Executive Session at 7:28pm and returned to the Regular Meeting at 8:21pm.

ADJOURN

Meeting adjourned at 8:22 pm

CITY OF SALIDA
SEAL
COLORADO

_____

City Clerk | Deputy City Clerk

_____

Mayor Dan Shore

Proclamation

Celebrating April 2025 as Arab American Heritage Month

Whereas, for over a century, Arab Americans have been making valuable contributions to virtually every aspect of American society: in medicine law, business, education, technology, government, military service, culture; and

Whereas, since migrating to America, individuals of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants; and

Whereas they brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy; and

Whereas, Arab Americans have also enriched our society by sharing in the entrepreneurial American spirit that makes our nation free and prosperous; and

Whereas, the contributions of Arab Americans in the US often can be neglected or defaced by misconceptions, bigotry, and anti-Arab hate in the forms of crimes and speech; and

Whereas, Arab American issues, such as civil rights abuses, harmful stereotyping, and bullying must be combated in the forms of education and awareness; and

Whereas, they join all Americans in the desire to see a peaceful and diverse society, where every individual is treated equally and feels safe; and

Whereas, the incredible contribution and heritage of Arab Americans have helped us build a better nation.

Now, therefore, the City of Salida does hereby proclaim and declare the month of April 2025 as Arab American Heritage Month in Salida, Colorado and further encourages all Salidans to observe this month with appropriate programs, ceremonies and activities.

_____ Date: April 1, 2025

Mayor Dan Shore

CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Kristi Jefferson - City Clerk	April 1, 2025

AGENDA ITEM

Amplified Sound Permit – High Side! Bar and Grill – Public Hearing

BACKGROUND

Per City Council direction, certain amplified Sound Permits are subject to public hearings as they relate to dates, hours of operation, and decibel levels.

The City has received three amplified sound permit applications from High Side! Bar and Grill, located at 300 West Sackett Avenue, for the following 3 Events:

1. **Hosting a private party on April 6th, 2025 from 2-5 pm**

2. **Pole Pedal Paddle Finish Line and After Party on April 13th, 2025 from 1-4 pm.**

3. **The Salida Enduro After Party on April 26th, 2025 from 1-5 pm**

Amplified Sound Permits are allowed to be approved by the City Administrator between the dates of May 1 and November 1 annually; as the proposed dates are outside of that window, a public hearing shall be held to receive feedback from the public.

Public notice was posted at the property. The amplified sound permit applications are attached for review.

RECOMMENDATION

Staff recommends approval of the High Side! Bar and Grill amplified Sound Permit applications for the dates and times requested.

FISCAL IMPACT

None

MOTION

City Council can approve 0, 1, 2, 3 or all of the requests.

Following a public hearing, a City Councilmember should state, “I move to _____ the amplified Sound Permit requests for High Side! Bar and Grill, located at 300 West Sackett Avenue, for the following dates and times April 6th, 2025 from 2-5 pm, April 13th, 2025 from 1-4 pm, and April 26th, 2025 from 1-5 pm.”, followed by a second and a roll call vote.

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE: that on April 1, 2025 at or about the hour of 6:00 p.m. a public hearing will be conducted by the City of Salida City Council at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: https://zoom.us/webinar/register/WN_IJIzcmlQTgqcTEDomhRz5A .

The hearing concerns an Amplified Sound Permit Application filed by Hallie Whittington of High Side! Bar & Grill, located at 300 W Sackett Ave, Salida, CO, 81201.

The applicant is requesting to provide amplified sound outdoors from 1-5pm on April 26th which cannot be administratively approved since it is out of season. As such, it must go to a Council public hearing.

Interested persons are encouraged to attend the public hearings. Further information on the application may be obtained from the City Clerk at 719 530 2626.

*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above Zoom link so your comments can be made part of the record.

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CITY OF SALIDA

OVERVIEW OF LOCAL NOISE REGULATIONS & PERMITTING

Chapter 10, Article IX of the Salida Municipal Code (the "Code") establishes regulations and standards for noise within the City of Salida (the "City") to reduce and eliminate unnecessary and excessive noise which would otherwise be detrimental to residents and the community in the enjoyment of life, property, and the conduct of business. Of note, Section 10-9-30(c) of the Code provides that it is "unlawful for any person to emit or cause to be emitted any noise which leaves the premises on which it originates, inclusive of a public premises, crosses a property line and enters onto any other premises in excess" of the specified levels.

Pursuant to Sections 10-9-40(14) and 10-9-80 of the Code, however, the City may specifically exempt a particular noise from this prohibition through the issuance of a noise permit. Such a permit may include limitations and conditions to minimize the adverse impacts of the proposed noise may have on the community or surrounding neighborhood. Such limitations and conditions include, but are not limited to, the following: the hours of operation, maximum decibels, the type of sound amplification equipment, and the type of sound that may be amplified. No permit shall be issued for noise after 10:00 PM, with allowances to go until midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend, and on the Thursday, Friday, and Saturday during the FIBArk Festival.

The issuance of a noise permit is at the sole discretion of the City Administrator or City Council, and the issuance of such permit does not confer any rights upon the permittee other than those expressly authorized by the permit. Violation of any of the conditions or limitations set forth in the noise permit may result in immediate revocation of the permit. Revocation of the noise permit does not preclude the City from seeking any remedies otherwise available under federal, state, or local law.

Applications for a noise permit must be submitted on the attached "Application for a Noise Permit" form and submitted at least five (5) working days prior to the date for which the permit is sought.

CITY OF SALIDA

NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant's right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (*i.e.*, live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications should be submitted via email to deputyclerk@cityofsalida.com. If that is not possible, they can be submitted in-person to 448 E 1st Street Suite 112. Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

I. Applicant Information.

Applicant Name: Hallie Whittington

Applicant Business/Organization: High Side! Bar and Grill

Applicant Phone: 719-207-5034

Applicant Email: Halliehighside@gmail.com

Applicant Address: 300 W Sackett Ave
Salida, CO. 81201

Sound Supervisor[1]: Hallie Whittington, Johnny Shepard

Sound Supervisor Phone: 719-207-5034, 719-207-5423

II. Event Information.

Description of Event: Private anniversary party with a band

Estimated Attendance: 50-60

Date(s): April 6th, 2025

Hours of Event: 2pm-5pm

Location of Event: 300 W Sackett Ave.
Salida, CO. 81201

[1] The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.

III. Noise Information.

Type of Noise (*e.g.*, live music, parade):
Live Music

Type of Sound Amplification Equipment:
Gerneral PA

IV. Agreement.

As the applicant for this noise permit, I, Hallie Whittington, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature: _____ (Typed or Digital signature accepted)

Date: _____

3/10/2025

For use by the City Clerk only:

Application fee received: [X] Yes [ ] No [ ] N/A

Signature: Kristi Jefferson

Date: 03/24/25

CITY OF SALIDA
NOISE PERMIT

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

I. Conditions and Limitations Applicable to All Permits.

The following conditions and limitations are applicable to all noise permits:

- No noise is permitted after 10:00 PM, unless specifically authorized by the City Council following a public hearing. No noise is permitted after midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend. No noise is permitted after midnight on the Thursday, Friday, and Saturday during the FIBArk festival.
- No noise is authorized in excess of the maximum limit of 85 dB(A), as measured from any point along the property line or within the property line of the receiving premises. Measuring devices shall be those specifically utilized by the City of Salida.
- All amplification equipment shall be arranged so as to minimize the disturbance to neighboring properties, and permittees shall take reasonable measures to baffle or reduce noise impacts to neighbors.
- No outdoor amplified sound shall be permitted between November 1 through May 1.
- A maximum of sixty (60) amplified sound permits may be granted to same location during a single calendar year, unless additional permits are specifically authorized by the City Council following a public hearing.

II. Conditions and Limitations Applicable to this Permit.

The following conditions and limitations are applicable to this noise permit:

- _____
- _____
- _____

III. Expiration.

This noise permit is issued for the following dates and expires on the following date:

Date(s): _____

Expiration: _____

For use by the City Administrator only:

Application granted: [ ] Yes [ ] No

Signature: _____

Date: _____

CITY OF SALIDA

OVERVIEW OF LOCAL NOISE REGULATIONS & PERMITTING

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Pursuant to Sections 10-9-40(14) and 10-9-80 of the Code, however, the City may specifically exempt a particular noise from this prohibition through the issuance of a noise permit. Such a permit may include limitations and conditions to minimize the adverse impacts of the proposed noise may have on the community or surrounding neighborhood. Such limitations and conditions include, but are not limited to, the following: the hours of operation, maximum decibels, the type of sound amplification equipment, and the type of sound that may be amplified. No permit shall be issued for noise after 10:00 PM, with allowances to go until midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend, and on the Thursday, Friday, and Saturday during the FIBArk Festival.

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Applications for a noise permit must be submitted on the attached "Application for a Noise Permit" form and submitted at least five (5) working days prior to the date for which the permit is sought.

CITY OF SALIDA

NOISE PERMIT APPLICATION

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Applicants may apply for events which are recurring (*i.e.*, live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

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Applicant Name: Hallie Whittington

Applicant Business/Organization: High Side! Bar and Grill

Applicant Phone: 719-207-5034

Applicant Email: Halliehighside@gmail.com

Applicant Address: 300 W Sackett Ave
Salida, CO. 81201

Sound Supervisor[1]: Hallie Whittington, Johnny Shepard

Sound Supervisor Phone: 719-207-5034. 719-207-5423

II. Event Information.

Description of Event: Salida Enduro After Party Band

Estimated Attendance: 100

Date(s): April 26th, 2025

Hours of Event: 1-5pm

Location of Event: 300 W Sackett Ave
Salida, CO. 81201

[1] The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.

III. Noise Information.

Type of Noise (*e.g.*, live music, parade):
Live Music

Type of Sound Amplification Equipment:
PA System

IV. Agreement.

As the applicant for this noise permit, I, Hallie Whittington, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature: Hallie Whittington (Typed or Digital signature accepted)

Date: 3/24/2025

For use by the City Clerk only:

Application fee received: [X] Yes [ ] No [ ] N/A

Signature: Kristi Jefferson

Date: 03/24/25

CITY OF SALIDA
NOISE PERMIT

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

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The following conditions and limitations are applicable to all noise permits:

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- No noise is authorized in excess of the maximum limit of 85 dB(A), as measured from any point along the property line or within the property line of the receiving premises. Measuring devices shall be those specifically utilized by the City of Salida.
- All amplification equipment shall be arranged so as to minimize the disturbance to neighboring properties, and permittees shall take reasonable measures to baffle or reduce noise impacts to neighbors.
- No outdoor amplified sound shall be permitted between November 1 through May 1.
- A maximum of sixty (60) amplified sound permits may be granted to same location during a single calendar year, unless additional permits are specifically authorized by the City Council following a public hearing.

