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TOWN COUNCIL MEETING MINUTES

THURSDAY, JUNE 20, 2013

Town Hall Council Chambers

12:00 P.M.

- I. CALL MEETING TO ORDER** – Mayor Aragon, Council Member Bunning, Council Member Cotton, Council Member Lattin, Council Member Schanzenbaker, Council Member Volger
- II. APPROVAL of MEETING MINUTES FROM JUNE 4th, 2013** – The minutes were approved as read.
- III. PUBLIC COMMENT** – Mr. JB Smith provided information about the local Golf Course being for sale. He said this would be a good opportunity for the Town to take initiative to look into purchasing it. He said it would enable the Town to bring in more revenue.
- IV. LIQUOR LICENSE**
 - 1. Liquor License Renewal – Haggard’s Black Dog LLC dba A Chivalrous Shark 2151 Eagle Dr. Pagosa Springs**
 - 2. Liquor License Renewal – Junction Restaurant Inc 401 E Pagosa St. Pagosa Springs** – Council Member Volger moved to approve the liquor license renewal for Haggard’s Black Dog LLC dba A Chivalrous Shark and Junction Restaurant Inc, Council Member Lattin seconded, unanimously approved.
 - 3. Special Events Liquor Permit – Pagosa Mountain Morning Rotary Club Fundraiser for Wrestling Team June 29, 2013 at the Town Park Athletic Field** – Council Member Lattin moved to approve the special events liquor permit for the Pagosa Mountain Morning Rotary Club Wrestling Team Fundraiser June 29, 2013, Council Member Bunning seconded, unanimously approved.
- V. NEW BUSINESS**
 - 1. Resolution 2013-09, Appointing Ed Simpson, Mat DeGraf, and John Steinert to the Parks & Recreation Commission** - Three applicants (Ed Simpson, Mat DeGraaf and John Steinert) were interviewed and approved by the PRC during April’s meeting. If all three are approved, there will be seven commissioners serving on the PRC for the remainder of the year. Council Member Lattin moved to adopt Resolution 2013-09, appointing Ed Simpson, Mat DeGraaf and John Steinert to two-year terms on the Parks and Recreation Commission, Council Member Volger seconded, unanimously approved.
 - 2. Resolution 2013-10, Appointing Peggy Bergon to the Historic Preservation Board** – Ms. Peggy Bergon has submitted a letter of intent to serve on the Historic Preservation Board. The HPB members support Peggy Bergon's appointment to the HPB and recommend the Town Council approve her appointment as a regular member for a four year term, commencing on July 1, 2013 and concluding on July 1, 2017. Council Member Lattin moved to approve Resolution 2013-10, appointing Peggy Bergon to the Historic Preservation Board to a four year term, Council Member Volger seconded, unanimously approved.
 - 3. Resolution 2013-11, Appointing Bob Kudelski to the Town Tourism Committee** – Mr. Bob Kudelski has submitted his interest in serving on the TTC board, the TTC has approved his request. Mr. Kudelski is the owner of the High Country Lodge. Council

Member Volger moved to approve Resolution 2013-11, appointing Bob Kudelski to the Town Tourism Committee two-year term, Council Member Lattin seconded, unanimously approved.

4. **Resolution 2013-14, Appointing Peter Adams to the Planning Commission** – The Planning Commission has two open seats, Mr. Adams has expressed interest and was recommended by the planning commission to serve on the board. Council Member Lattin moved to approve Resolution 2013-14, appointing Mr. Peter Adams to the Planning Commission for a four year term until July 2017, Council Member Volger seconded, unanimously approved.
5. **Resolution 2013-15, Appointing Heidi Martinez to the Planning Commission** – Mrs. Heidi Martinez was recommended by the Planning Commission to serve on the board for a four year term. Council Member Latin moved to approve Resolution 2013-15, appointing Heidi Martinez to the Planning Commission for a four year term until 2017, Council Member Bunning seconded, unanimously approved.
6. **Resolution 2013-17, Hwy 160 Improvements Final CDOT RAMP Application** - This application encompasses several areas in town including 8th Street sidewalk, drainage facility between 2nd and 3rd Street, pedestrian crossings at Piedra Rd and Pagosa Blvd, and Street lighting throughout downtown. The funding match of this proposed \$2,400,000 project would be approximately \$480,532 over a three year period beginning in 2015. Project Manager, Keely Whittington, said this grant does not start until 2015 but must be completed by 2017. Council Member Volger moved to approve resolution 2013-17, a resolution authorizing submittal of a CDOT RAMP application for the Hwy 160 improvement project, Council Member Cotton seconded, motion carried with one nay (Council Member Schanzenbaker).
7. **Resolution 2013-16, Devolution of East Hwy 160 Frontage Roads** – CDOT has suggested the town consider the devolution of Hwy 160 frontage roads on the east side of town. Devolution projects are projects where the state transportation facilities transferred to a local entity in exchange for infrastructure improvements or cash. The local entity will be responsible for future maintenance of these roads. CDOT is proposing the devolution of the two frontage roads on east Hwy 160 on the north in front of the River Center and on the south in front of the San Juan Motel. Since these roads would become part of the town infrastructure and all maintenance and improvements going forward would be the Town's responsibility, staff recommends not proceeding with the application at this time. Council Member Bunning asked why the Town would even consider taking on this property. Ms. Whittington said with the McCabe Creek Culvert Grant application requires a high cash match, CDOT has suggested this devolution to be part of the cash match requirement, lessening the Town's match requirement. Council Member Lattin said with all the uncertainty, the Town should not move forward on this application. Council Member Lattin moved to not approve Resolution 2013-16, the devolution of the East Hwy 160 Frontage Roads, Council Member Schanzenbaker seconded, unanimously approved. Council Member Schanzenbaker asked why this was brought to council in a resolution form if staff did not approve, Town Manager Mitchem said to bring all the information to council for their decision on the project.
8. **Resolution 2013-18, McCabe Creek Final CDOT RAMP Application** – A pre-application was submitted to CDOT in May by Project Manager Whittington. The McCabe Creek culver is one of the worst in all of CDOT Region 5. The application would consist of replacement of the culver under Hwy 160 as well as purchasing and demolishing the downstream property and converting it to an open drainage area if GOCO grants are acquired. The commitment for this \$5,740,000 project would include \$112,000 to GOCO as well as \$388,000 to CDOT if the devolution option is not taken. CDOT has explained they have set aside \$3,300,000 for the replacement of this culver but have asked the Town to participate with the downstream property owned by Mr. Jack Searle. Mr. Chris Gallegos, Street Superintendent, reported that he condition of the roads and the failing of the culvert will not cause the road to collapse at this point. Project Manager Whittington feels that approving this application will set a precedent of doing special projects for different property owners. Town Manager Mitchem advised that Bob Cole feels the Town is not responsible for the culvert. He believes it is inappropriate for Council to spend funds on a project such as this. Council Member Cotton would like to

see CDOT work with the downstream property owner to reconcile the situation. Council Member Schanzenbaker said he is not convinced to move forward with this application. Town Manager Mitchem said that eventually something will need to be done with the culvert but it is not the town's responsibility. He said that CDOT is a good partner and being respectful to CDOT maybe look into another option that is less costly. Council Member Volger moved not to approve Resolution 2013-18, McCabe Creek RAMP application and direct staff to pursue all options to mitigate the downstream, Council Member Cotton seconded, unanimously approved.

9. **Fire Restriction Order** - Drew Petersen, Director of Emergency Management for Archuleta County, has requested that Archuleta County governments implement fire restrictions throughout the County (including the Town of Pagosa Springs) beginning 12:01 a.m. on Wednesday, June 19, 2013. Council Member Lattin moved to ratify the Fire Restriction Order for the Town of Pagosa Springs, beginning 12:01 a.m. June 19, 2013, Council Member Volger seconded, unanimously approved. This is not a full fire ban, just restrictions. Staff recommends that the fireworks be cancelled, unless we have rain. Council Member Volger said that canceling the fireworks early is not necessary in case the Town gets rain. Council Member Bunning said the Town should cancel the fireworks now so people can make plans, Council Member Lattin agrees. Mr. Curtis Eaton is the incident commander for the West Fork Complex, and has approximately 300 firefighters working on the fires.
10. **Recreation Center Discussion** – Mr. Mark Weiler offered his apology for his previous violation of the process and procedures of the Town Council. He gave a brief overview of his research related to the finances possibilities of a potential recreation center. Bonds have been used for the Durango Recreation Center and the interest rates are extremely low. He said the EB5 program allows people to buy a green card by agreeing to invest in America to create jobs, recreation facilities, and municipal structures interest free for five years. Region 9 and Ed Morlan have been involved and can assist with EB5 information. He would like Council to allow access to the research and historical documentation to the recreational proposal in 2007. Led by Council Member Lattin, he hopes that Parks & Recreation Director Tom Carosello, Muriel Eason, Christine Funk, and himself be included in a task force group to review recreation center possibilities. Council Member Volger said he is riding the fence on this issue and does not want controversy and division in the community. He said he would support this project whole heartily if he felt this project would bring the community together. Mr. Weiler believes in community involvement and would hope to see the community come together behind a project that benefits the community not just the visitors as Reservoir Hill plan was presented. P&R Director Carosello said the support of amenities and report has all the statistics needed to coordinate the information to present to the public. He can be available to help with the preliminary development and coordinating information of the project. Mr. Weiler said he would take responsibility for the financial stuff, research, supporting documentation and bring those people here who are skilled in the financial part. Council Member Bunning asked about Mr. Weiler's meeting with Commissioner Lucero, Mr. Weiler said the county is not able to support the center financially but could be supportive of the project and possibly financially supportive in the future. Council Member Lattin is willing to volunteer her time and appreciates Mr. Weiler's financial experience brought to the table. She said public meetings to make sure everyone still wants this project is necessary to move forward.

VI. OLD BUSINESS

1. **Sales Tax Brief** - In June, the Town of Pagosa Springs' sales tax revenue decreased by 5.45% or -\$11,642 compared to June, 2012 (base on April retail sales), year-to-date revenue is up 2.20% or \$32,224.

VII. DEPARTMENT HEAD REPORTS

1. **Community Center Report** - In light of the dry weather the staff at the community center has made the decision to cancel the pre-firework show at Yamaguchi Park. All of our summer programs are going great. So far each class has reached its maximum and the

children and the parents are pleased.

2. **Parks and Recreation Department Report** - Tee-ball ended May 29, and games in the youth baseball leagues for ages 6-14 began last week. Participation in this year's baseball program is up 13 percent over last year. The parks crew was busy during the last two weeks assisting with the annual Folk 'N Bluegrass Festival, as well as providing support for the recent Ride The Rockies tour through Town. Installation of new fence guard and mounting poles for a new scoreboard were completed last week in Yamaguchi Park. The scoreboard, baseball bleachers and sun shade for the park have arrived and are scheduled for installation next week
3. **Town Tourism Committee Report** - April 2013 showed a modest increase of 3.65% over April 2012. Year to date, tax collections are flat with a 0.91% increase over the same period in 2012, or \$1,041.97. The TTC has allocated \$10,000 from its 2013 capital project budget to provide funding for enhancements during the holiday season.
4. **Planning Department Report** - The Lewis Street contractor will re-mobilize on Monday July 17th to finish punch list items. Town council recently approved staff to move forward with installing the sidewalk extension along the west side of S. 8th Street from San Juan Alley to the new lighted intersection. The Planning and Building department are currently waiting on plan comment revisions for the Walmart project, confirmation of USACE permit and approval of the draft DIA for Alpha Drive. As previously reported in 2012, the Odd Fellows are interested in donating their cemetery to the Town. Project Manager, Keely Whittington, is working on the details of this transaction with the Odd Fellows and Town Attorney for a future presentation to Town Council. Ms. Whittington has submitted several projects including the 6th St Pedestrian bridge in August. The department has hired an associate planner and permit tech position.
5. **Town Manager Report** - The Fire Protection District asked for assistance from the Town to provide inspections having Building Official, Zach Richardson, provide this help. They are short staffed for the time being. Town Council all in agreement to allow Building Official Richardson to provide this service. The students from the Colorado School of Mines presented their geothermal field trip findings at a presentation in Golden on Friday, June 7th. The Town Manager also discussed geothermal production well drilling and electricity generation facility funding. Given the team of scientists assembled for the Pagosa Waters Project and their reputation for successful projects with the US Department of Energy, the chances for obtaining grants/loans for production well drilling and electricity generation facility funding is encouraging. Magnus Gehringer, the World Bank's Senior Energy Specialist at Energy Sector Management Assistance Program, will be one of the keynote speaker at the July 25th Pagosa Verde Geothermal Symposium. Chimney Rock is in need of a vehicle and Mr. Mitchem has asked if the Town could assist. He is waiting to hear if the County will be doing the mechanical work on the vehicle and what resources the Town may be willing to spend to help either a lease or fixing up the County vehicle estimated to be \$2500-\$3000.

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

IX. PUBLIC COMMENT – none

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

XI. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 1:50pm.

**Ross Aragón
Mayor**