

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
MAY 11, 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, Hunter, Mayor Pro Tem Johnson and Mayor Clark. Councilor Williams was absent.

PROCLAMATIONS, RECOGNITIONS & INTRODUCTIONS

Town Manager Coates introduced the new Building Inspector Mike Gill, who she noted, has a significant background in construction. She explained the full time position is a collaboration between the Town and City of Ouray, with inspection services being offered in Town on Mondays and Fridays, and half the day on Wednesday.

CONSENT AGENDA

1. Minutes of the Regular Meeting of April 13, 2016.
2. Minutes of Workshop Meeting on April 14, 2016.
3. Minutes of Joint Workshop with Planning Commission on April 26, 2016.
4. Register of Demands for May 2016.
5. Renewal of liquor store license for Ridgway Liquors.
6. Water leak adjustment for 243 S. Lena/Account #1960.1.
7. Ratify release of reimbursement obligation for Block 37, Lots 3 through 8.

ACTION:

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

PUBLIC REQUESTS AND PRESENTATIONS

8. Introduction of local company to provide transit and shuttle services, Western Slope Rides

Andy Michelich introduced his new company, Western Slope Rides, explaining the State of Colorado is currently reviewing issuance of a public transportation permit. The company will be located in Town and offer transportation and shuttle services, and also expand into adventure shuttles for bike riders, hikers and river runners. Additionally, shuttle services in the 15 passenger van, will be offered to and from community events.

The Council acknowledged support of the service, and the public need.

9. Request for support for the San Juan Wilderness Expansion proposal

Tom McKenney addressed the Council pertaining to endorsements made by the Council in 2007 and 2011 for expansion of the Sneffels Wilderness area. He explained Senator Bennett has again requested support from local governmental agencies, as the ten year old bill is “out of committee and back before Congress again”.

There was discussion by the Council.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilor Austin and unanimously carried to adopt a resolution supporting the Sneffels Wilderness Expansion utilizing the same resolution template used in 2011.

PUBLIC HEARINGS

10. Adoption of Ordinance Amending Chapter 9, Section 1, Subsection 9 of the Municipal Code, increasing tap fees and establishing the phased implementation thereof

Public Works Director Joanne Fagan noted the ordinance increasing tap fees was introduced at the last meeting. Increases in fees water and wastewater taps will be phased, first increase on June 30th, and again on July 1 of 2017.

ACTION:

Moved by Councilor Barnes to adopt Ordinance 04-2016 Amending Chapter 9, Section 1, Subsection 9 of the Municipal Code increasing tap fees and establishing the phased implementation thereof, Mayor Pro Tem Johnson seconded, and on a call for the vote the motion carried unanimously.

LAND USE ITEMS

11. Planning Commission recommendation to approve Minor Subdivision of the McCabe Replat of Block 2, Lots 22 through 24

Staff Report from the Town Manager dated 5-11-16 presenting background on the application and approval of the Planning Commission for minor subdivision of the McCabe Replat.

Manager Coates reported the minor subdivision, or replat, for the McCabe property on Lots 22 through 24, of Block 2 was approved by the Planning Commission in November of 2010, and the owner never requested to move through the process for Council approval. New property owners are seeking to finalize the process. The property consists of three historically platted lots, an existing single family home and garage structure. The request is to subdivide the 10,650 square foot lot from north to south to create an easterly lot. The Planning Commission placed three conditions on approval of the minor subdivision, one is sufficient easement for private utility access.

Applicant Tim Stewart addressed the Council regarding the utility easement noting it would be six feet wide, and stated he feels this is adequate for a “one time installation” of a natural gas line.

There was discussion by the Council and it was agreed the private easement of six feet is sufficient.

ACTION:

Councilor Hunter moved to approve the minor subdivision for the McCabe Replat of Block 2, Lots 22 through 24, as shown on the plat, and with the recommendations of the Staff Report dated May 11, 2016, Mayor Pro Tem Johnson seconded and it carried unanimously.