II. Conditions and Limitations Applicable to this Permit.

The following conditions and limitations are applicable to this noise permit:

- _____
- _____
- _____

III. Expiration.

This noise permit is issued for the following dates and expires on the following date:

Date(s): _____

Expiration: _____

For use by the City Administrator only:

Application granted: [ ] Yes [ ] No

Signature: _____

Date: _____

CITY OF SALIDA

OVERVIEW OF LOCAL NOISE REGULATIONS & PERMITTING

Chapter 10, Article IX of the Salida Municipal Code (the "Code") establishes regulations and standards for noise within the City of Salida (the "City") to reduce and eliminate unnecessary and excessive noise which would otherwise be detrimental to residents and the community in the enjoyment of life, property, and the conduct of business. Of note, Section 10-9-30(c) of the Code provides that it is "unlawful for any person to emit or cause to be emitted any noise which leaves the premises on which it originates, inclusive of a public premises, crosses a property line and enters onto any other premises in excess" of the specified levels.

Pursuant to Sections 10-9-40(14) and 10-9-80 of the Code, however, the City may specifically exempt a particular noise from this prohibition through the issuance of a noise permit. Such a permit may include limitations and conditions to minimize the adverse impacts of the proposed noise may have on the community or surrounding neighborhood. Such limitations and conditions include, but are not limited to, the following: the hours of operation, maximum decibels, the type of sound amplification equipment, and the type of sound that may be amplified. No permit shall be issued for noise after 10:00 PM, with allowances to go until midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend, and on the Thursday, Friday, and Saturday during the FIBArk Festival.

The issuance of a noise permit is at the sole discretion of the City Administrator or City Council, and the issuance of such permit does not confer any rights upon the permittee other than those expressly authorized by the permit. Violation of any of the conditions or limitations set forth in the noise permit may result in immediate revocation of the permit. Revocation of the noise permit does not preclude the City from seeking any remedies otherwise available under federal, state, or local law.

Applications for a noise permit must be submitted on the attached "Application for a Noise Permit" form and submitted at least five (5) working days prior to the date for which the permit is sought.

CITY OF SALIDA

NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant's right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (*i.e.*, live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications should be submitted via email to deputyclerk@cityofsalida.com. If that is not possible, they can be submitted in-person to 448 E 1st Street Suite 112. Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

I. Applicant Information.

Applicant Name: Hallie Whittington

Applicant Business/Organization: High Side! Bar and Grill

Applicant Phone: 719-207-5034

Applicant Email: halliehighside@gmail.com

Applicant Address: 300 W Sackett Ave.
Salida, CO. 81201

Sound Supervisor[1]: Hallie Whittington, Johnny Shepard

Sound Supervisor Phone: 719-207-5034, 719-207-5423

II. Event Information.

Description of Event: A band playing on the patio for the Pole Pedal Paddle finish line and after party.

Estimated Attendance: 100-150

Date(s): April 13th

Hours of Event: 1pm - 4pm

Location of Event: 300 W Sackett Ave.
Salida, CO. 81201

[1] The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.

III. Noise Information.

Type of Noise (*e.g.*, live music, parade):
Live Music

Type of Sound Amplification Equipment:
General PA equiptment

IV. Agreement.

As the applicant for this noise permit, I, Hallie Whitlington, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature: _____ (Typed or Digital signature accepted)

Date: _____

3/10/2025

For use by the City Clerk only:

Application fee received: [X] Yes [ ] No [ ] N/A

Signature: Kristi Jefferson

Date: 03/24/25

CITY OF SALIDA
NOISE PERMIT

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

I. Conditions and Limitations Applicable to All Permits.

The following conditions and limitations are applicable to all noise permits:

- No noise is permitted after 10:00 PM, unless specifically authorized by the City Council following a public hearing. No noise is permitted after midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend. No noise is permitted after midnight on the Thursday, Friday, and Saturday during the FIBArk festival.
- No noise is authorized in excess of the maximum limit of 85 dB(A), as measured from any point along the property line or within the property line of the receiving premises. Measuring devices shall be those specifically utilized by the City of Salida.
- All amplification equipment shall be arranged so as to minimize the disturbance to neighboring properties, and permittees shall take reasonable measures to baffle or reduce noise impacts to neighbors.
- No outdoor amplified sound shall be permitted between November 1 through May 1.
- A maximum of sixty (60) amplified sound permits may be granted to same location during a single calendar year, unless additional permits are specifically authorized by the City Council following a public hearing.

II. Conditions and Limitations Applicable to this Permit.

The following conditions and limitations are applicable to this noise permit:

- _____
- _____
- _____

III. Expiration.

This noise permit is issued for the following dates and expires on the following date:

Date(s): _____

Expiration: _____

For use by the City Administrator only:

Application granted: [ ] Yes [ ] No

Signature: _____

Date: _____

CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Kristi Jefferson - City Clerk	April 1, 2025

AGENDA ITEM

Amplified Sound Permit – Ark Valley Indivisible Rally and March – Public Hearing

BACKGROUND

Per City Council direction, certain amplified Sound Permits are subject to public hearings as they relate to dates, hours of operation, and decibel levels. The City received an application on behalf of Ark Valley Indivisible for a Rally and March starting in Riverside Park, then going through downtown and returning to Riverside Park, on April 5th, 2025, from 11:00 a.m. to 2:00 p.m.

Amplified Sound Permits are allowed to be approved by the City Administrator between the dates of May 1 and November 1 annually; as the proposed date is outside of that window, a public hearing shall be held to receive feedback from the public.

Public notice was posted at Riverside Park. The amplified sound permit application is attached for review.

RECOMMENDATION

Staff recommends approval of the Ark Valley Indivisible amplified sound permit application for a Rally and March starting in Riverside Park, then going through downtown and returning to Riverside Park, on April 5th, 2025, from 11:00 a.m. to 2:00 p.m.

FISCAL IMPACT

None

MOTION

Following a public hearing, a City Councilmember should state, “I move to _____ an amplified Sound Permit for Ark Valley Indivisible on April 5th, 2025 from 11:00 a.m. to 2:00 p.m.”, followed by a second and a roll call vote.

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS

PLEASE TAKE NOTICE: On April 1, 2025 at or about the hour of 6:00 p.m. a public hearing will be conducted by the City of Salida City Council at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link:

https://zoom.us/webinar/register/WN_IJIzcmlQTgqcTEDomhRz5A

The hearing concerns the Amplified Sound Application filed by Averi Schaubman of Ark Valley Indivisible, at Riverside Park, 170 E Sackett Ave, Salida, CO 81201.

The applicant is requesting to provide amplified sound outdoors from approximately 11 AM – 2 PM on April 5, 2025, which cannot be administratively approved since it is out of season and out of hours of operation. As such, it must go to a Council public hearing.

Interested persons are encouraged to attend the public hearings. Further information on the application may be obtained from the City Clerk at 719-530-2626.

*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.

CITY OF SALIDA

OVERVIEW OF LOCAL NOISE REGULATIONS & PERMITTING

Chapter 10, Article IX of the Salida Municipal Code (the "Code") establishes regulations and standards for noise within the City of Salida (the "City") to reduce and eliminate unnecessary and excessive noise which would otherwise be detrimental to residents and the community in the enjoyment of life, property, and the conduct of business. Of note, Section 10-9-30(c) of the Code provides that it is "unlawful for any person to emit or cause to be emitted any noise which leaves the premises on which it originates, inclusive of a public premises, crosses a property line and enters onto any other premises in excess" of the specified levels.

Pursuant to Sections 10-9-40(14) and 10-9-80 of the Code, however, the City may specifically exempt a particular noise from this prohibition through the issuance of a noise permit. Such a permit may include limitations and conditions to minimize the adverse impacts of the proposed noise may have on the community or surrounding neighborhood. Such limitations and conditions include, but are not limited to, the following: the hours of operation, maximum decibels, the type of sound amplification equipment, and the type of sound that may be amplified. No permit shall be issued for noise after 10:00 PM, with allowances to go until midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend, and on the Thursday, Friday, and Saturday during the FIBArk Festival.

The issuance of a noise permit is at the sole discretion of the City Administrator or City Council, and the issuance of such permit does not confer any rights upon the permittee other than those expressly authorized by the permit. Violation of any of the conditions or limitations set forth in the noise permit may result in immediate revocation of the permit. Revocation of the noise permit does not preclude the City from seeking any remedies otherwise available under federal, state, or local law.

Applications for a noise permit must be submitted on the attached "Application for a Noise Permit" form and submitted at least five (5) working days prior to the date for which the permit is sought.

CITY OF SALIDA

NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant's right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (*i.e.*, live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications should be submitted via email to deputyclerk@cityofsalida.com. If that is not possible, they can be submitted in-person to 448 E 1st Street Suite 112. Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

I. Applicant Information.

Applicant Name: Averi Schaubman

Applicant Business/Organization: Ark Valley Indivisible

Applicant Phone: 303-906-2472

Applicant Email: arkvalleyindivisible25@gmail.com

Applicant Address: 5466 Longbranch Rd
Salida, CO 81201

Sound Supervisor[1]: Dane Devoy

Sound Supervisor Phone: 303-518-8040

II. Event Information.

Description of Event: This is an Amendment 1 rally and march to protest the policies of the current administration in Washington DC as part of a national mobilization effort. It will be a non-violent, peaceful demonstration beginning with a rally with local speakers and elected officials at Riverside Park and then a march through downtown, returning to Riverside Park for closing statements.

Estimated Attendance: 400-500

Date(s): April 5, 2025

Hours of Event: 11:00-2:00

Location of Event: Riverside Park, Salida

[1] The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.

III. Noise Information.

Type of Noise (*e.g.*, live music, parade):
PA system at park for speakers, march through downtown with chants

Type of Sound Amplification Equipment:
PA system with mic and speakers

IV. Agreement.

As the applicant for this noise permit, I, Averi Schaubman, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature: Averi Schaubman 3/25/2025 (Typed or Digital signature accepted)

Date: _____

For use by the City Clerk only:

Application fee received: [ ] Yes [ ] No [ ] N/A

Signature: Kristi Jefferson

Date: _____

CITY OF SALIDA
NOISE PERMIT

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

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II. Conditions and Limitations Applicable to this Permit.

The following conditions and limitations are applicable to this noise permit:

- _____
  _____
- _____
  _____
- _____
  _____

III. Expiration.

This noise permit is issued for the following dates and expires on the following date:

Date(s): _____

Expiration: _____

For use by the City Administrator only:

Application granted: [ ] Yes [ ] No

Signature: _____

Date: _____

CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025

The City of Salida Sales Tax and Chaffee County Sales Tax report examines tax collections for the month of January 2025, which were remitted to the City of Salida in March 2025.

Summary Results for City and Chaffee County Sales Taxes

January City sales tax collections increased by $21,884 (3.2%) as compared to January 2024. The City's portion of Chaffee County sales tax collections increased by $18,837, a 7.8% increase over January 2024. In total, sales tax receipts are 4.3% higher for the first month of the year. Actual collections are 7.1% higher than the budget for the year.

