

*** * * F O L L O W – U P * * ***

CITY OF STEAMBOAT SPRINGS

AGENDA

REGULAR MEETING NO. 2010-04

TUESDAY, FEBRUARY 16, 2010

5:45 P.M.

Hermacinski called the meeting to order at 5:45pm.

5:00 - SSRA meeting

5:40 - LLA meeting

A. ROLL CALL (5:45)

City Council Members present: Cari Hermacinski, Jim Engelken, Walter Magill, Scott Myller, Kenny Reisman and Jon Quinn. Meg Bentley was absent.

Staff Members present: Jon B. Roberts, City Manager; Julie Franklin, City Clerk; Debra Hinsvark, Interim Director of Financial Services; Ron Lindroth, Fire Chief; Janet Hruby, City Engineer; Chris Wilson, Director of Parks, Recreation and Open Space; Jonathan Spence, City Planner; Anja Tribble, City Clerk Staff Assistant; JD Hays, Director of Public Safety; and Wendy DuBord, Deputy City Manager.

The Follow-Up Agenda is work product only, and is subject to change. For final approved information, please refer to the official City Council minutes. All documents distributed at the City Council meeting are on file in the Office of the City Clerk.

B. PROCLAMATION AND RECOGNITIONS:

- 1. A proclamation recognizing John Dickson and Dickson Productions.**

This item was taken out of order.

Magill read the proclamation into the record.

Andy Wirth and John Dixon were present to accept the proclamation.

John Dixon thanked Council for the recognition and stated that they are happy to be a part of this community.

Return to the Housing Authority meeting.

C. COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:

2. Chamber Special Events Funding.

Engelken asked for more information on this agenda item.

Evans Hall stated that the \$75-100,000 goes towards summer events and the applications are heard through the Allocation Committee.

Hermacinski further explained that there are three coalitions and the requests are evaluated in terms of whether the event is something that draws people to the community. The money is approved at the budget retreat and given to the Chamber for recommendation on how to spend it.

Evans Hall clarified that the money can only be used for marketing and advertising of the event and once it is funded the money needs to be used for the event.

Discussion commenced on events that are “motivators versus satisfiers”.

Magill questioned the All Arts Festival and Oktoberfest, which are both Chamber events that are receiving a majority of the allocations. He stated that it struck him as odd that an entity applies to itself for grant money.

Evans Hall stated that the Chamber put these events together because they felt there was a need; however they would be happy to hand these events over to another entity.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: To approve the Chamber Special Events Funding as recommended; Magill/Quinn; **APPROVED;** Vote 6/0. Bentley was absent.

At this time, Council heard agenda items 14 and 15.

3. Joint Meeting with the Yampa Valley Housing Authority/ Citizens' Committee for Affordable Housing Measurability.

Mary Alice Page Allen, Ed MacArthur, Rich Lowe, Trish Sullivan, Catherine Carson, Jennifer Robbins (appointed later in the meeting), Johnny Sawyer (appointed later in the meeting), Nancy Stahoviak, and John Spezia were present.

Roger Good, member of the affordable housing work group, was also present.

MacArthur stated that they met with the work group and agreed that the two bodies are headed in same direction. He noted that the Housing Authority will request assistance with their down payment assistance program, and they want to move forward as the “local housing experts”. They are asking for \$100,000 from the fee in lieu monies, which they will match with \$100,000 of their funds to the down payment assistance program. They are also asking for \$7,000 to complete the database. Additionally, they would like access to the City’s current housing data.

Engelken asked why the Authority would start this assistance program when there are other organizations, such as Funding Partners, that already do that. Page Allen stated that Funding Partners only manages after the funds are approved. The Housing Authority works with Grand County and the mortgage community and identifies qualified applicants, and then Funding Partners take it from there. Additionally, the Housing Authority has the in-house expertise.

Engelken asked about a grant that the Authority received and then had to return. Page Allen stated that this was a matter of not having qualified buyers.

Discussion took place relative, but not limited to: other funding sources for down payment assistance; flexibility in the plan; measurement; and “bricks and mortar”.

At this time, Council heard the proclamation.

\$7,000 for database development:

Page Allen stated that this database is about more than just matching buyers and sellers. It involves the lending/real estate development communities and is done in real time.

Lowe noted that finding out who the “potential client” is is a major part of the database, so can we have better projections.

Discussion commenced on the Housing Authority contracting with John Eastman to complete the database.

DIRECTION: Staff to coordinate with the Housing Authority to combine information.

PUBLIC COMMENT:

Roger Good, affordable housing working group, stated that they met with the Housing Authority, and many of the things they talked about are in progress or are very well defined. The Authority has done a good job on focusing on the intended beneficiary and with regard to measurement; he is impressed with the work that has been done. He noted the need to have flexibility within the down payment assistance program. He stated that if the City is serious about measurement then it needs to agree on measurement and specifications before it can “spec out” a database.

Curtis Church suggested doing something in the community with the Inclusionary Zoning money.

Sandy Evans Hall reiterates that the Chamber will help with surveys and with the database needs.

Roberts noted that he met with the Housing Authority and commended their effort. The down payment assistance is an important component of the affordable housing portfolio and staff recommends setting aside the money for the program. He also recommends having a loan committee, implementing the measurability guidelines, and having the program implemented in accordance with them.

MOTION: To approve funding \$100,000 for the down payment assistance program; Quinn/Reisman; **APPROVED;** Vote 6/0. Bentley was absent.

MOTION: To approve funding \$7,000 for the Housing Authority's database; Quinn/Magill; **APPROVED;** Vote 6/0. Bentley was absent.

Item 4:

Spezia believes that the Community Housing Plan falls short in several ways and noted the need to look toward the future in terms of units that are permanently affordable.

GENERAL PUBLIC COMMENT

There was no General Public Comment.

At this time Council heard the Consent Calendar.

D. PUBLIC HEARING – PLANNING COMMISSION REFERRALS

- 4. SECOND READING OF ORDINANCE: An ordinance amending Chapter 26, Article 148 of the Steamboat Springs Revised Municipal Code pertaining to Community Housing, with particular reference to compliance methods; and establishing an effective date.**

This item was postponed from the August 4, the August 18, the September 1, 15 and 29, the October 20, the November 17, December 15, 2009 and the January 19, 2010 City Council meetings.

Hermacinski read the ordinance title into the record.

She noted the need to focus on the major substantive changes and the hybrid fee in lieu/RET compliance method.

Roberts provided an overview of the ordinance.

Hinsvark spoke to the real estate transfer fee net present value.

Hermacinski believes that the RET fee .4% will not be an option that a developer will choose.

Discussion commenced on the fact that the payment in lieu (PIL) represents “the gap”.

Quinn clarified that we would hit target number on the second sale not the third sale.

Myller and Magill support keep hybrid as a compliance method.

Engelken stated that the up side of the PIL is that it is a consistent revenue source for the City. His concern is that the amount of the PIL is insufficient. He asked if there is a way to add language to protect the City from legal challenge. Hermacinski stated that the City will put the money in escrow for 4 years. Engelken stated that he would like to see a higher PIL fee and agrees with setting aside the money for 4 years.

Myller suggested increasing the second sale percentage.

UNANIMOUS CONSENT: To keep the hybrid compliance method in the ordinance.

PUBLIC COMMENT:

Ed MacArthur voiced concern that if this does not generate enough money then the program will become a “political football”. He believes that the .2% is a good option that people would choose.

Tony Connell prefers the real estate transfer (RET) option only.

Catherine Carson asked what will be accomplished with a .2% fee and believes that .5% is a reasonable compromise. The numbers generated with the .2% fee will be so little that it “flirts with being meaningless”.

Mike Lewis asked what happens when something is redeveloped and suggested creating a timeline of some sort rather than having a fee in perpetuity.

Bill Jameson asked if the “squeeze is worth the juice” and does not believe that the assumptions are realistic.

Hermacinski stated that there is also the alternative that the entire community pays for a community need.

Myller believes that the right thing to do is to get the whole community to buy in.

Ed MacArthur stated that the PIL has fingers that extend throughout the community, so everybody participates.

Carson stated that pre-TABOR RET's are working well in other communities and supports bumping the .2% to .5%.

Quinn clarified that there is no exemption for attainable housing and is comfortable with .3%.

UNANIMOUS CONSENT: To exempt attainable housing from the requirements.

It was suggested to exempt the first sale and increase the fee to .5%.

Curtis Church stated that the developer is not paying on the first sale, the buyer is.

Mark Anderson, affordable housing measurability group, stated that no matter which option Council chooses, we still need to define who we are serving.

MOTION: To approve the ordinance, changing 6c to exempt the first sale and increase the percentage to .5 (6c); Myller/Quinn; **FRIENDLY AMENDMENT:** Hermacinski: add a provision that if a project is demolished then it expires; and to remove the quality standards; **APPROVED;** Vote 6/0. Bentley was absent.

Discussion during the motion:

Reisman reminded that we need to not loose sight of who we are serving and measurability.

E. CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS

5. RESOLUTION: A resolution authorizing a Haymaker Golf Course Restaurant Management Agreement.

Hermacinski read the resolution title into the record.

MOTION: To approve items 5 and 7 of the Consent Calendar; Engelken/Myller; **APPROVED;** Vote 6/0. Bentley was absent.

6. RESOLUTION: A resolution acknowledging appointments to the Planning Commission.

Hermacinski read the resolution title into the record.

Reisman asked about the Golf Committee benefits for the Planning Commission. Vanderbloemen stated that the Golf Committee was supportive of this. Engelken noted the need to make sure this is allowable in the Charter. **DIRECTION:** Staff to research.

MOTION: To approve the resolution acknowledging appointments to the Planning Commission; Reisman/Myller; **APPROVED;** Vote 6/0. Bentley was absent.

7. RESOLUTION: A resolution adopting the Routt County 2009 Weed Management Plan relative to weed control.

Hermacinski read the resolution title into the record.

See the motion under item 5.

F. PUBLIC HEARING: ORDINANCE SECOND READINGS

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

PLANNING
PROJECTS

G. CONSENT CALENDAR - PLANNING COMMISSION REFERRALS

- 8. FIRST READING OF ORDINANCE: An ordinance rezoning property located at 875 South Lincoln Avenue from RE-1 (Residential Estate One – Low Density) Zone District to CC (Community Commercial) Zone District; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

Hermacinski read the ordinance title into the record.

Engelken noted that he is an adjacent property owner and stepped down.

PUBLIC COMMENT:

Bill Jameson does not support a curb cut where all other parcels have back access.

Spence clarified that this property does already have an access drive off of Highway 40, so staff does not anticipate granting an additional access.

MOTION: To approve the first reading of an ordinance rezoning property located at 875 South Lincoln Avenue from RE-1 (Residential Estate One – Low Density) Zone District to CC (Community Commercial) Zone District; repealing all conflicting ordinances; providing for severability; and providing an effective date; Quinn/Reisman; **APPROVED**; Vote 5/0. Engelken stepped down. Bentley was absent.

Engelken returned to the meeting.

- 9. FIRST READING OF ORDINANCE: An ordinance rezoning property located at 2750 Honeysuckle Lane from RE-1 (Residential Estate One – Low Density) Zone District to RN-3 (Residential Neighborhood Three- High Density) Zone**

District; repealing all conflicting ordinances; providing for severability; and providing an effective date.

Hermacinski read the ordinance title into the record.

- 10. FIRST READING OF ORDINANCE: An ordinance amending Chapter 26 of the Steamboat Springs Revised Municipal Code, Article IX, Signs, to respond to changes in the regulatory environment, to assist the Real Estate Community and to perform a needed simplification of the Code through the removal of unnecessary provisions.**

Hermacinski read the ordinance title into the record.

- 11. PROJECT: Copper Ridge Business Park Filing 4, Lot 2**
PETITION: Development Plan for Outdoor Storage, a Conditional Use in the Industrial (I) Zone District

Hermacinski read the project title into the record.

MOTION: To approve item 9-11 of the Planning Consent Calendar; Quinn/Myller; **APPROVED;** Vote 6/0. Bentley was absent.

At this time Council heard the Inclusionary Zoning agenda item.

H. PUBLIC HEARING – PLANNING COMMISSION REFERRALS

- 12. PROJECT: Captain Jack Subdivision**
PETITION: Preliminary Plat to subdivide an un-platted parcel of land located south of 13th Street and west of Critter Court into two lots with associated open space, including a variance to CDC Section 26-183 (a)(4)

Hermacinski read the project title into the record.

Mike Kortas, applicant, was present.

PUBLIC COMMENT: There was no public comment.

MOTION: To approve the Captain Jack Subdivision preliminary plat with conditions 1-6; Myller/Magill; **APPROVED;** Vote 6/0. Bentley was absent.

I. REPORTS

13. City Council

- a. **Selection of new Council member to serve on URAAC Bid Committee.**

UNANIMOUS CONSENT: Hermacinski and Myller to represent Council on the URAAC Bid Committee.

Hermacinski:

1. Would like the Planning Commission to review sandwich board signs.

Magill:

1. Noted that Bentley will not be able to attend the CML meeting February 24-25. Engelken stated that he may be able to attend; and Roberts stated that he will be attending.
2. Asked for a follow up on merchants in the Ski Time Square area and vitality.
3. Noted that Ski Corp. has requesting funding assistance to buy a banner welcoming the NCAA championships to town. **UNANIMOUS CONSENT:** To fund \$500 out of Council's contingency fund.

Engelken:

1. Requested that all Council agenda packet items be accompanied by a communication form that explains the item.

Myller:

1. Attended a Colorado Preservation Institute seminar.
2. Attended a "Biketown USA" meeting and spoke to the increase in tourism that Whistler saw with the introduction of their biking amenities.

Quinn:

1. Noted that the Skate Church has a new facility and they received an anonymous donation in the amount of \$175,000. They are looking for further community support to keep the program going.

14. Reports

- a. **Agenda Review:**

- 1.) **City Council agenda for March 2, 2010.**
- 2.) **City Council agenda for March 16, 2010.**

Council reviewed the above agendas.

15. Staff Reports

a. Atmos Energy franchise agreement negotiations update.

DuBord stated that the City is renewing its agreement and the City has the right to increase the fee at any time as long as there are other communities that have higher rates than Steamboat Springs.

PUBLIC COMMENT: There was no public comment.

UNANIMOUS CONSENT: To not increase the fee and leave it at 3%.

b. Appointment of YVHA members.

Franklin asked for direction on appointing the 4 applicants to the 4 seats in the YVHA.

Reisman asked about reaching out towards beneficiaries of the program to get serve on the board? Page Allen stated that they do a fairly good job of reaching out to community members and sub committees. The last 2 rounds of soliciting for applicants to the Authority have not been very successful and the applicants are very qualified.

PUBLIC COMMENT: No one appeared for public comment.

MOTION: To appoint the 4 applicants to the YVHA Board; Engelken/Quinn; **APPROVED**; Vote 6/0. Bentley was absent.

c. City Attorney's Update/Report.

Lettunich was not present.

d. Manager's Report: Ongoing Projects.

Roberts reported on the following:

1. Provided an outline of departmental actions in pursuit of Council's goals and priorities. Discussion commenced on the water and wastewater plan, and the parking plan.

J. ADJOURNMENT

MOTION: To adjourn Regular Meeting 2010-04 at approximately 9:00pm; Engelken/Magill; **APPROVED**; Vote 6/0. Bentley was absent.