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TOWN COUNCIL MEETING MINUTES
THURSDAY, MAY 20, 2010
Town Hall Council Chambers
12:00 P.M.

- I. **CALL MEETING TO ORDER** – Mayor Aragon, Council Member Cotton, Council Member Jackson, Council Member Lattin, Council Member Pierce, Council Member Volger
- II. **LIQUOR LICENSES**
- III. **DELEGATIONS**
- IV. **NEW BUSINESS**
 2. **Jackson Major Subdivision Preliminary Plat** – Council Member Jackson removed himself from the discussion sighting a conflict of interest since it relates to his property. Kathleen and Jerry Jackson have submitted an application for a Major Subdivision of their property located at 651 4/5 Alley. In 2007 a consolidation of 9 lots was approved which resulted in the current property. In 2009 a minor subdivision was approved which split off one 60' wide lot. The applicant intends to subdivide the remaining portion of property into 4 lots (3 lots 50' wide and one 153' wide). The property is MU-R (mixed use residential) zoning district. At the May 11, 2010 meeting, the planning commission approved the recommendation of the subdivision contingent upon the Pagosa Springs Sanitation District's approval. Mayor Aragon opened this item to public comment. Council Member Volger moved to approve the Jackson Major Subdivision preliminary plat contingent on the Pagosa Springs Sanitation District's approval, Council Member Lattin seconded, motion carried with one abstention (Council Member Jackson)
 3. **Annual Adoption of 3-Mile Plan** – Section 31-12-105 of the Colorado Revised Statutes require that each municipality have a 3-mile plan that outlines potential annexation area within a 3-mile radius. According to Statute this plan should be updated annually. At the May 11th meeting, the Planning Commission approved a recommendation that the Town Council approve the 2010 3-mile plan. Mayor Aragon opened this item for public comment. Council Member Jackson moved to approve the 2010 3-mile plan based on the established planning area boundary as adopted in the 2006 Comprehensive Plan, Council Member Volger seconded, unanimously approved.
- V. **OLD BUSINESS**
 1. **Ordinance No. 754, Second Reading, Large Format Retail LUDC Clean Up** – At the April 6th election, Town voters overwhelming agreed to removed section 2.4.5 of the Land Use and Development Code that restricted large format retail development. Ordinance No 754 removes certain sections, including 100,000 square feet and larger, that were not addressed during the original Ordinance. Council approved first reading of Ordinance No. 754 at the April 22nd, 2010 meeting. Council Member Volger moved to approve Ordinance No. 754 second reading, an ordinance of the Town of Pagosa Springs repealing provisions of the Land Use and Development Code and Related provisions of the Land Use and Development Code User's Manual regarding Large Retail Development which were not previously addressed by Ordinance No. 743, Council Member Cotton seconded, unanimously approved.

2. **Ordinance No. 753, Second Reading, Waste Management Franchise Agreement** - Waste Management has been servicing the citizens of Pagosa Springs since 1994. This renewal of the agreement includes some changes including permanent dumpsters at the Town Shop and additional dumpsters during the annual clean up week. Waste Management will no longer have an office in Pagosa Springs but will have available a toll-free Customer Service Center available to citizens. Council approved the first reading of Ordinance No. 753 at the April 22nd meeting. Mr. Mark Weiler expressed concern to the Council about allowing the local companies to engage in a franchise agreement with the Town. After clarification from Town Manager Mitchem regarding other companies who do have franchise agreements with the town to provide services to the Town residents, Mr. Weiler abated his previous concerns. Council Member Jackson moved to approve second reading of Ordinance No. 753 renewing the Waste Management of Four Corners franchise agreement for the collection and disposal of refuse within the Town of Pagosa Springs, Council Member Lattin seconded, unanimously approved.
3. **March Sales Tax Brief** – The March sales tax revenues decreased by -10.72% compared to March 2009. Year-to-date sales tax revenues have declined -7.64% compared to 2009. The Town Council budgeted to see a 10% decrease in sales tax for 2010 compared to 2009. Although the -7.64% decline is not over the 10% reduction already budgeted, the department heads feel it is prudent to reduce expenditures by 5%. This action requires cut backs in the Capital Fund which will relate to projects and vehicles. Cut backs in the General Fund will require approval by the Council to use approximately \$37,703 from the General Fund's \$1,000,000 reserves carried over from 2009. An alternative option would be to reduce staff in order to accomplish the 15% reduction. Mr. Mark Weiler suggested that if the increases in March lodger's tax and sales taxes received would be a lot less if it excluded the hotel tax collections. He encourages Council to have staff establish the sales tax received without including the hotel sales tax collection and says he is willing to provide assistance in getting the information. Council Member Jackson would like Mr. Weiler to assist staff in getting the sales tax details together. Mr. Bob Hart believes the Town is tourist based and a portion of the sales tax is supported by the tourist and lodgers. Council Member Pierce said she received a call from a county resident who gave praise for the fiscal responsibility of the Town Council and staff. Council Member Pierce moved to approve the reduction of the 15% expenditure level and allow the use of \$37,703 from General Fund reserves to balance the budget, Council Member Volger seconded, unanimously approved.
4. **Review Town Council retreat May 13**

VI. Approval of April Financial Statement and Accompanying Payments – Council Member Jackson moved to approve the April financial statement and accompanying payments, Council Member Volger seconded, unanimously approved.

VII. Next Town Council Meeting June 1st, 2010 at 5pm
Mr. Weiler expressed his congratulations to the Council for their courage to pass the Lodgers tax to help the community and his thanks for their excellent vision moving forward.

VIII. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 12:55pm

**Ross Aragón
Mayor**