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**TOWN COUNCIL MEETING MINUTES
TUESDAY, JANUARY 4, 2011
Town Hall Council Chambers
5:00 P.M.**

- I. CALL MEETING TO ORDER** – Mayor Aragon, Council Member Holt, Council Member Jackson, Council Member Lattin, Council Member Pierce, Council Member Volger
- II. APPROVAL of MEETING MINUTES FROM DECEMBER 7th, 10th & 16th, 2010** – The minutes were approved as read.
- III. LIQUOR LICENSES**
- 1. Liquor License Renewal – Mark Leavitt dba Aspen Moose, 2800 Cornerstone Drive**
 - 2. Liquor License Renewal – Ho’s Shanghai Corp dba Shanghai Restaurant, 100 Country Center Drive** – Council Member Pierce moved to approve the liquor license renewal for Aspen Moose and Shanghai Restaurant, Council Member Jackson seconded, unanimously approved.
 - 3. Special Events Liquor Permit – Seeds of Learning Fundraiser March 5, 2011 at the Ross Aragon Community Center**
 - 4. Special Events Liquor Permit – Pagosa Springs Community Facilities Coalition Concert February 4, 2011 at the Ross Aragon Community Center**
 - 5. Special Events Liquor Permit – Pagosa Springs Community Facilities Coalition Festival of Trees December 2, 2011 at the Ross Aragon Community Center** – Council Member Volger moved to approve the special events liquor permits for Seeds of Learning fundraiser, the Pagosa Springs Community Facilities Coalition Concert February 4th and the Festival of Trees December 2nd, Council Member Jackson seconded, unanimously approved.
- IV. DELEGATIONS**
- V. NEW BUSINESS**
- 1. Ordinance No. 760, (first reading) Schedule Time, Date and Place of Regular Town Council Meetings** - Section 3.1 of the town charter requires the Town council to hold regular meetings at least once a month and that the schedule for those meetings are made by ordinance, setting a time, date and place for the regular meetings. This ordinance sets regular meeting for the first Tuesday at 5pm and third Thursday at 12noon of each month at the Town Hall at 551 Hot Springs Blvd. It also sets the location of Town Hall where the agenda will be posted. Council Member Jackson moved to approve the first reading of Ordinance No. 760, Identifying Town Council Regular Meeting Dates, Locations, Times and Agenda Posting Requirements, Council Member Holt seconded, unanimously approved.
 - 2. Pagosa Springs Music Boosters – Dale Morris** – Mrs. Morris gave the Council a brief update of events the Music Boosters are planning for the 2011 year. She asked the Council to fund the Music Boosters with 40% - (\$5,120) of total budget for the 2011 year. Council Member Pierce commended the wonderful work done by this club. Council Member Pierce moved to deny the funding request, Council Member Jackson seconded, unanimously approved.
 - 3. Sawmill Place Preliminary Plan Extension Request** - The applicant, Schlaefli Family Trust of Sawmill Place, has requested a one year extension for the Preliminary PUD Plan

previously approved by Town Council on November 5, 2008 and extended for one year on January 21, 2010. The LUDC section 2.4.3.C.b(i) requires Town Council approval to extend approval of the Preliminary PUD Plan. At the recent Planning Commission Meeting on December 14, 2010, the commissioners unanimously "Recommend that Town Council approve a one-year extension for the Sawmill Place Preliminary Plan and further extension requests would be contingent on the status of a New Access Permit issued from CDOT". Council Member Jackson and Volger questioned the CDOT contingency, Mr. Dickhoff explained this issue had been addressed. Council Member Volger moved to approve a one-year extension for the Sawmill Place Preliminary Plan and further extension requests contingent on the status of a new Access Permit issued from CDOT, Council Member Holt seconded, motion carried with one nay (Council Member Jackson).

VI. OLD BUSINESS

1. **Ordinance No. 757 (second reading) Amending LUDC Section 2.5.2.B.1 Regarding Planning Commissioner Eligibility Requirements** - At the December 18, 2010 TC meeting, Town Council approved the first reading of Ordinance no. 757, an amendment to LUDC section 2.5.2.B.1 regarding Planning Commissioners eligibility to serve, to include the Chair or Co-Chair of the Archuleta County Planning Commission. The Town Planning Commission continues to see little interest from eligible applicants to serve on the Planning Commission. At the September 14, 2010 PC meeting, the Planning Commission unanimously approved a direction for staff to propose to TC, another amendment to LUDC section 2.5.2.B.1 that would allow an Archuleta County resident business owner owning **any** property in town to be eligible to serve. Additionally, in an effort to bring consistency within our community and continue the current working relationship between the Town and County Planning Commissions, staff has been directed to include the Archuleta County Planning Commission Chair or Co-Chair as an eligible Town Planning Commissioner. Proposed new language for LUDC section 2.5.2.B.1; *"The Planning Commission shall consist of five (5) regular members and two (2) alternate members, who shall be appointed by the Town Council by resolution. All members shall be either (a) a Town Resident; or (b) an owner of a business located within the Town which business or owner also owns real property within the Town, and which owner is a resident of Archuleta County (c) the Chair or Co-Chair of the Archuleta County Planning Commission. An owner of a business includes a sole proprietor and the majority owner of a business entity such as a corporation, a limited liability company or a partnership. Non-Town residents shall be limited to two members at any one time"*. Council Member Holt moved to approve the second reading of Ordinance No. 757, an ordinance of the Town of Pagosa Springs amending Section 2.5.2.B.1 of the Land Use and Development Code, Council Member Pierce seconded, unanimously approved.
2. **Ordinance No. 759 (second reading) Amending LUDC Fire Code** – Town Council approved first reading of Ordinance No. 759 on December 18, 2010. The amendment to the Fire Code assigns all of the duties and responsibilities for the enforcement and interpretation of the Fire Code for construction document plan reviews and new construction inspections to the Town of Pagosa Springs Building Official. Ordinance No. 759 places the implementation, administration and enforcement of the provisions of this code related to new structures, any alterations, additions, changes in use or changes in structures required by this code, and the administrative provisions of Chapter 1 for such purposes, under the auspices of the Town Chief Building Official. The document was crafted to give the administrative authority of the Fire Code for building maintenance, operational permits and annual fire safety inspections to the Pagosa Fire Protection District so that they may continue to provide the oversight of these important functions to insure that existing buildings are maintained in a safe manner and certain potentially hazardous operations are performed safely. Council Member Volger moved to approve the second reading of Ordinance No. 759, an Ordinance of The Town of Pagosa Springs amending portions of Chapter 21 of the Pagosa Springs Municipal Code, Land Use and Development Code, regarding the INTERNATIONAL FIRE CODE, 2006 Edition including appendices, Council Member Jackson seconded, unanimously approved.
3. **Yamaguchi Skate Park** - Based on the results from the latest Parks and Recreation Commission meeting, it appears there is a strong possibility that a smaller, less-expensive skate park may be in the works for construction this spring. Pending Council approval of the latest proposal from Trustee Pierce and the accompanying recommendation from the PRC,

current cash and in-kind commitments may be put to use immediately to expedite construction of a plaza-style park, a plan that would not require the pursuit of a GOCO grant. Town Manager gave brief on the skate park. Council Member Pierce brought the skaters coalition together to build a skate park that would require further financial commitment of \$30,000 from the Town. Council Member Pierce felt a great park could be built for approximately \$80,000 and that the park could also be used as a dual purpose for other functions. The group has community support and the County Commissioners have agreed to fund the other \$50,000. Council Member Pierce asked the council for the additional \$30,000. Council Member Holt asked for public comment. Council Member Holt would like to set the record straight by stating that the Town should not have to fill the financial void and is not the Town's responsibility to see that the kids have a skate park, but they are doing their best to get it accomplished. Mrs. Joann Irons said the skaters were appreciative for the Town's support and they would take whatever the Town could give them. Mr. Mike Musgrove said that something is better than nothing, but the kids would like a nice park and he would like to see what the Town plans to build. Council Member Pierce said the difference between the new plan and the last plan is that before there was no budget, the new plan includes a budget. Council Member Volger moved to approve construction of the Skate Park and appropriate \$30,000 and hopes that it is appreciated, Council Member Jackson seconded, unanimously approved. The Council expressed their thanks to Council Member Pierce for her work on this project.

VII. DEPARTMENT HEAD REPORTS

- 1. Parks and Recreation Department Report** - This year's youth basketball season for 7 and 8-year-olds ended Dec. 16. Registration for the youth basketball program for ages 9-12 ended Dec. 15, and the season for these age brackets will commence Jan. 10 and run through the first week of March. Thus far, there are 122 participants registered for the 9-12 season; last year's program included 119 participants. The parks crew has been working to keep the skate pond open for the season, although recent warm temperatures and rain have made pond maintenance difficult. In addition, Jim Miller has been coordinating the effort to construct two new river features between the Hot Springs Boulevard Bridge and new pedestrian bridge, and the major elements required for these features have been completed. The parks crew will again be coordinating a Christmas tree recycling program this year on South 5th Street. Staff met with representatives of Lane & Company again on Dec. 17 to discuss the size, interior and exterior, and heating options of the Yamaguchi Park restrooms. The intent is to make use of the park's southern exposure and heat the restrooms efficiently with solar energy, with electric baseboard heat as a backup. The first draft of a design option to be available for your review at the January mid-month Council meeting. If the design is acceptable to Council, staff will begin the grant proposal for GOCO, due March 4, 2011.
- 2. Community Center Report** – “A Classic Christmas” event was held on December 17th with twelve local musical artists participating in the event and over 160 audience members for an evening of song, music, treats and beverage. Painting and touchup within the center have been completed and the floors kept polished thanks to maintenance John Hebert.
- 3. Planning Department Report** – At their December 14, 2010 planning commission meeting the commission approved a lot size variance and the recommendation of the TC to approve the CDOT Hwy 160 ACP and Saw Mill extension. The next step for the Hwy 160 access plan includes the approval by CDOT's, Town and County attorney.
- 4. Town Tourism Committee Report** - Lodgers tax collections for November 2010 were up 7.6% over November 2009, or a difference of \$1,502.35. The first 11 months of 2010 shows an 8.46% increase over the same period in 2009, or \$26,798.02. November 2010 saw a 39.47% increase in fulfillment requests versus November 2009; 2010 requests are 40.57% above 2009 with Texas, Colorado and California rounding out the top three request states. Visitor Center traffic was up by 63 people in November, as compared to 2009. The Town Tourism Committee plans to host the first Pagosa Springs Area Tourism Conference in February, an educational event aimed towards helping local businesses and event organizers learn more about our local tourism audience. The Town Tourism Committee is working on adding locations for nomination to the soon to be published National Geographic Geotourism Map.

5. **Town Manager Report** - Riverbend Engineering plus many volunteers including Hart Construction, Wolf Creek Ski Area worked diligently in December to create two new whitewater features. Riverbend Engineering and Ecosphere Environmental Services are researching and developing documentation regarding an environmental assessment (EA), biological assessment (BA), wetland delineation, and cultural evaluation in preparation for submitting an application to the Colorado Division of Wildlife (DOW) and U. S. Army Corps of Engineers (USACE) for the addition of five (5) additional San Juan River whitewater features and numerous fish habitat features within the Town boundaries in 2011. The Town Tourism Committee facilitated the dismantling and transportation of a chair lift to Pagosa Springs. Over the next several months, the TTC with assistance from Rich Lindblad, will be developing a business plan addressing the economic merits of constructing the lift on Reservoir Hill. In October, the Town of Pagosa Springs' sales tax revenue increased by **-3.08% or -\$7,384** compared to October, 2009. Year-to-date (January through December) sales tax revenue has declined **-3.56% or -\$109,201** (excluding the Department of Revenue Audit payment of \$1,001,739) compared to the same period last year. The Town Council budgeted for a **-10% (-\$306,814)** decline in sales tax revenue, on a year-to-date basis. Therefore, 2010 actual sales tax revenue is **+6.44% (+\$197,613)** ahead of the budgeted revenue. The federal legislation extending the current income tax structure for two additional years also mandates a 2% reduction in the social security tax for employees. During 2011, employees will be taxed at 4.2% rather than the 6.2% while the employer will remain at the 6.2% rate

VIII. Next Town Council Meeting January 20th, 2011 at 12noon

- IX. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 6:20 pm

Ross Aragón
Mayor