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**TOWN COUNCIL MEETING MINUTES
THURSDAY, APRIL 19, 2012
Town Hall Council Chambers
12:00 P.M.**

- I. **CALL MEETING TO ORDER** – Mayor Aragon, Council Member Alley, Council Member Bunning, Council Member Cotton, Council Member Lattin, Council Member Schanzenbaker, Council Member Volger
- II. **APPROVAL of MEETING MINUTES FROM APRIL 4, 2012** – The minutes were approved as read.
- III. **LIQUOR LICENSE**
 1. **Liquor License Renewal – Formosa LLC dba Ajia Asian Cuisine & Spirits, 180 Pagosa Street**
 2. **Liquor License Renewal – Haggards Black Dog LLC dba A Chivalrous Shark, 2151 Eagle Drive #1** – Council Member Volger moved to approve the liquor license renewal for Formosa LLC dba Ajia Asian Cuisine & Spirits and Haggards Black Dog LLC dba A Chivalrous Shark, Council Member Lattin seconded, unanimously approved.
 3. **Special Events Liquor Permit – Giving Every Child Knowledge of the Outdoors, GECKO Riverfest May 19, 2012 at Town Park 375 Hermosa Street**
 4. **Special Events Liquor Permit – FolkWest Inc, Bluegrass Festival June 8, 9, 10, 2012 at Reservoir Hill Park**
 5. **Special Events Liquor Permit – Pagosa Springs Chamber of Commerce Car Show May 18, 2012 at Town Park Athletic Field 400 Block of Hermosa Street**
 6. **Special Events Liquor Permit – Pagosa Springs Chamber of Commerce Car Show May 19, 2012 at 400 Block Lewis Street**
 7. **Special Events Liquor Permit – Pagosa Springs Chamber of Commerce Business to Business Expo June 6, 2012 at Ross Aragon Community Center 451 Hot Springs Blvd**
 8. **Special Events Liquor Permit – Pagosa Springs Chamber of Commerce Golden Retriever Roundup June 16, 2012 at the Town Park and Athletic Field, 400 Block of Hermosa Street** – Council Member Lattin moved to approve the special events liquor permits for GECKO Riverfest May 19, FolkWest Inc. Bluegrass Festival June 8, 9, 10, Chamber of Commerce carshow May 18 and May 19, Business Expo June 6, and Golden Retriever Roundup June 16, Council Member Volger seconded, unanimously approved.
- IV. **DELEGATIONS**
 1. **Sister City Alamos, Mexico – Mike Heraty** – Mr. Mike Heraty is requesting the Town consider adopting the city of Alamos in Sonora Mexico as a sister city. Mr. Heraty explained Alamos has similar tourist trade as Pagosa Springs, as well as music and historic distinction. A membership is \$150 per year to be a sister city with Alamos and Mr. Heraty proposes an exchange of students and community leadership groups. He attended a music festival in January of this year that was similar to the music festivals that FolkWest puts on in Pagosa. Mayor Aragon asked for a work session to discuss this item and let Mr. Heraty know the outcome of moving forward.
 2. **Davey Pitcher** – Mr. Davey Pitcher with the Wolf Creek Ski Area gave a brief explanation

of his involvement with the proposed Reservoir Hill plan and chairlift. He said that in summer 2010 he was contacted by Town Manager Mitchem for advice on a proposed chairlift for the Town. He has experience with chairlift relocation, installation, extension and shortening. He thought a small community ski hill would be a benefit if it were located properly, however he learned the Town does not own the Northeast side of Reservoir Hill which he feels is the best situated area and that the north side of the hill is too steep to be useful. He had suggested that a ski hill would not be good for the west side of the hill and had suggested the Town purchase the northeast side of the hill. The west and southwest side would need snow making operations to be useful as a ski hill but believes this would be cost prohibitive; noise pollution would be an issue as well as the need to clear cut trees for the snowmaking process. He had suggested purchasing a longer chair lift than the one he saw in Cuchara for the idea of Reservoir Hill. He said that the summer and winter use of a chair lift requires yearly maintenance and downloading passengers is prohibitive. Each chair would require quite a bit of time for unloading handicap passengers or those with coolers or baggage. Night skiing he believes is not plausible, downloading inebriated passengers and use during night events he feels would suggest liability issues. He believes parking is an issue and would still require shuttle buses to get to the base of the chairlift. He said he was asked about joining the Town in the operation and use of the chairlift and at the time said he was not interested and said he recommended the Town not purchase the Cuchara chairlift. He now suggests the Town sell the chairlift as soon as possible before the value decreases. He does not believe it is in the Town's best interest to spend the funds to install, maintain and operate this chairlift. He said Wolf Creek Ski Area and the Pitcher family supports the Town of Pagosa Springs but does not support the Reservoir Hill plan development. He believes the upgrades on the road and trail system are a great addition to the hill, but believes the amusement park rides are not big profit makers. He suggests an ice skating rink for the community instead.

V. NEW BUSINESS

- 1. Ordinance 768, (first reading) T-Mobile Ground Lease** – T-Mobile has submitted a request and plans for collocating equipment on the existing AT&T cellular tower on Reservoir Hill and a request for a ground lease for the related collocation equipment. The existing license agreement with AT&T requires approval from the Town for collations. The ground area for the lease is 21' x 25' fenced 6'-8' high. Council Member Lattin moved to approve the first reading of Ordinance 768, authorizing the execution and delivery by the Town of Pagosa Springs, Colorado of a ground lease between the Town and T-Mobile with respect to certain real property on Reservoir Hill and authorizing officials of the Town to take all actions necessary to carry out the transaction, Council Member Alley seconded, unanimously approved.
- 2. Ordinance 769, (first reading) Geothermal Greenhouse Partnership Project Ground Lease and Water Tap Agreement** - In 2009, the Town Council approved a Ground Lease in a portion of Centennial Park for the Geothermal Greenhouse Partnership (GGP) project. The ground lease accommodates three 50 foot geodesic dome greenhouses, a visitor's center & gift shop, restrooms, alternative energy displays, and associated amenities. With the approval of a future 5th Street extension and vehicular bridge over the San Juan River a modification of the ground lease area is necessary. Originally 1.8 acres with approximately .8 acres of usable space, the new area is .7 acres. The Southwest Land Alliance (SLA) originally sponsored the GGP, but now that the GGP has moved forward with their 501c3 application, the SLA is no longer the agreement party. This new agreement replaces a water tap and ground lease agreement with the SLA and assigns the GGP as the responsible party. Staff read the title of the ordinance for the record with amendments to Section 1B language from annual renewals to dates of May 2, 2012 through December 31, 2019 and then either termination or renewal by either party at that time. Ms. Kathy Keyes said the change in the lease terms makes it possible for investors to consider the project with the security of knowing the terms. Mr. Michael Whiting thanked the Town Council for their acceptance of the GGP agreement and the hard work of the Town staff getting this ordinance so quickly to the Council. The SLA unanimously

supports the Town's ground lease and water tap with the GGP. Council Member Volger moved to approve first reading Ordinance 769, authorizing the termination of the GGP ground lease agreement and water tap agreement with the Southwest Land Alliance, and authorizing the execution and delivery of a ground lease agreement and water tap agreement with the Geothermal Greenhouse Partnership Inc, Council Member Lattin seconded, unanimously approved.

3. **City Works IGA with Archuleta County and PAWSD** - In mid 2011, PAWSD had approached the Town and County regarding their intent to implement the City Works system for Asset Management and Permitting and Licensing, and inquired if a joint effort would be beneficial to the community. The Town Council approved the idea and approved budgeted funds to participate in the City Works System. City Works has two systems that are include in the IGA, the permitting system will allow the public the access and complete all applications on the web. This includes sign permits, business license applications, development applications, building permit applications, etc. with the ability to automatically route these applications to all entity's requiring approval of such applications. The asset management system will allow the Town to maintain comprehensive records for all Town infrastructure assets and the costs of maintaining these assets, which will enable Town Staff to improve future budgeting for maintenance and to better identify prioritize for maintenance operations. It is the hope that other entities including fire, EMS, and utility companies also join in on the program. The Town will be budgeting \$23,000 per year for this program with possible reductions when other entities come on board. Staff believes this program will save the applicant time and benefit the customer in the end. Mr. Michael Whiting said the BOCC approved this IGA and believes this will streamline the process for the builders in Pagosa as well as reduce Town and County staff time. Council Member Lattin explained the Planning commissions biggest complaint was from builders not know how the process begins and where to start. She believes there will be an overall benefit for this process for all involved, customers, staff and entities. This cloud base system will be implemented by PAWSD and Town staff will oversee the application processes for the Town. Mr. Kyle Tjelmeland, with PAWSD, explained there will be security roles for each entity and unlimited GIS maps are included in the program. Council Member Volger believes these entities working together is a good thing for the community, staff explained the costs are split three ways until other entities are included on the program. The costs for the program will stay at \$23,000 for a period of three years unless other entities participate, after this there will be a renegotiation process. Ms. Cinda Green supports the streamlining of the process. Planning Director, James Dickhoff, explained as the program grows the plans that were normally hand delivered will be electronically submitted with the permit applications. Council Member Lattin moved to approve the execution of the City Works IGA between the Town, Archuleta County and PAWSD, Council Member Bunning seconded, unanimously approved.
4. **Historic Preservation Month Proclamation** - The Colorado Historical Society encourages local governments to join in a month-long statewide celebration of Archaeology and Historic Preservation Month, during the month of May each year. The Town Historic Preservation Board supports the promotion of the cultural, educational and economic welfare of Pagosa Springs with schedule of activities and events related to Historic Preservation. Council Member Lattin moved to authorize Mayor Aragon to sign the proclamation for Historic Preservation Month 2012, Council Member Volger seconded, unanimously approved.

VI. OLD BUSINESS

1. **April Sales Tax Brief** - In April, the Town of Pagosa Springs' sales tax revenue increased by 0.53% or \$1,054 compared to April, 2011(base on February 2012 retail sales). Year-to-date (January through April 2012) sales tax revenue has increased by 6.54% or \$61,671.

VII. DEPARTMENT HEAD REPORTS

1. **Parks and Recreation Department Report** – The adult basketball leagues will end the

first week of May and tee-ball league will begin. Indoor soccer has been moved outside due to the warm weather. The parks crew has been repairing minor damage to the sprinkler systems. New swing sets are scheduled to be installed at Town Park and Yamaguchi by the end of April. Except for minor landscaping work, the Yamaguchi Park restrooms are essentially complete. The skater's coalition will join with the parks department to hydroseed the perimeter and bank areas of the skate park. The Southwest Conservation Corps thinned 10 acres of trees on the northwest area of Reservoir Hill, preventative spraying for the pine beetle will be the end of this month. A memorial service for the Town's former Recreation Supervisor, Marky Egan, will be held this Sunday at the Episcopal Church.

2. **Town Tourism Committee Report** – Lodgers tax collections were up 19.15% in February 2012 as compared to February 2011. The Town worked with the Wolf Creek Ski area to promote the area in general, the snow totals, and contests to drive interest to Wolf Creek and Pagosa Springs. The visitor center showed an increase in traffic between the uptown and downtown centers. Visitor guide requests in March shows an increase of 917 requests compared to March 2011. The Town now has 4,625 Facebook fans, double from last year. A phone application is hopeful to be launched in advance of the busy summer season. The launch of the Book Direct system should be up in the next few weeks. The TTC has developed a tourism information piece that will be printed on posters, table tents, and rack cards to provide links to book lodging, events, and activities in Pagosa Springs. The 2012 tourism conference kicks off Tuesday April 24th at the Pagosa Lodge. The two day conference is free and helps area businesses leverage the TTC's marketing efforts and reach tourists visiting Pagosa Springs. Council Member Schanzenbaker asked about the Reservoir Hill Task Force and the TTC's recommendation to Council of purchasing the chairlift. Ms. Jennifer Green, said after the review of the chairlift at Cuchara the Town Council approved the purchase of the lift. Mr. Wayne Wahls asked about the cost of the chairlift, which Town Manager Mitchem believed to be \$42,000; Mr. Wahls asked if his outfitting company could be included on the Book Direct engine, which Ms. Jennifer Green suggested he contact her for application to the program. Ms. Nicole DeMarco asked about the dismantling of the lift and who besides Hart Construction were hired to move the lift, Town Manager Mitchem explained the costs were to another entity for dismantling. Mr. Dan Park is in favor of development on Reservoir Hill. Mr. Davey Pitcher said he spoke publicly about his concern of the chair lift in 2010 and had cautioned the Council of the lift purchase. He said at the time of purchasing the lift, the Town Council saw it as a small ticket item and the lift still has value to the Town. He believes the mid-west ski areas will want the lift and suggests the Town should put the lift on the market. Ms. Phyllis Wheaton said the chairlift has not been of concern to her; she is more concerned about the justification of the purchase and financial support for the development on Reservoir Hill. She does not see value of the chair lift for herself, and believes the noise from the proposed plan will hinder the town, however she is in favor of the amphitheatre.
3. **Planning Department Report** – Staff is working with the applicant and Town legal counsel to draft an agreement and ordinance regarding the 5th Street extension and vehicular bridge right-of-way. A traffic study is estimated to be approximately \$50,000. The GOCO site visit has been rescheduled for April 25th. Staff has negotiated a reduced earnest money commitment for the 5th Street and 6th Street properties identified in the GOCO grant application. The owner is willing to accept \$5,000 in earnest money to secure the properties from another sale until June 15, 2012 the anticipated award notification date from GOCO. If the grant is awarded the owner would then require an executed promissory note with the full 10% earnest monies. The Town would have 30 days to perform a full appraisal to ensure the properties are able to be purchased for at or below appraised value, and if not, can reclaim the 10% earnest monies (minus the original \$5,000). Ms. Nicole DeMarco asked about the choice of this section for boater put in. Planning Director, James Dickhoff, explained the area is not meant for boater put in but for park user enhancements. UCAL has been selected for the 100 block of Pagosa Street sidewalk project and the project has begun. Every effort will be made to complete the sidewalk

project by Memorial Day Weekend. The Lewis Street project is back on track and paving of the 100 block should begin soon as well of removal of pavement on the 200 block. An RFP for the CDOT Enhancement Grant project on 8th Street sidewalk has been advertised. The approved 2012 budget includes over \$238,000 from CDOT grant funds and \$60,000 in Town cash match. Staff has ordered Ownership and Encumbrance reports for the CHI (Colorado Housing Inc.) donation property as well as the ODD Fellow cemetery donation property. Mr. Dickhoff explained that Wal-Mart has submitted plans for development; a third party reviewer is being researched for help on this project. The design review board will possibly see this proposal in mid-May as well as the vacation of the public right-of-way. Ms. Vivian Rader asked about the plans being available to the public. Mr. Dickhoff said that he will look into having plans available for public review prior to the design review board public hearing.

- VIII. APPROVAL OF MARCH FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS –** Council Member Volger moved to approve the March financial statement and accompanying payments, Council Member Schanzenbaker seconded, unanimously approved.
- IX. NEXT TOWN COUNCIL MEETING MAY 1, 2012 AT 5:00PM**
- X. ADJOURNMENT –** Upon motion duly made, the meeting adjourned at 2:20pm.

Ross Aragón
Mayor