

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
JUNE 14, 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. The Council was present in its entirety with Councilors Grambley, Kroger, Lakin, Schuyler, Thomas, Mayor Pro Tem Meyer and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of May 10, 2023.
2. Minutes of the Special Meeting of April 17, 2023.
3. Register of Demands for June 2023.
4. Renew the Tavern Liquor License for Eatery 66.
5. Renewal of Restaurant Liquor License for El Agave Azul.
6. Renewal of Tavern Liquor License for New Sherbino Theater.
7. Renewal of Tavern Liquor License for Star Saloon.

ACTION:

It was moved by Councilmember Kroger, seconded by Councilor Lakin and unanimously carried to approve the consent agenda.

PUBLIC COMMENTS

Tanya Ishikawa reported the Chamber of Commerce has received an outdoor funding grant with three other counties for collaborative design of a guide for bike routes on gravel roads. She also reported the annual Uncompahgre Watershed River Fest fund raiser is June 24th.

Val Szwarc reported on upcoming Dark Sky Committee events; and Ridgway State Park is making application to become a "certified dark sky park".

Sue Husch reminded the Council of the Area Health Agency training being held tomorrow.

Jake Niece announced the Ouray County Master Plan Survey will remain open until July 21st. He noted the importance of participation, as the answers will be a "big tool for the process" and the document "will inform policy decisions for the next thirty years".

Katherine Johnson invited the Council to attend the Chamber Business After Hours event on June 20th.

PUBLIC REQUESTS AND PRESENTATIONS

8. Request to close N. Cora Street between Railroad and Roundhouse Streets for annual block party on August 31st from 5:00 to 10:00 p.m.

The Town Clerk presented an application for use of right-of-way to close N. Cora Street between Railroad and Roundhouse Streets for the annual block party to be held August 31st.

ACTION:

Councilmember Schuyler moved to approve the application for use of right-of-way to close N. Cora Street between Railroad and Roundhouse Streets for the annual block party on August 31st. Councilor Kroger seconded and the motion carried unanimously.

9. Request to extend the road closure for the Fete de la Musique and close N. Cora Street to Otto Street

The Town Clerk explained the annual Fete de la Musique is requesting to extend the road closure previously approved by Council. The original request was to Fredrick Street, the new request is to take the closure to Otto Street.

Sue Husch explained most of the property owners along the street have been notified of the plan to close the street between 3:00 and 10:00 pm on June 25th.

ACTION:

Moved by Councilor Lakin, seconded by Mayor Pro Tem Meyer to approve the modification to the Fete de la Musique street closure on N. Cora Street. On a call for the vote the motion carried unanimously.

10. Proclamation Supporting the Third Annual Ouray County Pride Celebration

Mayor Clark presented a proclamation supporting the annual Ouray County Pride Celebration on June 17th.

There were comments by the Council.

Speaking from the audience Nick Homan, a member of the Gay Pride Committee, thanked the Council for their support.

ACTION:

Mayor Pro Tem Meyer moved, Councilor Lakin seconded to approve the Proclamation Supporting the Third Annual Ouray County Pride Celebration.

11. Proclamation Declaring June as Immigrant Heritage Month

The Mayor presented a request from Tri-County Health Network to approve a proclamation declaring June as Immigrant Heritage Month.

ACTION:

It was moved by Mayor Pro Tem Meyer to approve the Proclamation Declaring June as Immigrant Heritage Month. Councilor Kroger seconded and the motion carried unanimously.

PUBLIC HEARINGS

12. Application for Restaurant Liquor License from Greenwood Ridgway, LLC; DBA: Greenwoods

Staff Report from the Town Clerk presenting an application for restaurant liquor license from Greenwood Ridgway LLC.

