

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
APRIL 13, 2022

OATH OF OFFICE

The Town Clerk administered the oath of office to recently elected Councilors Polly Enochs, Kevin Grambley, Terry Schuyler, JT Thomas and Mayor John Clark.

CALL TO ORDER

The meeting was held both in person and via a virtual meeting portal, Zoom Meeting, pursuant to the Town's Electronic Participation Policy.

The Mayor called the meeting to order at 5:35 p.m. The Council was present in its entirety with Councilors Enochs, Grambley, Lakin, Schuyler, Thomas, Mayor Pro Tem Meyer and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 9, 2022.
2. Minutes of the Special Meeting of February 28, 2022.
3. Register of Demands for April 2022.
4. Continue the Solar Energy Incentive Program pursuant to Municipal Code Section 6-1-12.
5. Renewal of Tavern Liquor License for Steps.
6. Renewal of Tavern Liquor License for The Patio at Steps Tavern.

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

Tom McKenney thanked the Council for serving the community and suggested a meeting to discuss their priorities. He asked the Council "delve into getting a Town Planner".

INTRODUCTIONS, PRESENTATIONS AND PROCLAMATIONS

7. Introduction of Administrative Assistant Debra Overton

The Town Clerk introduced Debra Overton, recently hired to serve as Administrative Assistant to the Town Clerk and Town Manager. She presented Ms. Overton municipal background noting she worked for the Town as Deputy Clerk/Treasurer in 2007 and 2008, then served on the Town Council for two years, before going to the City of Ouray for six years as the Deputy and then City Clerk/Treasurer.

PUBLIC REQUESTS AND PRESENTATIONS

8. Request to use right-of-way on Palomino Trail June 4th for the Ridgway Area Trails Group annual race

The Town Clerk presented a request from the Ridgway Area Trails Group to use a portion of the south end of Palomino Trail for the annual bike race on June 4th between 8:00 am and 8:30 am.

ACTION:

Moved by Councilor Schuyler, seconded by Councilor Lakin to approve the special event application from Ridgway Area Trails Group for use of Palomino Trail on June 4th. On a call for the vote the motion carried unanimously.

PUBLIC HEARINGS

9. Transfer of liquor store license for High Spirits Liquors

Staff Report from the Town Clerk dated 3-31-22 presenting an application for transfer of liquor store license.

The Town Clerk presented a request to transfer the High Spirits liquor store license from Karen and Mark Vanden Branden to John 2:11 LLC, sole member Joe Stengele, for the premises at 144 Highway 550. Along with request for transfer, the applicant is seeking issuance of a temporary operating permit until the application is approved by the state liquor enforcement division, she noted.

ACTION:

Mayor Pro Tem Meyer moved to approve the application for transfer of liquor store license to John 2:11 LLC, sole member Joe Stengele, and issuance of a temporary operating permit, Councilor Enochs seconded and the motion carried unanimously.

10. Application from Firehouse Investment Real Estate LLC for Replat on Block 34, address 185 and 195 N. Lena Street

Staff Report from Contracted Planner TJ Dlubac with Community Planning Strategies dated 4-8-21, presenting an application from Firehouse Investment Real Estate, LLC, owner Patrick O'Leary, and also from Steven Chevalier, for a replat which is part of the redevelopment proposal known as the Old Ridgway Firehouse mixed use project.

Planner Dlubac explained the Firehouse Mixed Use Project will result in the current firehouse being incorporated into a structure with both commercial and residential uses. Several applications and processes have been completed, including a reduction in provisions for commercial parking spaces; increase in building height to 41 feet; building allowance over 15,000 square feet and encroachment on to Lena Street right of way for patio seating on the sidewalk. The proposed replat is required for the building to span two parcels in Block 34, Lots 11 and 12 in parcel one, and Lots 13, 14 and 15 in the second parcel, which will create a total footprint of .396 acres.

Applicant Patrick O'Leary explained the two properties are currently held by different owners and will be "conjoined" to allow for construction of the project.

There were questions from Council to staff. Discussion ensued between Council, staff and the applicant regarding the parking fees and requirements.

Mr. O'Leary reported the size and scale of the project has been reduced from the original application, and now contains a 21,000 square foot building with an "outdoor seasonal event space" and "outdoor tavern". He stated he is "open to entering into an agreement with the Town" to "create one deed restricted housing unit".

Speaking from the audience Tom McKenney supported the project and reduction in size and scale.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilmember Lakin and unanimously carried to approve the Old Ridgway Firehouse Replat with the conditions as given by the Planning Commission.

POLICY MATTERS

11. Encroachment permit for use of Town property related to construction of the Old Ridgway Firehouse Project

Staff report from the Town Manager dated 4-8-22 presenting an encroachment permit application from the Old Ridgway Firehouse Project.

Manager Neill explained the applicant is requesting to close for 17 months, and privately use starting June 13, 2022 the sidewalk on the east and north sides of the project, the alley on the south side and east sides, and parking spaces on the east side of the project on Lena Street. He noted delivery trucks regularly access businesses along the alleys, and closing may require restaurant deliveries to be made from Highway 62. For this reason staff is not recommending allowing closure of the alleys, and suggested an alternative could be to allow closure of only one alley at a time.

The owners of FCI Constructors presented photos and maps of the proposed street and alley closures, noting they are "necessary for safety of workers and the public during the construction process".

The contractors presented three traffic control plans and there were comments, questions from the Council; and discussion between the Council and the FCI representatives.

Mr. O'Leary stated he would talk to all the business owners regarding the plans and time frames, and would ensure that the proposed fencing blocking the sidewalk on Lena Street will be modified to allow more public access.

There was discussion between Council and Mr. O'Leary.

SPEAKING FROM THE AUDIENCE:

Tom McKenney commented on the ease of understanding the request.

Crista Meyer noted that N. Lena Street will also be closed one block further north, and suggested the construction project be "closed down early during events".

ACTION:

Councilor Lakin moved to approve the application under Alley Plan A, B, C with the consideration that more sidewalk on Lena Street will be left open for public access, seconded by Councilor Schuyler, the motion carried unanimously.

12. Resolution No. 22-05 Amending the Police Procedures Manual to Add Section 28: Peace Officer Credibility Disclosure Notifications Policy

Staff Report from Marshal Schmalz dated 4-5-22 presenting an amendment to the Police Procedures Manual.

Marshal Schmalz explained under Senate Bill 21-174 a statewide model for peace officer credibility disclosure notifications was created, and local district attorney offices were required to adopt and implement them. The 7th Judicial District, District Attorney has recently adopted a policy, and local jurisdictions are now following suit. He requested the Town adopt the policy and include it in the Police Procedures Manual.

ACTION:

Councilor Schuyler moved to approve Resolution No. 22-05 Amending the Police Procedures Manual to Add Section 28: Peace Officer Credibility Disclosure Notifications Policy. Mayor Pro Tem Meyer seconded the motion, which carried unanimously.

13. Intergovernmental Agreement with Ouray County regarding Noxious Weed Management and Control Services

Staff Report from the Town Manager dated 4-7-22 presenting an intergovernmental agreement with Ouray County concerning noxious weed management and control services.

The Town Manager reported based on Council direction staff has met with the Uncompahgre Watershed Partnership and County Vegetation Manager to identify weed infestation on Town property along the river, and discussed and agreed upon Herbicide application protocols. Prior to undertaking the work, an agreement is needed to be executed with the County to memorialize the scope of work and terms of payment, he stated.

There were questions from the Council.

ACTION:

Moved by Mayor Pro Tem Meyer seconded by Councilmember Schuyler and unanimously carried to approve the Intergovernmental Agreement with Ouray County concerning Noxious Weed Management and Control Services.

14. Letter of support for Congressional Directed Spending Request for acquisition of land at 660 Sherman St. for a mixed-use development project

Mayor Clark told the Council the Home Trust of Ouray County applied for grant funds last week and need a letter of support from the Town, which he signed and is now asking the Council to ratify the action.

Andrea Sokolowski with the Home Trust explained the organization has applied for grant funds with the Department of Local Affairs to construct a three story mixed use building on Highway 62. If received the 1.565 million dollar grant will be used for land purchase,

surveying, engineering, site improvements and infrastructure to begin the project. Total project cost of 12 million will be needed and the building will include 2000 sq feet of commercial space; 14 affordable rental units of 580 and 1160 square feet; a day care facility and playground.

ACTION:

Moved by Councilmember Lakin to ratify the letter of support for Congressional Directed Spending Request for acquisition of land at 660 Sherman St. for a mixed-use development project, seconded by Councilor Enochs, the motion carried unanimously.

15. Contribution request from the Home Trust of Ouray County

Staff Report from the Town Manager dated 4-7-22 presenting a request from the Home Trust of Ouray County for \$10,000 to support their operations.

Manager Neill explained at the prior meeting the Council expressed commitment to fund the newly formed Home Trust of Ouray County, and requested to know prior to taking action, what other local governments will contribute. He reported the Ouray County Board of Commissioners have pledged to contribute \$10,000.

Andrea Sokolowski, President of the Home Trust, submitted a narrative of a request for \$10,000 noting the organization is being based on a “community land trust model”.

There were questions from the Council.

ACTION:

Moved by Councilor Schuyler, seconded by Councilor Enochs and approved unanimously to contribute \$10,000 to the Home Trust of Ouray County in Fiscal Year 2022, with the funding to come out of the Affordable Housing line item in the General Fund.

The Council took a recess at 7:40 p.m. and reconvened at 7:45 p.m.

16. Annual appointment of Mayor Pro Tem and review of Council representation on commissions, committees and boards

Staff Report from the Town Clerk dated 3-31-22 presenting the annual vote for Mayor Pro Tem, and a list of current Council representation on committees, commissions and boards.

ACTION:

It was moved by Councilmember Grambley and seconded by Councilor Enochs to appoint Councilor Meyer Mayor Pro Tem. After a call for the vote the motion carried unanimously.

The Council reviewed and discussed Council representation, and it was agreed that Councilor Enochs would represent the Council on the Parks and Trails Committee; Councilor Thomas will serve on the Sneffels Energy Board and as alternate on the Ouray County Water Users Association; Councilmember Schuyler as alternate to the Ouray County Joint Planning Board and Councilor Thomas wishes to serve on the Sustainability Committee when it is formed.

MISCELLANEOUS REPORTS

17. Update regarding water service revenue in fiscal year 2021

Staff Report from the Town Manager dated 4-5-22 presenting background on revenues received for water service in 2021.

The Town Manager explained Council has been expressed to aim to balance costs equitably across commercial and residential water users. In 2020 new rates were implemented and the service revenue goal exceeded the amount by .39%, and in 2021 fell short by 3.75%.

There were comments and discussion by the Council.

18. Monthly Managers Report

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

EXECUTIVE SESSION

The Town Attorney suggested the Council enter into a closed session pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice regarding the paving of Lena Street and the implementation agreement with Lena Commons, LLC.

ACTION:

Mayor Pro Tem Meyer moved to enter into closed session pursuant to CRS 24-6-402(4)(b). Councilmember Schuyler seconded and motion carried unanimously.

The Council entered into closed session with the Town Attorney, Town Manager and Town Engineer at 8:40 p.m.

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

ADJOURNMENT

The meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk