

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
SEPTEMBER 14, 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 Barnes, Gold, Hunter, Williams, Mayor Pro Tem Johnson and Mayor Clark. Councilor Austin was absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of August 10, 2016.
2. Minutes of Budget Retreat on August 20, 2016.
3. Register of Demands for September 2016.
4. Renewal of restaurant liquor license for Chipeta Suites.

ACTION:

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

PUBLIC COMMENTS

Erika Young addressed the Council regarding idling vehicles within Town. She noted there are eight municipalities which have regulations prohibiting idling, and the State allows law enforcement to ticket vehicles left running while unattended. She suggested the Town pursue creating similar legislation.

Jill Kneeland and Kenny Mehlick spoke in support of the suggestion.

The Council directed staff to contact other communities with legislation, and place an item on an agenda to present findings and examples of existing ordinances.

POLICY MATTERS

5. Recommendation to transition Building Inspector/Code Enforcement Officer Mike Gill to full time permanent employment status

Town Manager Jen Coates recommended moving Building Inspector Mike Gill from probationary status to full time, noting employment is shared with the City of Ouray.

ACTION:

Councilor Williams moved to place Mike Gill on full time employment status. Councilmember Gold seconded and the motion carried unanimously.

## PUBLIC REQUESTS AND PRESENTATIONS

### 6. Discussion regarding issues related to dogs within the Town

Ruth Stewart addressed the Council and explained last month a dog attacked a local resident in Cottonwood Park and the bites required medical attention and suturing. A group of citizens met to “discuss and develop ideas of ways to manage issues with dogs” in Town. She explained the committee discussed mandatory leash law in all portions of Town; enforcement of dogs at large; barking dogs and nuisance complaints; owners not cleaning up after dogs and construction of a dog park.

Ms. Stewart explained “loose dogs are an issue for me.” She expressed concerns with unattended, unleashed dogs which approach her as she walks her dogs, and walking in areas of Town where dogs should be leashed and are not. She noted these “loose, unsupervised, not fenced” dogs “affect where I can go” in Town. Another concern, dogs with owners “but not under control and they come running up to us.” Another problem, she noted, are certain dogs who “habitually bark”, and owners should be “educated” regarding enforcement.

#### SPEAKING FROM THE AUDIENCE:

Jill Kneeland explained her dog “has been attacked a couple of times in the Athletic Park.” She stated “I should be able to walk my dog without needing to defend myself.”

Alice Billings stated “I agree with everything that has been said.” She explained “I don’t walk my dog anymore because the Town is not a leash area” and “it’s an issue of fear for me to walk my dog.” She stated she would “like the leash law extended to all of Town,” noting “it’s time for it to be addressed”, “it’s a serious issue”, noting “voice command” does not work.

Danny Powers suggested fencing an area of Cottonwood Park for dogs. He addressed concerns with dog owners who do not clean up after their pets, and “dogs off leash.”

Michelle Becker explained “it was my dog that attacked the person in Cottonwood Park. It was horrifying to me, it was a horribly bad judgment call”. She explained “I have been on the phone with people all over to try to understand” why the dog attacked and how to prevent it. She stated “the fact she was injured is horrifying to me.” “I am hoping the incident brings the issue to the forefront.” “I have also experienced all the things Ruth said.” “I try to also avoid areas where other dogs are off leash.”

Lynn Marshkee offered to donate chain link fencing for a dog park.

Dave Lurye explained “I walk my dogs and go opposite ways to avoid other dogs” and “it is a real concern when I come up to dogs off leash.” “My dog had a chunk of his nose taken off by a dog off leash two weeks ago.” “I would like to find a solution for this,” he stated.

Jean Casolari stated “I have dogs come into my yard and into my garage to chase my cat,” “three different dogs off leash have done this,” “my private space is invaded.” She noted “I would appreciate stricter leash laws, someone’s going to get hurt again, and it’s not okay”.

Councilmember Gold stated “I am a dog owner” and “I know the second out of my sight” my dog is “out of my control.” She noted dog ownership is a “personal responsibility and commitment”, “we are responsible for the behavior of our dogs,” she noted.

Councilor Barnes reported “my five year old son has been attacked twice in Hartwell Park and he’s now terrified of dogs”, “I support some additional efforts.”

Michelle Becker stated “I was bitten two years ago in the face and I reported it”, “it was proven the dog did not have rabies shots”, “and absolutely nothing was done.” She noted the Town has “very limited enforcement.”

Ruth Stewart read a letter from Jill Craig, the woman who was attacked by the dog last month. Ms. Craig stated after the attack she watched for dogs off leash in her neighborhood, “and the first day there were ten”. Recently while walking her dogs “within five minutes two unrestrained and aggressive dogs charged” her dogs. “I am now afraid to walk in my neighborhood.” She asked the Council to consider mandatory leash law throughout Town and in all parks.

Dave Lurye suggested a citizens task force to meet and report back to the Council.

There was discussion by the Council. Consensus was to direct staff to address mandatory leash laws and current designated areas within Town for discussion at another meeting, and direct the Marshals Department to strengthen enforcement.

Ruth Stewart offered suggestions for possible location of a dog park, at the north east side of the Athletic Park. It was agreed the Parks Committee should address the suggestion.

7. Request from Ridgway Area Chamber of Commerce for sponsorship of the 2016 Annual Golf Tournament

Councilor Barnes reported the Chamber of Commerce has asked the Council to be a sponsor of the annual golf tournament, requesting \$125.

ACTION:

Mayor Pro Tem Johnson moved to allocate \$125 from the Council Initiatives line item in the budget for the Chamber of Commerce golf tournament. Councilmember Gold seconded the motion which carried unanimously.

POLICY MATTERS (Continued)

8. Option Agreement to purchase property for the Space to Create Project

The Town Manager explained at direction of the Council from the previous meeting, an agreement has been negotiated to purchase the property at Laura and Clinton Streets (Lots 6, 7, 8, 9, and 10 of Block 28) for the Space to Create Project. She noted this property is currently being leased for use as a public parking lot for the RAMP Project.

ACTION:

Moved by Councilmember Hunter, seconded by Councilor Gold and unanimously carried to enter into the Option to Purchase Agreement between the Town and Peter Decker.

9. Contract with DHM Design for an update to the business signage and wayfinding plan

Manager Coates noted in 2014 DHM Design Corp. prepared a signage and wayfinding plan. She recommended retaining the firm to prepare a business wayfinding signage plan. The

plan, she explained, would include schematic designs, elevations, map locations and approval of the Colorado Department of Transportation for placement.

ACTION:

Moved by Mayor Pro Tem Johnson to enter into a contract with DHM Design for a signage and wayfinding plan update for the businesses. Councilor Barnes seconded the motion and it carried unanimously.

10. Approval of applications, and expenditure of funds, from the Boettcher Foundation and Department of Local Affairs for the Space to Create Project

Manager Coates reported the first component of the Space to Create Project is a study by Artspace and the option to purchase property. She explained the cost of the option and study will be paid for by a state agency and private foundation, the Department of Local Affairs and Boettcher Foundation. She recommended the Council approve applications to the organizations and expenditure of funds.

ACTION:

Councilor Hunter moved to approve the applications and expenditure of funds from the Boettcher Foundation and Department of Local Affairs for the Space to Create Project. Councilor Gold seconded the motion which then carried unanimously.

11. Agreement with Artspace for the purpose of completing an Affordable Housing Feasibility Study and Arts Marketing Survey

The Town Manager presented an agreement and scope of services with Artspace to prepare an affordable housing feasibility study and marketing survey specific to the arts and creative industry for an artists' housing project. Cost would be \$25,000 for the feasibility study and \$40,000 for the Arts Market Study, with a completion target date of June 30, 2017.

There was discussion between Council and staff.

ACTION:

Mayor Pro Tem Johnson made a motion, which was seconded by Councilmember Barnes to enter into agreement with Artspace for an Affordable Housing Feasibility Study and Arts Market Study conditional upon Town Attorney review of the contract. After a call for the vote the motion carried unanimously.

12. Award of bid and enter into contract for roofing Town Hall, Community Center and Hartwell Park Gazebo

Public Works Director Joanne Fagan reported requests for proposals to re-roof Town Hall, the Community Center and gazebo in Hartwell Park are due next week. She requested permission for staff to award the bid and contract.

ACTION:

It was moved by Councilor Hunter, seconded by Councilmember Gold to authorize staff to award the bid and enter into an agreement for reroofing Town Hall, Community Center and Hartwell Park gazebo within the constraints of funds budgeted for the project. The motion carried unanimously.

13. Draft Snow Removal Plan and Snow Plow Policy

The Public Works Director presented a draft Snow Removal Plan and Snow Plow Policy and explained changes to the proposal policy include beginning snow removal at 6:00 a.m., starting with priority areas to allow school routes to be open by 7:30 a.m. She noted with the new paved streets, "this year will be trial and error" as the department has "never hauled off snow, it's always been pushed off."

Manager Coates reported the Public Works Department is asking Council to consider changes in policy on street parking restrictions from midnight to 7:30 a.m.; plowing streets when two inches are on the ground instead of the current four inches; purchase of a skidster; leasing on a trial basis, a loader and dump truck for snow removal of paved streets; and discontinue plowing the sidewalk across Highway 550.

There was discussion between Council and staff.

ACTION:

Councilmember Barnes moved to approve the draft snow plow policy and snow removal plan. The motion was seconded by Mayor Pro Tem Johnson and carried unanimously.

14. Continuation of discussion regarding illumination of public art

The Town Manager explained Council discussed illumination of public art at the previous meeting and directed staff to research regulations from other communities. She reported the Planning Commission discussed the topic at the recent meeting and agreed with staff's recommendations to place a timer which turns off lighting at 10:00 p.m.; install a dimmer; place limitations on lighting output. Staff is proposing to prepare a draft ordinance regarding illumination of public art, she noted. The Town is slated to install a public art piece at the corner of Lena Street and Highway 62 at the end of October, which will have low lumen output, and she requested input from the Council. The Council agreed the art piece was chosen with the proposed illumination level and should be installed with internal illumination with low lumens, a dimmer and timer.

15. Requests for water leak adjustments

Staff Reports from the Town Clerk dated August 8, 2016 and September 5, 2016 presenting requests for water leak adjustments from Voyager Youth Program for 707,800 excess gallons and Knutson for 100,900 excess gallons.

The Town Manager explained in 2007 the Council established a policy in which water leak adjustment can be requested and if approved, charged at a rate of \$3.00 per 1,000 gallons. The Public Works Director, she noted, has determined the rate covers the cost of producing the water. She reported staff has determined that most large leak adjustment requests occur during summer months and are related to irrigation systems. Staff is proposing to have water meters read bi-monthly during summer months to assist in mitigating water loss.

There was discussion between staff and Council.

**ACTION:**

It was moved by Councilor Hunter, seconded by Mayor Pro Tem Johnson and unanimously carried to approve the water leak adjustments for Voyager Youth Program and Knutson.

16. Discussion pertaining to bear proof garbage containers

Councilor Williams presented a report containing facts regarding bears; what other mountain communities are doing regarding bear proof garbage containers; and the types of bear resistant garbage cans available for sale.

There was discussion by the Council regarding bear proof garbage containers, the Town's refuse collection company, and educating the public.

Consensus was to direct staff next year to pursue an ordinance pertaining to use of bear proof containers for residential and commercial use, enforcement, and determine ways the refuse collection provider can work with the containers.

17. Announcement of vacancy on the Planning Commission

Mayor Clark announced Nick Wasser is resigning from the Planning Commission. He asked the Town Clerk to notice the vacancy on the Commission with a deadline of October 7<sup>th</sup> for letters of interest.

MANAGERS REPORT

The Town Manager reported on the Space to Create stakeholder meetings and public meeting next week. She announced the RAMP Project is slated to end October 29<sup>th</sup>.

COUNCIL REPORTS

Mayor Clark reported on the first meeting of the Communities That Care Coalition.

Mayor Pro Tem Johnson reported the Parks Committee met with the Community Garden Committee and discussed an application for GOCO funding.

TOWN ATTORNEY REPORT

The Town Attorney requested Council endorsement of David Reed who is seeking appointment to the Board of Regents of Colorado Mesa University, and presented a letter of support for the Mayor's signature.

**ACTION:**

Councilor Barnes moved to approve a letter of support for J. David Reed to the Colorado Mesa University Board of Trustees. Councilor Gold seconded the motion, which carried unanimously.

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:**

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

The Council entered into closed session at 8:25 p.m. with the Town Attorney, Town Manager and Public Works Director

The Council reconvened back into open session at 9:50 p.m.

**ADJOURNMENT**

The meeting adjourned at 9:50 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk