

Tuesday January 4, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, and Simmons

The minutes of the December 7, 2004 and December 21, 2004 meetings were approved.

Liquor Licenses:

1. Friends of the NRA Special Event Liquor License
2. Copper Coin Liquor License Renewal – Councilmember Cotton moved to approve the renewal and the special events liquor licenses. Councilmember Simmons seconded and with 4 ayes the motion carried.

NEW BUSINESS:

1. Notice of Regular Meetings for the Town Council and Pagosa Springs Sanitation General Improvement District (Ordinance 05-634) – Councilmember Holt moved to approve the first reading of Ordinance 634. Councilmember Simmons seconded and with 4 ayes the motion carried.
2. Planning Commission meeting of 12/14/04
 - a. Hermosa Street Sketch Plan PUD Review – This is for information only at this time.
3. Extension of the Temporary Suspension of Applications for Retail Superstores (Emergency Ordinance 05-635) – This Ordinance amends Ordinance 625, extending the moratorium for 120 days (until May 27, 2005). Councilmember Simmons moved to adopt Ordinance 05-635. Councilmember Holt seconded and with 4 ayes the motion carried.
4. Municipal Code Recodification Public Hearing – Our Attorney has not approved the changes yet for Chapters 19, 20, and 21 so that part of the public hearing will be tabled until the next meeting. We will hold the public hearing on Article 10 however. There was no public comment

OLD BUSINESS

1. 2005 Town Budget – The Council will receive final copies at the next regular meeting.
2. Community Vision Council Update – On January 13, 2005 at 6:00 p.m. at the Community Center there will be a public meeting so the public can review and comment on the Conceptual Downtown Master Plan.
3. Affordable Housing Land Acquisitions – We are still in the process of finalizing the contract for purchase of 6 acres on Trujillo Road. The contract will be presented to the Council as soon as it is ready.
4. Council Retreat – The Council scheduled a retreat on Saturday February 5, 2005 at the old TLC Bed and Breakfast up on Four Mile. Ken Charles will be there to help facilitate the retreat.

5. CMAQ Project Update – Staff is working on CMAQ projects which are Cemetery Road Phase II and Great West Avenue.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – December sales tax collections are up 4.57% when compared to last year. This puts us up 4.65% at year end.
2. Building and Planning Department Report – Staff has begun the issuance of annexation applications to interested parties.

Councilmember Cotton moved to pay the bills, Councilmember Simmons seconded. With 4 ayes the motion carried. On motion duly made, the meeting adjourned at 5:29 p.m.

Ross Aragon, Mayor

Tuesday January 4, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, and Simmons

The minutes of the December 7, 2004 and December 21, 2004 meetings were approved.

Liquor Licenses:

1. Friends of the NRA Special Event Liquor License
2. Copper Coin Liquor License Renewal – Councilmember Cotton moved to approve the renewal and the special events liquor licenses. Councilmember Simmons seconded and with 4 ayes the motion carried.

NEW BUSINESS:

1. Notice of Regular Meetings for the Town Council and Pagosa Springs Sanitation General Improvement District (Ordinance 05-634) – Councilmember Holt moved to approve the first reading of Ordinance 634. Councilmember Simmons seconded and with 4 ayes the motion carried.
2. Planning Commission meeting of 12/14/04
 - a. Hermosa Street Sketch Plan PUD Review – This is for information only at this time.
3. Extension of the Temporary Suspension of Applications for Retail Superstores (Emergency Ordinance 05-635) – This Ordinance amends Ordinance 625, extending the moratorium for 120 days (until May 27, 2005). Councilmember Simmons moved to adopt Ordinance 05-635. Councilmember Holt seconded and with 4 ayes the motion carried.
4. Municipal Code Recodification Public Hearing – Our Attorney has not approved the changes yet for Chapters 19, 20, and 21 so that part of the public hearing will be tabled until the next meeting. We will hold the public hearing on Article 10 however. There was no public comment

OLD BUSINESS

1. 2005 Town Budget – The Council will receive final copies at the next regular meeting.
2. Community Vision Council Update – On January 13, 2005 at 6:00 p.m. at the Community Center there will be a public meeting so the public can review and comment on the Conceptual Downtown Master Plan.
3. Affordable Housing Land Acquisitions – We are still in the process of finalizing the contract for purchase of 6 acres on Trujillo Road. The contract will be presented to the Council as soon as it is ready.
4. Council Retreat – The Council scheduled a retreat on Saturday February 5, 2005 at the old TLC Bed and Breakfast up on Four Mile. Ken Charles will be there to help facilitate the retreat.

5. CMAQ Project Update – Staff is working on CMAQ projects which are Cemetery Road Phase II and Great West Avenue.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – December sales tax collections are up 4.57% when compared to last year. This puts us up 4.65% at year end.
2. Building and Planning Department Report – Staff has begun the issuance of annexation applications to interested parties.

Councilmember Cotton moved to pay the bills, Councilmember Simmons seconded. With 4 ayes the motion carried. On motion duly made, the meeting adjourned at 5:29 p.m.

Ross Aragon, Mayor

Tuesday February 1, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Jackson, James, Simmons and Whitbred

The minutes of the January 4, 2005 meeting were approved.

Liquor Licenses:

1. Dorothy's Liquor License Renewal
2. Shang Hai Liquor License Renewal
3. Downside Moose Liquor License Renewal – Councilmember James moved to approve the renewals of the liquor licenses. Councilmember Whitbred seconded and with 6 ayes the motion carried.

DELEGATIONS:

1. Jan Clinkenbeard, Music in the Mountains – This is their first year to have partial concert sponsors. They are looking for a partial sponsor to put on the Family Festivo and would like the town to sponsor this. The Council will discuss this at their upcoming retreat and will get back to Jan.

NEW BUSINESS:

1. Adoption of 2005 Budget (Resolution Number 2005-01) – Councilmember Whitbred moved to adopt Resolution Number 2005-01. Councilmember Holt seconded and with 6 ayes the motion carried.
2. Great Outdoors Colorado Grant Agreement (Resolution Number 2005-02) – This is for the administration of the \$250,000.00 grant. Councilmember Holt moved to adopt Resolution 2005-02. Councilmember Jackson seconded and with 6 ayes the motion carried.
3. Planning Commission Meeting of 1/18/05
 - a. Collins Minor Subdivision Zoning Review – This property is currently unzoned. This was sent back to the Planning Commission at the last regular meeting. The Planning Commission recommends leaving the property unzoned at this time. Councilmember Holt moved to leave the property as a no zone designation. Councilmember James seconded and with 6 ayes the motion carried.
 - b. Aspen Village Phase II Planned Unit Development Final Plan and Development Improvements Agreement Review – This is a 76 acre PUD that has both commercial and residential areas. There have been a few changes since the original was presented in May. John Ransen told the council how they have dealt with or will be dealing with the conditions given to them by the Planning Commission. He also stated that working with both Mark and Tamra on this project has been great.

Councilmember Whitbred moved to approve Aspen Village Phase II Unit Development with the conditions set forth by the Planning Commission and changing the first condition to be that Boulder Drive be dedicated but undeveloped right of way. Councilmember Jackson seconded and with 6 ayes the motion carried. Councilmember Holt moved to approve the variance for earth work required for building roads. Councilmember Jackson seconded and with 6 ayes the motion carried.

OLD BUSINESS

1. Community Vision Council Update – The finding of the economic study currently under way will be used by the big box task force. They will be having a retreat on February 12, 2005 to go over their goals for 2005.
2. Affordable Housing Land Acquisitions – We are still waiting on a contract from the seller. \$150,000.00 is the appraised value and the purchase price.
3. Council Retreat – The Council scheduled a retreat on Saturday February 5, 2005 at the old TLC Bed and Breakfast up on Four Mile. Ken Charles from DOLA will be there to help facilitate the retreat.
4. CMAQ Project Update – This will be Cemetery Road Project Phase II which we are in the process of obtaining clearances for, and Great West Avenue. Currently Great West Avenue is out of the existing right of way, so we want to put it back into the right of way. This is going to take more than we originally thought.
5. Enhancement Project Updates – The pedestrian bridge near the gazebo in Town Park.
6. River Restoration Project Updates – We want to do maintenance work on the river to keep kids from getting beached out in the middle of the river, we also want to build a white water component at the same time.
7. Comprehensive Plan Update – We have received 9 proposals and would like to put a team of staff, Planning Commission, and Council members to look at the proposals and do the interviews. We will also discuss this at the upcoming retreat.
8. Affordable Housing Workshop – This will be tomorrow at 12:00 p.m. in the Community Center's South Conference Room.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – January sales tax collections for November 2004 receipts were up 14.41%.
2. Building and Planning Department Report – 2004 was a phenomenal year, exceeding our highest year to date which was 2000. Scott is looking at adopting the 2003 International Codes along with a new fee structure. Maybe he can work with the county so we can be more uniform.

Councilmember Whitbred moved to pay the bills, Councilmember James seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 5:51 p.m.

Ross Aragon, Mayor

2005 TOWN OF PAGOSA SPRINGS GOAL SETTING SESSION

FEBRUARY 5, 2005

MINUTES BY:

KEN CHARLES, DEPARTMENT OF LOCAL AFFAIRS

TLC BED AND BREAKFAST

MAYOR ROSS ARAGON

DARREL COTTON

STAN HOLT

JERRY JACKSON

JUDY JAMES

TONY SIMMONS

BILL WHITBRED

MARK GARCIA, TOWN MANAGER

TAMRA ALLEN, TOWN PLANNER

DEANNA JARAMILLO, TOWN CLERK

JULIE JESSEN, SPECIAL PROJECTS

INTRODUCTIONS AND PURPOSE OF SESSION

This is the first retreat/goal setting session for the Pagosa Springs Town Council. There are several purposes to having a planning/workshop type of session away from town hall, your normal place of doing business. It provides for a more leisurely setting in which to discuss projects and engage in discussion. The purpose of this particular session is to 1) update council and engage council in discussion with staff and with one another and 2) to provide staff with direction and to begin to prioritize projects.

It was suggested that the minutes be occasionally referred to in the course of the year.

COMPREHENSIVE PLANNING PROCESS

Town staff has advertised and received nine responses from planning firms submitting proposals for the comprehensive plan. Council wants to have interviews by February 24 and contracts in place by March 15.

Who: Tony Simmons, Bill Whitbred, Tamra and Julie

What: Plan Advisory Committee-Choose 3-5 planning firms and hold interviews.

When: Interviews by 2-24-05. Selection and contract by 3-15-05

COMMUNITY DEVELOPMENT DIRECTOR

The town has budgeted for a new position, that being the Director of Community Development. This position is planned to be a temporary position of two-years, but may become permanent. The board wants staff to begin the recruitment process

Who: Town Manager

What: Community Development Director recruitment

When: The goal is to have a Director employed by April 1, 2005.

BIG BOX

The Big Box Advisory Committee's findings are expected soon. Some of the issues are:

- Does the town refer this for a vote? There are negative results for either proceeding or not.
- Examine Citizen Participation Needs.
- Develop a survey to gauge public concerns.
- Decisions should include the county commissioners.
- Waiting on an economic feasibility study to be completed.

Town and County Issues Identified During Day

- *Big Box*
- *Roads*
- *Work Force Housing*
- *Development Impact Fees*

COMMUNITY VISIONING PLAN

The Visioning Plan has met with misunderstanding and rumors are rampant and include:

-Downtown Buildings are going to be raised.

-Highway 160 will be relocated.

-Perception that individuals are driving the plan for personal gain.

-Property Rights- eminent domain-condemnation will be used indiscriminately to attain the development vision.

Council discussed the public's perception of the town government's role in the CVP. Citizens do not recognize that the town's role is just beginning in the process. This private/public partnership and its conclusions are now in the town's planning process and the town planning commission will be taking up the CVP.

This CVP should be included in the survey mentioned under the Big Box and Comprehensive Plan issues. Judy stated there needs to be an effort to inform and educate the public before a survey.

Who: Tamra

What: Outline Planning Process

When: 4-1-05

A citizen participation plan should be developed concurrently with the outline. Key players should be identified. Use of the media and websites can be considered.

WORKFORCE HOUSING

The joint town/county Housing Community Assessment RFP is scheduled to be published soon. Town staff met with Bill Whaley of the Colorado Division of Housing to discuss the RFP. The town needs to meet with the county to discuss the funding and the possible tools.

Who: Town Manager and Staff

What: Develop and Publish RFP

When: Choose planning firm by 4-15-05

The town board also would like to gain a better understanding of the potential roles for local government in the issue of Workforce Housing. Tamra will develop a tool kit of sorts. Bill Whaley can assist with this effort.

BUSINESS LICENSES

The town has debated requiring business licenses for several years. The town police chief and fire district chief have suggested the value of licensing is in promoting health, welfare and safety. Business licenses are primarily a tracking device, whereby the town knows the location and the type of business and what activities are taking place at the location. Town staff will

attend local business organization meetings such as the Chamber/ Rotary and Kiwanis to inform and explain the purposes of the business license. The town might also consider deferring 05 license costs.

Who: Town Staff

What: Prepare for Adoption of Business License

When: Summer/Fall

BUSINESS INCENTIVES

Council discussed the need to establish policies regarding business development incentives. The town has been asked to support a grant with the State's Office of Economic Development to assist with the construction of public improvements for the Parelli development. Some of the items discussed include supporting only those direct-based type industries as opposed to indirect and new job creation. The council will request that Ed Morlan from Region 9 be consulted to set up incentive policies and to pin down the proportionate costs with the Parelli project.

PERSONNEL NEEDS

City Manager Garcia reported on how growth has and will affect town staffing needs and possible future personnel requirements. The salary survey cannot be implemented due to budget constraints. Mark foresees the need for one additional police officer, one additional building and code enforcement person. Also, the community development director position at present is a two-year temporary position and funds are needed if this position becomes permanent.

Discussion regarding revenue ensued. The town receives approximately \$33,000 per mill. The town may be able to raise its sales tax, but there are concerns about creating a differential tax rate between the town and county businesses. Also, the town and likely the county will be asking voters to approve keeping the sunseting sales tax in 2008.

Raising fees are another option for raising income. The building/planning fees are considered to be very low and should be adjusted. Regarding impact fees, the town will implement an interim impact fee on new development and more permanent impact fees will be based on an impact fee study that the town will have done by a consultant.

LODGING TAX

The current 1.9% lodging tax helps support the chamber's efforts to market the area. Chamber members and staff have discussed the need to increase the lodging tax for marketing and apparently lodging owners are supportive of an increase. The town will need to hold a special election in November.

Who: Town Manager
What: Special Election
When: November 2005

RECREATION CENTER

Council and staff discussed the need for a community recreation center and how it may be funded. Council and staff thought there are varying levels of support for a recreation center, but questions arose about how to finance the project. Council generally thought that addressing personnel and implementing the salary survey had greater importance at this point. Council also was concerned about the various taxing issues that the electorate will vote on in the next elections, including the Lodging Tax. There was also a question whether the town could legally raise the sales tax rate further.

WASTEWATER TREATMENT

The town's largest upcoming capital project is the \$2.5 million wastewater treatment plant. The town has already raised sewer rates \$3.50/month/tap in preparation for the construction. The town also increased the tap fee from \$2000 to \$3000, and both sewer rates and tap fees are scheduled to go up again next year. The town is seeking USDA-Rural Development funding and is hoping for a 40% grant.

Julie Jessen will write the USDA grant/loan application and plans are to construct in 2006. State Severance tax grant funds may also be available.

Tuesday March 1, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt (late), Jackson, James, and Simmons

The minutes of the February 1, 2005 and February 5, 2005 meetings were approved.

Liquor Licenses:

1. Pagosa Lodge Liquor License Renewal
2. Squirrel's Pub Liquor License Renewal
3. Silver Dollar Liquor License Renewal
4. Frankie's Place Liquor License Renewal – Councilmember James moved to approve the renewals of the liquor licenses. Councilmember Simmons seconded and with 4 ayes the motion carried.

NEW BUSINESS:

1. Planning Commission Meeting of 02/15/05
 - a. Villas PUD Phase II Final Plan and DIA Review – The Planning Commission has reviewed this and recommends approval with conditions. Councilmember James moved to approve the final plat with the conditions of the Planning Commission. Councilmember Simmons seconded and with 4 ayes the motion carried.
 - b. Villas PUD Phase I Replat Review – The Planning Commission has reviewed this and recommends approval with conditions. Councilmember Jackson moved to approve the Villas PUD Phase I Replat with the conditions recommended by the Planning Commission. Councilmember Simmons seconded and with 4 ayes the motion carried.

Councilmember Holt arrived.

- c. Hersch Building Condo Replat Review – The Planning Commission has reviewed this and recommends approval with conditions. Councilmember Simmons moved to approve the Hersch Replat with the conditions recommended by the Planning Commission. Councilmember Jackson seconded and with 5 ayes the motion carried.
 - d. The Enclave – Aspen Village PUD, Phase III Preliminary Plan Review – Both the Planning Commission and Town Staff had raised some concerns with this originally. The people representing Aspen Village believe that they have addressed all of the items of concern. Tamra concurred with that. Councilmember Holt moved to approve the Preliminary Plan. Councilmember Jackson seconded and with 5 ayes the motion carried.
 - e. The Cottages - Aspen Village PUD, Phase III Preliminary Plan Review – This is adjacent to the Enclave. The Planning Commission has

reviewed this and again had some issues dealing with Emergency Vehicle access and fire safety. These issues have also been addressed; Chief Grams has looked at the project and has submitted a letter of support. Councilmember Jackson moved to approve the Cottages Preliminary Plan. Councilmember James seconded and with 5 ayes the motion carried.

f. The Overlook PUD Preliminary Plan Review – This is being done by Colorado Housing Inc. The Planning Commission has reviewed this and recommends approval with several conditions. They have addressed the fencing and right-of-way issues addressed by the Planning Commission. The Council is concerned this development will increase traffic and alley usage, and also that there could be a parking issue. Councilmember Jackson moved to approve the Preliminary Plan with the requirement that they look at the traffic pattern before the Final Plan and that they go over it with staff. Councilmember Holt seconded and with 5 ayes the motion carried.

g. South 7th Street Vacation for the Overlook Development – This is a shale hill right now. No comments were received from any neighbors. The Planning Commission has reviewed this and recommends approval. Councilmember James moved to approve the vacation. Councilmember Jackson seconded and with 5 ayes the motion carried.

h. South 7th Street Lot Consolidation for the Overlook Development – Councilmember Jackson moved to approve the lot consolidation. Councilmember Simmons seconded and with 5 ayes the motion carried.

i. 4 Well Being Variance Request – The Planning Commission has reviewed this and recommends approval with conditions. Neighbors were notified and no comments were received from them. Councilmember Holt moved to approve the Variance with the conditions of the Planning Commission for one year. Councilmember James seconded and with 5 ayes the motion carried.

j. Harper Boundary Line Adjustment – They want to do this so they can dedicate some property to another family member. The Planning Commission has reviewed this and recommends approval. Councilmember Jackson moved to approve the boundary line adjustment. Councilmember Simmons seconded and with 5 ayes the motion carried.

k. Hermosa Court Conditional Use Permit Request – This request was withdrawn. They are looking to reduce the project.

2. Cartwright Annexation (Resolution Number 2005-03) – This is located off of Snowball Road. Councilmember Holt moved to adopt Resolution 2005-03. Councilmember Jackson seconded and with 5 ayes the motion carried.

3. Gayhart Annexation (Resolution Number 2005-04) – This is just North of the Cartwright annexation. Councilmember Jackson moved to adopt Resolution 2005-04. Councilmember Simmons seconded and with 5 ayes the motion carried.

OLD BUSINESS

1. Family Festivo Concert Pledge – Jan Clinkenbeard is adamant that the Town be a sponsor of this event. They are reducing their request to \$1000.00 which

will give the town a Silver Sponsorship. Councilmember Holt moved to pledge \$1000.00 to the Family Festivo. Councilmember Simmons seconded and with 5 ayes the motion carried.

2. CDBG/Energy Impact/Parelli Grant – Parelli is looking at creating 25 new jobs. Ed Morlan from Region 9 and Ken Charles from DOLA will help facilitate this.
3. Community Vision Council Update – Tony Gilbert is the new chairman.
4. Comprehensive Plan Update – We will be interviewing 3 firms tomorrow.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – Sales tax receipts are up again. They are up 10.08% year to date.

Councilmember James moved to pay the bills, Councilmember Jackson seconded. With 5 ayes the motion carried. On motion duly made, the meeting adjourned at 6:05 p.m.

Ross Aragon, Mayor

Tuesday April 5, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Simmons, Jackson, Cotton, Whitbred, Holt and James

The minutes of the March 1, 2005 meeting were approved.

Liquor Licenses:

1. Tequilas Liquor License Renewal
2. Plaza Liquor License Renewal – Councilmember Whitbred moved to approve both renewals. Council Member Cotton seconded, 6 ayes motion carried.

Delegations:

1. Carmen Hubbs was present to witness the signing of a Proclamation declaring April as Sexual Assault Awareness Month in Pagosa Springs. Hubbs thanked the Board for their approval.
2. Mike Branch presented the 2004 Audit report. Overall, the financial condition of the Town is outstanding. Cash reserves are more than adequate to meet the minimum balance recommended by the State. Mr. Branch also gave a brief report on the Pagosa Springs Sanitation Audit for 2004 as well.

New Business:

1. Planning Commission Meeting of 2/15/05
 - a. Hermosa Court Conditional Use Permit Request: Revisions on the conditional-use permit were made for multi-family housing units which were approved by the Planning Commission during their February meeting. Tracy Reynolds/ Susan Ward submitted site plan with changes. Building was reduced in size 1,000 sq.ft. After review of the Planning Commission they recommended approval for this request. Mayor Aragon opened the meeting up to public comment. Note: Councilmember Jackson advised a conflict of interest and abstained from voting. Councilmember Cotton also abstained from voting. Jim Standifer who owns property at 227 Hermosa St. spoke of concerns he had against the project. He felt the project is out of hand. Standifer felt the Town was not going by the zoning ordinance . He feels the structure will not fit in with the neighborhood as it is now. Glen Sterkel, a resident at 220 Hermosa St. expressed that he was not against Wards development, but feels it does not match the way it is now. He feels it should be kept “historic”. Jerry Jackson recognizes that Wards projects are a great addition to the Town. Jackson has concern about setting precedence on granting variances. Tracy Reynolds/Susan Ward advised they were

sensitive to the structures. Ward has walked other lots in the area and a few areas do have other units on their lots as well. She does not want to jeopardize the beauty of the town or do anything detrimental to Pagosa. They are willing to downsize scale. Town Board asked Tamra Allen, Town Planner if she had any comments. Allen felt Ward was relatively responsive after (2) hearings and felt it was the board's decision. Hearing was closed to public comment. Councilmember Holt move to approve this request with conditions that every attempt be made to downsize the scale of the structure. Councilmember James seconded and with 4 ayes the motion carried. A "no" vote was not taken.

2. Planning Commission Actions from the March meeting

- a. Towne Terrace Conditional-Use Permit: Susan Ward/Tracy Reynolds
This is a CU permit necessary due to size of the project exceeding the 4000 sq.ft. limit. The Planning Commission had previously tabled the request due to the excessive size and inability to meet the parking requirements on-site and downsize the project. The applicant did downsize the project and met parking requirements. The Planning Commission recommended approval of plan. The Mayor opened the meeting up to public comment. Council Member Whitbred stepped down to comment as a property owner at 263 Lewis St. directly across alley. Whitbred has concern about not enough parking because of gas meters and utility poles which would take out a couple of parking spaces. Whitbred asked if Reynolds/Wards have got verification that the meters and poles could be removed. Reynolds advised he has asked about it but does not actually have verification that they can be removed. They are hoping to get that verification. Whitbred stated he would like to see verification from Utility Companies before approving the project. Hearing was closed to public comment. Councilmember Cotton moved to approve Conditional-Use permit providing parking is ample and utility locations taken care of. Councilmember Holt seconded and with 5 ayes motion carried. (1)abstained-Whitbred.
- b. White Conditional-Use Permit – This is a CU permit expansion of a non-conforming use which requires a CU permit. The project is the expansion of an existing woodworking shop with an addition of an attached residential unit. The Planning Commission reviewed and recommends approval of the project. No comment from Town Council. Councilmember Simmons moved to approve request. Councilmember Whitbred seconded and with 6 ayes motion carried.
- c. Flying Burrito Variance Request – This is a request for a new variance for the Flying Burrito which is required to relocate the facility due to the sale of the property currently supporting this use. The Planning Commission reviewed and recommended approval of this request contingent upon the applicant illustrating that ample parking is provided on the site. Isabel Webster was available to answer questions. Councilmember Jackson asked about exact location. Staff had some

concern about tight parking space and safety concerns.

Councilmember Cotton asked Webster if she would be willing to have a (1) year renewable condition permit. Webster agreed.

Councilmember Cotton moved to approve request. Councilmember Jackson seconded and with 6 ayes motion carried.

- d. The Pagosa Overlook Final Plan and DIA review- This is the final plan review and development improvements agreement for this project which was previously reviewed and approved at the Preliminary Plan stage. The Planning Commission recommended approval of plan and DIA. Werner Heiber with CHI was available for questioning. Councilmember Holt asked Heiber to describe the fencing to him. Councilmember James moved to approve the plan. Councilmember Holt seconded and with 6 ayes motion carried.
- e. The Riverwalk II Planned Unit Development Preliminary Plan Review – Tamra Allen advised Board that it will not be in view this evening.
- f. Schmidt Minor Impact Subdivision and Boundary Line Adjustment Review – This is a Minor Subdivision request and boundary line adjustment for the property known as the San Juan RV Park located at 191 E. Pagosa St. The Planning Commission reviewed an access easement for the Reservoir Hill Trailhead and other elements of the plan. The Planning Commission recommended approval of the request with a condition requiring an acceptable easement for the trailhead to be reviewed by staff. Councilmember Whitbred moved to approve Plan. Councilmember James seconded and with 5 ayes motion carried. Councilmember Simmons abstained.
- g. Temporary Food Vending Unit Conditional-Use Permit Review – This food vending unit is to be located along the frontage road adjacent to the San Juan River RV Park. The Planning Commission recommended approval of this request with numerous conditions. (A time limit for use from approximately June through September) Councilmember Whitbred moved to approve Conditional Use Permit. Councilmember James seconded and with 6 ayes motion carried.
- h. Breman Minor Impact Subdivision – This is a review of a minor subdivision request for a consolidated parcel located in the Garvin Subdivision. The Planning Commission recommended approval for this request. Councilmember Cotton moved to approve request. Councilmember Jackson seconded and with 6 ayes motion carried.
- i. Thornell Variance Request – A variance request for approval of a mixed-use development to be located in the Central Core Subdivision. The development creates commercial uses on the first floor and residential on the second floor of the structure. The Planning Commission recommends approval of this request. No questions from Board. Councilmember Holt moved to approve request. Councilmember James seconded and with 6 ayes motion carried.

3. Local Lodgers Tax Discussion – Fred Schmidt, several business owners and members of the Chamber of Commerce and CVC have been working on establishing a funding source for an expanded marketing effort. The discussion and work have been completed and this group would like to see that the Board is aware of what they are doing. Schmidt advised that this group would like to request that a ballot question be generated for the voters to consider a local lodgers tax.
4. South 7th Street Vacation – This street vacation was previously approved by Council during the March meeting. Ord.#636. More discussion because of need to address alley. TA Garcia advised we need to get through road improvement projects and then focus more on certain ROW, etc. Councilmember Jackson moved to approve vacation. Councilmember Whitbred seconded and with 6 ayes motion carried.
5. Records Management Memorandum of Understanding – TM Garcia advised Sheriff's Office and Police Dept. share software data. Everything was review by Town/County Attorney's. Councilmember Holt moved to approve Memorandum. Councilmember Whitbred seconded and with 6 ayes motion carried.
6. Business Incentive Policies and Procedures – Discussion of the use of a CDBG program that provided infrastructure funding for Direct Base Businesses that created jobs. Specifically, we have been working with Parelli Natural Horseman-ship who has designated Pagosa as its Corporate Headquarters and building a new building in conjunction with this venture. The CDBG dollars will back fund Town funds expended for infrastructure improvements. In addition the Town needs to establish criteria for Region 9 (Ed Morlan) that establishes DRAFT policies and procedures and other criteria. The Town has applied for Energy Impact Grant. TM Garcia advised we will discuss further at the April 19, 2005 workshop meeting.

Old Business:

1. Energy Impact Grant - TM Garcia advised Julie Jessen has completed grant and hopes to receive final approval in May.
2. CMAQ Projects Update – Staff is working on (2) CMAQ projects which are Cemetery Rd Phase II and Great West Ave. These projects are in final and preliminary design phase. The State must finalize these projects and upon doing so staff will get these projects out to bid.
3. Enhancement Projects Update – TM Garcia advised staff is working on two enhancement projects which include our Riverwalk Trail and the pedestrian bridge over the river near the Town Gazebo. Clearances are underway for both these projects.

4. River Restoration Project - The Town has worked with our consultant and operators from Wolf Creek to complete maintenance work between the Hot Springs and Pedestrian bridge. Work is complete within the river.
5. Comprehensive Plan – Clarion and Associates along with RPI are the successful firms who together will work on the Town Comprehensive Plan.

Department Head Reports:

1. Town Managers Report:
 - Sales Tax is up – This is an increase of 3.85%. Results in an 8.22% increase year to date.
 - Boy Scouts of America Donation request - \$150.00 request. Councilmember Holt move to donate \$150.00 Councilmember Whitbred seconded and with 6 ayes motion carried.
 - Business Loss Request – Request from Home Again loss because of geothermal failure. Staff has declined request of (\$750) and the business has requested further action. Councilmember Holt felt we should negotiate and give some compensation . Councilmember James and Jackson agreed. Councilmember James made a motion to give \$500. Councilmember Holt seconded and with 6 ayes motion carried.
 - Web Page Report – Julie J. advised we keep getting more and more feedback.
2. Historic Preservation Board – Staff has submitted a \$40,000 grant to the State Historic Fund requesting grant assistance with Design Guidelines. The Board has received a \$250 grant to conduct a poster contest through the schools in conjunction with Historic Preservation Month. This will be completed the first week in May.
3. Planning Department – working with County on Energy Impact Grant for grant assistance on Impact Fees
4. Park and Recreation – Summer Activities in full force. Carvings in park were discussed.
5. Police Dept. – Assistant Chief Carl Smith has resigned for personal reasons. The position has been advertised. Interviews for the position will be completed as soon as possible.

Tamra advised Downtown Master Plan Meeting will be Thursday @ 6:00 p.m.

Councilmember Whitbred moved to pay the bills, Councilmember James seconded with 6 ayes the motion carried. On motion duly made, the meeting adjourned at 7:20 p.m.

Ross Aragon
MAYOR

Tuesday April 19, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor:	Ross Aragon
Council Members:	Simmons, Holt, Whitbred
Absent:	James, Cotton, Jackson

Draft Resolution: Ed Morlan/Parelli Natural Horse-Manship, Inc.(Mark Weiler, President)were present to discuss business incentive policies and procedures. Basically this brings money into the Town from the outside. The Town is desirous of promoting business retention as well as to increase its efforts to attract more diverse business investment into the community, and sets forth a framework for the future growth and development of the Town. Morlan advised that Parelli will provide (25) jobs at an estimated average income of \$30,000 per year. (Within 5 years)The State offers incentives. \$3.2 million – total investment. \$22 million paid out in payroll. There was further discussion on creation of new jobs and enhancement on the Town’s tax base, etc. Mayor Aragon asked for motion to adopt this Resolution. Councilmember Whitbred moved to approve Resolution No. 2005-05. Councilmember Holt seconded and with 4 ayes the motion carried.

Draft Contract/Exhibit “A” Scope of Services: The Town desires to promote economic development in Archuleta County by expanding the economic base. Parelli Natural Horse-Man-Ship Inc. has named Pagosa Springs as the location for its corporate headquarters and will be creating a minimum of (25) new jobs in Archuleta County. Town Manager Garcia went over Scope of Services, time of performance, compensation and method of payment. Board discussed at length regarding clarification of deed of trust/secured by deed of trust, time frame, job performance period. Board definitely wants a minimum/maximum time frame on project. Mayor Aragon asked for motion to approve the Draft Contract. Councilmember Holt moved to approve contract contingent upon a minimum/maximum time frame on project. Councilmember Whitbred seconded and with 4 ayes motion carried.

Interim Impact Fees: Town Attorney Bob Cole ask that the Board be conservative with approach. Staff advised no comments from Notices. County agreed to join in with Impact Fees. Staff-Tamra Allen has proceeded with grant request. Board felt the sooner we start on study the better off the Town will be. Board would also like to meet with County again as to coordinate efforts between the two entities. Staff advised there is a huge building season coming up. Staff is prepared to work on all aspects as soon as possible.

Councilmembers asked how things were coming with Big Box Task Force. Tamra Allen advised she has received applications for members and advised she would like to accept them at the next regular meeting.

Town Manager Garcia advised Board of cost estimate on Apache St. work. He would like Board to consider using Concrete, rather than Asphalt. It is more expensive but would last longer. Staffs recommendation is concrete. Councilmembers advised concrete would be fine.

Dan from San Juan Investments (developer on Pagosa St) advised staff there was an error on our Intern Design Area D-2 District.regarding exempt from parking regulations. Staff believes there are issues with parking. Board felt we should have more concern on an urban appearance vs parking lots. Something the Board needs to study and time to think about.

Meeting adjourned at 1:50 p.m.

Ross Aragon
MAYOR

Tuesday April 19, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor:	Ross Aragon
Council Members:	Simmons, Holt, Whitbred
Absent:	James, Cotton, Jackson

Draft Resolution: Ed Morlan/Parelli Natural Horse-Manship, Inc.(Mark Weiler, President)were present to discuss business incentive policies and procedures. Basically this brings money into the Town from the outside. The Town is desirous of promoting business retention as well as to increase its efforts to attract more diverse business investment into the community, and sets forth a framework for the future growth and development of the Town. Morlan advised that Parelli will provide (25) jobs at an estimated average income of \$30,000 per year. (Within 5 years)The State offers incentives. \$3.2 million – total investment. \$22 million paid out in payroll. There was further discussion on creation of new jobs and enhancement on the Town’s tax base, etc. Mayor Aragon asked for motion to adopt this Resolution. Councilmember Whitbred moved to approve Resolution No. 2005-05. Councilmember Holt seconded and with 4 ayes the motion carried.

Draft Contract/Exhibit “A” Scope of Services: The Town desires to promote economic development in Archuleta County by expanding the economic base. Parelli Natural Horse-Man-Ship Inc. has named Pagosa Springs as the location for its corporate headquarters and will be creating a minimum of (25) new jobs in Archuleta County. Town Manager Garcia went over Scope of Services, time of performance, compensation and method of payment. Board discussed at length regarding clarification of deed of trust/secured by deed of trust, time frame, job performance period. Board definitely wants a minimum/maximum time frame on project. Mayor Aragon asked for motion to approve the Draft Contract. Councilmember Holt moved to approve contract contingent upon a minimum/maximum time frame on project. Councilmember Whitbred seconded and with 4 ayes motion carried.

Interim Impact Fees: Town Attorney Bob Cole ask that the Board be conservative with approach. Staff advised no comments from Notices. County agreed to join in with Impact Fees. Staff-Tamra Allen has proceeded with grant request. Board felt the sooner we start on study the better off the Town will be. Board would also like to meet with County again as to coordinate efforts between the two entities. Staff advised there is a huge building season coming up. Staff is prepared to work on all aspects as soon as possible.

Councilmembers asked how things were coming with Big Box Task Force. Tamra Allen advised she has received applications for members and advised she would like to accept them at the next regular meeting.

Town Manager Garcia advised Board of cost estimate on Apache St. work. He would like Board to consider using Concrete, rather than Asphalt. It is more expensive but would last longer. Staffs recommendation is concrete. Councilmembers advised concrete would be fine.

Dan from San Juan Investments (developer on Pagosa St) advised staff there was an error on our Intern Design Area D-2 District.regarding exempt from parking regulations. Staff believes there are issues with parking. Board felt we should have more concern on an urban appearance vs parking lots. Something the Board needs to study and time to think about.

Meeting adjourned at 1:50 p.m.

Ross Aragon
MAYOR

Tuesday May 3, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, James, Simmons, and Whitbred

The minutes of the April 5, 2005 and April 19, 2005 meetings were approved.

Liquor Licenses:

1. JJ's Upstream Restaurant Liquor License Renewal
2. The European Cafe Liquor License Renewal
3. The Pagosa Bar – Councilmember Whitbred moved to approve the three renewals. Councilmember James seconded, and with 5 ayes the motion carried.
4. Farrago Market Café New Beer & Wine License Public Hearing – There was no public comment. Councilmember Simmons moved to approve the new beer & wine license. Councilmember Whitbred seconded, and with 5 ayes the motion carried.

Delegations:

1. James (Jim) Saunders – Chief Volger introduced the new Assistant Chief Jim Saunders to the Town Council.
2. Mike Branch 2004 Audit Follow Up – The Town Council didn't have any questions for Mike. Councilmember Whitbred moved to accept the 2004 audit. Councilmember James seconded and with 5 ayes the motion carried.
3. Citizens Advisory Committee Appointment –
 - Vanessa Archuleta • Ron Chacey • David Conrad • Connie Cook
 - Patricia Everett • Steve Graham • Jeff Greer • Joyce Hopkins
 - Chrissy Kara • Traci Lattin • Kimberly Laverty • Patsy Lindblad
 - Joe Maloney • Robert Moomaw • Crista Munro • Natalie Ortega
 - Shari Pierce • Cate Smock • John Steinert • Glenn Sterkel
 - William Thornell • Carrie Toth • Tony Simmons • Kathy Lattin

Councilmember James moved to approve the committee as presented.
Councilmember Holt seconded, and with 5 ayes the motion carried.

New Business:

1. Clean Up Week Proclamation – This will be May 14-22, 2005. There will be various dumpster locations and curbside pickup. There will be a free day at the transfer station on June 4, 2005.
2. Planning Commission Meeting of 4/19/05
 - a. Riverwalk II Planned Unit Development Preliminary Plan Review – The applicant, Chris Smith was present to answer questions. The Planning Commission reviewed this and recommends approval with some contingencies. Chris Smith stated that most of the issues the Planning Commission had have been resolved or are being worked on. Councilmember Holt moved to approve with the conditions put on by the Planning Commission. Councilmember Simmons seconded and with 5 ayes the motion carried.
 - b. The Enclave Planned Unit Development Final Plan and DIA Review – This is Phase III of Aspen Village and will have 48 multifamily residential units. The applicant was present to answer questions. The Planning Commission has reviewed this and recommends approval with contingencies. Councilmember Simmons moved to approve with the conditions put on by the Planning Commission. Councilmember Holt seconded and with 5 ayes the motion carried.
 - c. The Cottages Planned Unit Development Final Plan and DIA Review – This is also Phase III of Aspen Village and will have 54 residences. The Planning Commission has reviewed this and recommends approval with some contingencies. The applicant was present for any questions. Councilmember James moved to approve with the conditions set by the Planning Commission. Councilmember Holt seconded and with 5 ayes the motion carried.
 - d. The Burnett Minor Subdivision Request – This is for a property on Trujillo Road. She wants to divide the land into 2 tracts. The Planning Commission has reviewed this and recommends approval. After the Planning Commission had already reviewed this a problem arose with some fences and she is working with the four individual property owners to get the problems resolved. Three of the owners are willing to fix the problem through quit claim deeds. Councilmember Whitbred moved to approve with the condition that the fence issue be resolved. Councilmember Simmons seconded and with 5 ayes the motion carried.

Councilmember Whitbred left his council seat to sit in the audience due to a conflict of interest.

3. Cartwright Annexation (Ordinance Number 638)
4. Cartwright Zoning (Ordinance Number 640) – The Planning Commission has reviewed both the annexation and zoning for this property and recommends approval on both. Staff did receive a letter of concern from one property owner. The applicant's representative was available to answer questions. He stated that out of the 52 acres only 30 of them were developable due to the terrain, so they would like to go with the recommendation of the Planning Commission. John Eagan of 272 N. 1st Street stated that he did not object to the development overall, but that with 20 units that could mean up to 40 additional cars on 1st Street. This is a small residential street and is not ready to handle this kind of traffic and it will be a hazard. Therefore they

would like the council to reconsider the B zoning and request single family residence zoning. The council does have 90 days to complete the zoning after the annexation is complete, but this was done simultaneously per the applicant's request.

Councilmember Holt moved to approve the first reading of Ordinance Number 638.

Councilmember James seconded and with 4 ayes the motion carried. Councilmember James moved to approve the first reading of Ordinance Number 640. Councilmember Holt seconded and with 4 ayes the motion carried.

5. Gayhart Annexation (Ordinance Number 639)

6. Gayhart Zoning (Ordinance Number 641) – The Planning Commission has reviewed both the annexation and the zoning and recommends approval of both. The applicant's representative was there to answer any questions. This is 83.35 acres adjacent to the property that was previously annexed. They want to put up 5 cabins on this property that will be rentals for visitors. Access to this will be off of Snowball Road and will be maintained by the Gayharts. Councilmember Simmons moved to approve the first reading of Ordinance Number 639. Councilmember Holt seconded and with 4 ayes the motion carried. Councilmember Holt moved to approve the first reading of Ordinance Number 641. Councilmember James seconded and with 4 ayes the motion carried.

Councilmember Whitbred took his council seat again.

7. Interim Impact Fees for Roads, Public Services and Facilities (Ordinance 637) – Mark handed out a sample sheet. Dave Brown stated that he was in support of impact fees, but thinks there needs to be more time to review them. Chris Smith requested that there be plenty of notifications so people can be prepared that this is coming up. Jeff Hester hadn't heard anything about this until a few weeks ago and this would greatly affect the rent he charges his tenant. He also agrees that the town needs these fees but would like more time to review them and more notification, as well as have it put up for public comment. Mark stated that there was a public hearing on this in April to which no one attended. This Ordinance was tabled for now and the Mayor stated he didn't want it to be an emergency ordinance.

8. Contractor Work Permit Discussion – Staff recommends getting rid of these permits and making contractors get business licenses when we get them instituted. This is not a revenue generator and we will not have any exposure. Councilmember Holt thinks we need to keep the work permits until we have business licensing in place. Councilmember Holt moved to keep the contractor's work permit in force with minor modifications until business licenses are in affect. Councilmember Whitbred seconded and with 5 ayes the motion carried.

Old Business:

1. South 7th Street Vacation (Ordinance 636, Second Reading) – Councilmember Whitbred moved to approve the second reading of Ordinance Number 636. Councilmember Simmons seconded and with 5 ayes the motion carried.
2. CMAQ Projects Update – Staff is working on 2 projects, Cemetery Road Phase II and Great West Avenue.

3. Enhancement Projects Update – Staff is working on 2 projects, Riverwalk Trail and the pedestrian bridge near the Town Gazebo.
4. River Restoration Project – A public meeting is scheduled for May 10, 2005 to preview the initial scope of the project and to seek input from various agencies and the public.
5. Comprehensive Plan – The CAC has been established and Clarion Associates is now under contract.

Department Head Reports:

1. Town Managers Report – Sales tax is up 8.65% when compared to the same month last year and 8.31% YTD.
 - a. Salaries – In order to adopt the full salary survey the town needed an increase of 8% in sales tax revenue over last year, but only a 5% increase was implemented in the budget. Due to this we could only implement 50% of the salary increases that were recommended in the salary survey we completed. With the sales tax being up as good as it is we should be able to implement the rest of the way and should not have any problems. Councilmember James moved to approve the 50% increase or full implementation of the salary survey. Councilmember Holt seconded and with 5 ayes the motion carried.

Councilmember Whitbred moved to pay the bills. Councilmember Holt seconded with 5 ayes the motion carried. On motion duly made, the meeting adjourned at 6:43 p.m.

Ross Aragón
MAYOR

Tuesday May 10, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Aragon
Council Members: Cotton, Holt, Jackson, Simmons, and Whitbred

This is a joint meeting with the County Commissioners. The Big Box Task Force is present to present their findings.

Angela Atkinson gave a brief overview of the task force findings and stated that they have come up with three different scenarios on which they believe the town and county can work off of.

Kathy Keyes stated the six recommendations that the task force came up with.

The full report is 120 pages long and will be available on the town's website for review.

The town still needs to work on impact fees and the current moratorium is over on May 27, 2005. Staff would like to see the moratorium extended to allow time to work on these. Also to become congruent with the county whose moratorium lasts until August 3, 2005. A special meeting was set for Tuesday May 24, 2005 at 12:00 p.m. to discuss the moratorium.

Councilmember Cotton moved to adjourn. Councilmember Jackson seconded and with 6 ayes the motion carried.

Meeting adjourned at 6:05 p.m.

Ross Aragón
MAYOR

Tuesday May 24, 2005

The Mayor Pro Tem called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor Pro Tem: Darrel Cotton
Council Members: Holt, Simmons, and Whitbred

Emergency Ordinance 642 – This is an ordinance to extend the big box moratorium until August 3, 2005. This is the same date that the county’s moratorium ends.
Councilmember Simmons moved to approve Emergency Ordinance Number 642.
Councilmember Whitbred seconded and with 4 ayes the motion carried.

Councilmember Whitbred moved to adjourn. Councilmember Simmons seconded and with 4 ayes the motion carried.

Meeting adjourned at 12:15 p.m.

There was a work session set for Friday June 3, 2005 at 12:00 p.m. to discuss impact fees.

Darrel Cotton
MAYOR PRO TEM

Friday June 3, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 Noon with the following answering roll call:

Mayor: Ross Aragon
Council members: Cotton, Simmons, James and Holt

Town Planner, Tamra Allen presented the Council members with an Ordinance of the Town of Pagosa Springs, Colorado, Adopting Impact Fees for Roads, Public Services and Public Facilities. (along with a schedule of impact fees).

T. Allen went over an Impact fee schedule comparing Town's such as Firestone, Durango, Mancos, Chaffee County, etc. Allen advised that these fees were on a State wide scale instead of regional.

Town Council discussed many issues about high and low Interim. Why we would prolong adopting ordinance and how the Council would need to adjust and modify Ordinance if need be. There was concern of loss of revenue while not having Ordinance in effect while things are extremely busy now.

The Town Council discussed the need for Business Licenses. The Mayor feels that we have a lot more important issues to deal with first. This issue will be brought up at our next Council Meeting.

There were a few questions asked by people who were in the audience. Town Manager and Tamra Allen answered their questions and concerns.

Town Council discussed the fact that the fees seemed too high and suggested that staff cut the fees by 50% on Commercial and Residential Impact Fee rates. T. Allen will be making these adjustments and will revise Ordinance for the next Tuesday meeting.

Town Council was advised that the second reading on the Ordinance would be the July meeting which the Mayor set for July 6th, (Wednesday)2005.

Councilmember Cotton moved to adjourn. Councilmember Simmons seconded and with 5 ayes the motion carried.

Meeting adjourned at 1:00 p.m.

Ross Aragón
MAYOR

Tuesday June 7, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor:	Ross Aragon
Council Members:	Simmons, Jackson, Cotton, Holt, James
Absent:	Whitbred

The minutes of the May 3rd, 10th and May 24th, 2005 meetings were approved.

Liquor Licenses:

1. Junction Restaurant Liquor License Renewal
2. Super America LLC (Everyday Store) Liquor License Renewal – Councilmember Cotton moved to approve the two renewals. Councilmember Simmons seconded, and with 6 ayes the motion carried.

Delegations:

1. Rice Reavis – Recognition of service as Planning Commission Chairman. Mayor Aragon read a plaque that was made for Mr. Reavis and thanked him for his years of service.
2. Randi Pierce – Recognition as a recipient of the Girl Scouts Gold Award. Mayor Aragon commended Ms. Pierce on her recognition of the award.

New Business:

1. Design Review Board May Meeting Actions – T. Allen gave a brief review on the Fiber Fest Sign Plan Review. This was a review of a sign plan utilizing off-site signage for an upcoming event. The plan was reviewed and approved with conditions.
2. Jim Smith Interim Design Criteria Review: This was a review of the design criteria submitted by Jim Smith in conjunction with a planned addition onto his existing building located on San Juan St. The Plan was review and approved
3. Planning Commission May Meeting Actions:
 - a. Gayharts Cabins Conditional Use Permit Request: This is a review of a plan proposing 5 rental cabins on newly annexed property located along Snowball Rd. A Conditional Use Permit is required by the Zoning Ordinance for this use. The Plan was reviewed and recommended for approval. Councilmember Holt moved to approve this Conditional Use Permit. Seconded by Councilmember James and with 6 ayes motion carried. (Guiseppe Margiotta was present to answer questions and concerns).

4. Municipal Code Recodification (Ordinance #643). This is the first reading of the recodified Town of Pagosa Springs Municipal Code. Councilmember James moved to approve first reading of Ordinance #643. Seconded by Councilmember Simmons and with 6 ayes motion carried.

Old Business:

1. Apache St. Intersection Improvements: This project entails re-aligning Apache St. at 7th St. and also reconstructs the Apache and 8th St. intersection with curb, gutter and concrete surfaces.
2. CMAQ projects – Staff is working on two CMAQ projects which are Cemetery Rd. Phase II and Great West Ave. Cemetery Rd. project has been completed and submitted to CDOT for final approval. Clearances are still in the works on the Great West Ave. project. The State must finalize these projects and upon doing so staff will get these projects out to bid.
3. Enhancement Projects: Two projects – Riverwalk Trail and the Pedestrian Bridge. Riverwalk trail has been completed and submitted to CDOT for final approval. Clearances are still in the works on the Pedestrian Bridge project.
4. River Restoration Project: A public meeting was conducted on May 10th to preview the initial scope of the second phase of the river restoration project. Public comments were favorable. The plan included details for whitewater and fishing features as well as riverbank connections and access. Our consultant is finalizing the plan and completing the necessary material to submit for our Nationwide permit issued by the Corp of Engineers. The formal review process will begin when the Corp seeks input on the plan from various agencies.
5. Comprehensive Plan: Clarion Associates has begun work on the Comp Plan. Meetings have been scheduled for June and July with both the CAC and the public.
6. Community Vision Council: The firm EPS commissioned by CVC to complete an economic baseline study presented their findings during a public meeting on May 16th. The material and data will be used extensively in the Comprehensive Plan and the Impact Fee study.

Department Head Reports:

Town Manager: Sales tax receipts are up (\$15,128) for March sales receipts received in May 2005. This is an increase of 8.21% when compared to the same month in 2004. An 8.29% increase year to date.

Web Page Report: J. Jessen is doing a great job on our web page.

Building and Planning: Meeting minutes from Historic Pres. Board – Nothing new to discuss.

Parks and Recreation Dept: Press release from Myles Gabel.

Streets and Police Dept: Both departments are wrapping up Clean-Up week. Next year we will have to implement a new procedure for dumpster dumping. Excessive use by County residents creates overloading and other problems. Staff will consider a new process for next year.

Town Manager Garcia passed out a draft statement on Sex Offenders Activity in the Country. There will be a press release for the paper regarding public information on how to obtain additional information of registered sex offenders.

Town Manager Garcia informed Board that J. Jessen has established E-Mail for all Board members.

Approval of Bills: Will be approved at the June 16, 2005 special workshop.

Councilmember Cotton moved to adjourn. Councilmember Holt Seconded and with 6 ayes the motion carried.

Meeting adjourned at 6:00 p.m.

Ross Aragón
MAYOR

Thursday June 16, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 Noon with the following answering roll call:

Mayor: Ross Aragon
Council members: Cotton, Jackson, James, Simmons, and Whitbred

Discussion of Big Box Policy: The Big Box Task Force met last night to finalize their recommendations to the Town Council. They gave a handout to the council with all of their recommendations on it. In going over the handout of recommendations they realized there was a need for a “grocery” limit in Zone 1. Some questions also arose on how mixed uses should be dealt with. Staff wants to take these recommendations and start developing policy to forward to the town attorney, then start the public hearing process. Staff will bring this to the July 6th Town Council Meeting. Then a special meeting was set for July 13th at 5:00 p.m. to do the 1st reading of the new Big Box Ordinance.

Councilmember Cotton moved to approve May’s bills. Councilmember Jackson seconded and with 4 ayes the motion carried.

On a motion duly made the meeting adjourned at 1:30 p.m.

Ross Aragón
MAYOR

Tuesday July 6, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, James, and Simmons

The minutes of the June 3rd, 7th and 16th, 2005 meetings were approved.

Liquor Licenses:

1. Hunan's Restaurant Liquor License Renewal
2. City Market Liquor License Renewal – Councilmember James moved to approve the two renewals. Councilmember Simmons seconded, and with 5 ayes the motion carried.
3. Folk West, Inc. Special Event Liquor License – Councilmember Cotton moved to approve the Special Event Liquor License. Councilmember Holt seconded and with 5 ayes the motion carried.
4. Plaza Liquor transfer of ownership – Councilmember James moved to approve the transfer of ownership. Councilmember Simmons seconded and with 5 ayes the motion carried.
5. Giant new 3.2% License Public Hearing – There was no public comment. Councilmember Cotton moved to approve the new liquor license. Councilmember James seconded and with 5 ayes the motion carried.

Delegations: None

New Business:

1. Planning Commission June 21, 2005 Meeting Actions:
 - a. Willie's Statuary Conditional Use Permit Request – This is for 191 E. Pagosa Street. Wilbur Dinger wants to sell statues without having to remove them nightly. The Planning Commission has reviewed this and recommends approval with the conditions based on the conditional use permit. Councilmember Holt moved to approve the request. Councilmember James seconded and with 5 ayes the motion carried.
 - b. Chavez Mobile Home Variance Request – This was notified wrong for the June 21st Planning Commission Meeting, so it was re-notified and will go to the July 19th Planning Commission Meeting.
 - c. Potential Tree Regulations – This would come in the form of a preservation or conservation ordinance. The town has received letters from concerned citizens wanting to know what we can do to protect our trees, especially the older ones. We could put together an advisory group to look at this.

- This also came up as a concern of the Community Advisory Committee. The Council agreed to take a look at it, but they need more information first.
2. Pagosa Outreach Connection Report/Transitional Housing Concept – This is a group of community based, faith based, and government based organizations. They provide child care and education under a contract type basis. As the project keeps moving forward they hope that the Town Council will be in support of their project and offer town staff to help find a site for the project. This project takes people who rely on society for help and through education teaches them to be more self sufficient. Currently we are the only county in the state that has community, faith and government based organizations working together.
 3. Cartwright Annexation (Ordinance 638 2nd Reading)
 4. Gayhart Annexation (Ordinance 639 2nd Reading)
 5. Cartwright Zoning (Ordinance 640 2nd Reading)
 6. Gayhart Zoning (Ordinance 641 2nd Reading) – Councilmember Holt moved to approve the 2nd readings of Ordinances 638, 639, 640, and 641 as read. Councilmember Simmons seconded and with 5 ayes the motion carried.
 7. Interim Impact Fees for Roads, Public Services & Facilities (Ordinance 637 2nd Reading) – Councilmember Simmons moved to approve the 2nd reading of Ordinance 637 as read. Councilmember Holt seconded and with 5 ayes the motion carried.
 8. Municipal Code Recodification (Ordinance 643 2nd Reading) – Councilmember Cotton moved to approve the 2nd reading of Ordinance 643 as read. Councilmember James seconded and with 5 ayes the motion carried.
 9. Resolution Setting Fees in Conjunction with the Municipal Code (Resolution 2005-05) – This was tabled until the July 13, 2005 Special Meeting.
 10. Vacation of Certain Alleyways (Ordinance 644 1st Reading) – Councilmember Cotton moved to approve Ordinance 644 on the 1st Reading. Councilmember Holt seconded and with 5 ayes the motion carried.
 11. Historic Landmark Designation (Emergency Ordinance 645) – Staff recommends this be an emergency ordinance. This house has been moved off of Pagosa Street and the property owner wants to have it land marked. The reason for the emergency status of the ordinance is for tax credits. You can only get tax credits for costs incurred after designation. Councilmember Holt moved to approve Ordinance 645 as an Emergency Ordinance. Councilmember Simmons seconded and with 5 ayes the motion carried.
 12. Historic Preservation Board Member Appointments (Resolution 2005-06) – This is to appoint 3 people, Karen Cox, Gary Fairchild, and Shari Pierce to the board. Councilmember Cotton moved to approve Resolution 2005-06. Councilmember Simmons seconded and with 5 ayes the motion carried.

Old Business:

1. Apache St. Intersection Improvements – We are trying to get this completed before school starts.
2. CMAQ projects – We are still waiting on some clearances from the State.
3. Enhancement Projects - are still waiting on some clearances from the State.

4. Comprehensive Plan - There will be a public meeting at the Community Center on July 12, 2005.

Department Head Reports:

1. Town Manager – We have received a flood mitigation grant, we can spend up to \$11,700.00 and will need to match 25% of what we spend. This will bring the total to about \$15,600.00

Councilmember Cotton moved to approve the bills. Councilmember Holt seconded and with 5 ayes the motion carried. On a motion duly made the meeting adjourned at 6:00 p.m.

Ross Aragón
MAYOR

Thursday July 13, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council members: Cotton, Holt, Jackson, Simmons, and Whitbred

1. Big Box Ordinance 646 – This will not be considered for 1st reading tonight. The Town Council will have a work session to discuss this in more detail on Wednesday July 27, 2005 at 12:00 p.m. in the Town Hall. The draft ordinance is consistent with the recommendations of the Big Box Task Force. Tonight they are going to take public comment to use during their work session.

Councilmember Whitbred stated that we need to nail down the transfer of the conditional use authorization and make it tighter.

Councilmember Cotton wants to know how we are going to enforce the criteria and how do you do it fairly.

Terry Smith serves on the task force and also owns Ace Hardware. He said that the sale of a business is a very important issue. As far as a livable wage and benefits businesses do that to compete with other businesses and to keep good employees, so some of that washes out. He doesn't know how you would enforce it either, but believes that it is important. He also believes the concept behind the ordinance is strong and he would like to see it adopted. He believes it will benefit the community over the long haul.

Kiirsten Skeehan serves on the task force and owns the Pagosa Baking Company. She believes that we do not want to be a labeled community like Farmington, NM, or be compared to those types of communities either. The task force wanted to leave room for something beneficial to come into Pagosa Springs without allowing it in a huge scale.

Nan Rowe is a small business owner and does not want to see big boxes at all. She also agrees with Kiirsten and doesn't want to see a bad label. She thinks the task force proposal is a good compromise that she would be willing to accept. Enforcement is always a burden, but it seems like staff is willing to work on it.

Tony Gilbert is the Chairman of the Community Vision Council and owns property in the County. He wanted to state four things 1) 2/3 of the people surveyed do not want big boxes. 2) Building on Ute land is possible but it is highly unlikely. 3) Ultimately this is about the small/local businesses and if we allow big boxes it would be like a slap in the face to them. 4) We have an opportunity that many communities would have loved to have; we can control our own destiny.

Lee Riley serves on the task force. He believes that we need to use restrictions as best as we can, but also have to have some flexibility in the case of selling existing businesses. We do not want large empty buildings around.

Councilmember Cotton stated that we are a sales tax community, and if sales tax goes away we are dead. We are going to end up with people needing and wanting more services, especially as the population continues to grow. For us to keep those services from coming in is not socially correct and he doesn't believe it is a town government function.

Angela Atkinson serves on the task force. She stated that we can revisit this when our population does get to a point that we need to, but that won't be for 10 plus years. The task forces recommendation of allowing mid boxes will fulfill the services we need at this point.

Claudia Smith serves on the task force. She believes that big box stores will go out of style, just as shopping malls did. She doesn't want to see a big box building sitting somewhere empty.

Ron Chase is on the Community Advisory Council. He stated that the Economic Advisory study shows that through allowing mid boxes sales tax will improve. You have to remember there are other impacts that are not favorable when big boxes come into a community. Some communities have suffered immensely; there can be costs that end up on the tax payers of the community.

Cindy Gustafson thinks that Kiirsten's thought about the label is perfect. The task force has done a wonderful job.

Kathy Keyes serves on the task force and owns the Pagosa Baking Company. She wants to commend everyone for even having this conversation and strongly recommends the council take the recommendations of the task force. They are backed by very good data and a lot of hard work. We are uniquely positioned to make this decision for ourselves.

Mark Garcia, Town Manager stated that everyone is dealing with growth in Colorado, and everybody loves their own town. This year at CML there were two breakout sessions on big boxes. From the staff perspective we are proud of our town and would like to see some regulations on big boxes. We are in favor of moving forward with the task force findings. We have a great opportunity to make these decisions.

Councilmember Jackson doesn't want to put enact something we can't enforce or we will look stupid. We all choose to live here no matter what our economic level and there are reasons why we choose to do so.

2. Resolution Setting Fees in Conjunction with Municipal Code (Resolution 2005-05) – Councilmember Jackson moved to adopt Resolution 2005-05. Councilmember Holt seconded and with 6 ayes the motion carried.

We have set a joint Town and County Meeting on July 25, 2005 at 10:00 a.m. in the Town Hall Council Chambers. We will be discussing many items; Big Box Policy will be one of the items.

Councilmember Cotton moved to adjourn. Councilmember Jackson seconded and with 6 ayes the meeting adjourned at 6:40 p.m.

Ross Aragón
MAYOR

Monday July 25, 2005

The Mayor called the work session of the Town Council of the Incorporated Town of Pagosa Springs and the County Commissioners to order at 10:00 a.m. with the following present:

Mayor: Ross Aragon
Council members: Cotton, Holt, Jackson, James, Simmons, and Whitbred
Commissioner: Lynch, Shiro, and Zaday

1. Joint Impact Fee Study – We are still online for a September 16th completion date. We should have an update study in about 6 weeks. Once the fee study is done the town hopes to adopt the new fees and hopes the county will do the same so that we are all on the same page.
2. Big Box Policies – The draft ordinance the town is looking at implements a mid box strategy. Councilmember Holt believes this ordinance is a good compromise between allowing nothing and opening it up to anybody. The town wants to know where the county stands because they believe we need to be on the same page with this also. The county isn't sure where they stand yet, they do believe that coming up with criteria to follow is big, but are afraid of losing sales tax to some place else.
3. Joint Capital Improvement Update – Cemetery Road Phase I is almost complete, the county has paid for most of this work to date. We are hoping to start Phase II soon and the town will be paying for this portion. Navajo Trail/North Pagosa will be our joint 2006 project.
4. Road Annexation Schedule – The town is looking at a fall annexation schedule for joint roads that were worked on. These roads are Cemetery Road, Village Drive, Talisman, parts of Park, Eaton, and parts of Pinon Causeway. All roads have to be up to town standards before they can be annexed.
5. Joint Affordable Housing Needs Assessment – The town is looking at acquiring some property. We will be looking at a community wide needs assessment study if the county is still interested. We have an RFP in draft form. The county said they are committed to this study and are ready to go also. The town sees a need for an Affordable Housing Authority in the near future that would also be put together jointly with the county.
6. Future of Courthouse – The Mayor asked the Commissioners to do some rodent control on their property across from Town Hall. The County wants to put an Administrative Building and a Justice Center on their property across from Town Hall. Then the Community Center could utilize their parking for special events. This would also increase traffic on Hot Springs Blvd. so the intersection at Apache would have to be reworked along with some more work still needing to be done on Hot Springs Blvd.
7. Ballot Questions –
 - a. Town Sales Tax – This is not going to happen this year, but hopefully it will be ready for our April 2006 Election.

- b. Town Lodging Tax – The town plans on getting this on the November 2005 ballot if we can get the language together. Right now we are looking at 3% and this would be used for marketing. This will hopefully be ready for first reading at the August 2nd meeting. We are also looking at the possibility of a marketing district.
 - c. Town Rec Center Fee – We might try making a Recreation District, this would be a county district and it would be a special district with its own government. Then county people would pay for their share of recreation.
 - d. County Mill Levy – This will not make it on the November Ballot but they are looking at it for 2006.
8. Business Licensing – The draft ordinance is at the town attorney's office and will be ready for 1st reading at our August meeting. The town also wants to look into collecting our own sales tax jointly with the county. The town and county have been working closely on our current sales tax collections and have come up with many informational spreadsheets. We believe we are losing a significant amount of sales tax because we are not able to police or enforce it. We need to have more control over the peddlers and the fly by nights.

The meeting adjourned at 1:00 p.m.

Ross Aragón
MAYOR

Wednesday July 27, 2005

The Mayor called the work session of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following present:

Mayor: Ross Aragon
Council members: Cotton, Holt, Jackson, James, Simmons, and Whitbred

1. Big Box Polices – Mark Garcia gave an over view of where we are currently with this. Both the town and the county recognized the Big Box Task Force. They were charged with researching the impacts of big boxes on communities. They used studies from the Community Vision Council and an Economic Impact study to help with their research and findings. Our current moratorium expires on August 3, 2005. The Task Force has presented their findings to the town and county, and made their recommendations. Town staff has prepared Draft Ordinance Number 646 based on the recommendations of the Task Force. In its current form the ordinance allows for mid boxes to come in and has a criteria point system that will trigger an Economic Impact Report for those wanting to come in with larger square footage. There are also 2 different zones, the downtown area and then everywhere else. The Mayor then opened the meeting up for public comment.

Tim Horning of Archuleta Economic Development thinks there needs to be more weight given to the higher wage standard in the point criteria. Archuleta County is behind in wages right now and he believes they need to do everything they can to help this.

Windsor Chasey stated that there was a new study out from Healthy Communities available on what the livable wage is. She gave a copy of the study to the council. She also said she agrees with what Tim said. She believes that big boxes do not pay a livable wage and that will create an increased use of our social services.

Fred Schmidt is in favor of zoning but has concerns in legislating what wages should be. He believes the market itself will force higher wages. He thinks we need to pick a zone away from downtown to put big boxes. He also believes we can't stop them from coming in, but we can plan for it and regulate it.

Cappy White stated that a lot of businesses in town are already paying a livable wage and that by adopting this ordinance we will attract other small businesses.

Karen Aspen commends the task force for doing an outstanding job; they have gotten a lot of good information. She believes that if we allow big boxes that we are going to end up with a lot of big empty buildings or our landfill will end up full from tearing them down. People who live here choose to make less money to live in a place like this. We need to look at the sustainability factor and what is good for future generations. She also

stated that if the council really thinks there is an unheard majority that wants big boxes then we should put it on the ballot and let the people decide.

David Spitler is a member of the task force who started off wanting big boxes for the tax revenue, but after seeing all of the statistics has completely changed his mind and now doesn't think they are right for Pagosa Springs.

Mary Elizabeth Green believes that all small towns in Colorado are starting to look alike. We are still unique here and she wants to see it stay that way, "small is beautiful."

Kiirsten Skeehan believes that the majority of the people in town think that the task force is doing a good job and that is the reason they are not showing up to meetings. They are assuming that an ordinance is going to be passed. Money that is made here is spent here. With big boxes the money made here gets shipped somewhere else and you get the trickle down affect.

Kathy Keyes began by wanting no big boxes at all, but believes this ordinance is a good compromise. Mid boxes will fit the needs the community has specified.

Teddy Finney is on the task force. After seeing all of the research she believes big boxes will hurt Pagosa and will ultimately close down the downtown area. She also believes that big boxes will bring wages down and that if a Wal Mart comes to town another grocery store probably will not.

Nan Rowe stated that she would never have opened her business here if there had been a big box here. She thinks that part of the reason people love this community is because there are not big boxes here.

Councilmember James stated that she wished more towns' people were at the meeting. She is trying to take everything she has heard and the task force findings under advisement and will go forward with the information she has received.

Councilmember Holt believes this is a difficult decision to make because there are positives and negatives on both sides. He will try to weight those out and come to a decision he believes is right. He appreciates all of the information and hard work by the task force.

Councilmember Whitbred wanted to know what other big boxes other than Wal Mart were included in the task force findings.

Angela Atkinson said they looked at all big boxes not just Wal Mart and that is how they came up with the mid box strategy.

Councilmember Cotton stated that there are a lot of areas that didn't get talked about in the task force findings. He believes that having lower prices is a substantial amount of money in peoples' pockets. What about the multiplying factor, \$1 turns over seven times

before it leaves. We can try to have a small mountain town, but it costs money. There is a lot of potential that nobody has talked about.

Angela Atkinson said that they did talk about those things. Big boxes lower prices to run their competitors out of business. Then they raise their prices when their competitors are gone. The multiplier effect is higher with local and independently owned businesses.

Councilmember Cotton said that the profits that go away are small, but the wages are still spent here. He believes the effects on the local economy are a lot greater than the EPS study shows.

Angela Atkinson said that mid boxes will curbe a lot of that leakage and will still offer inexpensive goods that meet the needs of the people. This is a good compromise. She then gave the council a list of mid box stores to give them an idea of what they are looking at.

Councilmember Cotton stated that the cost of living will not go down with mid boxes and he doesn't think we should restrict trade of any kind.

Councilmember Jackson thinks we need to look at the youth, the future generations and see what their take on this would be. We need to listen to the information given to us by a group that we trust, and then we have to determine what the Town Council's job is. He can live with the ordinance; he thinks it is a good compromise.

Councilmember Simmons believes that the Big Box Task Force went out of their way as public volunteers to put together a very comprehensive report. He believes their recommendations are a very good compromise and that we do need to do something.

Mayor Aragon thinks that if we do pass this ordinance that we will need to revisit this later.

Angela Atkinson agrees if we pass the ordinance now this would give us time while we wait for the Comp Plan to be finished, then we could revisit it with the Comp Plan.

Tamra Allen stated that according to our Home Rule Charter the Comp Plan will have to be updated every five years.

Councilmember Whitbred stated that going through the mid box list, he doesn't think any of them will be interested in coming to Pagosa Springs because we don't have the population to support them. He thinks that no matter what action we take we won't be able to keep big boxes from coming if they really want to. These mid boxes are still not going to be good for the current small businesses. So we need to come up with what we think will work the best. He also thinks reviewing in 5 years is a good idea.

Kathy Keyes stated that challenges will continue to come up over time, but right now this is the best we can do and it meets the challenges we have seen so far.

Councilmember Holt stated that he knows of one instance where a mid box wants to come but will not if we allow Wal Mart to come here. They want some reassurance before they come here.

Steve Gisen the owner of the local Sears wanted to know if there could be some grandfathering or some special criteria for local businesses so that they don't have to go through the conditional use process.

Carol Cook stated that she moved here 3.5 years ago because there were not any big box stores here. She believes the community should support the people who are here and she loves the uniqueness of this town.

Councilmember Cotton stated that Wal Mart happens after growth; it doesn't come here first and then the population increases.

Kathy Keyes stated that she is concerned with the end of the moratorium, we need action before then.

The Town Council decided they needed to move to a round table discussion so they ended public comment.

Mayor Aragon stated that he doesn't want to push this issue so if we need to extend the moratorium we will.

Mark Garcia stated that our attorney drafted this ordinance using the task force recommendations.

The council then worked through the draft ordinance page by page making changes as they thought were needed. These changes will be sent to our attorney and will come back to the council at the regular August meeting for first reading.

The meeting adjourned at 3:30 p.m.

Ross Aragón
MAYOR

Tuesday August 2, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, James, Simmons, and Whitbred

The minutes of the July 6th, 13th, 25th and 27th, 2005 meetings were approved.

Liquor Licenses:

1. Chamber of Commerce Special Event Liquor License – Councilmember Cotton moved to approve the Special Event Liquor License. Councilmember Whitbred seconded and with 6 ayes the motion carried.

Delegations: None

New Business:

1. Planning Commission July 19, 2005 Meeting Actions:
 - a. Chavez Mobile Home Variance Request – The Planning Commission has reviewed this. They received multiple letters of opposition and a few in support. The Planning Commission voted to deny this request. The applicant was not present to answer questions. Councilmember Whitbred moved to deny the request as was recommended by the Planning Commission. Councilmember Holt seconded and with 6 ayes the motion carried.
 - b. Colligon RV Conditional Use Permit Extension – The Planning Commission reviewed this request and recommends approving a one year extension. Councilmember James moved to approve a one year extension. Councilmember Simmons seconded and with 6 ayes the motion carried.
 - c. Tree Regulation Advisory Committee – The Mayor said he would like to see the word preservation used instead of regulation. The Mayor directed staff to appoint a committee and then they would discuss this at the Special Meeting that was set for August 23, 2005 at 12:00 p.m. Tamra will send out letters of request for people to serve on the committee.
2. Vacation of Certain Alleyways (Ordinance 644 – 2nd Reading) – Councilmember Whitbred moved to approve Ordinance 644 on second reading. Councilmember Simmons seconded and with 6 ayes the motion carried.
3. Overlay Zone Districts for Large Retail Establishments (Ordinance 646 – 1st Reading) – Staff presented the draft ordinance with the changes the Council had asked for at their previous work session. Our attorney is still working on the definition of a multiple retail establishment. The Mayor stated that they will not be taking public comment on this subject tonight; he did want to hear from each council member though.

Councilmember Cotton stated that Wal Mart does not cause growth, growth causes Wal Mart. He doesn't believe that it is this governments business to regulate commerce. Whatever the town does will influence what the county does. He believes that there are other ways to restrict big boxes other than square footage. The Task Force did a good job and work hard, he just doesn't think that what was recommended if the function of this government.

Councilmember Whitbred stated that the more people he talks to he agrees with Darrel. He doesn't think that this current ordinance is the answer and limiting by square footage isn't the answer either. We shouldn't limit free enterprise. He thinks there is a better way to do this and that they need more time to figure out what that better way is.

Councilmember Holt stated that we have been studying for almost a year now. The Task Force has done a lot of hard work. There are both good and bad points on this ordinance, but he thinks the ordinance is fair. Everyone he has talked to except for one person has been in favor of the ordinance. He is in favor of acting on this tonight; it can be fine tuned by the second reading.

Councilmember James agrees with Darrel and Bill, she believes that the land use codes and design guidelines would better handle this situation rather than square footage. She has talked to many towns' people who say they would like to see a variety of places to shop.

Councilmember Simmons agrees with Stan and believes that square footage is a good way to control big boxes. If we allow big boxes with large square footage they will crush the small businesses and the mid boxes. He is in favor of this ordinance and believes that it is the place of this government to regulate these for our community. He believes that the Task Force did a wonderful job and we should take their recommendations. This issue is a lot bigger than the town boundaries.

Councilmember Holt moved to approve Ordinance 646 on 1st Reading. Councilmember Simmons seconded, with only 2 ayes the motion failed. The 2 ayes were voted by Councilmember Holt and Councilmember Simmons. The 4 nays were voted by Councilmember Cotton, Councilmember Whitbred, Councilmember James, and Mayor Aragon. Councilmember Whitbred then stated that the council still needs to look at this and come up with an adequate solution. Cappy White and Angela Atkinson stood up and wanted to know what changed the minds of the council that said they were for this ordinance at the July 27, 2005 work session. They were told they were out of order and staff was directed to continue with the agenda.

4. Lodging Tax Ballot Question (Ordinance 647 – 1st Reading) – We have notified the County Clerk's Office that we plan on putting this on the ballot for the November 1, 2005 Election. To do this we need to have the language finalized and to her by September 2, 2005. Councilmember Simmons moved to approve the 1st reading of

Ordinance 647. Councilmember Cotton seconded and with 6 ayes the motion carried. The second reading will take place at the August 23, 2005 Special Meeting.

5. Business License Regulations (Draft Ordinance 648) – This draft ordinance was presented to the council tonight. It will go to the Planning Commission for a public hearing at their August 16, 2005 meeting. It will then come back in front of the council at their September Regular Meeting.

6. Referendum C and D Resolution – CML is soliciting support on these issues from the local level, they will both be on the November ballot. Councilmember Cotton moved that the people can decide if they want to vote for the referendums or not, he doesn't think the council needs to adopt a resolution. Councilmember Holt seconded and with 5 ayes and 1 nay (Councilmember Simmons) the motion carried.

Old Business:

1. Apache St. Intersection Improvements – We are still hoping to have this done before school starts.
2. CMAQ projects – We are still having trouble getting right of way clearances. Julie is working with CDOT on this.
3. Enhancement Projects – We are having the same issues with this as with the CMAQ projects.
4. Comprehensive Plan – We are trying to encourage more public involvement.

Councilmember Holt moved to approve the bills. Councilmember James seconded and with 6 ayes the motion carried. On a motion duly made the meeting adjourned at 6:00 p.m.

Ross Aragón
MAYOR

Tuesday August 16, 2005

The joint work session of the Town Council of the Incorporated Town of Pagosa Springs and the Town of Pagosa Springs Planning Commission was called to order at 5:00 p.m. with the following council members present:

Mayor: Ross Aragon
Council members: Cotton, Jackson, James, Simmons, and Whitbred

1. Comp Plan Presentation by Clarion Associates – The information in the presentation is available on the town’s website. A Comp plan is a “blueprint” to help the community grow. It helps set policy for land use and design. It also contains goals and policies. As of today the Town of Pagosa Springs has not ever adopted a Comp Plan. Currently Clarion Associates is still in the beginning stages of the Comp Plan process, they are about 1/3 of the way through. They want to emphasize that the public process is very important. They would like to get some focus groups together from the different neighborhoods in town. In their public process so far they have identified the top issues of concern. The following are the top 5:

- Environmental Quality and Open Space
- Small Town Character
- Growth
- Economic Vitality
- Transportation

They want to have a community/public event every couple of months for comment and review. The next event is tentatively scheduled for October 17, 2005.

The joint meeting adjourned at 5:40 p.m.

Ross Aragón
MAYOR

Tuesday August 23, 2005

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 Noon with the following answering roll call:

Mayor: Ross Aragon
Council Members: Simmons, Whitbred, Holt and James

Mark Larsen – Discussion on Referendums C & D: Referendum C Collects \$3.1 billion in the first five years. \$100 million in six years, remaining Tabor refunds thereafter are used to lower the State’s income-tax rate down to 4.5 percent. Referendum D is a bond to build roads, schools and maintain buildings on college campuses. Ten percent of the money in Referendum C will help pay off the bond in Referendum D.

Mark Larsen asked the Board to please consider all aspects and went into great detail of how we all need to help pass Referendums C & D. Larsen thanked the Board for their time and Mayor Aragon advised Mr. Larsen that the Council would take it into consideration.

Ordinance #647 Lodger’s Tax Ballot Question/ 2nd Reading: TA Garcia advised Council that there was (1) one change in the language on the Municipal Code by adding (1) one word to Item C/ Page A4 2C “Tourism”. Councilmember Holt also advised that a date also needed to be corrected and TA Garcia will see to it that it will be corrected. There was discussion from the Council members. The Mayor then opened the floor up for public comment. Mary Jo Coulehan was present from the Chamber and asked to be able to get more information on the ballot question because she had not received any information yet. Councilmember Whitbred moved to adopt the 2nd Reading. The motion was seconded by Councilmember Simmons and with 5 ayes motion carried.

Resolutions 2005-7, 2005-8, 2005-9. These are resolutions for funding for improvements along Greatwest Ave and a Pedestrian bridge in the Town Park and a purchase of a street sweeper for dust. Mayor Aragon opened it up for public comment and there was none. Councilmember Simmons made a motion to adopt all (3) three Resolutions. The motion was seconded by Councilmember Holt and with 5 ayes motion carried.

Sanitation Rules and Regulations: Mayor Aragon asked for any comments. Rules and Regulations had been reviewed. Councilmember Whitbred moved to approve the Rules and Regulations. The motion was seconded by Councilmember Holt and with 5 ayes motion carried.

Resolution 2005-10. This is a Resolution Affirming the purchase of the Lucero Property. TA Garcia asked for permission to sign the closing documents on these 6 acres on Trujillo Road. The land is still at the same price with (2) issues pending. One issue is on the title/easement and one is a violation letter with the County Building Department. Mark will take care of these issues. Also, there are (2) tenants on Board. G&I Sanitation and the leasing of pasture space. This is OK through CIRSA but may require insurance.

We will allow them to stay until they can find alternative locations. Councilmember Whitbred move to approve this Resolution. The motion was seconded by Councilmember James and with 5 ayes motion carried.

Mayor Aragon asked the Council if they wanted to bring up Referendums C & D at the next regular meeting. It was decided they would and the Board asked TA Garcia to draft a Resolution for the meeting on September 6, 2005.

Town Administrator Garcia advised the Council of the upcoming meetings and there was further discussion on the Downtown Master Plan.

On motion duly made the meeting adjourned at 1:22 p.m.

Ross Aragon
MAYOR

Tuesday September 6, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Jackson, James, Simmons, and Whitbred

The minutes of the August 2nd, 16th, 23rd 2005 meetings were approved.

Liquor Licenses:

1. Archuleta Seniors Special Event Liquor License
2. Pizza Hut Liquor License Renewal
3. Ramone's Transfer of Ownership and Renewal – Councilmember Cotton moved to approve all three liquor licenses. Councilmember Jackson seconded and with 7 ayes the motion carried.

Delegations:

1. Community Psychiatric Resource Task Force Crossroad Update – Bill Mashaw, Jim Knoll, and Bern Heath wanted to let the council know that making the site center a reality was moving along quite well. This will be a stand alone facility, but will be right next door to the new Mercy Hospital that they are currently building. This will give us a true Psychiatric Urgent Care Facility for the 5 county area. They also wanted to invite the council to the ground breaking; this is tentatively scheduled for October 14, 2005. They have raised over \$2.4 million of the \$3 million budget needed. They received DOLA grants over \$1.5 million and are also well on their way to the operation funding. The facility will have 3 different components; Detox, Triage, and an impatient psychiatric unit. This is where Pagosa Springs patients will get sent.

New Business:

1. Planning Commission August 16, 2005 Meeting Actions:
 - a. Romero Porch Variance Request – This is at 310 N 3rd Street, they want to encroach the set back. The Board of Adjustments has reviewed this and recommends approval. Councilmember James moved to approve the Variance Request. Councilmember Simmons seconded and with 7 ayes the motion carried.
 - b. Trujillo Heights Subdivision Sketch Plan Review – This is a 52 Acre Lot being subdivided into approximately 198 lots phasing over a 5 year period and full build out in 10-15 years. The Planning Commission reviewed this; many residents had multiple questions and issues. The Planning Commission recommends approval with contingencies. Mr. Tracy Reynolds gave the council a

quick Power Point Presentation. He stated that a minimum of 10% of the homes will meet the Affordable/Attainable Housing Guidelines and will be deed restricted to stay that way. It will also include a large open space area (14.3%, this includes wetlands.), there are 7 total phases and 246 total units. Their goal is to keep all of the homes under the \$200,000 range although there a few larger lots that may have homes over that. The sizes of the homes will range from 1000 square feet to 1400 square feet. They have not talked to the county yet, but plan on doing so very soon. The Planning Commission recommends approval with 10 other recommendations. Councilmember Hold moved to approve the Sketch Plan Review contingent upon the applicant addressing all of the Planning Commission's concerns. Councilmember Simmons seconded and with 7 ayes the motion carried.

- c. Business License Public Hearing – The Planning Commission held this public hearing at their last meeting. They only heard a few comments from the public and most of them were in favor of the ordinance in some form.
2. Business License Regulations (Ordinance 648 – 1st Reading) – Councilmember Cotton moved to table this until a later meeting and after a work session could be held on this ordinance. Councilmember Jackson seconded and with 7 ayes the motion carried. The work session date will be set at our regular October meeting. Mayor Aragon opened this topic up for public comment, there wasn't any. The Mayor stated that he thought the way the ordinance is written now it is too regulatory.
3. Referendum C & D Resolution (Resolution Number 2005-11) – Representative Mark Larsen gave a presentation regarding this to the council at their August 23, 2005 Special Meeting. CML also recommended that municipalities consider this resolution. Councilmember Cotton stated that he doesn't think the council should be considering this, the voters can decide for themselves. Councilmember Holt stated that he is in favor of Referendum C and that if it doesn't pass we are in for a long haul. The voters still make the ultimate decision. Councilmember Simmons agreed with Councilmember Holt. Councilmember Simmons moved to adopt Resolution 2005-11. Councilmember Holt seconded and with 6 ayes and 1 nay (Councilmember Cotton) the motion carried.

Old Business:

1. Apache St. Intersection Improvements – This is now open.
2. CMAQ projects – We are still having trouble getting right of way clearances. Julie is working with CDOT on this.
3. Enhancement Projects – We are having the same issues with this as with the CMAQ projects.
4. River Restoration – We are still working with the Army Corps on this. Mark would like to get our attorney more involved on this. Mayor Aragon agreed, he thinks we are getting bullied and that it is time to push back and get more aggressive.

5. Comprehensive Plan – They want to take the Town Council and Planning Commission on a photo exercise on September 14, 2005. They will take photos of likes and dislikes around town and put collages together.
6. Downtown Master Plan – The CVC had intended on funding this but they are in a transitional stage right now and have decided they can no longer fund this. We do have the monies to pick up the contract with Winter and Company if we want to. Mark believes that with the growth that we are seeing and will continue to see that this is a very important element for the town. The CVC will still fund Angela Atkinson's work, she has been the liaison between the consultants and staff.
7. Lodgers Tax Ballot Question – This was certified to the County Clerk and will be on the November 1, 2005 mail out ballot.

Councilmember James moved to approve the bills. Councilmember Holt seconded and with 7 ayes the motion carried. On a motion duly made the meeting adjourned at 6:24 p.m.

Ross Aragón
MAYOR

Wednesday September 7, 2005

The Mayor called the work session of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 Noon with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Simmons, and Whitbred

Discussion with the Big Box Task Force on Big Box Ordinance – Angela Atkinson will co-chair this meeting with Mayor Aragon. We need to identify both areas of agreement and disagreement between the Council and the Task Force. The Task Force gave the Council some questions prior to the meeting.

The first question we need to answer is: Do we need to regulate big boxes at all or are the current regulations enough? Currently they would just go through design criteria and the Design Review Board (Staff and the Planning Commission) but there wouldn't be a public hearing. Everyone agreed we do need some type of regulation. So now the question is what type of regulations do we need and where? We need to come up with a process that adds to what is currently on the books. What level of involvement do we need with the county? The Town and County need to be as in sync as possible. The County has avoided this topic since the Town Council voted not to do the 1st reading of the ordinance. There was a consensus that we all need to be one group (Town, County, and Task Force) and work on this together. Is there still a role for the current make up of the Task Force? Does it need to be modified? Should we come up with a new body? There is still a need, but it does need to be modified. There should be members of both the Town Council and the County Commissioners on the Task Force so both bodies can be more involved with the findings and recommendations.

Everyone agrees that design guidelines need to be addresses. Gunnison is trying to use this for regulation, we have a copy of their regulations. This might be a good starting point for us, but it has to be balanced and again the County needs to be on the same page.

Everyone agrees with the logic on the location in what is recommended in the ordinance's current form. They changed Zone 2 to East/West Zone rather than just Uptown.

The final and most controversial question, do we need to regulate on size? Everyone agrees that we do for sure in the Downtown Area and the numbers that are in the current recommended ordinance are fine. What about the rest of Pagosa Springs? They will build what they think the market is going to bear. When the market is right they will come. We do need some type of assurance that there will not be empty old boxes sitting there (a bond or something else). Everyone seemed to agree that rather having size caps one of the options could be to make the criteria more strict and require more things (make the hurdles higher) as the size gets larger.

The group needs to discuss a variety of different impacts also that are different from just size and looks. Everyone stated that they thought this meeting was good and productive and we need to have more just like it. The next meeting was scheduled for October 18, 2005 at 12:00 p.m. in the Town Hall Council Chambers, the County will also be invited.

On a different subject Mayor Aragon brought up the idea of donating some money to the Katrina Disaster Relief and wanted to know what the rest of the Council members thought. They all agreed that it was a good idea. Councilmember Cotton moved to donate \$5000.00. Councilmember Whitbred seconded and with 5 ayes the motion carried.

On motion duly made the meeting adjourned at 1:30 p.m.

Ross Aragón
MAYOR

Tuesday October 4, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Jackson, Simmons, and Whitbred

The minutes of the September 6th and 7th 2005 meetings were approved.

Liquor Licenses:

1. Mountain Spirits Liquor License Renewal – Councilmember Whitbred moved to approve the liquor license renewal. Councilmember Jackson seconded and with 6 ayes the motion carried.
2. Gringo Grill LLC New Liquor License Public Hearing – Mayor Aragon opened up the public hearing for public comment. No public comment was received. Councilmember Simmons moved to approve the new liquor license. Councilmember Whitbred seconded and with 6 ayes the motion carried.

Delegations: None

New Business:

1. Planning Commission September 20, 2005 Meeting Actions:
 - a. Ross/Lucero Boundary Line Adjustment Request – This is to correct the placement of a building and make sure that it is totally on the owner's property. The Planning Commission has reviewed this and recommends approval. Both applicants were present for questioning. Councilmember Whitbred moved to approve the boundary line adjustment. Councilmember Simmons seconded and with 6 ayes the motion carried.
 - b. Land Use Development Code Change – Right now there are not any parking regulations in the D-2 zone and this zone should not be exempt from the regulations. Should we readopt the old regulations until the new ones are ready? Or we can have an emergency ordinance ready for a special meeting. The Council will have a special meeting on October 12, 2005 at 12:00 and will discuss multiple topics.
2. Annexation of a Portion of Cemetery Road (Ordinance 649 – 1st Reading)
3. Annexation of Eaton Drive (Ordinance 650 – 1st Reading)
4. Annexation of a Portion of Talisman Drive (Ordinance 651 – 1st Reading)
5. Annexation of Village Drive (Ordinance 652 – 1st Reading)
6. Annexation of a Portion of Pinon Causeway (Ordinance 653 – 1st Reading) – Councilmember Cotton moved to approve the 1st readings of Ordinances 649-653. Councilmember Whitbred seconded and with 6 ayes the motion carried.
7. Town Council Districts (Ordinance 654 – 1st Reading) – The way the Ordinance is drafted right now the districts don't have an equal amount of registered voters. The

council directed staff to redraw districts to have an equal amount of registered voters in each district then to bring it back to them.

8. Geothermal Lease Action – The Springs Resort property sold and in the transfer they didn't follow the conditions of the current lease. Mark would like to continue this also and talk about it in Executive Session at the October 12, 2005 meeting.

9. Hurricane Relief Fundraising Effort – Mark wants to do an adopt a community type thing with the money (\$5000) that the council had decided to donate. He wants to target communities that are similar to ours and try to provide direct assistance instead of just giving the money to an organization like Red Cross. He is looking at 3 communities in Mississippi right now. He also wants to put an ad in the paper to challenge the community to do some fundraising and hopefully will raise enough to match the town's donation. The council thought this was a good idea and said we could wire the money directly into the bank of the community we ultimately choose.

10. Managers Evaluation – The Mayor gave all of the Council Members an evaluation form to fill out. The Council will meet at 11:00 a.m. on October 12, 2005 to go over the evaluation with Mark.

Old Business:

1. Street Intersection Improvements – Apache and 8th is complete. We had wanted to work on Lewis Street, but think we need to wait for the Downtown Master Plan before doing any work on it. So we decided to do similar work on the 7th Street Intersection where there was failure. Now it will be concrete. We need to at least do some patchwork and some maintenance on Lewis Street or we will lose a lot of it this winter. Mark would also like to do this on the Trinity Intersection this year.
2. Town Hall Improvements – The concrete in front of the Town Hall failed. Colorado Jaynes has agreed to give the town \$8000 for the repair. If we let them do the repair the way they want to we are not sure it will not fail again. So Mark would like to just take the money and use it to get pavenstone or stamped concrete and have it installed in house. He believes this will give us a nicer finish and it will be consistent.
3. Downtown Master Plan – We need to decide if we are going to take over the Downtown Master Plan Contract with Winter & Company. Councilmember Cotton moved to approve the Winter & Company Contract for the Downtown Master Plan. Councilmember Holt seconded and with 6 ayes the motion carried. Winter & Company was also the 2nd lowest bidder on the Design Criteria and with them doing the Downtown Master Plan they will fit together nicely. Tamra has submitted a grant for \$24,000 to help with the cost. The total cost will probably be around \$40,000.
4. Lodgers Tax Ballot Question – The League of Women Voters will be having a Pro/Con debate on this on October 18, 2005. Some of the lodgers will be giving the pro side.

Councilmember Holt moved to approve the bills. Councilmember Whitbred seconded and with 6 ayes the motion carried. On a motion duly made the meeting adjourned at 6:17 p.m.

Ross Aragón
MAYOR

Thursday October 6, 2005

The Mayor called the joint work session of the Town Council of the Incorporated Town of Pagosa Springs and the County Commission to order at 5:00 p.m. with the following present:

Mayor: Ross Aragon
Council Members: Cotton, Jackson, Simmons, and Whitbred
Commissioners: Lynch, Zaday, and Schiro

Public Facilities Discussion:

Commissioner Lynch introduced Bob Jasper, Archuleta County Interim Administrator. Commissioner Lynch will chair the meeting. This meeting is to discuss the future of the County Facilities, their locations and the county wants to know what the town thinks and wants before making any decisions.

There are several possible sites to move some or all of the county facilities to. The current facility needs many repairs and is overcrowded. The county bought the parcel of land across from the Town Hall but it is deed restricted so that a correctional facility cannot be built on it. The Sheriff had many ideas for sites to move his operations to. The Sheriff's Office, the jail and the Court House do not have to be in one facility or area, but it would be safer and more efficient if they were all together.

Currently there is not any security in County Court at all; this is the only county where this happens. The Court House must be in the County Seat and must house certain offices like the Assessor, Treasurer, and Clerk. Judges do not have to be in the Court House. So depending on the site that is ultimately picked the town might have to be willing to annex some property.

If we decide that the property across the street from Town Hall is the best option the county would have to try and buy some additional land. One of the properties they would be interested in buying is this area belongs to Mayor Aragon. There has also been an offer from Mr. Brown to buy the current Court House.

The county has come up with 7 potential sites that they think might work.

Mayor Aragon stated that due to conflict of interest he will not participate in any discussion involved with the property across the street from the Town Hall.

Councilmember Jackson stated that he thought that at least the Administrative Offices should be across the street from Town Hall. He thinks we should be in a central location.

Councilmember Simmons said he agreed with Councilmember Jackson. We should have a Governmental Complex. He wanted to know if it was too soon to decide since we are still waiting for our Downtown Master Plan and Comp Plan to be completed.

Tamra stated that in the preliminary findings of the Downtown Master Plan is that people want a central Civic Center.

Judge Denver thinks the county facility needs to be prominent in the center of the community. This will symbolize importance. He also thinks that the jail and the courts should be adjacent to keep the transportation costs down.

Councilmember Whitbred said that the size of the lots and the costs are going to be a major factors along with convenience for citizens. He thinks the facility should be located in the core area of town.

Councilmember Cotton said that he thinks it should be across the street from Town Hall and that the county should pursue that. Then if and when that doesn't work you start to look else where.

Commissioner Schiro said that across the street would be ideal, but there are issues with security and funding that needs to be looked at first.

Commissioner Zaday said that she has a concern with the jail being across the street. She thinks the Administrative Offices should be there, but can foresee a bottle neck during busy times like the 4th of July.

Commissioner Lynch agrees with Councilmember Cotton. They should keep as many services in the down town area as possible. This will keep the civic government functions as close as possible for people. This is also part of keeping the down town vital.

Director of County Development, Blair Leist said that the Planning Office agrees with what everyone has said about a civic/central center. As an Emergency Manager he has serious concerns with both Law Enforcement functions being in the same area, also he sees trouble with transportation.

David Brown stated that the CVCs vision is to restore the Historic Downtown. He thinks it is important to at least have the Court House and Administrative Offices across the street. The Court House should be a symbol of the community.

Town Manager, Mark Garcia also agrees with Councilmember Cotton. He also stated that the Mountain Crossings property could work.

Commissioner Lynch said that she has approached the Mayor regarding his property and that they might be able to purchase it but there are no guarantees.

Councilmember Jackson stated that the town and the county involve a lot of employees and having the facilities centrally located would be very conducive to the walking community with the trails system and everything down here.

Commissioner Lynch said it would also benefit the local businesses.

Councilmember Cotton said that the county should make a move for across the street and see what happens.

Judge Denver stated that in the long run we might want to consolidate certain services and this would make that much easier if everything were together.

It sounds like everyone is in favor of the across the street property. The county will have to work on that and see what happens.

The meeting adjourned at 6:11 p.m.

Ross Aragón
MAYOR

Wednesday October 12, 2005

The Mayor called the Special Meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 11:00 a.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Jackson, James, Simmons, and Whitbred

Town Manager's Evaluation: Councilmember Cotton moved to go into executive session for discussion of a personnel matter under C.R. S. Section 24-6-402(2)(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. Councilmember Whitbred seconded and with 7 ayes the motion carried. Council went into executive session at 11:05 a.m.

Council returned to regular session at 11:50 a.m.

Geothermal Lease: Move to end of agenda.

CHI Fee Waiver: Jamie Blackman, the Outreach Coordinator came to ask the council for the fee waiver. He said that they will be breaking ground this fall hopefully. They are hoping that 6 of the 10 housing units will be ready by Spring. With continuing rising costs it is hard to keep building affordable housing. They are asking for any fee waiver that may be possible (tap fees, building permit fees, etc.). The homes are deed restricted for 20 with a sales price limit. This would also help in receiving grants in the future; it shows community help and support. The town has waived fees for Habitat for Humanities in the past. Councilmember Jackson stated that we need to look at individual projects to see if they are truly affordable housing. He also has a concern about setting a precedence; he would be for a partial waiver but not a full one. Councilmember Cotton would like more information and would like to study this more. CHI will provide their budget, deed restrictions, and anything else the council might find helpful. Councilmember Simmons asked how these waivers would affect our different departments and also asked if we could afford to do this. Councilmember Cotton moved to table this so the council can study this more.

Seeds of Learning Fee Waiver: This request is similar to that of CHI. They are also asking for their site plan approval. This will be a partnership with the town. The building will be built on town property so if Seeds were to move out the building will go back to the town. They are in the process of getting bids now. Colorado Jaynes is going to build the building for them. They are constantly working to try and cut costs. They want to build a facility that fits into the community. The site plan meets the approval of the South Park Board, it is almost 3 full lots including the playground area and some shared parking with South Park. Councilmember Holt moved to approve the site plan

and to discuss the waiver of fees with the CHI waiver. Councilmember Simmons seconded and with 7 ayes the motion carried.

Business Licensing: Tabled until a later date.

Geothermal Lease: Councilmember moved to go into executive session to discuss the lease of property interest under C.R.S. Section 24-6-402(4)(a). Councilmember Holt seconded and with 7 ayes the motion carried. The council went into executive session at 12:23 p.m.

Council returned to regular session at 12:51 p.m.

Councilmember Cotton moved to sign the lease with The Springs on Geothermal. Councilmember Holt seconded and with 7 ayes the motion carried.

The council also decided that they would have a regularly scheduled work session the 3rd Wednesday of every month at noon, starting in November in the small conference room.

Councilmember Whitbred moved to adjourn the meeting. Councilmember James seconded and with 7 ayes the meeting adjourned at 1:15 p.m.

Ross Aragón
MAYOR

Tuesday November 1, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Jackson, James and Simmons

The minutes of the October 4th, 6th and 12th 2005 meetings were approved.

Liquor Licenses: None

Delegations:

1. Pagosa Springs Arts Alliance – Susan Neder, President – Councilmember James is a member of the Pagosa Springs Arts Alliance and will not participate in this discussion due to conflict of interest. The Arts Alliance has requested \$10,000.00 in funding from the town for 2006; this would go towards a feasibility study. This study would be used to see if it would be feasible to build a Performing Arts Center here in Pagosa Springs. This facility would be sustained by endowment and would have a strong component for education. They believe that this will also attract more visitors to town and improve the quality of life here. Currently they only have the use of the high school facility and it is very busy. The high school has just changed their policy and will only allow non-profit local groups to use their facility, so some events have already been turned away. They believe that the cost of this study is going to be between \$50,000 and \$60,000. Private donors would like to see that the town and the county are on board and in support of the Arts Alliance. They have requested a grant from Region 9 Economic Development.

New Business:

1. Planning Commission October 18, 2005 Meeting Actions:
 - a. Century Plaza PUD (Block 2) Replat Request – The Planning Commission has reviewed this and recommends approval. Councilmember Holt moved to approve the PUD Replat Request. Councilmember James seconded and with 5 ayes the motion carried.
 - b. Lynch Replat Request – This would consolidate 2 lots. The Planning Commission has reviewed this and recommends approval. Councilmember Jackson moved to approve the Replat Request. Councilmember Simmons seconded and with 5 ayes the motion carried.
 - c. Village Center Minor Impact Subdivision Replat Request – This will make 3 lots into 4 lots. The Planning Commission has reviewed this and recommends approval. Councilmember James moved to approve the Replat Request. Councilmember Holt seconded and with 5 ayes the motion carried.

d. Hannan Replat Request – This is a replat of Tract 4. The Planning Commission has reviewed this and recommends approval. Councilmember Jackson moved to approve the Replat Request. Councilmember Simmons seconded and with 5 ayes the motion carried.

e. Lynch Encroachment Variance Request – This was requesting a 15' setback. The Planning Commission has reviewed this and recommends approval with a 10' setback. Councilmember Holt moved to approve the variance with the Planning Commissions recommendation of a 10' setback. Councilmember James seconded and with 5 ayes the motion carried.

2. Certified Local Government-State Income Tax Review Authority (Resolution 2005-12) – This is an annual renewal that we have to do every year. Councilmember Simmons moved to approve Resolution 2005-12. Councilmember Holt seconded and with 5 ayes the motion carried.

Old Business:

1. Annexation of a Portion of Pinon Causeway (Ordinance 653 2nd Reading) – Councilmember Jackson moved to approve the 2nd Reading of Ordinance 653. Councilmember Simmons seconded and with 5 ayes the motion carried.
2. CMAQ Project Update – Julie is still working on these projects. She did get approval on Great West Ave. and is very close to getting approval on Cemetery Road. We are hoping to go to bid in early January. We will be getting a new street sweeper with CMAQ funds. The state may require us to go through the RFP process.
3. Enhancement Project Update – Julie is still going through the clearance process on this project too.
4. River Restoration Project Update – We are waiting to hear back from the Army Corps of Engineers.
5. Comprehensive Plan Update – The neighborhood meetings are complete. November 17, 2005 is the next major public meeting. This will be the 2nd public meeting; the 1st one was not well attended. Staff has come up with 2 different map options for district boundaries. Map 1 is as close as we could get in having the same number of voters in all 3 districts. Map 2 differs in voters in the districts, but our attorney says that this is acceptable. This will leave some room for growth in District 3 which we think will be fairly rapid in the near future. By consensus the council picked Map 2. It will come back in ordinance form at the next regular meeting.
6. Downtown Master Plan Update – The Steering Committee for the Downtown Master Plan should be recognized by the Council. Councilmember Holt recommended that the Council recognize the Steering Committee. The Council did so by consensus. Mayor Aragon stated that the Council needs to start looking into expanding parking in the downtown area so we can continue to promote the area. Staff has talked to Dave Brown regarding the Frankie's Place building. Staff would like to try and come up with an alternate use for the building so that it is not torn down. It can be relocated and we are looking at several different sites. It could be used as a museum building or something

else. We would like to discuss this in a workshop. Mr. Brown has said that he will cover the moving costs. This is a time sensitive matter though so we need to do this by December.

7. Lodger's Tax Ballot Question – We will find out tonight if this passed or not. If it passes we need to decide how it will be collected and form a board for expenditures.
8. Parelli Business Incentive Grant Update – The focus on this has changed from infrastructure to land securing. Parelli may be considering property in Harman Park whose infrastructure is already in instead of Aspen Village due to time constraints. Then the town would be first in line for the land. This doesn't really affect us; we do not depend on this being site specific. We just want the job creation and are still completely behind the project.

Councilmember Holt moved to approve the bills. Councilmember Jackson seconded and with 5 ayes the motion carried. On a motion duly made the meeting adjourned at 6:30 p.m.

Ross Aragón
MAYOR

Town Council Workshop-Wednesday, November 16, 2005 11:30 a.m. Conference Room

Mayor Aragon opened the workshop session.

I. 2006 Budget Review: Town Administrator Mark Garcia presented the 2006 budget review. Garcia gave an overall view on the Revenues and Expenditures. There was discussion by Council members and Staff.

Councilmember Jackson thought it would be a good idea to have written criteria for "Service Organization" requests. Special Projects Manager, Julie Jessen will call and check with other Towns to see what they do.

There was further discussion on what percentage of the Humane Society Budget does the Town actually fund for them. Council members would like to get a copy of the Humane Society's Budget. J. Jessen will try to obtain a copy of their budget for the Council members.

Council members discussed the Council Chambers meeting room. Mayor Aragon advised that it was extremely difficult to hear and see people that are giving presentations to the Board. The Board would like Staff to look into having a better set-up.

The Board discussed Health Insurance for employees.

II. Business License Ordinance Review: Board would like to see the draft "trimmed down". Councilmember Cotton expressed his concern about the wording on the draft. Town Administrator Garcia advised Board that Staff would work on an Edited Version of the draft.

III. IV. CHI Fee Waiver request and Seeds of Learning Fee Waiver request: Board discussed issues on the requests. The Board will give a decision at the December 6, 2005 Regular Town Council Meeting.

Workshop ended at 1:55 p.m.

Ross Aragon
MAYOR

Tuesday December 6, 2005

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Jackson, James and Whitbred

The minutes of the November 1st, and 16th 2005 meetings were approved.

Liquor Licenses:

1. Bear Creek Liquor License Renewal
2. Victoria's Parlor Liquor License Renewal – Councilmember Cotton moved to approve the Bear Creek and Victoria's Liquor License Renewals. Councilmember Whitbred seconded and with 6 ayes the motion carried.
3. Chamber of Commerce Special Event Liquor License
4. NRA Special Event Liquor License – Councilmember Jackson moved to approve both of the Special Event Licenses. Councilmember James seconded and with 6 ayes the motion carried.

Delegations:

1. Archuleta County – Introduced their new planning staff to the Council.

New Business:

1. First Reading of Town Voting District Ordinance (Ordinance No. 654) – Councilmember James moved to approve the 1st Reading of Ordinance No. 654. Councilmember Holt seconded and with 6 ayes the motion carried.
2. First Reading of Park & Recreation Commission and Teen Advisory Board Formation Ordinance (Ordinance No. 655) – Councilmember Holt moved to approve the 1st Reading of Ordinance No. 655. Councilmember Whitbred seconded and with 6 ayes the motion carried.
3. Temporary Suspension of Processing Applications for Large Retail Establishments (Emergency Ordinance No. 656) – There are too many loose ends still while we are waiting on the Comprehensive Plan, the Downtown Master Plan, and the Impact Fee Study to be completed. We are also still working with the Big Box Task Force. This Ordinance will put the suspension on until June 15, 2006. Councilmember Whitbred moved to approve Emergency Ordinance 656. Councilmember Holt seconded and with 6 ayes the motion carried. There is still a need for Design Criteria work and we need to come to an agreement on size caps in areas other than downtown. We also need to see where the County is on this.
4. First Reading of Municipal Code Amendments (Ordinance No. 657) – Councilmember Cotton moved to approve the 1st Reading of Ordinance No. 657. Councilmember Jackson seconded and with 6 ayes the motion carried.

Old Business:

1. Lodgers Tax Update – We need to appoint the committee and figure out the collections.
2. Business License Ordinance Review – Staff hasn't completed trimming the ordinance yet so they will bring it back to the Council at the 12/13/05 special meeting.
3. CMAQ Project Update – 2 out of the 3 projects are ready to go to bid; they are Cemetery Road and Great West Avenue. We hope they will go to bid in January. The New Street Sweeper will also hopefully be done pretty quickly.
4. Enhancement Project Update – The River Restoration will also hopefully be ready to go to bid in January. The footbridge still has some additional clearances to go through, they are being taken care of. We are starting to scope the projects for 2007 so they won't take so long in the future.
5. River Restoration Project Update – We had a successful meeting with the Army Corps of Engineers. They still do not want concrete grout but we are trying to convince them it is needed in this project. Wolf Creek is willing to provide the equipment again.
6. Comprehensive Plan Update – We have identified significant traffic concerns and a need for alternate East/West routes. We have tasked the consultant to help us come up with possible alternates. A detailed transportation plan will cost about \$47,000.00. We can budget this in the 2006 Capital Improvement Plan Budget; this will also look into the parking component as well. By consensus the Council said to make it work in the budget.
7. Downtown Master Plan Update – We anticipate the plan and the design criteria to be done at close to the same time. We are looking around April for completion.
8. Seeds of Learning Fee Waiver Request – The consensus at our previous workshop was to not waive the fees since we are providing the land. Councilmember Jackson moved to deny the fee waiver request. Councilmember Cotton seconded and with 6 ayes the motion carried.
9. Parelli Business Incentive Grant Update – This contract was given to the Council tonight. Mark asked the Council for permission for himself and Mayor Aragon to execute the documents, this is set for 12/21/06 and we will need to disburse the money at this time also. Both attorneys gave endorsed the documents. Councilmember Holt moved to give Mayor Aragon and Mark permission to execute the documents. Councilmember James seconded and with 6 ayes the motion carried.
10. City of D'Iberville, Mississippi Relief Effort Update – These efforts have expanded, many other organizations are getting involved the Chamber, Rotary, and Kiwanis to name a few. The City of D'Iberville would like a letter stating what we want them to do with the \$5000.00 we will be wiring.
11. 214 Pagosa Street Relocation (the old Rolling Pin Bakery) – Dave Brown would like to donate this building to the town and will pay to have it moved. We have some property on San Juan Street next to the Mounted Rangers that

we could move it to temporarily until Seeds is moved then we could put it in place of that building. Mr. Brown needs it moved by the end of April so we still have time to discuss our options. Councilmember Holt moved to accept Mr. Brown's offer of the building at 214 Pagosa Street and to have it placed somewhere by the end of April. Councilmember Cotton seconded and with 6 ayes the motion carried.

Mayor Aragon thanked Mr. Brown for the building and for everything he does for the community.

Department Head Reports:

1. Manager's Report – Sales tax numbers are still up and we should finish year end totals about a 10% increase over last year's collections. We had budgeted 5%.

The Impact Fee Study Presentation will be on 12/13/05 at 6:00 p.m. We will also have our 2006 Budget Public Hearing at 5:00 p.m. that night.

Councilmember Whitbred moved to approve the bills. Councilmember James seconded and with 6 ayes the motion carried. On a motion duly made the meeting adjourned at 5:45 p.m.

Ross Aragón
MAYOR

Tuesday December 13, 2005

The Mayor Pro Tem called the Special Meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor Pro Tem: Darrel Cotton
Council Members: Holt, Jackson, James, Simmons, and Whitbred

2006 Budget Public Hearing: We will have a special meeting to adopt the budget and to close out the books on December 30, 2005 at 12:00 p.m. As a Home Rule Town we are not bound by the 5.5% law so we can hold our mill levy at 1.557 mills or \$67,129.00. Sales tax did very well this year, at year end it was up 12.35% over last year. We are still taking a conservative approach in our projections for 2006 collections. There has been a Lodger's Tax line item added in both the revenues and the expenditures. The Council needs to look at the service organizations and decide how much to give each of them. The Pagosa Arts Alliance is here and would like to know what the Town is planning on giving them. They had originally asked for \$10,000.00 for a feasibility study on a Cultural/Performing Arts Center here in Pagosa. They asked the County for \$5,000.00 that they approved today. They said they asked the Town for more because we would get more benefit since the Center should be downtown. They have sent out RFPs to 5 different consulting firms due to be back in early January. The estimated cost of the study is \$50,000.00 to \$60,000.00 and would be a three step process. Board members have contributed \$5,000.00 and they have submitted a Region 9 Grant but need matching funds. There is also a possible corporate sponsor. If they do indeed build the Center they will be pursuing an endowment type funding strategy. Councilmember Jackson stated that he would be all for the \$10,000.00. Councilmember James agrees with Councilmember Jackson, it will benefit the whole community, out lying areas, and the economy. Councilmember Cotton also agreed. By consensus the Council told Mark if we have the money to budget the full \$10,000.00. The Council still wants to see the budget from the Humane Society. The Council also told Mark to fund Archuleta Economic Development, San Juan Basin Health, and Red Cross fully if we have the revenues to do so. Mayor Pro Tem Cotton opened up the Public Hearing; there was not any public comment. Councilmember Whitbred moved to certify mills at 1.557 for the Town and 2.545 for the Pagosa Springs Sanitation General Improvement District. Councilmember Holt seconded and with 6 ayes the motion carried.

Business License Ordinance Review: Staff would like to consider this at the January meeting.

Lodger's Tax Update: We are restricted to 3% we can't collect the 1.9% that is already collected by the County. We are still researching our options and waiting to hear back from the attorney.

Sanitation: We should have a repair estimate on the Highway 160 Project in mid January. Brilliam is finalizing their survey and will have an update at the January meeting.

We did not give any raises in the 2006 budget, based on sales tax we would like to give \$250.00 bonuses to full time staff and \$125.00 to part time staff. By consensus the Council said yes.

Councilmember Whitbred moved to adjourn the meeting. Councilmember Jackson seconded and with 6 ayes the meeting adjourned at 5:55 p.m.

Economic Planning Systems gave their Impact Fee Study Presentation starting at 6:08 p.m. They gave handouts to everyone on the presentation. It adjourned at 7:45 p.m.

Ross Aragón
MAYOR

Friday December 30, 2005

I. The Mayor called the Special Meeting of the Town Council/Pagosa Springs Sanitation District of the Incorporated Town of Pagosa Springs to order at 12:05 p.m. with the following answering roll call:

Mayor: Ross Aragón
Council Members: Cotton, Holt, Jackson, James and Whitbred

II. 2006 Budget Review: Town Manager Mark Garcia presented the 2006 budget review. Garcia gave an overall view on the Revenues and Expenditures. There was discussion by Council members and Staff. Garcia discussed the sales tax estimates for 2006 and also a minor change in formatting.

Garcia then discussed the need to finalize the funds designated to the Service Organizations. Susan Neder from the Pagosa Springs Arts Alliance (PSAA) updated Council on fund raising efforts which have been successful in raising \$20,000 which is a match to a \$20,000 grant pending with the State of Colorado. She also expanded on the benefits of the feasibility study which is what the funds are being requested for. Next, Bart Mitchell from the Archuleta Economic Development Association (AEDA) updated the Council on their activities and plans. He presented some written information and detailed the plans for 2006 and how Town funding would be used. Council and staff then discussed other organizational requests and worked on the funding numbers for several requests, including a need for additional information from the Humane Society. Garcia suggested that a special presentation by Humane Society staff would be beneficial to explain several of the Council's questions and it was determined to have a special meeting with them. Both PSAA and AEDA were funded fully.

Garcia next discussed the Capital Improvement Plan budget and in particular the various items funding a multitude of planning efforts and that it was going to be a busy year when combined with the CMAQ and Enhancement projects. Discussion on Lewis Street improvements was next with Council identifying a concern on the condition of that road and staff acknowledging the condition and that money had been prioritized for Lewis Street but that improvements for the entire street were not budgeted.

Garcia next discussed the Sanitation District budget and stated that the planned increase in fees was factored into the budget and wanted confirmation for collecting the fees. Council stated that fees should be increased but at the anniversary date of the previous fee increase. Garcia expanded upon the remainder of the budget with no other questions being asked.

Mayor Pro Tem Cotton motioned to pass the budget and approve Town of Pagosa Springs Resolution Number 2005-13. Councilmember Jackson seconded the motion and with 6 ayes the motion passed unanimously.

Mayor Pro Tem Cotton motioned to pass the Sanitation Budget and approve Pagosa Springs Sanitation District Resolution PSSD 2005-04. Councilmember Jackson seconded the motion and with 6 ayes the motion carried passed unanimously.

III. Mayor Pro Tem Cotton motioned to enter an Executive Session to discuss personnel matters within the Parks and Recreation Department and specifically Mr. Gabel, Mr. Lister, pursuant to 24-6-402(4)(f), CRS. Councilmember James seconded the motion and with 6 ayes the motion passed unanimously.

Upon adjourning the Executive Session, Council requested staff keep them updated on changes within the Parks and Recreation Department.

IV. Mayor Pro Tem Cotton moved to adjourn the meeting. Councilmember Holt seconded and with 6 ayes the meeting adjourned at 1:25 p.m.

Ross Aragón
MAYOR