

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
MARCH 13, 2019

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, Heffernan, E. Hunter, N. Hunter, Malone, and Mayor Clark. Mayor Pro Tem Johnson was absent.

EXECUTIVE SESSION

The Town Attorney requested entering into a closed session pursuant to Colorado Revised Statutes 24-6-402(b) and (e) for conference with the Town Attorney for the purpose of receiving legal advice regarding Council actions, and to discuss matters subject to negotiations regarding public property, water rights and water supply.

ACTION:

It was moved by Councilor N. Hunter, seconded by Councilor E. Hunter and unanimously carried to enter into closed session.

The Council entered into executive session at 5:35 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 6:00 p.m.

The regular meeting began at 6:05 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of February 13, 2019.
2. Minutes of the Workshop Meeting held February 20, 2019.
3. Minutes of the Joint Workshop with the Planning Commission on February 27, 2019.
4. Minutes of Special Meeting of March 5, 2019.
5. Register of Demands for March 2019.
6. Resolution No. 19-04 Cancelling the April 2, 2019 Regular Election.
7. Renewal of restaurant liquor license for the True Grit Cafe.

ACTION:

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

ACKNOWLEDGMENTS AND INTRODUCTIONS

Mayor Clark thanked the three outgoing Councilors Ellen Hunter, Tom Heffernan and Tim Malone.

PUBLIC COMMENTS

Robyn Cascade asked the Council to consider offering an option to purchase a smaller size bear proof refuse container or allow for the use of different containers during winter months when bears are hibernating.

Sheriff Fitzgerald presented an update on the closure of County Road 17 due to a rock slide.

PUBLIC REQUESTS AND PRESENTATIONS

8. Request for letter of support for the Colorado Outdoor Recreation and Economy (CORE) Act

Robyn Cascade representing the Northern San Juan Region of Great Old Broads for the Wilderness and Ridgway Ouray Community Council presented the Council with a proposed letter to State elected officials and maps depicting the Colorado Outdoor Recreation and Economy (CORE) Act. She explained the San Juan Mountains Wilderness Bill is now part of the CORE Act, along with three other 'landscapes' in the State, and is being reviewed by Congress. The act includes approximately 400,000 acres of public land, 73,000 of which are designated wilderness areas. She noted "for a decade" the Council has been supporting the San Juan Addition of 23,000 acres to the San Juan Wilderness, and asked for Council's continued support.

There were questions and discussion by the Council.

Ms. Cascade asked for approval of the draft letter, and if the Council feel it appropriate, a separate letter to Senator Gardner urging co-support of the bill. The Mayor offered to prepare a letter to the Senator.

ACTION:

Councilor E. Hunter moved, with Councilmember Austin seconding to approve the letter of support for the Colorado Outdoor Recreation and Economy Act (CORE) which includes the San Juan Mountains Wilderness Bill. On a call for the vote the motion carried unanimously.

PUBLIC HEARINGS

9. Adoption of an Ordinance Amending Section 2-1-4 of the Ridgway Municipal Code Regarding Compensation to Members of the Ridgway Town Council

The Town Clerk explained during budget discussions the Council increased the stipend for new members of the Council, and noted the ordinance will codify the change.

There were no comments from the audience.

ACTION:

Councilor E. Hunter moved to approve the Ordinance Amending Section 2-1-4 of the Ridgway Municipal Code Regarding Compensation to Members of the Ridgway Town Council. Councilmember N. Hunter seconded the motion which carried unanimously.

10. Recommendation from the Planning Commission for approval of PUD/Minor Subdivision of Lot 5, Parkside Subdivision, 791 and 795 N. Laura Street

Staff Report dated 3-7-19 from the Town Planner presenting a recommendation from the Planning Commission meeting held 3-6-19 to approve a request from applicants Bryce and Ryan Jones for PUD and Minor Subdivision of Lot 5, Parkside Subdivision. Planner Coburn explained the request is to subdivide into Townhomes, a recently constructed duplex to assist with financing. The structure has two separate water taps and a shared sewer tap, it was noted.

There were no comments from the audience.

ACTION:

Councilor Heffernan moved to approve the PUD/Minor Subdivision of Lot 5, Parkside Subdivision, 791 and 795 N. Laura Street, zoned low density residential. Councilor N. Hunter seconded, and the motion carried unanimously.

LAND USE MATTERS

11. Amendment to Subdivision Improvements and Lien Agreement for Trail Town Condominiums and Subdivision of Lot 26-A

Town Planner Coburn reported at the previous meeting Council reviewed the details of a Subdivision Improvements and Lien Agreement (SIA) for Trail Town Condominiums and Subdivision of Lot 26-A recorded on 10-05-2015 and amended 3-15-2017. The Council identified items requiring improvements, established an expiration date of 7-1-19 and directed staff to draft a second amendment to the SIA. She presented and reviewed the draft document with the Council.

John Peters representing Trail Town Partners LLC expressed concerns with a number of the required improvements contained in the draft amendment. There was discussion between the Council and developers.

ACTION:

Moved by E. Hunter to approve the Second Amendment to Subdivision Improvements and Lien Agreements: the Subdivision Improvements and Lien Agreement recorded on 10/05/2015 at Reception Number 214991 and amended as the First Amendment to the Subdivision Improvements and Lien Agreement recorded on 3/15/2017 at Reception Number 218140 for Trail Town Condominiums and Subdivision of Lot 26-A. Councilor N. Hunter seconded the motion, which carried unanimously.

12. Amendment to Subdivision Improvements and Lien Agreement for Trail Town Condominiums and Subdivision of Lot 26-B

Planner Coburn explained similar to the previous SIA, the original agreement was recorded in 2012 and amended in 2017. She presented a draft second amendment to the SIA which expires 7-1-19 and reviewed the improvements to be completed with the Council. She noted the light bollards are similar to the existing lights in the downtown core area.

John Peters noted some of the items in the draft amendment have been completed, and questioned the light bollard requirements.

ACTION:

It was moved by Councilor E. Hunter, seconded by Councilmember N. Hunter and unanimously carried to approve Amendment Two to Subdivision Improvements and Lien Agreement recorded on 07/19/2012 and amended on 02/08/2017 at reception number 218141 and recorded on 03/15/2017 for Trail Town Subdivision Lot 26-B with items already completed removed from the document and edit the bollard requirements.

POLICY MATTERS

14. Art Loan Agreement with Public Art Ridgway Colorado (PARC)

Town Manager Coates presented an agreement with Public Art Ridgway Colorado (PARC) to continue to place art in public places on Town owned property. The agreement is a renewal for a five year time frame, and will expire in 2024.

ACTION:

Councilor Austin moved to approve the art loan agreement between the Town and Public Art Ridgway Colorado for a five year term Councilmember E. Hunter seconded, and the motion carried unanimously.

15. Option to Ground Lease with ArtSpace Projects, Inc.

The Town Attorney presented an option to grant a ground lease to ArtSpace for Town property. He explained ArtSpace is applying to Colorado Housing Financing Authority for low income tax credits on behalf of the Town, to construct 26 apartments and live work space on Town owned property at the corner of Clinton and Laura, for the project known as Space to Create. The application is due in June and requires that ArtSpace "show property control". The lease would be changed as the project progresses, he noted.

ACTION:

Moved by Councilmember E. Hunter, seconded by Councilor N. Hunter to enter into an Option to Ground Lease with ArtSpace Projects Inc. On a call for the vote the motion carried unanimously.

14. Resolution No. 19-05 Adopting Amendment Three to the Town of Ridgway Personnel Manual Amending Certain Provisions Regarding Accrual and Use of Vacation and Sick Time

The Town Manager explained the annual audit identified accrual and carry over of sick and vacation time. The Council directed staff to meet with Councilor Austin and Mayor Pro Tem Johnson to review Personnel Policies and create new regulations. She presented proposed changes in the form of a resolution, and reviewed them with the Council.

There was discussion by the Council.

ACTION:

Councilor Austin moved to adopt Resolution 2019-05 Adopting Amendment Three to the Town of Ridgway Personnel Manual Amending Certain Provisions Regarding Accrual and Use of Vacation and Sick Time. Councilor N. Hunter seconded the motion which carried unanimously.

16. Resolution No. 19-06 Repealing and Replacing Certain Fee and Penalty Schedules

Manager Coates reported at a workshop in January Council reviewed and discussed staff proposed changes to fee schedules. She presented a resolution addressing changes to fee and penalty schedules, and reviewed items with the Council.

There was discussion by the Council.

ACTION:

Councilor E. Hunter moved to approve Resolution No. 19-06 Repealing and Replacing Certain Fee and Penalty Schedules. Councilmember N. Hunter seconded, and the motion carried unanimously.

17. Introduction of Ordinance Amending Chapters 3, 6, 7, 8, 10 and 11 of the Ridgway Municipal Code Regarding Fees for Sales Tax, Lodging Tax, Building Regulations, Planning and Zoning, Marijuana, Nuisances and Animals

The Town Manager noted in conjunction with amending the fee schedules, fees and penalties defined within the Municipal Code were also proposed for changes at the January workshop. Staff was directed to identify and determine actual costs to provide specific services. She presented a draft ordinance containing the proposed changes for each section of the code.

There was discussion by Council and staff. The Council directed staff to include in the ordinance a provision for fee waivers for affordable housing, either deferring or reducing fees for new construction identified as being “perpetual” affordable housing.

ACTION:

It was moved by Councilor N. Hunter, seconded by Councilor E. Hunter and unanimously carried to introduce the Ordinance Amending Chapters 3, 6, 7, 8, 10 and 11 of the Ridgway Municipal Code Regarding Fees for Sales Tax, Lodging Tax, Building Regulations, Planning and Zoning, Marijuana, Nuisances and Animals, with the changes as noted.

18. Resolution No. 19-07 Amending and Replacing the Town of Ridgway Procurement Policy with the Town of Ridgway Procurement Manual and Policy

Manager Coates explained during a workshop last month the Council reviewed proposed changes to the Town’s procurement policy. The new document clarifies purchasing policies and procedures, and continues to designate the Town Clerk/Treasurer as the Town’s purchasing agent. The Council reviewed the procedures with staff.

ACTION:

Moved by Councilor E. Hunter, seconded by Councilor Austin to approve Resolution No. 19-07 Amending and Replacing the Town of Ridgway Procurement Policy with the Town of Ridgway Procurement Manual and Policy, the motion carried unanimously.

19. Resolution No. 19-08 Adopting the Town of Ridgway Travel Reimbursement and Per Diem Policy

The Town Manager presented a travel reimbursement and per diem policy requested by the Council.

ACTION:

Councilmember N. Hunter moved to adopt Resolution No. 19-08 Adopting the Town of Ridgway Travel Reimbursement and Per Diem Policy, Councilor E. Hunter seconded and the motion was carried unanimously.

20. Use of Town alley rights of ways for Ridgway 1K for the Arts event

The Town Clerk presented a request from Weehawken Creative Arts and the Ridgway Chautauqua Society for use of Town alleys for a one hour period on May 11th for a fund raising arts event, to happen prior to the Town's Love Your Valley Festival.

Councilor Austin stepped down due to a conflict of interest.

ACTION:

Councilmember E. Hunter moved to approve the request from Weehawken and the Chautauqua Society to use the Town right of way for a 1K event. Councilor Heffernan seconded, and on a call for the vote the motion passed with Councilor Austin not voting.

Councilor Austin returned to sit with the Council.

21. Request for support of Senate Bill 19-181 "Additional Public Welfare Protections Regarding the Conduct of Oil and Gas Operations"

Mayor Clark asked for Council endorsement to support Senate Bill 19-181 which would restructure gas and oil operations. He explained the bill is supported by the Colorado Municipal League as it will provide local control over oil and gas extraction in proximity to municipalities. He requested Council approval to send a letter of support to the Senate.

ACTION:

It was moved by Councilor N. Hunter, seconded by Councilor E. Hunter and carried unanimously to approve a letter of support for SB 19-181 "Additional Public Welfare Protections Regarding the Conduct of Oil and Gas Operations" .

TOWN MANAGERS REPORT

Manager Coates reported on project water supply from the winter snow pack; changes to Town water rates and preparation of water history use for utility users; the annual CML conference in June; and requests for proposals to prepare the Town's storm water master plan.

STAFF REPORTS

The Town Clerk presented an update on upcoming Town events - Love Your Valley Festival, Ridgway Concert Series and the weekly movies in the park series.

EXECUTIVE SESSION

The Town Attorney requested entering into a closed session pursuant to Colorado Revised Statutes 24-6-402(b), (e) for conference with the Town Attorney for the purpose of receiving legal advice to a determine position subject to negotiations.

ACTION:

It was moved by Councilmember Heffernan, seconded by Councilor E. Hunter and unanimously carried to enter into closed session.

The Council entered into executive session at 8:50 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 9:20 p.m.

ADJOURNMENT

The meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk