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TOWN COUNCIL MEETING MINUTES

THURSDAY, MARCH 21, 2013

Town Hall Council Chambers

12:00 P.M.

- I. CALL MEETING TO ORDER** – Mayor Aragon, Council Member Alley, Council Member Cotton, Council Member Lattin, Council Member Schanzenbaker (late 12:04pm), Council Member Volger
- II. APPROVAL of MEETING MINUTES FROM MARCH 5, 2013** – The minutes were approved as read.
- III. PUBLIC COMMENT** – Mrs. Christine Funk, representing the Friends of Reservoir Hill, asked about the proposed observation tower on reservoir hill and would like some comment on the topic. Council Member Alley said he in favor of the project and would like to give the group direction. Council Member Volger appreciated the presentation made by Mrs. Funk, but would like to wait until after the election to give a direction to the group. Council Member Lattin said the group's ideas are terrific but would like to wait until after the election to move forward. Mayor Aragon said that he also appreciates the group's work, but that at this time there is no decision by council to move forward until after the election.
- IV. LIQUOR LICENSE**
 - 1. Liquor License Renewal – Springs Resort LTD dba The Spring Hotel 323 Hot Springs Blvd. Pagosa Springs** – Council Member Lattin moved to approve the liquor license renewal of the Springs Resort LTD dba The Springs Hotel, Council Member Volger seconded, unanimously approved.
- V. NEW BUSINESS**
 - 1. Streets Department Vehicle Purchase** - The Town is considering purchasing a 1987 Kenworth 900 from Archuleta County for \$5,000 to replace the current broken water truck. The Town is also considering purchasing a 2000 Ford bucket truck with 58,000 miles from La Plata Electric Association for \$7,500 to use to install banners, and repair lights. Council Member Volger moved to approve the purchase of a water truck and a bucket truck, and appropriate \$12,500 from the Capital Fund reserves for the purchase of the vehicles, Council Member Lattin seconded, unanimously approved.
- VI. OLD BUSINESS**
 - 1. Ordinance 787, Second Reading, Repeal and Readopt Sections 12.3.1 and 12.3.2 of the Town Municipal Code Regarding Marijuana Offenses** - The Town's current code 12.3.1 Marijuana Prohibited, states any person who possesses, openly and publicly displays, consumes, or uses not more than one ounce of marijuana commits a municipal offense. Section 12.3.2 addresses restrictions on possession of drug paraphernalia and marijuana accessories. Due to the changes in Amendment 64, these sections need to be amended for adult consumption and possession, prohibiting open and public consumption and displays, marijuana accessories and drug paraphernalia, as well as addressing offenses for possession of over one ounce. Ordinance 787 changes these to sections to comply with

Amendment 64. This ordinance pertains only to personal use, and nothing to do with retail sales. Council Member Alley asked about retail sales and shops in town. Town Manager Mitchem explained the current LUDC prohibits retail sales and a moratorium is in effect until September for medical marijuana. Staff will present information and an ordinance regarding retail sales as well as medical marijuana sales in Town to council in the next few months. The State has been working on regulations for the last three years, Town Manager Mitchem doesn't believe the State will have their regulations in place by July as required. Council Member Schanzenbaker believes the council should wait to look at an ordinance on the sales until the State provides regulations. Chief Rockensock said each town is allowed to make their own decision for their residents. Council Member Lattin said the State has their requirement per Amendment 64, the Town has their right to prohibit it as the Town has done in the past with medical marijuana, she said that it is still against Federal Law which is what the Town abides by. Council Member Cotton said the Town has passed a moratorium and postponed the complete prohibition in town twice waiting on the State to determine regulations. Town Manager Mitchem said staff will bring a proposal consistent with current statute and staff recommendation to ban sales and marijuana clubs in town limits. Council Member Schanzenbaker said that Archuleta County voted for Amendment 64 and would like some research on prohibition and regulation routes before this is brought to council. Council Member Lattin said the current zoning of light industrial for this type of establishment is in the county, the town does not have this zoning. Council Member Schanzenbaker would like to have further discussion before prohibiting. Mayor Aragon said he has had the discussion over the last three years, he said that he does not want marijuana in the community. He said allowing a retail establishment is not sending a good message to the kids or the tourists. He said the recommendation from law enforcement is a high priority in his mind. Council Member Volger said the State will have to determine regulations for retail sales for recreational use, the town can enter into discussion regarding prohibition of sales of recreational and medical marijuana shops in town, he said even if the town decides on prohibition the State may provide regulations that could change the future of the town's decision. Council Member Alley agrees with Volger and Schanzenbaker to discuss the item further. Chief Rockensock said he is spearheading the prohibition of retail and medical marijuana sales as well as marijuana bars and clubs in town limits. Council Member Alley moved to approve second reading of Ordinance 787, an ordinance of the Town of Pagosa Springs revising Sections 12.3.1 and 12.3.2 of the Pagosa Springs Municipal Code, Council Member Volger seconded, unanimously approved.

2. **Sales Tax Brief** - In March, the Town of Pagosa Springs' sales tax revenue increased by 8.5% or \$18,695 compared to March, 2012 (base on January retail sales). Year to date sales tax revenue is down 1.01% compared to 2012. Lodgers tax increase 11.89% in January.

VII. DEPARTMENT HEAD REPORTS

1. **Community Center Report** – The community center has worked hard to bring more events to the center. They have 5 new events this year, and three more sponsored by the center. They are working with the recreation department to schedule summer events for kids. ACVAP, Nurturing Center, and Pagosa Youth Center are to be given over \$300 each from the proceeds of a benefit dance held March 15th at the center.
2. **Parks and Recreation Department Report** – Youth basketball ended in March and the adult season will run thru May. Baseball sign ups will begin in March with scheduled games starting late April. The parks crew is working to get ready for summer, replacing wooden tables, benches, and trash receptacles. A new whitewater feature has been constructed east of the Town Hall, and the fishing is fun grant modifications have been installed. Bleachers, scoreboard and fence guards have been ordered and plan to be installed early summer at Yamaguchi Park baseball field. The Centennial Park well has been completed for the geothermal system and irrigation of the park, to save on PAWSD water. Town Manager Mitchem thanked Davey Pitcher and crew as well as Riverbend Engineering for their help with the river projects.

3. **Town Tourism Committee Report** – Lodgers tax is up almost 12% over January 2012 which is a record increase, visitor center traffic is also up for January. Social media is up on facebook, the instagram channel has been very successful and the TTC director has signed up to take over the State of Colorado’s instagram account for a few weeks in May and June. The TTC Director will be attending the media reception in New York City. Wayfinding and signage committee continue to work on gateway and entrance signs and river overlook signs.
4. **Planning Department Report** – Town Planner Dickhoff said heritage tourism is a fast growing sector of Colorado tourism. The HPB is coordinating a community presentation on the benefits of heritage tourism, April 3rd from 5-7pm at the community center. The HPB as well as the Planning Commission is looking for volunteers to sit on the boards. Staff is working with CDOT and the school district to determine the 8th Street sidewalk trail. The mid-block crossings are complete with positive comments received by the public, the 2nd Street crosswalk equipment has been ordered and will be installed as soon as received. Staff continues to work on the McCabe Creek Hwy culvert project with CDOT and downstream property owners. An appraisal of the land and building of the downstream property is ordered in hopes of receiving a GOCO grant for the downstream culvert project. The Planning Commission approved a sketch plan for the Jackson Subdivision on 4/5 Alley for a 14 dwelling unit town home project. A RAMP (Responsible Acceleration of Maintenance and Partnerships) funding program has been implemented by CDOT, staff is working closely with CDOT on applications for grant funding for the town. Staff will bring a list of capital projects according to the 5-year capital plan to council for their direction on grant application.
5. **Town Manager Report** – The town manager presented the Colorado Blueprint. This initiative drew information from meetings in all fourteen regions of the State, including Southwest Colorado. The Town of Pagosa Springs and Archuleta County actively participated in the identification of productive economic development strategies. The core objectives include: Build a business-friendly environment, retain, grow and recruit companies, increase access to capital, create and market a stronger Colorado brand, educate and train the workforce of the future, and cultivate innovation and technology.

VIII. APPROVAL OF FEBRUARY FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS – Council Member Volger moved to approve the February financial statement and accompanying payments, Council Member Lattin seconded, unanimously approved.

IX. PUBLIC COMMENT –Mr. Mark Weiler said that Parelli has 5 full time staff handling their social media, and said that for Jennifer Green to handle all of the Town’s social media is a great value to the Town. Mr. Weiler has been attending the Archuleta County’s finance meetings, and hopes the Town be willing and ready to help the County as they have in the past.

X. NEXT TOWN COUNCIL MEETING APRIL 2, 2013 AT 5:00PM

XI. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 1:05pm.

**Ross Aragón
Mayor**