

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
DECEMBER 14, 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 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 November 9, 2022.
2. Minutes of the Budget Workshop Meeting held on November 17, 2022.
3. Register of Demands for December 2022.
4. Water leak adjustment for Account# 6330.2/Tuohy.

ACTION:

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

PUBLIC COMMENTS

Pat Willits asked about plans to bring outdoor lighting violations at the Space to Create Building in conformance with the Town dark sky lighting regulations.

The Town Manager explained a dimmer and switch will be installed on a temporarily basis, and then the fixtures will be addressed.

PUBLIC HEARINGS

5. Application for Restaurant Liquor License from Bella Vino

Staff Report dated 11-11-22 from the Town Clerk presenting an application for a restaurant liquor license from For the Love of Food LLC, Shareholders: Chris Lee & Taryn Lee.

The Town Clerk explained the Town has received an application for a restaurant liquor license from For the Love of Food LLC, to do business with the trade name Bella Vino, at 220 S. Lena Street. The applicants have filed for a concurrent review with the State Liquor Enforcement Division while the application is being processed at the local level. This type of application, she explained, allows the local jurisdiction to issue a temporary operating permit to allow conducting business and the sale of alcohol until approval is issued by the state licensing authority. She reported a notice of hearing has been published and posted, the premises posted, and all fees and forms have been received.

ACTION:

Moved by Councilor Lakin and seconded by Mayor Pro Tem Meyer to approve the application for a Hotel/Restaurant Liquor License from For the Love of Food, LLC sole members Chris and Taryn Lee, doing business as Bella Vino. The motion carried unanimously on a roll call vote.

6. Application for Rezoning and Final Plat for Solar Ranches Filing No. 2C, Lot 110A

Staff Report dated 12-9-22 from Contractual Planner TJ Dlubac presenting a request for rezone and final plat for Lot 110A, Solar Ranches Filing No. 2C; applicants Michael Len and Susan Carriere Wilson trustees of the Wilson Living Trust dated 12-5-2017.

Planner Dlubac explained Lot 110 of Solar Ranches Filing No. 2C was re-subdivided into Lots 110A and 110B in 2001. Michael and Susan Wilson purchased the two parcels this year, with a single family residence located on Lot 110B with the address of 604 Sabeta, the lot is zoned residential. The adjacent lot, 110B is zoned general commercial, and the previous owners constructed a shed on the lot. The 1.15 acre property is located within a single family neighborhood and the owners are requesting to rezone Lot 110B to residential, amend the plat to adjust the property lines between the parcels, and also address a non-conforming lot frontage on the residential zoned parcel.

He explained the Planning Commission heard the requests at the October 25th meeting to rezone from general commercial to residential, change the plat to reconfigure the lots to correct the non-conforming lot frontage and change the property lines to place the existing shed on Lot 110B onto Lot 110A. He noted the access for both lots will be from Sabeta Drive and the new plat will give access to Lot 110B from the existing driveway on Lot 110A.

ACTION:

Mayor Pro Tem Meyer moved to approve the request for rezone of Lot 110A, Amended Plat of Lot 110, Solar Ranches Filing No. 2C from general commercial district to low density single family district finding the criteria set forth in Section 7-3-22(A)(1) of the Ridgway Municipal Code have been met with the following condition, the Wilson Subdivision amended plat is approved by the Town Council. Councilor Lakin seconded, and the motion unanimously carried on a roll call vote.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Schuyler and unanimously carried by a roll call vote to approve the Wilson Solar Ranch Subdivision finding that the criteria set forth in Section 7-4-10 of the Ridgway Municipal Code have been met and the with the following condition, an updated Attorney Certificate including exceptions is including on the Title Commitment.

7. Adoption of the 2023 Fiscal Year Budget and setting of Property Tax Levies for 2023

Staff Report from the Town Clerk/Treasurer presenting adoption of the 2023 Fiscal Year Budget and Property Tax Levies.

The Clerk/Treasurer reported the notice of adoption of the fiscal year budget was published on October 13th after presentation of the draft document to the Council. Numerous meetings and hearings were held to discuss the draft budget and capital improvement plans, and the Council is now being asked to approve the budget and set the mill levy for the 2023 fiscal year through adoption of a series of resolutions. She noted a number of other documents affiliated with the adoption will be presented later in the agenda, these include the capital improvement and strategic plans.

ACTION:

It was moved by Councilor Schuyler, seconded by Councilor Grambley to adopt Resolution No. 22-09 of the Town of Ridgway, Adopting a Budget for the Calendar Year Beginning on the First Day of January 2023, and Ending on the Last Day of December 2023. After a roll call vote the motion carried unanimously.

ACTION:

Mayor Pro Tem Meyer moved to adopt Resolution No. 22-10 of the Town of Ridgway, Appropriating Sums of Money to the Various Funds in the Amount and for the Purpose as Set Forth Below for the 2023 Budget Year. Councilor Lakin seconded the motion, which carried unanimously on a roll call vote.

ACTION:

Moved by Councilor Schuyler to adopt Resolution No. 22-11 of the Town of Ridgway, Adopting the Property Tax Levy for the Year 2023 for Certification to the Ouray County Commissioners, seconded by Mayor Pro Tem Meyer, and carried unanimously on a roll call vote.

POLICY MATTERS

8. Adoption of the 2023 Five-Year and Ten-Year Capital Improvement Plans

The Clerk/Treasurer presented highlights of items contained in the Five-Year and Ten-Year Capital Improvement Plans, noting there have been no changes to the documents since the Council last reviewed them.

ACTION:

It was moved by Councilor Grambley to approve the 2023 Five and Ten Year Capital Improvement Plans. Councilmember Lakin seconded the motion. On a roll call vote the motion carried unanimously.

9. Adoption of the 2023 Strategic Plan

The Town Manager presented the 2023 Strategic Plan, which outlines goals to be accomplished by staff.

The Mayor asked if the Council had any changes or items to add to the proposed document. There were none.

ACTION:

Councilor Kroger moved to adopt the 2023 Strategic Plan and Councilmember Thomas seconded the motion. On a roll call vote the motion passed unanimously.

10. Memorandum of Understanding with Ouray County regarding 2023 Operational Funding Requests, Road and Bridge Apportionment, and Future Goals

Town Manager Neill presented the annual Memorandum of Understanding between the County and Town pertaining to funding requests and setting shared goals to pursue in 2023.

He noted some of the goals include a work force transportation project and the county master planning process.

There were questions from the Council to staff.

ACTION:

Moved by Mayor Pro Tem Meyer, with a second by Councilor Grambley to approve the MOU between Ouray County and the Town of Ridgway regarding 2023 Operational Funding Requests, Road and Bridge Apportionment, and Future Goals. The motion carried unanimously on a roll call vote.

11. Amended and Restated Declaration of Covenants, Conditions and Restrictions for Ridgway USA Development

Memorandum dated 12-9-22 from the Town Attorney presenting a request from the Ridgway USA Development to ratify amended and restated Declaration of Covenants.

Attorney Nerlin explained to the Council it is not a standard request to approve changes to Declaration of Covenants, Conditions and Restrictions, but if the Council chooses to, the Town would not have the responsibility or burden to enforce the restrictive covenants. He stated he has reviewed the amended covenants and they do not contain any provisions of violation of the Municipal Code.

There were questions and comments from the Council.

ACTION:

Moved by Mayor Pro Tem Meyer to approve the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Ridgway USA Development, and direct staff to explain to the development company future revisions do not require Town approval. Councilor Thomas seconded the motion which carried unanimously on a roll call vote.

12. Agreement for Legal Services with Bo James Nerlin, P.C.

The Town Attorney presented an agreement for legal services in 2023. He noted the contract contains one change from the present year, capping the number of hours given at no fee for the monthly meeting.

ACTION:

It was moved by Mayor Pro Tem Meyer, seconded by Councilmember Grambley and carried on a roll call vote to approve the Professional Services Agreement between the Town of Ridgway and Bo James Nerlin, PC.

13. Consideration of appointment to the Home Trust of Ouray County Board of Directors

The Town Manager explained the Town has received a request for the Town Council to appoint a member to the board of the Home Trust of Ouray County.

Jake Niece explained the board is “a working board” comprised of nine members, three of which are from the local jurisdictions in the County, and hold one evening meeting per month, on the first Wednesday of the month.

There was discussion by the Council and it was agreed to discuss appointment of a member at the next meeting.

14. Resolution amending Standard Specifications and Typical Standards for Infrastructure Construction

Staff Report from the Town Manager dated 12-14-22 presented a proposed resolution amending the Standard Specifications and Typical Standards for Infrastructure Construction.

Manager Neill explained the Town Engineer is proposing a few small changes to the Standard Specifications, one of which is to not allow the use of stainless steel nuts and bolts in infrastructure construction, due to finding corrosion created by saline soil conditions in existing infrastructure.

ACTION:

Councilor Kroger moved to approve Resolution Number 22-12 Amending the Town of Ridgway Standard Specification and Typical Drawings for Infrastructure Construction. Mayor Pro Tem Meyer seconded the motion which carried unanimously on a roll call vote.

15. Request for letter of support from Bruin Waste Management

The Town Manager presented a request from Bruin Waste Management for a letter supporting application to the Colorado Department of Public Health and Environment Recycling Resources Economic Opportunity Program, to construct a food scrap compost collection route and transfer of materials to SXM company.

There were comments by the Council.

ACTION:

It was moved by Mayor Pro Tem Meyer and seconded by Councilmember Schuyler to approve the Mayor signing a letter of support to the Colorado Department of Public Health on behalf of Bruin Waste Management. The motion carried unanimously on a roll call vote.

16. Request for letter of support from Ridgway Chautauqua Society for application for Region 10 Economic Assistance Enterprise Zone Tax Credit program

The Town Manager reported the Ridgway Chautauqua Society is requesting a letter of support similar to the one given last year to attach to the application for the Region 10 Economic Zone Tax Credit program.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Grambley and approved by a roll call vote to approve the letter to Region 10 Economic Assistance supporting the Ridgway Chautauqua Society application for Enterprise Zone Tax Credits for donors.

MISCELLANEOUS REPORTS

Manager Neill highlighted some items in the monthly Managers Report.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk