

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
FEBRUARY 10, 2010

CALL TO ORDER

The Mayor called the meeting to order at 5:35 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 January 13, 2010.
2. Minutes of the Workshop Meeting of January 20, 2010.
3. Register of Demands for February 2010.
4. Resolution for Supplemental Budget and Appropriation to the Fiscal Year 2009 Budget for the Water Fund.
5. Renewal of restaurant liquor license for the Adobe Inn.
6. Ratify award of bid to Haynes Construction for sewer lift station.
7. Ratify award of bid for computer consulting services to Don Roxby, Wired Consultants.

ACTION:

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

PUBLIC REQUESTS AND PRESENTATIONS

8. Report on receipt of Conservation Block Grant Funding for a Community Sustainability Coordinator to serve Ouray and San Miguel Counties

Kris Holstrom, Regional Sustainability Coordinator for The New Community Coalition, presented a document outlining the Governors Energy Office's Community Energy Coordinator Grant. She explained last summer the counties of Ouray and San Miguel, along with local jurisdictions, applied for this grant and an award has been made in the amount of \$65,000 for a two year program to fund an energy coordinator position. Kim Wheels will act in this capacity, and work with an advisory board and develop a strategic sustainability plan to address reduction in fossil fuel emissions. Additionally other available grant funds will be applied for and a community outreach program will be developed. She stated the advisory board will be comprised of members from all participating jurisdictions and requested the Council appoint a member and alternate.

It was agreed that Mayor Clark would serve as the member, and Councillor Hynes as the alternate.

9. Proposed full voter participation ordinance

Tom Hennessy addressed the Council with a proposal to adopt an ordinance requiring all residences who are legal US citizens and 18 years of age or older, to register and vote in all elections. Failure to participate would result in a \$15 fine. He explained he was making the proposal to “begin a dialogue” regarding encouraging residents to vote at elections. He presented statistics that the US is ranked 59 in the world for registered voter turn out. He noted “most people feel their vote doesn’t count”, and don’t participate. There are 13,415 registered lobbyists who “have a big say in what happens at the state and national capitals” and this “corrodes the voice of the citizens”. If people vote, then this paradigm can change. He added if voter participation in the community were 95% or more, “then our voice would be heard at the state capitol”. To not limit first amendment right to free speech, all ballots would include a “none of the above” option, so electors would not be forced to vote for someone they do not support. He noted “legally the constitution does not say you can’t do this” and “I see no difference in this versus other ordinances we have” and “it will impact our community in a great way”.

There was discussion between the Council, Mr. Hennessy and members of the audience.

The Council agreed to hold an exit poll at the regular municipal election in April, and ask voters their opinion regarding the proposal.

10. Request to hold annual spring and fall Ridgway-Ouray Community Council parking lot sales on Town property and reaffirmation of Town commitment to cost share in e-waste recycling in conjunction with the spring parking lot sale

Sheelagh Williams, representing the Ridgway-Ouray Community Council (ROCC), presented a document dated 2-10-10 requesting the Council consider cost sharing in an electronic waste recycling program on May 15, 2010. Ms. Williams addressed the Council and requested permission to hold the annual parking lot sale on the Town’s public parking lot off Railroad Street on May 15th and September 18th. The Council consented. She explained last fall the Council agreed to participate in an electronic waste recycling program. This community service allows electronic equipment to be diverted from landfills and are taken by Life Span Recycling, a company which deconstructs the equipment and removes all dangerous elements before recycling the parts, she noted.

ACTION:

Moved by Mayor Pro Tem Clark to authorize up to \$300 to assist ROCC in the electronic waste recycling. Councillor Hynes seconded the motion which carried unanimously.

11. Presentation of proposed outdoor ping-pong table at the Athletic Park

Kuno Vollenweider presented the Council with a cast model of a proposed concrete ping pong table, which will measure 9’x5’x2’ with a 3” concrete top, to be installed in a town park. The Mayor explained to the audience that Mr. Vollenweider had approached the Council at the previous meeting with an offer to donate a table to the Town, and the Council had asked that he bring a model to the next meeting.

There was discussion and the Council agreed to the concept and the donation, and further agreed it should be installed in Hartwell Park. The Mayor thanked Mr. Vollenweider and asked that he work with staff to determine a location for the table.

## PUBLIC HEARINGS

12. Application for transfer of restaurant liquor license, True Grit Cafe, 123 N. Lena Street; applicant: Hatari Inc. shareholders: Tammi and Dale Tuttle

Staff Report dated 2-2-10 from the Town Clerk presenting an application for transfer of ownership of restaurant liquor license for the True Grit Cafe at 123 N. Lena Street. Town Clerk's Notice of Public Hearing dated 2-2-10.

The Town Clerk explained the corporate shareholders, Tammi and Dale Tuttle, are requesting a transfer of ownership based upon a default of contractual agreement. The Tuttle's took possession of the property on 2-1-10 and the state licensing authority allows the Town issuance of a temporary operating permit at the time of receivership. This will remain in effect until receipt of the new license from the state, or will be withdrawn if the transfer is not approved by the Council at this meeting. She noted all requirements of the license application have been met and a background check has been conducted. The findings have not been received from the Colorado Bureau of Investigation and if the Council chooses to approve the application, she recommended it be done contingent upon receipt of clear findings.

### ACTION:

Councillor Johnson moved with Councilmember Weaver seconding to approve the application for transfer of liquor license for the True Grit Cafe with the condition of receipt of a clear background check, and approve the temporary operating license. The motion carried unanimously.

## POLICY MATTERS

13. Resolution presenting a ballot question to the voters related to allocation of revenues generated from lodging occupation taxes

Town Manager Greg Clifton presented a resolution requested by Council containing a proposed ballot question for the April Municipal Election. He noted once adopted fair campaign practices will apply and no Town resources can be spent on campaigning. He read the ballot title to the audience, which proposes the question should 100% of the lodging tax receipts should be allocated for tourism and economic development.

### ACTION:

Mayor Pro Tem Clark moved, with Councillor Weaver seconding the motion to adopt Resolution No. 10-03 Presenting a Referred Measure to the Voters at the April 6, 2010 Municipal Election. The motion carried unanimously.

14. Introduction of ordinance regarding certain proposed changes to the Town Sign Code

The Town Manager reported at previous meetings recommendations from the Council appointed Signage Task Force pertaining to temporary signage, were presented for public discussion. The Council directed staff to prepare an ordinance, which he presented. He explained there are three changes to the regulations. Currently businesses are allowed unpermitted signage, such as banners, equaling 10 square feet, this change increases the size to 16 square feet. At present portable or wheeled signs are prohibited and the proposal will allow the use if it does not create a nuisance or obstruct pedestrian or

vehicular traffic, and allows up to 16 square feet. Placement on a street or right-of-way would require Council approval he noted. The final change addresses the placement of flyers and posters in windows. These would represent items such as event posters and menus, must not be legible from five feet away, and there would be no limit on the number allowed.

ACTION:

Mayor Pro Tem Clark moved to introduce Ordinance No. 02-2010 Amending Sign Regulations. The motion was seconded by Councilmember Hebert and carried unanimously.

15. Award of contract for construction of gazebo in the Athletic Park

Manager Clifton explained the Town has received a grant from Great Outdoors Colorado to construct a 40 foot diameter gazebo in the Athletic Park. The grant was submitted with the intent to mimic the gazebo in Hartwell Park and the contractor of that structure, Forrest Classics, was invited to prepare the plans and specifications, and submit a construction proposal. He noted the contractor also contributed a \$1000 cash contribution and in-kind services to the grant proposal. He noted that though the Town operates through competitive bidding for procurement, and has a local preference policy, the Council can forgo the competitive bid process, and he recommended this be done.

Speaking from the audience Greg Dowd spoke in favor of the project being put to competitive bid at a fixed cost, with the stipulation that the builder "has the capabilities and quality to construct the structure".

There was discussion between the Council and staff. It was noted a change of builder may affect the grant approval and the companies expertise is preparing this type of structure.

ACTION:

It was moved by Mayor Pro Tem Clark to approve the contract with Forrest Classics for construction of the gazebo in the Athletic Park, seconded by Councillor Johnson, and carried with Councillor Weaver voting no.

16. Discussion regarding summer concert series

The Town Manager explained over the last few summers the Town has held a free concert series in Town Park. During budget review the concert series line item was eliminated due to budget constraints. The concert promoter, Pickin' Productions, has lined up a number of nationally recognized bands lined up, and would like to know if the Town is interested in holding any of the events this year.

There was discussion between Council and staff regarding raising outside funds for the events, if held should the promoter be retained and how many shows should be considered.

It was agreed to only commit to three concerts, a committee should be formed to address fund raising and Councillor Hynes and Mayor Pro Tem Clark will meet with staff to speak to the promoter regarding where costs could be reduced.

17. Discussion regarding pedestrian highway crossings at Sherman Street

Public Works Director Joanne Fagan responded to questions from the Mayor pertaining to crosswalks across Highway 62 (Sherman Street). She explained last spring the Town applied to the Colorado Department of Transportation for a crosswalk at Cora and Sherman. She was told that a traffic study would need to be conducted which justified the need by at least 25 crossings in an hour period.

There was discussion by the Council, staff and audience.

The Council agreed to apply for a permit for the crossing at Cora and Sherman; and after the winter session to repaint the crosswalk at Cora and Sherman and look into the placement of pedestrian crossing signs at this location.

18. Discussion regarding Clinton Street directional sign

The Town Manager noted in 2005 at the request of business owners, the Town installed a directional sign board at the corner of Clinton and Cora to allow businesses to display signage. The original sign dimensions and installation methods failed and were unable to withstand winds. He suggested the use of larger signs and supporting them laterally and vertically.

It was agreed that staff should prepare a prototype of 6" high sign and install it for Council review prior to the next meeting.

19. Town comments to the Bureau of Land Management regarding the Uncompahgre Resource Management Plan

Manager Clifton presented a draft letter to the Bureau of Land Management (BLM) Uncompahgre Field Office presenting scoping comments on the Uncompahgre Management Plan. He explained two areas were addressed, support to see the parcel located on the east side of Highway 550 adjoining BLM and Ridgway State Park designated for multi-recreational use, and suggesting it be placed under Special Recreation Management Area Designation. The second item is the 40 acre tract of land north of Town, along the Riverway Trail, and adjacent to the Dennis Weaver Memorial Park. The letter stressed the importance of this tract for trail connectivity and recreational use. It was noted that the parcel abuts a Town owned park, and the Town would partner with the BLM to provide needed stewardship of the parcel, and would also consider protecting the property as a contiguous passive use area, and be amenable to discussing possible ownership if the BLM should elect to dispose of it.

Councillor Hebert noted the letter should address that the parcel adjacent to Highway 550 should have a separate trail system for horse riding. The Council agreed. There was consensus the letter should be sent to the Bureau of Land Management.

20. Re-appointment of two Joint Planning Board Members, Pat Willits (currently serving as alternate) and Rod Fitzhugh

Manager Clifton reported terms for two positions on the Ouray County Joint Planning Board have expired. These seats are held by citizen Rod Fitzhugh as a member, and Mayor Willits as an alternate. He noted Mr. Fitzhugh has stated he would remain on the board, but only as an alternate.

ACTION:

Councillor Hunter moved to appoint Mayor Willits to the Joint Planning Board, and appoint Rod Fitzhugh as alternate. Councillor Hebert seconded. After a call for the vote the motion carried unanimously.

21. Proposed incentive program for reduced building permit fees

Mayor Willits suggested reducing building permit fees to encourage new construction.

Speaking from the audience Greg Dowd spoke in opposition to the proposal.

There was discussion between Council, staff and the audience. Consensus of the Council was the program would not be effective at this time.

22. Establish meeting date for Town Managers annual performance evaluation

Mayor Willits suggested the Council establish a meeting date to discuss the annual performance evaluation for the Town Manager. It was agreed the Council will hold a special meeting on March 4, 2010 at 5:30 p.m. and enter into executive session to prepare the performance review.

EXECUTIVE SESSION

The Town Manager suggested the Council enter into a closed session subject to State Statute Provisions 24-6-402(4)(f) and (b) to discuss personnel matters involving Deputy Charles Beckner

ACTION:

Mayor Pro Tem Clark moved to go into executive session. Councilmember Johnson seconded and the motion carried unanimously.

The Council entered into closed session at 9:20 p.m. with the Town Manager and Town Clerk.

The Council reconvened to open session at 9:45 p.m.

ACTION:

Moved by Councillor Hebert to extend to Charles Beckner an extension of health insurance coverage for the remainder of the year. Mayor Pro Tem Clark seconded the motion which carried unanimously.

ADJOURNMENT

The Mayor adjourned the meeting at 9:45 p.m. to a special meeting on March 4, 2010 at 5:30 p.m. at 201 N. Railroad Street.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk