

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
JULY 13, 2022

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 Pro Tem called the meeting to order at 5:30 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 June 8, 2022.
2. Register of Demands for July 2022.
3. Renewal of restaurant liquor license with optional premises for Chipeta Sun Lodge.
4. Renewal of fermented malt beverage liquor license for Ridgway Shell.
5. Renewal of fermented malt beverage liquor license for Ridgway Conoco.
6. Renewal of restaurant liquor license for Provisions.

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 REQUESTS AND PRESENTATIONS

7. Presentation of the Ouray & San Miguel County Regional Climate Action Plan

Emma Gerona and Kim Wheels with EcoAction Partners presented slides displaying the San Miguel and Ouray County Regional Climate Action Plan, a regional collaboration prepared by Eco Action Partners and the Sneffels Energy Board and completed in 2021.

The Eco Action Partner representatives explained the ten year plan contains short and long term goals and recommendations covering eight sectors - community engagement and policy; energy supply and trends; building energy use; transportation and aviation; waste and material use; food accomplishments and recommendations; water trends; and land use and forestry. It was stated the plan is "measurable and target oriented to act as a guide for planning and implementing sustainability initiatives over the next decade".

8. Questions regarding eminent domain and condemnation of property

Kuno Vollenweider queried the Council regarding using eminent domain and property condemnation on two parcels in Town. The first is a lot in River Park Subdivision being used by pedestrians to access the secondary school, and the other is open land along the west side of Town, which could be used to complete the extension of N. Laura Street. He stated

“I think it is a priority to ensure safety for children to have pedestrian access” and the need to “build a full street” versus the proposal to build N. Laura as “half a street”.

Speaking from the audience Jack Petruccelli, President of the River Park Home Owners Association, explained the association has been trying for years to purchase property to provide access to the school, and the property being discussed “has an existing sewer line easement”, so the “value of the property would not be high”.

The Town Attorney explained the condemnation process is taking of private property for use by a governmental entity; the eminent domain process is taking property private property which has already been used by the public.

There was discussion by the Council regarding the suggestions from Mr. Vollenweider. It was noted the Council will be discussing the property adjacent to N. Laura Street at the end of the meeting in executive session. The Council agreed staff should look into the property being used as a easement to the school.

Speaking from the audience Tom Heffernan and Jack Petruccelli supported providing pedestrian access to the secondary school.

## POLICY MATTERS

### 9. Resolution Supporting the Multimodal Transportation and Mitigation Options Fund Grant Application

Staff Report dated 7-7-22 from the Town Manager presenting a Resolution supporting the Multimodal Transportation and Mitigation Options Fund Grant Application and match commitment for the creation of a Regional Transportation Service between the City of Montrose, Town of Ridgway and City of Ouray.

Manager Neill recommended the Council support the grant application which has been submitted to the Colorado Department of Transportation to create a regional transportation service between Montrose, Ridgway and Ouray. The estimated cost of the project over a three year period is \$710,788 and the amount being requested through the Multimodal Transportation grant funding is \$533,091 with a 25% match from the three municipalities of \$59,232 over three years. The estimated contribution from each entity is \$28,000 in year one and \$15,616 in the second two years. He explained All Points Transit has stated they can provide the service based on a contract for ridership of \$5.00 per round trip.

The Town Manager reported a workforce transportation survey was sent to business owners by the Town and City of Ouray to determine ridership needs. Of the responders 81.4% stated their company or business would benefit from having a public transit option for employees and customers; 74.4% indicated it would expand options to hire employees and alleviate staffing issues; 51.2% stated a public transit option would increase the hours and days they are able to serve customers. He explained the application is scheduled to be presented tomorrow, and the resolution before the Council would present a commitment to the project and budget appropriation to participate in the program.

There was discussion by the Council.

## ACTION:

Moved by Councilor Schuyler, with a second by Councilor Lakin to adopt Resolution No. 22-07 supporting the Multimodal Transportation and Mitigation Options Fund Grant Application and

Match Commitment for the Creation of a Regional Transportation Service between the City of Montrose, Town of Ridgway and City of Ouray. The motion carried unanimously on a roll call vote.

10. Discussion regarding use of Lodging Taxes

Staff Report from the Town Manager dated 7-7-22 presenting an overview of HB22-1117 concerning the use of revenue from local tax on lodging.

The Manager reported earlier in the year House Bill 22-1117 was passed which allows counties and marketing districts to allocate, with voter approval, the use of the funds for housing, childcare and infrastructure. He noted as a home rule municipality the Town has the authority to enact taxes and tax increases subject to voter approval. In 2015 the voters approved a ballot question changing the Town lodging tax rate and agreed that “up to 70% of the proceeds of the tax will be used for tourism promotion and economic development and the remainder to be used for expenses attributable to tourism and growth”. He suggested a portion of those funds could be allocated to support affordable housing. If the Council determines to pursue the idea, the County Clerk must receive by the end of the month an intention of the Town to present a question to the voters at the November election.

The Mayor suggested the Chamber of Commerce look at their budget to determine if they can work with a smaller portion of the lodging tax receipts.

There was discussion by the Council regarding the need to support affordable housing. There was discussion with representatives from the Ridgway Area Chamber of Commerce. It was agreed to continue discussions regarding formulating a ballot question at the next meeting, and to notify the County Clerk of the Town’s intention.

ACTION:

Mayor Pro Tem Meyer moved to notify the County Clerk the Town would like to participate in the November election and present a ballot question to the voters, seconded by Councilor Lakin the motion carried unanimously on a roll call vote.

11. Emergency restrictions on burning and fires within the Town

Staff Report dated 7-7-22 from the Town Manager requesting a confirmation of amendment to the emergency fire restrictions he instituted on burning and fires in the Town.

Manager Neill explained on June 15<sup>th</sup> the Town followed the lead of the county and implemented stage one fire restrictions, and on June 30<sup>th</sup> joined the other jurisdictions and transitioned out of the restrictions. He asked for the Council to confirm rescission of the restrictions.

ACTION:

Mayor Pro Tem Meyer moved to confirm the emergency restriction on burning and fires within the Town of Ridgway, as well as the rescission of emergency restriction on burning and fires within the Town of Ridgway. Councilmember Schuyler seconded the motion which carried unanimously on a roll call vote.

12. Ratification of letter of support for Ouray Ice Park funding request

The Mayor explained Ouray Ice Park requested a letter of support for a grant application made to the Colorado Outdoor Recreation Industry Office. The application was submitted prior to the Council meeting, and he asked the Council to ratify the letter.

ACTION:

Mayor Pro Tem Meyer moved, with a second by Councilor Lakin to ratify the letter of support for the Ouray Ice Parks funding request to the the Colorado Outdoor Recreation Industry Office, and the motion carried unanimously on a roll call vote.

13. Letter of support for the Gunnison Outdoor Resources Protection Act

Mayor Clark explained at the request of Robyn Cascade a letter has been prepared to Senator Bennett, supporting the Gunnison Outdoor Resources Protection Act.

ACTION:

It was moved by Councilmember Enochs to approve the letter to be sent to Senator Bennett. Mayor Pro Tem Meyer seconded the motion, and on a roll call vote, passed unanimously.

14. Request to set a special meeting of the Council

Manager Neill reported applicants for the Yellow Brick Road Development have requested the Council meet sooner than the next regular meeting to review the preliminary plat application. He suggested Council meet the first week in August. There was discussion and the Council agreed to meet on August 3<sup>rd</sup> at 6:00 p.m.

15. Discussion regarding issues arising out of development applications

The Town Manager explained he, along with the Town Engineer, Planning Firm and Town Attorney, are concerned about the number of active development applications and the short amount of time staff has to process them. He noted based on current code requirements, active land use development applications must be processed in a "short amount of time". Based on the current numbers of applications, he stated "the pressures at the staff level are significant"; noting "it's stressful and not sustainable at the current rate". He reported staff has been discussing "mechanisms to slow down the process" including changes to the land use application processes.

Town Attorney Nerlin explained at staff meetings regarding current development applications there have been discussions to develop policy changes, and he suggested Council consider adopting an emergency ordinance at the August meeting to implement any changes.

There was discussion by the Council. The Mayor noted there are currently "117 units in the pipeline and others in the subdivision process". He suggested instituting a moratorium to allow time for code adjustments and to meet affordable housing goals.

Speaking from the audience Dana Ivers spoke in support of a moratorium on development and building.

Manager Neill reported engineering can no longer keep up with providing complete and comprehensive reviews to meet standards within the established timeframes, and also noted the need for more time to process current applications.

Engineer Fagan stated there are an number of multi-unit development applications “with a lot of infrastructure” and “it can’t be accomplished” to “turn them around in three weeks”. She noted it is “way too much right now, consuming everyone’s time, and nothing else is being accomplished” including the public works department.

There were comments by the Council. There was discussion pertaining to an emergency ordinance to extend timelines for review of development applications, modify policies and make code changes; and also place a “pause on new development” to allow staff to “catch up” through a temporary moratorium. Staff was directed to prepare an ordinance for review at the August meeting.

### MISCELLANEOUS REPORTS

Manager Neill presented a proposed meeting schedule to review the 2023 budget; and highlighted some of the items contained in the monthly managers report.

Councilmember Lakin reported on the recent CC4C Conference. Mayor Pro Tem Meyer reported on the Ouray County Water Association. Councilor Thomas reported on the Sneffels Energy Board meeting.

### EXECUTIVE SESSION

The Town Attorney suggested the Council enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(4)(b) for the purpose of receiving legal advice and Colorado Revised Statutes 24-6-402(4)(e) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding Wolf Cattle Company property, and Colorado Revised Statutes 24-6-402(4)(f) for discussion of a personnel matter concerning the Town Manager’s annual performance evaluation.

#### ACTION:

Moved by Mayor Pro Tem Meyer, second by Councilor Schuyler and unanimously carried by a roll call vote to enter into closed session.

The Council entered into executive session at 8:20 p.m. with the Town Attorney, Town Manager and Town Engineer.

The Council reconvened into open session at 9:05 p.m.

### ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk

