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**TOWN COUNCIL MEETING MINUTES
TUESDAY JANUARY 7, 2014
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER** – Mayor Aragon, Council Member Alley, Council Member Bunning, Council Member Cotton, Council Lattin, Council Member Schanzenbaker, Council Member Volger.
- II. **APPROVAL of MEETING MINUTES FROM DECEMBER 19, 2013** – Minutes were approved as read.
- III. **PUBLIC COMMENT** – None
- IV. **LIQUOR LICENSE**
 1. **Liquor License Renewal – The Getaway LLC dba Plaza Grille at 27 B Talisman Dr.** – Council Member Volger moved to approve the liquor license renewal for The Getaway LLC dba Plaza Grille, Council Member Lattin seconded.
- V. **NEW BUSINESS**
 1. **Ordinance 800, First Reading, Schedule Time, Date and Place of Regular Town Council Meetings** - Section 3.1 of the town charter requires the Town council to hold regular meetings at least once a month and that the schedule for those meetings are made by ordinance, setting a time, date and place for the regular meetings. Ordinance 800 sets regular meeting for the first Tuesday at 5:00pm and third Thursday at 12:00 noon of each month. It also sets the location of Town Hall where the agenda will be posted. Council Member Bunning suggests that the council keep the regular meeting schedule meetings at set 5pm and 12noon, he suggests worksessions and extra meetings be set later in the evenings to even things out. Council Member Volger moved to approve Ordinance 800, first reading, identifying Town Council regular meeting dates, locations, times and agenda posting requirements, Council Member Bunning seconded, unanimously approved. Council would like staff to make every effort to post the agenda on the Town website and inform the Council if it is not completed timely.
 2. **Geothermal Electric Utility with Possible Executive Session Pursuant to C.R.S. 24-6-402(4)(b) for Conference with Town Attorney for the Purposes of Receiving Legal Advice Related to Geothermal Electric Utility and C.R.S. 24-6-402(4)(e) Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators Concerning Geothermal Electric Utility** – Town Manager Mitchem explained that Archuleta County will review the document on the 14th of January and asked to go into executive session to discuss further updates on the negotiations. Council Member Lattin moved to go into executive session pursuant to C.R.S. 24-6-402(4)(b) for possible conference with Town Attorney for the purposes of receiving legal advice related to geothermal electric utility and C.R.S. 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning geothermal electric utility, Council Member Volger seconded, unanimously approved. Mayor Aragon called the meeting back in regular session at 5:15pm.
 3. **Mountain Crossings Preliminary Development Plan Approval Extension Request** - On

December 4, 2012 the Town Council approved the Mountain Crossing Preliminary Development Plan application with the contingencies to 1) complete annexation and zoning process for Strohecker Minor Subdivision Lot IIB, and combine this lot into the final MC plat. 2) Provide a Geotechnical Report, wet stamped and signed by a Colorado licensed engineer. 3) Provide Drainage Report, wet stamped and signed by a Colorado licensed engineer. 4) Provide proof of CDOT access permit approval. 5) Provide evidence that any required USACE permits have been submitted and have been approved or that permits are not required. 6) Provide 20 foot wide utility easements as requested by and negotiated with utility providers. 7) Provide Trail Dedication Language and all other corrections to the Preliminary Plat as directed by the Planning Director to be incorporated on the Final Plat. 8) Town shall hire a Third Party engineering firm for engineering plan review to be reimbursed by the applicant and the applicant shall incorporate engineering comments into the final plat/plan such. 9) Mountain Crossing Codes, Covenants and Restrictions (CC&R's) shall be recorded and provided to Town. 10) Proceed with annexation petition for the first 1800 lineal feet of Mill Creek Road and Provide engineering plans for required ROW improvements. 11) Submit proposed signage plan permit for review. 12) Other conditions as determined by the PC. The Mountain Crossing (MC), LLC formally requested that Town Council extend the Mountain Crossing preliminary plan approval for one additional year until December 4, 2014. Town Staff has met with the developers representative a number of times over the course of the last year, to discuss specifics for preparing the final plan application. The applicant has demonstrated that they intend to move forward with developing a final plan application. The Planning Commission approved recommending the extension to the Council at their December 10, 2013 meeting. Council Member Lattin said the planning commission would like feedback from the council regarding the amount of extensions that should be given to some developers who have previously asked for extensions over the years. Council Member Bunning said a developer who has an approved plan has a higher ability to market the development rather than a plan that is not approved. Council Member Bunning said an extension review fee might be considered in the future. Staff will review what other communities are doing for extensions and prepare a brief at a future all board worksession. Council Member Volger moved to approve a one year extension for the previously approved Mountain Crossings development preliminary plan, including all contingencies approved by Town Council on December 4, 2012, Council Member Bunning seconded, unanimously approved.

VI. OLD BUSINESS

- 1. Resolution 2014-01, Extending A Policy to Enhance The Town's Financial Stability** - For calendar year 2013, sales tax revenue was up 4.5% or \$143,796. The Town received \$26,741 in unique income (probable audit) in January and February of 2012. If the unique income is excluded, year-to-date sales tax revenue increased by 5.38% or \$170,537. Major tenets of the policy include postponing capital equipment purchases until the last half of 2014, unless approved by the Town Council; and Monitor the Town's revenues on an monthly basis and report fluctuations from prior months and prior year revenues to the Town Council similar to the previous year's policy. Council Member Schanzenbaker moved to approve Resolution 2014-01, extending a policy to enhance the Town's financial stability, with correction in Section 2 to refer to General Fund Taxes and Contracts, Council Member Lattin seconded, unanimously approved.
- 2. Cost of Living Adjustment for Town Manager** – The 2012 CIP change was 1.943%. As part of the 2014 budget development process, the Town Council approved a 1.943% cost of living increase for all of the Town's staff. The town manager's contract states if deemed appropriate by the Town Council, they may provide a minimum fixed annual increase to the Employee's salary equal to the reported Denver-Boulder Consumer Price Index. Based on this wording, the Town Council must decide on whether to approve a cost of living salary increase for the town manager. Council Member Schanzenbaker agrees with the cost of living increase, however doesn't agree with the housing allowance. Town Manager Mitchem said the voters changed the charter to allow the manager outside of town limits and says that amount is part of the town manager's compensation package. Council Member Bunning said the contract still has three years left on it and should not consider taking the allowance out of the contract at this time. Council Member Volger would like to determine the intent of the allowance before eliminating the compensation. Mayor Aragon said the housing allowance was intended as an enticement to attract a town manager to the area. Council Member Schanzenbaker moved to approve the cost of living increase of 1.943% for the town manager for 2014 and discontinue the housing allowance of

\$1,200 per month as it is intended to provide for him to live in town, Council Member Schanzenbaker withdrew the motion with the intent to work on cleaning up the contract. Council Member Schanzenbaker moved to approve a cost of living increase of 1.943% for the town manager for 2014, Council Member Alley seconded, unanimously approved.

3. **Waiver of Building Permit and Plan Review Fees for Archuleta County** - On January 2, 2014, the Town received a letter from Archuleta County requesting the waiver of building permit and plan review fees for the reconstruction/remodeling of 398 Lewis Street. This building remodel will result in new offices for both the Archuleta County Administration and the Board of County Commissioners. If the Town Council approves the waiver of the building permit and plan review fees for Archuleta County, the fiscal impact (reduced income) on the 2014 budget will be approximately \$3,170.63 (based on an estimated cost of \$300,000). Council Member Cotton moved to approve the waiver of building permit and plan review fees for Archuleta County for remodeling 398 Lewis Street, with the exception of items that may be required to go out for outside approval, ie engineering and things of that nature, Council Member Lattin seconded, unanimously approved.

VII. PUBLIC COMMENT – Mayor Aragon announced he will not be seeking re-election. He said it has been a long run and very interesting, with some stress but he is focusing on the positives during his term as Mayor. He thanked the council for their services. Council Member Volger said he has been fortunate to have worked with the Mayor during his entire career. He has appreciated Mayor Aragon’s service to the community and has benefited from his leadership. He said Mayor Aragon’s heart has always been in the best interest of the community.

VIII. NEXT TOWN COUNCIL MEETING JANUARY 23, 2014 AT 12:00PM

IX. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 5:57pm.

**Ross Aragón
Mayor**