



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES OF THE
TOWN OF BUENA VISTA, COLORADO**

November 9, 2016

Work Session Regarding 5 Year Capital Improvement Plan Review 6:00 PM

Present for the work session: Mayor Joel Benson, and Trustees Lawanna Best, Mark Jenkins, Duff Lacy, Phillip Puckett and David Volpe. Town Staff present were Town Administrator Brandy Reitter and Town Clerk Janell Sciacca.

Benson introduced providing an overview of the purpose of the work session. Reitter stated the Capital Improvement Plan is a working document. The Town cannot commit to future years, but it is good to have a plan in place for funding. Drainage was added this year based on the West and East side drainage studies and the updated 2012 Water Master Plan. This is a good starting document and the numbers are cost estimates and not engineered numbers. These numbers are updated annually and ranked by Staff using a set of criteria to prioritize them. Puckett reminded he had asked Maggard about \$80,000 / year for street improvements and his concern that the Town is falling behind on maintenance and adding more streets. He challenges that number and would like to see why it wouldn't increase. Reitter replied she and Maggard are working on a 5 year plan for street maintenance. Maggard has completed an assessment and is putting together the plan which will be presented through this budget process, but the maintenance number still needs to be in there. Benson echoed Puckett's concern stating there should be an annual increase in the number and possibly also small projects. The Board asked questions, commented on items and made suggestions regarding the plan. Benson then suggested in the future that the Trustees look at approving the Capital Improvement Plan separately from the Budget and the Board generally agreed. The Work Session ended at 6:56 PM.

CALL TO ORDER 39:36

A Regular meeting of the Board of Trustees was called to order by Mayor Benson at 7:39 PM on Wednesday, November 9, 2016 following a Board of Adjustment Appeal Hearing at 7:00 PM. The meeting was held in the Pinon Room of the Buena Vista Community Center located at 715 E. Main Street, Buena Vista, Colorado.

ROLL CALL 39:47

Town Clerk Sciacca proceeded with the roll call and declared a quorum. Present were Mayor Joel Benson and Trustees Lawanna Best, Mark Jenkins, Duff Lacy, Phillip Puckett and David Volpe.

Town Staff present were Town Administrator Brandy Reitter, Town Attorney Kathryn Sellars, Principal Planner Mark Doering, Planner I Scott Reynolds, Treasurer Michelle Stoke, Fire Chief Dixon Villers, Police Chief Jimmy Tidwell, Assistant to the Town Administrator Emily Katsimpalis, IT Director Larry Deffenbaugh and Town Clerk Janell Sciacca.

PLEDGE OF ALLEGIANCE 40:00

Mayor Benson led the Pledge of Allegiance.

AGENDA ADOPTION 40:20

Benson requested the addition of item E. being a discussion regarding appointment of a new trustee due to a recent resignation of Eric Gibb and F. being Christmas Card Lane.

Motion #1 by Trustee Best and seconded by Trustee Volpe to adopt the agenda as amended.

Motion carried, 5-0.

CONSENT AGENDA 41:06

Puckett commented the Board is seeing a lot of expenses for software and in the future he would like to see updates provided to the Board on what programs have achieved.

Motion #2 by Trustee Lacy and seconded by Trustee Puckett to approve the Consent Agenda as presented. **Motion carried, 5-0.**

PUBLIC COMMENT 42:56

Dan Cooper, 17570 Trout Circle, speaking on behalf of Chaffee County Economic Development Corporation Director Wendell Pryor in support of the proposed R-3 zoning change. Cooper distributed a handout entitled Buena Vista and Chaffee County Housing Continuum Based on % of Area Median Income (AMI). He reported the graph shows BV and the north end of Chaffee County are in the process of providing affordable housing options and the proposed zoning change is consistent with recommendations of the August 2016 Chaffee County Housing Needs and Assessment Strategy. He also noted that he, Pryor and a private developer met with the prison and Hospital CEO who both told them they are losing employees and this change would provide an opportunity for prospective employees to purchase homes. The zoning change is a no cost way for the Town to facilitate affordable housing.

RESPONSE TO PUBLIC COMMENT 50:05

Mayor Benson stated to Cooper that the Board appreciated the comments, handout and history.

BUSINESS ITEMS

Should the Board of Trustees approve adoption of Ordinance #18 entitled "**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO AMENDING SECTION 16-245 OF THE BUENA VISTA MUNICIPAL CODE REGARDING CERTAIN DIMENSIONAL REQUIREMENTS FOR THE R-3 ZONE DISTRICT.**"? **50:35**

Doering presented the Staff Report and reviewed a PowerPoint presentation detailing the specifics of the proposed ordinance. Doering stated both Planning Commission and Staff were recommending approval of the amendments to the High-Density Residential (R-3) zone district as presented.

Jenkins stated his biggest question is about water usage and page 91 of the water analysis was pretty eye-opening. He questioned if this was discussed by the Planning & Zoning Commission. Doering replied No, but water impacts should always be paid attention to. The Town does look at water impacts every time there is an application submitted for development. Benson stated he has been asking for a water accounting for a long time. He reviewed the past TriVista rezoning noting the developer was provided free water. Benson also reviewed monetary water figures and SFE capacities and felt the Town would run out of water with this change. He was concerned about creating a use by right and also felt Jenkins's question about water usage was spot on. Puckett stated clarifications to match intent is spot on and he buys in to density as a way to reduce the cost of housing, but the Town cannot go there until the water piece as a use by right is figured out. His question on process is whether or not the three existing R-3 zones could at any time come apply for taps and start building if the Board increased the density because of the new dimensions. Doering replied they could apply for new development and would have to pay a tap fee or system development improvement fee which is used for water resources. Benson disagreed stating that fee is for infrastructure, taps, physical components and maintenance and the cash-in-lieu fee is for acquiring new resources. Puckett then asked if the Board was to approve the zoning change what the safety nets were to prevent building out for the unknown. Doering replied a subdivision is the appropriate tool. Benson added if a property is zoned for that use the Town cannot require more water. Lacy inquired if the Water Board had looked at this. Reitter replied the Water Board is always looking at water usage, building up the portfolio and projects, but they did not look at this. Lacy asked if this shouldn't be run through the Water Board. Reitter replied Staff could certainly do that. Puckett reiterated he did not want to stand in the way of private development providing for housing but it would be irresponsible to push this forward not knowing where the Town stands on water and not hearing from the Water Board. Puckett asked if this came forward as a PUD whether or not at that point the Town could require water. Doering replied a PUD is a subdivision and zoning at the same time which is more complicated and takes longer. Benson felt to do a blanket R-3 dimensional change that jeopardizes the water supply for the Town of Buena Vista does not make sense but an individual project like a PUD that the Board could look at and analyze did make sense. Puckett agreed adding with the Board seeing the

water accounting laid out for promised and allocated and this laid on top and what that looks like. Benson also felt numbers for industrial would be good. Lacy stated he could never understand why the Town was not applying water to industrial and there needed to be a factor for it. He loved the concept but felt there is a scary hole there.

Motion #3 by Trustee Lacy and seconded by Trustee Best to table Ordinance #18. **Motion carried, 5-0.**

PUBLIC HEARING - Should the Board of Trustees approve adoption of Resolution #108 entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO APPROVING TWO AMENDMENTS TO THE SPECIAL USE PERMIT GRANTED TO THE TOWN COMPANY, LLC FOR A 44-UNIT HOTEL."? 01:34:40

Applicant JJ Kinsfather, 905 Swift Circle, stated this permit is regarding several requirements imposed by the Town for fire related issues and they are asking that the stairwells only be required to go to the top level not the roof and that the fire rating be reduced to 1 hour for the north stairwell.

Doering presented the Staff Report and reviewed a PowerPoint presentation detailing the specifics of the subject request. He reported that Staff and the Planning and Zoning Commission were both recommending approval of the amendment to the special use permit as requested.

Benson opened the floor to public comment and there being no one wanting to address the item the floor was closed to public comment and the public hearing was closed.

Jenkins asked Fire Chief Villers if he had any comments and Villers replied this is all in the codes. Lacy inquired if it was typical to submit for a special use before complete building plans are approved. He felt this way seemed to waste a lot of time and he wondered if this was common. Doering replied it depends on the jurisdiction and some communities hold up applications until all building permit information is available to make a decision. This application came forth for a certain number of units without any site specific design as the applicant was looking to get the ability to have the hotel without spending a lot of money on an architect to develop plans that would take more time. Lacy still felt it did not make sense. Puckett echoed that this way takes up Staff's time but he also sees why someone needs to know if they can do it before spending a lot of money.

Motion #4 by Trustee Lacy and seconded by Trustee Puckett to approve Resolution #108 as presented. **Motion carried, 5-0.**

PUBLIC HEARING – 2017 Town of Buena Vista Budget with discussions and updates regarding a Board of Trustees Information Package, Water Rates, Baseball Field Proposal, and Airport Capital Improvement Program.01:47:30

Benson reviewed the process for the hearing and some of the documents in the packets placed in front of the Trustees. Reitter informed the Board that Staff was not able to prepare information for the water rates but would have that ready at the next meeting.

Benson opened the floor to public comment.

Ashley Ahlene, 512 Cedar Street, appeared representing the Branding, Marketing and Wayfinding subcommittee and encouraged the Board to consider putting the wayfinding money back in the budget.

Joy Duprey, 30972 CR 356, appeared representing the Beautification Advisory Board and reminded the Board that two of their requests are dependent on banner poles and the Beautification Board was requesting the Trustees put \$6,000 in the budget for those poles.

Meghan Carpenter, 623 Cedar Lane #202, appeared representing the Buena Vista Chamber of Commerce. She presented information regarding the Discover BV app funding request for the Chamber and she and Director Kathi Perry answered questions of the Trustees.

Cindy Swisher, 100 Baylor, commented on the \$2,000 in the budget for the American Legion and reviewed some of the many benefits the group provides to the community in addition to the fireworks. Swisher felt they are a very hard working organization and the Trustees should ask them why they were asking for more money this year.

Jacob Mueller, 111 Surrey Street, joined Ahlene's request for money to be put in the budget for wayfinding. He felt the signage would provide a welcome to the community and demonstrated the Town's value of visitors.

The floor was closed to public comment.

The Board took a 5 minute recess at 9:25 PM and reconvened at 9:30 PM.

Benson noted the Budget memo and requested Reitter run through the Baseball Field project and Airport Capital Improvement Plan. Reitter noted BVSD Interim Superintendent Lisa Yates was in attendance. She then reviewed the Staff Report and noted the DRAFT appraisal in the packet. Benson asked if the additional \$72,500 was on the wish list or already in the budget. Reitter replied \$87,500 was in the budget and \$72,500 needed to be added to the wish list. She then noted the need for a joint work session in December with the School to talk about all the moving pieces. Puckett reported he added everything up and was coming up with \$641,000 in out of pocket expense by the City overall for the Baseball Field project.

Reitter next reviewed the Airport Capital Improvement Program Staff Report. Benson asked if the \$100,000 listed in the CIP in a couple years is still all part of this plan. Reitter stated that would take private investment. Benson then inquired about monies in the budget for the Jay Jones hangar and Reitter felt those could be removed due to the current legal issues. Reitter and Stoke will update the transfer numbers.

The Public Hearing was closed.

Benson reviewed the items placed at the Trustee desktops and the process the Trustees should follow in completing the wish list form and stated the completed forms are due back to him by November 14. Benson suggested and stated his support for increasing the \$2,000 for the American Legion. The Trustees generally agreed to put \$4,000 in the budget. Puckett asked about #5 on page 1 being the \$8,000 Meritage Software and the Board generally agreed to scratch that at this time.

Motion #5 by Trustee Puckett and seconded by Trustee Lacy to continue the Public Hearing on the 2017 proposed budget to November 30, 2016. **Motion carried, 5-0.**

Should the Board of Trustees approve adoption of Resolution #109 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO SUPPORTING THE GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND AND THE COMPLETION OF THE BUENA VISTA MULTI SPORTS BASEBALL FIELD.**"? 03:18:52

Reitter presented reviewing the Staff Report. Benson stated Section 2 says "the project site is owned" by Buena Vista School District and after discussion the Board was agreed to change the wording to "the project site will be owned".

Motion #6 by Trustee Best and seconded by Trustee Lacy to approve Resolution #109 as amended. **Motion carried, 5-0.**

Discussion regarding appointment of a new Trustee. 03:22:06

Benson reported Trustee Gibb resigned earlier in the day effective immediately. He then reviewed the two options for selection of a new Trustee being either appointment by the Board or by election. The Trustees generally agreed to solicit letters of interest and place the item on the November 30, 2016 regular meeting agenda.

Discussion regarding Christmas Card Lane. 03:27:06

Benson reported this topic came up recently. The cards are not allowed under the current sign code nor within the CDOT right-of-way. Lacy felt they could be put up in the Town parks and felt the Town needs to make this happen as it is a tradition of Buena Vista. After additional discussion, Reitter said the Town will make it work.

STAFF REPORTS

Town Administrator 03:35:58

- Intergovernmental Meeting is November 29
- Jill Abrell, Planning Technician, is leaving and her last day is November 23
- BVPD thanked for solving 39 year old cold case murder of Audrey Hurtado
- Active shooter training will take place next week at Town Hall
- Sportsmen's Club received a grant for their trap facility
- Recreation Department is doing well and starting fall programming
- Trail social and potluck is next week
- Annual River Park cleanup is November 13
- Staff is working on a Drinking Water Revolving Loan Fund for major water infrastructure improvements
- Main Street Small Business Saturday is November 26
- Developer Forum went very well
- Main Street Manager Summit hosted last week with 30 people from across state attending
- Arts Space is coming next Tuesday for final workforce housing site visit

Town Treasurer 03:40:12

- Report is the basic report due to hard work on the budget, water rates, fiscal health tool kit, etc.
- Stoke will be attending a grant writing workshop next week

Public Works Director 03:41:28

- Maggard was not in attendance, but Benson noted the report in the packet
- Puckett questioned whether the Planning Department directs where road signs go and Reitter replied it is a combination of the Police Department, Public Works and Planning
- Lacy felt the digital speed sign going into South Main was misplaced and felt it was more warranted on the west side of Town

Motion #7 by Trustee Best and seconded by Trustee Lacy to approve the fee waiver request for the Chaffee Council on Arts use of the Community Center for the Holiday Art Walk. **Motion carried, 5-0.**

TRUSTEE/STAFF INTERACTION 03:45:56

Benson thanked Staff for persevering and having patience with the Trustees as well as working hard on the Budget.

Jenkins inquired about a work timeline for the Woodland Brook building on South San Juan. Doering replied there is no timeline and he has not had any conversations with them in the past two months. Jenkins stated he just didn't want the structure to sit untouched again for years again.

Lacy asked Chief Tidwell what a laser gun is and Tidwell replied it is a radar device. Lacy also inquired how the BluePrint 2.0 differs from the wayfinding proposal. Reitter replied they are different programs and BluePrint is a build a better business brand audit with recommendations to enhance branding materials. The majority of recommendations have been on the unfinished logo project. Lacy wanted to make sure the program gets finished. Lenny Eckstein of the Marketing, Branding and Wayfinding Committee stated BluePrint was a grant and it is a good opportunity to make things better. Lacy inquired about a comment made at a P&Z meeting that the Recreation Department is pursuing the Rec District and Rec Center. He stated the Board decided the Town is not pursuing this. Benson clarified that there was also a conversation during the Rec Advisory Board meeting about this earlier in the day.

Motion #8 by Trustee Lacy and seconded by Trustee Puckett to direct Staff to draw up a memo to all Staff heads and anyone else that needs covered that the Board of Trustees does not want to pursue a Recreation District. **Motion carried, 3-1 with Jenkins voting No and Best abstaining.**

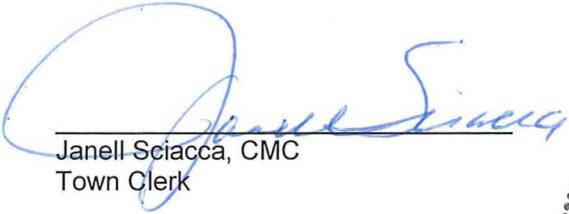
ADJOURNMENT 03:52:40

Motion #9 by Trustee Best and seconded by Trustee Lacy, noting that there being no further business to come before the Board, declared that the meeting be adjourned at 10:52 PM. **Motion carried, 5-0.**

Respectfully submitted:



Joel Benson, Mayor



Janell Sciacca, CMC
Town Clerk

