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**TOWN COUNCIL MEETING MINUTES  
TUESDAY, SEPTEMBER 3, 2013  
Town Hall Council Chambers  
551 Hot Springs Blvd  
5:00 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 AUGUST 22, 2013** – Minutes were approved as read.
- III. **PUBLIC COMMENT** – None
- IV. **LIQUOR LICENSE**
  1. **Liquor License Renewal – River Sports Bar & Grill 358 E Hwy 160**
  2. **Liquor License Renewal – Cafe Colorado LLC 565 Village Drive** – Council Member Lattin moved to approve the liquor license renewals for River Sports Bar & Grill at 358 Hwy 160 and Café Colorado at 565 Village Drive, Council Member Bunning seconded, unanimously approved.
- V. **NEW BUSINESS**
  1. **Reservoir Hill Observation Platform – Christine Funk** – The Friends of Reservoir Hill have put together plans for an observation platform at the top of Reservoir Hill where the picnic table used to sit. Mr. David Schanzenbaker will be completing the timber frame part over the winter, the Friends will be installing the piers this fall, with completion of the platform next spring. Council Member Volger moved to approve the conceptual plan of the Reservoir Hill Observation Pavilion subject to final approval by Town Building and Planning department, Council Member Lattin seconded, unanimously approved. Ms. Funk will bring the plans to the building and planning department for review and permitting. (Council Member Schanzenbaker recused himself from the discussion and participation in motion).
  2. **Resolution 2013-23, Appointing TTC Members** – With the current reallocation of seats to the TTC board, six letters of interest for the four open seats was received. The TTC was extremely pleased with the pool of candidates. The two applicants that were not recommended at this time have been encouraged to become active in our subcommittees and reapply as soon as another seat is open. Council Member Lattin moved to approve Resolution 2013-23, appointing Valerie Green, Daniel Rocca, Stephen Durham and Carla Shaw to the Town Tourism Committee for a two (2) year term, Council Member Volger seconded, unanimously approved.
  3. **Phase II Skate Park design funding request – Mike Musgrove** – The Skater’s Coalition for Concrete is requesting the Town participate in funding the planning of the next phase of the skate park. Engineered plans by Pillar Design Studios, the same company who designed the first phase, are estimated at \$5,000 and the Coalition is requesting the Town pay for half the costs of the plans. Council Member Volger moved to cover half the costs of the planning for the addition of the skate park not to exceed \$2,500, Council Member Bunning seconded, unanimously approved.
  4. **Ordinance 795, First Reading, Adopting 2009 International Fire Code** - In 2009, the Town adopted the 2006 International Code series, which included the 2006 International Fire Code, these codes are updated every three years. The Town's Building Official and the Builders Committee met numerous times recently and have analyzed and reviewed the 2012 Fire Code, they determined that since the 2009 Fire Code is formatted the same as the 2006 international code series, it made more sense to adopt the 2009 Fire Code since the 2012 code version had been

completely reconfigured. The Pagosa Area Fire District and the Archuleta County have participated in the builder Committee meetings and are also in the process of proposing adopting the 2009 Fire Code to their respective boards. Mr. Larry Ash, a local builder, presented the team involved in creating this ordinance for updating the code. He said updating the code for the ISO will help keep the insurance costs down in the area. Council Member Lattin moved to approve the first reading of Ordinance No. 795, an ordinance of the Town of Pagosa Springs amending portions of Chapter 21 of the Pagosa Springs Municipal Code, Land Use Development Code, regarding the International Fire Code, 2009 edition including appendices, Council Member Cotton seconded, unanimously approved.

5. **Ordinance 796, First Reading, Marijuana Prohibition** - The purpose of these measures is to prohibit the processing of applications for medical marijuana centers, medical marijuana optional premises cultivation operations and medical marijuana infused product manufacturing businesses and the delivery of medical marijuana products from outside of Archuleta County and also prohibiting retail recreational marijuana businesses in Town limits. A Town Council work session regarding marijuana business options took place on August 23<sup>rd</sup>. The discussion of options, permanent prohibition or a limited number of retail businesses, lead to a consensus request from the Town Council to draft an ordinance for permanent prohibition with the possibility of a sunset date. Council Member Schanzenbaker would like to have the medical marijuana separated from the retail sales with the decision by the federal government to not charge for possession of medical marijuana. Council Member Lattin said that now that marijuana can be used personally, patients are not renewing their medical marijuana cards. She said there are people that have abused the medical marijuana cards and with it now open to everyone the number of card holders has dropped. Mr. Clifton Colwell said the county residents voted and passed Amendment 64. He said people growing at home will not get the same potency as what is found in the medical marijuana centers. Council Member Bunning said the county is looking at approving two more medical marijuana centers in the county and believes this will assist all county residents in their need for medical marijuana. Council Member Volger moved to approved first reading of Ordinance 796, an ordinance of the Town of Pagosa Springs amending Chapter 6 of the Pagosa Springs Municipal Code by the addition thereto of a new Article 5 prohibiting the sale and cultivation of medical marijuana, including medical marijuana centers, optional premises cultivation operations and medical marijuana-infused products manufacturing, and a new Article 6 prohibiting the operation of marijuana clubs, marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores, which Ordinance will automatically expire on March 1, 2015 unless extended or readopted, Council Member Bunning seconded, motion carried with one nay (Council Member Schanzenbaker).

**VI. PUBLIC COMMENT** – Mr. Mark Weiler commented on the new international code requiring sprinkling properties. He said he asked the county about a property with a riding arena and adding a house to the arena, he said the county said they would require sprinkling. He said PAWSD does not have enough water in his area for this to be accomplished and said if he were to move forward with the project he would be forced to build a reservoir to facilitate the sprinkling requirement.

**VII. NEXT TOWN COUNCIL MEETING SEPTEMBER 19, 2013 AT 12:00PM**

**VIII. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 5:45pm.

**Ross Aragón  
Mayor**