

Tuesday January 6, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, and Jackson

The minutes of the December 2, 2003 meeting were approved.

Liquor Licenses:

1. Bear Creek Saloon Renewal – Council Member Cotton moved to approve the renewal of the Bear Creek Saloon’s liquor license. Council Member Jackson seconded, and with 4 ayes the motion carried.
2. Shang Hai Beer and Wine License – The Town Council set a public hearing for this new license for February 3, 2004 at 5:00 p.m.
3. Downside Moose Hotel/Restaurant License – The Town Council set a public hearing for this new license for February 3, 2004 at 5:00 p.m.
4. NRA Special Event License Public Hearing – Council Member Holt moved to approve the NRA Special Event Liquor License. Council Member Cotton seconded, and with 4 ayes the motion carried.

Council Member Kiister showed up.

Delegations – none

NEW BUSINESS:

1. Planning Commission meeting of 12/16/03.
 - a. Sign Code Changes (Ord. No. 04-618, First Reading) – Staff recommends a joint workshop for this with the Town Council, the Planning Commission, and the Sign Committee. The workshop was scheduled for January 13, 2004 at 2:00 p.m. in the Town Hall Council Chambers. This matter was tabled until after the workshop.
 - b. Rock Ridge Commercial Park PUD Phase III Review – This was continued until next month. The applicant did not have a traffic impact analysis.
 - c. Rock Ridge Commercial Park PUD Phase I, Replat – This was also continued until next month. The applicant did not have a traffic impact analysis.
 - d. Riverwalk Town homes PUD Review – This is the first review of the Riverwalk Town home PUD located on S. 6th Street. The development is on two town lots and will include 5 town homes. The Planning Commission reviewed this project. The applicant was encouraged to proceed with the project and to provide all necessary information to staff.
 - e. Holiday Inn Stay Bridge Minor Impact Subdivision Request – The applicant requested a continuance on this matter.

Council Member Whitbred showed up.

2. Notice of Regular Meetings for Town Council and PSSGID (Ord. NO. 04-619, First Reading) – The Town Hall is the designated meeting place on the first Tuesday of every month at 5:00 p.m. Agendas are to be posted downstairs in the Town Hall. Council Member Cotton moved to approve the first reading of Ordinance No. 04-619. Council Member Whitbred seconded, with 6 ayes the motion carried.

OLD BUSINESS:

1. Update on Hot Springs Blvd. Project – Several sections of the asphalt are out of spec. We got a report from Davis Engineering detailing the remedy options that we have. Retainage has not been paid and will not be paid until the asphalt discrepancy has been satisfactorily remedied. The Western Technologies report anticipates failures as early as next spring. Council Member Cotton recommends waiting one year to see what happens with the asphalt and then decide what action if any need to be taken since there is a two-year warranty. Council Members Holt and Whitbred agree with Council Member Cotton.
2. Talisman and Village Drive, and Pinion Causeway Project – Asphalt work has ended due to winter conditions. Town staff will assume maintenance during the winter months. The project will resume this spring when weather conditions are more favorable for paving.
3. Update on 2003 CMAQ Paving Project – Strohecker Asphalt and Paving has completed all work. Staff is closing out this project with CDOT. There will be some warranty work coming up.
4. Update on 2004 CMAQ Paving Project – Staff is working with the County and property owners to finalize easements on Cemetery Road.
5. Update on Riverwalk Enhancement Project – The State has approved this project and notice to bidders has been advertised. However, staff has begun preliminary work on the river restoration project and potential designs for this project will have a significant impact on the proposed riverwalk.
6. Review of Municipal Jail Service IGA with Archuleta County – We are still trying to fine tune the IGA. Our attorney, Bob Cole is looking at it right now. Council Member Cotton moved to approve the IGA as written or as might be fine-tuned by staff. Council Member Holt seconded, and with 6 ayes the motion carried.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – The Town sales tax receipts have finally increased (\$2725) for the month of October, however the overall receipts are still

down. The Town receipts are down 4.61% (\$109,457) through October when compared to 2002.

- b. Town 2004 Budget – The Town Budget was approved at a special meeting held on December 15, 2003.
- c. Clerk Department – The Town Clerk has contracted with Caselle Company to provide new bookkeeping software. They are currently converting Town data to their software needs. They will also provide training as part of their contract. Once operational, the pay period frequency will become bi-weekly.
- d. Police Department – The job opening for Patrol Supervisor has been filled by Carl Smith who returns to the department following a brief absence. Staff and Smith will be working with Chief Volger regarding department structure and some possible changes.
- e. Planning and Building Department – The Building Inspector/Code Enforcement Officer position is still open and applicants have been interviewed, however a successful candidate has not been selected.
- f. Parks and Recreation Department – The new Recreation Supervisor is Myles Gabel who comes to Pagosa via Incline Village, Nevada.
- g. Streets Department – Crews have been working regularly on snow removal and equipment maintenance and the current snowstorm cycle has crews working in excess of 8-hour days.
- h. Community Center – Staff is busy finalizing a fundraiser with the Harlem Ambassadors, which is scheduled for January 18, 2004. The event will be held at the high school.

Council Member Cotton moved to pay the bills, Council Member Whitbred seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 5:50 p.m.

Ross Aragon, Mayor

Tuesday February 3, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, James, and Kiister

The minutes of the January 6, 2004 meeting were approved.

Liquor Licenses:

1. Downside Moose Hotel/Restaurant License – Council Member Cotton moved to approve the hotel/restaurant liquor license for the Downside Moose. Council Member Holt seconded, and with 5 ayes the motion carried.
2. Shang Hai Beer and Wine License – Council Member Cotton moved to approve the beer and wine license for Shang Hai. Council Member Holt seconded, and with 5 ayes the motion carried.

Council Member Whitbred showed up.

3. Dorothy's Restaurant Liquor License Renewal and Expansion – Council Member James moved to renew Dorothy's liquor license and to approve their expansion. Council Member Cotton seconded, and with 6 ayes the motion carried.
4. Pagosa Lodge Liquor License Renewal – Council Member James moved to renew the Pagosa Lodge's liquor license. Council Member Cotton seconded and with 6 ayes the motion carried.

Delegations:

1. Don Ford – Seeds of Learning Chair – Seeds of Learning just recently got a new computer program and in using it they noticed that they had not paid an electric bill in 5 years, the Town of Pagosa Springs has been paying it. So they went to LPEA to find out how much they would have owed for that time period and found out it would have been approximately \$7241.53. As of January 1, 2004 Seeds of Learning started paying the electric bill themselves. Seeds of Learning would like to know what the town wants to do about the amount that should be owed to them. There are multiple options. Council Member Hold made a motion to forgive one-half (1/2) of the balance and to give Seeds of Learning one year to pay that portion off. Council Member Cotton seconded and with 6 ayes the motion carried. Don also wanted to let the council know that he with many community based and faith based organizations started the Pagosa Outreach Connection (POC). This was started to help people who need a helping hand. POC reviews applications from people to determine if they qualify and for how much if they do. Since August of 2003 POC has helped 45 people and spent about \$15,000.00 in doing so. They have also

denied 14 applications. Social Services is responsible for taking the applications, and everything remains confidential. They are also working on a Transient Program and with Chief Don Volger and Social Services they came up with a transient policy that is now in place and working. The next phase of this will be a jail release program.

2. Christina Cordales – Housing Solutions – They will be going in front of the Director of Housing for a CDBG Grant request in the near future. They have done around \$265,000.00 worth of work in the Pagosa area since 2000. They are going to ask for \$410,000.00 on February 10, 2004. They want to ask the town for some kind of help. It doesn't have to be in the form of money to match, it can be in terms of fee waivers or something like that also. They will also be approaching the county for the same thing. Council Member Whitbred moved to waive the building permit fees up to \$150.00 and then to give them \$150.00 in cash. Council Member James seconded and with 6 ayes the motion carried.

NEW BUSINESS:

1. Planning Commission meeting of 1/28/04.
 - a. Sign Code Changes (Ord. No. 04-618, First Reading) – Council Member Cotton moved to approve Ordinance Number 04-618 as the 1st reading. Council Member Holt seconded and with 6 ayes the motion carried.
 - b. Sign Code Fees (Resolution 2004-01) – Council Member Cotton moved to approve Resolution 2004-01. Council Member Whitbred seconded and with 6 ayes the motion carried.
 - c. Holiday Inn Staybridge Hotel Variance Request – The applicants wish to withdraw this variance request. It was a height variance and they have reconfigured the building to a 3 story building.
 - d. Holiday Inn Staybridge Hotel Minor Subdivision Request – The Planning Commission recommends approval of this subdivision request. Council Member Holt moved to approve the request. Council Member Kiister seconded, and with 6 ayes the motion carried.
2. Affordable Housing Mitigation Workshop – The workshop meeting was set up for February 17, 2004 at 12:00 p.m. in the Town Hall.
3. Parks & Recreation Advisory Board Appointments (Resolution 2004-02) – The advisory board has completed an update of board member terms and this resolution affirms those appointments. Council Member Cotton moved to approve Resolution 2004-02. Council Member Whitbred seconded and with 6 ayes the motion carried.

OLD BUSINESS:

1. Regular Meeting Notice (Ordinance No. 04-619, Second Reading) – Council Member James moved to pass Ordinance No. 04-619 on its second reading. Council Member Cotton seconded and with 6 ayes the motion carried.

2. Update on Hot Springs Blvd. Project – Strohecker Asphalt has asked for release or their remaining retainage in lieu of a Maintenance Bond. Strohecker has adamantly stated that they will stand by their work and will complete any necessary repairs.
3. Talisman and Village Drive, and Pinion Causeway Project – Town staff is continuing maintenance until the paving can start again.
4. Update on 2003 CMAQ Paving Project – All work is completed. Staff is closing out the project with CDOT.
5. Update on 2004 CMAQ Paving Project – The negotiations for right-of-way along this project has been initiated and no major problems are anticipated.
6. Update on Riverwalk Enhancement Project – The State has approved this project and notice to bidders has been advertised. Bidding will be closed early March on this project.
7. Update on Municipal Jail Services IGA – Staff is finalizing the language and specific sections within the IGA.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – The Town’s sales tax receipts are down again (\$11,928.00). This is a decrease of 6% when compared to 2003.
 - b. Clerk Department – Town Clerk is still working with Caselle to get the data conversion complete.
 - c. Police Department – The Chief and staff are still working on department reconstruction. This will be presented to the Council upon completion.
 - d. Planning and Building Department – The Building Inspector/Code Enforcement Officer position has been re-opened and will close on February 6, 2004.
 - e. Parks and Recreation Department – Adult basketball is getting underway.
 - f. Streets Department – Crews have been working regularly on continued snow removal and equipment maintenance.
 - g. Community Center – Staff has successfully completed the Harlem Ambassador fund raiser which netted approximately \$6,600.00.

Council Member Whitbred moved to pay the bills, Council Member James seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 6:43 p.m.

Ross Aragon, Mayor

Monday February, 2004

The Mayor Pro Tem called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor Pro Tem: Cotton

Council Members: Holt, Jackson, James, Kiister, and Whitbred

Personnel Matter:

1. Letters from Mr. Witkowski – Mr. Witkowski wrote a series of letters to Mayor Aragon and the Council Members. The first few were regarding an incident that happened with Jr. Lister at a Recreation Basketball Program. The last one was regarding hiring policies and background checks of the Town of Pagosa Springs in regards to Myles Gabel. Jr. documented everything that he did that led up to the first letter and everything since. Junior's documentation and all of the letters written by Mr. Witkowski were provided to the Council. Regarding the hiring of Myles Gabel, Jr. and the Town of Pagosa Springs followed everything in the town's policy book and some leads by CIRSA policy. A CBI check was done and found no criminal history. He holds a teaching certificate in the State of Nevada for which a FBI check brought back nothing. He was never convicted on anything, and he won a wrongful termination suit. Andy Rice is the person who brought up the sexual harassment allegations, and he gave Mark and Jr. some contacts to talk to, which they did. Andy Rice never actually talked to Jr. about any of this, he went straight to Mark. Council Member Holt stated that we need to get our attorney in on this so the Council/Staff can write a letter of response to Mr. Witkowski. Mark called Bob Cole and brought him into the conversation on speaker phone. Mr. Cole said that the town needed to get more information. The fact that Myles was involved in a lawsuit alone does not make the town liable. Staff is going to work with Bob Cole on getting more information and then this will be picked up at a later meeting of the Town Council.

Tuesday February 24, 2004

The Mayor called the workshop meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following present:

Mayor: Ross Aragon

Council Members: Cotton, Holt, Jackson (late), and James

Affordable Housing Mitigation – We need to start looking at the housing needs for the future of the Town of Pagosa Springs. These needs are going to be created by growth and development that is coming upon us. We want to make sure that residents of this town and future generations can continue to reside within the town limits. We do not want town to end up like Aspen or Vail where the workforce cannot afford to live there. These problems can be addressed now through the right planning process. Outside groups on their own are spending up to \$100,000.00 for studies that the town has done and to get information on issues that they can't control. People are talking about redefining the "vision" for the Town of Pagosa Springs, is this questioning the abilities of the Town Council? Town Staff is capable of doing these studies and addressing these issues. The bottom line is that we have to do something. There are several potential new projects coming to town, and some of them are pretty major. New supermarkets, hotels, condos, and a super center are a few of the possibilities. Mark thinks that this might be a good time for the Council to have a retreat and go over all of these kinds of issues and set some priorities to give staff a direction. Tamra went over some affordable housing options that are used widely across the nation. We definitely need to get the County on board and we need to work together with them. We need to inventory our current potential sites to see where we stand now and where we want to go. Mark will set up a meeting with the County Commissioners and Mayor Aragon, Council Members Cotton and Holt.

Tuesday March 2, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Jackson, James, and Kiister

The minutes of the February 3, 2004 meeting were approved.

Liquor Licenses:

1. Silver Dollar Liquor License Renewal
2. Plaza Liquor License Renewal
3. Squirrel's Pub Liquor License Renewal
4. Mariani's Liquor License Renewal and Name Change to Frankie's Place
5. City Market Expansion
6. Chamber of Commerce Special Event Liquor License – Council Member James moved to approve all 6 liquor license renewals and changes. Council Member Jackson seconded and with 5 ayes the motion carried.

Delegations:

1. Sign Committee Members (Resolution 2004-03) – Mayor Aragon read a proclamation recognizing the sign committee for all of their hard work and presented them with gift certificates to show the town's appreciation.
2. Glen Raby – Did not show up.

NEW BUSINESS:

1. Planning Commission meeting of 2/17/04.
 - a. Rock Ridge Commercial Park PUD Replat – The Planning Commission reviewed this and recommended approval. Mike Branch was present to answer questions. Council Member James moved to recommend approval of the Rock Ridge Commercial Park PUD Replat. Council Member Holt seconded and with 5 ayes the motion carried.
 - b. Riverwalk Townhomes PUD Preliminary Plan Review – The Planning Commission reviewed this and recommended approval. The applicants were present to answer questions. Council Member Holt moved to approve the preliminary plan review for Riverwalk Townhomes. Council Member James seconded and with 4 ayes and Council Member Jackson abstaining the motion carried.
 - c. Bogey's Miniature Golf Course Conditional Use Permit – The Planning Commission reviewed this and recommends approval with some conditions. Council Member Holt moved to approve the conditional use permit. Council Member Jackson seconded and with 5 ayes the motion carried.
 - d. Bogey's Miniature Golf Course Minor Impact Subdivision – The Planning Commission reviewed this and recommends approval. Council Member James moved to approve the minor impact subdivision as presented. Council Member Jackson seconded and with 5 ayes the motion carried.
 - e. Immaculate Heart of Mary Catholic Church Lot Consolidation – The Planning Commission reviewed this and recommends approval. Council Member Jackson moved to approve the lot consolidation as presented. Council Member Holt seconded and with 5 ayes the motion carried.

2. Affordable Housing Resolution (Resolution 2004-04) – Council Member James moved to approve Resolution 2004-04 as written. Council Member Jackson seconded and with 5 ayes the motion carried.

OLD BUSINESS:

1. Sign Code Changes (Ordinance No. 04-618, Second Reading) – Council Member Holt moved to approve the second reading of Ordinance 04-618, an ordinance making changes to the sign code. Council Member Jackson seconded and with 5 ayes the motion carried.
2. Update on Hot Springs Blvd. Project – Staff has been working with Davis Engineering on the design for 2004 project.
3. Talisman and Village Drive, and Pinion Causeway Project – The project will resume this spring when weather conditions are more favorable for paving.
4. Update on 2004 CMAQ Paving Project – Negotiations for right-of-way along this project have been initiated and no major problems are anticipated.
5. Update on Riverwalk Enhancement Project – The State has approved this project and bids are due in early March.
6. Update on Municipal Jail Services IGA – Staff is finalizing the language and specific sections within the IGA.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – December receipts are up \$11308.00 these receipts were received in February.
 - b. Planning and Building Department – The final interview for the Building Inspector/Code Enforcer will be conducted on March 1st. Staff hopes to have an offer to the successful candidate by March 5th.
 - c. Streets Department – The council directed staff to write a letter to the streets department commending them for the great job they have been doing with snow removal.
 - d. Community Center – The Teen Center Coordinator has departed for another job and staff is working to replace the individual.

Council Member James moved to pay the bills, Council Member Jackson seconded. With 5 ayes the motion carried. On motion duly made, the meeting adjourned at 5:55 p.m.

Ross Aragon, Mayor

Tuesday April 6, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, and Whitbred

1. Cancel April 6, 2004 Election & Elect New Council Members (Resolution 2004-05). Council Member Holt moved to approve resolution 2004-05 as written. Council Member Whitbred seconded and with 4 ayes the motion carried.
2. Town Clerk Deanna Jaramillo swore in the new council members – Stan Holt, Bill Whitbred, and Tony Simmons.

The minutes of the March 2, 2004 meeting were approved.

Liquor Licenses:

1. JJ's Liquor License Renewal
2. Elk Horn Liquor License Renewal
3. Everyday Liquor License Renewal
4. Tequila's Liquor License Renewal – Council Member Whitbred moved to approve the above four license renewals. Council Member Holt seconded and with 5 ayes the motion carried.
5. Knights of Columbus Special Event Liquor License – Council Member Whitbred moved to approve the special event liquor license. Council Member Cotton seconded and with 5 ayes the motion carried.

Delegations:

1. Glen Raby – Wanted to let council know about upcoming Chimney Rock Festivities and would like use of the Bell Tower to put out notice. The Northern Stand still of the moon will be happening in 2004 and 2005. The moon will rise between the 2 Chimney Rock Towers, this only happens every 18 years. They are planning for a number of events out there. On July 4th it is the 950th birthday of the Crab Nebula Supernova and they would like to ask the town to end the firework show with one large shell to signify this. The town said that they didn't see any problems but would have to talk to Jr. Lister who is in the process of planning for the 4th of July festivities.
2. Jan Clinkenbeard – The representative for Music in the Mountains wanted to inform the council that there will be 3 concerts this year at Bootjack Ranch and a 4th concert in the Town Park. This 4th concert is free and they want to encourage children to attend. They will be performing Peter and the Wolf. There will be games and food available. They are doing this together with the Parks Program and the Summer Reading Program.
3. Dennis Yerton – Of the Pagosa Pregnancy Center came to inform the council that they recently started a building drive for a new center. They are looking for land and wanted to know if the town has any land they could donate to the center. They are hoping for land in the downtown area and need one city lot. The current center is inadequate for current needs. The council said they would have staff look into this and would get back to them.

NEW BUSINESS:

1. Planning Commission meeting of 3/16/04.
 - a. McInnis Minor Impact Subdivision Request – The Planning Commission recommends approval. The applicant was available to answer questions. Council Member Cotton moved to approve the request. Council Member Holt seconded and with 5 ayes the motion carried.
 - b. Navajo Street Vacation Request – The Planning Commission recommends approval with conditions. The applicant was available to answer questions. Council Member Cotton moved to approve the request with conditions. Council Member Whitbred seconded and with 5 ayes the motion carried.
 - c. Riverwalk Townhomes I Lot Consolidation Request – The Planning Commission recommends approval. The applicant was available to answer questions. Council Member Holt moved to approve the request. Council Member Whitbred seconded and with 5 ayes the motion carried.
 - d. Seligman Conditional Use Request – Council Member Whitbred left the council table due to a conflict of interest and abstained in participating on this topic. The Planning Commission recommends approval contingent on a 1 year review or renewal. The applicant was available to answer questions. Council Member Cotton moved to approve the request with conditions. Council Member Holt seconded and with 4 ayes the motion carried.
 - e. Villas at Pagosa Lodge Planned Unit Development Preliminary Plan – The Planning Commission recommends approval with conditions. The applicant was available to answer questions. Council Member Cotton moved to approve the request with conditions. Council Member Simmons seconded and with 5 ayes the motion carried.
 - f. Rock Ridge Commercial Park Preliminary and Final Plan (Phase III) – The Planning Commission recommended approval of this back in December with the completion of a traffic impact analysis. The conditions have been met to date. The applicant was available to answer questions. Council Member Holt recommended approval. Council Member Whitbred seconded and with 5 ayes the motion carried.
 - g. Wolf Creek Area Development Issue – The Town has some concerns. Jay Harrington the former Town Manager had issued a letter earlier regarding this, but staff thinks the town should send another. The council thought this was a good idea and also wanted it forwarded to Mineral County and the Forest Service.
2. Municipal Code (Chapter 10) Amendment (Ordinance No. 620) – This is an emergency ordinance amending chapter 10 of the Municipal Code regarding term limits of Municipal Judges. Council Member Whitbred moved to pass the 1st and 2nd reading of the Emergency Ordinance No. 620. Council Member Cotton seconded and with 5 ayes the motion carried.
3. Municipal Court Judge Appointments (Resolution 2004-06) – This is for the reappointment of William Anderson and Burke Stancill. Council Member Cotton moved to approve the reappointments. Council Member Whitbred seconded and with 5 ayes the motion carried.
4. Vision Committee Plan Review – Mayor Aragon will be a part of this group and pledged \$10,000.00 on behalf of the town. Council Member Cotton

moved to ratify the \$10,000.00. Council Member Holt seconded and with 5 ayes the motion carried.

OLD BUSINESS:

1. Draft Smoking Ordinance – Julie researched this and prepared the draft ordinance for the council to review and give feedback. The council also wants to have a public hearing on this. The hearing will be scheduled at a later date.
2. Update on Hot Springs Blvd. Project – Staff has been working with Davis Engineering on the design for the 2004 project.
3. Update on Talisman and Village Drive, and Pinion Causeway Project – Work has resumed on this project with emphasis on Village Drive.
4. Update on 2004 CMAQ Paving Project – The County has requested that we manage this entire job and will provide funding in the amount of \$315,000.00.
5. Update on Riverwalk Enhancement Project – The lowest bid received was over the engineer's estimate and the budget by about \$100,000.00. Staff has directed Davis to make some changes and reduce the scope of the project in an attempt to bring the project costs closer to the budget. Because of this CDOT has required that the project be re-bid. This will happen in a few weeks.
6. Update on Municipal Jail Services IGA – Work on this is still in progress.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – January receipts are up \$16076.00 these receipts were received in March.
 - b. 2004 Budget – Staff has finalized a new insurance plan with Rocky Mountain HMO. This plan has a significantly higher deductible then the previous plan resulting in a monthly premium that is about \$6000.00 less than the current plan. Staff would like authorization to establish a Medical Savings Account and transfer \$25,000.00 into this fund. Council Member Cotton moved to approve the \$25,000.00 transfer into a Medical Savings Account. Council Member Whitbred seconded and with 5 ayes the motion carried.
 - c. Planning and Building Department – Scott Pierce in the new Building Inspector and will start work on April 12, 2004.
 - d. Police Department – Council Member Cottom moved to approve the departmental changes and to approve overtime. Council Member Whitbred seconded and with 5 ayes the motion carried.

Council Member Holt moved to pay the bills, Council Member Cotton seconded. With 5 ayes the motion carried. On motion duly made, the meeting adjourned at 6:37 p.m.

Ross Aragon, Mayor

Tuesday May 4, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, James, Simmons, and Whitbred

The minutes of the April 6, 2004 meeting were approved.

Liquor Licenses:

1. Pagosa Bar Liquor License Renewal
2. Amore's House of Pasta Liquor License Renewal – Council Member Whitbred moved to approve the renewals for the Pagosa Bar and Amore's. Council Member Cotton seconded and with 5 ayes the motion carried.
3. Transfer of Ownership from Amore's to the European Café – Council Member Cotton moved to approve the transfer of ownership. Council Member Whitbred seconded and with 5 ayes the motion carried.
4. Southwest Land Alliance Special Event Liquor License
5. Arts Council Special Event Liquor License – Council Member James moved to approve both special event liquor licenses. Council Member Cotton seconded and with 5 ayes the motion carried.

Delegations:

1. None

NEW BUSINESS:

1. Planning Commission meeting of 3/16/04.
 - a. Flying Burrito Variance Request – The Planning Commission recommends approval with conditions. The applicant was present to answer questions. Council Member Cotton moved to approve the variance request with conditions. Council member Whitbred seconded and with 5 ayes the motion carried.
 - b. Juicy Jerky Conditional Use Permit Request – The Planning Commission recommends approval with conditions. The applicant was present to answer questions. Council Member James moved to approve the request with conditions. Council member Cotton seconded and with 5 ayes the motion carried.
 - c. Tacos To Go Conditional Use Permit Request – The Planning Commission recommends approval. The applicant was present to answer questions. Council Member Cotton moved to approve the request. Council member Simmons seconded and with 5 ayes the motion carried.
 - d. Harman Minor Impact Subdivision Correction Plat – The Planning Commission recommends approval. The applicant was present to answer questions. Council Member Cotton moved to approve the request. Council member Whitbred seconded and with 5 ayes the motion carried.
 - e. Aspen Village Planned Unit Development Preliminary Plan Review – The Planning Commission recommends approval with a few minor changes. The applicant was present to answer questions. Council Member James moved to approve the request with the few minor changes. Council member Cotton seconded and with 5 ayes the motion carried.
 - f. Pagosa Lakes Plaza Minor Impact Subdivision Request – Council Member Whitbred left the Council table. The Planning Commission recommends

approval with a few changes. The applicant was present to answer questions. Council Member Cotton moved to approve the request as presented without the D4 designation. Council member James seconded and with 4 ayes the motion carried. Council Member Whitbred abstained from voting.

- g. Pagosa Lakes Plaza Earthwork Variance Request – The applicant no longer wishes to pursue this. The Planning Commission recommends denying this request. Council Member Cotton moved to deny this request. Council Member Simmons seconded and with 4 ayes the motion carried. Council Member Whitbred abstained from voting.
2. Navajo Street Vacation (Ordinance No. 621) – Council Member Whitbred moved to approve Ordinance No. 621 on its first reading. Council Member Cotton seconded and with 5 ayes the motion carried.
3. Historic Landmark Designation (Ordinance No. 622)
4. Historic Landmark Designation (Ordinance No. 623)
5. Historic Landmark Designation (Ordinance No. 624) – The Historic Preservation Board recommends approving Ordinances 622-624 designating Historic Landmarks. Council Member Cotton moved to approve the first reading of Ordinance Nos. 622, 623, and 624. Council Member James seconded and with 5 ayes the motion carried.
6. Historic Preservation Board Appointment (Resolution No. 2004-07) – This is a resolution appointing Karen Cox to the Historic Preservation Board. She will be replacing Mary Weiss who has resigned. Council Member James moved to approve Resolution 2004-07. Council Member Whitbred seconded and with 5 ayes the motion carried.
7. CMAQ Funding Appropriation (Resolution No. 2004-08) – Council Member Cotton moved to approve Resolution No. 2004-08. Council Member Whitbred seconded and with 5 ayes the motion carried.
8. Amendment to Town/PAWSD/School District IGA – The amendment is that there is a change in some of the time frames and some dollar amounts. There are 2 different agreements. One between the Town/PAWSD/School District and the second between the Town/PAWSD. Council Member Whitbred moved to approve both agreements. Council Member James seconded and with 5 ayes the motion carried.
9. Joint Water Waste Proclamation – Council Member Cotton moved to approve the proclamation. Council Member James seconded and with 5 ayes the motion carried.
10. Clean-Up Week 2004 Proclamation – Clean-Up Week will be May 23-30, 2004. Council Member Whitbred moved to approve this proclamation. Council Member Cotton seconded and with 5 ayes the motion carried.

OLD BUSINESS:

1. Draft Smoking Ordinance – The Public Hearing was continued until May 25, 2004 at 5:00 p.m. in the Town Hall Council Chambers.
2. Update on Municipal Jail Services IGA – Council Member Cotton moved to approve the IGA with the changes. Council Member Whitbred seconded and with 5 ayes the motion carried.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – The sales tax receipts are down for February sales receipts received in April of 2004. This is a decrease of 5.7% when compared to the same month last year and results in a 1% increase year to date.
 - b. 2004 Budget – Staff is finalizing third party agreements for our health insurance plan.
 - c. Town Clerk Department – Will be attending training in late May.
 - d. Planning and Building Department – Both departments are very busy with numerous projects.
 - e. Police Department – Staff has been commended for work completed on drug enforcement last year and early this year.
 - f. Parks and Recreation Department – 4th of July scheduling is underway and staff would like feedback on when to have the fireworks, Saturday or Sunday. The Council said to have them on Sunday the 4th.
 - g. Streets Department – The job opening for a street employee will close on April 30th with interviews to follow.
 - h. Community Center Report – The Center's staff has been commended for hard work in association with the Circus that was in town April 15th. A net total of \$5198.27 was raised for the Center's benefit and will go towards a new dance floor to be used in the multipurpose room.

Council Member Whitbred moved to pay the bills, Council Member James seconded. With 5 ayes the motion carried. On motion duly made, the meeting adjourned at 6:16 p.m.

Ross Aragon, Mayor

Tuesday June 1, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Simmons, Jackson, Cotton, Holt, and James

The minutes of the May 4, 2004 meeting were approved.

Liquor Licenses:

Knights of Columbus Special Event License, Folk West/July 4th Special Event License and the Junction Restaurant Beer/Wine renewal license was moved for approval by Council Member Jackson, Council Member James seconded. 5 ayes, motion carried.

Delegations – none

NEW BUSINESS:

1. Review of the Design Review Board Actions from 05/11/04 meeting. Pagosa Lakes Plaza Sign Variance Request and the Relay for Life Non-Profit Sign Request were briefly discussed, no issues were present.
2. Planning Commission Meeting of 05/11/04
 - a. Moondoggy's Conditional-Use Permit Request. Permit Request was withdrawn.
 - b. Blondie's Produce Stand Conditional-Use Permit Request. Council Member James motioned for approval with contingencies recommended by staff. Council Member Holt seconded the motion. 5 ayes, the motion carried.
 - c. Flying Burrito Conditional-Use Permit Request. Council Member Holt motioned for approval with contingencies recommended by staff. Council Member Simmons seconded the motion. 5 ayes, the motion carried.
 - d. Citizens Bank PUD Plat Amendment. Council Member James motioned for approval. Council Member Holt seconded the motion. 5 ayes, the motion carried.

Council Member Cotton showed up.

- e. Bauer Electric Variance Request. Council Member James motioned for approval with contingencies recommended by staff. Council Member Holt seconded the motion. 5 ayes, Council Member Jackson abstained. The motion carried.
- f. Aragón Lot Consolidation Request. Council Member Holt motioned for approval with contingencies recommended by staff. Council Member Simmons seconded the motion. 5 ayes, Mayor Aragón abstained. The motion carried.
- g. The Pointe PUD Sketch Plan Review. Introduction of the Pointe project that will be taking place on North 5th Street and Florida.
- h. Villas at Pagosa Lodge PUD Final Plan Review. Phase I has both a Public Improvement Agreement and an On-Site Development Agreement.

Council Member Cotton discusses the benefits of a 12 month retention of monies deposited under the Public Improvement Agreement. It was a general consensus that 12 months was a good period of time.

Council Member Holt raised concerns about site drainage into the adjacent lake. A site drainage plan was being looked at.

Council Member Jackson motioned for approval with contingencies recommended by staff. Council Member Cotton seconded the motion. 6 ayes, the motion carried.

3. A public hearing on the Municipal Code recodification was opened for comments. No comments were received.
4. FPPA Election Resolution # 2004-09. Council Member Cotton motioned for approval. Council Member Simmons seconded the motion. 6 ayes, the motion carried.
5. Pedestrian Impact Fee Resolution # 2004-10. Council Member Holt inquired when the sidewalk/trail widths specified in the resolution would be required. Staff said that they would work closely with developers to decide the proper widths of the sidewalks/trails.

- Council Member Holt motioned for approval. Council Member Jackson seconded the motion. 6 ayes, the motion carried.
6. Seeds of Learning preliminary site plan. Council Member Simmons raised concerns of traffic and if a traffic study was required. Staff didn't believe it was an immediate problem due to the low use of 7th Street.

Council Member Holt also raised concerns about snow plowing and storage. Seeds of Learning representatives believed that it could be figured into the budget.

Option #2 was favored over option #1.

Seeds representatives also asked for a letter of commitment from the Town for the use of the land. Mayor Aragón felt a letter of support was doable from the Town.

Council Member Holt motioned for approval. Council Member Cotton seconded the motion. 6 ayes, the motion carried.

7. CIRSA Bylaws and Intergovernmental Agreement Amendment. After discussion by the council, it was decided that the Town would opt out from any notification of changes to bylaws, etc. enacted by CIRSA.

OLD BUSINESS:

1. Historic Landmark Designation Ordinance No. 622, Second Reading, Historic Landmark Designation Ordinance No. 623, Second Reading, Historic Landmark

- Designation Ordinance No. 624, Second Reading. Council Member James motioned for approval. Council Member Holt seconded the motion. 6 ayes, the motion carried.
2. Municipal Court Appointed Counsel Rate Review.
After a general discussion, the consensus was no minimum, and a \$1,000 maximum.
 3. Draft Smoking Ordinance Update. A workshop was set for next Tuesday @ noon, in Town Hall.
 4. Mayor's Council. Mayor Aragón invited the Town Council to the next meeting which is at 2:30 on June 10th at Town Hall.
 5. Update on Hot Springs Blvd. Project. Staff has suggested to the Council to postpone this year's project because of the recreation of a Downtown Master Plan. With the money that is not spent, possible opportunities for the funds would include 7th Street realignment, as well as reapportionment to the Downtown Revitalization program. Council Member Cotton motioned for approval. Council Member Holt seconded the motion. 6 ayes, the motion carried.
 6. Talisman and Village Drive, and Pinion Causeway Project. On-schedule.
 7. Update on 2004 CMAQ Paving Project. Staff is working with the County and property owners to finalize easements on Cemetery Road.
 8. Update on Riverwalk Enhancement Project. The project has been redesigned and will be rebid in June.

DEPARTMENT HEAD REPORTS:

Town Managers Report.

1. Sales Tax Receipts: The Town sales tax receipts are down (\$3849) for March sales receipts received in May of 2004. This is a decrease of 2.1% when compared to the same month in 2003 and results in a 0% increase year-to-date. Enclosed please find a sales tax spreadsheet for 2003 and 2004. This sheet shows the month the receipts are received and reflects collections two months in-the-rears.
2. Conflict of Interest Memo: Enclosed is a memo from our attorney detailing conflict of interest issues for council members. Please review the memo and direct any questions to myself. It is important to recognize potential conflicts and properly excuse oneself from the matters. The attached form should be properly completed and provided to staff for proper filing.
3. Town 2004 Budget: Staff is finalized third party administration agreements for our health insurance plan. The third party administrator (Employee Benefits of the Southwest, Margaret Simon) is tasked with administering the Town's Health Reimbursement Account (HRA) and wellness benefit.
4. River Restoration Project: Staff conducted a meeting on May 13th with various users of the river with intent on providing preliminary design information and to receive comments. The meeting was well attended and numerous comments voiced. Staff also defended the Fishing Is Fun Grant and received favorable comments. However, the grant was not funded during this funding cycle and comments identified that this project would likely be funding during the next grant cycle. We were not seeking funding for this year and trying to secure funding for next year. All grants funded were for projects slated for this year. Work is continuing on this project.

5. Comprehensive Plan: Staff has begun work on the Town Comprehensive Plan, which is required by our Home Rule Charter. A \$60,000 Energy Impact Grant has been submitted for this plan and staff has been working with our Department of Local Affairs representative (K. Charles) on this funding.
6. Wage and Salary Survey: Staff has advertised the RFP for this survey. The last survey was completed in 2000. All job descriptions have been updated by staff in order to reduce cost and will only need a cursory review by the successful contractor. The proposals are due in late June.
7. Web Page Summary: A copy of the Web Page Summary is provided for your review. Please visit the page and review many of the new changes.
8. Town Clerk Department Report: The Town Clerk is currently receiving training with Cassell Company and the change over is nearly complete with all the data transfer and program development. The software should be fully operational in late June. Payroll will be changing to a two-week pay period once the system is on-line. The 2003 audit will be completed once this system is operational.
9. Police Department Report: The police department has submitted a grant for funds for a school resource officer. The grant program provides full funding for three years. Discussions with the school identified a need and desire to pursue this grant. If the program is funded and successful the Town and School will have look at continued funding for this program following the grant cycle.
10. Planning and Building Department Report: Building and planning department staff are both busy with numerous projects. Enclosed is a breakdown of 2003 building permit information.
11. Historic Preservation Board: Enclosed is a copy of their meeting minutes.
12. Parks and Recreation Department Report: Various recreation programs and events are underway. The Park Fun Program has been staffed and the program will begin on June 1st. Staff is also working on parks and landscaping throughout town. Planning is underway for the Fourth of July events, which will be hosted at the ball fields near the High School. Enclosed please find the minutes from the last Parks and Recreation Advisory Board Meeting.
13. Streets Department Report: Crews have completed clean-up week with a significant amount of dumping and participation by citizens. I will have the final numbers for you during the meeting.
14. Community Center Report: The Center's staff has been busy with various rentals and increased traffic in the Teen Center since the end of school.

Council Member Cotton moved to pay the bills, Council Member Holt seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 6:50 p.m.

Ross Aragón, Mayor

Tuesday July 6, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Jackson, Simmons, and Whitbred

The minutes of the June 1, 2004 meeting were approved.

Liquor Licenses:

1. City Market (Country Center) Liquor License Renewal
2. City Market (Downtown) Liquor License Renewal
3. Pizza Hut Liquor License Renewal
4. Ramon's Liquor License Renewal – Councilmember Whitbred moved to approve all four of the liquor license renewals. Councilmember Holt seconded and with 5 ayes the motion carried.
5. Transfer of Ownership from Everyday Stores to Super America LLC and issue a Temporary License – Councilmember Jackson moved to approve the transfer of ownership and to issue a temporary license. Councilmember Holt seconded and with 5 ayes the motion carried.

Council Member Cotton arrived.

Delegations:

1. Lenore Bright – Ruby Sisson Library – The Library would like to ask for the town to waive the building permit fee for the building of the new library. The total of the building permit would be \$2929.00. The town did waive the fee the first time the new library was built. Mayor Aragon stated that they could probably waive half of the fee since the council doesn't want to set a precedent in waiving entire building permit fees. Councilmember Whitbred moved to reduce the library building permit fee by 50%. Councilmember Jackson seconded and with 6 ayes the motion carried.
2. Kathy Keyes – Downtown Merchant – Kathy is here to represent residents and merchants of Pagosa Springs concerned about big box development. She would like to see public hearings regarding this matter so the public can give their input. She would also like to see a task force formed to research the affects that big boxes have on communities. Mayor Aragon stated that the Mayor's Council was formed to look at some of these same issues and didn't want there to be a duplication of work. Kathy along with staff will form a task force and a schedule they plan to follow and will bring it back to the council at a special meeting to be set at a later date.

NEW BUSINESS:

1. Planning Commission meeting of 6/22/04.
 - a. Valdez RV Conditional Use Permit Request – The Planning Commission recommends approval of this contingent on several conditions. Councilmember Holt moved to approve the request for a period of one year or until there is an issuance of a Certificate of Occupancy given. Councilmember Cotton seconded and with 6 ayes the motion carried.
 - b. Collignon RV Conditional Use Permit Request – This is asking for a one year extension on a request previously approved. The Planning

Commission recommends approval of this request contingent on several conditions. Councilmember Whitbred moved to approve the one year extension or until a Certificate of Occupancy is issued, which ever comes first. Councilmember Holt seconded and with 6 ayes the motion carried.

- c. Ruby Sisson Library Variance Request – This is a set back encroachment variance request. The Planning Commission recommends approval of this request. Councilmember Cotton moved to approve the setback variance. Councilmember Whitbred seconded and with 6 ayes the motion carried.
 - d. Grey Boundary Line Adjustment – This would adjust boundary lines to create lots 23x and 24x. The Planning Commission recommends approval of this request. Councilmember Cotton moved to approve the request. Councilmember Whitbred seconded and with 6 ayes the motion carried.
 - e. Riverwalk Townhome Planned Unit Development Final Plan/Development Improvements Agreement Review – The applicant was present to answer any questions. Councilmember Holt moved to approve the final plan for the Riverwalk Townhomes with the conditions previously discussed. Councilmember Cotton seconded and with 5 ayes the motion carried. Councilmember Jackson abstained from voting.
 - f. Aspen Village Planned Unit Development Final Plan/Development Improvements Agreement Review – The applicant was present to answer any questions. This total project is going to take 8-10 years to complete. They want to begin Phase I which could be completed by late September or early October. Then they will come back in front of the council before beginning with Phase II. Councilmember Whitbred moved to approve Phase I development improvement agreement and final plan. Councilmember Jackson seconded and with 6 ayes the motion carried.
2. Historic Preservation Board Reappointment (Resolution 2004-11) – Councilmember Whitbred moved to approve Resolution 2004-11. Councilmember Cotton seconded and with 6 ayes the motion carried.
 3. Town of Pagosa Springs 2004 Budget Amendment/Public Hearing – Councilmember Whitbred moved to proceed with the changes. Councilmember Jackson seconded and with 6 ayes the motion carried.

OLD BUSINESS:

1. Municipal Court Appointed Counsel Rates (Resolution 2004-12) – Councilmember Cotton moved to approve Resolution 2004-12. Councilmember Holt seconded and with 6 ayes the motion carried.
2. Draft Smoking Ordinance – The survey is underway and as soon as we get the results they will be provided to the council.
3. Update on Cemetery Road Paving Project – A Notice of Award was given to Strohecker for this project. Staff is still negotiating with one property owner an easement. Work should start in the next week.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – Receipts are still up slightly (\$4163) for April sales receipts received in June.
 - b. Wage and Salary Survey – Staff has received 3 RFP's for this survey. The lowest proposal is from Lee & Burgess Associates of Colorado and totals

\$9750. Councilmember Whitbred moved to contract with Lee & Burgess for the survey. Councilmember Jackson seconded and with 6 ayes the motion carried.

- c. Town Clerk Department – Caselle is now up and running and handling all payroll and expenditures. Staff is also now on a bi-weekly payroll.
- d. Planning and Building Department – Staff is busy with numerous projects.
- e. Police Department – The Department has submitted a grant for funds for a school resource officer.
- f. Parks and Recreation Department – Various programs and events are underway.
- g. Streets Department – Crews have completed Clean-Up Week with a significant amount of dumping and participation by citizens.
- h. Community Center Report – Staff has been busy with various rentals and increased Teen Center traffic since the end of school.

A special meeting was set for July 15, 2004 at 12:00 p.m. in the Council Chambers.

Council Member Whitbred moved to pay the bills, Council Member Jackson seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 6:34 p.m.

Ross Aragon, Mayor

Thursday July 15, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor: Ross Aragon

Council Members: Cotton, Holt, James, Simmons, and Whitbred

County Land Use Presentation:

1. Marcus Baker – Archuleta County Associate Planner showed an 18 minute video that showed areas in Idaho and Wyoming that are facing similar situations as Archuleta County. They plan on using information received from these places to help decide what Archuleta County needs to do. They are looking at developing different districts for land use codes. They are trying to get as much input from the public as possible. They are hoping to have something ready to go to the County Commissioners in November but it may be later.

Big Box Task Force:

1. Kathy Keyes – She reiterated what she had said at the council meeting on July 6, 2004. She would like to see a task force put together to determine the needs and wants of residents concerning big box stores. She would also like to see an ending date and an action plan from the task force. Mark will work with Kathy to put together a task force and timeline and will bring it back to the council. The council told them to make sure that it is a well balanced group so the information they find will be credible. The council scheduled another special meeting on Tuesday July 27, 2004 at 5:00 p.m. for the task force and timeline to be presented to the council.

There are also three questions on the town's website regarding big box stores.

Councilmember Cotton moved for adjournment. Councilmember Whitbred seconded and with 6 ayes the meeting adjourned at 1:10 p.m.

Ross Aragon, Mayor

Tuesday July 27, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:05 p.m. with the following answering roll call:

Mayor: Ross Aragon

Council Members: Cotton, Holt, Jackson, James, and Simmons

Smoking Survey Results/Smoking Ordinance Review:

Char Day – Char went over the survey results, this survey had a +/- 10% confidence interval. 100 residents were surveyed by telephone from the 264 and 731 prefixes. The survey results showed that Pagosa Springs and Archuleta County were in favor of a smoke free Pagosa Springs. The current smoking rates are; National – 25%, Colorado - 18.5%, Pagosa Springs – 23%.

Superstore Impact Task Force Review:

Kathy Keyes – Read the list of confirmed people that would be on the task force and read the mission statement of the task force. She also gave a tentative schedule of meetings, but said it might change if the ordinance that was going to be talked about later was passed.

Emergency Ordinance (Ordinance Number 625) – Temporarily Suspending the Processing of Applications for Retail Superstores for a Period of 6 Months – Mayor Aragon opened this up for public comments;

David Brown: Was there representing the Mayor’s Council. He said that they have hired a San Francisco Firm to come up with a conceptual downtown master plan. This will probably be presented to the public in September. He supports the emergency ordinance, saying we need to focus on what we want our retail community to be in both the town and the county.

Karen Aspen: Thanked the council for considering this ordinance, and stated that communities across the nation are fighting “big box” stores.

Jerry Rohwer: Stated that the traveling public from all over does not want to see things happen here that have happened in other places.

Bob Goodman: Stated that he grew up here in this unique town, and that big box stores will change the flavor of town into something he does not want to see.

Cappy White: Wants to make sure that the option of eliminating big box stores all together is considered.

Radine Downey: Is in favor of the ordinance, and stated that people come here to get away from things they have in the cities or wherever they are coming from.

Nan Roe: Is glad we are ahead of the curve on this issue and thanked the council for getting the ball rolling on this issue.

Kerry Ellis: Came to live in Pagosa because it is a small town, we cannot totally stop urbanization but we have a unique situation here in Pagosa. She would like to see public meetings from both the town and the county.

Larry Sinclair: Agrees with the things that have already been said. He moved here for the small town life and atmosphere. Preserving this way of life is the most important thing.

Terry Smith: Will be working with the task force, he believes this ordinance will make the work the task force will do easier.

Wanalee Park: Is a small business owner here in Pagosa, wanted to remind everyone that Wal Mart squeezes its competition out of business by squeezing out their suppliers.

Bill Dawson: We need to look at the economic situation, a lot of Pagosa money is being spent in Durango.

Karen Aspen: If we look at economics we also need to look at all other aspects of situation.

Angela Atkinson: There is a survey dealing with this that is available online, at Town Hall, and at the Library. We have gotten 52 surveys back so far.

Kerry Dermody: She is concerned with the survey being primarily online, she wants everyone to have a chance to participate. She is also concerned that the county needs to look at this seriously since they have a lot more available land.

Lynn Selwa: Has seen small businesses lose ground and have to close due to big box stores coming in. Big boxes cause significant impact on both small stores and other big boxes already present.

Don Long: Has seen big boxes come in the infrastructure is not prepared for them; he believes that is the situation that we are in here.

Mamie Lynch: Guaranteed that the county will be discussing this issue.

Mayor Aragon: We need to decide what square footage to use in determining what a “big box” or a superstore is.

Councilmember Cotton moved to adopt Emergency Ordinance 625 using 18,000 square feet with the possibility to modify it later. Councilmember Holt seconded and with 6 ayes the motion carried.

Mark read a letter that the Mayor wrote in support of the Crossroads Project.

Councilmember Jackson moved for adjournment. Councilmember James seconded and with 6 ayes the meeting adjourned at 6:28 p.m.

Ross Aragon, Mayor

Wednesday August 4, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Jackson, James, Simmons, and Whitbred

The minutes of the July 6, 15, and 27, 2004 meetings were approved.

Liquor Licenses:

1. Hunan's Liquor License Renewal – Councilmember Whitbred moved to approve the liquor license renewal. Councilmember James seconded and with 7 ayes the motion carried.
2. Folkwest, Inc. Special Event Liquor License
3. Ducks Unlimited Special Event Liquor License – Councilmember Cotton moved to approve both Special Event Liquor Licenses. Councilmember James seconded and with 7 ayes the motion carried.

Council Member Cotton arrived.

Delegations:

1. Mike Branch – 2003 Audit – Mike recommended that the Council look at the audit and have him back at the next regular meeting if they had any specific questions. He said that the town in good financial condition. The Sanitation District is also healthy. The town did over spend what they had budgeted for in capital improvements, but knew they were doing that.

NEW BUSINESS:

1. Planning Commission meeting of 7/20/04.
 - a. Whispering Pines Planned Unit Development Sketch and Preliminary Plan Review – The applicant was present to answer questions. Only Phase 10 of this development is in town limits, Phases 1-9 are all in the county. The Planning Commission recommends approval with conditions. Councilmember Cotton moved to approve the Development Sketch and Preliminary Plan with the conditions of the Planning Commission. Councilmember Holt seconded and with 7 ayes the motion carried.
 - b. San Juan Street Easement Vacation Request (Ordinance No. 631) – This will reduce the utility easement from 70' to 20'; this still leaves plenty of room. The Planning Commission recommends approval with conditions. Councilmember Cotton moved to approve the first reading of Ordinance No. 631 with the conditions set by the Planning Commission. Councilmember Whitbred seconded and with 7 ayes the motion carried.
 - c. San Juan Alley Vacation Request and Property Exchange (Ordinance Nos. 627 & 628) – These ordinances will be contingent on Citizens Bank acquiring the property. The Planning Commission recommends approval with conditions. Councilmember Whitbred moved to approve the first readings of ordinances 627 & 628 with the conditions recommended by the Planning Commission. Councilmember James seconded and with 7 ayes the motion carried.
 - d. Harman Park Subdivision Final Plan/Plat and Development Improvements Agreement Review – The Planning Commission recommends approval with several conditions. Councilmember James moved to approve the

Final Plan/Plat with the conditions set by the Planning Commission.

Councilmember Holt seconded and with 7 ayes the motion carried.

2. Amended Superstore Ordinance (Ordinance No. 626) – Our attorney gave us 3 options to amend this ordinance and he recommends using the description of entrances. He believes this is the clearest of all of the options.
Councilmember Cotton moved to adopt Emergency Ordinance 626 on its first and second reading with the option recommended by our attorney.
Councilmember Jackson seconded and with 7 ayes the motion carried.
3. Historic Landmark Designation (Ordinance No. 629) – This is for the Catholic Church on 451 Lewis Street. Councilmember Cotton moved to approve Ordinance 629 on its first reading. Councilmember Whitbred seconded and with 7 ayes the motion carried.
4. Town Notification/Posting Requirements for Monthly Bills (Ordinance No. 630) – Councilmember Cotton moved to approve Ordinance 630 on first reading. Councilmember Simmons seconded and with 7 ayes the motion carried.
5. Tri-County Early Childhood/El Centro Building – Tri-County has received a grant to renovate the building and part of the grant guidelines require that a Notice of Federal Interest with local governments be recorded.
Councilmember Cotton moved to consent the record of notice.
Councilmember James seconded and with 7 ayes the motion carried.
6. Durango Fire and Rescue Authority Grant – The DFRA is the area recipient for Homeland Security funds. These grant funds are passed onto other local agencies and we are entitled to \$17,400.00. Councilmember Whitbred moved to have the Mayor sign the agreement so we can receive these funds.
Councilmember James seconded and with 7 ayes the motion carried.

OLD BUSINESS:

1. Town of Pagosa Springs 2004 Budget Amendment – We found out that as long as we are moving money within the same fund we don't need to do an amendment per our Home Rule Charter. Mark will check with the auditor to make sure this is okay with him also.
2. Draft Smoking Ordinance – The Council set a Work Session to discuss this on 8/9/04 at 12:00 p.m.
3. Mayor's Council for the Future of Pagosa Springs – They are thinking about becoming an official 501c3 group. Angela Atkinson will be working on this. The Downtown Master Plan will be presented on August 18, 2004 at 9:00 a.m. in the Town Hall Council Chambers.
4. Update on Cemetery Road Paving Project – Phase one has begun.
5. Update on Riverwalk Enhancement Project – We want to reline the trail on the east side of the wetlands. We hope to have cost estimates for this in the near future.
6. Seeds of Learning/San Juan Historical Society – Town cannot make a commitment until we see the Master Plan in place.

DEPARTMENT HEAD REPORTS:

1. Town Managers Report.
 - a. Sales Tax Receipts – Receipts are up slightly for sales in May, they were received in July.
 - b. Wage and Salary Survey – We hope this will be completed the first part of September.

- c. Town Clerk Department – 2003 audit is complete.
- d. Planning and Building Department – They are busy with numerous.
- e. Parks and Recreation Department – Various programs and events are underway.
- f. Streets Department – All aspects of the department are fully functioning,
- g. Municipal Court Report – Court activities are normal for this time of year.
- h. Community Center Report – Staff has been busy with various rentals and increased Teen Center Traffic since the end of school.

Councilmember Jackson left at 6:30 p.m.

Councilmember Cotton moved to pay the bills, Councilmember Whitbred seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 6:35 p.m.

Ross Aragon, Mayor

Special Meeting called to order at noon on Monday, August 09, 2004.

Present: Mayor Aragón

Council Members: Cotton, Simmons, Whitbred, Holt, Jackson

Smoking Ordinance

Darrel Cotton met with Char Day with San Juan Basin Health Department, and Mark Garcia about the smoking ordinance. Cotton's feeling is that it is not a right time to do this sort of ordinance. The ordinance will not affect that many people. Also the EPA's study is non-conclusive about second hand smoke. Cotton felt that it is not right to pass a law with manipulated data.

Holt provided comments on the ordinance.

Holt believes that everyone understands smoking is harmful, and it is difficult to protect the non-smoking public from smoke. About 95% of Pagosa is currently non-smoking, according to a survey by Holt. Owners and proprietors should set the standard. Smoking should be clearly posted so general public can decide for themselves.

Jackson felt that businesses outside city limits can have smoking (if ordinance were to be passed) and patrons may go outside city limits to smoke.

Whitbred believes that only a few places to smoke anyways, and there are plenty of places to go for non-smokers. Ordinance would take away options for smokers. Whitbred does not believe an ordinance is necessary.

Simmons states that smoking kills. When smoking in public places, it invades non-smokers rights. Simmons does not believe it is fair to ordain a public health issue unless it is in the County too.

Councilmember Cotton moved to take no further action on the smoking ordinance. Jackson seconded, with 4 ayes and 1 nay (Councilmember Simmons) the motion carried.

Affordable Housing

We looked at 28 acres on Putt Hill but it would be hard to develop and costly to do so. We have found some other options though. Councilmember Jackson has found 2.38 acres for \$43,000 which is a very good deal. There is also another 6 acres being sold by Clifford Lucero that is probably in the \$130,000 price range. This property will be appraised probably sometime this week.

Councilmember Whitbred moved to adjourn. Councilmember Jackson seconded and with 6 ayes the motion carried and the meeting adjourned at 1:15 p.m.

Ross Aragon, Mayor

Tuesday September 7, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Simmons, Jackson, Whitbred, and James

The minutes of the August 4, 2004 and August 9, 2004 meeting were approved.

Liquor Licenses:

Mountain Spirits Liquor License Renewal and Archuleta Seniors, Inc. Special Event Liquor License were approved with a motion from Whitbred, seconded by James. 4 ayes, motion carried.

Delegations –

Mike Branch was available to answer questions about the 2003 audit. Simmons made a motion to accept the 2003 audit. Whitbred seconded. 4 ayes, the motion carried.

Members of the Southwest Colorado Mental Health Center Task Force. See below.

NEW BUSINESS:

1. Planning Commission meeting of 08/17/04
 - a. Whispering Pines Planned Unit Development Final Plan Review and Development Improvements Agreement was still going through the planning commission, and the Council can expect to see it at the next meeting.
 - b. Riverwalk Townhomes Phase II Planned Unit Development Sketch Plan Review. Simmons was concerned about buildings in the floodway and staff said that it would be reviewed by the flood plain administrator and mitigation would be made as needed.
2. Amended Park and Recreation Advisory Board Resolution (Resolution 2004-13). Jackson moved to accept Resolution 2004-13 that increases the amount of Park and Recreation Advisory Board members from 6 to 7 members. Whitbred seconded the motion. 4 ayes, the motion carried.
3. Joint Town/County/School District Recreation Capital Improvement IGA. Deferred until the next meeting.
4. San Juan Water Conservancy District IGA. Simmons moved to approve the IGA that would allow the Town to accept a loan from the San Juan Water Conservancy District for rocks for the River Restoration Project. Jackson seconded. 4 ayes, motion carried.

5. Affordable Housing Land Purchase Contract. Jackson is abstaining from the discussion and vote for Affordable Housing Land Purchase Contract for the lot between 4th and Juanita Street. Whitbred moved to accept the Affordable Housing Land Purchase Contract for lots between 4th and Juanita for affordable housing. James seconded. 3 ayes, motion carried.
6. Affordable Housing Land Acquisition. The Council concurred and gave staff approval to continue negotiations for Clifford Lucero's property.
7. Music Booster Funding Request. Jackson inquired why the Music Boosters were funding meals at the festival. No representatives were in attendance to answer questions. Jackson motioned for approval of \$650 for the Music Boosters funding request. Whitbred seconded. 4 ayes, the motion carried.
8. Humane Society of Pagosa Springs Funding Request. Jackson motioned to approve \$3,000 for the Humane Society spay/neuter program, to be invoiced by the Humane Society as program occurs. Simmons seconded. 4 ayes, the motion carried.

OLD BUSINESS

1. San Juan Alley Vacation Request and Property Exchange (Ordinances 627 & 628). Jackson moved to approve the second reading of Ordinances 627 & 628. Whitbred seconded. 4 ayes, motion carried.
2. Historic Landmark Designation Ordinance (Ordinance 629). James moved to approve the second reading of the Historic Landmark Designation Ordinance 629. Jackson seconded. 4 ayes, motion carried.
3. Town Notification/Posting Requirements for Monthly Bills (Ordinance 630). Jackson moved to approve the second reading of the Town Notification/Posting Requirements for Monthly Bills Ordinance 630. Whitbred seconded. 4 ayes, motion carried.
4. San Juan Street Easement Vacation Request Ordinance (Ordinance 631). James moved to approve the second reading of the San Juan Street Easement Vacation Request Ordinance 631. Simmons seconded. 4 ayes, the motion carried.
5. Mayor's Council for the Future of Pagosa Springs. The Mayor's Council has changed the name of the organization to "Community Vision Council, a Public/Private Partnership."
6. Update on Cemetery Road Paving Project. Work has begun and delays on portions of the road are expected. Phase II is still planned to commence this year.
7. Update on Riverwalk Enhancement Project. The Riverwalk has been relocated and is currently being staked. The project should be awarded by the end of the year.
8. Capital Improvements for Apache and 8th Street. Staff has been working with our engineer on this project and anticipates a completed design shortly with bids going out in September and awards in early October. The two intersection options for asphalt and concrete will be included in the bid packages.

Members of the southwest Colorado Mental Health Center Task Force, including Mark Larson, Jim Isgar, Jim Knoll, and Bern Heath were presenting to the Council the New Mental Health Facility and requesting initial capital funding for \$15,000, and then \$15,000 in operating expenses in years following the building of the facility. Council said that they would consider the request in the 2005 budget cycle.

DEPARTMENT HEAD REPORTS

1. Town Manager Report
Town Attorney: Bob Cole was present and made introductions and answered questions.
Sales Tax Receipts were up significantly (\$26,233) when compared to the same month in 2003. This is an increase of 11.7%, and a 2.25% YTD increase.
River Restoration Project: Staff has been counting the initial rocks that are located on Mees and Dawson's Property.
Comprehensive Plan: DOLA has received letters of award and staff is currently working on the RFQ/RFP process.
Wage and Salary Survey. Staff has completed interviews with Kristi Rudy from Lee & Burgess Associates as part of the survey. This project should be completed by early September.
Web Page summary. A copy of the Web Page Summary was provided.
Counts are still doubled from last year.
2. Police Department Report. Letters exemplifying Officer Rockensock for handling a domestic with a shooting, and Officer Capistrant for a traffic stop that resulted in seizure of 150 pounds of Marijuana.
3. Planning and Building Department Report. Staff is still working on recodification of the Land-use portion of the municipal code.
4. Parks and Recreation Department Report
5. Municipal Court Report. Reception of a Tony Grampsas Youth Service grant award totaling \$8856.

Council Member James moved to pay the bills, Council Member Whitbred seconded. With 4 ayes the motion carried. On motion duly made, the meeting adjourned at 6:30 p.m.

Ross Aragon, Mayor

Tuesday September 21, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Jackson, James, and Simmons

Joint Town/County/School District IGA:

The first project this will cover will be the sports complex. Councilmember Simmons moved to approve the IGA. Councilmember James seconded and with 4 ayes the motion carried.

Political Sign Extension:

Ken Salazar's Committee would like to have the time that you can put up political signs extended. There is so much early voting and absentee voting now days that they believe this would be helpful. They would like to be able to put up signs for 45 days. Councilmember James made a motion to move the temporary political sign limit from 30 to 45 days. Councilmember Jackson seconded and with 4 ayes the motion carried.

Design Guidelines for D-1, D-2 and D-3 Districts:

Town Planner Tamra Allen stated that as she seen it the Council had 2 options in dealing with this. Option one is to put a moratorium on building until guidelines can be finalized. Option two is to adopt interim guidelines now then put them through the public process and amend them as needed. Right now there is nothing in the Town's building permit process that deals with landscaping or building façade etc. The Council decided to have the Attorney Bob Cole put together an emergency ordinance and called a special meeting to go over it tomorrow September 22, 2004 at 12:00 p.m. in the Town Hall Council Chambers. This ordinance will give us some guidelines and give the Town Council and the Visioning Committee time to meet and come up with more concrete ones.

Ross Aragon, Mayor

Tuesday September 22, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor: Ross Aragon

Council Members: Holt, Jackson, James, and Simmons

Emergency Ordinance No. 632, Interim Design Criteria for D-1, D-2, and D-3 Districts:

The Town's Attorney Bob Cole recommends that this ordinance becomes part of the municipal code but has left it so it can be amended at a later date after the Council and the Visioning Committee have a chance to go over the guidelines and make any changes they think are needed. Councilmember Jackson moved to adopt Emergency Ordinance 632. Councilmember Holt seconded and with 5 ayes the motion carried.

Ross Aragon, Mayor

Tuesday October 5, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Simmons, and Whitbred

The minutes of the September 7, 2004, September 21, 2004 and September 22, 2004 meeting were approved.

Liquor Licenses: None

Delegations: None

NEW BUSINESS:

1. Planning Commission meeting of 09/14/04
 - a. Cornerstone Lot Consolidation – The Planning Commission reviewed this and recommended approval. Councilmember Whitbred moved to approve the Cornerstone Lot Consolidation. Councilmember Holt seconded and with 4 ayes the motion carried.
2. Historic Business District Ordinance, First Reading (Ordinance No. 633) – This is for the downtown area between Pagosa Street and Lewis Street. Councilmember Simmons moved to approve Ordinance No. 633 on its first reading. Councilmember Whitbred seconded and with 4 ayes the motion carried.
3. State Income Tax Credit Review Authority Agreement (Resolution No. 04-14) – This is a resolution that renew annually with the state. Councilmember Whitbred moved to approve Resolution No. 04-14. Councilmember Simmons seconded and with 4 ayes the motion carried.
4. Cemetery Road Capital Improvement IGA – This is an IGA between the town and the county. The town attorney has looked at it and staff has received his comments. Councilmember Whitbred wanted to know why it stated in paragraphs 2 and 4 that the county would pay *approximately* ½ of the cost. He would like to see that word stricken from those paragraphs. Councilmember Holt moved to approve the IGA contingent on the changes discussed. Councilmember Simmons seconded and with 4 ayes the motion carried.
5. Sales Tax Information IGA – This is between the town and the county also. The county oversees some confidential information on sales tax receipts. We have asked the county to share this information with us for our sales tax research. Our attorney has reviewed the IGA, which is a confidentiality agreement and had no problems with it. Councilmember Holt moved to approve the IGA. Councilmember Whitbred seconded and with 4 ayes the motion carried.

OLD BUSINESS

1. Community Vision Council Update – They held meeting on September 15th and 16th and discussed information associated with the downtown master plan. The various elements depicted in the draft downtown master plan were discussed and several options and alternatives considered. The school district is also becoming involved with the council.
2. Cemetery Road Paving Project Update – Work on this project has begun and delays on this portion of the road are anticipated.
3. Riverwalk Enhancement Project Update – We hope to have this out to bid by the end of the year.
4. Apache & 8th Street Improvement Update – This is out to bid right now. Bids are due back by October 14, 2004.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – Sales tax figures are up 8.68% for July when compared to last year and 3.16% year to date. We have received a draft of the wage/salary survey. There will be a presentation to the council as soon as the final draft is available.
2. Town Clerk Report – We received 2 RFP's for banking services. We will meet with the 2 banks and should have banking services set up by November.
3. Police Department Report – The Police Department has been working on enforcing the noise ordinance, which it had been asked to do. Councilmember Whitbred asked if they could also increase their enforcement on Jake Brakes.

Councilmember Holt moved to pay the bills, Councilmember Whitbred seconded. With 4 ayes the motion carried. On motion duly made, the meeting adjourned at 5:26 p.m.

Ross Aragon, Mayor

Friday October 15, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Jackson, and Simmons

2005 Draft Budget:

The Draft Budget was not ready so this was tabled until the regular November meeting.

Wage/Salary Survey Presentation:

Kristy from Lee and Burgess Association came in to give a presentation on her findings in the wage/salary survey she completed for the town. All of the town's job descriptions had been updated by Julie prior to this survey. Kristy sat down with each department head to discuss the town's payroll and raise practices. She tried to keep consistent with how the last surveys were done; they were done by Carl S. Becker. He did the last one in 2000. She did a three part survey that was based on salary, benefits, and pay practices. Included in our market were organizations that were comparable to the town in services provided, size and population. Also included were organizations that have industry and community impacts and organizations that compete with the town for employees. Kristy recommends that the town get rid of the fixed step increments that they currently use because they are too broad. She recommends using an open pay system because it is more flexible. She also recommends trying to get salaries up to the mid market range. Councilmember Holt made a motion to move ahead trying to get to the market rates using the total market as the guideline. Councilmember Jackson seconded and with 4 ayes the motion carried. On a motion duly made the meeting adjourned at 1:00 p.m.

Ross Aragon, Mayor

Wednesday November 3, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, Jackson, James, and Whitbred

The minutes of the October 5, 2004 meeting were approved.

Liquor Licenses:

1. Bear Creek - Liquor License Renewal
2. Super America – Change Trade Name from Super America to Everyday Stores
Councilmember Whitbred moved to approve the liquor license renewal for the Bear Creek and the trade name change for Super America. Councilmember Jackson seconded and with 5 ayes the motion carried.

Delegations: None

NEW BUSINESS:

1. Planning Commission meeting of 10/12/04
 - a. Collins Minor Subdivision Request – The applicant was available to answer any questions. The Planning Commission has reviewed this request and recommends approval. Councilmember James moved to approve the minor subdivision request. Councilmember Holt seconded and with 5 ayes the motion carried.
 - b. Pagosa Electric Conditional Use Permit Request – This is for 172 N. 8th Street. The Planning Commission has reviewed this request and recommends approval with contingencies. Councilmember Jackson moved to approve the request with the contingencies recommended by the Planning Commission. Councilmember Whitbred seconded and with 5 ayes the motion carried.
 - c. Christian's Variance Request – This is for 338 Mesa Drive, they want to encroach 10 feet into the set back. The Planning Commission has reviewed this request and recommends approval. Councilmember Holt moved to approve the variance. Councilmember James seconded and with 5 ayes the motion carried.
 - d. White Condition Use Permit Request – This is for 234 Snowball Road. The Planning Commission has reviewed this request and recommends approval. Councilmember James moved to approve the request. Councilmember Holt seconded and with 5 ayes the motion carried.
 - e. Harman Park Subdivision Replat and Right-of-Way Agreement – They have withdrawn their replat request. The Planning Commission wants to see more dialogue between Tamra and the developers so they can work out some issues.

2. The Village at Wolf Creek Development Statement (Resolution 2004-15) – This was tabled until Tuesday November 9, 2004 at 12:00 p.m. where it will be discussed in a workshop. The Mayor opened this topic for public comment.

Richard Gobel – stated that he was concerned with the size and density of this project. “It is just too big”, there will be both long and short term impacts that we are not ready for. There are also huge environmental issues.

Dusty Hicks – stated that he was confused by the timing of the resolution since Mineral County has already passed the development. A lot of people don’t want change but change is going to happen. This is a multiphase project that will be done in a 20-30 year time frame. Phase I is scheduled to be completed by 2010. Pagosa Springs is a ski resort/golf community and that is the only way it survives year round. Pagosa Springs and Archuleta County along with Rio Grande County are going to be affected and will have to provide services. Some things are already getting ugly and there are already legal issues. This thing is going to happen so we should try to work together to make the best out of this situation.

3. Community Development Block Grant Infrastructure Program Approval – This will provide \$500,000.00 in infrastructure for low to moderate income jobs. Councilmember Whitbred moved to approve that staff prepare a letter regarding this and for the Mayor to keep this moving. Councilmember Holt seconded and with 5 ayes the motion carried.
4. Red Ryder Roundup Contract – This will renew the contract for 2005-2007. Councilmember Whitbred moved to approve the 2005-2007 Contract. Councilmember Jackson seconded and with 5 ayes the motion carried.
5. 2005 Budget – We will work through this on the November 9th Work session also

OLD BUSINESS

1. Historic Business District Ordinance (Ordinance No. 633) – Councilmember Jackson moved to approve the second reading of Ordinance No. 633. Councilmember Whitbred seconded and with 5 ayes the motion carried.
2. Cemetery Road Improvement Inter-Governmental Agreement (IGA) – We fixed the paragraphs that had the word approximately in them. The county is putting \$315,000.00 period toward this project it doesn’t matter where we spend it. Councilmember Holt moved to re-approve the IGA with its changes. Councilmember Whitbred seconded and with 5 ayes the motion carried.
3. Community Vision Council Update – On November 17, 2004 at 5:30 p.m. in the Community Center the Conceptual Downtown Master Plan will be presented.
4. Cemetery Road Paving Project Update – Asphalt is being placed and Phase I should be wrapped up pretty quickly. Phase II design work is almost done.
5. Apache & 8th Street Improvement Update – We deferred this project until next year.
6. Land Acquisitions – We are awaiting an appraisal on the Lucero property.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – Sales tax receipts are up significantly for August sales receipts received in October. This results in a 3.81% increase year to date.
2. Streets Department Report – Staff has sold the Cat Maintainer for \$38,000.00. This was \$8000.00 more than the dealer offered us as a trade.
3. Community Center Report – The Community Center hosted a Halloween event on October 29th which had over 400 participants. The event will become an annual event for the community.

Councilmember Whitbred moved to pay the bills, Councilmember Holt seconded. With 5 ayes the motion carried. On motion duly made, the meeting adjourned at 6:30 p.m.

Ross Aragon, Mayor

Tuesday November 9, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Holt, James, Simmons, and Whitbred

Village at Wolf Creek:

Mayor Aragon read a letter from Bob Haans. He will meet with the Vision Committee or with the Town Council or both. He would like to meet with them to try and answer any question they may have before the town takes an adverse position on their plan. The town does have a lot of questions they would like him to answer. The next Vision Committee meeting he could attend would be on December 6, 2004.

Mineral County has approved this development and Phase I of the development is a done deal in the eyes of Mineral County, but the project has never been determined as feasible. Many things have not yet been adequately addressed. Councilmember Whitbred moved to have staff draft a letter to the Forest Service with their EIS questions as soon as possible. The council is to review the letter before it is sent. Then they should send copies of the letter to Mr. Haans, Del Norte, Rio Grande County, Mineral County, South Fork, and Archuleta County. By consensus the council agreed on this. The draft resolution is okay minus a couple of paragraphs and with the changing of a few words. We are going to hold off on the resolution until Mr. Haans has had a chance to speak to the Vision Council and the Town Council.

2005 Draft Budget:

The council doesn't want to institute the proposed salaries to employees to get them up to market value all at once. They would like to see them instituted over a 2-3 year time period. They believe that estimating an 8% sales tax increase is over estimating and that it will be closer to 6%. The council instructed staff to institute 50% of what the suggested raises were and then they will reevaluate the salaries in September of 2005 after they see what kind of sales tax numbers we are getting.

Ross Aragon, Mayor

Tuesday December 7, 2004

The Mayor called the regular meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 5:00 p.m. with the following answering roll call:

Mayor: Ross Aragon
Council Members: Cotton, Holt, Jackson, James, and Simmons

The minutes of the November 3, 2004 and November 9, 2004 meetings were approved.

Liquor Licenses:

1. Victoria's Parlor – New Beer and Wine License Public Hearing – There was no public comment. Councilmember Cotton moved to approve the new beer and wine license. Councilmember Simmons seconded and with 6 ayes the motion carried.

Delegations:

1. Rich Goebel – Locals Opposing the Village Development – Some citizens have formed a committee of locals that are opposed to the Village Development. They have a petition opposing the village with 661 signatures on it, 650 of which are Archuleta County residents. They oppose the massiveness of the development. They also went and spoke to the county on this earlier this morning. They believe the Town Council should move on the draft resolution they have tonight. The Forest Service has extended the EIS statement period until January 5, 2005. Mr. Goebel handed out an article he copied to the council members.
2. Cary Ellis – Friends of Wolf Creek – The entire region will be impacted by the development at Wolf Creek. There are way too many extenuating circumstances. They gave a 12 page document to the USFS regarding the wetlands alone. Mark Larson has also sent a letter trying to stop the process. The council needs to pass the resolution to protect this community in the long run.
3. Mark Truax – Students for Change – We have to look what the development at Wolf Creek will do to the Town of Pagosa Springs, Archuleta County, and Southwest Colorado. Pagosa Springs will be the most affected especially in our schools and EMS services. They would also like to see the council act on the resolution and will be forwarding a letter themselves to the USFS regarding the EIS.
4. Juana Lee Parks – Local Business Owner – Outdoors are very important to Pagosa Springs and Archuleta County. There are impacts that will happen up there that they cannot mitigate. Visitors come back here because they like Wolf Creek the way it is, they like the family value.

Mayor Aragon stated that all of the points made previously were well taken and that the council would represent this community the best it can.

NEW BUSINESS:

1. Planning Commission meeting of 11/16/04

- a. Collins Minor Subdivision Zoning Request – The Planning Commission and staff recommend this property be zoned PE-R. There is a petition against this with 27 signatures on it.

Mr. Collins – stated that they are trying to cut off 35 acres of 90 acres of land. They only want to sell these 35 acres, he doesn't have any plans to build houses there or on the 55 acres that are left. They have met all of the conditions that they were asked to.

Anthony Doctor – The County does not maintain Pike Drive and doesn't remove snow there either, so if there is development there it will cost the current property owners more money. The traffic is already bad enough through there; this will just make it worse.

Mrs. Collins – We want to get this sold, our taxes go up every year. We have lost our agricultural designation and we can't afford it anymore. We are retired and in our 70s.

Bob Bledsoe – The problem lies with access to the property, if there is an increase in traffic on that drive it could be disastrous.

Councilmember Jackson moved to send this request back to the Planning Commission. Councilmember Simmons seconded and with 6 ayes the motion carried.

- b. Martinez Setback Encroachment Variance Request – This is at 188 N. 8th St. The encroachment is 1 foot on the sides and 9 feet on the back. The Planning Commission has reviewed this and recommends approval. Councilmember Holt moved to approve the variance request. Councilmember James seconded and with 6 ayes the motion carried.
 - c. Carquest Building Flood Variance Request – The Planning Commission has reviewed this request and recommends approval. Councilmember Cotton moved to approve the request. Councilmember Jackson seconded and with 6 ayes the motion carried.
 - d. The Overlook Planned Unit Development Sketch Plan Review – No action was needed.
 - e. Village Center Minor Impact Subdivision Request – This is at 56 Talisman Drive. The Planning Commission has reviewed this and recommends approval; they have met all of their requirements. Councilmember Jackson moved to approve the request. Councilmember Holt seconded and with 6 ayes the motion carried.
 - f. Harman Park Subdivision Plat Amendment – Councilmember James moved to approve the amendment. Councilmember Holt seconded and with 6 ayes the motion carried.
2. Whispering Pines Planned Unit Development, Phase 10 Final Plan Review & Development Improvements Agreement – All issues from the Planning

Commission have been met. Councilmember Jackson moved to approve, Councilmember James seconded and with 6 ayes the motion carried.

3. Sally Hameister's Outstanding Achievements and Contributions Resolution (2004-16) – Councilmember Simmons moved to approve Resolution 04-16. Councilmember Jackson seconded and with 6 ayes the motion carried.

OLD BUSINESS

1. 2005 Town Budget – Councilmember Cotton moved to approve the 2005 budget and to certify the mill levy at 1.557. Councilmember Holt seconded and with 6 ayes the motion carried.
2. Community Vision Council Update – The town and the CVC will be meeting in the near future to discuss the master plan.
3. Pagosa Springs Alliance for Responsible Growth – The moratorium will expire on 1/27/05. During the past 6 months they have done tons of research and are ready to present their findings. The CVC is going to have an economic study done, but it won't be done until March, so they would like an extension on the moratorium until then (120 days). By consensus of the council staff will draw up this ordinance to pass at the January meeting.
4. Cemetery Road Improvements – We will recommence work on this in the spring.
5. Riverwalk Enhancement Project Update – We hope to have this out to bid at the first of the year with construction starting in the spring.
6. Land Acquisitions – We are trying to finalize the purchase of 6 acres, the appraisal came in at \$150,000.00.

DEPARTMENT HEAD REPORTS

1. Town Manager Report – Sales tax receipts are up again, these are receipts for September that we get in November.

The council set a Special Meeting for December 21, 2004 at Noon. This will be the year end meeting and they will also discuss the resolution against the development at Wolf Creek.

Councilmember Holt moved to pay the bills, Councilmember James seconded. With 6 ayes the motion carried. On motion duly made, the meeting adjourned at 6:33 p.m.

Ross Aragon, Mayor

Tuesday December 21, 2004

The Mayor called the special meeting of the Town Council of the Incorporated Town of Pagosa Springs to order at 12:00 p.m. with the following answering roll call:

Mayor: Ross Aragon

Council Members: Holt, James, Jackson, Simmons, and Whitbred

Village at Wolf Creek Resolution 2004-15:

Councilmember Holt moved to approve Resolution 2004-15. Councilmember Simmons seconded and with 6 ayes the motion carried.

Affordable Housing:

DOLA specialist Bill Waley wants to come in and give the council and staff a presentation and some guidelines regarding affordable housing. This will cost \$5000-\$7500; DOLA will be paying an additional \$5000-\$7500. Staff believes this would be money well spent, and this is at a significant savings. Mark wants Tamra to continue to work on this; it will probably be the end of January or the beginning of February before he can come here.

Town/School Shared Maintenance Facility:

The school is in the process of negotiating for a building that is in an ideal site for them and that would work for the town also. If this site fails there are other options to look at, but we need to do some more research on this to come up with all of our options.

Councilmember Whitbred moved to adjourn the meeting. Councilmember Jackson seconded and with 6 ayes the motion carried and the meeting adjourned at 12:31 p.m.

Ross Aragon, Mayor