12. Request for Amendment #3 to the RiverSage Subdivision Improvements Agreement

Letter dated 5-8-16 from RiverSage Ridgway LLC requesting amendment to the Subdivision Improvements Agreement. Staff Report from the Town Manager dated 4-25-16 addressing the third amendment request to the improvements agreement for the RiverSage PUD.

Rick Weaver addressed the Council on behalf of RiverSage Ridgway LLC and requested an amendment to the subdivision improvements agreement regarding installation of the new pedestrian bridge. He stated “we understand the primary intention was safety” and “we feel safety is not an issue” noting “the speed limit is 15 and the bridge is 21 feet wide”. He explained “this is about economics for us” “our funds are tied up” in an estate settlement “and we want to finish the subdivision” which is “not feasible for us to do now, until we have the funds from sale of a few lots”. He requested extending the requirement date for installation of the bridge, and also the release of Lot 4 within Phase One which is being held as the performance bond, and asked that a new form of security to be identified.

There was discussion by the Council and it was noted the Staff Report recommends review by an engineer of the plans for the bridge construction, to identify if estimated construction costs are still accurate.

ACTION:

Councilor Hunter moved to direct staff to prepare an amendment to the Subdivision Improvements Agreement and bring to the next meeting, work with the applicant to create new securities for the agreement, the new agreement date to expire June of 2018, and require an engineer prepare a new estimate of cost to install the pedestrian bridge and lights, the motion was seconded by Mayor Pro Tem Johnson and carried unanimously.

POLICY MATTERS

13. Contract Agreement with J. David Reed for legal services as Town Attorney

The Town Manager presented a contract agreement with the J. David Reed, P.C. Law Firm to “serve at the pleasure of the Council” to provide legal services to the Town and serve as Town Attorney. She explained the agreement defines services and compensation, and summarize the Town Attorney’s role, along with staff and Council, and noted the document contains a “charge back fee” which is a separate rate from Town services. She explained the fee will be used when the Town is allowed, pursuant to the Municipal Code, to charge pass through attorney fees to applicants, impacted parties and owners. She noted applicants are made aware of these associated fees, but under the new contract these rates are move than double then what was charged in the past.

There was discussion by the Council and Town Attorney.

ACTION:

Mayor Pro Tem Johnson moved to enter into a contractual agreement with J. David Reed for legal services as the Town Attorney. Councilor Gold seconded the motion, and after a call for the vote, the motion carried unanimously.

14. Request for extension of River Park Ridgway Business Park Filing 3, Outlot P3/C preliminary plat approval

Letter dated 4-28-16 from Ridgway Light Industrial, LLC requesting a two year extension for the third phase of the Ridgway Industrial Park.

Manager Coates explained the request for extension of preliminary plat approval for the next phase of the Ridgway Light Industrial Park, includes a few blocks west of the existing industrial park which has not been platted. The area is included in the River Park Ridgway Business Park Filing 3.

Mayor Clark noted the Council meet jointly with the Planning Commission last month and received a development proposal for the property. Council discussed the request with staff and applicant Glenn Pauls.

ACTION:

Moved by Councilmember Barnes, seconded by Councilor Gold to approve the extension of River Park Ridgway Business Park Filing 3, Outlot P3/C preliminary plat approval pursuant to Municipal Code 7-4-5(C)(1)(c). The motion carried unanimously.

The Council took a recess at 6:50 pm and reconvened the meeting at 7:05 pm.

15. Agreement with United Church of the San Juans for hard surfacing half a block of Charles Street

The Town Manager explained the Phase 5 Enhancement Project, utilizing grant funds from the Colorado Department of Transportation, will entail installation of sidewalks from Hartwell Park along Charles Street to Cora Street. The Church of the San Juans has inquired into paying the cost to asphalt pave a portion of Charles Street from Lena to the alley, if the Town will prepare the bid package, procure the materials, and oversee and manage the project.

ACTION:

Councilor Hunter moved to enter into the MOU with the Church of the San Juans for hard surfacing a block of Charles Street, from Lena Street to the alley to the west, with the Church agreeing to repay the Town for costs. Councilmember Gold seconded the motion which carried unanimously.

16. Change receipt of grant funds to State Severance Tax Funds for EIAF 7411 Main Street/Highway 62 Project

The Town Manager presented a request from the Department of Local Affairs to authorize the change of Energy Impact Grant Funding source for the Main Street/Highway 62 Project to be dispersed from State Severance Funds, versus as it currently is slated, from Federal Mineral Lease Funds. She noted this will provide assistance to other municipalities that have not de-bruced from TABOR requirements.

ACTION:

Moved by Councilor Barnes to approve the request and change the Energy Impact funding source to Severance Tax for EIAF 7411, seconded by Councilmember Hunter. The motion carried unanimously after a call for the vote.

17. Award of 2016 college education scholarship to a senior from Ridgway Schools

Representing the Town Council Scholarship Committee the Mayor reported the group has reviewed eight applications for this years college education scholarship. He explained he will not present the name of the winning student "so it will be a surprise for the winner at the awards ceremony on Monday night".

18. Consideration to participate in the Drug Free Communities Coalition with Voyager Youth Program

Mayor Clark reported the Voyager Youth Program has a local advocacy coalition which is striving to send a message to youth regarding sobriety. The coalition has requested the Town announce at the concert series a reminder that it is illegal to consume marijuana in public places, including the event. He suggested the Town become involved in the coalition and offered to be a liaison.

There was discussion by the Council and it was agreed not to join the coalition as the name does not portray it is formed to represent youth. The Council agreed to support the efforts of youth education on underage consumption of marijuana and alcohol, and approved the announcement from the stage at the concert series.

19. Appointment to the Planning Commission

Mayor Clark explained two applications were received for the vacancy on the Planning Commission, one of which has withdrawn yesterday. He announced the appointment of Jennifer Nelson to the Commission, noting she has a background in project management and is interested in affordable housing and managing growth.

20. Approval of Voyager Youth Program 10K Run prior to the Love Your Valley Festival

The Town Clerk explained as part of the Town's Love Your Valley Festival community event on May 21st the Voyager Youth Project is organizing a 10K Run. She requested Council approval to include the run under the Town's event umbrella.

ACTION:

Moved by Councilor Hunter, seconded by Councilmember Gold to approve addition of the Voyager 10K Run to the list of events for the Love Your Valley Festival, at no additional cost to the Voyager Youth Project, the motion carried unanimously.

MANAGERS REPORT

Manager Coates reported residents on Clinton Street have expressed concerns regarding impacts due to the Planning Commission approval to issue a temporary use permit, allowing storage and staging of construction equipment for the RAMP Project on private property at the corner of Clinton and Laura Streets. She presented impacts expressed by residents, and the construction companies request to store and stage the equipment, and

process materials on a short term basis, on Town property at the Railroad Street parking lot behind the library facility.

There was discussion between the Council and staff. It was agreed the use should be permitted contingent on the area being reclaimed and road base placed, and notification to the property owners on the west side of North Lena Street.

ACTION:

Moved by Councilmember Hunter to direct staff to work with American Civil Contractors to prepare a permit or agreement to use the property north of the library, seconded by Councilor Barnes, the motion carried unanimously.

COUNCIL REPORTS

Councilor Barnes presented an update on the Chamber of Commerce and Multi Jurisdictional Housing Authority.

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 Barnes 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 8:15 p.m. with the Town Attorney, Town Manager and Public Works Director.

The Council reconvened back into open session at 9:30 p.m.

ADJOURNMENT

The meeting adjourned at 9:30 p.m. to a joint workshop with the Planning Commission on May 18, 2016 at 5:30 p.m., Ridgway Community Center 201 N. Railroad Street.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk