

**Regular Meeting
of the Town Of Ignacio Board of Trustees
Wednesday, March 16, 2016**

- I. PUBLIC HEARING State Hwy 172 (Goddard Avenue) and SH 151 /Ute Street Ignacio Signalization:** Mike Coggins, CDOT Engineer, Mike Brennan, Public Information Manager for Alert Signs, Mike Trujillo, Project Superintendent for the General Contractor Technology Constructors Inc., (TCI) and Jessica Ebel, Project Manager. Audience: Mel Silva, Emily Meisner, Glen Walker, Delsey Walker, WCA Director, Cpt. James Owens, Ignacio Fire Department, and Leslie Phillips. Staff: Mark Garcia, Town Manager; Dan Naiman, Community Development Coordinator; Georgann Valdez, Town Clerk; Diana Briar, Town Treasurer; Jeremy Schultz, Public Works; Town Board Members: Mayor Stella Cox, Mayor Protem Alison deKay, Trustees: Lawrence Bartley, Sandra Maez, Thomas Atencio, and Dixie Melton. Mr. Coggins explained the RAMP (Rapid Acceleration Maintenance Project) which is a shared project with CDOT, The Town of Ignacio, La Plata County and Southern Ute Indian Tribe. The 1.6 million dollar project will start Monday March 21 and is expected to be completed May 25. When the project is completed, Ute Street will be a one way to the alley with 11 additional parking spaces. Disruptions will be minimized, with good signage, flaggers and adjustments. Mr. Mel Silva questioned the use of cones, access to his parking lot, the parking spaces to be lost and the turning lanes. Mr. Silva became upset when told turning lanes would be added and potentially loss of parking spaces. Mike Trujillo stated there is enough room for turning lanes, without losing parking spaces. Mr. Silva was satisfied with that promise. Work will be done during daylight hours, except when the light poles will be installed which will be done early hours or late night. Gas lines have been abandoned; utility issues have been addressed but necessary precautions will be taken.
- II. CALL REGULAR MEETING TO ORDER: PLEDGE OF ALLEGIANCE AND ROLL CALL**
Mayor Stella Cox called the Regular Meeting to order at 7:01 p.m. **Trustees Present:** Mayor Protem Alison deKay, Lawrence Bartley, Thomas Atencio, Dixie Melton and Sandra Maez. **Staff:** Mark Garcia, Interim Town Manager; Georgann Valdez, Town Clerk; Diana Briar, Town Treasurer; and Dan Naiman, Community Development Coordinator. Audience: Mel Silva, Emily Meisner, Glen Walker, and Delsey Walker.
- III. PUBLIC COMMENT:** Emily Meisner, business owner of The Patio Restaurant at 85 Goddard Avenue, expressed her personal concern on behalf of her business that any business that comes to town has to play by the same rules she has had to, same construction, planning, utility installation guidelines. When making improvements to her restaurant, she went through pain staking ordeal, requiring an architect's plan for the cover over her refrigeration system. Regardless of the type of business, everyone should be treated the same, paying the same fees and following the Town's codes. She has paid sales tax even before she was in Town's limits and has been promised sidewalks by many boards. It is only fair that everyone plays by the same rules. Having been in business for the past 16 years,

she stated she has paid her taxes and provides a service to the community. She stated another restaurant is not being held by same standards. Trustee Atencio stated the other individual was told that the Board stands behind the Town's code and he must follow the guidelines as everyone else; everyone is treated the same and they are not changed for anyone. She came to the Board and wanted her voice heard.

IV. CONSENT AGENDA:

A. APPROVAL OF MINUTES:

- i. Regular Town Board Meeting February 17, 2016**
- ii. Financial Reports for February – A/P Check Register**

Mayor Protem deKay moved to approve the items under the Consent Agenda. Trustee Melton seconded. The motion passed by unanimous voice vote.

V. UNFINISHED BUSINESS: None

VI. NEW BUSINESS:

A. Ordinance 324 – Snow Removal Route: The Board received a draft ordinance for designated snow route. Mr. Garcia wanted to continue this at a later date, work on it at staff level, clearly denote the routes, determine when an emergency is declared, and discuss with the Board all elements; Planning Commission has a few questions; where it should go in code. Mr. Garcia suggested a work session; Trustee Atencio suggested letting the community know what we're proposing, post a meeting in the newsletter and gather input.

B. WCA Rate Increase: Delsey Walker, Site Manager, and Municipal Director for WCA Transit Waste. The enclosed letter from WCA is requesting a 0.5% increase to the current solid waste rates in accordance with the approved contract, based on the Consumer Price index for all Urban Consumers (CPI-U). This will result in a \$.05 (5-cent) increase. If approved the increase will take effect June 01, 2016. Mr. Garcia met with Ms. Walker and discussed the proposed increase and also the contract. The Contract is due to expire in June and the Board needs to take action on this matter. The Board can extend the contract for an additional five years and/or negotiate the terms of the agreement. Recycling was discussed briefly, a service that WCA can provide but all customers must participate for a small fee. Mr. Garcia suggested discussing the contract, the service and other concerns in Executive session and get back to WCA. Using the landfill was questioned. When asked if the Town needs to make a decision about the rate increase, Mr. Garcia stated WCA has done their part in notifying the Town, the increase will not take effect until June 1; and the Town will plan on that accordingly.

C. Walker Proposal: In January, Mr. Walker requested the Town consider donating a Town-owned property adjacent to property (car wash on Goddard Avenue) to expand for additional car wash bays. Staff met with Mr. Walker to discuss the issue and reviewed the subject property. This is a Town asset, and if the Board is inclined

to consider development of the property, then we should go through a formal process, to allow all proposals to come in for potential development; prepare request for proposals or it is better designated as a long-term open space. To develop the site may be very challenging, the major issue with the property is that it is designated as a wetlands. The property is roughly an acre, and Mr. Walker agreed with opening the process to all interested developers. The property is designated as wetlands and there is history of the Town's commitment to preserve the wetlands. There are a number of challenges in developing the property including the wetlands issue and access. Mr. Walker is proposing to transfer the wetlands designation to different property where wetlands can be created. If the Town were to abandon the acre (donate it) and a new wetlands could be created, the land swap would have to be 2 or 1.5 acres for the one acre. If the mitigation could not be completed with an allowable timeframe, the land would revert back to the Town. The Board can discuss it at their Strategic & Visioning work session this weekend. Mr. Walker stated he is in the processes of purchasing the property on the corner of County Road 320B. The Board will take this under consideration.

- D. Mosquito Control Agreement:** The mosquito control services proposal was enclosed in the Board packet. The Town is no longer included in the 2016 mosquito control contract administered by SUIT so the Town now needs to consider other options for the 2016 season. The Board approved \$8000 in the 2016 budget for mosquito control. Mr. Garcia has contacted the other mosquito control districts and other municipalities. The proposal from Colorado Mosquito Control is for a three year term 2016-2018 at an annual cost of \$17,380.00 and they would be happy to scale their proposal down. Their proposal has three elements: light trapping, larvacide treatment, and fogging. Other options, to do it ourselves would cost about \$30,000 for the equipment and do the spraying; possibly consider a joint venture with the Town of Bayfield. The City of Monte Vista charges their utility customers for mosquito control. If we agreed to the CMC proposal, the Town could charge \$5.00 for six months to each utility customer for mosquito treatment. It is a public health safety issue. Mr. Garcia suggested looking at it closely, passing on the costs to the citizens, hiring and training a part time person and buying the equipment. We could contact CMC, see what we could get for the \$8000, possibly scale back the service, and maybe contact Bayfield to share the service. For the future, consider more funding, work with staff; try to keep it in-house. Mr. Garcia will make a few calls, to Bayfield and to the Tribe, possibly share the costs with three entities.
- E. Planning Commission Appointment:** Bernadette Lopez (4 years): Mr. Naiman stated when Ms. Lopez's term expired; she was asked if she would like to continue. She agreed to the 4-year term. The Board approved the appointment by consensus. Mr. Garcia would like to look at the process of the Planning Commission; the establishment of the PC was done in the approval of the Zoning Code. Appointments should be done by resolutions; there should be training of the PC Members and helping them understand the code.

VII. TRUSTEE REPORTS:

- A. Police Report:** Chief Phillips was sick; on vacation last week; no report
- B. Public Works:** Report in Packet; on vacation this week. Stan and Jeremy passed wastewater certifications, consider an increase in pay. Mayor Cox stated that all staff are assets that the Board can't afford to oversee.
- C. Treasurer: Report in Packet:** Auditor will be here the week of April 4-8. The forensic accountant is requesting more documents on the missing money. Sales tax from La Plata County is still two months behind. There was an increase in the city sales tax from January, 2015 to January, 2016. Trustee Atencio spoke with Ms. Briar on the water, sewer and irrigation funds that are in the red. Ms. Briar explained this is due to debt payments and the rate increase from Tribe that we absorbed, which doesn't leave much for operational expenses. In the Sewer Fund, we are receiving less revenue than what we are paying the Tribe. Trustee Atencio asked the Board if we should continue absorbing the costs or consider rate increases to the customer, he expressed that he's a little worried. Mr. Garcia stated that will be discussed this weekend in the Board's Strategic Planning Retreat and looking for alternative revenues; Sewer debt payments are paid in June and December; Irrigation revenue will catch up in the summer. Higher gas revenues are building reserves for capital improvement projects. Board members asked if the gas price should be lowered and rates increased in the funds that are coming up short.
- D. Community Development Coordinator:** CDOT shut down Family Dollar highway access for several continued violations; since then there's been an amazing response from the builder to comply with requirement involving sedimentation, storm water management, and compaction test. Mr. Naiman met with Mr. Murdock, owner of Northpoint Construction; he was hoping to obtain a Certificate of Occupancy. He was given a list of 22 items outlining unsatisfactory work which need to be completed. Mr. Naiman discussed with Mr. Garcia issuing a temporary certificate of occupancy to Family Dollar while the contractor completes the punch list of items and wanting a timeline before June; not wanting to punish the Family Dollar for contractor. There are still issues for the property owner to honor the development agreement and compliance with environmental issues. CDOT has specific requirements for safety, very thorough for all aspects of construction. Mr. Murdock has agreed to address all the issues and meet with CDOT compliance.

Met with CSU extension office to discuss a community garden; will keep Board posted.

Dave Silva issues are not resolved; still awaiting floor plan and site plan to verify code compliance; received verbal message that he has health department approval; met with

fire department on the inspection on fire suppression system. In the meantime Mr. Silva is continuing to do work, no final inspection; Mr. Atencio supported Mr. Naiman in treating everyone the same in following the code; holding everyone to same standards. The building code adopted has the bare minimum requirements for a legally safe building for everyone.

- E. **Town Attorney:** Drafted letter to legislators regarding the tax exemption issue for the Board to consider, to be discussed in Executive Session.
- F. **Town Manager:** Staff Report discussed earlier.

VIII. TRUSTEE REPORT: Retreat starts at 8:00 a.m. – 4:00 p.m.

- IX. **EXECUTIVE SESSION: Mayor Protem deKay moved to go into Executive Session to seek legal advice under C.R.S. Section 24-6-402(4)(b). Seconded by Trustee Atencio. The motion passed by unanimous voice vote. The regular meeting concluded at 8:37 p.m.**

The Executive Session concluded at 9:58 p.m. The Executive Session was held for the purpose previously discussed. No action followed the Executive Session. The Regular meeting was open at 9:59 p.m. The only remaining business was the Adjournment.

- X. **ADJOURNMENT:** Being no further business before the Board, Mayor Cox adjourned the meeting at 10:00 p.m. The next regular meeting will be April 20, 2016, at 7:00 p.m. in the Abel F. Atencio Community Center at 540 Goddard Avenue.

Stella Cox, Mayor

Date

Attest: Georgann Valdez, Town Clerk