

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING

JULY 13, 2016

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. In attendance Councilors Austin, Barnes, Gold, Williams, Mayor Pro Tem Johnson and Mayor Clark. Councilor Hunter was not present for the roll call.

INTRODUCTIONS

The Town Manager introduced Lauren Hauger. In June she began working for the Town as a Planning Intern through a two year grant with the Department of Local Affairs, she explained. Ms. Hauger is working on finishing a master's degree, while assisting the Town with land use and planning matters.

CONSENT AGENDA

1. Minutes of the Regular Meeting of June 8, 2016.
2. Minutes of Joint Workshop with the Planning Commission on May 18, 2016.
3. Minutes of Joint Workshop with the Planning Commission on May 24, 2016.
4. Minutes of Special Meeting of June 20, 2016.
5. Register of Demands for July 2016.
6. Renewal of restaurant liquor license for Thai Paradise.
7. Renewal of restaurant liquor license for Eatery 66.
8. Renewal of liquor store license for High Spirits Liquor.

ACTION:

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

9. Presentation regarding the Ouray County Emergency Response Team mock accident

Ouray County Emergency Manager Glenn Boyd explained every four years the department coordinates a training and outreach program for local students grades 8 through 12, pertaining to drinking and driving. The program began in 2008 and has built over the years to include over twenty different agencies including fire, state highway patrol, local law enforcement, flight for life hospital service and a local funeral home. The scenario of the accident includes extracting student actors from two vehicles involving a fatality and a serious injury which is flown out on a care flight, an arrest and DUI testing, impact to family members, a funeral and court hearing before a judge. All the agencies use the mock accident for internal training purposes, and is "very impactful" to the audience of students and parents.

Councilor Hunter entered the meeting at 5:45 p.m.

Mr. Boyd presented a video which documented the event, and explained a year long planning process is involved.

10. Quarterly report on expenditure of lodging tax funds

Ridgway Area Chamber of Commerce documents entitled End of Year Report 2015; Lodging Tax Report 1/1 through 6/30/2016; Summary of Southwest Tourism Conference; Letter of Support for Technical Assistance; LOT statistic advertising skyways.

Judi Snelling President of the Chamber Board of Directors presented an overview of the Lodging Occupation Tax Report and addressed the Visitors Center, website, collaboration with the Ouray Chamber, Technical Assistance Grant, marketing support versus staff, co-op marketing with businesses and a video project. She explained due to the resignation of the Chamber Administrator, the Board has been addressing reorganization, and assuming duties of the salaried staff member.

Chamber Board Member Collin Lacey addressed the 2016 membership survey which will be used as a "benchmarking tool", noting 28 of the 150 members participated in the survey. He noted 60% of the respondents stated "they are not concerned with the impacts of the RAMP Project on their business".

There were questions from the Council and discussion ensued.

11. Report on the August Ridgway Creative District Moonwalk and Town Film Series

Community Development Coordinator Diedra Silbert explained the Creative District will be conducting a Moonwalk in Hartwell Park on August 20<sup>th</sup>. The event will feature a community potluck celebrating local agriculture, and will be called Farm to Table.

The Town Clerk reported the free summer movie program in the park is partnering with two other organizations to bring Telluride Mountain Film to the park on August 19<sup>th</sup> and 20<sup>th</sup>. One night will feature a documentary from a local filmmaker, and the other will be two and a half hours of short films; both nights will include speakers and a question and answer period.

PUBLIC HEARINGS

12. Amended Plat to amend plat restriction on signage; Location: Replat of Eastside Subdivision; Address: Hunter Parkway, Palomino Trail and US Highway 550; Zone: General Commercial; Applicant: Marthis, Martin and Kidnay; Property Owners: John Foy/Ridgway Lodge and Motel, Inc. and Ridgway USA Owners Association, Inc.

Notice of Public Hearing dated 6-30-16; Staff Report from the Town Manager dated 7-8-16.

Manager Coates addressed the staff report and presented a background on the request to amend the plat restriction in the Eastside Subdivision. She explained the request was heard by the Planning Commission in April, information was requested and the item was continued to the May meeting which was not held due to lack of a quorum. The applicant is requesting removal of a plat note placed in 1990 which states all signage on lots abutting State Highway 550 shall not utilize more than fifty percent of the total sign area for signs which face the highway, and signs shall be attached directly to buildings and not be free standing. The procedure to remove or amend plat restriction is addressed in the document, she noted, and states the agreement may be amended by written agreement of the Town and the Owners Association.

#### SPEAKING FROM THE AUDIENCE:

Brian Kidnay, representing applicant John Foy of Ridgway Lodge and Suites, noted the subdivision regulations allow the change, which he feels is in conformity with the Town's Land Use Plan, stating Mr. Foy "is not asking for anything outside the existing code". He noted "this type of sign" is "in conformity with the Ridgway Municipal Code", "on the west side" of the highway, but is not on the "east side". He further noted on the north edge of the subdivision there is a free standing sign which faces the highway. Approval of the plat change has been agreed to by the owners association, he stated, and the applicant feels that visibility of the existing building signage "has been lost due to construction" of an adjacent building.

There were questions from the Council and discussion between Council, staff and Mr. Kidnay.

Ed Folga questioned the current sign regulations regarding temporary signage.

Bob Kelly questioned the restriction to apply only to the properties adjacent to the highway.

The Mayor presented a background from the perspective of the Planning Commission at the time of the plat approval, and noted the applicants and Planning Commission all agreed to the inclusion of the plat note "to avoid the appearance of strip development".

Vicki Spencer spoke in opposition to the request citing she feels it violates the 2012 Land Use Plan and the wishes of residents expressed during the public process.

Theresa Goge spoke in opposition noting "it's nice having those views without distractions".

The public hearing was closed and there were comments by the Council.

Mr. Kidnay stated "my client needs viability and counts on traffic" and noted "if the Council limits the sign to a monument" type instead of pole sign "that would be acceptable".

There was discussion by the Council and it was noted there had been a lengthy public process with numerous hearings, and the public stated maintaining the view corridors was important.

#### ACTION:

Mayor Pro Tem Johnson moved to deny the request based on being in direct conflict with the community wishes to maintain the visual corridor and the 2012 Land Use Plan, Councilor Hunter seconded and the motion carried unanimously.

#### LAND USE ITEMS

##### 13. Request for temporary construction easement in Cottonwood Park

Manager Coates reported during a review of building permit to construct a two story, two unit condominium structure on Lot 115 within Chipeta Solar Springs Resort, staff noted the construction access would require trespassing on Town property to the north. The applicant was asked to make application for an easement to encroach on Cottonwood Park adjacent to the construction site.

The applicant's representative stated construction time frame would be July 18<sup>th</sup> through January 31, 2017 encroaching on a 90' x 15' section, accessed off CR 23 at the south end of the park property.

There was discussion and the Town Manager recommended allowin temporary construction access and require insurance, revegetation, access to be from the parking lot and not across the park, no access off CR 23 and no storage of materials on Town property. It was noted by the Council road mitigation and traffic impacts should also be addressed.

**ACTION:**

Moved by Councilmember Barnes, seconded by Councilor Hunter to approve a temporary construction easement for Chipeta Solar Springs Resort and authorize staff to prepare the document as appropriate. The motion carried unanimously.

The Council took a recess at 7:40 p.m. and reconvened at 7:50 p.m.

**14. Request to amend the RiverSage Subdivision Improvements Agreement**

Email dated 7-6-16 from Rick Weaver on behalf of RiverSage LLC regarding release of the lien on the RiverSage Deed of Trust.

Manager Coates explained the request was continued from the May meeting. The improvements agreement was approved in 2009, amended in 2010 and 2014. Currently two improvements remain, the pedestrian bridge and lighting. Currently security provided for the improvements, she noted, is Lot 4 of the development. At the previous meeting, the applicant requested release of the lot and encumbrance of all of Phase 2. The applicant, she reported, is now requesting after infrastructure is installed, a smaller portion of the property be encumbered.

Applicant Rick Weaver requested at the completion of Phase 2, the security be transferred to Lot 9.

The Town Attorney Bo Nerlin suggested encumbering all of Phase 2. As lots are placed in purchase contracts the Town will file a partial release. When the improvements are completed a full release will be recorded. The approval should be made subject to adequate legal description of Phase 2, and owner certification that the property is free and clear of all encumbrances by title commitment, he noted.

**ACTION:**

It was moved by Councilor Barnes, seconded by Councilmember Gold and unanimously carried to amend the RiverSage Subdivision Improvements Agreement, Amendment #3 pending the survey, legal description and certification of no other encumbrances.

**POLICY MATTERS**

**15. Request to join the Mountain Pact Letter to the Department of the Interior regarding coal extraction**

Mayor Clark reported the Town has been asked to join in with other communities within the Mountain Pact, and send a letter to the Department of the Interior regarding coal extraction permits on public lands.

There was discussion by the Council and it was noted the Council is empathetic with Western Slope communities which have been affected by the down turn of coal extraction.

**ACTION:**

Councilor Hunter moved to sign the letter with other communities in Mountain Pact to the Secretary of the Interior and Director of Land Management asking the federal government to do the right thing regarding extraction of coal on public lands. Councilmember Barnes seconded and the motion carried unanimously.

**16. Request to award contract for development of GIS Asset Management Database**

Manager Coates reported two competitive proposals were received for the GIS Asset Management Database Project. Staff is researching costs and components and may recommend reducing the scope of the work, negotiating costs or reallocating funds to accomplish the project which will track water, sewer and stormwater, and also land use components. She noted further discussion will be slated for the next meeting.

**17. Request to participate in the GreenLights Program**

The Town Manager explained last fall the Town participated in EcoAction Partners GreenLights Program by partnering with San Miguel Power Association to offer rebates on the purchase of LED fixtures and bulbs. She reported there was excellent participation and requested \$2000 to participate again this fall.

**ACTION:**

Moved by Councilmember Hunter, seconded by Councilor Barnes to participate in the GreenLights Program for up to \$2000. After a call for the vote the motion carried unanimously.

**MANAGERS REPORT**

The Town Manager reviewed, and established, budget meeting dates with the Council.

Manager Coates explained the Town's waste management contractor has expressed the desire to charge a replacement fee of \$15 for recycling bins. She noted replacement is not addressed in the contract. There was discussion and it was agreed if the bins are broken due to mishandling by the contractor's employees, there should not be a replacement fee. If the request for replacement is made due to loss by the user, then the user should cover the cost for issuance of a new container.

She reported there has not been a successful bidder for Phase 5 of the Enhancement Project, which has been placed out for bids four times. Staff is requesting an extension to the grant, so requests for proposals can be re-issued during the winter. She noted the project has been engineered and funded. The Council agreed to the proposal.

Manager Coates reported the contractor for the RAMP Project is considering scheduling the third public meeting in early September.

**COUNCIL REPORTS**

Councilor Austin reported on the Ouray County Housing Authority draft housing guidelines and intergovernmental agreement.

Councilmember Barnes updated the Council on the recent Chamber Board meeting.

### EXECUTIVE SESSION

The Town Attorney requested an executive session pursuant to CRS 24-6-402 (4)(e) for conference with the Town Attorney for the purpose of determining position subject to negotiation and CRS 24-6-402(4)(b) for the purpose of receiving legal advice.

#### ACTION:

Councilor Hunter moved to go into closed session the motion was seconded by Mayor Pro Tem Johnson and carried unanimously.

The Council entered into executive session at 9:00 p.m. with the Town Attorney, Town Manager and Public Works Director.

The Council reconvened back into open session at 10:25 p.m.

### ADJOURNMENT

The meeting adjourned at 10:25 p.m. to a Workshop Meeting on July 19, 2016 at 5:30 p.m. in the Ridgway Community Center.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk