

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING

APRIL 13, 2011

OATHS OF OFFICE

The Town Clerk administered the oath of office to recently elected Councillors Ellen Hunter, Eric Johnson and Jim Kavanaugh.

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, Hunter, Johnson, Kavanaugh, Weaver, Mayor Pro Tem Clark and Mayor Willits in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 9, 2011.
2. Minutes of Workshop Meeting of March 17, 2011.
3. Minutes of Workshop Meeting of February 21, 2011.
4. Register of Demands for April 2011.
5. Renewal of restaurant liquor license for Drakes Restaurant.
6. Renewal of restaurant liquor license for True Grit Cafe.
7. Water leak adjustment – Account #2710.0/Pearce.
8. Water leak adjustment – Account #2530.3/Linch.
9. Approve \$10,000 allocation from the Sewer Enterprise Fund to complete force main extension and tie-in to Railroad Street, as part of the capital project to install a new sewer lift station at the Fairgrounds Property.

ACTION:

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

PUBLIC REQUESTS AND PRESENTATIONS

10. Presentation on community awareness of youth substance use in Ouray County

Karla Cline, with the Voyager Youth Program, explained she is making presentations to organizations throughout the county to raise community awareness regarding youth substance use. She explained on an annual basis the Colorado Healthy Kids Survey is given to middle and high school students within the county. The survey is used to ascertain the attitudes, perceptions and behaviors around health issues including substance use, and

is scored by OMNI Institute in Denver. She noted questions in the survey are asked in numerous ways to determine if an answer is given falsely and stated "there is no reason to dismiss the validity of the results". She presented findings of the survey taken during the 2009-2010 school year, and noted the findings are "wide spread and consistent" regarding the use of substances, especially alcohol. High school students reported a 40% use of alcohol in the last 30 days, compared to 38% at the state level and 29% at the national. Binge drinking by high school students was reported at 37% compared to 23% at the state and 15% at national; the middle school students reported the same question at 11.5% compared to a 2.5% national average. 71% of the high school students felt that alcohol was easy to obtain, compared to 60% regionally. 31% of the high school students reported being sold or given illegal drugs on school property in the past year, compared to 23% statewide, and middle school students 16%.

She noted positive findings in the report show that middle school students rate positive levels of parental support at 93% and high school at 80%; teachers help students with their problems 85% at middle school and 83% at high school; and teachers show interest in students as people 81% in middle school and 75% in high school. She explained students rate their future aspirations high, but she expressed concerns "they do not connect what they are doing today can impact those aspirations". Ms. Kline reported the Voyager Youth Program provides alternative activities to county youth, and 80% of the students reported being involved in extra-curricular activities. She stated "youth need to hear consistently in the home, school and community that youth substance use is an unhealthy choice that can have detrimental, unintended consequences now, and in the future".

There were questions by the Council.

11. Request to discuss sign permit regulations under Municipal Code Section 7-3-12 including the revocable sign permit process

Brian Scranton, representing the Ridgway Area Chamber of Commerce, noted he recognizes the Council has addressed sign regulations many times over the past few years, but Chamber members "have expressed discontent with portions of the sign codes". He explained he has met with Town staff and requested creation of a document explaining key points in the regulations which can facilitate understanding the regulations, "which at times can be confusing". Another item that business owners have expressed concerns regarding is the requirement for Council approval to place a sign over a Town right-of-way. He noted the application process requires the applicant provide staff with proof of insurance and all required documents, and noted it would make the process easier if it could be approved at the staff level, instead of requiring Council approval.

There was discussion between the Council and Mr. Scranton. The Council directed staff to prepare an ordinance repealing regulations requiring Council approval of signs erected within rights-of-ways.

PUBLIC HEARINGS

12. Adoption of Ordinance Amending Town Zoning Regulations on Medical Marijuana Dispensaries

Town Clerk's Notice of Public Hearing dated 2-14-11.

Town Attorney John Kappa explained the proposed ordinance amends a previous ordinance enacted which established zoning regulations for location of medical marijuana

dispensaries, and provides cross references which were not included in the original document, including performance standards in the industrial zone.

He reported on a related matter, the state is addressing legislation which would delay the issuance of new dispensary licenses to July 2012. He noted if the legislation is enacted, the Town should extend the moratorium on issuance of licenses to provide consistency between state and local regulations. The Council agreed.

There was no one in the audience wishing speak.

ACTION:

Moved by Mayor Pro Tem Clark to adopt the Ordinance Amending Town Zoning Regulations on Medical Marijuana Dispensaries, Councillor Johnson seconded the motion which carried unanimously.

13. Presentation of Integrated Weed Management Plan

Town Manager Jen Coates presented a background on preparation of an integrative weed management plan. She reported in August of 2003 the Council adopted a resolution establishing a policy to use non-toxic organic herbicides for noxious weed removal on Town property. Since that time the Town has acquired additional parks and open spaces, and also extensive development and construction have created disturbed soils and a more extensive weed population has been introduced. Last March the County Weed Manager approached the Council regarding an invasion of noxious weeds along the river corridor. During those discussions Council considered the use of herbicides to prevent the spread of seeds. A group of community volunteers offered to hand pull the weeds so that chemical applications were not used. At the end of the year the Town entered into an Intergovernmental Agreement with Ouray County regarding weed management, and one of the agreement components requires development of an integrative weed management plan. In early January a committee comprised of four members of the public, two staff members and two councilmembers, began to meet and receive public input to develop the plan. Nine public meetings were held from January through April and the committee has created a plan which, when adopted, will become a component of the Town's Comprehensive Development Plan.

Members of the committee presented an overview of the proposed Integrative Weed Management Plan distributed to the Council. It was noted the committee began with a format presented in a handbook created by the Colorado State Parks and Department of Natural Resources entitled, Creating an Integrated Weed Management Plan. Numerous speakers presented technical information on noxious weed management and various types of control methods. The committee researched biological control methods which were integrated into the plan along with public comments received at the meetings, and portions of plans adopted by the communities of Carbondale and Boulder. The plan identifies weed populations on public property, establishes criteria for determining priorities, implementation measures including public education and prevention and monitoring, and techniques and methods for managing prioritized weeds based upon locations. Targeted weeds, location and management techniques were created and include past management methods, management goal, proposed management techniques, and biological, cultural, mechanical and chemical control methods. It was noted the plan was developed with the idea to use the least toxic effective control method, with herbicides being used as a last resort. During development of the plan biological control methods were researched such as using goats for eradication and the use of mycorrhizal into soils. Through those discussions a local

company willing to provide goats for eradication has been identified, and a company has expressed interest in providing a free test area for mycorrhizal, also a volunteer community group has asked to maintain the Green Street Open Space.

There was discussion between the Council and members of the committee.

Speaking from the audience Susan Baker presented an eleven page petition stating "I support the Town of Ridgways use of non-chemical methods to control weeds and insects". She suggested the Town allow a twenty foot buffer between private and public property if herbicides are going to be applied.

There was discussion by the Council. It was agreed to place into the plan a provision that if a request is made to provide a buffer between private property and an area to be sprayed with an herbicide, the property owner will assume responsibility to clear the weeds from the area. Additionally there was consensus to include in the plan photos of weeds in the rosette state of growth. The Council agreed to adopt the plan by resolution at the next meeting.

14. Adoption of Ordinance Providing for Permits to Allow for the Temporary Use of Goats to Control Noxious Weeds, and Declaring an Emergency

The Town Attorney explained the draft ordinance allows for the use of goats to graze on parcels larger than two acres to control noxious weeds, under a permitting procedure as defined in the Town's Integrated Weed Management Plan. The ordinance is being presented to be adopted on an emergency basis to meet timeframes to begin the Town's weed removal process in May.

County Weed Manager Ron Maybry explained he has located a local company that will provide goats to control noxious weed populations on Town property. He noted the county would contract with the company under the auspicious of the Intergovernmental Agreement for Weed Management. The cost of the program will largely be funded through grant funds. The animals would be moved from site to site on a 21 day rotation basis, and the contractor will provide photo documentation before and after the treatment; record weed densities and results after eradication.

ACTION:

Councillor Hunter moved to adopt the Ordinance Providing for Permits to Allow for the Temporary Use of Goats to Control Noxious Weed, and Declaring an Emergency. The motion was seconded by Mayor Pro Tem Clark and carried unanimously.

LAND USE ISSUES

15. Planning Commission recommendation to approve an application for amended plat for River Park Ridgway Business Park, Filing 2; Location: Lots 303 and 452; Zoned: Residential; Applicants: Liz and Bryan Gilmore

Manager Coates presented a recommendation from the Planning Commission meeting of March 29, 2010 to approve an amended plat for River Park Filing 2, Lots 303 and 452. She explained lots in the subdivision are platted with building set backs. The applicants are requesting to relocate the building foot print from the east side to the west side of the lot. The adjacent property owners are collaborating and will adjust the building footprint on their parcel. She presented a map which would become the instrument used to amend the plat map.

ACTION:

Moved by Councillor Johnson, seconded by Mayor Pro Tem Clark to approve the Planning Commission recommendation to approve an amended plat for River Park, Filing 2, Lots 303 and 452. The motion carried unanimously.

The Council took a recess at 7:55 p.m. and the meeting reconvened at 8:15 p.m.

16. Application for revocable sign permit to erect business signage over Town right-of-way at 640 Sherman Street, Silver San Juan Building; Applicant: Frank Lambert

Application for a revocable encroachment permit from Frank Lambert to place signage for Premier Homes of Colorado, over right-of-way at 640 Sherman Street, Silver San Juan Building.

Manager Coates noted other businesses in the building at this location have been issued encroachment permits to place signage over the sidewalk, and the application is in conformance with Town requirements. She reported staff has contacted the building manager and suggested preparation of a master sign plan.

ACTION:

It was moved by Councilmember Johnson to approve the revocable sign permit for Frank Lambert, Premier Homes Inc., seconded by Councillor Weaver and unanimously carried.

POLICY MATTERS

17. Award of bid and agreement for design and construction of Phase 2 of the Ridgway Skate Park

The Town Manager reported bids were received for design and construction of the second phase of the Skate Park. One bid was received, from Grindline, the contractor which designed and constructed the first phase of the park. She noted the project, which is scheduled to begin in May, is being funded by a Great Outdoors Colorado Grant, and also includes installation by staff of an irrigation system and landscaping in the Athletic Park.

She reported the skate park committee is considering amending the scope of design services, which should not adversely affect the grant or budget.

ACTION:

Moved by Mayor Pro Tem Clark, seconded by Councilmember Weaver and unanimously carried to authorize staff to enter into a contract for design and construction of Phase 2 of the skate park. The motion carried unanimously.

18. Discussion regarding Resolution Approving the Contract with the Colorado Department of Transportation for Phase III of Pedestrian Improvements

Public Works Director Joanne Fagan presented a resolution authorizing entering into an agreement with the Colorado Department of Transportation (CDOT) for Phase III of grant funds for pedestrian improvements, which will include a crossing at Highway 550, and sidewalk along Hunter Parkway and Palomino Trail. Due to timeframes being changed by

CDOT design phase of the project will not be completed with enough time remaining to perform construction in the fall, as planned. She explained Phase 4 design funding will become available in July, and there have been discussions with CDOT regarding combining design of both phases, and then performing the construction simultaneously next year. This will allow economy of scale for both projects, she noted. The Council agreed with the concept.

ACTION:

Councillor Hunter moved to approve the Resolution Approving the Contract with the Colorado Department of Transportation for Phase III of Pedestrian Improvements Councillor Weaver seconded and the motion passed unanimously.

19. Appointment of Mayor Pro Tem and Council representation on committees and commissions

The Council discussed annual appointment of the Mayor Pro Tem and Council representation on commissions and committees. It was agreed that Councillor Clark shall remain Mayor Pro Tem and Councillor Kavanaugh shall represent the Town on the Region 10 Board.

20. Discussion regarding election process

Councillor Kavanaugh shared his experience during the recent election and suggested the Council consider “ways to encourage more voter turn out” and “public participation”.

There was discussion by the Council and questions to the Town Attorney regarding changing state established election timeframes and deadlines. The Council directed the Town Attorney to prepare an draft ordinance extending the period of time from the nomination period to the election. The Council discussed ways in which to accomplish community outreach.

STAFF REPORTS

Council and staff reviewed the written monthly staff report.

ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk