

**Town of Mancos  
Board of Trustees Meeting  
December 14, 2016  
7:00 p.m.**

**A. CALL TO ORDER:** Mayor Queenie Barz called the meeting to order at 7:00 p.m.

**B. PLEDGE OF ALLEGIENCE & MOMENT OF SILENCE**

**C. ROLL CALL:** Present: Mayor Queenie Barz, Mayor pro tem Fred Brooks, Trustee Lorraine Becker, Trustee Michele Black, Trustee Cindy Simpson, Trustee Ed Hallam, Trustee Craig Benally

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Public Works Director Robin Schmittel, Marshal Jason Spruell, Deputy Marshal Estevan Valles, Town Attorney David Liberman

**D. APPROVAL OF AGENDA:** Trustee Lorraine Becker made the motion to amend the agenda adding the Letter of Intent to Participate in Brownfields Assessment Coalition Grant Program as item #7. Mayor pro tem Fred Brooks seconded the motion to approve the amended agenda. Motion passed.

**E. APPROVAL OF THE MINUTES OF November 9, 2016:** Trustee Lorraine Becker made the motion to approve the minutes of November 9, 2016 with the correction on page 3 item #7 “funds for items that should have been”. Trustee Michele Black seconded the motion to approve the minutes. Motion passed.

**F. AUDIENCE BUSINESS**

None

**G. ANNOUNCEMENTS**

- January 4<sup>th</sup> 7:00 pm: Monthly Workshop
- Paths To Mesa Verde Project Open House at Town Hall from 6:00 – 8:00 p.m. on December 15.
- The Town did receive a \$5,000 grant from DOLA toward the Housing Assessment budgeted amount of \$10,000.
- Plant Operator Kyle Schreckenbach has tendered his resignation.
- Holiday Open House was a success.
- The Town has Building Inspection Services and Fiber Consultant RFPs out for bid at this time.

**H. INTRODUCTION & SWEARING IN OF DEPUTY MARSHAL ESTEVAN VALLES**

**I. TREASURER'S REPORT NOVEMBER BILLS & CLAIMS:** Trustee Cindy Simpson made the motion to approve the November bills and claims as presented. Trustee Lorraine Becker seconded the motion. Motion passed.

**J. COMMITTEE REPORTS**

1. Planning & Zoning Commission – meets next week.
2. Design Review Board – meeting cancelled.
3. Tree Board – on hiatus until February.
4. Transportation Planning Region (TPR)/Southwest Regional Transportation Planning Commission (RPC) – nothing to report.
5. Southwest Colorado Council of Governments (SWCCOG) – Julie Westendorf is the new chair of the organization. Meetings may be moved to first Thursday of the month.
6. Region 9 Economic Development District – meets next month.
7. Montezuma Community Economic Development Association – positive experience with Empire Electric with regard to broadband. MCEDA may move under Region 9 umbrella. There will be an Executive Committee meeting in January.
8. Mancos Trails Group – co-hosting the PTMV meeting, researching the aqueduct property planning.
9. Mancos Days Planning Committee – next meeting is January 18, 501c3 planning is underway.
10. Mancos Schools Accountability Committee – no report.
11. Western Excelsior Committee – air sampling equipment is in place and we are awaiting results.

**K. UNFINISHED BUSINESS**

1. Hwy 160 Corridor Plan/Access Management Plan Update  
CDOT is seeking agency concurrence from FHWA on a revised Access Management Plan (AMP)/Corridor Plan. Once FHWA gives approval, the Board will be asked to adopt an MOU/IGA between the town and CDOT adopting these changes.

**L. NEW BUSINESS**

1. Public Hearing: Special Use Permit for Dog Daycare/Kennel at 233 Park St.  
Public Hearing opened at 7:23 p.m.
  - Semberlyn Crossley, 223 Park Ave. – spoke in favor. She will be the owner of the business. She feels this will be an asset to the community. Citizens and visitors to Mesa Verde will be able to bring their dogs for the day. She

has researched various odor control measures. Trustee Cindy Simpson asked about the interior set up, Ms. Crossley advised it is just one large area. There is a kennel in the event separation of dogs is necessary. Trustee Simpson inquired as to if two people was enough to control up to 20 dogs. Shade is provided by trees on the property.

- Mark Rosenbaum, 150 E. 1<sup>st</sup> St. – spoke against. His concern is the noise from barking dogs. He feels the noise of barking dogs is a health threat and quality of life issue. He is concerned that park usage will increase the noise.
- James Darnell, 12483 Road 38.7 – spoke in favor. He will be employed at the business. He does not expect 20 dogs at any one time at the facility. He has researched odor and noise mitigation. He agrees with quality of life, but he doesn't feel this should prevent his business.
- Regina Roberts, 601 Grand Ave. – spoke in favor. She feels any new business should be considered. She feels there is a need for this type of business. With regard to noise, she hears barking dogs and other animals all the time. She would like to see the business grow to be an overnight facility. With the new RV Park, she feels this business is a good idea.
- Kimberly Harrison, 38117 Hwy 184 – spoke in favor. She owns a dog and works in Town. She feels that the business owners would take excellent care of the animals. She feels this is a service the Town needs. She doesn't think the park is that close to the proposed location.
- Celeste Aureorean, 646 Riverside Ave. – spoke in favor. She used to own the proposed property. There is plenty of shade available. She feels the business would be an asset to the Town.
- Sharon Rosenbaum, 150 E. 1<sup>st</sup> St. – spoke against. She has a dog, but she can hear dogs barking throughout Town. She feels this business should not be allowed in Town due to potential noise issues.

Public hearing closed at 7:42 p.m.

Mayor pro tem Fred Brooks inquired as to if there are excessive noise complaints, how hard would it be to rescind the special use permit. Town Attorney David Liberman advised that the Mancos Municipal Code does not currently address the procedure to revoke a special use permit. He suggested setting a term limit on the special use permit. Trustee Cindy Simpson made the motion to approve a special use permit for a dog kennel/dog daycare facility at 233 Park St. in Mancos with approval of the special use permit with the following conditions: a) town permit runs concurrent with state permit; b) meet all noise and other nuisance codes. Mayor pro tem Fred Brooks seconded the motion. Motion passed unanimously by roll call vote.

2. Public Hearing: Ordinance 722 Series 2016: LUC Text Amendment for Commercial District to allow Niche Manufacturing Over 2,000 SF with Special Use Permit

Public Hearing opened at 8:06 p.m.

- Mark Rosenbaum, 150 E. 1<sup>st</sup> St. – spoke in favor.

Public hearing closed at 8:07 p.m.

Trustee Michele Black made the motion to approve Ordinance 722 Series 2016 Amending the Text of the Town of Mancos Land Use Code to Allow for Niche Manufacturing Over 2,000 Square Feet in the Commercial District with Approval of a Special Use Permit; and Declaring an Emergency Therefore. Trustee Ed Hallam seconded the motion. Motion passed unanimously by roll call vote.

3. Public Hearing: Special Use Permit for Niche Manufacturing Over 2,000 SF at 192 S. Main St.

Public Hearing opened at 8:14 p.m.

- Thor Tingey, 484 E. Frontage Rd – spoke in favor. He is an owner of the business. They have 15 employees. They are looking at this location to consolidate to a single space. Due to the building construction, there will not be any noise issues. The compressor will be housed in a sound proofed room inside the building. Planning & Zoning requested additional retail space. The proposed plan has been amended to include a showroom and retail space. Hours of operation are currently 8:00 a.m. to 5:00 p.m.
- Mark Rosenbaum, 150 E. 1<sup>st</sup> St. – spoke in favor. He is in favor of having an internationally recognized business move into Town.

Public hearing closed at 8:20 p.m.

Trustee Cindy Simpson made the motion to approve a special use permit for niche manufacturing over 2,000 SF for Alpacka Raft, LLC at 192 S. Main St in the Commercial District. Trustee Ed Hallam seconded the motion. Motion passed unanimously by roll call vote.

4. Public Hearing: Ordinance 717 Series 2016: Accessory Dwelling Units

Public Hearing opened at 8:33 p.m.

- Mark Rosenbaum, 150 E. 1<sup>st</sup> St. – spoke in favor. He feels the Town needs this ordinance, especially since it's already happening. This will attract visitors to Town.
- Celeste Aureorean, 646 Riverside Ave. – spoke in favor of ADUs, but she is against the increase in utility fees.

- Regina Roberts, 601 Grand Ave. – spoke in favor. She feels regulation is needed for existing ADUs. She also feels that the proposed monthly utility charges are fair as they can be passed along to the renter.

Public Hearing Closed at 8:42 p.m.

At its last regular meeting, the P and Z held a public hearing and recommended approval of the ordinance with one minor change. There were two speakers at the meeting, both of whom felt that the minimum monthly utility charge for both the ADU and the primary structure was cumbersome. Trustee Cindy Simpson does not feel this should be allowed on lots less than 7,500 square feet. She also feels existing non-conforming buildings should be brought into compliance with the current code. The Board requested this item be brought back to a joint workshop with the Planning Commission on February 3, 2017.

5. Public Hearing: Ordinance 723 Series 2016: Adoption of 2017 Budget

Public Hearing opened at 8:56 p.m.

No one signed up to speak.

Public Hearing Closed at 8:56 p.m.

Mayor pro tem Fred Brooks made the motion to approve Emergency Ordinance 723 Series 2016 Setting the Mill Levy and Adopting the Annual Budget for the Town of Mancos for the Fiscal Year Commencing January 1, 2017 and Ending December 31, 2017. Trustee Lorraine Becker seconded the motion. Motion passed unanimously by roll call vote.

6. Ordinance 724 Series 2016: Design Review Board Composition

Trustee Cindy Simpson suggested rather than appointing the entire Planning Commission as backup, appoint members of the Planning Commission to serve on the Design Review Board on a rotational basis to make up a quorum. Trustee Lorraine Becker made the motion to approve Ordinance 724 Series 2016 Making Certain Amendments to the Mancos Municipal Code Concerning the Mancos Design Review Board. Trustee Craig Benally seconded the motion. Motion passed unanimously by roll call vote.

Meeting recessed at 9:12 p.m.

Meeting resumed at 9:18 p.m.

7. Letter of Intent for Brownfields Assessment Coalition

The Board directed the Town Administrator to send a letter of intent to the Executive Director of Region 9 indicating our intent to participate in the Brownfields Assessment Coalition Grant program.



8. Resolution 1 Series 2017: Set Board Meetings Schedule  
Trustee Lorraine Becker made the motion to approve Resolution 1 Series 2017 A Resolution Designating A Public Place For The Posting Of Notices Of Public Meetings In The Town of Mancos And Approving A Schedule of Regular Board of Trustees Meetings For 2017. Mayor pro tem Fred Brooks seconded the motion. Motion passed unanimously by roll call vote.
9. Resolution 2 Series 2017: Water and Sewer Tap Fees  
Trustee Craig Benally made the motion to approve Resolution 2 Series 2017 A Resolution Of The Town of Mancos, Colorado Adopting New Residential Water & Sewer Tap Fees. Trustee Cindy Simpson seconded the motion. Motion passed unanimously by roll call vote.
10. Resolution 3 Series 2017: Water and Sewer Rates  
Trustee Cindy Simpson made the motion to approve Resolution 3 Series 2017 A Resolution Pursuant to Sec. 13-1-40 Of The Mancos Municipal Code With Regard To An Increase In Water Rates For The Town Of Mancos. Trustee Michele Black seconded the motion. Motion passed by roll call vote with Trustee Ed Hallam voting against.
11. Resolution 4 Series 2017: Miscellaneous Fees  
Trustee Michele Black made the motion to approve Resolution 4 Series 2017 Resolution Changing Certain Fees Imposed by the Mancos Municipal Code Town of Mancos Colorado. Mayor pro tem Fred Brooks seconded the motion. Motion passed unanimously by roll call vote.
12. Resolution 24 Series 2016: 2016 Budget Amendment  
Mayor pro tem Fred Brooks made the motion to approve Resolution 24 Series 2016 A Resolution for Supplemental Budget & Appropriating Additional Sums of Money To Defray Expenses In Excess Of Amounts Budgeted For the Year 2016 For The Town Of Mancos Colorado (Pursuant to Section 29-1-109, C.R.S). Trustee Ed Hallam seconded the motion. Motion passed unanimously by roll call vote.
13. December 28<sup>th</sup> meeting  
This meeting will be held as scheduled.
14. Monthly Administrator Report  
Town Administrator Andrea Phillips submitted her December report for Board review and discussion.

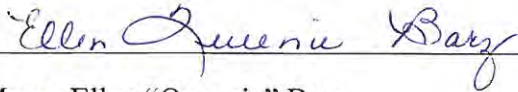
**M. ITEMS FOR December 28, 2016 Agenda**

- *Appointment to Design Review Board*
- *Water Tank Inspection Report*

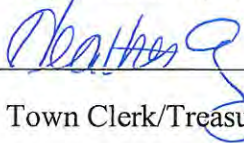
- *Marshal's Office Presentation*
- *Fiber Consultant Contract*

**N. ADJOURNMENT**

Meeting adjourned at 9:55 p.m.

  
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Mayor Ellen "Queenie" Barz

  
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Town Clerk/Treasurer Heather Alvarez