

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
OCTOBER 13, 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.

The Mayor called the meeting to order at 5:30 p.m. In attendance Councilors Beck, Ferrelli, Grambley, Lakin, Schuyler and Mayor Clark. Mayor Pro Tem Meyer was not present for the roll call.

CONSENT AGENDA

1. Minutes of the Regular Meeting of September 8, 2021.
2. Register of Demands for October 2021.

ACTION:

It was moved by Councilmember Lakin, seconded by Councilor Grambley and unanimously carried by a roll call vote to approve the consent agenda.

PUBLIC COMMENTS

Dana Ivers addressed the Council regarding the engineering study being conducted pertaining to feasibility of paving Amelia Street. She explained she has 200 acres in a conservation easement on the southwest side of Town, and expressed concerns that paving near the ranch would be detrimental to "what I'm trying to do". She presented the Council with handouts on harmful environmental effects from asphalt; and noted "when you put asphalt down people go too fast".

Mayor Pro Tem Meyer joined the meeting at 5:40 p.m.

Vicki Hawse suggested installation of speed measuring devices on Amelia and Highway 62 for "pedestrian safety". She noted the Town dog regulations do not mention that is illegal in the State "to allow dogs to chase wildlife"; and stated she agrees with the new regulations to "promote the use of xeriscape" but asked the Council not to "forget the importance of planting trees" to support the environment.

Robyn Cascade spoke representing Great Old Broads for the Wilderness. She asked the Council to "follow suit with the County Commissioners" and draft a letter with comments on the GMUG Draft Forest Plan, to include Baldy Mountain and Bear Creek as recommended wilderness areas. Council agreed to Ms. Cascade providing "talking points" to include in a comment letter.

PUBLIC REQUESTS AND PRESENTATIONS

3. Presentation regarding Ridgway School District ballot issues for the November election

Mercedes Gall presented Ballot Initiatives 4A, a mill levy override, and 4B, issuance of general obligation bonds for Ridgway School District R which are being presented to the voters at the November election. She addressed the Council regarding the need for the funds to upgrade the forty year old elementary school, noting “after three years of planning with the community” the proposals will have “a zero increase on taxes” as a grant as been secured for a “7.6 million dollar bond grant”. The “mill levy override will provide operational revenues”. She asked the Council to “advocate for these important local measures”.

ACTION:

Councilmember Schuyler moved to express support for Ridgway School District R-2 Ballot Issues 4A and 4B. Councilor Grambley seconded the motion, and it carried unanimously on a roll call vote.

4. Presentation of the 2020 Fiscal Year Audit

Pete Blair, CPA with Blair and Associates, presented highlights of Town’s financial audit for 2020. He reported the ending fund balance from year end 2019 to 2020 was up \$600,000 in the general fund; \$200,000 in the water fund and \$13,000 in the sewer fund. Total assets increased by 1.5 million, and total liabilities decreased by \$130,000, noting “overall the Town increased it’s net position by 1.7 million which “is pretty remarkable when dealing with COVID 19”. He noted fifty percent of debt is in the general obligation RAMP bond.

Auditor Blair reported the general fund has “one years worth of reserves for expenditures”, and the water and sewer funds “are in a really, really good position”. “The books are in really good shape, they always are”, “overall the Town is in very, very good shape” he stated.

PUBLIC HEARINGS

5. Plat Amendment request for 180 Liddell Drive

Staff Report dated 10-7-21 from TJ Dlubac, Planning Consultant with Community Planning Strategies presenting an application for plat amendment from Eaton 2012 Irrevocable Family Trust, for Lots 2R and 3R within Liddell Stanton Business Park, which are zoned General Commercial.

Planner Dlubac reported in 2007 Lots 2 and 3 went through a plat amendment to adjust a shared property line, which created Lots 2R and 3R. The applicant is requesting to remove the limitation of residential dwellings on Lot 3R. The parcel is identified as Mixed Use Business on the future Land Use Map of the 2019 Master Plan, he noted. He stated staff is concerned that a number of recent projects, including this request, opens the door for decreased commercial, service, office and manufacturing uses, which may begin to upset the balance of land uses throughout the Town, which are necessary for a vibrant community. The Planning Commission has recommended approval with conditions outlined in the staff report.

Tate Roger spoke representing the property owner and stated the goal is to “obtain the highest and best use for the property”, “though there are no plans for it now”, “five residential units on a half acre lot” which will “still generate significant commercial uses”.

There were questions from the Council; and comments by members of the Council expressing the desire to “maintain a balance” of commercial uses in Town.

ACTION:

Councilor Schuyler moved to approve the Plat Amendment for Lots 2R and 3R of Liddell-Stanton Business Park, 180 Liddell Drive, with the six conditions in the Staff Report, Councilor Lakin seconded, and the motion carried unanimously on a roll call vote.

6. Rezoning request Tract D, River Park Business Park, Filing 1

Staff Report dated 10-7-21 from TJ Dlubac, Planning Consultant with Community Planning Strategies presenting an application to rezone Tract D, River Park Business Park Filing 1, from Light Industrial 1 to Mixed Residential.

Planner Dlubac reported the property is located on the east side of River Park Drive, west of Cora and north of Railroad Streets. The subject parcel is adjacent to light industrial and residential, and is currently vacant of improvements or structures. The applicant Alta Investments is requesting to rezone a portion of the lot from Light Industrial to Mixed Residential. The parcel is identified as a Mixed Use Business in the Future Land Use Map of the 2019 Master Plan, however he noted, the Town does not have a Mixed Use Zone District. He stated staff has concerns that with the ability to develop a wider range of residential projects by right in the Mixed Residential Zone, it may be difficult to require the property to provide commercial uses. He also noted staff is concerned that many of the parcels which have been identified as commercial have been developed as residential, and the overall balance in land use of commercial and industrial verses residential, is necessary for a vibrant and sustainable community. He noted the Planning Commission recommended approval without conditions.

Jack Petrucelli spoke representing the applicant noting the request to change the zoning will assist in “bringing the parcel into the subdivision process”.

There was discussion by the Council.

Speaking from the audience Tim Gesse expressed concerns with the parcel becoming a high density mixed use, with potential heights of three stories adjacent to the existing one story residences, noting “my preference is Light Industrial”.

There was discussion by the Council and the consensus was the parcel should be a mixed use.

ACTION:

It was moved by Councilor Lakin to deny the rezoning of Tract D of River Park Business Park, Filing 1 based on the Town’s current code and to preserve the uses for the industrial zone, though Council would consider a rezone request in conjunction with a development proposal that includes an appropriate mixed use. The motion was seconded by Councilor Ferrelli. With the motion on the floor there was a question to the Town Attorney. After discussion Councilor Lakin amended and restated the motion to deny based on the criteria presented in the Staff Report and 7-3-22(A) of the Municipal Code, that the existing conditions for adjacent lots has not changed therefore the rezone should not go through. Council Ferrelli seconded the amended motion. After a call for the vote the motion carried on a roll call vote with Mayor Pro Tem Meyer abstaining.

7. Rezoning request for Filing 1, Replat of Blocks 2, 8 and Alley A of River Park Business Park Outlot P3/C

Staff Report dated 10-7-21 from TJ Dlubac, Planning Consultant with Community Planning Strategies presenting an application to rezone a portion of Outlot P3/C, River Park Business Park Filing 1, from Future Development to Mixed Residential.

Planner Dlubac reported the property is currently vacant with no existing structure or improvements, does not have an access point and no utility connections. Six commercial businesses border the property to the east and properties bordering to the north are residential homes. The western portion of the property is zoned Future Development and eastern portion of the property is zoned Light Industrial. The parcel currently has two zoning classifications, which he noted, staff does not consider to be an advisable situation. Since the request is only to rezone the property, staff is recommending a condition of approval to be remedied through a subdivision process in conjunction with any future development application. The property is currently vacant and the rezoning request does include a development plan or intended uses for the property. The Planning Commission recommended approval with two conditions, he noted.

Jack Petrucelli spoke representing the applicant, Ridgway Light Industrial LLC, and explained “two zones” on the property “is cumbersome to deal with”, noting the area is “a fill in property” more “appropriate for residential uses”.

There were questions from the audience from Tim Gesse and Pat Willits.

There was discussion and comments from the Council.

ACTION:

Moved by Councilor Lakin, seconded by Councilmember Schuyler and unanimously carried by a roll call vote to approve the request to Rezone River Park Ridgway Business Park Filing 1, Replat of Blocks 2, 8 and Alley A, in Outlot PC/3-R2 to Mixed Residential with all conditions outlined in the staff report.

POLICY MATTERS

8. Interviews of Youth Advisory Council candidates and appointment of members

Staff Report from the Town Manager dated 10-7-21 presenting ten applications received to serve on the Youth Advisory Council.

Manager Neill explained in July of 2020 the Council established the Youth Advisory Council with five members, and last school year the first members served. This year the Council received ten applications from Cooper Ahern, Anna Bartschi, Kayla Bolane, Maizy Gordon, Isabella Janda, Gillian Jordan, Indigo Krois, River Randolph, Eleni Wallin and Kaitlyn Winkelmann.

The Council met each of the candidates and asked questions.

The Mayor suggested amending the regulations and comprise the board with ten members instead of five, and appoint all applicants to the Advisory Council. Manager Neill noted staff will prepare a resolution for approval at the next meeting, to amend the authority and procedures for the board.

ACTION:

Moved by Councilor Lakin, seconded by Mayor Pro Tem Meyer and carried unanimously on a roll call vote to appoint all applicants to the Ridgway Youth Council for 2021 and 2022.

The Council took a recess at 7:55 p.m. and reconvened the meeting at 8:00 p.m.

9. Request to close a portion of Laura Street between Clinton Street and the alley located halfway between Clinton and Charles Streets

Letter dated 10-7-21 from Stryker & Company, Inc. requesting closing Laura Street between Clinton and the alley between Charles Street.

The Town Manager noted the request for a three month temporary closure of Laura Street between Clinton and the alley before Charles Street, will facilitate safety on the Space to Create construction site.

Mark Clutts, Project Manager with Stryker and Company noted the request for street closure will allow safe passage for construction trucks hauling steel and concrete into the project site; assist with installation of underground power, water and sewer lines; and provide less disruptions as possible to neighbors.

ACTION:

Mayor Pro Tem Meyer moved to approve the requested closure of Laura Street for three months. The motion was seconded by Councilor Schuyler, and after a call for the vote, was approved unanimously on a roll call vote.

10. Presentation of the Draft 2022 Fiscal Year Budget

The Council received the draft 2022 Fiscal Year Budget from the Town Clerk/Treasurer. She reported Colorado Revised Statute requires the budget officer submit the proposed budget to the governing body by October 15th. The draft document is being presented to meet this time frame, and will be discussed by the Council at the first budget meeting on October 16th she noted.

The Council acknowledged receipt of the draft budget.

11. Resolution No. 21-07 Amending the Town of Ridgway Commercial Design Guidelines

Staff Report from the Town Manager dated 10-7-21 presenting a resolution to amend the commercial design guidelines.

Manager Neill reported at the previous meeting Council adopted Ordinance No. 06-21 which updated the landscape regulations, and the final step in the process is to amend the commercial design guidelines to reflect the recent code changes.

There was discussion by the Council to ensure that trees in parking lots are addressed in the document.

ACTION:

Councilor Schuyler moved to approve Resolution 21-07 with the condition that staff review the item regarding trees in parking lots, seconded by Mayor Pro Tem Meyer the motion carried unanimously on a roll call vote.

12. Resolution No. 21-08 Adopting the National Incident Management System Concept of Emergency Planning and Unified Command

Staff Report from Manager Neill dated 10-7-21 presenting a resolution to adopt the National Incident Management System (NIMS) Concept.

The Town Manager reported the Ouray County Emergency Manager has requested the Council consider adopting the NIMS resolution as the federal government has identified it as the requisite to emergency management system for political subdivisions.

ACTION:

Councilmember Lakin moved to adopt Resolution No. 21-08 Adopting the Nation Incident Management System Concept of Emergency Planning and Unified Command, seconded by Councilor Grambley the motion carried unanimously on a roll call vote.

13. Letter of support for Habitat for Humanity of the San Juans Enterprise Zone Tax Credit Application

Mayor Clark asked the Council to ratify a letter of support prepared for Habitat for Humanity of the San Juans application for Enterprise Zone Tax Credits.

ACTION:

Councilor Lakin moved to ratify the letter of support for Habitat for Humanity of the San Juans Enterprise Zone Tax Credit application. The motion was seconded by Councilor Ferrelli and carried unanimously on a roll call vote.

14. Changes in membership on the Creative Main Street Committee

The Town Manager announced a number of changes to membership on the Creative Main Street Committee and asked Council to recognize Brenda Ratcliff's resignation; Hilary Lewkowitz will no longer be representing the Chamber, but has asked to continue to serve; and Ashley Perkins, new staff member to the Chamber wishes to represent the organization.

ACTION:

Moved by Councilmember Lakin, seconded by Mayor Pro Tem Meyer to approve the changes in membership on the Creative Main Street Committee. The motion carried unanimously on a roll call vote.

15. State Attorney General opioid settlement and recovery fund

Town Attorney Nerlin reported the Colorado Attorney General Office is requesting letters with respect to a proposed settlement of an opiate class action lawsuit. The office hope for 95% of the municipalities to participate in an allocation of the claim funds. He asked Council to approve entering into a memorandum of understanding.

ACTION:

Mayor Pro Tem Meyer moved to approve entering into a memorandum of understanding with the Colorado Attorney General's Office, Councilor Lakin seconded, the motion carried unanimously on a roll call vote.

MISCELLANEOUS REPORTS

The Mayor announced the current Planning Commission chair Doug Canright will not be staying on the commission after his term expires next month. The vacancy will be advertised and he will make the appointment and notify the Council at the next meeting, he explained.

Manager Neill highlighted some of the items contained in the monthly managers report.

Mayor Clark presented a draft resolution which asks the State to incorporate into State legislation stewardships of waterways and watersheds, which will give the Town "legal standing in court for our water shed". He requested to present the document on the next agenda for consideration of approval. The Council agreed.

EXECUTIVE SESSION

The Town Attorney asked the Council to enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(4)(e) for a conference with the Town Attorney for the purpose of receiving legal advice regarding an Application for Water Rights, Case Number: 2019CW3098; and Colorado Revised Statutes 24-6-402(4)(e) for a conference with the Town Attorney for the purpose of receiving legal advice regarding a First Right to Acquire a Portion of Homes related to the Rural Homes, LLC workforce housing project.

ACTION:

Councilmember Lakin moved to enter into closed session, Councilor Grambley seconded, and the motion carried unanimously on a roll call vote.

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

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