Current Month

	January 2025	January 2024	2025 - 2024 $ Change	2025 - 2024 % Change	January 2025 Budget	2025 Budget $ Variance	2025 Budget % Variance
3% City Sales Tax	$ 716,003	$ 694,119	$ 21,884	3.2%	$ 682,914	$ 33,089	4.8%
Shared County Tax	$ 261,035	$ 242,198	$ 18,837	7.8%	$ 229,586	$ 31,449	13.7%
Total	$ 977,038	$ 936,317	$ 40,721	4.3%	$ 912,500	$ 64,538	7.1%

Year-to-Date

	Year-to-date 2025	Year-to-date 2024	2025 - 2024 $ Change	2025 - 2024 % Change	Year-to-date 2024 Budget	2025 Budget $ Variance	2025 Budget % Variance
3% Sales Tax	$ 716,003	$ 694,119	$ 21,884	3.2%	$ 682,914	$ 33,089	4.8%
Shared County Tax	$ 261,035	$ 242,198	$ 18,837	7.8%	$ 229,586	$ 31,449	13.7%
Total	$ 977,038	$ 936,317	$ 40,721	4.3%	$ 912,500	$ 64,538	7.1%

CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025

Below is the tracking by NAICS industry sector report for the 3% City sales tax collections.

3% City Sales Tax by Industry Sector

	Current Month				Year to Date			
NAICS Sector	January 2025	January 2024	2025-2024 $ Change	2025-2024 % Change	YTD 2025	YTD 2024	2025-2024 $ Change	2025-2024 % Change
Retail Trade	$ 501,892	$ 487,231	$ 14,661	3.0%	$ 501,892	$ 487,231	$ 14,661	3.0%
Accomodation & Food Service	$ 109,809	$ 105,090	$ 4,719	4.5%	$ 109,809	$ 105,090	$ 4,719	4.5%
All Other	$ 40,169	$ 35,563	$ 4,606	13.0%	$ 40,169	$ 35,563	$ 4,606	13.0%
Wholesale Trade	$ 27,643	$ 33,382	$ (5,739)	-17.2%	$ 27,643	$ 33,382	$ (5,739)	-17.2%
Manufacturing	$ 14,170	$ 11,569	$ 2,601	22.5%	$ 14,170	$ 11,569	$ 2,601	22.5%
Information	$ 11,365	$ 10,461	$ 904	8.6%	$ 11,365	$ 10,461	$ 904	8.6%
Construction	$ 8,335	$ 3,781	$ 4,554	120.4%	$ 8,335	$ 3,781	$ 4,554	120.4%
Real Estate,Rental and Leasing	$ 2,620	$ 7,042	$ (4,422)	-62.8%	$ 2,620	$ 7,042	$ (4,422)	-62.8%
Total	**$ 716,003**	**$ 694,119**	**$ 21,884**	**3.2%**	**$ 716,003**	**$ 694,119**	**$ 21,884**	**3.2%**

CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025

This presentation of the City sales tax uses sales tax license addresses to break the data into location groups; the "downtown" group is defined as the location within the boundaries of D to I street and Sacket to 4th street excluding grocery, construction, auto supply, gasoline and furniture stores.

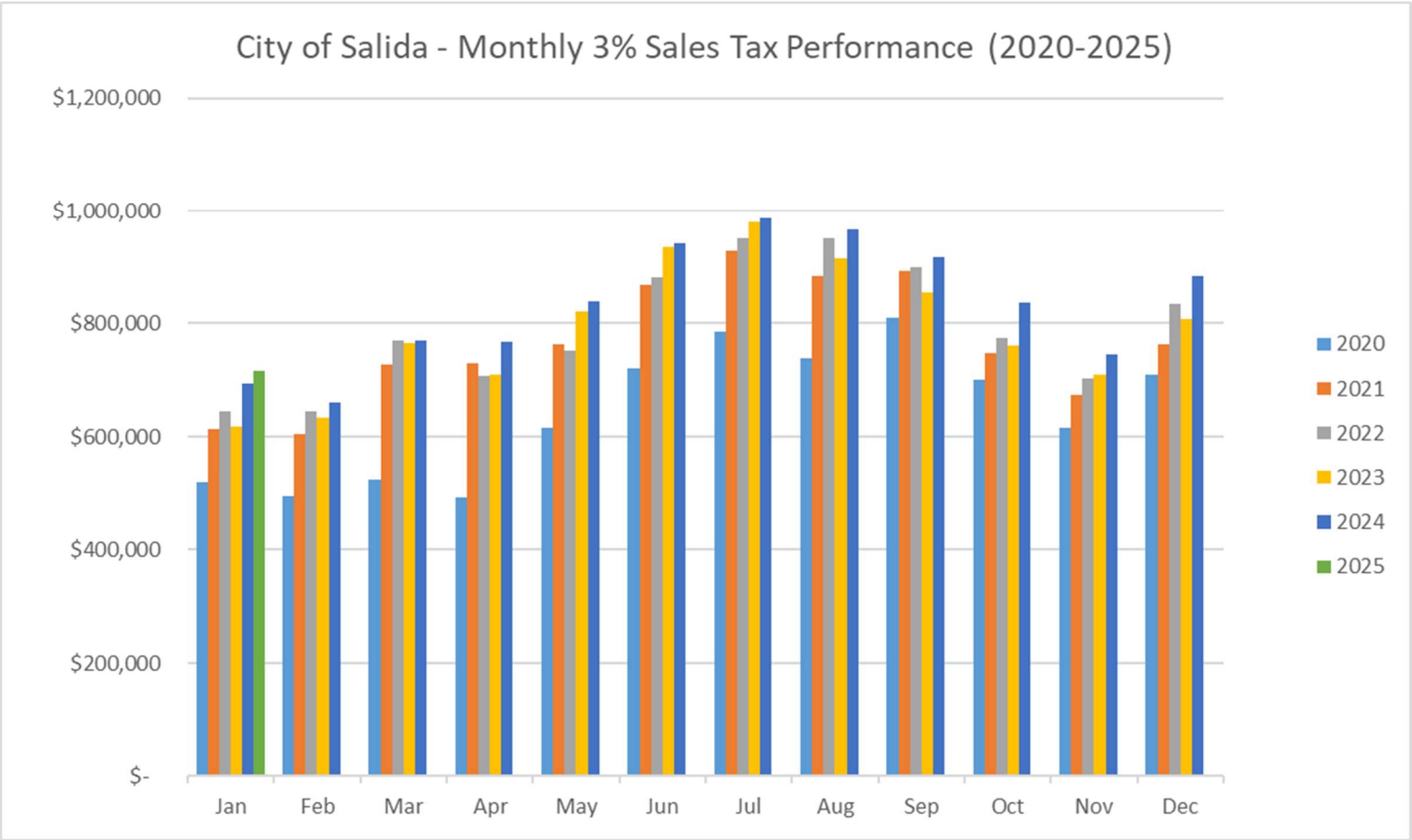
Current Month

	January 2025	January 2024	2025-2024 $ Change	2025-2024 % Change
Local, not downtown	$ 453,060	$ 484,288	$ (31,228)	-6.4%
Downtown	$ 84,499	$ 76,124	$ 8,375	11.0%
Remote	$ 178,444	$ 133,707	$ 44,737	33.5%
Total	**$ 716,003**	**$ 694,119**	**$ 21,884**	**3.2%**

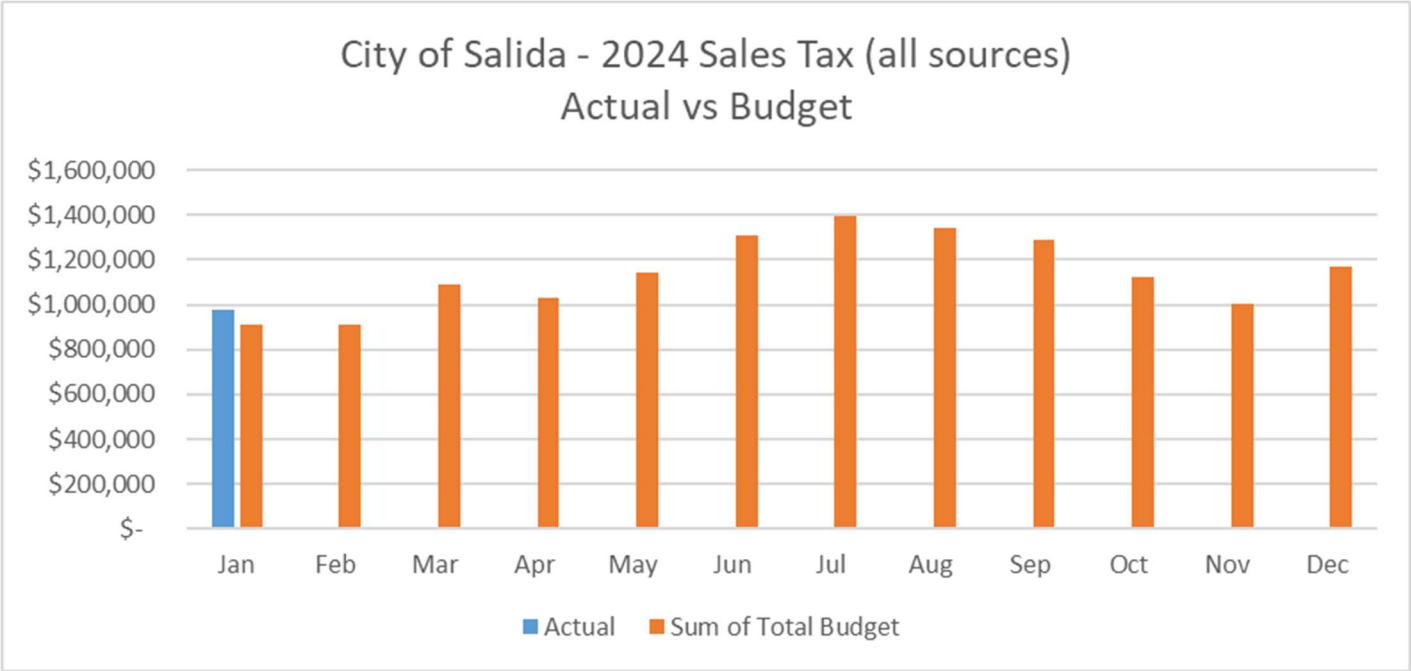
Year to Date

YTD 2025	YTD 2024	2025-2024 $ Change	2025-2024 % Change
$ 453,060	$ 484,288	$ (31,228)	-6.4%
$ 84,499	$ 76,124	$ 8,375	11.0%
$ 178,444	$ 133,707	$ 44,737	33.5%
$ 716,003	**$ 694,119**	**$ 21,884**	**3.2%**

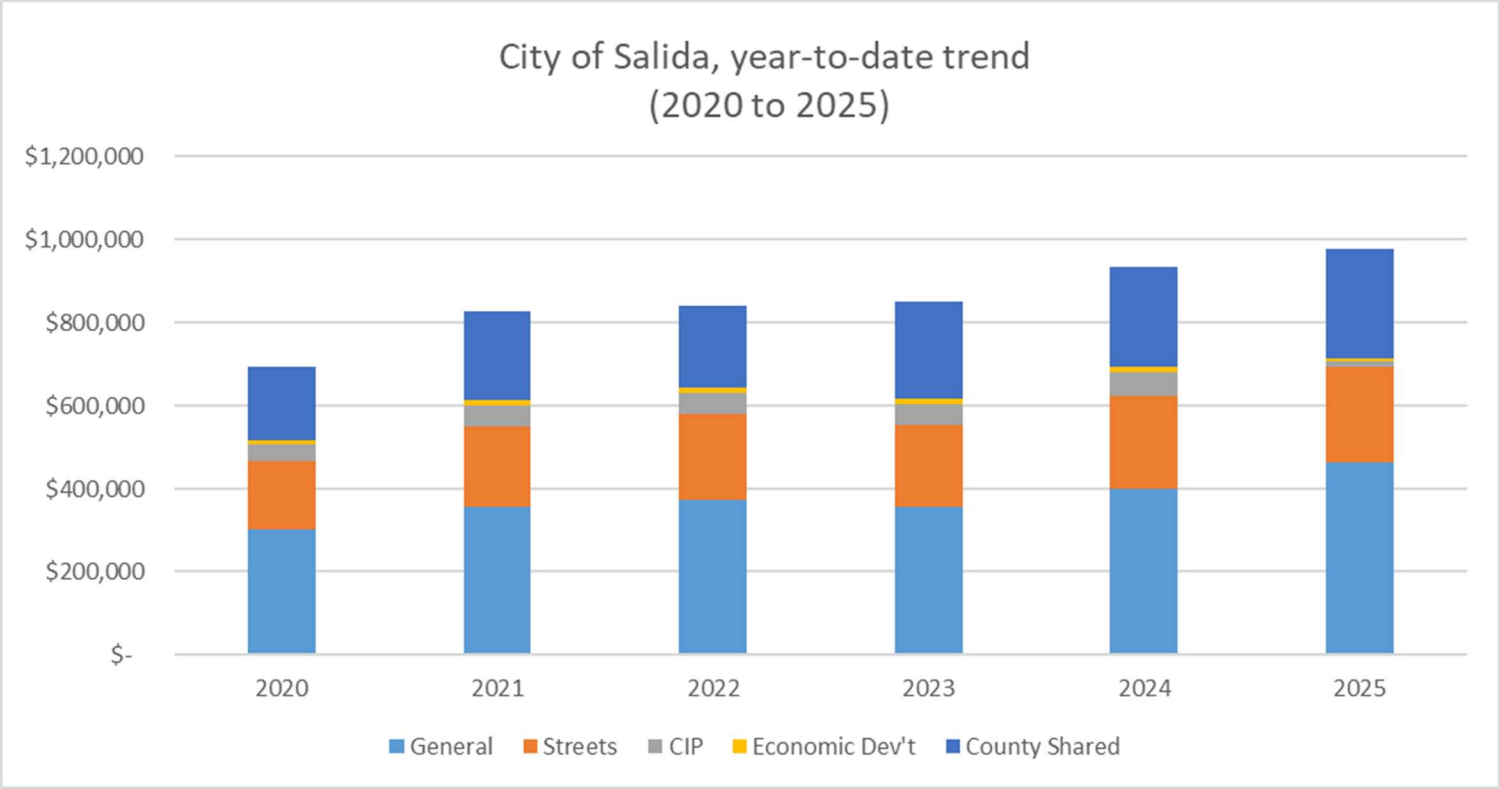
CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025



CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025



CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025



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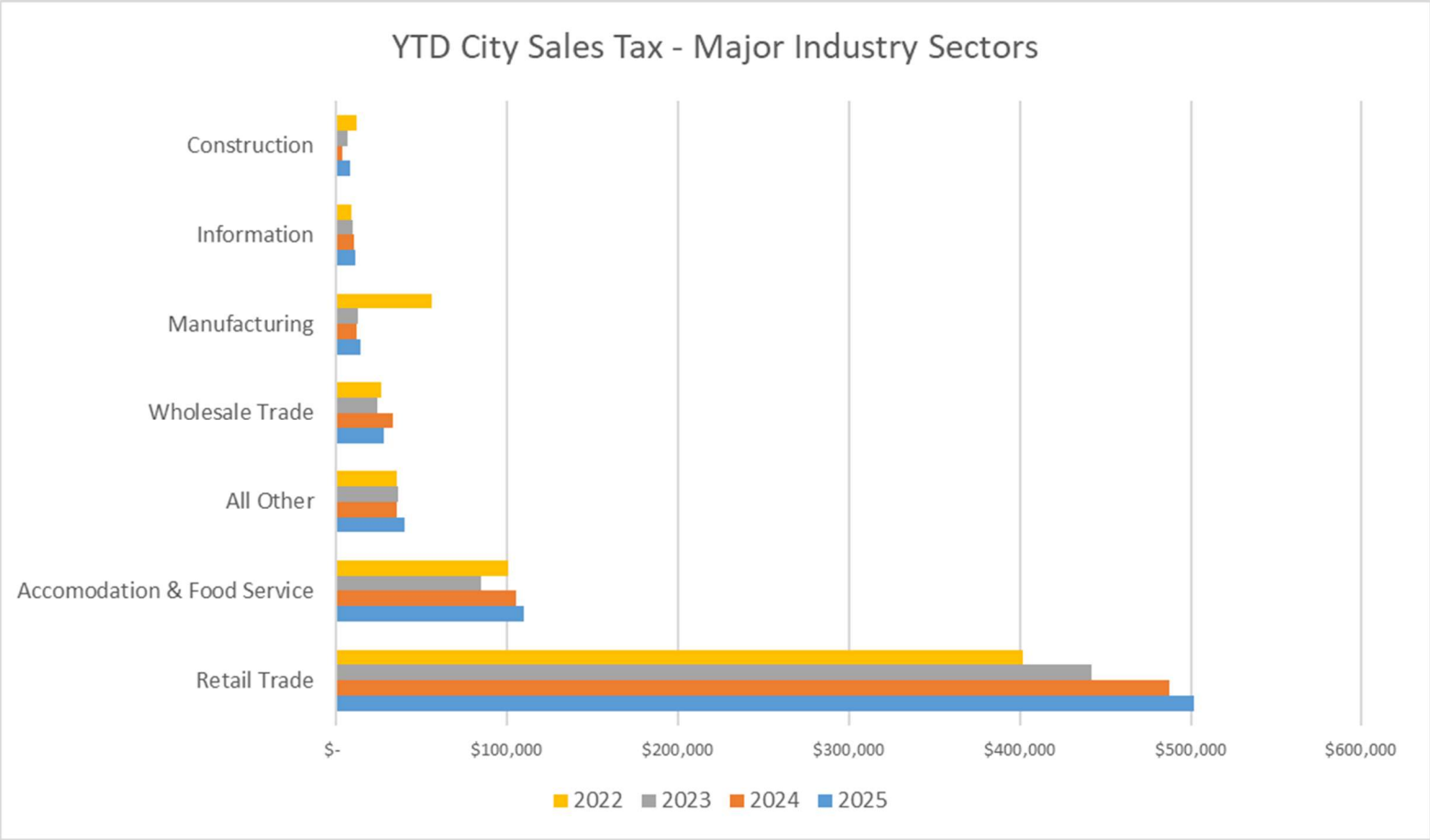
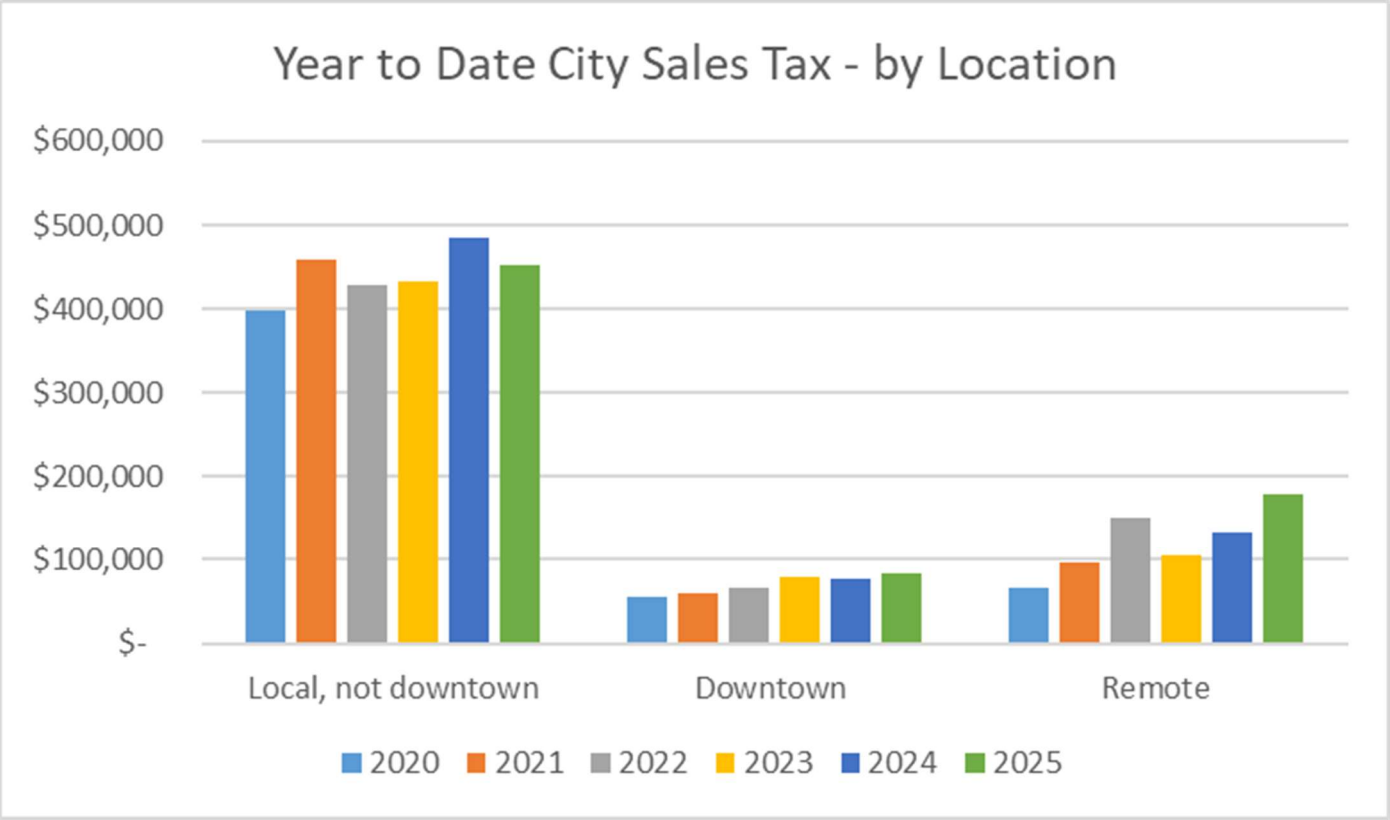
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
JANUARY 2025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JANUARY 2025