

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 2006-09

TUESDAY, MARCH 21, 2006

MINUTES

Mr. Ken Brenner, City Council President, called Regular Meeting No. 2006-09 of the Steamboat Springs City Council to order at 4:05pm, Tuesday, March 21, 2006, in Centennial Hall, Steamboat Springs, Colorado.

City Council Members present: Ken Brenner, Susan Dellinger, Towny Anderson, Loui Antonucci, Steve Ivancie, and Kevin Kaminski. Paul Strong arrived at 4:20pm.

City Staff Members present: Wendy DuBord, Interim City Manager; Dan Foote, Staff Attorney; Julie Jordan, City Clerk; Julie Franklin, Deputy City Clerk; Judy Plumb, City Clerk Staff Assistant; Don Taylor, Director of Financial Services; Tom Leeson, Director of Planning Services; Brian Berndt, Assistant Director of Planning Services; JD Hays, Director of Public Safety; Bob Struble, Assistant Fire Chief; Jay Muhme, Fire Marshall; and Winnie DelliQuadri, Grants Analyst.

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

***Joint discussion with Fairview residents.***

City Council President Brenner spoke to the discussion and action that took place at last week's City Council meeting, clarifying that staff had asked for direction on whether or not an agenda "place holder" was needed for a Fairview rezoning ordinance. No action was taken.

Mr. Foote provided a brief history of the situation noting that the City sold lots in Block 1 to owners with deed restrictions. The objecting neighbors believe that the intention of the annexation agreement was to not develop these lots, however there is no language in the deed restrictions or the annexation agreement that restricts development. Legal staff had concluded that the only real tool the City has to restrict development is to rezone the area to Open Space and Recreation (OR) and the objecting neighbors requested

that Council proceed with the rezone, however Council did not move forward with this.

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Council Member Antonucci questioned the zoning change in 2001. Mr. Foote clarified that when Fairview was annexed it was zoned Residential High Density (RH), however when the City adopted the new Community Development Code (CDC), RH became Residential Old Town (RO), which doubled the density allowable in the area.

PUBLIC COMMENT:

Mr. Michael Sidinger stated that they were told that the Fairview issue would not be discussed at the last City Council meeting and he voiced concern that Council had made up their minds without understanding the issue. He feels that the mediation failed because the City needed to “come to the table” and the neighbors did not have the tools to fix the situation. He referenced a letter from Mr. Lettunich to Ms. Anne Yuhas (former Fairview resident) stating that the combination of the front lots and back lots must be considered one lot that cannot be further subdivided, and Mr. Sidinger further requested that Council uphold this intent. He voiced concern that the potential size of structures could exceed the CDC scale of neighborhood intent. City Council President Brenner asked for a show of hands of those who agree with these comments: approximately 28.

Mr. Rick Flax referenced this same letter and noted that they also provided statements from Council members at the time of the annexation. He suggested Council uphold the intent stated in Mr. Lettunich’s letter and direct Planning staff to consider the lots as one, and enforce development requirements from there.

Mr. Scott Drybread spoke to a recent email he received, and clarified that he did not buy any lots for \$1,000, but paid fair market value, as did many of his neighbors. City Council President Brenner asked for a show of hands of those that agree with this statement: approximately 5.

Ms. Marge Wilcox agreed with Mr. Drybread’s comments. She noted that they proposed a serious compromise that limited their property rights, but got no response from the objecting neighbors. She stated that they never asked to subdivide, and do not intend to do so.

Mr. Brad Kindred questioned who sets fair market price. The City offered the lots for sale at \$1,000, which could have been fair market price in 1989. He noted that throughout all property transactions, he followed the rules and

went through the public process. He stated that the deed restriction is legal and is very clear.

Ms. Marcia Martin noted that she is a former resident of the area and still owns property. She and her husband were involved in the annexation process and clarified that they did not sell their backyard lots separately. She questioned what is fair market value, and noted that at the time it was based on a recent sale in the area of \$1,000. She stated that people “see what they want to see and

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hear what they want to hear” and everyone has different memories. She noted that at that time there was a building moratorium in Fairview because there was no water and most of the lots in Block 1 had no access. The discussion was that it would be unlikely that these lots would be built upon because there was no access. There were no objections to the lot sales because most people did not intend to build on them, and no restrictions were ever put in writing.

Mr. Bill Martin gave credit to those who worked on the annexation agreement because there was a lot to deal with: the area did not want to be annexed, and there were infrastructure, water and street issues. There was concern with affordable housing, and the back yards lots offered an opportunity to help with that. It was discovered that the City owned a lot of property in Fairview and identified three different types of lots, backyard lots, parcels for parkland, and parcels that fronted on existing streets. It was suggested that the City sell the lots to generate money to help pay for the infrastructure. He feels that there is area for compromise between the neighbors and suggested that Council get both parties back to the table.

Mr. Roy Powell stated that as a property owner he can only rely on what was given to him in writing when he bought the property, which was the deed restriction. He noted that the sale of the lots was a public process, and what was buildable never came up. He feels that misinformation has been the common denominator with this situation and the annexation agreement was not explicit, it was general, however the deed restriction was explicit.

Mr. Fred Silky is a 25-year resident and was involved in the annexation agreement. At that time, the City wanted to annex the Highway 40 corridor but the commercial areas didn't want to be annexed, so the City approached the Fairview residents. The lots were offered at \$1,000 and any lots not purchased the City would then sell at fair market value.

Ms. Noreen Moore spoke to the appraisal from Valuation Consultants, which clearly defined that the value for a buildable lot was \$15,000. She feels this is about the intent and the word that was given to the people who were involved in the annexation agreement.

Mr. Pat Gleason noted that he was on Council at the time of the annexation but left one month before the document was signed. He gave a history of the situation noting that the annexation process was done because the citizens wanted to annex to gain access to the airport and to increase the tax base for the City. The City did have to go back to the neighborhoods because they couldn't get the businesses to come to the table. Mistakes were discovered in the annexation agreement before it was made final, but it was passed realizing that it

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could be taken care of in an ordinance at a later date. The lots that were not buildable because of lack of access were offered to adjacent property owners at \$1,000. The intent was to give incentive to individuals who owned properties and they were not intended to be re-subdivided and sold. He believes these lots should not be developed and the intent of the Council at the time needs to be upheld.

Ms. Paula Cooper Black, Council member from 1989-2000, was present. She feels that there is plenty of documentation showing the Council's intent. At the time, Fairview had the largest population voter base and property that was in the worst condition. The City felt it owed it to the taxpayers not to give raw land away, and decided to offer the lots for sale at \$1,000. The intent that these not be developed was not correctly recorded. The lack of information as purchases took place has contributed to this issue, as well as the rezone. She feels that Council's intent was transparent and the current Council should uphold that.

Ms. Cheryl Schliske noted that property owners were told that the back lots would be open space and asked that Council not change the terms of deals that were made.

Mr. Paul Sachs, Municipal Judge and neighborhood resident, noted that he has done limited legal consultation for the opposing neighbors. He stated that the deed restriction is on record and does not allow for subdivision and that the lots should be considered one lot. The objecting neighbors are satisfied with this interpretation, so therefore the zone change is not needed.

Ms. Cheryl Kindred questioned what the affect is of this proposal as far as building codes.

Mr. Foote stated that if the lots are considered one, the owners can only have one principal structure and one secondary unit.

Ms. Kindred questioned whether Old Town changed as well when the Code changed the zoning to RO. It was clarified that it did change for old town as well.

Mr. Paul Ferguson feels that the access issue has not been addressed and that some people have limited access and won't be able to develop their lots.

Mr. Bear Ackerman stated that every lot has legal access but the grades may not be present. He spoke to plats and re-plats and that these are legal documents and certain things need to be done accordingly.

Mr. Foote spoke to the letter from Mr. Lettunich that has been referenced stating that the back lots are to be treated and consolidated as one. He clarified that

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legal staff is no longer of this opinion because they could find no legal basis for this.

*At this time, Council accommodated agenda item 5, a proclamation recognizing March 21, 2006 as Matt Tredway Day.*

Mr. Foote further clarified that the back lots had not been consolidated and the City has no authority to require that, nor does the CDC.

Council Member Antonucci spoke to the intent at the time that the parcels become back yard lots, and that's why they were sold for \$1,000, however the deed restrictions don't speak to this and later Council's were probably not clear about this intent. He proposed as a compromise that a second primary dwelling unit not be allowed, rather an accessory unit with an apartment.

Mr. Foote stated that either all property owners would need to agree to this, or the City would need to create a new zone district, and only for Block 1 because Block 2 may be coming to agreement.

Council Member Strong voiced concern with "spot rezoning." He agrees that there was the intent, but Council needs to acknowledge the property rights of the owners that have purchased since at fair market price. He stated that the City can condemn the lots, pay fair market value, and then sell the lots back to the owners at fair market.

Mr. Foote clarified that there needs to be public purpose for condemnation and the City would need to extend the moratorium.

Council Member Ivancie questioned the statute of limitations. Mr. Foote clarified that if a person wanted to sue, it would need to be done within seven years of recording the deed restriction.

Council Member Anderson suggested that Council determine whether they agree that the City has an obligation to uphold the intentions of previous Councils. If yes, then that will reveal one set of solutions, and if not, another set of solutions would come forth.

**MOTION:** City Council President Brenner moved and Council Member Anderson seconded to approve that any action taken in this situation will honor/uphold the intentions of the Council at the time of annexation.

*City Council President Brenner stated that a Substitute Motion could be made that would completely change the content of the previous motion. This is done later in the meeting and therefore there is no vote on the above motion.*

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Council Member Strong would support recognizing the intent, but only with recognizing the property rights of the owners.

Mr. Foote noted that the moratorium may need to be extended in order to accommodate further negotiations.

**SUBSTITUTE MOTION:** City Council President Brenner moved and Council Member Anderson seconded to approve that any action taken will attempt to uphold the original intentions of the Council at the time of annexation regarding the backyard/sideyard lots.

*City Council President Brenner stated that a Substitute Motion could be made that would completely change the content of the previous motion. This is done later in the meeting and therefore there is no vote on the above motion.*

Council Member Antonucci suggested adding language that acknowledges the intent and attempts to work out a compromise.

Council Member Anderson suggested having two Council members volunteer to be a part of negotiations for a compromise.

**SUBSTITUTE MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Ivancie seconded to strike the previous motion, maintain the existing zoning, work with the property owners on a compromise, utilize Antonucci proposal that a second primary dwelling unit not be allowed, rather an accessory unit with an apartment, and with the understanding that \$1,000 in 1989 may not be a different value than \$100,000 in 2006. The motion carried 5/2. Council Members Anderson and Antonucci opposed.

**MOTION:** Council Member Strong moved and Council Member Ivancie seconded to approve having an appraiser obtain rough values if the City were to condemn the back lots. The motion carried 6/1. City Council President Pro-Tem Dellinger opposed.

**DIRECTION:** Staff to work with the neighbors regarding Council Member Antonucci's proposal. Council Members Anderson and Antonucci to participate in the negotiations with the neighbors and staff.

**UNANIMOUS CONSENT:** In the event that the neighbors are not able to reach a consensus, staff to prepare an ordinance to extend the moratorium and place the first reading on the March 28, 2006 agenda, and second reading on April 4, 2006.

Council Member Strong left the meeting at 6:20pm.

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*At this time, Council heard the Consent Calendar, agenda items 2, 3, and 4.*

**CITY SERVICES UPDATE (5:00pm)**

**INTERIM CITY MANAGER'S REPORT**

**1. UPDATES:**

**a. Area Plan Coordinating Committee.**

No report was given.

**b. Financial Services Report.**

*This item was heard later in the meeting.*

Mr. Taylor provided the Sales, Use, and Accommodation Tax Report, and the Year to Date Activity Report. Discussion commenced on the concern that the downtown area is "lagging" in sales tax.

**c. Interim Manager's Report: Ongoing Projects.**

*This item was heard later in the meeting.*

Ms. DuBord further reported on the following:

1. Spoke to a letter to Representative White regarding Senate Bill 1375. **UNANIMOUS CONSENT:** Staff to send the letter.
2. Directed Council to agenda item 1b, the Financial Services Report noted above.
3. City Council President Pro-Tem Dellinger requested Council give her input regarding the process for preparing this years budget. Mr. Taylor stated that staff needs information on what is important to Council. Ms. DuBord noted that there will be policy discussions with staff, but not micromanaging. Discussion will take place at the April 11, 2006 City Council meeting.
4. Noted that March 27, 2006 is the end of the season party at Howelsen Hill, beginning at 11:00am. **UNANIMOUS CONSENT:** Council Members to try to attend before the joint meeting with the County at noon.
5. Reported that Howelsen Hill has been recognized by the Skiing History Association of Colorado and there will be a dinner event in Vail on April 8, 2006. Council to let Ms. Mooney know if they would like to attend.

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6. Will attend a Fund Raiser for Ms. Kathy Shipley of the Department of Local Affairs on April 6, 2006.
7. Requested that Council get any changes to her regarding the Mt. Werner Water fire flow letter.

**CITY ATTORNEY'S REPORT**

Mr. Foote had no report.

**CONSENT CALENDAR - GENERAL BUSINESS**

2. **RESOLUTION: A resolution designating recent Enterprise Zone applicants as Industrial Enterprise Zone licensees.**

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

4. **FIRST READING OF ORDINANCE: An ordinance vacating the non-exclusive easement for utilities, located on the interior 10 feet of the south lot line of Lot 14 of Flattops View Village; providing an effective date and setting a hearing date.**

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

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Ivancie seconded to approve items 2 and 4 of the Consent Calendar, a resolution designating recent Enterprise Zone applicants as Industrial Enterprise Zone licensees; and the first reading of an ordinance vacating the non-exclusive easement for utilities, located on the interior 10 feet of the south lot line of Lot 14 of Flattops View Village; providing an effective date and setting a hearing date. The motion carried 6/0. Council Member Strong had previously left the meeting.

3. **RESOLUTION: A resolution approving the execution of a grant from the Colorado Aeronautical Board and Division of Aeronautics to fund airport improvements at the Steamboat Springs Airport, designating the Bob Adams Field Airport Manager as Project Director and authorizing the Interim City Manager to execute the grant contract.**

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

Item 3 of the Consent Calendar was removed for further discussion.

Council Member Anderson inquired about the process for the other piece that was approved at the last Council meeting. Ms. DuBord noted that staff will meet

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before next week's Airport Commission meeting and information will be forthcoming.

**MOTION:** Council Member Kaminski moved and Council Member Anderson seconded to approve a resolution approving the execution of a grant from the Colorado Aeronautical Board and Division of Aeronautics to fund airport improvements at the Steamboat Springs Airport, designating the Bob Adams Field Airport Manager as Project Director and authorizing the Interim City Manager to execute the grant contract. The motion carried 6/0. Council Member Strong had previously left the meeting.

*At this time Council heard Public Hearings General Business, agenda items 12, 13 and 14.*

**PROCLAMATIONS AND RECOGNITIONS:**

5. **PROCLAMATION: A proclamation recognizing March 21, 2006 as Matt Tredway day in Steamboat Springs, Colorado.**

*This item was heard earlier in the meeting.*

City Council President Brenner read the proclamation into the record.

Mr. Matt Tredway was present to accept the proclamation. He thanked all for the overwhelming support and generosity. Dana Tredway, his wife, and several representatives from the school district were also present.

*At this time, Council returned to the discussion with the Fairview residents.*

**PLANNING COMMISSION (5:35pm)**

6. **Planning Commission Report.**

Mr. Scott Myller, Planning Commission representative, was present and had no report.

**CONSENT CALENDAR- PLANNING COMMISSION REFERRALS**

7. **PROJECT: Walton Creek Park II, Lots 1& 2 (Aspens at Walton Creek)**  
**PETITION:** Development plan for a 28 unit multi-family development with two employee units and associated improvements.

City Council President Brenner read the project into the record.

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Council Member Ivancie stepped down.

Mr. Bob Keenan, City Planner, was present.

Mr. Jake Henry, applicant, was also present.

City Council President Pro-Tem Dellinger requested that the street names have something to do with wind, to be consistent with an already established theme, and because it helps with 911 responses. For the record, the applicant agrees with this.

Council Member Anderson spoke to intentional and unintentional wetlands, one being artificial which is an intentional act, the other being the unintended outcome of land development.

Mr. Keenan provided an overview of Planning Commission's concerns. They were regarding site planning and the width of roadway, the recessed entries, the garage-scaped plan, and the orientation of the buildings to Walton Creek. The applicant agreed to work on the architecture on Walton Creek Road to enhance the frontage.

Mr. Myller, Planning Commission representative, had nothing further to add.

PUBLIC COMMENT: No one appeared for public hearing.

CONDITIONS:

1. The applicant must receive approval through the Army Corps of Engineers for the proposed disturbance to the wetlands prior to issuance of a Grading/Excavation or Building Permit.
2. The applicant must receive approval of a Final Plat that includes the following prior to a Grading/Excavation or Building Permit: right of way dedication at Mariah Court and ROW easement along Walton Creek Road, easement dedications and vacations along the interior property line, emergency access easement, and a lot line elimination.
3. The two Employee Units must receive a Use with Criteria approval and become deed restricted prior to Building Permit.
4. Final drainage calculations will be required at Final Development Plan. Pending the outcome of the drainage analysis, developer may be required to provide surety for removal/resizing of private storm sewer in the future once the planned ditch is constructed and the proposed pipe will only be needed for site drainage.

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**MOTION:** Council Member Anderson moved and Council Member Kaminski seconded to approve Walton Creek Park II, Lots 1& 2 (Aspens at Walton Creek), a development plan for a 28 unit multi-family development with two employee units and associated improvements, with conditions 1-4 as presented. The motion carried 5/0. Council Member Strong had previously left the meeting. Council Member Ivancie stepped down.

Council Member Ivancie returned to the meeting.

Council Member Kaminski left the meeting at 6:55pm.

**8. PROJECT: Fournier Subdivision**

PETITION: Preliminary plat for a two lot subdivision.

LOCATION: West of 2101 Snowbowl Plaza.

APPLICANT: James Fournier, P.O. Box 772785, Steamboat Springs, CO, 970-879-3280.

PLANNING COMMISSION VOTE: Approved 7/0 on 3/9/2006.

City Council President Brenner read the project into the record.

CONDITIONS:

1. Approval of a Preliminary Plat shall be final as of the date of City Council approval.
2. Revisions to the Preliminary Plat required as a condition of approval shall be made within one year from the date of approval.
3. An approved Preliminary Plat shall lapse and be of no further force and effect if a complete Final Plat application for the subdivision or a phase of the subdivision has not been submitted within any time-frame established by City Council at the time of Preliminary Plat approval, or, if no time-frame was established by City Council, then within three years.
4. Prior to recordation of the final plat, a deed restriction is placed on Lot 1 until utilities are brought to the property from Parcel 9.
5. The developer must extend water and sewer to all new lots prior to final plat. This does not include Lot 2 if the parcel is conveyed to the City as open space on this plat.
6. Prior to recordation of the final plat, Parcel 9 will dedicate an access easement to Lot 1.
7. Prior to recordation of final plat, a trail easement will be dedicated through Lot 1 along the Core Trail alignment for the future Yampa River Core Trail extension.

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8. Prior to recordation of final plat, a sidewalk connection will be made in accordance with the City of Steamboat Springs Sidewalk Master Plan.
  
9. The plat must contain a 30' wide public utility easement across Lot 1 and Lot along the State right of way. However, if Lot 2 is conveyed to the City as open space on this plat, then a public utility easement is not necessary across the property.
  
9. **FIRST READING OF ORDINANCE: An ordinance rezoning property legally referred to as the Miller Frazier Addition to Steamboat Springs, Block 4 Lots 7-34, located in the South West 1/4 of Section 7, Township 6 North, Range 84 West of the 6th P.M. in Routt County; from I (Industrial) Zone District to RO (Old Town Residential) Zone District; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

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

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Antonucci seconded to approve items 8 and 9 of the Planning Consent calendar the Fournier Subdivision, a preliminary plat for a two lot subdivision with conditions 1-9 as presented; and the first reading of an ordinance rezoning property legally referred to as the Miller Frazier Addition to Steamboat Springs, Block 4 Lots 7-34, located in the South West 1/4 of Section 7, Township 6 North, Range 84 West of the 6th P.M. in Routt County; from I (Industrial) Zone District to RO (Old Town Residential) Zone District; repealing all conflicting ordinances; providing for severability; and providing an effective date. The motion carried 5/0. Council Members Strong and Kaminski had previously left the meeting.

**PUBLIC HEARINGS - PLANNING COMMISSION REFERRALS (5:45pm)**

10. **PROJECT: Original Town of Steamboat Springs, Blocks 24-26 (Riverwalk)**  
PETITION: Development plan for an 8 building multi-use project to be developed over 3 years in 3 phases. Preliminary plat to create six building lots.

*This item was postponed from the February 7, 2006 meeting. Staff requests this item be postponed to the March 28, 2006 City Council Meeting.*

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**MOTION:** Council Member Antonucci moved and Council Member Ivancie seconded to postpone the Riverwalk development plan to the March 28, 2006 City Council meeting. The motion carried 5/0. Council Members Strong and Kaminski had previously left the meeting.

**11. PROJECT: Original Town of Steamboat Springs, Blocks 24-26 (Riverwalk)**

**PETITION:** Development plan for a conditional use for a mobile home park conversion.

*This item was postponed from the February 7, 2006 meeting. Staff requests this item be postponed to the March 28, 2006 City Council Meeting.*

**MOTION:** Council Member Antonucci moved and Council Member Anderson seconded to postpone the Riverwalk development plan for a conditional use to the March 28, 2006 City Council meeting. The motion carried 5/0. Council Members Strong and Kaminski had previously left the meeting.

*At this time, Council heard agenda item 15, Council Member reports.*

**PUBLIC COMMENT**

No one appeared for general Public Comment.

**PUBLIC HEARING - GENERAL BUSINESS (5:50pm)**

**12. SECOND READING OF ORDINANCE: An ordinance authorizing and approving the execution and delivery of a lease/purchase agreement for golf carts at the Haymaker Golf Course, and the related documents in connection therewith.**

*Staff requests City Council deny this agreement.*

City Council President Brenner stepped down.

City Council President Pro-Tem Dellinger read the ordinance title into the record.

Ms. DuBord noted that this denial is to allow staff to look at other financing options.

**PUBLIC COMMENT:** No one appeared for public hearing.

**MOTION:** Council Member Antonucci moved and Council Member Kaminski seconded to deny the second reading of an ordinance authorizing and approving

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the execution and delivery of a lease/purchase agreement for golf carts at the Haymaker Golf Course, and the related documents in connection therewith. The motion carried 5/0. Council Member Strong had previously left the meeting. Council Member Brenner stepped down.

City Council President Brenner returned to the meeting.

- 13. SECOND READING OF ORDINANCE: An ordinance adopting the International Building Code, 2003 Edition, including Appendix Chapters C and J; International Existing Building Code, 2003 Edition; Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; National Electrical Code, 2005 Edition; International Code Council Electrical Code, Administrative Provisions, 2003 Edition; International Mechanical Code, 2003 Edition; International Plumbing Code, 2003 Edition, including Appendix Chapters B, D, E, F and G; International Fuel Gas code, 2003 Edition, all regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures, and building service equipment; providing for the issuances of permits and collection of fees therefore; and providing for penalties for the violation thereof; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

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

City Council President Pro-Tem Dellinger would like staff to come back with a proposal of what it would take to include the Energy Code in this Building Code.

Mr. Carl Dunham, Routt County Building Department, stated that the issue is that the Energy Code is in such a state of flux at this time. It was felt that because of this, and with the advent of The Green Team, it was inappropriate to push the Energy Code through. They are also not seeing a lot of interest in the rebate related to the E Star rating program, which is changing their methodology for classifying buildings. Based upon the urgency of the Insurance Service Organization (ISO) rating they felt it was appropriate to work with The Green Team. Mr. Dunham clarified that the Building Department will continue to work with The Green Team and citizen groups and bring forward the Energy Code in a timely manner.

Council Member Anderson questioned the difference between the City and surrounding communities' ordinances as noted in the Communication Form. Mr. Dunham stated that the City's includes information regarding flood plains and mobile home tie-downs.

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PUBLIC COMMENT: No one appeared for public hearing.

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Antonucci seconded to approve the second reading of an ordinance adopting the International Building Code, 2003 Edition, including Appendix Chapters C and J; International Existing Building Code, 2003 Edition; Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; National Electrical Code, 2005 Edition; International Code Council Electrical Code, Administrative Provisions, 2003 Edition; International Mechanical Code, 2003 Edition; International Plumbing Code, 2003 Edition, including Appendix Chapters B, D, E, F and G; International Fuel Gas code, 2003 Edition, all regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures, and building service equipment; providing for the issuances of permits and collection of fees therefore; and providing for penalties for the violation thereof; repealing all conflicting ordinances; providing for severability; and providing an effective date. The motion carried 6/0. Council Member Strong had previously left the meeting.

14. **SECOND READING OF ORDINANCE: An ordinance adopting the International Fire Code, 2003 Edition, including appendix Chapters B and C; prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; providing for the issuance of permits for construction or operational activities; and creating a fee schedule for fire permits, plan review and inspections provided by Fire Prevention Services; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

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

PUBLIC COMMENT: No one appeared for public hearing.

Mr. Muhme clarified that the fine and enforcement language is not in the ordinance because it is already defined by the Code.

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Antonucci seconded to approve the second reading of an ordinance adopting the International Fire Code, 2003 Edition, including appendix Chapters B and C; prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; providing for the issuance of permits for construction or operational activities; and creating a fee schedule for fire permits, plan review and inspections provided by Fire Prevention Services; repealing all conflicting ordinances; providing for severability; and providing an effective date.

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The motion carried 6/0. Council Member Strong had previously left the meeting.

*At this time, Council heard agenda item 6, the Planning Commission report.*

## CITY COUNCIL UPDATE (6:00pm)

### 15. COUNCIL MEMBERS' REPORTS

#### Council Member Ivancie:

1. Attended a Planning Commission Worksession and discussed parking concerns; the Commission would like to have a Parking Summit. Also suggested having a City shuttle this summer from 11:00am to 11:00pm to serve downtown workers. This topic could possibly be discussed at the June 13, 2006 planning meeting.

#### City Council President Pro-Tem Dellinger:

1. Attended a Community Center meeting.
2. Will attend an Airport Commission meeting on Thursday.

#### Council Member Anderson:

1. Noted that the Airport Commission Steering Committee stressed the need for the study to be unbiased.
2. Attended a Community Center meeting where the architect identified attributes of sites and gave a history of Memorial Park (this park was named for a High School student that was killed). The architect will come back with block diagrams and have discussion on traffic and accessibility.

#### Council Member Antonucci:

1. Attended Housing Authority meetings. The Self Help projects were behind and The Housing Authority applied for a grant extension that was granted.

#### City Council President Brenner:

1. Attended a meeting with the Mexican Consulate General regarding cultural tourism.
2. Attended a Colorado Association of Ski Towns legislative meeting. Spoke to roadless areas in Colorado and that citizens can provide input about what they want with these areas. There will be a meeting in Steamboat Springs in June.
3. Will attend the Colorado Municipal League Executive Board meeting.
4. Will meet with Council Member Anderson and Mr. Chad James regarding the retreat.
5. Would like the May 9, 2006 water meeting to include discussion on the Yampa River and minimum stream flows. A representative from the Upper Yampa Water District would attend to provide recommendations.

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES  
REGULAR MEETING 2006-09  
March 21, 2006**

**16. AGENDA REVIEW**

- a. Council agendas for March 27, 28 and April 4 and April 11, 2006.**

**DIRECTION:** Staff to reschedule Ballard King presentation for a Special Meeting after Spring Break.

**DIRECTION:** Ms. Jordan to close the March 27, 28, April 4 and April 11, 2006 City Council agendas.

**ADJOURNMENT**

**MOTION:** City Council President Pro-Tem Dellinger moved and City Council President Brenner seconded to adjourn Regular Meeting 2006-09 at approximately 7:58pm. The motion carried 5/0. Council Members Strong and Kaminski had previously left the meeting.

**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

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES  
REGULAR MEETING 2006-09  
March 21, 2006**

**APPROVED THIS 4<sup>th</sup> DAY OF April, 2006.**