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

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Patel, Council Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **APPROVAL of MEETING MINUTES FROM JULY 17, 2014** – Council Member Egan moved to approve the minutes, Council Member Bunning seconded, unanimously approved.
- IV. **PUBLIC COMMENT** – Mr. Jerry Smith with Pagosa Verde invited the Town Council to their 3rd Annual symposium. The presenters are from around the world to talk about renewable energy for community development. The 2nd day includes dynamic workshops for everyone. Mr. Jason Nichols said there have been fires in a town in Saskatchewan, Canada and the electric company has had to remove the smart meters there. He asked that the franchise agreement be made public for all to see prior to approval. Mayor Volger said the Town is working with LPEA to get a franchise agreement in place and the agreement will be open to the public. Mr. Bill Hudson said he is concerned about the CDC and the distinction between the casual group looking to change the CDC and the State registered entity.
- V. **LIQUOR LICENSE**
 1. **Liquor License Renewal – Overlook Mineral Springs Spa LLC dba Overlook Hot Springs Spa at 432 Pagosa Street**
 2. **Liquor License Renewal – Gringo Grill LLC dba Kip’s Grill & Cantina at 127 Pagosa St.**
 3. **Liquor License Renewal – Western Refining Southwest Inc dba Giant #6068 2537 W Hwy 160** – Council Member Lattin moved to approved the liquor license renewal for Overlook Mineral Springs Spa LLC dba Overlook Hot Springs Spa, Gringo Grill LLC dba Kip’s Grill & Cantina, and Western Refining Southwest Inc dba Giant #6068, Council Member Bunning seconded, unanimously approved.
 4. **Special Events Liquor Permit – Humane Society of Pagosa Springs Auction for the Animals August 22, 2014 at the Ross Aragon Community Center**
 5. **Special Events Liquor Permit – Pagosa Mountain Morning Rotary Club Roller Girls Fundraiser August 30, 2014 at South Pagosa Park on 8th Street** – Council Member Bunning moved to approved the special event liquor permit for Humane Society of Pagosa Springs Auction for the Animals and Pagosa Mountain Morning Rotary Club Roller Girls Fundraiser, Council Member Egan seconded, unanimously approved.
- VI. **DELEGATIONS**
 1. **Pagosa Springs Medical Center – Brad Cochennet** – Mr. Cochennet said the hospital is taking on a large addition in order to accommodate the increase in clientele. Several changes have created five years of positive growth and increased services. This 20 million dollar project is going to provide a large primary care facility for the entire community. Pagosaspringsmedicalcenter.org has the annual report to allow the community to review. Staff hopes to plan and fundraise for this addition over the next year, with hopes of have the funding in place by August in 2015.

VII. NEW BUSINESS

- 1. Appointment of Representatives to Boards of Region 9, Southwest Colorado Council of Governments (COG), and the Southwest Colorado Transportation Planning Region (TPR) -** The Town of Pagosa Springs has participated on several regional entities that address a variety of issues that are of material importance to the Town and the residents of our community. Region 9 Economic Development District of Southwest Colorado, Inc. is a non-profit, 501(c)6 public/private partnership that promotes and coordinates economic development efforts throughout southwest Colorado. The Southwest Colorado Council of Governments promotes regional cooperation and coordination among local governments and between levels of government for the geographic area comprising the Counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan. The TPR (Transportation, Planning Region) serves as an advisory body for CDOT Region 5 and also assists and approves in the programming of specific transportation planning funding for our region. The Town pays annual dues to be on these boards and representation by council and/or staff is suggested. Council Member Alley volunteered to serve on the Region 9 board, he and the town manager will act as the representatives for the Town. Council Member Egan volunteered to serve on the COG and TPR, he and the town manager will act as representatives. A discussion about compensation for the members on these boards will be discussed at the August 21st meeting.
- 2. Leash Law in Public Parks -** Many pet owners state their pets deserve to run free. They argue that they have trained their dog(s) to respond to voice commands well enough that a leash is unnecessary. In contrast, other members of the public state that they have a right to walk in a public park, on a sidewalk or street without having to be concerned or confronted by an unknown dog. They would argue that not everyone is comfortable with an animal invading their personal space. The current Pagosa Springs Municipal Ordinance 4.1.4 Running at Large Prohibited states any owner or custodian of any animal shall not permit such animal to run at large within the Town. Running at large means any animal off or away from the property of the owner and not under control, by fence, cage, leash, or lead, of the owner or possessor of such animal. The Chief of Police recently asked the animal enforcement officer to patrol reservoir hill. Council Member Schanzenbaker received calls from residents who want to let their pets off leash in certain areas including reservoir hill. Council Member Bunning is only concerned with the Town's liability should something happen with a dog off the leash. Chief Rockensock said the language of the code could put the responsibility on the owner of the dog and posting of signage to educate the public of off leash areas to reduce Town's liability. Mayor Volger read several items from Archuleta County's code and agrees with several items. Council Members Schanzenbaker and Bunning will work with the Chief, a member of the parks and recreation commission, and the public to give the Council a recommendation regarding this issue. Mr. Mark Weiler said dogs in city limits should be on leash. This item will be brought back to council at the 1st September meeting.
- 3. Ordinance 813, First Reading, Open Burning Requirements -** The adoption of Municipal Code 12.8.15 and amendment 11.1.3(12) is to clarify the process for obtaining an open burn permit, make the Pagosa Springs Fire District the licensing authority, and supplement the International Fire Code as adopted by the Town of Pagosa Springs. The Municipal Code currently fails to identify the licensing authority for obtaining a burn permit, how to obtain a permit, or set forth any exclusions or limitations upon obtaining a burn permit. The Fire District currently charges \$15 for a permit and a list of items that must be adhered to. Mr. Bob Goodman said the requirement to call in has given him an update on wind speed that he was unaware of. Mr. Bill Hudson asked about recreational fires, Chief Rockensock said recreation fire pits are not required to have a burn permit. Council Member Lattin moved to approve first reading of Ordinance 813, an ordinance of the Town adopting a new section 12.8.15 of Chapter 12 adding the offense of public burning and amending subsection 11.1.3(12) regarding nuisances with correction to numbering, Council Member Schanzenbaker seconded, unanimously approved.
- 4. Amend Agreement 512, Geothermal Authority –** The original agreement heard by the Town Council on April 1, 2014 was approved with a change to include compensation for members. The County commissioners approve the agreement without this amended change, thereby voiding the agreement. The Town Council and County Commissioners discussed this agreement at their joint meeting July 22nd. Both agreed to approve the new agreement with the addition to read; Directors shall not receive compensation by the Authority for their services but may be compensated by the governing body (e.g. Town or County) that appointed them to the Authority Board. Council Member Schanzenbaker moved to approve the amended Pagosa Area Geothermal Water and

VIII. OLD BUSINESS

1. Consideration of Appointment of Town Manager with Possible Executive Session pursuant to Section 24-6-402(4)(e) C.R.S., to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators –

The town received 71 applications for the Town Manager position. Most of the town council members have reviewed the applications. Council Member Lattin moved to enter executive session pursuant to Section 24-6-402(4)(e) C.R.S., to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, with regards to the town manager appointment, Council Member Egan seconded, unanimously approved. Entered executive session at 7:25pm. Mayor Volger called the meeting back in regular session at 9:44pm. Council Member Bunning moved to have staff contact the top four applicants for the position of Pagosa Springs town manager and ascertain if the applicants are still interested in the position and if available for a phone interview. Upon receipt of affirmative responses from applicants, staff be directed to create and make public the list of finalist for the position of Pagosa Springs Town Manager, Council Member Egan seconded, unanimously approved.

IX. PUBLIC COMMENT – Ms. Phyl Deleski ask the Council to watch the smart meter DVD.

X. COUNCIL IDEAS AND COMMENTS – Council Member Egan asked the Chief about traffic slowing measures. Chief Rockensock said he would like to purchase a speed trailer and include it in the 2015 budget. The Town has a verbal message sign but it is currently not working. Chief Rockensock said traffic calming techniques are difficult on Hwy 160. Traffic officers are directed to be out patrolling traffic in the area. Town Planner, Dickhoff, said staff is working with CDOT to address calming options. Mr. Bob Goodman asked about cost sharing the mobile traffic unit with CDOT. Council Member Lattin asked about the raised downtown sidewalk planters, staff is looking into it. Council Member Schanzenbaker said the town legal costs have increased significantly in the last three years. He would like to discuss how the current structure of legal advice is being spent. The Town Clerk is directed to look into the legal costs for the 2015 budget and what other communities in the area do for their legal advice. The meeting recessed at 6:40pm. The meeting reconvened at 7:25pm.

XI. NEXT TOWN COUNCIL MEETING AUGUST 21, 2014 AT 12:00PM

XII. ADJOURNMENT – Upon motion duly made the meeting adjourned at 9:46pm.

**Don Volger
Mayor**