

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 2008-19

TUESDAY, JULY 1, 2008

MINUTES

Mr. Loui Antonucci, City Council President, called Regular Meeting No. 2008-19 of the Steamboat Springs City Council to order at 5:05pm, Tuesday, July 1, 2008, in Centennial Hall, Steamboat Springs, Colorado.

City Council Members present: Loui Antonucci, Cari Hermacinski, Steve Ivancie, Scott Myller, and Jon Quinn. Meg Bentley and Walter Magill were absent.

City Staff Members present: Alan Lanning, City Manager; Anthony B. Lettunich, City Attorney; Wendy DuBord, Deputy City Manager; Julie Jordan, City Clerk; Julie Franklin, Deputy City Clerk; Anja Tribble, Staff Assistant; Lisa Rolan, Director of Financial Services; Philo Shelton, Director of Public Works; Jonathan Spence, City Planner; Jason Peasley, City Planner; John Eastman, Planning Services Manager; Bob Litzau, Assistant Director of Financial Services; JD Hays, Director of Public Safety; Mel Stewart, Airport Manager; Rich Brown, Police Officer; Linda Kakela, Intergovernmental Services; Gavin McMillan, City Planner; and Chris Wilson, Director of Parks, Recreation and Open Space.

NOTE: All documents distributed at the City Council meeting are on file in the Office of the City Clerk.

PROCLAMATIONS AND RECOGNITIONS (5:00):

1. PROCLAMATION: Perry Mansfield.

City Council President Antonucci read the proclamation into the record.

Ms. Karolyn Lestrud was present to accept the proclamation. She thanked Council for the funding to help celebrate their 95th Anniversary. This celebration is July 27, 2008 and all are invited.

CONSENT CALENDAR: RESOLUTIONS AND ORDINANCES FIRST READINGS

2. **RESOLUTION:** A resolution ratifying the Intergovernmental Agreement between the City of Steamboat Springs and Routt County providing for the conduct and finance of a Special Municipal Election to be held on Tuesday, November 4, 2008, as a coordinated vote center election; and acknowledging the continued municipal participation as such.

City Council President Antonucci read the resolution title into the record.

3. **RESOLUTION:** A resolution ratifying the "Steamboat Springs Alcohol Responsibility Training" (SSART) program for on and off premise liquor establishments within the City of Steamboat Springs, per the requirements of the City of Steamboat Springs Resolution No. 92-49.

City Council President Antonucci read the resolution title into the record.

4. **FIRST READING OF ORDINANCE:** An ordinance for the purpose of submitting to a vote of the electors of the City of Steamboat Springs, Colorado the question of whether the City should be allowed to extend the one half cent sales and use tax approved in 1999, through December 31, 2019, to continue to generate funds to be used exclusively for educational purposes; together with an advisory question seeking direction on spending those revenues.

City Council President Antonucci read the ordinance title into the record.

MOTION: Council Member Myller moved and Council Member Quinn seconded to approve items 2, 3, and 4 of the Consent Calendar. The motion carried 5/0. Council Members Bentley and Magill were absent.

PUBLIC HEARING: ORDINANCE SECOND READINGS

5. **SECOND READING OF ORDINANCE:** An ordinance amending Chapter 3: Alcoholic Beverages of the Steamboat Springs Revised Municipal Code by the addition of an Art Gallery Permit and the fees and regulations pertaining thereto; repealing all conflicting ordinances; providing an effective date, and setting a hearing date.

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City Council President Antonucci read the ordinance title into the record.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Council Member Ivancie moved and Council Member Myller seconded to approve the second reading of an ordinance amending Chapter 3: Alcoholic Beverages of the Steamboat Springs Revised Municipal Code by the addition of an Art Gallery Permit and the fees and regulations pertaining thereto; repealing all conflicting ordinances; providing an effective date, and setting a hearing date. The motion carried 5/0. Council Members Bentley and Magill were absent.

6. SECOND READING OF ORDINANCE: An ordinance adding to Chapter 2, Division 11, Sections 2-486 through 2-488 of the Steamboat Springs Revised Municipal Code, creating a Steamboat Springs Water Committee.

City Council President Antonucci read the ordinance title into the record.

A revised ordinance was provided. City Council President Pro-Tem Hermacinski questioned if the ordinance language should say that Commission members serve at the pleasure of City Council. Ms. Jordan stated that this is noted in the Municipal Code.

City Council President Pro-Tem Hermacinski stated that once this Committee is created, Council will need to give them a list of issues to work on.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: City Council President Pro-Tem Hermacinski moved and Council Member Quinn seconded to approve the second reading of an ordinance adding to Chapter 2, Division 11, Sections 2-486 through 2-488 of the Steamboat Springs Revised Municipal Code, creating a Steamboat Springs Water Committee. The motion carried 5/0. Council Members Bentley and Magill were absent.

PLANNING COMMISSION REPORT

Mr. Tom Ernst, Planning Commission representative, was present and had no report.

CONSENT CALENDAR - PLANNING COMMISSION REFERRALS

There were no items scheduled for this portion of the agenda.

PUBLIC HEARING – PLANNING COMMISSION REFERRALS

7. PROJECT: Rollingstone Village

PETITION: Pre-application review for a mixed use development.

Mr. Spence, City Planner, was present and noted both staff and the Planning Commission generally supported the project. He noted that the Planning Commission discussed the waterbody setback, reduced property setbacks, floor area ratio (FAR), and overall project design.

City Council President Pro-Tem Hermacinski questioned the process for the waterbody setback variance and the 50 foot classification.

Discussion commenced on the 50 foot waterbody setback requirement.

Council Member Ivancie voiced concern with density along the riverbank and underground parking garages. He would like to see water monitoring in place.

City Council President Antonucci noted that there is a cabin within the 50 foot setback. Spence noted that the criteria are different because it is a historic structure.

Mr. Brian Bavosi, Vertical Arts, provided a PowerPoint presentation highlighting the following: site aerial; site panoramas; existing conditions; historic preservation; natural preservation; site trees; site analysis; site plan; landscape plan; birdseye southeast; historic renovation; circulation; public easement/access; east on Pine Grove Road; conceptual bus stop; Pine Grove Road and Rollingstone Drive; internal circulation; passive recreation; and shadow study.

Discussion took place relative, but not limited to: historical flooding on the site; and soils testing.

PUBLIC COMMENT:

Ms. Christine McKelvie voiced concern with possible gridlock on Pine Grove Road, and with the possibility of losing the Safeway grocery store.

City Council President Pro-Tem Hermacinski is okay with the FAR; feels the setbacks from lot lines are okay; and feels that the waterbody setback has to balance water quality with public access to water. She would probably be willing to consider changing the Code to allow it if the applicant can show that water quality will not be impacted.

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Council Member Quinn would like more information about where the 50 foot mark came from.

Mr. Eastman stated that he was involved with this process, and it was a series of discussions of compromises. Studies showed that 50 feet provides a buffer so that human pollution will be absorbed and not put into the waterways. There was discussion of preserving riparian corridors and preserving green space, with lots of community input.

City Council President Antonucci asked about the applicants comment that the Community Plan allowed these to be looked at on a case by case basis. Mr. Eastman clarified that that language pertains to expanding the waterbody setback.

Council Member Quinn does not support the variance as written based on that.

Council Member Myller stated that he is willing to maintain the 50 foot waterbody setback. He is okay with the property setbacks and FAR, and feels the project design is good.

Council Member Ivancie is okay with the FAR, however is concerned with how the density is aligned on the lot. He is not in favor of the 5 foot setback, and supports enforcing the 50 foot waterbody setback.

City Council President Antonucci feels this is a well designed project; is okay with the FAR; is okay with the property setback, maybe decreasing a little bit; and is concerned with the waterbody setback due to water quality.

Council Member Ivancie asked City Council if they are proposing changing the Code to relax the waterbody setbacks. City Council President Pro-Tem Hermacinski stated that she would like answers to questions regarding where the 50 foot number came from.

Council Member Myller stated that the 50 foot number feels appropriate to him.

Council Member Ivancie agrees, and is not in favor of changing the Code.

Council Member Quinn agrees and is not interested in revisiting the Code.

8. PROJECT: Retail Study Presentation.

Mr. McMillan introduced Mr. Brian Duffey of Economic and Planning Systems.

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Mr. Duffey provided a PowerPoint presentation highlighting the following: Base Area Retail Study; background; purpose; case studies; flow of retail sales; retail conditions; retail demand; retail configuration; and other recommendations.

Discussion took place relative, but not limited to: loss of entertainment/nightlife outlets; specialty retail; flat skier days; and the loop road.

Mr. Eastman clarified that the loop road discussion is ongoing and will come back to Council.

Discussion took place relative, but not limited to: synergizing downtown and the mountain; maintaining the differences in the retail in town and on mountain; and the Urban Renewal Authority Advisory Commission's suggestions.

PUBLIC COMMENT:

Mr. Bill Jameson noted the need to clarify the Ski Time Square access relative to the limited access and non-retail loop road.

Mr. Mark Mathews, Atira Group, stated that they are adding areas that could be looked at as to how the Master Plan relates to the tenant mix. He stated that they would welcome additional insight on this.

Mr. Al Choy voiced concern with the lack of entertainment opportunities.

GENERAL PUBLIC COMMENT

Ms. Kathy Connell thanked Council for the actions taken after the recent death of David Engle. However she urged Council look to be proactive rather than reactive, not point ay fingers, and look at policy. She suggested having a "freeze" on talking to the press so that staff does not "paint targets on themselves".

Ms. Donna Howell, Yampa Valley Housing Authority, provided an update on the analysis and assessment. The Colorado Division of Housing has fully funded the assessment.

Return to the Retail Study:

Mr. Duffey stated that if the loop road makes the area function better, it would be okay, but he does not recommend locating retail off the main alignment of Ski Time Square, and does not recommend a pedestrian-only access to Ski Time Square.

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Discussion commenced on limited auto access.

MOTION: Council Member Ivancie moved and Council Member Quinn seconded to postpone this Study to the July 15, 2008 agenda to allow staff and the consultant to look address the loop road and nightlife. The motion carried 5/0. Council Members Bentley and Magill were absent.

REPORTS

9. City Council

a. Mainstreet conference funding request.

Council Member Quinn spoke to Mainstreet's funding request of \$5,000 for the sponsorship fee for the Colorado Community Revitalization Association Conference. He stated that this is the first time the conference has been help in a smaller town as opposed to a metro area, and this would bring tax revenue in the shoulder season.

City Council President Pro-Tem Hermacinski stated that Mainstreet gave Council a "heads up" on this last fall but it was not stipulated in the budget. She supports the request, but encouraged that it be part of the special events funding or community supports funding.

City Council President Antonucci agrees, and would like to see them match the funds.

MOTION: Council Member Ivancie moved and Council Member Quinn seconded to approve funding the request at \$5,000. The motion carried 5/0. Council Members Bentley and Magill were absent.

Ms. Tracy Barnett, Mainstreet, was present and thanked Council for the funding. She encouraged all to attend the conference.

Council Member Quinn stated that with respect to the streetscape design, Brittina has the impression that the City has "put the brakes" on the project. Mr. Shelton stated that this is not the case; they are preparing a re-scope of what is remaining in their budget.

b. Written report from Council Member Meg Bentley.

This report was provided in the packet. Discussion commenced on doing a cost/benefit analysis on every expenditure.

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Council Member Quinn feels that it makes sense to do that, but has questions about how it would work.

Mr. Lanning noted that Council has \$42,000 left in its discretionary fund.

c. City Council budget mission statement and goals/objectives.

MOTION: City Council President Pro-Tem Hermacinski moved and Council Member Myller seconded to ratify the budget mission statement and goals/objectives as is. The motion carried 5/0. Council Members Bentley and Magill were absent.

d. Council representation at Planning Commission policy meetings.

MOTION: Council Member Ivancie moved and City Council President Pro-Tem Hermacinski seconded to approve Council attending the Planning Commission Policy Worksessions only. The motion carried 5/0. Council Members Bentley and Magill were absent.

INTRODUCTION OF TOPICS FOR FUTURE WORK SESSION AGENDAS:

a. City Council Introduction and Discussion:

Any Council Member may request discussion of any issue. Items cannot be added for action at this meeting.

b. City Staff Introduction and Discussion:

Any staff member may request discussion of any issue at a future meeting only. Items cannot be added for action at this meeting. Staff will forward a specific request, stating the issue, anticipated outcome, time frame and requested direction from a majority of the Council.

Mr. Lanning spoke to some recent deaths in the community, and commended Emergency Medical/Police personnel for dealing with these difficult issues.

10. Reports

a. Agenda Review:

- 1.) SSRA, July 8, 2008.**
- 2.) City Council, July 8, 2008.**
- 3.) City Council, July 15, 2008.**

DIRECTION: To close the above agendas.

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b. Staff Reports

1.) Walk of the Olympians.

Mr. Shelton introduced this proposal.

Council Member Ivancie spoke to the heated sidewalks and voiced concern with the cost and maintenance. Mr. Shelton stated that the project is self funded.

MOTION: City Council President Antonucci moved and City Council President Pro-Tem Hermacinski seconded to approve the concept pending final design. The motion carried 5/0. Council Members Bentley and Magill were absent.

2.) RFP for a consultant to formulate a business plan and lease, rates and charges policy for the City of Steamboat Springs Airport, Bob Adams Field.

Mr. Shelton asked permission to put out an Request For Proposal (RFP) for a consultant because it is not budgeted and would come out of reserves.

City Council President Pro-Tem Hermacinski suggested putting out to RFP for privatization of the Fixed Base Operation (FBO) and see what proposals come in. Mr. Shelton noted that they have a couple proposals and would like to package them as one piece.

Mr. Lettunich noted that the City previously had a bad experience with contracting for a FBO and since then the City has been happy to run the FBO. He noted that usually FBO's want a long lease and there are some troublesome lawsuits regarding FBO's.

Mr. Lanning feels that it is appropriate to test the waters and see what is out there. City Council President Pro-Tem Hermacinski asked if the City can do this without spending \$35,000?

Council Member Ivancie is in favor of moving forward with the RFP for due diligence.

Council Member Quinn would like to explore the business plan.

PUBLIC COMMENT: No one appeared for public hearing.

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MOTION: Council Member Ivancie moved and Council Member Myller seconded to approve putting out an RFP for a consultant in the amount of \$35,000. The motion carried 5/0. Council Members Bentley and Magill were absent.

c. City Attorney's Update/ Report.

Mr. Lettunich had no report.

d. Manager's Report: Ongoing Projects.

1.) Community Support.

Ms. Rolan noted that she has not evaluated the applications yet, and the goal is to come up with a way to allocate the moneys. The current process does not have enough volunteers to make it work and she recommended option 1, repealing Ordinance # 2110 and doing away with the committee. She would like to have 3 staff members, 2 council members and 2 constituents to make a new committee, and she would be a non-voting member.

City Council President Antonucci stated that for previous budgets, the City Manager has directed staff that the City budget can be increased by a certain amount, and then Council would hold community support to the same standards. He stated that he feels that an unbiased committee is the right way to go.

Mr. Lanning noted that there will be 4 groups, similar to the Human Resource Coalition.

PUBLIC COMMENT:

Ms. Tammy Havener, Human Resource Coalition (HRC), noted that the HRC process saves Council time and the dollars help support human services. This also allows HRC to leverage their dollars. She clarified an error in the amount of agencies included in their request. She asked that Council consider some questions on a handout she provided. She stated that their main concern is making sure that there has not been a philosophical shift on Council relative to funding Human Services.

Mr. Tom Gangle, Steamboat Mental Health, voiced concern with the new process this year feeling that there was too much paperwork and it did not run smoothly.

Council Member Quinn suggested that maybe all staff needs at the June 27 deadline is the name of the organization and the requested amount.

Discussion commenced on the application process.

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CONTINUED PUBLIC COMMENT:

Ms. Linea South Oar would like to see staff's preferred option in writing. She stated that the main question is "Is funding going to be cut?" She suggested having HRC tutor or consult with other groups so they can get a process in place.

Ms. Christine McKelvie voiced concern with funding cuts.

City Council President Pro-Tem Hermacinski likes option 1, but noted that when the ordinance is drafted HRC needs to be mentioned.

City Council President Antonucci supports option 1, noting that the City's obligation is core services. He urged the non-profits to lobby the County to match the City's funding.

Council Member Ivancie supports option 1 but would like to change language to say "basic" services.

Council Member Myller and Council Member Quinn support option 1.

It was noted that the next step will be to repeal ordinance #2110 and set up a new committee.

DIRECTION: Council Member Ivancie moved and City Council President Pro-Tem Hermacinski seconded to direct staff to move forward with repealing Ordinance# 2110 and moving forward with option 1. The motion carried 5/0. Council Members Bentley and Magill were absent.

OLD BUSINESS

11. Minutes

- a. Regular Meeting 2008-16, June 3, 2008.**
- b. Regular Meeting 2008-17, June 10, 2008.**
- c. Regular Meeting 2008-18, June 17, 2008.**

City Council President Pro-Tem Hermacinski provided an amendment to the June 17, 2008 minutes.

MOTION: City Council President Pro-Tem Hermacinski moved and Council Member Ivancie seconded to approve the June 3, 10, and 17, 2008 City Council minutes as amended. The motion carried 5/0. Council Members Bentley and Magill were absent.

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Council Member Reports:

City Council President Pro-Tem Hermacinski:

1. Spoke to a letter staff recently sent our regarding the bark beetle infestation. Council discussed that the letter could have been worded a little softer. Mr. Wilson stated that staff sent the letter out to acknowledge the problem and offer assistance. This letter was hand delivered to residents in the affected areas.

Council Member Ivancie:

1. Will attend Senator Salazar's visit on July 2, 2008.

ADJOURNMENT

MOTION: Council Member Quinn moved and City Council President Pro-Tem Hermacinski seconded to adjourn Regular Meeting 2008-19 at approximately 8:50pm. The motion carried 5/0. Council Members Bentley and Magill were absent.

MINUTES PREPARED AND RESPECTFULLY SUBMITTED BY:

Julie Franklin
Julie Franklin, CMC
Deputy City Clerk

REVIEWED AND RESPECTFULLY SUBMITTED BY:

Julie Jordan
Julie Jordan, MMC
City Clerk

APPROVED THIS 5th DAY OF August, 2008.