

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING

OCTOBER 12, 2016

WORK SESSION

The Council will meet with the Ouray County Board of Commissioners at 4:40 p.m. to discuss development of the county land use property off Mall Road. Town Manager Jen Coates reported the County would like to develop the property which is located adjacent to the municipal boundary, and have requested use of Town utilities. She noted staff from both organizations have met to discuss the county needs, and possibility of annexation, and she asked for Council perspective on access to municipal utilities.

Commissioner Tisdell explained the County had a Land Use Plan prepared through a planning grant from the Department of Local Affairs, and water and sewer connection must be addressed before deadline of the grant.

County Attorney Marti Whitmore noted the County currently has water taps issued through an agreement entitled Utility Connection and Annexation Agreement Between the Town and Council dated August 21, 2000. Commissioner Batchelder asked if the County might be able to receive more water taps under this agreement.

Administrator Connie Hunt explained the County has 37 acres adjacent to Town boundaries which houses the Road and Bridge Department facilities and Land Use building. The County would like to add a full service EMS facility, increase the road facilities, and construct offices to relocate some services from the Courthouse. This construction would require more water taps, including some fire hydrants, she noted. A site plan by SGM dated 2-3-16 was presented to the Council.

There was discussion between the Council, Commissioners and staff.

The Council agreed as an interim measure to approve a short term agreement allowing the County to tie into Town utilities, and stated annexation proceedings must commence by December of 2017.

CALL TO ORDER

The Mayor Pro Tem called the meeting to order at 5:45 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. In attendance Councilors Austin, Barnes, Gold, Hunter, Williams and Mayor Pro Tem Johnson. Mayor Clark was absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of September 14, 2016.
2. Minutes of Budget Workshop on September 12, 2016.
3. Minutes of Special Meeting on September 21, 2016.
4. Minutes of Budget Workshop of October 6, 2016.
5. Register of Demands for October 2016.
6. Renewal of restaurant liquor license for Taco Del Gnar.

7. Renewal of restaurant liquor license for Land and Ocean.

ACTION:

It was moved by Councilor Hunter and seconded by Councilmember Barnes to approve the consent agenda. The motion carried unanimously.

PUBLIC COMMENTS

Kuno Vollenweider expressed concerns with speeding vehicles and suggested lowering speed limits on Town streets to 10 miles per hour.

Susan Baker asked if the speed limit could be lowered on Sherman Street (Highway 62) in front of Hartwell Park. The Town Manager explained it is a state highway and the speed limit can not be lower than 25 miles per hour.

Tom McKenney spoke in support of lowering the speed limits on Town streets.

The Mayor Pro Tem explained the Council has discussed the issue in the past, along with installation of speed deterrents. It was agreed to discuss the issue at another meeting.

PUBLIC REQUESTS AND PRESENTATIONS

8. Request to enter into 2017 Intergovernmental Agreement with Ouray County

The Council received a draft Intergovernmental Agreement (IGA) with Ouray County for 2017 Operational Funding Requests and Road and Bridge Apportionment, along with Future Goals.

There was discussion between the Council and County Commissioners and it was agreed to add under collaborative efforts regional transportation, short term rentals and the maintenance of the road to the north of the High School leading unto County Road 5.

ACTION:

Councilmember Hunter moved to approve the IGA between Ouray County and the Town Regarding Operational Funding Request and Future Goals with the amended items as discussed. Councilmember Austin seconded the motion which carried unanimously.

9. Annual accomplishments of Public Art Ridgway Colorado (PARC) and presentation of gift to the Town from the annual Ridgway Plein Air Event

Board Member of Public Art Ridgway Colorado (PARC) Rick Weaver, explained the recent annual Ridgway Plein Air event had 26 participating artists, which included five students. He introduced the student and adult winners of this years event. He presented the Town with the winning art piece, a pastel prepared by Carmella Wilson entitled 'Eagles View', to be placed in the permanent collection at Town Hall.

Ned Bosworth addressed the Council on behalf of PARC and explained the organization is a grass roots local non-profit organization which benefits only the Town of Ridgway, with a mission to acquire art for display in public places, and is committed to provide a cultural experience through the display of art to inspire appreciation of the creative process. He reported the organization has 20 sculptures placed in Town parks and rights-of-ways, and is

the process of acquiring two more. Projects during the year included completion of the Circle of Life water feature in Hartwell Park, installation of a paver commemorating the Town's 125 birthday, acquisition of a new sculpture donated to the organization and installed in Rollans Park and the annual Plein Air Event.

10. Approval from Public Utilities Commission to operate Western Slope Rides shuttle services

Andy Michelich explained he is owner of a new shuttle service based in Town, Western Slope Rides. The company recently received approval from the Colorado Public Utilities Commission to operate within Ouray, San Miguel, Montrose and Delta Counties. He stated he would like to 'fulfill the needs of the public' and asked for input on types of services which are needed.

There was discussion between the Council and Mr. Michelich.

11. Update on Region 10 Broadband Initiative

Michelle Haynes, Director of Region 10, explained the organization is a "council of governance" addressing regional planning, transportation, economic development strategic planning, rural development, small business support and administers the Council on Area Aging. She noted under the economic development strategy it was recognized "the key barrier in our region was broadband". The organizations members, which include the Town, agreed to apply for grant funds from the State to deliver broadband service to rural areas. She reported "the plan is to purchase lines as capital infrastructure" routed from Grand Junction "and bring it our region and connect all the communities and anchor institutions" such as governments, schools and libraries. It is hoped that the fiber will be "built out into the community by private providers" she explained. The project cost will be between 14-15 million dollars, 8 million from state grant funds, and the remainder from state and local matching funds. She noted the line will be to Ridgway by next year.

Ms. Haynes answered questions from the Council.

12. Request from the Sherbino Theater for funding in 2017

Councilor Austin stepped down, citing a conflict of interest as a Board Member of the Sherbino.

Ashley King Grambley, Executive Director of the Ridgway Chautauqua Society, explained the non-profit organization is planning a 2.9 million dollar renovation and expansion of the 100 year old Sherbino Community Theater. As part of phasing the capital project, \$600,000 must be raised over the next three to four months to be used for matching funds to apply to granting agencies and foundations. The board is "naming investors as catalysts" and the Town has been identified as one of those, and she requested the Council consider a "minimum contribution of \$5000".

Ms. Grambley answered questions from the Council regarding the renovations.

13. Request to waive park fees for Ridgway Rendezvous

Ashley King Grambley, Executive Director of Weehawken Creative Arts, presented a request dated 9-25-16 to waive the fees associated with use of Hartwell Park and the Performing Arts Stage for the annual Rendezvous Arts Festival held in August. She addressed the Council and explained the event is the major fundraiser for the non-profit organization, which provides arts education. She noted she realizes the fees are used to "cover costs for events in the park" and stated in addition to Town offered services the

organization contracts for a dumpster, porta-potties and pays for trash liners and additional park personnel. She asked if the request could be considered as a donation under Council Initiatives in the 2017 budget.

There was discussion by the Council and it was noted this year was the first time to implement the fees. It was agreed to discuss the request at another meeting.

Councilor Austin returned to sit with the Council.

14. Presentation of 2016 accomplishments for EcoAction Partners

Representing EcoAction Partners, Kim Wheels explained the organization is a regional sustainability agency which receives funding from governmental entities, to address energy and waste reductions, operate the Sneffels Energy Board, and establish regional policies and programs. She presented accomplishments over the past year, and the Regional Sustainability Action Plan, 2017 Work Plan and board priorities for 2016 and 2017.

PUBLIC HEARINGS

15. Adoption of Emergency Ordinance of the Town Council of the Town of Ridgway Amending Certain Sections of Chapter 7, Section 3 of the Municipal Code

Manager Coates presented an emergency ordinance which would take effect upon adoption and clarify items within the Land Use Code, and define boarding and rooming houses, dormitories, group homes, hotels and motels; amend the definition of a dwelling unit and define the zoning districts for said uses.

The Mayor Pro Tem opened the public hearing, there was no one from the public wishing to speak.

ACTION:

Councilor Hunter moved to approve Ordinance No. 05-2016 Amending Certain Sections of Chapter 7, Section 3 of the Municipal Code. Councilmember Gold seconded and the motion carried unanimously.

LAND USE ITEMS

16. Recommendation from the Planning Commission to approve Amendment No. 1 to RiverSage PUD Filing No. 1 Plat Map

Staff Report from the Town Manager dated 10-10-16 presenting a request to amend the plat for RiverSage PUD Filing No. 1.

Manager Coates presented a recommendation from the Planning Commission at the September 27th meeting, to change the plat note regarding utility location and revegetation of the lots, for RiverSage PUD.

ACTION:

Moved by Councilmember Austin, seconded by Councilor Gold and unanimously carried to approve the Planning Commission recommendation to approve Amendment No. 1 to the RiverSage PUD Filing No. 1 plat map.

