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## **TOWN COUNCIL MEETING MINUTES TUESDAY, FEBRUARY 2, 2010 Town Hall Council Chambers 5:00 P.M.**

**I. CALL MEETING TO ORDER** – Mayor Aragon, Council Member Cotton, Council Member Holt (late), Council Member Pierce, Council Member Weiler, Council Member Volger

**II. APPROVAL of MEETING MINUTES FROM January 5<sup>th</sup> and 28<sup>th</sup>, 2010** – Minutes were approved as read.

### **III. LIQUOR LICENSES**

- 1. New Liquor License – Mark Sterling Leavitt dba Aspen Moose, 2800 Cornerstone Dr. Bldg B2, Unit 4, Pagosa Springs** – Council Member Pierce moved to approve the new liquor license for Mark Sterling Leavitt dba Aspen Moose, Council Member Holt seconded, unanimously approved.

### **IV. DELEGATIONS**

### **V. NEW BUSINESS**

- 1. Ordinance No. 750, (first reading) Re-Adoption of Ordinance No. 734, Competitive Bidding Policies and Procedures** – On September 2, 2008, the Town Council adopted Ordinance No. 717, establishing a code of ethics for the town officers and employees. Ordinance No. 717 was adopted as Chapter 2, Article 4 of the Municipal Code. On February 3, 2009, the town council adopted Ordinance No. 734 to establish competitive bidding policies and procedures for the Town of Pagosa Springs. Ordinance no. 734 was adopted as Chapter 2, Article 4 of the Municipal Code. To resolve the conflict between Ordinance No. 717 and 734, Town Attorney, Robert Cole, drafted Ordinance No. 750 which readopts the Town's competitive bidding policies and procedures as Chapter 2, Article 5 of the Municipal Code. The narrative text of Ordinance No. 750 remains unchanged from that of Ordinance No. 734. Council Member Volger moved to approve the first reading of Ordinance No. 750, an Ordinance of the Town of Pagosa Springs amending Ordinance No. 734 regarding competitive bidding policies, Council Member Holt seconded, unanimously approved.

### **VI. OLD BUSINESS**

- 1. Ordinance No. 748, (second reading) Schedule Time, Date and Place of Regular Town Council Meetings** – Section 3.1 of the town charter requires the Town council to hold regular meetings at least once a month and that the schedule for those meetings are made by ordinance setting a time, date and place for the regular meetings. This ordinance sets regular meetings for the first Tuesday at 5:00pm and third Thursday at 12:00noon of each month. It also sets the location where the agenda will be posted at Town Hall, 551 Hot Springs Blvd. Council Member Pierce moved to approve the second reading of Ordinance No. 748, identifying town council regular meeting dates, locations, times and agenda posting requirements, Council Member Holt seconded, unanimously approved.
- 2. Ordinance No. 749, (second reading) Calling of Regular Election and Referring of Ord. No. 743 to Electors** - The Town will hold a regular election to elect four town council positions including the Mayor and council members in districts 1, 2, and 3. Along with the running of council members, the town will also have a ballot issue regarding the existing LUDC

Section 2.4.5 and the restrictions on big box retail stores. After Council had repealed this section by Ordinance No. 743 in August of 2009 to allow the restrictions on retailers to be relaxed, a referendum petition was circulated and the necessary signatures obtained to suspend the ordinance until a vote of the people can be obtained. The first reading of this ordinance was passed on January 5, 2010. Council Member Holt moved to approve the second reading of Ordinance No. 749, calling for the regular election of the registered electors of the town to be held on Tuesday, April 6, 2010 and referring Ordinance No. 743 to the registered electors of the town, Council Member Volger seconded, unanimously approved.

3. **2010 Capital Improvement Plan Street Project Funding** – SGM Engineers were employed to assist the Town Council in creating a five year capital improvement plan. In January, the Council refined the street improvement five-year plan by moving the reconstruction of Lewis Street between North 3<sup>rd</sup> and North 4<sup>th</sup> from 2012 to 2010 and 1<sup>st</sup> to 2<sup>nd</sup> streets from 2010 to 2012. This decision adds \$53,349 to the initially \$255,375 projected costs of 2010 street improvements. In order to accommodate the necessary amount in the capital fund to complete the council's goal, funds will need to be re-appropriated. The 2010 budget includes \$180,000 for street paving leaving a \$128,724 gap for the funding. Some options might include the use of \$40,000 appropriated for sidewalk paving and rather than cash purchase, finance the new backhoe. These items would result in \$90,000 toward the paving project. The balance of \$38,724 could be utilized from the capital reserves which have an increase carry over of \$15,522 from estimated end of year, or a transfer from the general fund reserves. Council Member Holt suggests not specifying these funds to the CIP project at this time and wait to find out if other funds may come available. Council Member Pierced would like to buy the backhoe outright. She agrees with not specifying the funding as Council Member Holt had suggested. Council Member Weiler believes with the current economy, financing the backhoe and using funds from the Capital Fund reserves is the best option. Council Member Cotton agrees with Council Member Weiler and would like to get going on bidding the project. Council Member Volger supports financing the backhoe and would like to redirect the amount out of the capital improvement funds. Council Member Volger moved to approve financing of the streets department backhoe, redirecting \$40,000 appropriated for sidewalk paving (concrete), and redirecting \$38,724 capital improvement fund reserves for the purpose of fully funding the 2010 plan for street improvements on the condition that if other capital funds come available these appropriations may be modified, Council Member Weiler seconded, unanimously approved.
4. **AEDA 2010 Strategic Plan and Governance** – On November 3<sup>rd</sup>, a meeting of the AEDA board of directors, Pagosa Springs Town Council, Archuleta County commissioners and representatives from the Pagosa Springs Chamber of Commerce was held. The purpose was to plan for the future of the economic development of Archuleta County and the Town of Pagosa Springs. Each entity identified their economic development priorities which included enhancing the pro-business environment, business retention assistance, and business attraction just to name a few. A work group was formed and looked at the benefits of forming a 501c3 Community Development Corporation (CDC). On January 25<sup>th</sup>, the AEDA board unanimously approved the 2010 strategic plan for economic development, including the following priorities; 1. Business attraction; 2. Economic gardening/business retention; 3. Infrastructure; and 4. Sustainable funding. The AEDA also approved the creation of a 501c3 Community Development Corporation (CDC). The new executive board for the CDC will consist of five members: 1 Town, 1 County and 3 AEDA board of directors. Council Member Holt has concerns about a Town board member representing the CDC with the April election possibly modifying the member. Town Manager Mitchem suggests that the representative can be modified should that person no longer sit on council after the April election. Council Member Holt moved to appoint Mayor Ross Aragón to the executive board of the new 501c3 Community Development Corporation and endorse the 2010 Strategic plan for economic development including the creation of the new 501c3, Council Member Weiler seconded, unanimously approved.

## VII. DEPARTMENT HEAD REPORTS

1. **Parks and Recreation Department Report** – Participation for youth basketball programs for ages 9-12 is up to 125 participants compared to only 122 last year. Adult volleyball ended January 27<sup>th</sup> and adult basketball registration began last week. Parks crew remains busy assisting with snow removal and resurfacing the skate ponds in River Center Park. A public meeting was held on

January 28<sup>th</sup> to view proposed designs for two whitewater features to be installed at Town Park. Town Intern Annie Rose Stathes reported that the skate park estimate now stands at approximately \$506,000. The deadline for the winter GOCO grant is March 2<sup>nd</sup>. The Town is still waiting on cash donations for the skate park. If the funds are not received other options will need to be addressed. Council Member Cotton requested the parks department seal the concrete at the fire pit at the Yamaguchi Park terrazzo. Council Member Pierce asked about the destruction of the former arts council building in Town Park in preparation for the 4<sup>th</sup> of July festivities.

**2. Planning Department Report** – Kathie Lattin was re-elected as chair while Bobby Hart was elected vice-chair of the planning commission for a one year term. Glenn Raby was re-elected chair and Shari Pierce elected vice-chair of the historic preservation board for one year terms. The historic preservation board is currently organizing expanded activities for Historic Preservation Month in May of 2010. Council Member Pierce would like Town Planner, James Dickhoff, to bring to the HPB the necessary paperwork for the board's yearly requirements.

**3. Town Tourism Committee Report** – Bob Hart was re appointed as Chairman, Morgan Murri as vice-chair, Angel Preuit treasurer and Keely Whittington as Secretary of the Town Tourism Committee for two year terms. Lodger's tax collection for December reflects a 11.03% increase compared to December 2008. Lodgers tax for 2009 represent an 9.2% increase over 2008 and a 5.45% increase over 2007. Visitor center fulfillment requests are up 105% over 2008 and relocation requests have increased 146% compared to 2008. The TTC picked Jesse James Company to update the new web site.

**4. Town Manager Report** – Sales tax declined -7.03% compared to November 2008. No modifications will be required at this time to the 2010 budget. Mike Branch begun the audit February 1<sup>st</sup> and will present his finding to council as soon as he is completed. Town Manager Mitchem explained the meeting with the State for the fiber-optics grant went great, he explained a federal grant may be available using state grant funds as leverage, he will be looking into this grant should it become available. Council Member Weiler gave Town Manager Mitchem a great compliment on his outstanding work on the fiber-optics grant.

#### **VIII. Next Town Council Meeting February 18, 2010 at 12noon**

**IX. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 6:00pm.

**Ross Aragón  
Mayor**