

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
JANUARY 12, 2022

CALL TO ORDER

Pursuant to the Town's Electronic Participation Policy, the Town Council met via Zoom Meeting, a virtual meeting platform.

The Mayor called the meeting to order at 5:35 p.m. In attendance Councilors Beck, Ferrelli, Lakin, Schuyler, Mayor Pro Tem Meyer and Mayor Clark. Councilor Grambley was absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of December 8, 2021.
2. Pursuant to State Statute designate the Town Hall bulletin board as the official posting place.
3. Register of Demands for January 2022.
4. Renewal of restaurant liquor license for Taco Del Gnar.
5. Renewal of liquor store license for San Juan Liquors.

ACTION:

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

PUBLIC COMMENTS

Val Szwarc gave an update on Dark Sky outreach.

Angela Hawse explained she would not be able to attend the full meeting and wanted to express her concerns regarding "use of chemicals" to control noxious weeds.

Dana Ivers expressed concerns with addressing the "climate crisis" and encouraged the placement of a "climate action plan" on the website; and requiring new development to place infrastructure for installation of solar panels to be used at a later date.

PUBLIC HEARINGS

6. Application for Restaurant Liquor License; Applicant: Rack Stars BBQ LLC dba Lazy Dog Saloon Bar and Grill; Location: 153 N. Highway 550, Unit 1

Staff Report from the Town Clerk dated 12-8-21 presenting an application for a restaurant liquor license from applicants Richard L. Pinney, Robert B. Collins Jr. and Sierrah S. Mufford members of Rack Stars BBQ LLC doing business as Lazy Dog Saloon Bar and Grill, at 153 N. Highway 550, Unit 1.

The Town Clerk reported the application for restaurant liquor license will encompass the facility, existing patio to the south side of the building, and a new patio on the west side. The

applicants are also requesting concurrent review, which requires approval to operate the establishment prior to receipt of a state issued liquor license.

ACTION:

Mayor Pro Tem Meyer moved to approve the restaurant liquor license for Lazy Dog Saloon Bar and Grill seconded by Councilor Schuyler and on a roll call vote, the motion carried unanimously.

7. Extension request to meet conditions of approval of Preserve PUD Preliminary Plat; Location: Savath Subdivision Part of Outlot A and Woodford Addition, County Road 23; Zone: Residential (R); Owner: Dalwhinnie Group LLC

Staff Report from the Town Manager dated 1-6-22 presenting a request to consider granting a two year extension for the Preserve Preliminary Plat, initially approved on 3-14-18 and extended on 3-11-20.

Town Manager Neill presented an extension request for additional time to meet the conditions which were set for preliminary plat approval. The reasons cited by the applicant were COVID-19 delays and impacts including extreme economic swings, consulting delays, increased material costs and significant regional contractor shortages to complete the work.

SPEAKING FROM THE AUDIENCE:

Speaking on behalf of the applicant, Michael Cox explained due to COVID related shut downs, it has been a “real struggle” to meet preliminary plat requirements, and there have been difficulties with installation of infrastructure.

Robyn Cascade inquired if it was possible to include in an approval the requirement to “preserve some of the river corridor and increase the set back”.

Representing the applicant, Chris Hawkins with Alpine Planning LLC, stated “the biggest task accomplished to date” has been completing the required US Army Corps of Engineers permit to work around the Uncompahgre River and the survey and engineering work to establish the flood plain areas. The applicant has also explored a route for sewer line to eliminate the approved lift station; placed a french drain system; installed a lift station; graded roads and installed a subdivision drainage system. Additionally, he reported, the properly located across the river was recently acquired to “improve the overall environmental conditions along the river”. He noted the subdivision has four affordable housing units, “that will provide an important and much needed community benefit”.

Michael Cox addressed the question from Ms. Cascade and explained the Army Corp. permit has a stipulation that “residents will not have access to the river or the river edge”.

There were questions from the Council, and discussion with staff pertaining to requirements of the Uncompahgre River Overlay District. The Council agreed to an extension but stipulated another extension will not be granted.

ACTION:

Moved by Councilmember Schuyler, seconded by Mayor Pro Tem Meyer and unanimously carried by a roll call vote to approve an extension of the Preserve PUD Preliminary Plat for a period of two years with the conditions assigned at the March 14, 2018 approval, and allow up to two years to meet those conditions, with the condition this will be the last extension.

POLICY MATTERS

8. Request to extend closure of half block of Laura Street

Letter dated 1-6-22 from Stryker Construction requesting approval to extend the temporary closure of South Laura Street between Clinton and the alley to the north, for an additional six months.

Mark Cutts Project Manager with Stryker Construction, requested extension of the temporary closure on South Laura Street, citing safety and access concerns during the construction of the Space to Create project. Based on a question from the Council Mr. Cutts reported the project should be completed by the end of June, along with the paving of the street.

There was discussion between the Council and applicant.

ACTION:

It was moved by Mayor Pro Tem Meyer and seconded by Councilor Beck to approve the extension of the temporary closure of Laura Street for an additional five months, to June 15th. After a roll call vote the motion carried unanimously.

9. Resolution No. 22-01 Amending the Policy Relative to Noxious Weed Management

Staff Report dated 1-4-22 presenting a resolution amending the noxious weed management plan relative to herbicide application.

The Town Manager explained based on Council discussion at the June meeting, staff has prepared a resolution amending the noxious weed management plan to allow for chemical based herbicide application, when deemed necessary by Town staff and the County Vegetation Manager. He noted the application must fall in line with the Chemical Application and Protocol Recommendations depicted in the 2011 Integrated Weed Management Plan. He reported during the June meeting Council heard a report from the Ouray County Vegetation Manager, regarding the need to manage weeds more aggressively, and agreed a chemical based herbicide may be needed to control infestation in certain areas of Town.

County Vegetation Manager Julie Kolb explained "I am not proposing the Town use toxic chemicals" the weed management would be through the use of herbicides "from the category deemed relatively non-toxic to non-toxic", and "possibly use an organic herbicide".

There were questions from the Council and discussion between Council and staff.

Manager Kolb stated the application areas would be "targeted with a diluted herbicide" and used within the "lowest toxicity categories", with a product that is "not known to migrate in the soil".

SPEAKING FROM THE AUDIENCE:

Tanya Ishikawa representing UWP stated the board recognizes the need to "control the noxious weed invasions" along the river, and are concerned when soil is disturbed that "the land is reseeded".

Robyn Cascade encouraged after the use of herbicide applications, further eradication processes be accomplished "through mechanical means".

Joan Chismire updated the Council on noxious weed eradication by residents in Vista Terrace.

Sue Husch supported “helping with the mechanical method of removal”.

There was discussion by the Council.

ACTION:

Councilmember Lakin moved to approve Resolution No. 22-01 Amending the Policy Relative to Noxious Weed Management. With the motion on the floor, speaking from the audience Dana Ivers encouraged the use of “insects on thistle”. Councilor Ferrelli seconded the motion, which carried unanimously on a roll call vote.

The Council took at recess at 7:25 pm and resumed the meeting at 7:30 pm.

10. Report on use of graywater systems

Town Manager’s Staff Report dated 1-4-22 presenting a report pertaining to the use of greywater systems in Colorado.

Email dated 1-12-22 from Ruth Stewart questioning State regulations relative to implementation of grey water systems.

The Town Manager explained the Colorado Department of Public Health and Environment (CDPHE) regulations addressing graywater. Graywater is made after showering or washing clothing, and if retained can be used for landscape irrigation and toilet flushing. Graywater Control Regulations establish graywater management, and create requirements, prohibitions and standards. For a local government to use graywater he reported, it must adopt an ordinance or resolution to allow the use and create a control program that meets the requirements of Regulation 86. This regulation is currently so stringent, and costly to implement that only a few local jurisdictions in the state have opted into the program. He noted the CDPHE has proposed new rulemaking, and will begin a stakeholder engagement process this year. He suggested the Town become involved in the discussions to engage in changes to the current legislation.

SPEAKING FROM THE AUDIENCE:

Jennifer Franz explained she has talked to two counties that also wish to pursue the system, and suggested the Town could “piggyback” on the program “to incentivize”.

Joan Chismire spoke in support of using graywater.

There was discussion by the Council. Consensus of the Council was to participate in discussions to consider legislative changes to the regulations; research grant funding opportunities for the laundry to landscape system; research if a jurisdiction can opt into just the laundry to landscape portion of the program.

11. Intergovernmental Agreement between the Town of Ridgway, City of Ouray and Ouray County for Shared Victim Advocate Services

Manager Neill presented the annual intergovernmental agreement for shared use by all three county law enforcement agencies, for an employee to provide victim advocacy services. He reported additional grant funding was secured this year, so each agencies contribution to the program has been significantly reduced.

There were questions from the Council and audience, and discussion ensued. The Mayor encouraged the victim advocate to create an outreach program.

ACTION:

Mayor Pro Tem Meyer moved to approve the IGA between the Town, City and County for Shared Victim Advocate Services. Councilor Beck seconded the motion, which carried unanimously on a roll call vote.

12. Draft Decision Notice and Environmental Assessment for the Baldy Mountain Landscape Resiliency and Habitat Improvement Project

The Mayor announced the Town has received a draft decision from the Forest Service regarding the environmental assessment for the Baldy Mountain project. He reported the County Commissioners are planning to submit a response and encourage the use of hand crews, instead of mechanical means, to create and clear the 100 foot diameter fire line. He suggested the Council prepare a letter supporting the Counties position.

SPEAKING FROM THE AUDIENCE:

Robyn Cascade and Jake Niece expressed support of the Town following suit with the County.

ACTION:

Moved by Mayor Pro Tem Meyer to authorize the Mayor to write the BLM with the comments regarding the Baldy Mountain Landscape Resiliency and Improvement Plan, seconded by Councilor Beck, the motion carried unanimously on a roll call vote.

13. Resignation of Councilmember Angela Ferrelli

The Mayor acknowledged a letter of resignation from Councilor Ferrelli which will become effective immediately, and thanked her for her service to the Town.

There was discussion between the Council and staff regarding the vacancy which will be created. The Town Clerk noted any vacant seat filled at this time will become vacant again at the next election, which is April 5th.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Schuyler and approved by a roll call vote to recognize the vacancy and chose to not fill the position, and let it be filled at the election in April.

14. Discussion regarding masking requirements at Town facilities

The Town Manager reported the County is asking to meet with the Town and City to discuss requiring masking in public places. The Mayor asked the Council if the Town should require the public to wear face coverings when in Town Hall.

There was discussion by the Council.

ACTION:

Moved by Mayor Pro Tem Meyer to require the public to wear masks when entering a Town building. Seconded by Councilor Schuyler the motion carried unanimously on a roll call vote.

MISCELLANEOUS REPORTS

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

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk