

ALAMOSA CITY COUNCIL
Wednesday, November 6, 2013
Minutes of the Meeting

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Kathy Rogers at 7:00 p.m. The Pledge of Allegiance was recited. Present at roll call: Mayor Rogers, Councilors Greg Gillaspie, Charlie Griego, Rusty Johnson, Josef Lucero, Leland Romero, and Marcia Tuggle. A quorum was declared. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and Deputy City Clerk Holly Martinez.

AGENDA APPROVAL. It was moved by Councilor Griego and seconded by Councilor Lucero to approve the agenda as presented. The motion carried unanimously.

CITIZEN COMMENT

A. Audience Comments

Don Thompson questioned how the property of the RV park can be zoned as agricultural with the top soil being removed.

Andy Cyrus spoke in support of the RV annexation.

Dan McCann congratulated the school districts who voted for the BEST program.

B. Follow-Up

CEREMONIAL ITEMS

A. Recognition of Isabella Griffin, "Be A Buddy Not A Bully"

Council congratulated Isabella on all her awards and thanked her for what she has done. They presented her with a "You Make a Difference" certificate.

B. Ayanna Espinola'Neal

Council thanked Ayanna for all that she has done for our US veterans and active soldiers and presented her with a "You Make a Difference" certificate.

CONSENT CALENDAR A. It was moved by Councilor Gillaspie and seconded by Councilor Johnson to approve Consent Calendar A as presented. The motion carried unanimously.
Items:

- C. 2. a. Accept Planning Commission's Recommendation To Approve Permitted Use By Special Review To Allow Outdoor Sales in a CB Zone at 428 San Juan
- C. 7. a. Approve Minutes of Regular Meeting October 16, 2013

REGULAR BUSINESS

C. Business Brought Forward by City Staff

1. Public Works

a. 2013 Alamosa RV Resort On The Rio Grande Annexation

1. Eligibility Public Hearing

Mayor Rogers opened the hearing at 7:35 p.m. and asked for those wishing to speak on this matter.

There being no one further wishing to speak, the hearing closed at 7:35 p.m.

2. Resolution No. 23, 2013, A Resolution Finding Property Subject to the 2013 Alamosa RV Resort On The Rio Grande Petition For Annexation To Be Eligible For Annexation

Councilor Griego moved, seconded by Councilor Romero to adopt Resolution No. 23, 2013. The motion carried unanimously.

b. Public Hearing, Ordinance No. 16, 2013, An Ordinance Amending Sections 21-1 (Concerning Definitions, Amending "Club" and "Lot Line"), 21-97, Schedule A, (Concerning Use Groups and Permitted Uses), and Adding A New Section 21-99 (Concerning Metal Siding In Residential And Commercial zones) To The Code of Ordinances of Alamosa, Colorado, With Respect To Definitions and General Zoning Regulations

Don Koskelin reviewed this Ordinance, which included a number of changes. Council further discussed this issue.

Mayor Rogers opened the public hearing at 7:52 p.m. and asked for those wishing to speak on this ordinance.

Dan McCann spoke in favor of the metal buildings with the street facing façade looking nice.

Ruthie Roberts spoke in favor of metal buildings and recommended Council look into it further.

Ron Brink stated he understand Council's concern but thinks Council needs to be real careful with the restrictions they are considering.

David Mize spoke in regards to the residential aspect of this Ordinance, stating that he seems like it is restriction on his freedom as a citizen and property owner that is not necessary.

With there being no one else wishing to speak, the hearing closed at 7:58 p.m.

Councilor Tuggle agreed with David, and feels Council does need to revisit the issue. Councilors Gillaspie, Lucero, Romero, and Griego also agreed.

Mr. Koskelin clarified that if Council desired to revisit this issue, they can still continue with passing the Ordinance but amending it to exclude Section 3.

Mayor Rogers reminded everyone that they did ask staff to look at this issue and knows that Alamosa is looked at upon more favorably throughout the Valley in bringing business here because there are not .

Councilor Tuggle moved, seconded by Councilor Lucero to approve Ordinance No. 16, 2013 amending Sections 21-1, excluding section 3.

Counselor Schwiesow stated the need for Council to further discuss this issue to direct staff on what it is that they are wanting. Councilor Tuggle stated that she feels Council is mostly concerned with restrictions on residential properties.

Councilor Romero would like to table this Ordinance and keep the Ordinance that is currently in place as it is.

Mr. Koskelin clarified what he feels Council is wanting is more discussion on this matter and recommends that Council meet with the Planning Commission to further discuss this issue.

Councilor Tuggle clarified her motion which is to pass the Ordinance, excluding Section 21-99, which specifically refers to metal siding on residential and commercial businesses to discuss that section at a later date with the Planning Commission.

The motion carried 6 to 1 with Councilor Romero casting the no vote.

E. Committee Reports

Councilor Gillaspie reported on the Golf Board meeting.

Councilor Johnson reported on the Tree Board meeting.

Councilor Lucero reported on the Policy Committee meeting.

Councilor Tuggle reported on the Senior Citizens meeting.

F. Staff Announcements

City Manager Heather Brooks reported on the annexation and land exchange timelines in regard to the RV proposal. Also, provided an update on where the City was with the appraisal. Two recommendations were received, one for around \$14,000 with a 60-90 day timeframe, and the other was for around \$4,000 that could possibly be done by December 31st. Council further discussed this issue.

Judy Egbert asked Council to consider the dates of January 1st and the December 18th meetings. Council agreed by consensus that they would not meet January 1st but would meet on December 18th. A resolution will be ready on the Consent agenda for the next meeting to vacate the January 1st date.

Ms. Egbert also reported on the scheduling of what happens next in the transition of the new city council members. The ballots are scheduled to be certified November 21st, and the new ones will take position at the first meeting after the ballot is certified, which is December 4th. The vacancy that will be open should be decided upon by new council.

LOCAL LIQUOR LICENSING AUTHORITY ACTIONS

A. Consent Calendar B

It was moved by Councilor Lucero and seconded by Councilor Johnson to approve Consent Calendar B as presented. The motion carried unanimously, with Councilor Griego abstaining as the spouse of a liquor license holder. Items: Approve Modification of Premises – SLV Brewery

B. Liquor Licensing Items.

2. Decision – Tavern License Application by TimoRiv.Ilc d/b/a Ts Railroad Lounge

Erich Schwiesow recommended that anyone who was not in attendance at the public hearing shall recuse themselves unless they had the opportunity to review the video of it. Councilor Tuggle recused herself from the decision for this reason.

Councilor Griego spoke in favor of granting the liquor license based on the fact that the people who are applying for the license are respectable people and they have run successful businesses in the past.

Councilor Romero moved, seconded by Councilor Griego, to approve the tavern license application by TimoRiv.Ilc d/b/a Ts Railroad Lounge.

Councilor Gillaspie stated he stands by his statements at the public hearing and reminded Council that their vision has been to improve the downtown corridor through State Avenue and their statement has always been “Train to Main”.

Councilor Johnson agreed but stated that he would be the first one to help a business owner, but if there is violations, would be the first one to take it away. Mayor Rogers agreed.

The motion carried five to one with Councilor Gillaspie casting the no vote and Councilor Tuggle abstaining.

COUNCIL COMMENT

Councilor Romero clarified a rumor that is spreading regarding Councilor Ward 4 Elect Michael Stefano about past history, and said that this does not affect his eligible to serve on Council.

Councilor Gillaspie thanked everyone that ran for candidacy and congratulated those that won.

Councilor Griego informed Council of the Veteran’s Parade that is happening on Monday, November 11, 2013 beginning at 10:30 a.m. He also commented on an ad that was placed in the paper regarding candidates, and encourages the person behind the ad to come forward to Council to address the issues they have in regards to this.

Councilor Tuggle agreed with Councilors Griego and Gillaspie. She also wished everyone the best and thanked them for letting her serve.

Councilor Johnson also agreed with the comments regarding the ad in the paper.

Councilor Lucero stated he looks forward to a new season and agreed on the unprofessionalism of the ad that was placed in the paper.

Mayor Rogers told Council about a letter from Tom Davis where he recommends suggestions which she will put in the reading file. She also congratulated Councilor Lucero and Jan Vigil and stated she is proud of all those who ran for candidacy.

ADJOURNMENT. The meeting adjourned at 8:50 p.m.

Holly Martinez, Deputy City Clerk

Kathleen J. Rogers, Mayor