

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 10, 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. The Council was present in its entirety with Councilors Beck, Ferrelli, Grambley, Lakin, Schuyler, Mayor Pro Tem Meyer and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of Regular Meeting of October 13, 2021.
2. Minutes of Workshop Meeting held October 21, 2021.
3. Minutes of Budget Retreat on October 23, 2021.
4. Register of Demands for November 2021.
5. Restaurant liquor license renewal for Land Ocean Restaurant.

ACTION:

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

PUBLIC COMMENTS

Tanya Ishikawa reported the Chamber of Commerce is looking into taking over planning for Noel Night on December 3rd and are requesting closure of a portion of Clinton Street. She requested the closure from 4:00 to 8:00 pm, between Cora Street and the alley.

ACTION:

Councilmember Lakin moved to direct staff to work with the Chamber on Clinton Street closure during Noel Night. Mayor Pro Tem Meyer seconded the motion, and it carried unanimously on a roll call vote.

PUBLIC HEARINGS

6. Preliminary Plat application for Riverfront Village PUD

Staff Report dated 11-5-21 from TJ Dlubac with Community Planning Strategies presenting an application for preliminary plat for Riverfront Village PUD located on Lot 1, Triangle Subdivision, owner Alpine Homes Ridgway, LLC.

Planner Dlubac addressed the Council and presented an overview of the proposed project which includes 38 residential units; four commercial units totaling 3,983 square feet; and one

mixed use building on a 4.29 acre parcel located along the Uncompahgre River. He explained the proposal includes a park and trails along the west side of the property and river front; also the applicant is seeking approval for the two multifamily buildings to exceed the required height limit and allow a height of 35 feet. The deed restricted units will be addressed in the Development Agreement, he noted.

Jim Kehoe representing the applicant offered a slide presentation of the proposed project and addressed pedestrian connectivity to existing trails and access into Town; creation of open space; “orientating for maximum daylight”; community spaces; building material and signage.

Mr. Kehoe answered questions from the Council, and there was discussion.

SPEAKING FROM THE AUDIENCE:

Angela Hawse inquired into ways the flood plain was addressed; if the Town has received the water capacity study before approving a project “which would increase the Town’s population by 10%”; and expressed concerns with traffic entering and exiting on to the state highway.

Dana Ivers noted “this is a huge project with a lot of carbon emissions” and asked the Council to “have foresight for the future” by addressing the need for “carbon neutral projects”.

There were comments from the Council, and discussion between the Council and Town Attorney.

ACTION:

Councilor Lakin moved to approve the River Front PUD Preliminary Plat including the four conditions in the Staff Report, Councilor Schuyler seconded, and the motion carried unanimously on a roll call vote.

Angela Hawse noted her question had not been answered about the water supply analysis study, and asked when it would be presented to the public for discussion.

The Town Manager explained data has been supplied to the consultant to analysis and then prepare statistics regarding water demands on potential growth, and the final report is expected after the first of the year. He noted he and the Town Engineer and Attorney, “feel there is sufficient water for this specific development”.

POLICY MATTERS

7. Request to change deed restricted units at Lena Street Commons Townhomes

Sundra Hines addressed the Council regarding the deed restricted units for the Lena Street Commons Townhomes noting “there was a clerical error discovered” regarding the two deed restricted units. The plan and recorded development plan identify different unit numbers, and the applicant is requesting to amend the development agreement to align the two documents. The Council agreed to the document changes.

Ms. Hines noted Building B is under construction and the costs have “increased dramatically”, “doubling” since the project began. The current deed restricted unit is identified as B1 which has more windows, and “is more expensive to build” and will be sold at higher price, and she suggested moving the restricted unit to B2, an interior unit, to lower the prospective selling

price, which she noted will be \$800,000. She stated “we are concerned we are building something no one will purchase under deed restriction because of the costs” and explained she has “redeveloped Unit E” to be 900 square foot, two bedroom, one bath units”; the size would be reduced from 1600 square feet; “the building will be all one level” and the parking is covered, not enclosed, “which would bring the cost closer to high 3 or low \$400,000”. She requested to move the designated deed restricted units all to Building E, to keep the units affordable.

There were questions from the Council and discussion with the applicants.

Consensus of the Council was to move forward with the proposal; staff was directed to bring for Council review an amendment to the development agreement and a plat amendment.

8. Request for revocable encroachment permit to use Town sidewalk for the Old Ridgway Firehouse Project

Staff Report dated 11-3-21 from the Town Manager presenting a request for a revocable encroachment permit to encroach on approximately 398 square feet of Town owned sidewalk, for a patio at the Old Ridgway Firehouse Project.

Manager Neill explained staff is interpreting the request as exclusive use of 8 foot 11 inches of the Towns sidewalk for private use. The request he noted, proposes to relocate existing trees and tree grates, noting the trees were installed with public funds to create an attractive, standardized, safe environment for pedestrians. He stated if approved, staff is suggesting creating an “amenity zone”, a distance of four feet or greater between the back of the curb and the pedestrian path, to ensure safe and convenient passage; and a “pedestrian path” of six feet or greater, directly between the amenity zone and the proposed patio area, noting the minimum width to ensure safe travel for pedestrians using a sidewalk is six feet. The current proposal he noted, does not meet the minimum standards, the sidewalk is 16 feet and if approved as presented would only have 7 feet remaining for pedestrian use. Staff is recommending the width of the patio be decreased to accommodate pedestrian travel.

John Baskfield addressed the Council on behalf of the applicant Firehouse Real Estate Investment, and presented details of the patio plan, and plans for the building. He noted the patio would “activate the streetscape” and a “fixed rail will be used to create a physical barrier” to the sidewalk. He explained the reason the request is for 8 feet 11 inches for the patio depth is “having enough capacity” and to “create interface” with pedestrians. He noted the trees will need to be removed to access during construction of the proposed project, and instead of being removed and planted later, relocating the trees seems a better solution.

There were questions from the Council and discussion with the applicants. Staff was directed to investigate state liquor laws and continue the discussion at the next meeting.

9. Resolution in Support of Protecting the Uncompahgre River, its Tributaries, and its Watershed

The Mayor introduced Grant Wilson, Director of Earth Law Center, who prepared a Town resolution in support of protecting the Uncompahgre River, its tributaries and watersheds.

Mr. Wilson explained earth law is called “ecocentric law” and is an “emerging body of law for protecting, restoring and stabilizing” the “guardianship of ecosystems. The Center was founded to advice governmental agencies on ways to protect ecosystems and the rights of nature, as it is “acknowledged among governments that current environmental laws aren’t doing enough” to ensure we “live in harmony with nature”. He presented a background on

the resolution noting it is a “statement of intent and non-binding”, and “sets up a process for the river to be involved in governance”.

There were questions, comments and discussion by the Council.

Speaking from the audience Angela Hawse spoke in support of the resolution.

ACTION:

Moved by Councilor Lakin to approve Resolution No. 21-09 in Support of Protecting the Uncompahgre River, its Tributaries, and its Watershed by Recognizing “Rights of Nature” and the Town’s Responsibilities to Care for and Protect them. Seconded by Councilor Grambley the motion carried on a roll call vote with Councilmember Beck abstaining.

The Council took a recess at 8:35 p.m. and reconvened the meeting at 8:45 p.m.

10. Presentation of the Draft 2022 Fiscal Year Budget

The Town Clerk/Treasurer presented a draft of the 2022 Fiscal Year Budget and Five and Ten Year Capital Improvement Plans.

The Town Manager explained the remaining timeline for the budget adoption process and reported at the budget workshop on November 18th the final draft of the 2022 Strategic Plan will be presented.

The Town Treasurer reviewed the budgets for the general, water and sewer funds. There was discussion with the Council and staff was directed to look at the potential of pre-payments on the RAMP bond.

11. Comment letter to the Grand Mesa, Uncompahgre and Gunnison (GMUG) National Forests Supervisor regarding the Draft Forest Plan

The Mayor explained the deadline to receive comments on the Draft Environmental Impact Statement for the GMUG National Forests has been extended to November 26th. He asked for authorization to continue to draft a response on the behalf of the Town, and submit it before the deadline.

ACTION:

Moved by Councilor Lakin, seconded by Councilmember Grambley and unanimously carried by a roll call vote to authorize Mayor Clark to continue drafting the letter commenting on the GMUG and sign and send. The motion carried unanimously on a roll call vote.

12. Proposal to institute mask requirement at Town facilities

Mayor Clark explained during a recent County Commissioner meeting the Commissioners stated “they are not interested in a mask mandate” but suggested the local jurisdiction reinstate the mandate in government facilities. The Mayor stated he was in favor, noting “it’s about making a statement”.

There was discussion by the Council and it was agreed to not mandate the reinstatement of masks, noting the Town is posting on its website COVID educational efforts from the Ouray County Health Department. The Mayor suggested making the statement “the best way to

protect public health is to get vaccinated". There was discussion by the Council and it was agreed to place a sign in Town Hall encouraging the wearing of a mask and vaccination.

MISCELLANEOUS REPORTS

The Mayor announced three letters of interest were received for the opening on the Planning Commission, and he has appointed Jennifer Frantz to fill the vacancy.

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

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk