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**TOWN COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 6, 2011
Town Hall Council Chambers
5:00 P.M.**

- I. **CALL MEETING TO ORDER at 5:55pm** – Mayor Aragon, Council Member Cotton, Council Member Hart, Council Member Holt, Council Member Lattin, Council Member Pierce, Council Member Volger
- II. **APPROVAL of MEETING MINUTES FROM AUGUST 2nd & 18th, 2011** – The minutes were approved as read.
- III. **LIQUOR LICENSE**
 1. **Liquor License Renewal – Pagosa Lodge 3505 W Hwy 160 Pagosa Springs** – Chief Rockensock commented on the calls that have been recorded at the Pagosa Lodge. Council Member Volger moved to approve the liquor license renewal for Pagosa Lodge, Council Member Lattin seconded, unanimously approved.
 2. **Special Events Liquor Permit – Pagosa Springs Rotary Club fundraiser November 3, 2011 at the Ross Aragón Community Center 451 Hot Springs Blvd**
 3. **Special Events Liquor Permit – Archuleta County Democratic Party fundraiser October 7, 2011 at the Ross Aragón Community Center 451 Hot Springs Blvd** – Council Member Volger moved to approve the special events liquor permit for Pagosa Springs Rotary Club event November 3rd and Archuleta County Democratic Party October 7th, Council Member Lattin seconded, unanimously approved.
- IV. **NEW BUSINESS**
 1. **Sponsorship of the 4th Annual Colorado Entrepreneurship MarketPlace** – Council Member Pierce recused herself from discussion. Ms. Mary Joe Coulehan gave a briefing on the upcoming MarketPlace to be held October 7 and 8, 2011 hosted by Pagosa Springs. The conference will focus on three key elements of success, idea and vision, marketing of product or service, and financial planning for a successful business. Ms. Coulehan thanked Council Member Pierce for her diligent work on the committee. The MarketPlace attendees will have a great opportunity to visit Pagosa Springs and local businesses. Tours of Parelli and Growing Spaces will display to the attendees the ability to run a business in a rural setting. A kid's seminar will be held on Friday as well with presenters ranging from 14 years old and up. The Town Council is invited to attend the conference and the VIP receptions. The costs are \$30 per day, \$50 for two days. Colorado Rural Development Council began this program; they are a private membership organization supported by USDA and State Departments as well as other statewide supporters. Council Member Holt recommends the Town sponsor the 4th Annual Colorado Entrepreneurship MarketPlace for the sum of \$1,500, Council Member Volger seconded; motion carries with one abstention (Council Member Pierce).
 2. **Pagosa Springs Center for the Arts Variance Request and Funding Options** - The Pagosa Springs Center for the Arts building is currently in the process of undergoing a "Change of Use" from a mercantile building, (which has a relatively low number of people occupying the building and high volume of merchandise), to

an assembly building (which has a relatively high number of people occupying the building in a concentrated fashion). Section 3406.1 of the International Building Code (IBC) states “*No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancy.*” Hence, all of the Life-Safety provisions of the code must be met for the new Assembly (Group A) occupancy group. Section 907.2.1 of the IBC requires that “*A manual fire alarm system shall be installed in Group A occupancies have an occupant load of 300 or more*”. The adoption of Ordinance 712, Building and Fire Code, deleted the exception that *manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system and the alarm notification appliances will activate upon sprinkler water flow.* The owner of the Center for the Arts has requested a variance of this code stating they do not have events of more than 300 attendees and have an alarm system in use that is sufficient for code if Ordinance 712 had not deleted the specific section. The building currently has a fire alarm that alerts only the neighbors and passerby that the sprinkler system has been activated. Per Group A code, the building is required to have a manual fire alarm system to notify occupants of the building of a fire event, with pull boxes in each room to activate horns and strobe lights within the building. Mr. Robin Hebert gave an update on the current events and fundraising efforts of the center. He explained the cost to change the sprinkler system is estimated at \$5,000. Council Member Volger understands the concerns of the Town, Fire Department, and Council, and explained there are other buildings in the community that do not have sprinklers and would like to grant the variance due to reasonable and practical information. Council Member Hart agrees with Council Member Volger and would agree to grant the variance. Council Member Holt said the current sprinkler system will save the building not necessarily the people inside; he believes the safety regulations are required and should not be waived. Council Member Pierce supports Council Member Holt and feels it is the Council’s responsibility to enforce the code. Council Member Lattin suggests allowing 12 to 24 months for the center to complete the upgrades and in the meantime install fire extinguishers within the building. Mr. Mark Weiler said the Center is an asset, and suggests the Center apply for a CDC grant to become compliant. Council Member Holt moved to deny the request for a variance to Town of Pagosa Springs Ordinance 712 section 907.2.1, Council Member Pierce seconded, motion carried with two nays (Council Member Volger and Hart). Mrs. Lisa Reeves said the Center should not have been able to open their doors without the necessary fire measures in place. Council Member Holt explained the Town donated funds to the Arts Council in 2009 to research a community art center. Council Member Holt moved the Town of Pagosa Springs donate \$2,500 to the Pagosa Springs Center for the Arts and Thingamajig Theatre Company from the general fund reserves for completion of the fire alarm system, Council Member Volger seconded, motion carried with two nays (Council Member Pierce and Cotton).

3. **Establishing a CCOERA Roth 457 Plan Contribution Option** - The Town of Pagosa Springs has been a member of Colorado County Officials and Employees Retirement Association (CCOERA) since 1987. The programs the Town participates in include the 401(a) retirement plan and the 457 deferred compensation plan. In April of 2010, the Council approved the agreement for participation in the employee loan program. Recently CCOERA has made available to its participants the ability to contribute to a Roth 457 plan, this is an employee only contribution. Council Member Volger moved to approve the participation agreement allowing employee contributions to the CCOERA Roth deferred compensation plan option, and marking the first check box under number 6 and second check box under number 7, Council Member Holt seconded, unanimously approved.

V. OLD BUSINESS

1. **Ordinance No. 764, Second Reading, Amending the Design Guidelines for the Historic District & Local Landmarks Section 8.10 Regarding Sandwich Board Sign Size and Placement** - The Historic Preservation Board discussed the merits of

allowing an increased size for sandwich board signs within the historic district. After much discussion between the Historic Preservation Board and the Planning Commission a compromise was obtained to allow certain sized sandwich board signs. Town council approved the first reading on August 18th, 2011. Council Member Lattin moved to approve the second reading of Ordinance No. 764, amending section 8.10 of the Design Guidelines for the Historic District and Local Landmarks to allow Sandwich Board signs up to 5 sq ft per side, up to 24" in width and limiting the placement to against the business building wall on the sidewalk, Council Member Holt seconded, unanimously approved.

2. **Yamaguchi Park Restroom Budget Amendment** - Council Member Hart recused himself from the discussion. Hart Construction has been awarded the contract for the Yamaguchi Park restroom project at the base-bid cost of \$169,267 which was the lowest bid. Staff is requesting permission to allocate \$10,000 in Conservation Trust funds to cover any project contingencies, and to upgrade the passive, solar-heating capabilities of the restroom from 30 percent to 75 percent, estimated at \$4,000. This modification will significantly reduce the Town's energy expenditures for this facility. Conservation Trust Funds are to be used for Parks and Recreational amenities and maintenance, the use of \$10,000 will leave the estimated end of year Conservation Trust Fund balance at \$59,219. Council Member Pierce moved to approve the allocation of \$10,000 from Conservation Trust Fund reserves to be used for the Yamaguchi Park Restroom project, Council Member Volger seconded, motion carried with one abstention (Council Member Hart).

VI. NEXT TOWN COUNCIL MEETING SEPTEMBER 22, 2011 at 12noon

VII. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 7:05pm.

**Ross Aragón
Mayor**