

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 8, 2021

CALL TO ORDER

The Town Council convened both in-person at 201 N. Railroad Street, Ridgway, Colorado and via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy, due to the COVID-19 pandemic.

The Mayor called the meeting to order at 5:30 p.m. In attendance Councilors Beck, Ferrelli, Grambley, Lakin, Schuyler, Mayor Pro Tem Meyer and Mayor Clark.

CONSENT AGENDA

1. Minutes of the Regular Meeting of August 11, 2021.
2. Register of Demands for September 2021.
3. Request for water leak adjustment from Voyager Youth Program/Act# 2180.4.
4. Renewal of restaurant liquor license for Provisions.
5. Request for water leak adjustment for Peel/Act# 7000.1.

ACTION:

It was moved by Mayor Pro Tem Meyer, seconded by Councilmember Lakin and unanimously carried by a roll call vote to approve the consent agenda.

PUBLIC COMMENTS

Joyce Bucknam addressed Council regarding the increased traffic, dust and noise created by the large construction trucks hauling equipment and supplies for the Space to Create Project. She questioned why Mary and Charles Streets are primarily being used and that the trucks are utilizing the driveway to her home on Mary Street for turning at times.

POLICY MATTERS

6. Memorandum of Understanding regarding 2022 Operational Funding Requests, Road and Bridge Appointment from County to Town

Staff report from Town Manager dated Sept 2, 2021 presenting a draft Memorandum of Understanding between Ouray County and Town of Ridgway regarding 2022 Operational Funding Requests, Road and Bridge Appointment from County to Town, and Future Goals.

Town Manager Preston Neill presented the Draft Memorandum of Understanding between Ouray County and Town of Ridgway regarding 2022 Operational Funding Requests, Road and Bridge Appointment from County to Town, and Future Goals.

The Town Manager discussed the draft with the Town Council and County Staff. It was noted the goals and funding requests are substantially the same for the 2022 budget due to the COVID19 pandemic. The Road and Bridge appointment from the County to the Town will be

\$30,260, limited use of the non-potable water for periodic watering of the grounds at the Ouray County Fairgrounds facility was added; and collaborative enforcement for short-term rentals will be added to the memorandum.

ACTION:

Mayor Pro Tem Meyer moved to approve the Memorandum of Understanding between Ouray County and Town of Ridgway regarding 2022 Operational Funding Requests, Road and Bridge Appointment from County to Town, and Future Goals. Councilor Lakin seconded the motion, and it carried unanimously on a roll call vote.

PUBLIC REQUESTS AND PRESENTATIONS

7. Proclamation declaring September 2021 as National Suicide Prevention Awareness and Recovery Month

Corinne Cavender with Tri County Health presented a *Proclamation Declaring September 2021 as National Suicide Prevention Awareness and Recovery Month* to promote mental health awareness. She noted an increase in suicides in the past eighteen months and requested the Town Council approve the proclamation. Mrs. Cavender also noted events and other resources available to community members through the Tri County Health Network.

ACTION: Mayor Pro Tem Meyer moved to approve the Proclamation declaring September 2021 as National Suicide Prevention Awareness and Recovery Month. Councilor Beck seconded the motion, and it carried unanimously on a roll call vote.

8. Request for waiver of monthly sewer fees during construction

Kuno Vollenweider explained that his new home at 271 South Mary was under construction for one year and during that time the water and sewer services were not utilized. He noted approximately \$10,000 in unexpected hardship costs for asbestos abatement and removing a single-wide trailer from the property. Mr. Vollenweider felt the Town saved thousands of gallons of water by him not utilizing the available water. Vollenweider noted he was billed at the water vacancy rate while the home was under construction and asked forgiveness for the water/sewer charges billed to him from August 2021 thru August 2022.

The Council discussed the request with the Town Manager, Mr. Vollenweider and the Town Attorney. The Council agreed there was no provision in the code, or in the rules governing an Enterprise Zone that would allow them to approve the request. Staff was directed to create a vacancy rate for sewer charges and to research if the code can be amended to provide for a sewer vacancy rate for future developments.

PUBLIC COMMENTS (Continued)

Robyn Cascade reported the Bureau of Land Management (BLM) has issued a proposed decision regarding domestic sheep grazing that jeopardizes the Tier 1 Big Horn Sheep heard in Ouray County. She explained domestic sheep carry a pathogen that is deadly to Big Horn Sheep. Ms. Cascade further explained how the pathogen is transmitted through proximity grazing. The public comment period will end on September 13, and she requested the Town Council send a letter of comment opposing the decision, to the Public Lands Office in Montrose by the comment deadline.

The Council agreed the BLM decision should be reviewed and a letter of comment should be sent after reviewing BLM's proposed decision.

ACTION:

Mayor Pro Tem Meyer moved to give Mayor Clark and Councilmember Lakin the authority to work with Robyn Cascade to draft a letter of comment to the Bureau of Land Management based on the concepts noted in the request and to circulate the draft letter to the Town Council for review. Councilor Schuyler seconded the motion, and it carried unanimously on a roll call vote.

