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TOWN COUNCIL MEETING MINUTES TUESDAY, OCTOBER 2, 2007 5:00 P.M.

I. CALL MEETING TO ORDER – Mayor Aragon, Council Member Atkinson, Council Member Cotton, Council Member Holt, and Council Member Steinert

II. APPROVAL of MINUTES FROM SEPTEMBER 4, 2007 – The minutes were approved as read.

III. LIQUOR LICENSES

- 1. JJ's Riverwalk Restaurant – Liquor License Renewal**
- 2. Mountain Spirits Inc – Liquor License Renewal**
- 3. Immaculate Heart of Mary Church – Special Event License (Fundraiser)** - Council Member Cotton moved to approve the liquor licenses renewal. Council Member Holt seconded, the motion carried unanimously.

Council Members Middendorf and Simmons showed up.

IV. DELEGATIONS

- 1. Don Volger/Character Counts Workshop Invitation** - Special Seminar on October 16th and 17th and they wanted to invite the Council to attend. It is on character development and there is a very good speaker, Sheriff Nash. The County Administration and Commissioners have also been invited to attend.

- 2. Performing Arts Center Feasibility Study Presentation by Arts Consulting Group** -

Susan Neder representing the Pagosa Springs Arts Alliance. A year ago the town helped fund a feasibility study to see if a performing arts center is viable for this community. This is a 3 phase process and phases 1 and 2 are done. Willem Bronz of the Arts Consulting Group is going to give the presentation. They have been coming to Pagosa Springs for a year now to do this study. They have talked to local arts organizations along with some outside of Pagosa Springs. They do believe a center would be viable here that could seat 500 people. The current facilities that are being used were really not set up for or made for performing arts. They also envision a multifunction room that could seat up to 350 people but could also be divisible for smaller meeting spaces. All of that is shown in phase one. In phase two they break down dollars and operations of the center. As part of this they would also like to see an endowment fund that would have about \$ 3 million by opening day. They are hoping to get the go ahead for phase three while they are here. He gave Mayor Aragon a copy of their report and said they will send a power point presentation that can be uploaded to the town's website. He stated that they have been very impressed with the town's planning and participation. Phase three is the fund raising feasibility study portion and that is where they can find how it is possible to fund this project and there are multiple ways that this could happen.

V. NEW BUSINESS

- 1. Review of Planning Commission Actions from September 25, 2007**

a. Lewis Building Condo Conversion (continued) - The applicant would like to continue this until the November regular meeting. He would like to talk to the Methodist Church prior to a public hearing and has been unable to do so far. Council Member Holt

moved to continue the request until the November meeting. Council Member Cotton seconded, the motion carried unanimously.

b. Ordinance No. 698 (First Reading) Parcel 1 and 2, Martinez Minor Subdivision

Rezone Request - The Planning Commission reviewed this request and recommends approval. Council Member Atkinson moved to approve the 1st reading of Ordinance 698. Council Member Holt seconded, the motion carried unanimously.

2. Ordinance No. 699 (First Reading), Adopting Penalties for Violation of PSSGID

Regulations - Our attorney recommended modifying our municipal code so our municipal court can handle these. That is what this ordinance does. We passed this for the Sanitation District at our last meeting. Council Member Middendorf moved to approve the 1st reading of Ordinance 699. Council Member Simmons seconded, the motion carried unanimously.

3. San Juan Motel Access Easement Negotiations - This will require a lot of thought and discussion so this will be discussed on October 18th at noon, our regular mid month meeting.

VI OLD BUSINESS

VII. DEPARTMENT HEAD REPORTS

1. Town Manager Report - We have seen a slow down in our sales tax receipts. We are up 3.08% year to date. It is doubtful we will make our projections by the end of the year. Mark believes that the reason we are down is due to construction being down. CMAQ project Greatwest Avenue we have had some drainage issue discussions with the Shelton's, who are the property owners in the area we need to work on and they do not want any additional drainage on their property. So dealing with this problem could be pretty expensive so Mark's recommendation is to cut the project short and then we won't have to deal with these drainage problems. Council Member Holt agrees with Mark that is the right thing to do. Enhancement project, the pedestrian bridges we have been looking at some different architectural looks for these and there are different cost estimates for each. Previously we formed an IGA with the County and School for the Capital Improvement Joint Improvement Fund. This year we funded the Greenways Plan with this and there is some money left over so the school has asked to use that for some new bleachers and they have come up with an IGA for that. Council Member Cotton moved to allow Mayor Aragon to sign the IGA for the bleachers. Council Member Simmons seconded, the motion carried unanimously. Old Seeds of Learning site redevelopment, the building does sit within the flood plain. This means the finish floor elevation is supposed to be 1 foot over the base flood elevation. Mark believes the building is above the base flood elevation but the floor doesn't meet the 1 foot requirement. We can add flood proofing pretty easily though. The structural integrity of the building was the other question and we had a structural engineer walk through the building but we have not heard back from him as of today. We got asked to make a pledge to the Southwest Safehouse for them to do an expansion. They would like us to pledge \$1000 in our 2008 budget. They wanted it pledged for 5 years but Mayor Aragon thinks that is too far out to commit other Councils but he has no problem in budgeting the \$1000 in 2008. We do see use from our community there. We will appropriate those funds in our 2008 budget process and this will be above the annual \$700 they ask for. Julie Simmons will be moving on to an interim Executive Director of CHI and will continue working part time for the town until the end of the year and then will go full time to CHI at the beginning of next year. Mark recommends keeping her on our benefits until the end of the year and then CHI can pick her up on their plan. Mark is also looking at different structuring of our organization and combining some of Julie's roles into some of our other departments.

2. Planning Department Report - EPS has been working on our housing needs assessment and are looking at doing a mid December meeting with the Council and the County Commission. The Land Use Development Code is moving along and we are still hoping to adopt it by the end of the year. We are going through all of our public meetings and working hard on the Downtown Master Plan.

VIII. APPROVAL OF BILLS - Council Member Cotton moved to approve the bills. Council

Member Simmons seconded, the motion carried unanimously.

IX. ADJOURNMENT – On a motion duly made the meeting adjourned at 6:28 p.m.

Ross Aragón

Mayor

**PAGOSA SPRINGS SANITATION
GENERAL IMPROVEMENT DISTRICT MINUTES
TUESDAY, OCTOBER 2, 2007
6:29 P.M.**

- X. CALL MEETING TO ORDER** - Mayor Aragon, Council Member Atkinson, Council Member Cotton, Council Member Holt, Council Member Middendorf, Council Member Simmons, and Council Member Steinert
- XI. APPROVAL of MINUTES FROM SEPTEMBER 4th, 2007 MEETING** – The minutes were approved as read.
- XII. DELEGATIONS: None**
- XIII. NEW BUSINESS**
- 1. Briliam Engineering Wastewater Treatment Plant Proposal** - They are trying to finalize our designs and commence construction drawings. They have given us 4 different options. Mark recommends having them present at our October 18th meeting to give more detail to each of these options. Some of their estimates on whatever option we choose are higher than what we have budgeted. Mark is going to be applying for another funding source for probably \$350,000 to \$500,000 and it will be a loan.
 - 2. 635 San Juan Street Sewer Fee Reduction Request** - Council Member Cotton did not participate in this discussion due to conflict of interest. The building is currently vacant and they are asking for reduction in ERTs down to one. Mark will talk to Mr. Vita regarding this and let him know his options.
 - 3. San Juan Motel Sewer Fee Reduction Request** - This is tabled until the October 18th meeting.
- XIV. OLD BUSINESS**
- 1. PSSGID Ordinance Number 04 (Second Reading) Inclusion of 38 properties with an area of 372.91 acres into the Sanitation District** - Council Member Steinert moved to approve the 2nd Reading of PSSGID Ordinance No. 4. Council Member Middendorf seconded, the motion carried unanimously.
- XV. DEPARTMENT HEAD REPORT**
- Supervisor Report** – As of the report everything was operating fine. Since then Phil has identified a leak somewhere near the chamber building that is causing some problems. We are trying to get this fixed as soon as possible and it is probably going to cost around \$6000.00. This will also cause some problems on Hot Springs Blvd for a short time period.
- XVI. APPROVAL OF BILLS** – Council Member Cotton moved to approve the bills. Council Member Holt seconded, the motion carried unanimously.
- XVII. ADJOURNMENT** – On a motion duly made the meeting adjourned at 6:55 p.m.