

TOWN COUNCIL OF RIDGWAY
MINUTES OF REGULAR MEETING

APRIL 12, 2023

CALL TO ORDER

The meeting was held both in person and via 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. at the Ridgway Community Center, 201 North Railroad Street, Ridgway, Colorado. Councilors Kroger, Lakin, Schuyler, Thomas, Mayor Pro Tem Meyer and Mayor Clark were in attendance. Councilor Grambley was absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 8, 2023.
2. Register of Demands for April 2023.
3. Renewal of Liquor Store license for Ridgway Liquors.
4. Request for water leak adjustment for Account 3690.2/Lee.

ACTION:

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

POLICY MATTERS

5. Ridgway Space to Create Update

Andrew Michaelson, Property Development Director for Artspace reported the Space to Create project is successfully completed with all thirty units fully leased. He said the project is in a stable position and will seek permanent financing. Michaelson further reported that the grand opening will be held on June 22, 4:00 p.m. – 7:00 p.m., at the Space to Create building. He commented that the tenants are a mix of workforce housing with half identifying as a creative tenant, though that was not a qualifying preference.

There was a discussion by the Council.

6. Proclamation for International Dark Sky Week

Mayor Clark said the Town of Ridgway is a formerly recognized Dark Skies community under the aegis of the International Dark Skies Association along with many towns in Colorado who are members or seeking membership such as Nucla and Montrose.

ACTION:

Councilor Kroeger moved to Proclaim the week of April 15-22, 2023, as International Dark Sky Week. Mayor Pro Tem Meyer seconded the motion, and it was carried unanimously.

7. Request Regarding Infrastructure Work for the Riverfront Village Project

Staff Report dated April 5, 2023, from the Town Manager presenting background regarding infrastructure work related to the River Front Village project.

Jake Cantor, representative for the owner of the project reviewed the line items in Exhibit B of the Staff Report, and noted the water and sewer line installation, as well as the sewer line extension serving future developments has been completed. He requested infrastructure improvements 7 and 9 for signs and lighting listed in the Development Agreement be deferred to the Subdivisions Improvement Agreement (SIA) to make the construction sequencing more logical, avoid nuisances to neighbors, save costs and make the final plat process efficient. Cantor said a traffic sign would be placed at the intersection of Hwy 550 for safety reasons.

Colt Skidmore, Project Superintendent explained a change in the proposed sequencing for the dry wells related to drainage and landscaping, noting cost savings. He requested the dry wells for drainage be deferred to the SIA as well.

Mr. Cantor requested the building permit for the project be received prior to Final Plat to keep the project on track once the plat is approved.

The Town Manager said the building permit is currently being reviewed by staff and will try to have it issued by the time the plat is recorded, or shortly thereafter.

Manager Neill said staff would work with the development team regarding the deferral of signs and lighting but expressed concerns to defer the drainage requirements.

Engineer Joanne Fagan said the drywells, needed for water quality, treat the water that flows across a neighboring property. She said an alternative solution is needed so that staff can better understand how the Developer would provide the water quality treatment.

Mr. Skidmore explained the drainage solution currently in place which uses silt fencing to keep most of the drainage on the property with the Engineer and the Council. The Council directed Staff to work with the Development Team to find an equitable drainage solution.

ACTION:

Mayor Pro-Tem Meyer moved to approve the deferral of items 7.) Street signs, stop signs or similar traffic central devices, 8.) A storm drainage system and 9.) Streetlights, in Exhibit B of the Subdivisions Improvements Agreement, on the condition that item 8 be addressed with an interim drainage solution approved by Town Staff. Councilor Thomas seconded the motion, and it was carried unanimously.

8. Presentation Regarding Chapter 7- Planning and Zoning Updates

Staff Report dated April 12, 2023 from Town Manger Preston Neill regarding Ridgway Municipal Code Chapter 7, Land Use Regulations Update; Power Point presentation dated April 12, 2023, reviewing the scope of the Chapter 7 updates, prepared by Katie Kent and TJ Dlubac of Planning Strategies, LLC

Planners Kent and Dlubac reviewed the scope of the updates for Chapter 7, which included a newly proposed layout and policy changes resulting from discussions with the Planning Commission. They reviewed the application types and updated the Council on the development review process. The timeline for approval and adoption was reviewed which included an undetermined date to provide a work session for the development community.

The Council discussed the updated process with the planners and staff and made a few recommendations. They agreed the Planners should proceed with the proposed updates and timeline.

9. Landlord Consent, Estoppel and Agreement with Artspace Projects, Inc. and Colorado Housing and Finance Authority

The Town Attorney said with respect to Artspace getting permanent financing in place and completion of the construction project, the agreement asks for the Town to subordinate its position.

ACTION:

Councilor Schuyler moved to approve the Landlord Consent, Estoppel and Agreement between the Town of Ridgway, Artspace Ridgway LP, and the Colorado Housing and Finance Authority. Mayor Pro Tem Meyer seconded the motion, and it was carried unanimously.

10. Subordination, Non-Disturbance and Attornment Agreement with Artspace Projects, Inc. and Colorado Housing and Finance Authority

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Schuyler, the motion carried unanimously to approve the Subordination, Non-Disturbance and Attorney Agreement between the Town of Ridgway, Artspace Properties, Inc. and the Colorado Housing and Finance Authority.

11. Resolution Releasing the Property Use Covenant Regarding the Energy Impact Assistance Funding #8389

Town Attorney Bo Nerlin reported the condition levied on the Town by the Department of Local Affairs for the original Space to Create funding has been met so the covenant against the project can be released.

ACTION:

Mayor Pro Tem Meyer moved to approve Resolution No. 2023-07, Release of Property Use Covenant, Town of Ridgway Energy Impact Assistance Funding #8389. Councilor Lakin seconded the motion, and it was unanimously carried.

12. Temporary Access Agreement with Echo Properties Corp., Railroad Depot Funding, LLC, Ridgway Railroad Museum and Ouray County Ranch History Museum

The Town Attorney explained the temporary agreement is a renewal of an existing agreement. The Town Council noted the agreement which provides access to the river trail easement will become a permanent agreement once all property owners have formally granted trail access.

There was further discussion by the Council.

ACTION:

Mayor Pro Tem Meyer moved to approve the Temporary Access Agreement with Echo Properties Corp., Railroad Depot Funding, LLC, Ridgway Railroad Museum and Ouray County Ranch History Museum. Councilor Lakin seconded the motion, and it was unanimously carried.

13. Agreement for Transportation System Grant Management with City of Ouray, County of Ouray and Montrose County Senior Citizen 's Transportation, Inc.

Memorandum dated April 6, 2023, from Town Manager Neill presenting the Agreement for Transportation System Grant Management.

Town Manager Neill noted the agreement for the pilot program sets forth the payment requirements, agreement terms, scope of the project and commits the participating entities for timely payment of 25% matching funds. Neill explained the Town will commit approximately \$28,000 for fiscal year '23, and up to \$15,000, for fiscal years '24 and '25.

There was a discussion by the Council.

ACTION:

Mayor Pro Tem Meyer moved to approve the Agreement for Transportation System Grant Management with City of Ouray, County of Ouray and Montrose County Senior Citizen's Transportation, Inc. Councilor Kroger seconded the motion, and it was carried unanimously.

14. Intergovernmental Agreement for Use of Ridgway Community Center for Emergencies with Ouray County

Manager Neill commented that the Community Center location is a second option for the County.

ACTION:

Councilor Lakin moved to approve the Intergovernmental Agreement for Use of Ridgway Community Center for Emergencies with Ouray County. Mayor Pro Tem Meyer seconded the motion, and it was carried unanimously.

15. Resolution Expressing Opposition to Statewide Land Use and Zoning Preemptions in Senate Bill 23-213.

Memorandum dated April 6, 2023, from The Town Manager presenting Resolution No. 23-05.

The Town Council discussed their opposition to the proposed bill.

SPEAKING FROM THE AUDIENCE:

Terese Seal said that while the Town is addressing housing needs, the single-family zoning regulations should be updated to encourage smaller homes for sustainable reasons, and the current area median income calculations are not capturing the middle-income families. Ms.

Seal encouraged smaller affordable housing developments and homes throughout town to meet the need for affordable units quicker.

The Council discussed the suggestions with Ms. Seal.

ACTION:

Mayor Pro Tem Meyer moved to approve Resolution No. 2023-05 Expressing Opposition to Statewide Land Use and Zoning Preemptions in Senate Bill 23-213. Councilor Schuyler seconded the motion, and it was carried unanimously.

16. Resolution Supporting Updates to the Colorado Communities for Climate Action Policy Statement

Memorandum dated April 6, 2023, from Town Manager Preston Neill presenting Resolution No. 23-06.

There was a discussion by the Council.

ACTION:

Mayor Pro Tem Meyer moved to approve Resolution No. 23-06 Supporting Updates to the Colorado Communities for Climate Action Policy Statement. Councilor Kroger seconded the motion, and it was carried unanimously.

17. Ratification of Letters Related to Ouray County Multi-Jurisdictional Hazard Mitigation Planning Effort

There was a discussion by the Council.

ACTION:

Councilor Lakin moved to approve the ratification of letters related to Ouray County Multi-Jurisdictional Hazard Mitigation Planning Effort. Mayor Pro Tem Meyer seconded the motion, and it was carried unanimously.

18. Annual Appointment of Mayor Pro Tem and Review of Council Representation on Commissions, Committees and Boards

Staff Report dated March 8, 2023, from Town Clerk, Pam Kraft regarding appointment of Mayor Pro Tem and Council representation on boards, committees and commissions.

The Council agreed the current people should retain their positions.

ACTION:

Councilor Lakin moved to appoint Russ Meyer for the annual term of Mayor Pro Tem. Councilor Kroger seconded the motion, and it was carried unanimously.

ACTION:

Mayor Pro Tem Meyer moved to approve the representation for Committees and Commissions, Board Appointments and Liaisons as currently appointed. Councilor Kroger seconded the motion, and it was carried unanimously.

The Town Council recognized and expressed congratulations for the marriage of Town employees Steven Schroeder and Jess Nunn who “tied-the-knot” in Hawaii during the meeting.

TOWN MANAGERS REPORT

Town Manager’s Report dated April 7, 2023.

The Town Manager reviewed the Staff Report, and noted he attended a flood preparedness session provided by Glenn Boyd, Ouray County Emergency Manager. He noted the County is in a better position for the run-off season than most of the neighboring towns.

Town Manager Neill expressed his appreciation to the Public Works staff via “shout-out,” for their hard work getting the culvert finished at the intersection of Frederick and Cora Streets.

Mayor Clark reported Cottonwood Park Clean-Up Day is on April 22.

Manager Neill reported a Special Planning Commission Meeting regarding the Wetterhorn project will be held on April 17.

COUNCIL REPORTS

Councilor Thomas reported the Sustainability Advisory Board is working on their website. He further reported the Ridgway Apiary is having trouble with bee mortality and an investigation is underway.

EXECUTIVE SESSION

The Town Attorney suggested the Council enter a closed session pursuant to Colorado Revised Statutes (C.R.S.) 24-6-402(b) for the purpose of receiving legal advice pertaining to a specific legal question regarding the possible purchase and/or condemnation of 539 Marion Overlook, Ridgway, Colorado.

ACTION:

It was moved by Councilor Kroger, seconded by Mayor Pro Tem Meyer and unanimously carried to enter closed session.

The Council entered an executive session at 8:08 p.m.

The Town Council reconvened to open session at 8:11p.m.

ADJOURNMENT

The regular meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Karen Christian
Deputy Clerk