

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
NOVEMBER 11, 2009

CALL TO ORDER

The Mayor called the meeting to order at 5:30 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. The Council was present in its entirety with Councillors Hebert, Hunter, Hynes, Johnson, Weaver, Mayor Pro Tem Clark and Mayor Willits in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of October 14, 2009.
2. Minutes of Workshop Meeting of October 29, 2009.
3. Register of Demands for November 2009.
4. Renewal of tavern liquor license for Ouray County Fairgrounds
5. Renewal of tavern liquor license for White Horse Saloon.
6. Ratify Intergovernmental Agreement Between Ouray County and Town for 2010 Operational Funding Requests.
7. Ratify appointments of Chamber of Commerce representatives John Lorimer and Denise Ransford, and community member Jill Markey, to the temporary signage task force.
8. Ratify letter of support for The New Community Coalition's Energy Efficiency and Conservation Block Grant application.
9. Ratify letter of support for nomination of Richard Durnan to the Southwest Resource Advisory Council Subgroup.
10. Ratify support letter for Ouray Ranger District grant application for State Parks Grant.

ACTION:

It was moved by Councilmember Johnson and seconded by Mayor Pro Tem Clark to approve the consent agenda. The motion carried unanimously.

PUBLIC COMMENTS

Sam Middleton explained he is the organizer of the annual Ridgway Skateboard Competition, which raises funds for completion of the skatepark. This year \$825 was raised, and he presented a check to the Town Council.

11. Discussion regarding April 2010 municipal election and ballot questions

Town Manager Greg Clifton presented a memorandum dated 11-10-09 pertaining to Historic Business District Streetscape funding. He addressed the project, noting the council earmarked the 0.6% capital improvement sales tax to fund the master planning and

subsequent engineering and design for the project. He reported the cost of the project, estimated to be 3.4 million, may be reduced by the current capital improvement project which will replace water lines within the district, and the realignment of Railroad Street and construction of the public parking lots, which can be done by staff. This could bring the project down below 3 million, he noted. Manager Clifton suggested the Council discuss moving forward with the project and address funding options, one of which would be presenting a ballot question to the voters, pertaining to implementation of a use tax on the purchase of building materials. He explained currently building materials are purchased in other communities and sales tax is being collected by those municipalities, and not being received by the Town.

There was discussion regarding submitting a question to the voters at the 2010 election. The Council agreed to not approach the voters at this time. There was discussion pertaining to the Chamber of Commerce's request to present the voters with a question if the full amount of lodging tax receipts should be allocated towards marketing.

#### PUBLIC REQUESTS AND PRESENTATIONS

12. Presentation of Ridgway Area Chamber of Commerce 2010 Marketing Plan

Josh Freed presented a letter dated 11-11-09 from the Chamber of Commerce outlining the use of lodging taxes for 2010 marketing purposes. He noted amounts to staff the visitors information center, website maintenance and funds to support community events remain the same as 2009, and an increase has been allocated for commercial advertising.

13. Discussion regarding expansion/relocation of the fire station

Randy Gardner addressed the Council on behalf of the Ridgway Fire Protection and explained the board has been addressing the need to enlarge the current fire station and is also considering relocation. He noted vehicle usage on Railroad Street has increased over the past several years, and the intersection on to the highway has become unsafe. Due to these traffic issues the board is considering relocating the station. The Town has first right of refusal on purchase of the Railroad Street parcel, and he stated the district wanted to inform the Council and ask for any suggestions regarding future needs.

There was discussion and it was noted the facility would need one to two acres of property outside of a traffic area, and with a location offering more than one entry or exit on to a highway. It was also noted that other emergency services, such as the EMT and ambulance, would continue to be housed in the future facility. Mr. Gardner stated, "as we go along we will keep you updated on what we're doing".

#### LAND USE ISSUES

14. Discussion regarding expiration of continuation to allow performance of conditions for approval of final plat for Ridgway Hot Springs

Manager Clifton explained in June a request for extension of time was made for performance of conditions attached to final plat approval for the Ridgway Hot Springs PUD. The Council approved the extension for six months, with the provision that all outstanding funds due to the Town be paid in full before another request for extension would be considered. Planner Jen Coates noted there have been four approved requests for extensions over the last two years, ranging from 90 days to six months.

Stan Kaatz representing Kaatz Investments, explained after default on a financing loan, the company has acquired the property on which the proposed PUD was to be located. He stated he and his partners are considering moving forward with a project on the property "at some level", but are unsure if a hotel is "a viable project at this time". They have considered affordable housing, and constructing apartments rather than a hotel, and keeping the mixed use commercial component. He noted the housing would be "aimed towards older people" who have chosen "not to keep up a house anymore" and "families working in Telluride". He told the Council "in order to put something together" "we're going to need some time".

There was discussion between the Council and staff. There was consensus of the Council that granting an extension on the conditions of the PUD would be considered if all current outstanding amounts due, are paid to the Town. The Council agreed they were not in favor of apartments on the property, and explained to Mr. Kaatz the concept of a hotel as a "destination resort design concept" was the reason the Council chose to accept the proposal.

There was discussion between Mr. Kaatz and the Council. Mr. Kaatz explained due to current economic conditions there is "no financing available for a hotel". He requested a six month extension for review and due diligence of the proposed project and other options. He stated "if something can be done, monies will be paid to the Town".

The Mayor reiterated the Council was willing to entertain another six month extension provided the amounts owed to the Town are paid in full. Mr. Kaatz said if they chose to move forward with the project, "then the monies will be paid".

15. Recommendation to approve amended plat; Location: Lot 2 of the Amended Mitchell Subdivision and Lot B of the Crabb Subdivision; Zoned: Historic Business and General Commercial; Applicant: Animal Humane Society of Ouray County and Adam and Cristin Johnson

Planner Coates presented a recommendation from the Planning Commission for approval, with conditions, to an amended plat on Lot 2 of the Amended Mitchell Subdivision and Lot B of the Crabb Subdivision. She explained the amended plat will provide the owner of Lot 2 with access to Highway 62, and will provide easements to solve drainage issues on the Crabb Subdivision. The revised plat will increase use on the Mitchell parcel to two single family residences and light industrial uses allowed in the General Commercial Zone. She explained the increase to two single family units triggers the excise tax provision, which is due at the time of recording the subdivision. The applicant is requesting payment at the time of building permit, since the proposed use may not be initiated.

There was discussion and the Council agreed to the amended plat and collection of excise tax at the time of building permit. The Town Attorney suggested an amendment to the municipal code to provide consistency for exceptions from the policy. There was further discussion by the Council and it was agreed to execute a policy change through amendment to the code.

A representative from the Humane Society, owner of property in the Crabb Subdivision, expressed support of the plat note change and payment of the excise tax payment "at a later date". This was reiterated by the applicant for the Mitchell Subdivision.

ACTION:

Moved by Mayor Pro Tem Clark to approve the amended plat for Lot 2 of the Amended Mitchell Subdivision and Lot B of the Crabb Subdivision with conditions of the Planning Commission and Council; plat review and approval of the Town Attorney; and allow the plat note to require payment of excise development tax at the time of application for building permit for the second residence, or execution of a multi-development plan, whichever comes first. Councillor Weaver seconded the motion which then carried unanimously.

POLICY MATTERS

16. Water and sewer taps for CDOT maintenance facility on Amelia Street

Public Works Director Joanne Fagan explained the Colorado Department of Transportation (CDOT) is in the process of constructing a new maintenance facility on the property located at the corner of North Amelia Street and Highway 62. Changes in water and sewer taps have been requested, and she has been exploring options to provide a tap large enough to fill water trucks and tanks, based on intermittent use, and the water not entering the sewer system. She recommended the issuance of a 4" sewer tap for the new facility, and water tap size of 1 ½" with a deviation in the tap fee from \$12,000 to \$7,500 in exchange for an agreement with CDOT to install a wood fence along the perimeter of the property and plant landscaping, including large conifers, to further screen the property.

ACTION:

It was moved by Mayor Pro Tem Clark and seconded by Councillor Johnson to approve staff recommendation to adjust tap fees for CDOT. The motion carried unanimously.

17. Discussion regarding electronics records retention policy

The Town Manager explained he is presenting as introduction only, a proposed electronic records retention policy, the proposal will be presented to Council at the next meeting for formal action. He reported the policy will address Town use of electronic communications, in the form of email, and retention in compliance with the open records law. The policy will also establish proper maintenance, and purging of items, which are not public records.

There was discussion between Council and the Town Attorney.

18. Discussion pertaining to 2003 Model Traffic Code update and new schedule of fines

Manager Clifton presented a working paper and explained the Town is currently operating under the 1997 Model Traffic Code. Adjacent law enforcement agencies operate under the 2003 code and consistency in uniform traffic regulations, along with compliance of state laws and statutes, would be gained by adoption of the current traffic code. He also presented an update to traffic fine schedules, in conformance with changes in state law enacted by legislation in July of 2008. He noted adoption of the updates will be presented at the next meeting of the Council.

19. Introduction of Ordinance Amending the Official Zoning Map by Rezoning a Parcel of Land Currently Owned and Operated by the Colorado Department of Transportation from "FD" Future Development to "GC" General Commercial District

The Town Manager presented a draft ordinance amending the Official Zoning Map by rezoning the parcel of land owned by CDOT from future development, to general commercial. The Town Attorney noted a change on the ordinance pertaining to definition of use of the property.

ACTION:

It was moved by Councillor Hebert to introduce the Ordinance Amending the Official Zoning Map by Rezoning a Parcel of Land Currently Owned and Operated by the Colorado Department of Transportation from "FD" Future Development to "GC" General Commercial District, with the change suggested by the Town Attorney. Councilmember Johnson seconded and the motion carried unanimously.

20. Introduction of Ordinance Amending Sign Regulations

The Town Clerk presented a draft ordinance amending sign regulations which would allow administrative staff to approve placement of civic event banners in town parks. She noted this change was requested by Council at the previous meeting.

ACTION:

Councillor Hebert moved, with Councilmember Hynes seconding to introduce Ordinance No. 09-12 Amending Sign Regulations. The motion carried unanimously.

STAFF REPORTS

Public Works Director Fagan presented an update on installation of the sidewalk and crosswalk across Highway 62.

The Town Clerk presented a suggestion from the Chamber of Commerce to include a place on the Council agenda for monthly updates. The Council agreed the presence of a board member at each meeting, to stay current on items being discussed would be useful, but did not feel it necessary to designate an area on the agenda for updates.

Councillor Weaver reported a request to the Town to take led in formation of an economic development committee, to prepare an economic development plan, was discussed at the recent Chamber of Commerce board meeting.

Mayor Willits reported on recent meetings with the Railroad Museum and Tri-County Water Agency.

ADJOURNMENT

The Mayor adjourned the meeting at 8:10 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk