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**TOWN COUNCIL MEETING MINUTES
TUESDAY, APRIL 1, 2014
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER** – Mayor Aragon, Council Member Bunning, Council Member Cotton, Council Member Lattin, Council Member Schanzenbaker, Council Member Volger
- II. **APPROVAL of MEETING MINUTES FROM MARCH 20, 2014** – The minutes were approved as read.
- III. **PUBLIC COMMENT** – Mr. Mark Weiler thanked Mayor Aragon and Council Member Cotton for their service. Mayor Aragon presented Council Member Cotton with an appreciation plaque and a gift for his 30 years of service as a town council member.
- IV. **LIQUOR LICENSE**
 1. **Liquor License Transfer – From The Getaway LLC to El Carboncito Restaurant & Sports Bar LLC dba Newbarrys at 27 B Talisman Dr Unit 4 Pagosa Springs** – Council Member Volger moved to approve the liquor license transfer from The Getaway to El Carboncito Restaurant and Sports Bar LLC dba Newbarrys at 27 B Talisman Drive Unit 4, Council Member Bunning seconded, unanimously approved.
- V. **DELEGATIONS**
 1. **Mayors Day of Recognition for National Service, Americorps - Alissa Zissman, Elizabeth Mieritz** – Mrs. Zissman and Mrs. Mieritz work for Americorps and April 1st is Mayors day of recognition for National Service. Through Americorps, they assist forty kids in drug prevention at the local middle and high school.
- VI. **NEW BUSINESS**
 1. **Ordinance 809, First Reading, Franchise Agreement for Elite Recycling & Disposal LLC** – This item will be tabled until the next meeting.
 2. **Pradera Point Subdivision Phase I Final Plat Approval Extension Request** - The applicant, Gazunga, LLC and representative Mr. Bill Herebic, has submitted a request for a one year extension of the Pradera Pointe Subdivision, Phase I, final plat approval. Pradera Pointe Subdivision is located on approximately 163 acres (adjacent to Cemetery Road & Rainbow Drive) and consists of 119 single-family residential lots. The final plat for phase I includes twenty (20) lots. Council Member Volger moved to approve a one year extension of the Pradera Point Subdivision, Phase One, final plat approval, contingent on the inclusion of current plat language as required under the current LUDC, a current utilities checklist submitted prior to recordation of the final plat, signed Developer Improvement Agreement, revised engineering plans, revised engineering cost estimates and to include street lighting as required by the Planning Commission, Council Member Lattin seconded, unanimously approved.
 3. **Ordinance 810, First Reading, Rezoning 402 San Juan Street** - On February 27, 2014, the Town received a complete application requesting the re-zoning of 402 San Juan Street, aka the

Chamber of Commerce, from Open Space (OS) to Mixed Use Town Center (MU-TC). On the previous adopted 2005 zoning map, the San Juan Street ROW still existed and no zoning was designated, except for the Town owned parking lot and small park north of the Chamber property. The ROW was vacated in Ordinance No 421 dated January 2, 1990, with utility easements being retained. Since The Chamber has operated as a business at this location since the building was constructed in 1990, and the 2005 zoning map continued to show the ROW with no zoning classification, it is possible the OS zoning was an oversight or not considered when the 2009 zoning map was adopted. The Town did reserve unto itself Right-of-Way easements for the continued use of any existing water and similar pipelines and for future utility line installations though the Chamber Property, formerly the San Juan Street ROW vacated via Ordinance No 421. Staff is working to formalize the easement access for the parking lot. Council Member Lattin moved to approve first reading of Ordinance 810, an ordinance of the Town of Pagosa Springs amending the official zoning map regarding property known as 402 San Juan Street, and directing staff to formalize the prescriptive access easement to the Town owned parking lot and park area, Council Member Volger seconded, unanimously approved.

VII. OLD BUSINESS

- 1. Ordinance 807, Second Reading, Establishing the Geothermal Electric Utility** -The Town of Pagosa Springs sits on one of the largest geothermal aquifers in Colorado. Current usage of this geothermal resource is limited to three bathing spas and winter heating for a number of downtown businesses, homes and schools. Over the past several years, the Town has sponsored research to document the geothermal aquifer's capacity more fully. The Town Council and County Commissioners have approved moving forward with exploration drilling and creation of a utility. The Pagosa Area Geothermal Water and Power Authority Agreement create the utility company. Mary Jo Coulehan with Pagosa Verde said that the Department of Energy has awarded a \$3.8 million grant to Pagosa Verde. Council Member Schanzenbaker asked to change the agreement page 7, section 4, to leave open the option for compensation to serve on the board. Council Member Volger said it is not crucial to add the compensation at a later date. Council Member Cotton said that volunteering is good for our country and would like to keep it with no compensation. Council Member Schanzenbaker said the County Commissioners are salaried and can work on issues pertinent to the Authority and may not be a fair basis to council members who sit on the board. Council Member Schanzenbaker moved to approve second reading of Ordinance 807, an ordinance of the Town of Pagosa Springs approving an intergovernmental agreement for the formation of the Pagosa Area geothermal water and power authority, with change to Section III, paragraph 4 Compensation striking the first phrase and amending to read; Each party shall determine whether its appointed directors should receive a stipend, Council Member Volger seconded, unanimously approved.
- 2. Ordinance 808, Second Reading, Visitor Center Lease Agreement** - Town Council is considering authorizing an agreement to utilize space adjacent to the old downtown City Market Complex for the new visitor center. This was the recommendation of the Council's Visitor Center Task Force, made in consultation with County Commissioner Steve Wadley and members of the Town Tourism Committee. The space is approximately 1,500 square feet and the property owner has offered the town a monthly rental fee of \$1 per square foot. The proposed interior remodel includes adding two ADA compliant restrooms, new flooring, ceiling and lighting. The space has a large work room which will be used for storage and fulfillment work. There is significant wall space for large photo display, brochure racks and flat screen monitors. Remodeling expenses will be reduced in the rental by \$300 per month. Mr. Jeff Greer said the sales tax generating businesses in Town were not asked and requested the Town Council table this item until after the election. He said the current visitor center is very scenic and the new location is not scenic. Mr. Lee Riley said the current location is best for the visitor center; he said the new location is not a good idea and would like a chance to keep it at the current location. Mr. J.R. Ford said the visitor center needs to stay at the river where the activity is located. Mrs. Shari Pierce said that two members of the Chamber board have indicated there is still time to renegotiate. Ms. Cynda Green said the City Market location is the worst thing to do. Mr. Mark Weiler asked that the council put this on the table until the new council is seated and can make the decision. Council Member Volger said that maybe the shopping center location would be a good start for the center, but the

river location, if negotiable, is a better location. Town Manager Mitchem said the Chamber will lease the property for \$1.15 per month and the entire building, 2,700 sq ft. The cost difference is \$1,600 per month more for the Chamber building. The Chamber has stated they have already found a business to lease the building. Mr. Lee Riley said that the TTC and Chamber should be working together. Ms. Cynda Green said the downtown visitor center identifies Pagosa Springs. Town Manager Mitchem said the Chamber will work with the Town if they cannot get into the new location before the end of April. Council Member Volger moved to table this item to the next meeting and see if the Chamber is willing to renegotiate, Council Member Schanzenbaker seconded, unanimously approved.

VIII. PUBLIC COMMENT – None.

IX. NEXT TOWN COUNCIL MEETING APRIL 17, 2014 AT 12:00PM

X. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 5:48pm.

**Ross Aragón
Mayor**