



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
Phone: 970.264.4151
Fax: 970.264.4634

TOWN COUNCIL MEETING MINUTES THURSDAY, MAY 17, 2012 Town Hall Council Chambers 12:00 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 MAY 1, 2012** – The minutes were approved as read.
- III. **LIQUOR LICENSE**
 1. **Liquor License Renewal – Pagosa Bar Inc, 460 Pagosa Street** – Council Member Lattin moved to approve the liquor license renewal for Pagosa Bar Inc, Council Member Bunning seconded, unanimously approved.
 2. **Special Events Liquor Permit – Buckwild Productions Inc., Red, White and Brews Concert July 4, 2012 at Yamaguchi Park**
 3. **Special Events Liquor Permit – Pagosa Mountain Morning Rotary Club, Pirates of the San Juan River Parade June 17, 2012 at the Town Park**
 4. **Special Events Liquor Permit – The Pagosa Springs Community Facilities Coalition, Goothermal Greenhouse Partnership Fundraiser June 30, 2012 at the Ross Aragón Community Center**
 5. **Special Events Liquor Permit – The Pagosa Springs Community Facilities Coalition, Concert with June Marquez June 5, 2012 at the Ross Aragón Community Center** – Council Member Volger moved to approve the special events liquor permits for Buckwild Production Inc, Pagosa Mountain Morning Rotary Club, and the two permits for the Pagosa Springs Community Facilities Coalition June 5th and June 17th, Council Member Lattin seconded, unanimously approved.
- IV. **NEW BUSINESS**
 1. **Mountain Crossing Dis-Connection (de-annexation) of approx 1.7 acres** - Mountain Crossing Subdivision was granted 20 year Vested Property Rights in December 2008. The property owner of Tract 1-B and 1-C have recently proceeded with submitting a separate development application with the Town for a "Major Subdivision Sketch Plan". In preparation for the subdivision, the property owner has worked with an adjacent property owner (Strohecker) regarding a property swap to provide a second access from Mill Creek. Once the swap is complete, the owner of Tract 1-B and 1-C will proceed with an annexation request for the portion of land gained in the land swap. The gained property will provide a second point of vehicular access from Mill Creek Road for tracts 1-B and 1-C and the proposed Mountain Crossing Major Subdivision, currently in the Sketch Plan stage. Council Member Lattin moved to approve the dis-connection of Tract 1-B2 of the Mountain Crossing Subdivision, from the Town's jurisdiction, Council Member Volger seconded, unanimously approved.
 2. **Resolution 2012-08, Authorizing State Trails Awarded Grant Agreement** – The Town was awarded a \$200,000 GOCO grant for a trail at the Pinon Causeway and Village Drive Intersection, heading south across Hwy 160, then heading east to connect with the Aspen Village Drive and the On-Street Bike Lanes and Sidewalks within the Aspen Village Development. Funding for this \$550,000 trail includes \$45,000 from PLPOA, \$125,000 County CDOT Enhancement Grant, \$93,000 County CDOT Enhancement Grant, \$200,000 State Trails Grant, and up to \$200,000 in County PROST funds. Council

Member Lattin moved to approve Resolution 2012-08, supporting the Contractual Grant Agreement between the Town and GOCO, for the awarded \$200,000 in grant funds to be used for the West Phase of the Town to Pagosa Lakes Trail project, Council Member Bunning seconded, unanimously approved.

3. **Pradera Point Subdivision Final Plat extension request** - The applicant, Gazunga, LLC and representative Mr. Bill Herebic, has submitted a request for a one year extension of the Pradera Point Subdivision, Phase I, Final Plat approval. Pradera Point Subdivision is located on approximately 163 acres (adjacent to Cemetery Road & Rainbow Drive) and consists of 119 single-family residential lots. Due to the economic downturn the applicant has been unable to move forward with the development, this will be the fourth extension since the original approval in 2008. The LUDC requires the applicant request extensions annually. Mr. Bill Hudson has no objection to the Pradera Point development, but is concerned about endless delays to economic development giving extensions. 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, also contingent upon verification of property tax, bank, and PAWSD service payments are up to date, Council Member Schanzenbaker seconded, unanimously approved.
4. **Ordinance 771, (first reading) Identifying Ordinance Publication and Amending Chapter 1 of the Municipal Code** – With the recent election and change to the Town Charter, Sections 3.9 (B)(D) of the Home Rule Charter requires that the title of an ordinance after first and second reading be published according to an ordinance adopted by the Town Council. Ordinance 771 allows the Town to publish 1st and 2nd reading of approved ordinances on the Town’s website in order to meet requirements for second reading and give the public an up to date record of the decisions of the Town Council. Ms. Murial Eason asked about notices for the publications. Mr. Bill Hudson believes getting the notices out to the public is crucial. Council Member Schanzenbaker moved to approve the first reading of Ordinance No. 771, identifying the place of publication after the first and second reading of an ordinance and amend Chapter 1 of the Municipal Code accordingly, Council Member Volger seconded, unanimously approved.
5. **Skywerx Tower Replacement On Reservoir Hill** – SkyWerx, a wireless broadband company, is seeking to utilize Reservoir Hill property owned by the Town for the construction of a tower, not to exceed 80 feet in height. In return Skywerx will purchase and deploy a 365 Mbps licensed backhaul to provide a free 50 Mbps Internet connection to the Town of Pagosa Springs and Archuleta County, Town and County equipment cost will be approximately \$10,000. Skywerx will also increase the broadband capacity to the Public Library and the School District at no additional charge. The free internet connection would permit the Town and County to reduce phone and long-distance services, and connect the records management system between downtown law enforcement offices, Pagosa Springs Police Department and Archuleta County Sheriff’s Office and the 911 dispatch center. Chief Rockensock explained the records management system currently installed is not being used due to connectivity issues. The discussions have indicated that as long as Skywerx has a tower on the hill approved by the Town, they will provide free service to the Town, County, School and Library. Ms. Murial Eason says this is a wonderful idea, makes sense and is a great example of the private-public partnership. The Eaglenet Project is a statewide \$100 million dollar project to provide fiber optic bandwidth to the school district and when this project comes to Pagosa, estimated for summer of 2013, it will give redundancy to the community and work well with the Skywerx services.

V. OLD BUSINESS

1. **Ordinance 768, (second reading) T-Mobile Collocation Agreement** – The Town Council approved first reading of this ordinance at the April 19th meeting. 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 area has been reduced to 325 square feet, adjacent to the AT&T tower.

The area would be fenced with a natural wood fence 6' - 8' in height, and contain equipment cabinets, propane back up generator, propane tank and utility pedestal for electric and phone/fiber optic lines. They will pay \$700 per month for the use of the space. Council Member Lattin moved to approve the second reading of Ordinance No. 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 Volger seconded, unanimously approved.

2. **Ordinance 770, (second reading) GOCO River Corridor Grant Property Acquisitions** – Staff has been informed that the GOCO grant has not been funded and therefore the two properties, although valuable to the Town, will not be acquired with the grant funds. Staff is continuing to look for grant funding for the river corridor projects and suggests funding \$300,000 per year for river corridor projects. The 6th street bridge trail is in shovel ready condition. Council Member Schanzenbaker moved to deny the second reading of Ordinance 770, Council Member Volger seconded, unanimously approved.
3. **April Sales Tax Brief** – Sales tax revenue received in the month of May has increased 5.06% compared to 2011 sales tax receipts. This is for sales during the month of March. Year to date sales tax revenue has increased 5.3% over the same period in 2011.

VI. DEPARTMENT HEAD REPORTS

1. **Parks and Recreation Department Report** – T-ball began in May, youth baseball begins the end of May with 143 participants. Youth tennis will begin mid-May, and adult softball will begin mid-June. The parks crew is assisting with the Bluegrass Festival preparations. A new swing set has been installed at Yamaguchi Park. The final report to GOCO for the Yamaguchi Park restroom facility will be submitted soon once the final landscaping is complete.
2. **Town Tourism Committee Report** – Lodging tax for March is up 14.27% compared to 2011, with the first quarter of 2012 13.33% higher (\$11,481) than 2011 numbers. Visitor center traffic was up at both locations. The town raised over \$5,500, after expenses, toward the fireworks fund from the circus shows on May 9th. The next fundraiser is the Red, White & Brews Music Festival on the 4th of July in Yamaguchi Park. The Wayfinding and Signage subcommittee is working to update various trailhead signs around town, approximately 10 signs will be updated. Sunset Magazine will feature the river features in their August edition. The 2012 Tourism Conference held April 24th and 25th did not draw the high number of participants hoped for, the TTC will not be held in 2013. Ms. Murial Eason asked about the support of the features on Reservoir Hill. A worksession regarding the Reservoir Hill project will be scheduled in the near future.
3. **Planning Department Report** - Staff is working to draft an agreement and ordinance in securing the 5th Street extension and Vehicular Bridge ROW and to accommodate the applicants concerns about designing around the ROW and ensuring the bridge and road project has TC support and commitment. Construction is underway on the 100 block of Pagosa Street. The contractor, UCAL, will make every effort to complete the sidewalk project by Memorial Day Weekend. Street light bases and electrical conduit will be installed during the project with the actual street light poles and fixtures installed at a later date. The Lewis Street contractor has re-started work, accesses along the 100 block have been completed and the preparations for paving the 100 block should begin soon. The contractor will be working in the Second Street intersection to install culverts and will begin landscaping and fence relocating on the 200 block the week of May 07, 2012, and moving onto the 300 block of Lewis Street as soon as school lets out for summer. Lewis Street will be passable for the Forth of July Parade detour. RFP was received and awarded to Davis Engineering for Design, Engineering and Construction Management services for the 8th Street Sidewalk and Multiuse Trail to 10th Street slated for 2013. The approved 2012 budget includes \$238,296.00 in CDOT Transportation Enhancement grant funds and \$60,000 (SJ Alley Sidewalk) in Town cash match for the design and construction of this project. CDOT anticipates that the 8th Street lighted construction project will begin sometime in July 2012. The project will include new pedestrian crossing facilities at the Hwy 160 and 8th Street intersection. The operation of concessionaires in the Town Park will be addressed at a planning commission worksession on May 30th. The McCabe Creek culvert under Hwy 160 and former Sears building is failing, staff has met with

CDOT regarding this culvert and CDOT is committed to helping the Town with improving the culvert under the Hwy. Enlarging the culvert is necessary, and discussion with the downstream property owner is underway. CDOT has agreed to meet with staff on June 8th regarding the downtown crosswalks options. Council Member Bunning and Volger agreed to serve on the crosswalk committee. Commissioner Whiting said the double culvert used in other communities would be a good option to get pedestrians across, and that trail funding may be available for this project. Ms. Murial Eason asked about the Walmart design review process. Planning Director Dickhoff said the planning commission will hear public comment at the May 22nd meeting and written comment need to be delivered to him the day before the meeting.

4. **Town Manager Report** - Mayor Aragón and Commissioner Lucero have served on the Pagosa Springs Community Development Corporation (PSCDC) Board of Directors for the past several years. Based on the organization's bylaws, their terms of board service were up in April 2012. Over the next few weeks, the PSCDC Board will be soliciting people interested in serving on the board as well as a restructuring of the bylaws.

VII. APPROVAL OF APRIL FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS – Council Member Lattin moved to approve the April financial statement and accompanying payments, Council Member Volger seconded, unanimously approved.

VIII. NEXT TOWN COUNCIL MEETING JUNE 5, 2012 AT 5:00PM

IX. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 1:25pm.

**Ross Aragón
Mayor**