PUBLIC REQUESTS AND PRESENTATIONS (Continued)

9. Request for letter of support for Ridgway Chautauqua Society application for Enterprise Zone Tax Credit Program with State of Colorado

Mayor Clark recused himself from the meeting due to a conflict of interest.

Sheelagh Williams, President of the Ridgway Chautauqua Society Board (RCS) explained RCS's membership to the Region 10 Enterprise Zone will expire at the end of the year. She is applying for a 5-year membership extension for RCS and explained a letter of support from the Town would fulfill the application requirement.

Mayor Pro Tem Meyer took over chairing the meeting.

ACTION:

Councilor Lakin moved to approve the request for a letter of support for Ridgway Chautauqua Society's application for Enterprise Zone Tax Credit Program with the State of Colorado Councilor Grambley seconded the motion, and it carried unanimously on a roll call vote.

Mayor Clark returned to sit with the Council and resumed chairing the meeting.

10. Annual presentation from EcoAction Partners

Emma Gerona, Executive Director for EcoAction Partners shared organizational and program updates in the focused areas of emissions analysis, community outreach, chemical reduction and waste reduction. Energy Specialists Kim Wheels updated the Council regarding the Mt. Sneffels Energy Board's 2022 priorities of greenhouse gas emissions tracking and analysis and updating their Regional Climate Action Plan. A request for funding in the amount of \$5,000 was made to assist with 2022 regional and local programs provided to the community.

11. Presentation from San Miguel Power Association regarding programs, projects and initiatives

Alex Shelley of San Miguel Power Association (SMPA) provided an annual update regarding their programs, projects and initiatives. He explained SMPA provides rebates for customers to encourage the use of renewable energy in addition to their energy efficient rebates. Mr. Shelley reported SMPA currently has 3 solar arrays in the region and are looking to add a fourth solar array site. He provided an update on the vegetation project on Red Mountain Pass and noted the road closure schedules are on the SMPA website. Customers received information and updates at the annual meeting pre-pandemic and that information is now being shared on the SMPA website and on U-Tube via brief series of videos.

12. Annual presentation from Uncompahgre Watershed Partnership regarding programs, projects and initiatives

Tanya Ishikawa, Uncompahgre Watershed Partnership (UWP) Communications Director provided an annual update to the Council. She circulated the watershed publication, *The Uncompahgre River Watershed in Ouray County, the Basics & a Little Bit More*, to the Council, audience and staff. Ms. Ishikawa explained the UWP goals are monitoring and improving water quality, maintaining and improving the river eco system, improving seasonal water supply through conservation, and promoting watershed awareness and conditions. She reported on 2021 events and accomplishments and requested funding of \$3,000 for the 2022 budget.

PUBLIC HEARINGS

13. Extension request to meet conditions of approval of Preliminary Plat of property at SE corner of Sherman St./Hwy 62 and Railroad St.; Address: TBD Railroad St.; Zone Historic Business; Applicant and Owner: Ridgway Cohousing, LLC

Staff Report from the Town Manager dated 9-2-21 presenting a letter from applicant Donald Swartz, Ridgway Cohousing LLC member, requesting an extension to meet the conditions for Preliminary Plat of property at SE corner of Sherman St. /Hwy 62 and Railroad St.; Staff Report dated 10-4-19 from Shay Coburn, Town Planner presenting background and analysis.

The Town Manager explained the Preliminary Plat approval will expire on October 9, 2021, and the conditions assigned by the Town Council have not been met for a variety of reasons outlined in the Staff Report dated September 2, 2021.

The Council discussed the request with the Ridgway Cohousing, LLC members.

Architect John Baskfield, representing the applicants said a 2-year extension is being requested to ensure the conditions can be met.

Member Donald Swartz said construction costs have risen 30% which resulted in a loss of members. However, he noted encouragement of rising real estate prices which may help the project financially.

The Council discussed the request.

ACTION:

It was moved by Councilmember Lakin to approve an extension for the Ridgway Cohousing Preliminary Plat, for a period of two years with the same conditions assigned at the October 9, 2019, Regular Town Council Meeting and to allow for up to 2 years to meet those conditions. Councilmember Grambley, seconded the motion and carried unanimously on a roll call vote.

14. Adoption of Ordinance No. 06-2021 Enacting a New Chapter 7-7 of the Ridgway Municipal Code Titled "Landscape Regulations"

Staff Report dated September 8, 2021 from TJ Dlubac, AICP and Katie Schwarz, AICP, contracted planners from Community Planning Strategies, LLC, presenting background and analysis; Draft Ordinance NO. 06-2021, An Ordinance of the Town of Ridgway, Colorado Enacting A New Chapter 7-7 of the Ridgway Municipal Code Titled "Landscaping Regulations" And Amending Chapter 6-1 Building Regulations", Chapter 6-6 "Residential Design Standards", Chapter 7-3 "Zoning Regulations", And Chapter 7-4 " Subdivision

Regulations”, dated September 8, 2021; Draft Ridgway Municipal Code Title 7, Chapter 7, Landscape Regulations; proposed Required Amendments to Code Sections of the Ridgway Municipal Code and Commercial Design Guidelines; Scenarios of existing/proposed regulations by zoning designation, prepared by the TJ Dlubac, AICP and Katie Schwarz, AICP.

Planner Katie Schwarz said Ordinance 06-2021 was introduced at the August 11 Regular Meeting. She noted the Council recommended approval of the ordinance at that time with no outstanding issues remaining and confirmed no other public comments have been received since the meeting. Schwarz noted the new regulations provide homeowner’s flexibility with landscaping options, provides for water conservation and is focused on the need for vegetation. She explained the regulations have been consolidation into one chapter within the Municipal Code for ease of understanding, and the updates will require both the Ridgway Municipal Code as well as the Commercial Design Guidelines to be updated. Planner Schwarz recommend approval of Ordinance 06-2121 as presented to update the Ridgway Municipal Code and for the Town Council to set a motion for the next hearing to adopt a resolution that will update the Commercial Design Guidelines.

The Council discussed proposed impacts of cotton-less Cottonwood tree species and agreed Section (7) 7-11 Species List could be amended for any tree species posing a problem in the future.

Mayor Clark opened the hearing for public comment and there was none.

ACTION:

Moved by Mayor Pro Tem Meyer and seconded by Councilor Schuyler and unanimously carried by a roll call vote to Adopt Ordinance No. 06-2021 Enacting a New Chapter 7-7 of the Ridgway Municipal Code Titled “Landscape Regulations” and Amending Chapter 6-1 “Building Regulations”, Chapter 6-6 “Residential Design Standards”, Chapter 7-3 “Zoning Regulations”, and Chapter 7-4 “Subdivision Regulations”.

POLICY MATTERS (Continued)

15. Emergency Ordinance No. 07-2021 Adopting Certain Additional and Amendments to Chapter 7 “Planning and Zoning” of the Ridgway Municipal Code.

Draft Town of Ridgway Colorado Emergency Ordinance No. 07-2021, An Emergency Ordinance of the Town of Ridgway Adopting Certain Additions and Amendments to Chapter 7 “Planning and Zoning” of the Ridgway Municipal Code, dated September 8, 2021.

Town Attorney Bo Nerlin said the ordinance provides a 30-day window for staff to process hearing request applications once they are received, starts a dialogue and sets an expectation for the applicant.

ACTION:

Councilor Lakin moved to approve Emergency Ordinance No. 07-2021 Adopting Certain Additional and Amendments to Chapter 7 “Planning and Zoning” of the Ridgway Municipal Code. Mayor Pro Tem Meyer seconded the motion and carried unanimously on a roll call vote.

16. Request to close Clinton St. Between N. Laura St. and Cora St. to celebrate construction of the Ridgway Space to Create Project

Mayor Clark presented an Application for Special Event Permit noting the celebration will include the public, stakeholders and State Officials.

ACTION:

Councilor Lakin moved to approve the Application for Special Event for the Space to Create Project. The motion was seconded by Councilor Grambley and carried unanimously on a roll call vote.

17. Approval of review and ratification of letter of support for the Old Ridgway Firehouse Project

Letter of Support from Mayor Clark to the Colorado Office of Economic Development and International Firehouse Project dated September 1, 2021.

Town Manager Neill said Patrick O' Leary, developer for the Firehouse Project has requested the letter as part of his application to the Colorado Community Revitalization Grant award.

ACTION:

It was moved by Councilmember Lakin, seconded by Councilor Schuyler and unanimously carried by a roll call vote to ratify the Letter of Support for the Old Ridgway Firehouse Project.

18. Initiative to support recognizing and implementing the inherent legal rights of nature

Mayor Clark said the intention is to protect the surrounding watersheds. He requested direction and approval from the Council to draft a resolution. The Council discussed the initiative and the need for a resolution with the Town Attorney. The Town Council agreed that the Mayor could draft a resolution for review with the Town Manger.

WRITTEN AND VERBAL REPORTS

Town Manager Neill noted the Youth Advisory Council applications are due by October 1. The Lena Street preliminary design is ready for review and the Town Manager will coordinate a date for the Town Council to review the design with the Town's contracted engineer. Additional street closures will be needed to install the Space to Create storm water system. Mr. Neill will review the Town's concerns with Stryker and work on a proposed street closure schedule to be submitted to the Council for review and approval. The Council also discussed increased speeds and the use of Jake brakes on Highway 62.

ADJOURNMENT

The Mayor adjourned the meeting at 8:20 p.m.

Respectfully Submitted,

Karen Christian
Deputy Clerk