



**MINUTES OF THE REGULAR MEETING OF THE
IGNACIO TOWN BOARD
MONDAY, September 17, 2018 – 6:30 PM
570 Goddard Ave – Ignacio Town Hall**

I. CALL REGULAR MEETING TO ORDER: PLEDGE OF ALLEGIANCE

Mayor Cox called the meeting to order at 6:34PM and led in the pledge of allegiance.

II. ROLL CALL

Present: Mayor Stella Cox, Mayor Pro Tem Alison deKay (arrived at 6:37PM), Trustee Tom Atencio, Trustee Sharon Craig, Trustee Sandra Maez, Trustee Dixie Melton

Absent: Trustee Edward Box III

Guests: Ron Dunavant, Clark Craig, Lana Jo Chapin

III. PUBLIC COMMENTS:

Lana Jo Chapin: 215 Goddard Ave (Business) and 1344 CR 977 (Residence). Lana Jo wanted to express concern about the notification process for the Board of Adjustment variance that happened on September 12. She believes that, despite the applicant's good intentions, proper notification for Board of Adjustment hearing did not happen. Not everyone received notification that was required to receive notification. She cited the Code "100' from the subject property excluding public right-of-way." Ms. Chapin stated that she spoke with the architect on the project and learned that the error occurred when the public right-of-way was not excluded; because of this, Ms. Chapin stated that several people, who are required by law to receive notification, were not notified of the hearing. Ms. Chapin stated that her intent in speaking this evening is to ensure that in the future there is a greater adherence to the actual letter of the Code. She stated that, due to the fact that the hearing has already taken place and a decision has been made by the Board of Adjustment, it is too late for this project; she hopes that it is done differently in the future. Trustee Atencio stated that he is one of the people who did not receive notification and stated that he is well within 100' excluding the right of way. Mayor Cox asked for clarification if the request is to follow the Code or to amend the Code. Ms. Chapin stated it is a little of both. She stated that her primary concern is that the decisions are based on subjectivity rather than on the Code. She is not asking that the hearing be redone; she does not believe the outcome would be any different. She is simply asking for closer adherence to Chapter 3 of the Municipal Code to ensure that everyone is on the same playing field and playing by the same rules. Mayor Cox asked Trustee Atencio for the same clarification, and he stated he would like the same thing. Ms. Melton asked how many people were not notified. Ms. Chapin stated that she did not go door to door or run a scan on the GIS, but she personally knows of three people: herself, Trustee Atencio, and the Self property. Ms. Chapin also stated that, per the Code, notification was not made as required in a newspaper, nor was it in the Town newsletter under upcoming events. The pre-meeting notification was posted in the various locations in Town at the very last minute; this requirement was met. She believes the requirement to publish in a newsletter was disregarded and the distance requirement was misinterpreted. Ms. Melton expressed appreciation for the clarification.

IV. CONSENT AGENDA:

- A. Regular Town Board Meeting Minutes of August 20, 2018
- B. Financial Records – Check Register for August 2018

Trustee Craig moved to approve the items on the consent agenda; Trustee Melton seconded the motion. It passed unanimously by voice vote.

V. UNFINISHED BUSINESS: None

VI. NEW BUSINESS:

- A. Resolution 03-2018 – E-911 Surcharge for 2019

Chief Phillips stated that this resolution is passed annually. The 911 Board met and agreed to keep the surcharge at the same rate as this year.

Mayor Pro Tem deKay moved to pass Resolution 03-2018 for the 911 surcharge; Trustee Maez seconded the motion. Motion passed unanimously by voice vote.

- B. ORDINANCE 334 – Local Licensing Authority for Special Event Permits

Ms. Dunton explained that this Ordinance would allow the Town to approve Special Event Permit Applications rather than having to submit them to the state; it would shorten the required timeframe for application submittal which would make it easier on the applicant; it would increase revenue to the Town by \$100 per application; it would promote a more friendly atmosphere within the community for hosting this type of event. There would still be the same requirements as are currently in place with the State in terms of fencing, security, no minors allowed, a diagram provided of the proposed location, etc. Mayor Pro Tem deKay asked if the Town would bear any liability if minors were served or some other such thing was to happen. Ms. Dunton explained that the Town would not have liability; if something like that did happen, that permit would be revoked; Trustee Craig further explained that if that organization attempted to apply for a special event permit again, it would be on the record that they did not abide by the regulations. Trustee Atencio asked if these permit applications would go to an individual rather than come to the Board, much like a building permit application. Ms. Dunton stated it would be the Town Clerk that would issue these permits; they would come to the Town Board if the Town Board required that for every application. It would definitely come before the Board if there are protests filed against the application. Chief Phillips explained the posting process. Trustee Craig stated the process would be the same as it is currently; the only difference is the Town Clerk would issue the permit instead of the state. Trustee Atencio stated he believes that if something involves maintenance, staff time, money, alcohol, etc., it should come before the Board and not to one individual. Ms. Melton asked Ms. Dunton to explain the process as it currently operates under the state. Ms. Dunton explained that currently an application must be submitted to the state; fee is \$10 per day for beer sales, \$25.00 for spirituous liquor; they have to submit a drawing showing control; they are required to post notice to the public (that time would be shortened if the Town becomes the licensing authority); the state approves the application (if this ordinance were adopted, the Town would approve or deny the application); if there is written protest to the notice of application, then a hearing is required. Currently, if there is no written protest, the application is submitted to the state and, provided all the requirements are met, the permit is granted. The ordinance was written to reflect that procedure; however, it seems that at least Trustee

Atencio, and possibly other Board Members, wants all applicants to come before the Board. If that is the desire of the Board, the ordinance can be rewritten to reflect that. Trustee Atencio stated that, according to how the ordinance is currently written in 9-4-12(1)(a), either the Town Board or its authorized representative could hold a hearing. Mr. Garcia clarified that the local licensing authority is either the Town Board or whomever they appoint; the Board can make that determination. Also, less restrictive dates allow us the ability to entertain Special Event Permit Applications that are turned in less than 60 days prior to the planned event. There is still a noticing process to the public that is what the state currently requires. Mayor Pro Tem deKay suggested that section 9-4-12(2)(c)(4) be added that denotes that if a proposed event is scheduled prior to the next regularly scheduled Town Board meeting, then a special meeting would be called to have a hearing on the application. Trustee Atencio stated that, if there are no protests, the Town Clerk can issue the permit; if there are protests, it needs to come before the Town Board. Ms. Dunton read 9-4-12(2)(c)(1) to show that it would come before the local licensing authority, and Mr. Garcia clarified that the Ms. Dunton could be that local licensing authority. Mayor Pro Tem deKay stated that she felt it would be better for a body to make a decision on a protest rather than a single individual. Trustee Melton clarified that, if the applicant meets all the requirements and no protest is filed, then the Town Clerk would grant the permit. Mayor Pro Tem deKay stated that she would rather than all the permits come to the Town Board rather than having one person make that determination. Trustee Melton clarified: Trustee Atencio and Mayor Pro Tem deKay are stating that all Special Event Permit applications should come to the Board instead of to the Town Clerk for decision. Trustee Atencio confirmed. Ms. Dunton summarized: the Board would like the phrase "or its authorized agent" struck from section 9-4-12(1)(a), and they would like the minimum time frame changed from 20 days to 35 days. Mayor Pro Tem deKay suggested adding another sub-point under 9-4-12(2)(c) that states that if the event is scheduled prior to the next regularly scheduled Town Board meeting, a special meeting will be called to have the hearing.

Ms. Chapin asked if there was already something in the Municipal Code that addresses Special Event Permits and will this ordinance be changing the existing Municipal Code? Mr. Garcia stated that there is nothing in our Municipal Code currently; Ms. Dunton stated there is nothing in our Code because the way it is currently set up the application goes to the State. Ms. Chapin asked if this ordinance would become part of the Municipal Code; Mr. Garcia confirmed that it would. Ms. Chapin stated that her understanding is that any change to the Municipal Code requires a public hearing. Mr. Garcia stated that he could double-check that; we can continue this item to next month's meeting. Mayor Pro Tem deKay stated that she likes the idea of making it easier and simpler. Mr. Garcia clarified that the Town Board will be the local licensing authority and that language needs to be added regarding a special meeting if a hearing does not fall during a regularly scheduled meeting cycle.

This item was tabled until the next meeting.

C. Board of Adjustment Appointments

Jeremy Schulz is interested in serving on this Board; Gina Schulz would step down if the Board approves Jeremy Schulz. There is still one other vacancy as well.

Trustee Atencio stated that he spoke with Gina and she feels that Jeremy has more knowledge than she does and would fit better on this board.

Trustee Melton moved to accept Gina Schulz' resignation from the Board of Adjustment and appoint Jeremy Schulz in her place; Mayor Pro Tem deKay seconded the motion. The motion passed unanimously.

VII. STAFF REPORTS:

A. Police Department

Two portable radar pedestrian crossing signs will be installed on Romero Ave. School Resource Office program is going well; lots of positive feedback. Chief expressed appreciation for the Board's approval for that program. Reunification Drill and Table Top Drill are planned at the end of September. There is an issue brewing on Browning Avenue, a neighborhood dispute escalating on Facebook regarding a house on Browning being a drug house. Chief wanted to inform the Board in case they are approached by one or the other of these individuals. Discussion ensued regarding the placement of the crosswalk signs, that the Board appreciates them and wants more throughout Town. Speed limits and speed bumps were also talked about as options for slowing traffic.

B. Public Works

Mr. Howlett gave updates on each area of responsibility: 15 locates during August; Annual Gas Leak Survey done; 875 Browning water leak; still working with Dana Kepner to get smart point registers for water meters; Ramco is done with phase one raw water project and installing water taps at school properties; training and testing in sewer done and Mr. Howlett will know the test results for in 4-6 weeks; sewer flushing is done; Parks and Rec monthly inspections are done, sand was roto-tilled in preparation for Chile Fest, pond is being monitored and will be winterized by the end of the month; street sweeper is back and has been used; zero turn mower is back and running. Staff update: Anthony Sanchez quit his position as Maintenance 1 worker on 8/31; our seasonal worker, Colten Smithson, has been moved into that position. He is a good, hard worker. Mr. Rivas & Mr. Smithson attended CPR training given by Officer Boyce. Special Activities: road closures for the parade, banners across Goddard Ave, road closure signs set up for Chile Fest. Mayor Pro Tem deKay asked if the water taps at the school properties were for irrigation or potable water; Mr. Howlett stated they are for potable water. Mr. Garcia stated they have not yet paid for plant investment fees, so these taps have not been connected into the system yet; it was a cost to the Town, but can be used in negotiations with the school district. Dr. Fuschetto believes the well will eventually dry up and the Town felt it was a wise investment to do both water lines at one time.

C. Treasurer

Preliminary Budget submitted. Fingerprinting will no longer be provided so that will be coming out of the budget. Projects are not in there yet; Police & Public Works have not had a chance to review their budgets yet. No raises are included in the budget. Insurance cost increased again; dropped top option and added lower option. No increase to employees for insurance. Hearing for the budget will be scheduled at next Board Meeting to meet the October 15 deadline; budget will be on the Google Drive and website for that meeting.

D. Town Clerk

Ms. Dunton gave an overview of her written report; she requested confirmations from those who wish to attend the CML Outreach Meeting on September 26 in order to ensure a check could be written to take to the meeting; she also requested confirmations for those who desired to attend the Building Opportunity Workshop earlier that same day. She stated that she is keeping the website up to date and learning Facebook to keep a positive energy about the Town. Work continues on the Municipal Code update and records retention. Mayor Cox expressed appreciation that the mountain lion sighting had been posted on Facebook. She also asked questions about animal licensing which were answered by Ms. Dunton and Chief Phillips.

E. Town Manager

The October 15 Town Board meeting will be noticed as a public hearing for the draft budget. Work sessions will need to be scheduled after that meeting. Not a lot of new stuff in the budget this year, so it should not require a lot of time. Items to discuss include sales tax number, merit increases, insurance coverage, and projects to be added to the budget for which grant monies are available. By consensus, the Board selected October 29 and November 13 as work sessions which will begin at 6:30PM; dinner will be provided.

Grant work report was given: Engineering design work continuing on water infrastructure project; irrigation project phase one completed and will be bidding phase two (pond lining); municipal code update grant kicks off on September 27 at 6:00PM with a visioning meeting with the Planning Commission (Board is encouraged to attend – *Reminder will be sent*).

Irrigation is off now; billing will continue to the citizens.

Planning and Building update: Mr. Garcia has had discussions with Chris LeMay, Bayfield Town Manager, concerning sharing a Planner between Ignacio & Bayfield; may put out an RFP for this. The Town is ready to find a Building Inspector and Code Enforcement Officer. Morgan Allred, Administrative Assistant, is learning the permit technician aspects of her new job and is doing well with that. Mr. Garcia has been overseeing the building and planning; Mr. Howlett has assisted with building inspections; Chief and his staff have been assisting with Code Enforcement.

It is not currently required to post notice of the Board of Adjustment hearing on the property that is requesting a variance. If the Board of Trustees would like that, the Municipal Code would need to be changed to reflect that as a new requirement of posting.

Goddard Crosswalks update: moving forward with flashing beacon sign on Hwy 172; hope to extend date to remove the signs for snow plowing.

Recycling – some sign-ups; kick-off in October.

Meetings: CML Outreach coming up; Economic Summit on October 24 – Notify Tuggy if you want to go.

Meetings: Tribal Staff; Chairman Sage is pushing staff to work with the Town on the irrigation easement; CDOT; COG.

Trustee Atencio suggested a thank-you note be sent to CDOT for the improvements at the South end of Town.

F. Town Attorney

No report – Town Attorney not present.

VIII. TRUSTEE REPORTS:

Trustee Craig reported on Green Chile Fest; commended Public Works Department and Town for their support and good work. Chamber is tentatively planning to have next year's Chile Fest on September 21 instead of coinciding with Southern Ute Fair.

Two open seats on Economic Development Alliance; Emily Meisner and Mitch Dyes are terming out. Meetings are the second Tuesday of the month at 7:30AM at the Expo in Durango.

Mayor Pro Tem deKay commended Trustee Craig on organizing the Chile Fest.

IX. MISCELLANEOUS: None

X. EXECUTIVE SESSION: An executive session to determine positions relative to matters that may be subject to negotiations, to develop a strategy for negotiations, and to instruct the negotiators pursuant to C.R.S. 24-6-402(4)(d).

Trustee Melton moved to go into an executive session to determine positions relative to matters that may be subject to negotiations, to develop a strategy for negotiations, and to instruct the negotiators pursuant to C.R.S. 24-6-402(4)(d); Trustee Maez seconded. The motion passed unanimously.

XI. ADJOURNMENT: Being no further business before the Board, Mayor Cox adjourned the meeting at 9:38PM. The next regularly scheduled meeting will be on Monday, October 15, 2018, at 6:30 p.m. in the Abel F. Atencio Community Room at 570 Goddard Avenue.

Stella Cox, Mayor

Date

Attest: Tuggy Dunton, Town Clerk