

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
SEPTEMBER 8, 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 Durnan, Hebert, Hunter, Johnson, Weaver, Mayor Pro Tem Clark and Mayor Willits in attendance.

PRESENTATIONS

Mayor Willits acknowledged Frank and Penny Starr for their numerous contributions to the community and county. He recognized their active participation and involvement in civic organizations and boards, noting the positive attributes they have brought to the community. He thanked them on behalf of the citizens of Ridgway and presented them with plaque of appreciation.

CONSENT AGENDA

1. Minutes of Regular Meeting of August 11, 2010.
2. Minutes of Special Meeting of August 23, 2010.
3. Register of Demands for September 2010.
4. Request for water leak adjustment – Meter 2320.1/Kornbluh.

ACTION:

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

PUBLIC REQUESTS AND PRESENTATIONS

5. Presentation of proposed Intergovernmental Agreement for 2011 Operational Funding Requests

Ouray County Administrator Connie Hunt presented an Intergovernmental Agreement for Budget Year 2011 outlining operational funding requests, road and bridge apportionment from the County to the Town and future goals. Ms. Hunt noted staff is working on a plan for aggregate gravel crushing which will benefit both entities.

Commissioner Heidi Albright explained the County is open to working with the Town “in any way economically beneficial to all of us”.

ACTION:

It was moved by Councilmember Hunter and seconded by Mayor Pro Tem Clark to approve the Intergovernmental Agreement between the Town and County of Ouray for 2011 Operational Funding Requests.

6. Presentation summarizing Region 10 contributions to its constituents

Paul Gray, Executive Director of Region 10, presented the Council with a document summarizing benefits to Ouray County. He explained 2009 was “a landmark year for Region 10” which provides services within six counties and 18 communities. He outlined the accomplishments in the last fiscal year (which ended June 10<sup>th</sup>). These included providing senior citizen meals and transit services; implementing a senior medication management program; administering state block grant funds for local business loans; approving small business tax credits which have created over 177 new jobs; providing non-profit organizations a “break even rate” to rent office space in the Enterprise Center; operating the Gunnison Valley Transportation Planning Region and ensuring state spending of over \$38.5 million in roadway projects in the region; and facilitating the development of a Regional Transit Council to coordinate, prioritize and fund transit projects in the region.

Mr. Gray answered questions and thanked the Council for continued financial support as a member of the organization.

7. Annual update on the San Miguel and Ouray Counties Juvenile Diversion Program

Helene “H” Cassarini, Executive Director of the Juvenile Diversion Program presented the Council with statistics for 2009. She explained the program promotes public safety and prevents criminal behavior in youth by providing offenders between the ages of 10 and 17 an alternative to court, jail or a criminal record. She noted last year the Ridgway Marshal’s Office referred three youth to the program, this year the number has doubled. In 2009 42 adolescence from both counties participated in the program, this year there are 20. Last year 90% of the youth successfully completed the program and three reoffended, she noted this is the highest success rate in recent years.

8. Presentation regarding Community Youth Corp Program of Southwest Conservation Corps

Laura Faubion, Youth Programs Director with Southwest Conservation Corps addressed the Council regarding the Community Youth Corp, a program which offers service learning and job opportunities to young adults. During the summer months of the past three years the program has been conducted in Ouray County, providing a four week program for youth aged 10 to 14 to perform public service projects for two weeks in the City of Ouray and also in the Town. This year ten participants completed the program, working five days a week, fulfilling one hundred hours of community service and receiving \$500 in awards towards higher education. She thanked the Council for continued support of the program.

PUBLIC HEARINGS

9. Application for transfer of restaurant liquor license from Smyth’s Pub and Chophouse to Colby’s Corner; 257 Sherman Street, Suite C; Applicant: Denean Colby

Staff Report from the Town Clerk dated 8-27-10 presenting an application for transfer of ownership of restaurant liquor license from Smyth’s Pub and Chophouse to Colby’s Corner, for the restaurant at 257 Sherman Street, Suite C.

Town Clerk’s Notice of Public Hearing dated 8-20-10.

The Town Clerk explained the application has been filed by Denean Colby, owner of the building. The application includes licensing the outdoor patio seating area, which is enclosed and adjacent to the building, and is currently licensed under the Smyth's license. The applicant is also requesting issuance of a temporary operating license which would remain in effect until receipt of the permanent license from the state liquor licensing division.

Speaking from the audience Ed Folga spoke in support of the license transfer noting "it would be a good service to the community" and "Denean and her husband are great, honest people".

**ACTION:**

Moved by Mayor Pro Tem Clark to approve the transfer of liquor license from Smyth's Pub and Chophouse to Colby's Corner at 257 Sherman Street, contingent upon clear findings of the background check, and approve the issuance of a temporary operating license, seconded by Councilor Weaver and unanimously carried.

10. Adoption of ordinance amending accessory dwelling unit provisions

Interim Manager Coates reported the ordinance amending provisions for accessory dwelling units was introduced at the previous meeting and will allow an increase in unit sizes and correct cross references within the municipal code.

**ACTION:**

Councillor Johnson moved to adopt Ordinance No. 10-08 Amending Accessory Dwelling Unit Provisions to Allow Accessory Dwelling Units up to 800 Square Feet in Floor Area and to Update Accessory Dwelling Unit Cross References in the Town Code. Mayor Pro Tem Clark seconded and the motion carried unanimously.

**POLICY MATTERS**

11. Discussion regarding noxious management

Staff Report dated 9-3-10 from the Interim Manager and Public Works Director presenting background and update on eradication of noxious weeds on public property. This item was previously discussed at Council meetings on 3-17-10, 4-14-10, 5-12-10, 6-9-10 and 8-11-10.

Interim Manager Jen Coates presented a map outlining areas on public property in which Category B noxious weeds are growing. She noted eradication efforts are resource intensive for staff and is a "reactive scenario" using weedwacking and mowing, and after cutting, "the plants just regrow". She stated it is not providing a "good grasp or control over the weed population". She recommended an integrated weed management plan with the County and City of Ouray which would allow for a proactive approach. She noted the County Weed Manager has recommended an application of the herbicide Milestone to control the existing weed population. She recommended an application of the product in the fall and reevaluation in the spring noting "what we are doing now is not effective" and we are "not getting control of the problem".

Ouray County Weed Manager Ron Mabry suggested the Council address the map and prioritize critical areas which should be targeted. He noted community hand pulling efforts

along the river corridor have shown positive results, yet the weed population has expanded and is moving down stream. He stated "the problem is to wide spread to get under control by mechanical means". He explained eradication by Milestone can be done safely and will not effect native vegetation through "direct spraying and being real precise" and recommended a fall application in "those critical areas". He reported private property owners adjacent to the property have been using the product.

When asked about hand pulling efforts along the river corridor he replied "it has been beneficial for them to be out there" "it has been somewhat effective" and "the areas concentrated on have had some good results".

Kimah McCarty addressed the community efforts to hand pull weeds along the river. She noted after removal of noxious weed species will "replace themselves" with another species and suggested the Town budget "so that areas that have been disturbed are remediated and revegetated".

A representative from Buckhorn Gardens in Colona addressed damaged sustained to agricultural corps when "air drift" from Milestone was applied 300 yards from the area under production. She noted the product has "only been around two to three years and no testing has been done on how it affects vegetables and fruit trees".

Mr. Maybry noted the application was done by private individuals, not a professional, and drift does not occur within 300 yards unless it is sprayed in a wind, as "no drift will occur if is applied correctly".

County Commissioner Albright reported the County is "in the same predicament" noting "some areas are too large to mechanically manage". She explained the County has identified critical areas and has applied herbicide to "get them under control". She suggested the Council look at the application as "just one tool," noting it is not the only answer.

There was discussion and it was agreed that the Athletic Park, River Corridor and the areas along Amelia Street were the most critical areas. The Council agreed to allow continuation of manual eradication efforts along the river corridor, and to spray the northeast corner. Also to spray the thistle in the Athletic Park adjacent to County Road 23 and knapweed along Amelia Street. It was agreed to budget funds in the next fiscal year budget for eradication and reseeding efforts, and to participate with the County in an integrative weed management plan.

12. Intergovernmental Agreement with Ouray County for weed management

The Interim Manager presented an Intergovernmental Agreement with Ouray County to develop a comprehensive weed management plan. She noted the agreement requires Town participation in a Weed Management Board and sharing of resources and cooperation with the County and City of Ouray in weed management.

Consensus of the Council was Councillor Hunter would serve on the County Weed Board and Public Works Director Faqan would be the alternate.

ACTION:

It was moved by Mayor Pro Tem Clark and seconded by Councillor Johnson to approve the Intergovernmental Agreement with the County and City of Ouray for weed management.

The Council took a recess at 8:40 pm and reconvened at 8:55 pm.

13. Resolution opposing State Proposition 101 and Amendments 60 and 61

Interim Manager Coates presented a resolution of opposition to State Proposition 101 and Amendments 60 and 61 which outlined financial impacts to the Town if approved by voters in November.

The Council acknowledged its opposition to the proposed statewide ballot questions.

ACTION:

Councillor Hebert moved to approve Resolution No. 10-08 in Opposition to Proposition 101 and Amendments 60 and 61, Mayor Pro Tem Clark seconded and the motion carried unanimously.

14. Resignation from Councillor Hebert

Councillor Hebert announced his resignation from the Council effective October 1<sup>st</sup>.

There was discussion by the Council. The Town Clerk noted if the Council appoints an alternate to fill the vacant seat it would be effective until the next annual election in April of 2011. The Council agreed to offer the seat to Tim Patterson, candidate at the last election.

STAFF REPORTS

Public Works Director Fagan reported the Colorado Department of Transportation has agreed to include in Phase 4 of the Enhancement Project a crosswalk at Cora and Highway 62; a portion of sidewalk missing on Cora Street; a crosswalk at Railroad Street and Highway 62; and sidewalk parallel to Highway 550 from Hunter Parkway.

Interim Manager Coates reported staff met with a subcontractor regarding removal of gravel from the river corridor. He recommended removal from under the highway bridge and adjacent to the wastewater discharge affluent pipe. Proposed costs would be presented in upcoming budget discussions.

The Town Clerk presented information pertaining to the scheduled Adjourned Regular Meeting on September 14<sup>th</sup>.

Mayor Willits suggested the Council reconsider the decision to limit monthly compensation to Planning Commissioners contingent on meeting attendance. There was discussion and it was agreed to eliminate the policy and compensate Commissioners on a monthly basis.

EXECUTIVE SESSION

The Mayor suggested the Council enter into an executive session pursuant to CRS 24-6-402 (4) (f) to discuss personnel matters relative to recruitment process for the Town Manager position.

ACTION:

Mayor Pro Tem Clark moved to go into closed session. Councilmember Johnson seconded. The motion carried unanimously.

The Council entered into a closed session at 9:40 p.m.

The Council reconvened to open session at 11:15 p.m.

ADJOURNMENT

The Mayor adjourned the meeting at 11:15 p.m. to an adjourned regular meeting on September 14<sup>th</sup> at 6:00 pm.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk