

**Town of Mancos  
Board of Trustees Meeting  
April 12, 2017  
7:00 p.m.**

**A. CALL TO ORDER:** Mayor Queenie Barz called the meeting to order at 7:09 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 Cindy Simpson, Trustee Craig Benally, Trustee Michele Black, Trustee Ed Hallam

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

**D. APPROVAL OF AGENDA:** Trustee Michele Black made the motion to amend the agenda by adding Ordinance 730 Series 2017 Western Excelsior Lot Consolidation as item #3 under Unfinished Business and Sewer Line Replacement on Montezuma Ave. as item # 10 under New Business. Mayor pro tem Fred Brooks seconded the motion to approve the amended agenda. Motion passed.

**E. APPROVAL OF THE MINUTES OF March 22, 2017:** Trustee Lorraine Becker made the motion to approve the minutes of March 22, 2017. Mayor pro tem Fred Brooks seconded the motion to approve the minutes. Motion passed.

**F. AUDIENCE BUSINESS**  
None

**G. ANNOUNCEMENTS**

- Town Administrator Andrea Phillips reminded everyone the Town is considering upgrading to the 2015 Building Codes. A public input meeting is being held April 24 at 7:00 p.m. at Cortez City Hall.
- The Hwy 160/Beech St. Pedestrian Crossing construction begins Monday April 17. A ground breaking ceremony will be held at 3:00 p.m.
- Mancos Conservation District is hosting their annual meeting and pancake breakfast during their annual meeting on April 22 at 8:00 a.m. at Mancos Community Center.
- VFW holding annual Easter Egg Hunt at 10:00 a.m. on Saturday, April 15.

**H. TREASURER'S REPORT: MARCH BILLS & CLAIMS:** Trustee Cindy Simpson made the motion to approve the March bills & claims per signed purchase orders. Trustee Michele Black seconded the motion to approve the agenda. Motion passed.

**I. COMMITTEE REPORTS**

1. Planning & Zoning Commission – meeting next week
2. Design Review Board – approved signage for Alpacka Rafts and Green Table Farm, next meeting is May 1
3. Tree Board – getting ready for Arbor Day on April 21, 2017
4. Transportation Planning Region (TPR)/Southwest Regional Transportation Planning Commission (RPC) – Main St. Bridge project discussed, transportation funding bill in the Senate was discussed
5. Southwest Colorado Council of Governments (SWCCOG) – broadband still under discussion
6. Region 9 Economic Development District – meeting next week
7. Montezuma Community Economic Development Association – retreat is planned for next week
8. Mancos Trails Group – three work days scheduled starting on April 22 in Cottonwood Park, discussion underway regarding a trail map for the area
9. Mancos Days Planning Committee – meeting next week at VFW, Community Center will be used as the registration area for vendors
10. Mancos Schools Accountability Committee – nothing to report
11. Western Excelsior Committee – waiting for EPA

**J. ARBOR DAY PROCLAMATION**

Mayor Queenie Barz read the 2017 Arbor Day Proclamation.

**K. NATIONAL CHILD ABUSE PREVENTION MONTH PROCLAMATION**

Rose Jergens, Ginny McDonald and Greg Bryan from the Child Advocacy Center were present. Mayor Queenie Barz read the 2017 National Child Abuse Prevention Month Proclamation.

**L. UNFINISHED BUSINESS**

1. Wastewater Treatment Plant Pre-Screening  
Public Works Director Robin Schmittel presented an update regarding the bar screen quotes for the wastewater treatment plant. Quotes ranged from \$97,800 - \$149,437. Board directed staff to enter negotiations with the three companies to get firm costs for having the equipment installed.
2. Public Hearing: Ordinance 725 Series 2017: Accessory Dwelling Units  
Public Hearing opened at 7:45 p.m.  
No one signed up to speak  
Public Hearing closed at 7:45 p.m.

Trustee Cindy Simpson made the following suggestions: a) 3a1 – “one unit dwelling” s/b changed to “single family dwellings”; b) 3a – 2& 8 are redundant; c) 3a4 – remove

“environmentally friendly”; d) 3G “ more than one lot requires consolidation”; e) 3M add “unless removed from property”; f) 3O – “in no case shall...” should read “no encroachment”; g) 3Q – hyphenate “off street”; h) 13A change “each to “an”; i) 13A – for “an” ADU; j) 13B – add “and passed” at end of sentence; k) 16 – change “had not been” to “were not”. Trustee Cindy Simpson made the motion to approve Ordinance 725 Series 2017 Making Certain Amendments to the Land Use Code of the Town of Mancos Concerning Accessory Apartments and Accessory Dwelling Units within Town Limits of the Town of Mancos, Colorado with the suggested changes by Trustee Simpson. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

3. Ordinance 730 Series 2017: Lot Consolidation Western Excelsior  
Town Attorney David Liberman suggested removing “preliminary” from the plat map. He also suggested “Town Council” be changed to “Town of Mancos Board of Trustees” and the referenced loan holder, Old National Bank, in the title commitment needs to have a signature block on plat to prove consent. Trustee Cindy Simpson made the motion to approve Ordinance 730 Series 2017 Approving Lot Consolidation for Western Excelsior Corporation and Accepting the Amended Plat of Amended Plat Block 3, Block 6 and Vacated Streets and Alleys Shown in Reception #565773 Records of Montezuma County, Colorado with the changes recommended by Town Attorney David Liberman. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

## **M. NEW BUSINESS**

1. Mancos Liquor LLC Liquor License Renewal  
Trustee Ed Hallam made the motion to approve the renewal of the 2017 Mancos Liquor LLC Liquor License. Trustee Craig Benally seconded the motion. Motion passed unanimously by roll call vote.
2. Appointments to Planning & Zoning Commission  
Trustee Lorraine Becker made the motion to re-appoint Perry D. Lewis, Regina Roberts and John Cox to serve as regular members of the Planning and Zoning Commission with terms ending in April of 2020. Mayor pro tem Fred Brooks seconded the motion. Motion passed unanimously by roll call vote.
3. Public Hearing: Ordinance 728 Series 2017: E. Second Street Vacation & Replat  
Public Hearing opened at 8:23 p.m.
  - Kathryn Fulton, 39850 Road J, Mancos – speaking against - Town has allowed encroachment without compensation under Reception #534249, she questions why the Town is willing to give land away. Town Administrator Andrea Phillips advised she is aware of the encroachment and did require the

fence be moved several years ago. Information will be brought to a future meeting.

- Basil Richendollar, 233 Aztec, Mancos – speaking for – wants it done for his daughter’s safety due to vehicular traffic. He also feels that it is a half street and not maintained by the Town. He has photos of the area and neighboring property.
- Randy Smith, 212 Montezuma, Mancos – speaking against – 2<sup>nd</sup> Street dead ends at his property. He paid for a permit 22 years ago to build his shop on his property. He stated all property owners park in the easement. He deserves to have full access to the fire hydrant for safety reasons. He has not been included in this replat discussion. He is against the Town giving away land.
- Bobbie Mykytiuk, 305 Aztec, Mancos – speaking for – when she moved in it was used as access to sheds on the property. She advised that when Mr. Smith moved in, he didn’t use this access until he built his shop. She feels Mr. Smith’s complaints led to the Town requiring removal of her fence, which she did at her expense.
- Evan Richards, 156 Sunset, Mancos – speaking against – he feels that this sets a precedent if someone doesn’t like his/her neighbor, they can lobby the Town of Mancos to close a street, he feels this is a neighbor conflict, he is also against giving away Town land.
- Kevin Cook, 257 S. Main, Mancos – speaking against – doesn’t have a stake in the neighbor dispute, feels that Town shouldn’t give property away to two property owners to the exclusion of the third neighbor as this causes injustice, doesn’t feel the vacation should be used to solve neighbor disputes
- Betsy Harrison, 895 2<sup>nd</sup> Ave, Mancos – speaking against – she agrees with Kevin Cook, it sets a bad precedent, she agrees with Kathryn Fulton that the Town shouldn’t give land away

Public Hearing closed at 8:59 p.m.

Town Attorney David Liberman advised that the Town does have authority to abandon streets, but is under no obligation to abandon this street. He doesn’t think this sets policy as requests are decided on a case by case basis. This plat does allow access by Mr. Smith to his shop. In prior abandonments, Town has received consideration, but there’s no requirement under statute. The Board feels this is a neighbor dispute that won’t be solved by this vacation. Application failed due to lack of motion. The Board instructed Staff to identify the right of way and remove all encroachment.

4. Resolution 7 Series 2017: Downtown Parcel Lease Agreement and Sidewalk 50/50 Project

The existing mural fence will be removed and given to the Town. Trustee Lorraine

Becker made the motion to pass Resolution 7 Series 2017 Approving the Agreement between the Town of Mancos and Ruedi Bear to Enter into a Downtown Parcel Lease for a Temporary Pocket Park and authorize the expenditure of town funds not to exceed \$2,250 towards the replacement of sidewalks in front of the property per the town's 50/50 sidewalk program. Trustee Cindy Simpson seconded the motion. Motion passed unanimously by roll call vote.

Meeting recessed at 9:24 p.m.

Meeting resumed at 9:33 p.m.

5. First Quarter Financial Report

Staff presented the first quarter 2017 financial report for Board review and comment.

6. First Quarter Activities Report

Staff presented the first quarter 2017 activities report for Board review and comment.

7. PRV Vault Purchase

Trustee Michele Black made the motion to authorize town staff to purchase the Pressure Reducing Valve Vault from isiWest at a cost not to exceed \$90,710.00 for the Water System project. Mayor pro tem Fred Brooks seconded the motion. Motion passed unanimously by roll call vote.

8. Trustee Benefit Options

All Trustees are eligible to receive the group rate for medical, dental, vision and life insurance at their own expense. Trustee Cindy Simpson made the motion to allow Trustees to apply for insurance through the Town of Mancos and CEBT and require Trustees to pay their premiums to the Town Clerk by the 1<sup>st</sup> of each month if they so choose. Trustee Michele Black seconded the motion. Motion passed by roll call vote with Mayor pro tem Fred Brooks abstaining.

9. Town Clean Up & Yard Waste Drop Off

Annual town clean up has been scheduled for May 19 and 20 from 8:00 a.m. to 5:00 p.m. at the Public Works Shop on S. Monte. The free monthly yard waste drop offs begin May 20 from 8:00 a.m. to noon on the third Saturday of each month through October.

10. Sewer Line Replacement On Montezuma Ave.

Trustee Michele Black made the motion to authorize the expenditure of funds from the Water System Project budget for replacement of up to 740 linear feet of sewer collection main on Montezuma Avenue, authorize Mayor Barz to sign the request letter to the Department of Local Affairs and amend the contract with Ramco Developments, LLC after DOLA approval. Trustee Lorraine Becker seconded the motion. Motion passed unanimously by roll call vote.

11. Monthly Administrator Report

Town Administrator Andrea Phillips presented her April report for Board review and comment.

**N. ITEMS FOR April 26, 2017 Agenda**

- o *Staff Safety Committee Recommendations*
- o *Town-Wide Speed Limit and Intersection Recommendations*
- o *Agency Contributions Spring Cycle*

**O. EXECUTIVE SESSION – PERSONNEL Town Administrator Evaluation**

Mayor pro tem Fred Brooks made the motion to enter executive session personnel for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of any elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Trustee Michele Black seconded the motion. Motion passed.

Executive session started at 10:25 p.m.

Executive session ended at 11:36 p.m.

Mayor Queenie Barz, Mayor pro tem Fred Brooks, Trustee Lorraine Becker, Trustee Cindy Simpson, Trustee Michele Black, Trustee Craig Benally, Trustee Ed Hallam, Town Attorney David Liberman, Town Clerk/Treasurer Heather Alvarez participated. No comments with regard to executive session.

**P. ADJOURNMENT**

Meeting adjourned at 11:37 p.m.

  
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Mayor Ellen "Queenie" Barz

  
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Town Clerk/Treasurer Heather Alvarez