



Town of Ignacio

Planning Commission Meeting Minutes

Wednesday, 6:00 pm, August 23, 2017

Handicapped Accessible

Abel F. Atencio Municipal Room, 570 Goddard Ave., Ignacio, CO 81137

I. Call to Order

Chairman Vigil called the meeting to order at 6:00PM.

II. Roll Call

Present: Chair: Pete Vigil; Vice Chair: Gina Schulz; Members: Bernadette Lopez (arrived during public comment section), Teresa Campbell, Bill Baird; Ignacio Chamber of Commerce Representative: Andrea Taylor; Community Development Administrator: Dan Naiman.

Absent: Members: Vacant – Alternate (1), Vacant – Alternate (2); Town Board Representative: Dixie Melton, Trustee.

III. Public Comments:

Chairman Vigil acknowledged that no public was present. However, he wanted to speak about bears coming into town and wanted to inquire about how to keep the bears out of people's trash without too much expense. Mr. Naiman mentioned the dumpster behind Subway that has the bar to prevent the bears from getting in, but acknowledged that did not address the issue of people's poly carts. Ms. Campbell mentioned training from "Bear Smart," and the potential of LPEA monies to assist with the cost of training. Mr. Naiman asked about the Commission's desire for an ordinance or simply putting information in the newsletter. Chairman Vigil said he simply wants discussion about it; Mr. Naiman stated that he would get information from Bear Smart regarding a presentation to the Town Board and public.

IV. Approval of Minutes July 12, 2017

Chairman Vigil asked if there was any comment on the minutes. Ms. Campbell asked for an update on the conversation with the Growth Fund regarding right of first refusal. Mr. Naiman stated that he has not done that yet, but it is on his list of things to do. Ms. Campbell moved to approve the minutes of the July 12, 2107, Planning Commission Meeting; Mr. Baird seconded the motion. Ms. Campbell amended the motion to remove “Public Hearing” from the title of the minutes; Ms. Schulz seconded the amended motion; it passed unanimously by voice vote.

V. Staff Report – Dan Naiman

Mr. Naiman asked if there were any questions regarding his staff report. He stated he has been busy writing code enforcement letters and issuing permits. Ms. Campbell stated that she appreciated the detail that was included in Mr. Naiman’s report regarding code enforcement. Ms. Schulz asked if the Pole Barn at Meadow Brook is the Pole Barn / Zircon; Mr. Naiman clarified that it was. Ms. Schulz asked if there was code about using Zircons as a foundation for a building. Mr. Naiman clarified that this is not an inhabited structure, so the building code does not apply; however, Mr. Naiman reviewed the shop drawings of the truss, made sure that things would be secured properly, had Mr. Craig create special brackets for holding the structural support system, etc. For those who were not aware of this structure, Mr. Naiman stated that there are two 40-foot zircons spaced 15-20 feet apart with a trussed roof over them. Mr. Baird stated that Mr. Craig has put a lot of work into this and has done a good job. Comments were made about how nice it looks.

VI. Old Business

Branding Project Update – Mr. Vigil stated the Stakeholder Meeting last evening was very interesting. Mr. Naiman referenced the boards behind him that hold the various options for a new logo and tag line and expressed that the hope is to have a final product to present at the Town Board Meeting in September. Mr. Vigil opened the topic up for discussion. Ms. Schulz stated that her biggest concern is functionality: ability to maintain cleanliness, vandalism-proof, sturdiness (to sustain wear and tear), etc. Mr. Naiman talked about the metals that will be used, the acrylic panels that are designed to last for years, etc. Ms. Campbell stated that Ms. Schulz’s concerns are being kept in mind at the meetings. Mr. Vigil asked if the final product(s) could be included in the Town’s insurance policy; Mr. Naiman said he thought they would be, and stated that there will be a three-year maintenance agreement included with the purchase of the product.

VII. New Business

- a. Town Municipal Code: addition of annexation procedures and requirements to Chapter 2.

Mr. Naiman stated that when he was hired three years ago, he was asked to look at portions of the Municipal Code as they apply to his role as Community Development Administrator. He has recently been focused on Chapters 2 (Subdivision of Land) and 3 (Land Use). He has attempted to make the language of the Code flow more

easily. He discovered that there were two sets of requirements each for Major and Minor Subdivisions; he reviewed state statutes and modified the requirements for Major and Minor Subdivisions so that there was only one set of requirements for each. Later he was doing research regarding annexation and discovered that the Ordinance regarding Annexation had been passed, listing it as Section 3-10, but it was never incorporated into the Municipal Code. Annexation has more to do with Subdivision than Land Use, so Mr. Naiman has taken the language from the Ordinance regarding annexation and included it in Chapter 2 rather than Chapter 3. Mr. Naiman asked if the Commission wanted to vote on the proposed changes this evening or if they wanted discussion or had suggestions regarding additions or clarifications that might need to be made to the Chapter, specific to the Town of Ignacio. Ms. Campbell pointed out a couple of typographical error, which Mr. Naiman made note of. She asked questions for clarification that Mr. Naiman addressed. She asked if Mr. Naiman was in need of a motion to approve this draft with the corrections she had noted. He replied that he would entertain that if the Commission felt it was appropriate. Ms. Schulz asked if this is what will be followed when the Town annexes County Road 320. Mr. Naiman stated that we are waiting for the County to quitclaim the road to us; his contact at the County has stated that Goff engineering is drawing up the paperwork. It has been three or four weeks since Mr. Naiman has heard from him. Ms. Schulz asked if we will follow this annexation process once we receive the quitclaim deed from the County. Mr. Naiman stated that is his intent. Ms. Campbell made a motion to approve the Chapter 2 Annexation and Subdivision of Land with the corrections noted. Mr. Baird seconded the motion. The motion passed by unanimous voice vote. Mr. Naiman stated that he would make the corrections; he will also create a draft Ordinance to be presented to the Town Board for their final approval, then he will ensure that each Planning Commissioner receives a copy of the final approved version to put in their Municipal Code books.

b. Annexation of Enclaves

Mr. Naiman stated that this is a point of discussion as he has been asked to proceed with the annexation of enclaves within the Town. Annexation of enclaves does not have the same requirements as other annexations. An enclave is land that has not yet been annexed into the Town, and is surrounded by Town limits. Once the Town limits have surrounded a property for three years or more, there is no need to announce the intent to annex or have a public hearing regarding the annexation; it is, at that point, a simple administrative action. Mr. Naiman stated that his preferred course of action is to speak with each of the property owners and, if they are agreeable to it and the Town can benefit from it, then proceed with the annexation at that point in time. One of the requirements for annexation is that there has to be a benefit to the Town; if there is no benefit to the Town, that property becomes a liability rather than a benefit. In looking at some of the enclaves, Mr. Naiman stated that he is not sure what the benefit would be to the Town. Ms. Schulz asked if coordination of services would be a benefit (example: a traffic stop up on a County Road can involve SUPD, IPD, & LPCSO; if it were annexed into Town, there would only be IPD and potentially SUPD). Discussion ensued regarding who owns various portions of enclaves. Mr. Baird talked about the fact that FFA owns a portion of one

of the enclaves and there will be a battle with them because of the Ordinances concerning animals within Town limits. Mr. Naiman said that is the reason he is bringing it to the Planning Commission; he would like some guidance in how to proceed. Ms. Schulz asked about grandfathering in those properties that are currently used for animals (horses, chickens, etc.). This is actually one of Mrs. Kent's concerns because her property is currently used for agricultural purposes. Mr. Naiman stated that he believes that is a reasonable request from the property owner. This would be looked at differently if the decision were made to sell that property and/or subdivide it. As it is now, the County can determine the land use in these enclaves, which opens the door to having a pig farm or a grow operation, approved by the County, on property that is surrounded by Town property. Ms. Schulz asked if these enclaves are already all hooked into Town services (water, sewer, etc.). Mr. Baird asked if we could select enclaves to annex into the Town. Mr. Naiman stated that we do not have to do anything if the Planning Commission doesn't want to. He has been asked to proceed with this for the purpose of making the Town "whole," but he also does not want to force someone to do something they do not want to do. Ms. Schulz asked if there would be additional tax revenue to the Town with the annexation of the enclaves. Mr. Naiman stated we would get additional property tax revenue; however most of the property is not able to be developed, so the tax revenue is not a motivating factor. Ms. Schulz again asked about Town services; Mr. Naiman said that annexing these properties would actually reduce their utility rates as they are currently being charged "out of town" rates, which is a potential benefit to them, not necessarily to the Town. Mr. Naiman's focus is the benefit of the Town. Discussion ensued regarding the benefit of the Town versus the desires of the property owner. Mr. Baird suggested that we not do the annexation in three years, but make it effective whenever the current owner leaves. Mr. Naiman stated that his desire is to approach the land owners with tact and humaneness, explaining what we would like to do and asking their opinions on it, seeing if there are objections and bringing those objections back to the Planning Commission. He has received direction from management to move forward with the annexation; he is bringing it to the Commission for direction in how to proceed. The statutes do not require notices, public hearings, etc.; it would simply be administrative action based on the fact that those enclaves have been surrounded by Town property for more than 3 years. Ms. Campbell stated, "I feel bad about that. It just doesn't sit right with me. This is still a friendly little town and when we start shoving stuff down people's throats, we are moving away from who we really are." Mr. Vigil stated that Mr. Naiman can proceed with his conversations with the land owners and bring what he learns to the Planning Commission at the next meeting. Mr. Naiman stated, "We are a small, friendly town and I would like to act accordingly."

c. Discussion re: parking area between ELHI and Town Hall

Mr. Naiman stated that this is by way of information. There is a lot of activity that happens in this parking area: vehicles zipping through to avoid the light on the corner, young people on skateboards or walking dogs, and a lot of other activity. Mr. Naiman's concern is that this is a potential hazard. Mr. Naiman would like to make this parking area into a Town Square (called Inspiration Square) that can be used by

the ELHI Community Center, Town Hall, businesses on Goddard Avenue, the Library, Shoshone Park, etc. He wants to put in facilities for events such as a band shell, seating, space to create and display art work, a water park for kids to play in, green space with trees, picnic area, etc. Mr. Naiman stated the fence would be removed; there would still be parking accessible off of Pioneer or Hwy 151, but there would not be the option of continuing through that area. Ms. Taylor asked if the Town needed to talk to the School District about this; Mr. Naiman stated that he has already talked with Mr. Fuschetto and he is all aboard. The next step is to begin creating drawings to present to the Planning Commission, School District and ELHI Board and all parties involved in making this decision. The Planning Commission requested that Mr. Naiman walk outside with them and show them the space; concerns were expressed if the alley would remain, and Mr. Naiman assured them it would. When they returned, Chairman Vigil stated that he believes the Commission is in favor of the idea. Mr. Naiman stated that he would move forward on creating drawings. Chairman Vigil feels the amount of space that Mr. Naiman is suggesting may be too large; the remaining Commissioners disagreed. Mr. Naiman stated he would draw some things up and present the drawings to the Planning Commission. Ms. Schulz requested that Mr. Naiman also include potential sources of revenue for this venture. Mr. Naiman stated he would do that. Mr. Vigil said that drawings and funding sources is a good start. Mr. Naiman stated that there are several funding options available. Mr. Vigil requested that Mr. Naiman also consider restrooms at Inspiration Square.

VIII. Adjourn

Ms. Schulz motioned to adjourn the meeting; Ms. Campbell seconded it. Meeting was adjourned at 7:34 PM.