



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
Phone: 1-970.264.4151
Fax: 1-970.264.4634

TOWN COUNCIL MEETING MINUTES
THURSDAY, SEPTEMBER 19, 2013
Town Hall Council Chambers
12:00 P.M.

- I. **CALL MEETING TO ORDER** – Mayor Aragon, Council Member Alley, Council Member Bunning, Council Member Cotton, Council Member Lattin, Council Member Schanzenbaker, Council Member Volger
- II. **APPROVAL of MEETING MINUTES FROM SEPTEMBER 3 & 11, 2013** – The minutes were approved as read.
- III. **PUBLIC COMMENT** – Mr. Mark Weiler asked the council to attend the Epic Mountain Challenge Oct 2-6. He said there will be a shift in the athletic competitions that come to the community and thanked the TTC for their assistance with the events.
- IV. **LIQUOR LICENSE**
 1. **Special Events Liquor Permit – Archuleta County Democratic Party Central Committee Annual Chili Supper October 3, 2013 at the Ross Aragón Community Center** – Council Member Lattin moved to approve the special events permit for the Archuleta County Democratic Party Central Committee October 3, 2013, Council Member Volger seconded, unanimously approved.
- V. **DELEGATIONS**
 1. **Chimney Rock Interpretive Association – Wendy Sutton** – Ms. Sutton thanked the town for their support in renting vans for two events that were held at the site. The transportation scholar, Ms. Valerie, said that the shuttles allow the reduction of cars that sometimes park on natural resources. Mr. Kung asked the town council to be involved in the next phase of the shuttle project.
- VI. **NEW BUSINESS**
 1. **Ordinance 797, First Reading, Adopting Snow Routes** - Town Council directed staff to bring proposed Municipal Code amendments and a snow route map for consideration prior to the 2013-14 winter plowing season and in time to alert the residents of the new snow route amendment. The ordinance gives authority to the Town Manager or his/her designee, to place traffic control devices (road signs and other facilities) and to designate streets as snow routes. Currently, Town Council is the authority to decide where to place traffic control devices. A parking in a snow route fine to revise the fee schedule will be brought to town Council on October 1, in conjunction with the second reading of this ordinance. Council Member Schanzenbaker and Bunning are appointed to a snow route committee to determine the formation of this ordinance and rules.
- VII. **OLD BUSINESS**
 1. **Ordinance 795, Second Reading, Adopting 2009 International Fire Code** - Town Council approved the first reading of Ordinance No. 795 on September 2, 2013. Ordinance No. 795 is 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. For the most part, changes from the 2006 to the 2009 Fire Code included clearer wording, adding clarification to definitions and better defining the intent of the Code, resulting in an easier

to understand Fire Code. 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, who all currently appear to support adopting the 2009 International Fire Code. Council Member Bunning moved to approve the second 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 Alley seconded, unanimously approved.

2. **Ordinance 796, Second Reading, Marijuana Prohibition** - The purpose of this measure 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. Ordinance 796 also prohibits retail recreational marijuana businesses. Council Member Schanzenbaker reminded council that the federal government has said they will not prosecute due to the State's decision of approving retail marijuana. Council Member Alley would like to wait on approving second reading until the next council meeting. Council Member Volger moved to approve second 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 two nays (Council Member Schanzenbaker and Alley).
3. **Visitor Center Operations and Funding** - During the Town Council's 2013 budget development worksessions, the consensus of the Council was to expend less money on the visitor center and more money on marketing (advertising) and technology. This policy position was implemented in the passage of the 2013 budget. The Council reduced funding for visitor center operations as the result of the West Side Visitor Center closing (\$68,000 in 2012 to \$57,000 in 2013). However, in 2013 additional funds were set aside for building maintenance (\$5,000) and technology (\$5,000). On November 20, 2012, the Chamber sent a letter to the Town stating that as of January 2014, the Chamber of Commerce would no longer offer to contract to run the Pagosa Springs Visitor Center. On April 2013, the Chamber Board wrote they were unwilling to contract for Visitor Center management in 2014 unless a discussion regarding philosophy and funding takes place. Council Members Cotton and Lattin met several times with the County and Chamber to discuss the merits of the visitor's center. On September 11th, the Town Council and County Commissioners held a joint worksession that also included representation from the Chamber of Commerce, Town Tourism Committee and Lodgers Association. During this meeting Chamber President, Todd Stevens, reiterated the Chamber's position that it could not operate the Visitor Center with the proposed \$5,000 reduction from the County and \$10,000 reduction from the Town. Council Member Schanzenbaker is not comfortable moving forward yet. Town Manager Mitchem said the visitor center will still be maintained, and the prudent use of lodger's tax funds in fulfilling what the town council approved during the last budget cycle to support marketing and technology and less funding to the physical visitor center. TTC Director Jennie Green sees a lot of advantages to change and every budget line will be evaluated. Council Member Cotton said the Chamber said they would not be able to run the visitor center if council reduced funding. He said the TTC is willing to run the visitor center and the Chamber is not. He said the council should move forward with the policy change started in the 2013 budget. Council Member Lattin moved to approve operating the Visitor Center within the Chamber of Commerce through April 30, 2014, at the funding level approved in the 2013 budget, \$4,750 per month (total = \$19,000 for four months) and approve transferring the operations of the Visitor Center to the Town Tourism

Committee effective May 1, 2014, Council Member Cotton seconded, unanimously approved.

4. **Sales Tax Brief** - In September, the Town of Pagosa Springs' sales tax revenue increased by 3.60% or +\$11,362 compared to September, 2012 (base on July retail sales). If all sales tax revenue is included, year-to-date revenue is up 2.52% or \$58,821.

VIII. DEPARTMENT HEAD REPORTS

1. **Community Center Report** – Upcoming events at the community center include the fall rummage sale, Dance to make a Difference, the Halloween carnival, festival of trees, Hazel Miller Christmas concert, and a New Years eve party. Upgrades to lighting, projector and carpet are estimated to be complete the end of September. The Senior Center is experiencing a decrease from the County; negotiations with the Senior Center including leasing the kitchen, offices, and lounge on a daily rate is being negotiated.
2. **Parks and Recreation Department Report** - This year's soccer season will conclude Oct. 10; there are 202 local youths playing in this year's league, plus approximately 60 youngsters from Dulce, N.M. Youth volleyball for ages 9-12 will be canceled temporarily due to lack of gym space in the community center this fall, but the program will be rescheduled for next spring. The building permit for the observation deck structure was issued earlier this month and the foundation piers will likely be poured this year. The remainder of the project may be postponed until next spring. The relocation of the large, timber-framed gazebo the Town recently accepted as a donation was narrowed to three spots by the P&R Commission; two different areas at the meadow on Reservoir Hill or at the River Center Park. Folkwest is fine with all suggested areas. Council Member Volger moved to put the donated gazebo at the northeast point of the festival meadow on Reservoir Hill, Council Member Schanzenbaker seconded, unanimously approved. Mayor Aragon would like the Parks Department to watch for the large amount of noxious weeds coming up all over town.
3. **Town Tourism Committee Report** - June and July both reflected positive gains over 2012. July 2013 was up 7.09% over July 2012, however did not quite meet the record collection set in July 2011. Year to date, collections are 4.85% above 2012, or an increase of \$11,238.11. Facebook fans now surpass 7,924, as of September 11, 2013 and visitpagosa now has 540 followers on Instagram. During the September Retreat, the TTC began discussions for the 2014 budget. Subcommittees with budget allocations will meet next week to review 2013 and determine plans for 2014. The Budget Subcommittee will meet the following week to review the overall budget with the specific requests from each subcommittee. A \$25,000 grant was awarded by the Colorado Tourism Office for marketing.
4. **Planning Department Report** - The HPB approved exterior alterations to the locally listed historic landmark at 275 Pagosa Street, Riff Raff Brewing. The Lewis Street contractor is to completing the construction project. Upon completion of a satisfactory final inspection the final payment will be made, a two year warranty bond will be held by the Town for the street improvements to cover any deficiencies in materials or workmanship over the next two years. 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, along the east side of the library property, intended to be completed by the end of October. Wal-Mart final revisions have been approved and just a few more items including the Developer Improvement Agreement and impact fees are needed. The Tractor Supply should be submitting a building permit for their project anytime now. The San Juan Trading Post is remodeling the former west Conoco located at 635 San Juan Street. The developer of the Cobblestone project has indicated that he will accept the Town Council's offer to supply up to \$10,000 in base course materials and will proceed with the alley improvement this construction season. Wyndham Resorts has completed a major renovation of the building located at 305 Village Drive that will house their real estate operations. Mountain Crossing is looking to move forward in the near future. The Schofield's denied providing temporary access for Reservoir Hill observation deck volunteers to haul construction materials to the top of the hill.
5. **Project Manager Report** – The 6th Street Riverwalk extension project is on hold while

awaiting signatures from the State of Colorado, the project will likely begin in 2014. The RAMP grant and TIGER V grant applications have not been recommended for final approval. The SkyWerx internet connection to the town hall has been completed. The geothermal leak has been discovered and corrected located under the geothermal building. The leak originally at 17 gallons per minute has been reduced to just 2 gallons per minute.

- IX. APPROVAL OF AUGUST FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS** – Council Member Bunning moved to approve the August financial statement and accompanying payments, Council Member Lattin seconded, unanimously approved.
- X. PUBLIC COMMENT** – None
- XI. NEXT TOWN COUNCIL MEETING OCTOBER 1, 2013 AT 5:00PM**
- XII. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 1:05pm.

Ross Aragón
Mayor