17. Amendment No. 3 to RiverSage PUD Filing No. 1 Subdivision Improvements Agreement

The Town Manager explained the Council has previously discussed amending the Subdivision Improvements and Lien Agreement for RiverSage PUD, and presented a document to formalize the third amendment to the agreement. The amendment changes the completion date for the foot bridge and vehicular bridge lights to July 13 2018; and the security guarantee from Lot 4, RiverSage PUD Filing No. 1, to the 7.80 acres within Phase Two.

ACTION:

Councilor Hunter made a motion, which was seconded by Councilmember Gold to approve Amendment No. 3 to RiverSage PUD Filing No. 1 Subdivision Improvements Agreement. After a call for the vote the motion carried unanimously.

18. Recommendation from the Planning Commission to approve a request for Amended Plat, My An Yours Condos, Lot 16, Solar Ranches PUD Filing 2A, 825 Chipeta Drive

Manager Coates presented a Staff Report dated 9-19-16 and a recommendation from the Planning Commission to approve an amendment to the plat for My and Yours Condos on Lot 16 in Solar Ranches PUD. She explained currently the plat defines all areas as common elements, and the condominiums have separate ownership. The amendment will allow the construction of a deck on one of the dwelling units, which will be owned solely by the individual condominium owner. She noted both owners have agreed to change the plat.

ACTION:

It was moved by Councilor Barnes, seconded by Councilmember Austin to approve the request for amendment of the plat for My and Yours Condos, Lot 16, Solar Ranch PUD. The motion carried unanimously.

19. Recommendation from the Planning Commission to approve the request to replat Lots 18, 19, 20 of Block 21

The Town Manager presented a recommendation from the Planning Commission to approve a replat which will change a configuration of three historic residential lots at the corner of Laura and Charles, to two 5000 square foot lots, which will be designated as Lot A and B. She reported there are a number of easements on the property which must be addressed, and noted a number of conditions are contained in the Staff Report dated 10-11-16 presenting the request from Josh and Terese Seal to replat Lots 18, 19 and 20 of Block 21.

Speaking from the audience, Kuno Vollenweider stated "twenty plus years ago we said we need two city lots per dwelling unit, and I think we should hold to that".

ACTION:

Councilmember Williams moved to approve the Seal Replat for Lots 18, 19 and 20 on Block 21 with the staff recommendations in the Staff Report. The motion was seconded by Councilor Gold and carried unanimously.

POLICY MATTERS

20. Revocable permit for use of public right of way at 616 Clinton Street

The Town Manager presented a Revocable Permit to Use Public Right of Way, to allow property owner Antonio Marra and Amie Minnick dba Provisions Restaurant, to access the property at 616 Clinton Street from the newly constructed sidewalk which abuts directly to the structure. To meet the building code, a 48"x48" landing pad was constructed on the right of way to allow access to the historic building, she reported.

There was discussion between the Council and staff.

ACTION:

Moved by Councilor Barnes to approve the revocable permit to use public right of way at 616 Clinton Street for access to the building. Councilor Gold seconded the motion and it carried unanimously.

21. Revocable permit for use of public right of way at 610 Clinton Street

Manager Coates presented a revocable permit to use public right of way, to allow Kim Sainio dba Magpie Antiques, at 610 Clinton Street to construct a landing to provide access into the building from the newly constructed sidewalk. She noted Ms. Sainio has also requested the use of the sidewalk in front of the business to display merchandise.

There was discussion by the Council and it was agreed to permit the placement of the landing on the public right of way, and not allow the placement of merchandise on the sidewalk without further discussion with the applicant.

ACTION:

Councilor Austin moved to approve the request for the first permit for use of public right of way for Kim Sainio dba Magpie Antiques, 610 Clinton Street. Councilor Gold seconded the motion which then carried unanimously.

ACTION:

It was moved by Councilor Hunter, seconded by Councilor Barnes and unanimously carried to table for more information from the applicant the request to place merchandise on the sidewalk in front of Magpie Antiques.

22. Continuation of discussion regarding dogs at large and leash laws

Continued from the meeting of September 14, 2016.

The Town Manager explained at direction from the Council at the previous meeting staff has been exploring regulation, outreach and enforcement pertaining to dogs at large, leash laws, voice control, limiting the number of dogs per household to four, and dog park opportunities.

There was discussion by the Council regarding the 'two strike rule' if a person is attacked or bite by an aggressive dog, or it attacks another dog.

