



Town Hall 551 Hot Springs Blvd
Pagosa Spring, CO 81147

MINUTES
Town Council Meeting
May 19, 2026 @ 5:00 PM

A regular meeting of the Pagosa Springs Town Council was called to order on May 19, 2026 at 5:00 PM in the Town Hall 551 Hot Springs Blvd.

COUNCIL PRESENT: Mayor Pierce, Council Member Williams, Council Member Bergon, Council Member Martinez, Council Member deGraaf, Council Member Lindner

COUNCIL ABSENT:

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. DISCLOSURES AND/OR CONFLICT OF INTEREST

None

V. PRESENTATIONS

1. Swearing in Police Officer - Jonah Aragon

Mayor Pierce swore in the new police officer Jonah Aragon.

2. Josh Kurz science class presentation of floodplain/wetlands data

Mr. JD Kurz's science class presented their wetland data to the Town Council. His students designed a city and studied the San Juan levee removal.

VI. PUBLIC COMMENT

Ms. Audrey Bliss said she owns Bliss Ice Cream business on Main Street. She said allowing vendors on the Town's property would hurt their business and create an uneven playing field. She said vendors should be restricted to certain areas.

VII. CONSENT AGENDA

- 1. Approval of the May 5, 2026 Meeting Minutes**
- 2. April Financial Statement and Payments**
- 3. Resolution 2026-09, supporting submittal of a nature conservancy grant application for flood resiliency work**
- 4. Resolution 2026-10, Supporting the submittal of a Safe Streets for All grant application for design and engineering of the east end multimodal transportation plan and updating the comprehensive safety action plan**
- 5. Letters of Support for the Upper San Juan Watershed Enhancement Partnership and San Juan Headwaters Forest Health Partnership to develop a Wildfire Readiness Action Plan (WRAP)**

Council Member Williams moved to approve the consent agenda, Council Member Bergon seconded. Motion Passed.

VIII. REPORTS TO COUNCIL

1. Sales Tax Brief

The March sales tax receipts show a slight drop from last year. The marijuana tax for January, February, and March was finally received from the Colorado Department of Revenue after a glitch in their system. The amount received was slightly over the amount received for the same months in 2025. CPI is 4.1% in April.

2. Other Department Reports

- a. Administration Report
- b. Cemetery

Street Supervisor, Branden Lattin, said the cemetery has clean up week before Memorial

Day. There will be some fire mitigation and tree removal for the fire danger. A message board is at the cemetery to contact staff regarding the clean up and fire mitigation.

- c. Development Department Division Reports - May 2026
- d. Lodging Tax Report
- e. Municipal Court Department Report
- f. Parks and Recreation Report
- g. PSPD Report
- h. Streets Department

Street Supervisor, Branden Lattin, said a solution for the San Juan Alley may not be a speed dip. He suggests a one-way from 8th to 10th as an alternative. He will be hanging door flyers and meeting with the residents, the school, and the library to get their thoughts.

IX. UNFINISHED BUSINESS

1. Ordinance 1027, Second Reading, Adoption of 2024 Model Traffic Code

Ordinance 1027 updates the current version of the 2003 Model Traffic Code ("MTC") to the newest version of the 2024 Model Traffic Code as amended. The subject matter of the MTC relates primarily to comprehensive traffic control regulations for the Town. The purpose of this Ordinance and the Code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

Council Member Bergon moved to approve the second reading of Ordinance 1027, adopting the 2024 Model Traffic Code, as amended, , Council Member Martinez seconded. Motion Passed

2. Ordinance 1028, Second Reading, Adopting a fine, surcharge and point schedule for violation of the model traffic code

Ordinance 1028 piggybacks Ordinance 1027 by updating the Fine, Fee, and Surcharge schedule in support of the adoption of the 2024 Model Traffic Code. The Fine, Fee, and Surcharge Schedule delineates the statutory fines, fees, and surcharges associated with violation of their respective traffic control regulations for the Town. The purpose of this Ordinance and the Code adopted herein is to provide fines, fees, and surcharges for traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

Council Member Lindner moved to approve the second reading of Ordinance 1028, adopting the updated Fine, Fee, and Surcharge Schedule, , Council Member deGraaf seconded.
Motion Passed

3. Ordinance 1029, Second Reading, Amending the Municipal Code to Align with Certain Provisions of State Law

Ordinance 1029 provides a stop-gap measure and a starting point for aligning penalty authority with state law. This is in response to the Colorado Supreme Court's decision in *People v. Camp* and *People v. Simons*. It also reflects the recent Town Charter updates authorized by voters on April 7, 2026.

Council Member Lindner moved to approve Ordinance 1029, second reading, amending the Municipal Code to align with certain provisions of State Law, , Council Member Martinez seconded. Motion Passed

4. Letters of Interest to Serve on Town Council

An open at large council seat was created when Matt DeGuise's term ended on April 6, 2026. The Town has advertised for the position without any letters of interest being received. The seat remains open, advertising for the position continues, and will be considered at the June 16th meeting.

The person appointed to this open seat will serve for the next four years until April 2030.

X. NEW BUSINESS

1. Art Call Proposal

Recreation Supervisor, Amanda Gadowski, said the Art Committee Board is recommending artist Mark Rane for the geothermal sculpture in Centennial Park, noting that his submission was the most professional and comprehensive of all the artists reviewed. The board recommended selecting Mr. Rane to create a final rendition that blends the best elements of his initial two proposals.

Council Member Bergon said Amanda Gadowski has done a great job in working with the Art Committee to fulfill their vision.

Council Member deGraaf moved to approve Mark Rane as the artist of choice for the geothermal panel installation at Centennial Park, Council Member Williams seconded.
Motion Passed

2. Shine Gelato OCE Proposal - Scenic Overlook

Senior Planner, Katelyn Tunnell, presented a request for a seasonal Outdoor Commercial Establishment (OCE) permit for a mobile, solar-powered gelato cart at the Town of Pagosa Springs Scenic Overlook. The proposed operation would occur on Town-owned property within the Open Space and Parks zoning district and would operate from a fixed seasonal location within the existing overlook area daily until dark. The applicant has a plan should he be relocated to a different location.

Council Member Bergon said she is sensitive to competition. She said the sandwich board

signs and trash removal need to be addressed. Mayor Pierce said she is also very sensitive to competition, and she suggests a location closer to Town Park. Council Member Lindner said he supports these kinds of businesses, but that Yamaguchi and South Pagosa Park could be alternative locations. Council Member Williams said he likes the vitality this type of business adds to the community. He said mapping out a zone where these types of businesses might be helpful. Council Member Martinez said this is not the right time, and after the reconstruction is over, then these kinds of business ideas may be better timed.

Council Member Martinez moved to deny the Outdoor Commercial Establishment permit for the Shine Gelato cart at the Pagosa Springs Scenic Overlook area at this time, Council Member Lindner seconded. Motion Passed.

3. Appeal Hearing Regarding Neel Plat Amendment Application Approval

Development Director, James Dickhoff, presented the Mountain Vista Townhome Association Board of Director's (Appellant) notice of appeal regarding the Director's approval of the Neel Plat Amendment application, pursuant to Land Use Development Code section 2.4.14.

Mr. Ron Barnum, representing the appellant, presented his appeal considerations for this development plan.

Council Member Lindner said basically the appellant is asking for a major subdivision determination in order to have the developer install amenities like lighting and improvements to Wildwood roadway. Council Member Bergon said her concern is the width of the shared driveway and the improvements to the driveway. Staff clarified the width of the driveway to ten to twelve feet, and the moving of the lot lines is substantial, creating two larger lots. Council Member Williams said he supports the Town's professional staff and the interpretation made by the Planning Commission.

Mayor Pierce said she believes the lot adjustments create four lots and therefore it becomes a major subdivision rather than a minor subdivision.

Council Member Williams moved to affirm the Planning Commission's determination, affirming the Director's decision approving the Neel Plat Amendment application, Council Member deGraaf seconded. Motion Passed

XI. PUBLIC COMMENT

None

XII. MAYOR, COUNCIL, TOWN MANAGER COMMENTS/UPCOMING AGENDA ITEMS

Council Member Bergon said two high school seniors were selected for the Aim High Scholarships. Council Member Lindner said residents are happy the fireworks are still planned to move forward.

Town Manager Harris said the town council is invited to attend the CPR/First Aid class this Friday.

XIII. UPCOMING COUNCIL MEETINGS

May 20, 2026 at 5:00 pm: Joint Town-County Work Session
June 2, 2026 at 5:00 pm: Regular Council Meeting
June 16, 2026 at 5:00 pm: Regular Council Meeting
June 22, 2026 at 5:00 pm: Joint Town-County Work Session
July 7, 2026 at 5:00 pm: Regular Council Meeting
July 21, 2026 at 5:00 pm: Regular Council Meeting

XIV. EXECUTIVE SESSION

- 1. Executive Session pursuant to §24-6-402(4)(a), C.R.S., concerning the potential purchase of real, personal, or other property interest related to the expansion of Reservoir Hill Park**
- 2. Executive Session pursuant §24-6-402(4)(e), C.R.S., determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators Intergovernmental Agreement between the Town and Archuleta County regarding the staffing of the Tourism Department, administration of the Pagosa Springs Area Tourism Board, and administration of lodging tax funding, and §24-6-402(4)(b), C.R.S., to receive legal advice on the potential contract and legal questions related to the foregoing issues, in which event the session, or portions of the session, will not be recorded**

Council Member Lindner moved to enter executive session pursuant to 24-6-402(4)(a), CRS, concerning the potential purchase of real, personal, or other property interest related to the expansion of Reservoir Hill Park and executive session pursuant 24-6-402(4)(e), CRS, determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators Intergovernmental Agreement between the Town and Archuleta County regarding the staffing of the Tourism Department, administration of the Pagosa Springs Area Tourism Board, and administration of lodging tax funding, and 24-6-402(4)(b), CRS, to receive legal advice on the potential contract and legal questions related to the foregoing issues, in which event the session, or portions of the session, will not be recorded, Council Member Williams seconded.

The Town Council entered executive session at 7:49 pm. Mayor Pierce called the meeting back in regular session at 9:06 pm.

XV. RECONVENE IN REGULAR SESSION

- 1. Council may act in regular session on item(s) discussed in Executive Session**

XVI. ADJOURNMENT

Mayor Pierce adjourned the meeting at 9:07 pm.

Shari Pierce
Mayor