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TOWN COUNCIL MEETING MINUTES THURSDAY, AUGUST 21, 2014 Town Hall Council Chambers 12:00 P.M.

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **APPROVAL of MEETING MINUTES FROM AUGUST 5, 2014** – Council Member Bunning moved to approve the meeting minutes, Council Member Lattin seconded, unanimously approved.
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IV. **PUBLIC COMMENT** – Mayor Volger announced that Deputy Clerk, Rita Prokop, has completed and earned her Certified Municipal Clerk certificate from IIMC. Ms. Crista Munro with Folkwest said this is the 3rd year of a 5 year contract. Folkwest has given the town over \$19,000 toward improvements on Reservoir Hill. She asked the council to consider allowing storage areas on Reservoir Hill for the use by Folkwest during their two events.
- V. **LIQUOR LICENSE**
 1. **Liquor License Renewal – Super America LLC dba Everyday Stores at 300 E Pagosa St.** – Council Member Lattin moved to approve the liquor license renewal for Super America LLC dba Everyday Stores, Council Member Egan seconded, unanimously approved.
 2. **Special Events Liquor Permit – Seeds of Learning Little Black Dress Event October 10th and 11th at the Ross Aragon Community Center** – Council Member Bunning moved to approve the special events liquor permit for the Seeds of Learning little black dress event, Council Member Lattin seconded, unanimously approved.
- VI. **NEW BUSINESS**
 1. **Ice Skate Pavilion Letter of Support** - The Pagosa Multi-Purpose Pavilion non-profit group would like to request a letter of support from Town Council, to demonstrate to prospective donors the level of local support for this community project. A potential sight at Harman Park near Hwy 160 and Piedra Rd could accommodate a large skating pavilion. The proposed Pavilion will be managed and overseen by a highly experienced and knowledgeable staff encompassing management, hockey, figure skating, roller skating and operations maintenance. Ms. Crystal Fortune is the director of figure skating for the proposed pavilion. The group has been donated a rink that will be erected this winter. Council Member Egan moved to authorize the mayor to draft a letter of support for the Pavilion organization, Council Member Lattin seconded, unanimously approved.
 2. **Ordinance 814, First Reading, Vacating a Portion of the 6th/7th Alley** - On July 1, 2014, the applicant, Peter Adams, submitted a “ROW Vacation Application”, requesting the vacation of the 6th/7th Alley between Navajo Street north to the NE corner of Lot 8x. The applicant owns both sides of the proposed vacated alley and is interested in developing his property. The vacation of the alley would allow him to fully utilize his two properties and take advantage of the views from the top of the hill. On July 29, 2014, the Planning Commission conducted a public hearing regarding this matter and approved recommendation of the vacation request. There are no public utilities installed on this property. A right-of-way from the top of the shale cliff down to 6th Street is a possibility in order for the Town to install utility or sidewalks along 6th Street. Staff is researching the

vacation of the alley closer to Piedra Street. Council Member Lattin said the most of the neighbors are in favor of vacating the property and possibly putting an overlook area for all residents in the area. There is a safety issue with people going over the cliff. Council Member Schanzenbaker said the easement does have great views. Council Member Alley said there is a safety issue and kids throwing rocks to the neighbors below. He doesn't see the possibility of a potential trail across the property. Council Member Lattin said the south Piedra portion of the easement was not vacated, the town will continue to maintain the culvert currently installed. She said there will never be a road on this alley. Mr. Franklin Anderson said he is not in favor of skyline development, he said the uniqueness of the neighborhood will change if the vacation is approved. Mr. Peter Adams said the alley south has been vacated to Colorado Housing Inc. He said he will be able to build affordable housing, low impact with great views. He might want to put duplexes; he does not want a 24 to 28 unit development. He would like to take out some of the dirt in order to comply with the 12% driveway slope. Council Member Schanzenbaker asked the vacation of the alley be contingent on development moving forward. Mr. Adams said it may be two or three years before he gets started, he would like to get the 6th Street property lines cleaned up before he begins. Council Member Schanzenbaker moved to approve the first reading of Ordinance 814, vacating a portion of the 6th / 7th Alley public right-of-way and public utility easement between Navajo Street to the NE corner of Lot 8X in Block 50 within the corporate limits of the Town of Pagosa Springs, contingent upon the first building permit issued on any property, Council Member Egan seconded, Council Member Lattin said the planning commission had made 6th Street easement a condition to the vacation. She said access from Piedra Street to a potential trail is not possible behind the three lots along easement. Council Member Egan withdrew his second, motion died for lack of a second. Council Member Egan moved to table this item until the next meeting and more detail provided to council, Council Member Schanzenbaker seconded, Council Member Bunning would like research on south half of Piedra Street completed prior to the next meeting., Council Member Lattin would like details on the access from Piedra Street, Mayor Volger would like 6th Street deed easement, motion passed unanimously.

3. **Legal Research Solution for Municipal Court** - Municipal Court, as the court of original jurisdiction, requires the acquisition of an online legal research solution. A comprehensive and reliable legal research solution will ensure Municipal Court Judges and Municipal Court staff effectively facilitate the filing of civil cases and expand their knowledge of the Colorado Rules of Civil Procedure. In 2014, Municipal Court will absorb the expense of \$2,039 in already encumbered funds. In 2015, Municipal Court will request an annual expenditure of \$8,500. Council Member Schanzenbaker moved to approve the acquisition of WestlawNext as the legal research solution for Municipal Court, Council Member Alley seconded, unanimously approved.
4. **Majestic Drive Paving Project Contractor Award** - Council Member Bunning recused himself and exited the room. Paving Majestic Drive is a high priority project that has had the support of Town Council for quite some time, as evidenced by the council's support of applying for funding and providing matching funds to facilitate the project. The two companies submitting valid bids were Russell Sand and Gravel Inc. based in Los Ojos NM, and Oldcastle SW Group, Inc. DBA Four Corners Materials. The low bidder was Oldcastle with a bid of \$529,532.82 is within the budget currently allocated for this project, although substantially over the original engineer's estimate of \$426,510. \$319,000.00 is available from CMAQ funds. Council Member Lattin is disappointed with the \$100,000 difference between the bids and the engineers estimate. Council Member Lattin moved to Award the Contract to the Low bidder for \$529,532.82, utilizing \$210,522.82 of the currently budgeted \$250,000, Council Member Egan seconded, unanimously approved. Council Member Lattin stressed to Project Manager Scott Frost the need for accurate estimates.
5. **Town to Pagosa Lakes Trail Project Review and Update** - Town Staff began coordinating efforts for defining potential phases for the commuter trail route, and worked with Archuleta County, PLPOA, State Trails, GOCO and CDOT for securing funding. The East phase extends between S. 8th Street and S. 10th Street along the south side of Hwy 160. This phase is currently estimated to cost \$329,000, and is fully funded with \$261,000 in awarded CDOT enhancement funds and \$68,000 in Town Matching funds. The West phase extends between the Village Drive trail termination at Pinon Causeway and Village Drive,

extends south crossing the Hwy at the Pinon Causeway lighted intersection, then heading east along the south side of Hwy 160, skirting along the western boundary of the Parelli Office building, connecting with Aspen Village Drive, where the Town currently has on-street bike lanes and sidewalks. This phase is estimated to cost up to \$700,000 and is fully funded with \$200,000 of CDOT enhancement funds awarded to Archuleta County, \$45,000 from PLPOA, \$200,000 in awarded State Trails Funding, \$200,000 in County PROST funds, and \$35,000 from the Town. The Harman Hill phase will begin at the Cornerstone Drive Cul-de-Sac in front of the Centerpoint Church, and extend east up Harman Hill, providing a pedestrian crosswalk, crossing Hwy 160 at Piedra Road. This trail segment has been broken into two phases as a means to apply for CDOT TAP funds, recently applied for in September 2014. The estimated cost for both phases is \$1,100,000.00, due to the extent of the elevation difference and required ramp structures to climb the hill. For the rest of the trail, a topography mapping flyover is the next phase of planning staff recommends the Town pursue. This phase would provide 1-2 foot interval topo mapping for trail alignment planning, as a means to identify the needed trail easements that will require negotiations with private property owners. The estimated lineal footage of Commuter trail between Piedra Road and S. 10th Street is approximately 13,000 lineal feet of trail. This section the Council has considered other surface options. These include 10 foot wide Concrete trail: \$125/lineal foot; 10 foot wide Asphalt trail: \$100/lineal foot; 10 foot wide Gravel trail: \$70/lineal foot; and 10 foot wide Rustic trail: \$40/lineal foot. The concrete trail to last 40 years would cost \$1,645,000, a 20 year asphalt trail \$1,385,000, 20 year gravel trail \$960,000, 20 year rustic trail \$560,000. These rough numbers do not include any type of easement acquisition.

6. **Resolution 2014-12, Supporting GOCO Grant for Skate Park Addition** -  On June 19, 2014 Town Council approved setting aside \$32,000 towards funding the Yamaguchi Skate Park Phase 2. The current resolution is to approve the use of \$17,000 as cash match for the current grant request in the 2015 budget. The \$15,000 balance of the budgeted \$32,000 will be used as contingency for the project. Council Member Alley moved to approve Resolution 2014-12 budgeting in 2015 up to \$17,000 cash match; and up to an additional \$15,000 for contingency for GOCO skatepark grant, Council Member Egan seconded, unanimously approved.
7. **Resolution 2014-13, Appointing TTC Member** - One letter of interest was received for the open TTC seat. Criselda Jay Montoya, Marketing Manager at Wyndham, submitted a letter of interest. During the August TTC meeting, the Board interviewed Ms. Montoya. She is extremely interested in marketing and events. The Town Tourism Committee voted unanimously to recommend Criselda Montoya to the open at large seat. With her appointment, the TTC will have 11 board members. Council Member Lattin moved to approve Resolution 2014-13, appointing Criselda Jay Montoya to the Town Tourism Committee for a two (2) year term, Council Member Schanzenbaker seconded, unanimously approved.

VII. OLD BUSINESS

1. **Ordinance 813, Second 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. Staff has created a fact sheet explaining when an open burn permit is required and defining Bonfires, Recreational Fires, and Portable Outdoor fireplaces. Council Member Lattin moved to approved second reading of Ordinance 813, clearly defining the process and limitations of obtaining an open burn permit for use by the residents of Pagosa Springs, Council Member Alley seconded, unanimously approved.
2. **Sales Tax Brief** - In August the Town of Pagosa Springs' sales tax revenue increased by 8.22% or +\$26,187 compared to August 2014 (base on June 2014 retail sales). Total collections for both the Town and the County for the month equals \$689,798 and the Town of Pagosa Springs portion is half, or \$344,899. For the current year, the Town is seeing an overall increase and, in fact, for year to date in 2014, sales tax revenue is now up 4.99% or \$75,200 compared to the same period in 2013 (\$1,583,378 has been collected to date in 2014 and \$1,508,158 for the same period in 2013).

VIII. DEPARTMENT HEAD REPORTS

1. **Community Center Report** - The 20th Annual Humane Society Auction for the animals will be held August 22nd. RACC will host its second movie night in the multi-purpose room featuring "The Sandlot". August 9th RACC hosted the first annual Summer Sizzler. The Summer Sizzler was a kickball, volleyball and ladder ball tournament followed by a dance held at Yamaguchi Park. There were 17 volleyball teams, 5 kickball teams and 6 ladder ball teams making a total of over 100 participants. There were teams from Ignacio, Durango, Santa Fe, Seattle, Boulder, Los Lunas, Albuquerque and of course Pagosa Springs.
2. **Parks and Recreation Report** - This year's soccer season begins the first week of September and will consist of at least 210 local participants (up 15 from last year's total) ages 5-12, plus an additional three teams from Dulce, N.M. (45 participants ages 5-12). Games will be played Monday through Thursday at the elementary and Yamaguchi Park soccer fields, and the season will conclude in mid-October. The parks crew has been heavily engaged in assisting Folk West with preparations for the annual Folk Festival on Reservoir Hill. The Res. Hill restrooms have finally cleared state inspection and are due to arrive the morning of Aug. 21. Installation will be handled by the manufacturer (CXT) and should be completed the same day. The observation deck foundation piers have been poured; construction on the remainder of the deck should be completed by late fall.
3. **Town Tourism Committee Report** - June 2014 lodging tax collection reflects a 17.14% increase over 2014. Year to date collections are up 19.57%. The Visitor Center staff is working to reorganize brochures and create a 12-month volunteer schedule. The Wayfinding and sign committee has requested the addition of flowers along the downtown bridges in the 2015 budget. TTC is partnering with Chimney Rock to apply for a 2015 marketing match grant through the Colorado Tourism Office. 2016 will be Pagosa's 125th anniversary and the TTC director has begun engaging with various groups to begin planning celebrations for 2016.
4. **Planning Department Report** - The Historic Preservation Board requested to change their sign for a wall sign. They are working on a new Heritage webpage and possible brochures for local distribution. Mr. Cappy White resigned from the Planning Commission board, advertising for the open seat has begun.
5. **Special Projects Manager Report** - Bid opening for the 6th Street Pedestrian bridge had four bidders. An \$880,000 TAP (Transportation Alternatives Program) Grant application was submitted for the Town to Pagosa Lakes Trail, Harman Hill section. The 6th Street riverwalk construction project has been substantially completed. Re-vegetation along the trail, sediment control, and scheduled repair of a portion of the trail that has failed due to cracking are yet to be completed.
6. **Town Manager Report** - The Town and County continue to make progress in the formation of the Geothermal Water and Power Authority. The Town appointed Mayor Volger and Council members Schanzenbaker and Egan as their 3 designated representatives to the Authority, the 3 County Commissioners and Mr. Mike Alley make up the rest of the board. Town Manager and Department Heads have begun planning efforts for preparation of the 2015 budget. A proposed budget is expected to be submitted at the mid-September meeting.

IX. **APPROVAL OF JULY FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS** - Council Member Bunning moved to approve the July financial statement and accompanying payments, Council Member Alley seconded, unanimously approved.

X. **PUBLIC COMMENT** - None

XI. **COUNCIL IDEAS AND COMMENTS** - None

XII. **NEXT TOWN COUNCIL MEETING SEPTEMBER 2, 2014 AT 5:00PM**

XIII. **ADJOURNMENT** - Upon motion duly made, the meeting adjourned at 1:50pm.

Don Volger
Mayor