SPEAKING FROM THE AUDIENCE

Jill Craig addressed the Council and explained she was recently attacked by a dog in a Town park. The dog "was not on a leash" and "it charged me four times". She stated "that dog walked by two toddler" before "it attacked me". "I was in surgery for two hours". "Today on a 35 minute walk" she saw "five dogs" and they were "all off leash." "I altered my walk three to four times yesterday because of off leash dogs" She noted dogs run lose on streets with "blatant disregard for leash laws and dog control". "My anxiety would be diminished if the leash law was enforced every time and not on complaint". She stated "I implore you to enforce leash laws" throughout Town.

Jill Kneeland asked the Council to "require leashes Town wide, signage and enforcement" and "not permit voice control".

Krista Stewart noted persons walking dogs on leash that are approached by off leash dogs encounter "set backs" of training.

Kuno Vollenweider suggested the Town reinstate licensing dogs, and "take a photo of each dog with the owner".

Agnieszka Przeszlowska stated "a loose dog ran on my property the other day and my three year old was on my deck" she noted she did not know the dog, and asked "what do I do to address that?"

There was discussion by the Council. The consensus was to amend the current regulations and institute a mandatory Town wide leash law, and held a public hearing at the December meeting to receive more public input. Staff was directed to include the "two strikes you're out rule", and a four dog maximum per household.

25. Resolution to Submit a Grant Application to Great Outdoors Colorado for the Purpose of Designing and Constructing a Community Garden

Town Manager Coates presented a resolution to apply for grant funding with Great Outdoors Colorado for development of Green Street Park. The park will include the Ridgway Community Garden, and noted the organization has been working with the Town's Park Committee to prepare documentation for the application. Submittal is due in November and awards will be made in April. The \$350,000 request will include matching and in-kind funding for a \$400,000 project. The Town will budget \$10,000 in 2017 and tap fee waivers for the garden of \$60,000 - \$70,000 will be used for in-kind contributions.

ACTION:

Councilor Hunter moved to approve the Resolution Submitting a Grant Application to Great Outdoors Colorado for the Purpose of Designing and Constructing a Community Garden. Councilor Barnes seconded the motion, which carried unanimously.

26. Agreement with the Ridgway Area Chamber of Commerce for logo use

The Town Manager presented an agreement with the Ridgway Area Chamber regarding logo and Brand Book use. She explained the Town will exclusively use the original logo along with a secondary logo for Town programs. The Chamber will have a similar logo, and a secondary logo for marketing and promotions use. There is also a logo for use by third parties, which may be used with the approval of the Town or Chamber.

ACTION:

Moved by Councilmember Austin, seconded by Councilor Gold to approve the agreement for logo use with the Chamber of Commerce, Branding Project Amendment, Assignment and Release Agreement, as presented by staff tonight. The motion carried unanimously.

27. Request to authorize the purchase of Bobcat Skid Steer

Public Works Director Fagan explained the 2016 budget contains funds to purchase a front end loader, and staff has agreed purchase of a Bobcat Skid Steer would be more appropriate, along with lease of a loader this winter, to determine needs for snow removal in the new RAMP project area. She noted the enclosed cab Skid Steer can be used for snow removal along with other year round uses.

ACTION:

Moved by Councilor Barnes, seconded by Councilor Gold the motion to authorize the change in budgeted funds from purchasing a loader to purchase of a Skid Steer, carried unanimously.

28. Ratification of Snow Plowing and Snow Removal Policy

The Public Works Director noted at the prior meeting staff presented proposed changes to the snow plowing and removal policy and asked for Council ratification so the policy can be printed into a brochure to distribute to the community for public outreach purposes.

Speaking from the audience Kuno Vollenweider requested the footbridges at Cottonwood Park become a priority for snow removal.

There was discussion by the Council and it was noted that property owners are responsible to shovel adjacent sidewalks.

ACTION:

Councilor Hunter moved to approve the Snow Plowing and Snow Removal Policy and approve for printing of brochure. The motion was seconded by Councilmember Barnes and carried unanimously.

MANAGERS REPORT

Manager Coates presented an update on construction of the RAMP Project.

COUNCIL REPORTS

Councilor Barnes presented an update on the Chamber of Commerce and Sisters Community Initiative.

Councilor Barnes announced he is relocating and must resign from the Council.

ADJOURNMENT

The meeting adjourned at 9:00 p.m. to a Budget Workshop on October 17, 2016 at 5:30 p.m. in the Ridgway Community Center, 201 N. Railroad Street, Ridgway, Colorado.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk