ALAMOSA CITY COUNCIL
Wednesday December 18, 2013
Minutes of the Meeting

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Josef Lucero at 7:00 p.m. The Pledge of Allegiance was recited. Present at roll call: Mayor Lucero, Councilors Jan Vigil, Charles Griego, and Michael Stefano. Councilors Greg Gillaspie and Rusty Johnson previously requested to be excused. A quorum was declared. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Judy Egbert.

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

CITIZEN COMMENT

A. Audience Comments

Bill Brinton spoke regarding the trail system at issue in the proposed RV development land swap, encouraging this use to be included in the appraisal.

B. Follow-Up None.

CONSENT CALENDAR A. It was moved by Councilor Griego and seconded by Councilor Vigil to approve Consent Calendar A as presented. The motion carried unanimously. Items:
C. 2. a. Receive November 2013 Expenditure Report
C. 7. a. Approve Minutes of Regular Meeting December 5, 2013
C. 8. a. Receive November 2013 Monthly Reports

REGULAR BUSINESS

C. Business Brought Forward by City Staff

1. Public Works

a. Public Hearing, Intent To Construct Improvements and Create a Special Improvement District, Carroll Subdivision Addition No. 2

Don Koskelin reviewed this hearing and its role in the SID formation. This hearing follows Council's action on October 16 that approved a resolution of intent to form the SID. The purpose is to receive public input on the costs associated with creation of the SID. An ordinance will be considered at a future next meeting. No action is requested tonight.

He explained that the costs have been allocated based on square footage. The actual assessments will be determined by ordinance.

Mayor Lucero opened the hearing at 7:12 p.m. and asked for those wishing to speak on this issue.

Arvin VanRy gave an overview of the development needs in this area. He owns a number of the lots included in the proposed SID. He recommended that the City give approval to this phase of the process, as a benefit to the community.

Jackie Webb, owner of 916 Duke Drive, objected to any assessments to the property, saying that there is no real benefit. She believes that it gives an unfair advantage to three properties. The costs to the corner lots are not justified. The improvements are not needed or wanted. When she bought her house, she understood that the properties to the north would be left to their natural state. She maintains these properties for weeds and trash. A linear foot calculation might be something she would support. The costs should be borne by those directly benefitting, or by those who agreed in advance. She is opposed to any assessments based on square footage.

Diana Hagerman, owner of the corner lot across from Webbs, said that she had lived there eight years. She paid for improvements with her house purchase. She resents using City resources for developing engineering costs.

Mark Hensley owners lots six and seven at the end of Duke Drive, on the north side of Briarwood. He said that he is not resisting development but there are things said that are not true. It is not true that it was said that the lots on the north side of Briarwood would never be developed. Lots six and seven will be developed regardless. He agrees that the corner lot owners shouldn't have to pay double. But a fifteen-year assessment is good thing. Development gives chance for local job opportunities. Everyone needs to feel that it is equitable.

Dan McCann, 1809 Sunset, supported improvements in general, using the increase in vehicle license plates as an example for highway improvements. He supported this development, saying it would be a good thing.

Preston Porter, 4 Shadowood Place, spoke in favor of the SID. This is the only viable solution to what is now an eyesore. There is demand for these types of lots. The square footage solution is the most equitable. Hagerman and Hensley do have a street and sidewalk, so that would not be a cost of the developer going forward.

There being no one further wishing to speak, the hearing closed at 7:28 p.m.

Mr. Koskelin clarified that people who already have utility service would not be charged for that. A cost assessment was calculated based on linear feet of frontage, and this does not resolve the problem. The costs of the corner lot owners would increase.

Heather Brooks added that the intent is that all costs be included in what is assessed. There are no hidden costs.

Erich Schwiesow asked if a property were outside of the benefit area whether it could be excluded. Mr. Koskelin stated that these properties do have a benefit, such as dust control.

The next action will be to prepare a spreadsheet to show linear foot costs, and to consider a way to reduce the cost to corner properties. However, the bottom line cost needs to remain the same, so this means an increase to other property owners.

2. Finance

b. Resolution No. 24, 2013, A Resolution Making Supplemental Appropriations and Authorizing Expenditures In Excess Of the Amounts Budgeted For The City Of Alamosa In Ordinance 12, 2012, and Known As 3rd Budget Amendment

This Resolution reconciles changes to the 2013 budget including:

- General Fund: increased revenues in the areas of permits, construction use tax, seizures and special overtime; and increased expenses in the areas of jail fees, payroll software, Cole Park, and personnel.
- Enterprise Fund: increased revenue for water tap installation; increased expenses for fiber project
- Firemen's Pension: Increase in budgeted retirement plan benefits
- Conservation Trust Fund: Increased revenue from state lottery funds
- Community Recreation Fund: Incrased revenues for programs, and increased expenses in fiber project

Councilor Griego moved, seconded by Councilor Vigil to adopt Resolution No. 24, 2013. The motion carried unanimously.

8. <u>City Manager/Legal</u>

b. <u>Employment Contracts With Legal Staff</u>
1. <u>Erich Schwiesow, City Attorney</u>
2. <u>Dan Powell, Municipal Judge</u>
3. <u>Gene Farish, City Prosecutor</u>

These three positions are being transitioned from independent contractor to employee status as a result of the agreement with the IRS. All have been offered employment contracts, and all have accepted. The compensation represents the historical average plus the projection for the upcoming year, plus the amount contributed toward their retirement.

Councilor Griego moved, seconded by Councilor Vigil to approve the employment contracts as presented. The motion carried unanimously.

c. <u>First Reading, Ordinance No. 18, 2013, An Ordinance Amending, In Part, the Established Pay Plan for City Officers And Employees As Referred To In Section 15-2 of the Code of Ordinances Concerning Personel Rules and Pay Plan For City Officers And Employees</u>

When the 2014 pay plan was adopted through Ordinance No. 14, 2013, it contained an error in the area of the Building Inspector position. This position had been reclassified, and the initial pay plan ordinance overlooked this recent action. This ordinance corrects that classification.

Councilor Griego moved, seconded by Councilor Vigil to introduce Resolution No. 18, 2013 on first reading and set a hearing thereon for Wednesday January 15, 2014 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

E. <u>Committee Reports</u>

Councilor Griego reported on the recent Recreation Advisory Board meeting.

F. <u>Staff Announcements</u>

Heinz Bergann reported that the ice rink opened today, and reported on Recreation Center activities.

Judy Egbert reviewed the status and timing for filling the At-large vacancy. Council agreed by consensus to hold interviews on January 8, with appointments considered on January 15.

Heather Brooks:

- Reviewed holiday city hall closures
- Reported on meeting with Dan Russell today. The appraisal is on track
- Reported meeting with the Golf Board.
- Reported meeting with the 12th Judicial Task Force regarding studying the need and resources for a new jail.
- The Senior Citizens are interested in conversation ,,,,
- Reported meeting with the County Commissioners today regarding Community Corrections issues.

LOCAL LIQUOR LICENSING AUTHORITY ACTIONS

A. Consent Calendar B

Item B. 2 was removed from the Consent Calendar at Councilor Griego's request.

It was moved by Councilor Griego and seconded by Councilor Vigil to approve Consent Calendar B as amended. The motion carried unanimously, with Councilor Griego abstaining as the spouse of a liquor license holder. Items:
B. 1. SLV Brewery Temporary Modification of Premises, Ice Fest

B. 2. Accept Prosecutor's Recommendation to Impose Stayed Suspension for Terry's Liquor

Ms. Egbert reviewed the relationship and role of the Colordo Liquor Enforcement Division and the City. This licensee had a violation in February 2013 and agreed to a stipulated penalty of a total of fifteen days suspension with five served and ten held in abeyance for one year. In October 2013, the business failed a state-conducted compliance check, violating the ten-day stay.

Council debated the ramifications of a fifteen day total closure on a business, with some Councilors expressing desire to minimize lthis impact.

Councilor Vigil moved, seconded by Councilor Griego to impose the ten days in abeyance to run concurrently with the state's five days, starting January 1, 2014. The motion carried unanimously.

COUNCIL COMMENT. None.

ADJOURNMENT. The meeting adjourned at 8:20 p.m.

Judy A. Egbert, City Clerk

Josef P. Lucero, Mayor