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**TOWN COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 2, 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 (5:10pm), Council Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **APPROVAL of MEETING MINUTES FROM NOVEMBER 20, 2014** – Council Member Bunning moved to approve the meeting minutes, Council Member Schanzenbaker seconded, unanimously approved.
- IV. **PUBLIC COMMENT** – Mr. Edward Bennett talked about Archuleta Seniors Inc. taking over the senior meals. He said the cost is \$270,000 per year donated from AAA \$88,000, Archuleta County \$140,000, fundraising and membership, and just \$10,500 from the Town. Mr. Bennett said the \$36,000 ASI pays in rent to the Coalition is taking away from the quality of meals and availability for extra meals to the seniors. He said the seniors are needful of these meals.
- V. **LIQUOR LICENSE**
 1. **Liquor License Renewal – Nellos Inc. dba Nello’s Bistro at 135 County Center Dr Ste A** – Council Member Alley moved to approve the liquor license renewal for Nellos Inc dba Nello’s Bistro, Council Member Bunning seconded, unanimously approved.
- VI. **NEW BUSINESS**
 1. **Public Hearing on 2015 Budget** – Town Manager Schulte explained the addition of the community center revenue and expenses in the general fund for 2015. The Town will become the fiscal agent for the community center in 2015. He commended the Coalition and Ross Aragon for the cooperation during the transition. The community center requires approximately \$150,000 to balance the community center budget each year. Should the Coalition agree to reduce the rent to ASI, the Town would have to make up the shortfall. Mayor Volger opened the item up for public comment. Mr. Bennett said the Town should make up the difference and give ASI an additional \$36,000 to pay the Coalition the rent. Mr. Mark Weiler believes the original agreement obligation between the Town and Coalition reads the Coalition will reimburse the Town for the employee expense. He said the Coalition has not held up their end of the agreement. He would like to see the Town Attorney look at the agreement before the Town subsidies’ any more for the Community Center. Town Manager Schulte said the Coalition has not been able to reimburse the Town for the employee costs due to the limited revenue. He said the Town has been engaging the Coalition in a new relationship, they are reviewing the bylaws and agreement between the Town and Coalition. Mayor Volger closed the item to public comment.
 2. **Resolution 2014-15, Approve 2015 Budget, Set Mill Levies, Appropriate Funds** – The projected 2015 General Fund reserves are estimated at \$1,473,589. The proposed 2015 budget reflects a 2.771% cost of living increase for every employee. The mill levy of 1.576 includes 1.557 mills for general operating expenses plus .019 mills for refunds and abatements. The County Assessors assessed value is \$237,275 over the 2014 values. The projected 2015 Capital Fund reserves are estimated at \$653,706. The budget reflects an aggressive utilization of Capital

Fund reserves to fund the Town's infrastructure and new projects. Council Member Alley moved to approve Resolution 2014-15, approve and adopt the 2015 budget, set the mill levies for 2015, and appropriate funds for the 2015 budget, Council Member Schanzenbaker seconded, unanimously approved. Mayor Volger thanked the staff and council for their participation and great effort in the budget process. Council Member Egan appreciates Mr. Weiler's questions and how it plays into the end process, he said the agreement to be made with the Coalition need to be very clear.

- 3. Direction to Planning Commission and Staff Regarding Potential LUDC Revisions for Regulating Allowable Uses of Cargo Shipping Containers for Accessory Structures** - In 2012, town planning staff presented to the planning commission a developing issue and concern with cargo shipping containers. These containers were being placed around town for permanent use without a building permit and without regard to property line setbacks and many were in poor shape and not set level. On August 16, 2012 and again on September 17, 2012 work sessions were held with two members from the Planning Commission and two members from Town Council. The work sessions resulted in proposed LUDC language revisions that have not been approved by the Town Council. Mayor Volger said there needs to be regulations that are consistent with our other buildings regulations. Mr. Ron Maez and Mrs. Heidi Martinez both serving on the Planning Commission were in attendance. Mrs. Martinez said there must be a regulation on these containers. Mr. Maez said there is a list of items the commission would like the council to give direction on. Council Member Egan said this item needs to be addressed and specific rules and regulations put in place. Council Member Alley said the regulations help with the long term value and appeal of our committee. Mr. Dickhoff said there are about 25 cargo containers, eight set in the last four months, in the Town limits. He said there are three that are permitted under a temporary use permit. They are currently not allowed in mixed use and commercial districts because of the metal siding. These containers have been placed in residential areas as well as commercial. Council Member Bunning suggests not allowing the containers at all, or approve them on a case by case basis. Regulations, set backs, and screening through the permitting process need to be put in place. Council Member Egan suggests the neighbors be notified prior to placing a cargo container, as well as a plan for blending and concealment. Mayor Volger said the planning commission should discuss the cargo containers and bring recommendations back to council.
- 4. Direction to Planning Commission and Staff Regarding Potential LUDC Revisions for Current Prohibition of Metal Sided Buildings in Mixed Use and Commercial Districts** - The Town's LUDC prohibits metal sided buildings in all mixed use and commercial districts within the Town. The Town has received a number of inquiries over the last few years regarding constructing metal sided buildings. Many of these requests came from property owners that want to expand their existing metal sided building or from those that wanted to build near existing metal buildings. On November 12, 2014, the Planning Commission held a work session on the matter and discussions revolved around considering incorporating architectural design guidelines instead of prohibiting metal siding. Architectural design guidelines would set a standard for building design features like; roof overhangs, defined entrances, broken roof lines, modulated facades, window/door trim, multiple material use, etc. Mayor Volger asked why there are regulations on metal siding and no regulations on other types of siding. Planner Dickhoff said the north sides of the metal sided buildings are bent in because of the snow load. He said requiring design standards and criteria would help the buildings not get damaged and to look more appropriate for our town. Council Member Schanzenbaker said there should be standards to set what the Town needs to look like. The Town Council would like the planning commission to look into design standards.
- 5. Mountain Crossing Subdivision Preliminary Plan Extension Request** - The proposed Mountain Crossing commercial subdivision development is located on 70 acres at the southeast corner of Hwy 160 and Hwy 84. On November 13, 2014, the planning director received a request to extend the Mountain Crossings commercial subdivision preliminary plan for one year with several contingencies; complete annexation and zoning process for Strohecker minor subdivision lot IIB, and combine this lot into the final plat, provide a geotechnical report, wet stamped and signed by a Colorado licensed engineer, provide drainage report, wet stamped and signed by a Colorado licensed engineer, provide proof of CDOT access permit approval, provide evidence that any required USACE permits have been submitted and have been approved or that permits

are not required, provide 20 foot wide utility easements as requested by and negotiated with utility providers, provide trail dedication language and all other corrections to the preliminary plat as directed by the planning director to be incorporated on the final plat, Town shall hire a third party engineering firm for engineering plan review to be reimbursed by the applicant and the applicant shall incorporate engineering comments into the final plat/plan, Mountain Crossing Codes, Covenants and Restrictions (CC&R's) shall be recorded and provided to Town, proceed with annexation petition for the first 1,800 lineal feet of Mill Creek Road and provide engineering plans for required right-of-way improvements, and any other conditions. Council Member Schanzenbaker is not happy with Walmart only having to complete the curb and gutter on one side of Alpha Drive. He suggests before annexing Mill Creek Road, the council requires bringing it to Town specifications with curb, gutter and sidewalk on both sides of the road. Council Member Schanzenbaker moved to approve a one year extension for the previously approved Mountain Crossings development preliminary plan, including all contingencies approved by Town Council on December 4, 2012 with additional direction to staff to ensure the neighboring property owners are contacted regarding considering cost sharing for the south side curb, gutter and sidewalk improvements on Mill Creek Road, Council Member Egan seconded, unanimously approved.

VII. PUBLIC COMMENT – None

VIII. COUNCIL IDEAS AND COMMENTS - Planning director Dickhoff said Walmart is still waiting to stripe Alpha Drive as well as the sidewalk along the Aspen Village Drive. They are waiting for a riser for a sewer manhole to replace a large drop in order to open the road. Staff will encourage Walmart to open Alpha Drive as soon as possible. Council Member Egan would like to have some education on municipal finance before the next budget session.

IX. NEXT TOWN COUNCIL MEETING DECEMBER 18, 2014 AT 12:00PM

X. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 6:30pm.

**Don Volger
Mayor**