The Town Clerk reported the Town has received an application for a Restaurant Liquor License from Greenwoods Ridgway, LLC; sole member: Marty Frank; for the premises at 160 Palomino Trail. The trade name of the business is Greenwoods. A notice of hearing before the Town Council has been posted and published, and the premises posted, all in accordance with state statutes. She explained the applicant leases the premises, which will be licensed to include the building and the patio areas on the east and west sides. State liquor law allows applicants to file for a concurrent review with State Liquor Enforcement while the application is being processed at the local level. This type of application allows the local jurisdiction to issue a temporary permit allowing the applicant to conduct business and sell alcohol, until approval is issued by the state licensing authority, and the applicant is seeking concurrent review, she reported.

Applicant Marty Frank addressed the Council and explained the new restaurant will feature “rustic American with a southern flair” and will be open seven days a week, with an anticipated opening date of August 1st.

ACTION:

Mayor Pro Tem Meyer moved to approve the application of Restaurant Liquor License from Greenwoods Ridgway LLC, sole member Marty Fran, dba Greenwoods. Councilor Thomas seconded the motion which was unanimously approved.

13. Adoption of Ordinance No. 03-2023 Amending Chapter 6–Building Regulations; Amending Chapter 7–Planning and Zoning; and Amending Chapter 8–Licensing of the Ridgway Municipal Code; and Amending the Official Zoning Map

Staff Report from TJ Dlubac contracted planner with Community Planning Strategies presenting the second reading of an ordinance amending the Land Use Regulations.

Planner Dlubac explained the objectives of the proposed ordinance changes are to clarify the zoning and subdivision review process, remove contradictions and duplication between code sections and create a structure that can be updated to adapt to changing trends and needs. He noted the document now contains code requirements that address the process from sketch plan, preliminary plan, construction and into final plat. There were nine public meetings, including two before the Council, and a meeting with developers. The Planning Commission recommended adoption on April 25th and since then technical corrections for terminology, grammar and spelling have been made to the document. If approved tonight, he noted, the new processes would go into effect in mid July.

There were questions from Council to staff.

ACTION:

Moved by Councilor Schuyler to approve Ordinance No. 03-2023, Chapter 7, Land Use Regulations Update. Mayor Pro Tem Meyer seconded the motion. The motion carried unanimously.

14. Emergency Ordinance No. 05-2023 Extending the Expiration Date of the San Miguel Power Association, Inc. Franchise, and Declaring and Emergency

Town Attorney Nerlin explained the existing franchise agreement with San Miguel Power Association has expired. The goal had been to bring a new agreement to the meeting, but he is now requesting extension of the existing agreement with the hope a new document will be presented over the summer.

There were comments from the Council.

ACTION:

Councilmember Lakin moved to approve Ordinance 05-2023 Extending the Expiration Date of the San Miguel Power Association, Inc. Franchise, and Declaring and Emergency, there was a second by Mayor Pro Tem Meyer, and the motion carried with Councilor Schuyler abstaining.

POLICY MATTERS

15. Interview of Youth Advisory Council candidates and appointment of members

Staff Report from the Town Manager dated 6-7-23 presenting an update on the Youth Advisory Council.

Manager Neill explained requests for participation in the Youth Advisory Council was advertised with an application submittal deadline of May 31st. Two applications were received.

The applicants Riley Burr and Hannah Freed, seniors at Ridgway High School, addressed the Council requesting appointment to the Youth Advisory Council. There were questions from the Council.

The Town Manager reported openings on the board will be reposted at the beginning of the school year.

ACTION:

Moved by Councilor Lakin, seconded by Councilor Kroger to appoint Riley Burr and Hannah Freed to the Ridgway Youth Advisory Council for the 2023-24 school year. The motion carried unanimously.

16. Ordinance No. 04-2023 Repealing Emergency Ordinance No. 01-2022 and the Temporary Moratorium on the Acceptance of Development Applications

Manager Neill explained with the project to update the land use regulations completed, staff is recommending adopting an ordinance repealing the temporary moratorium that was placed on development applications. He noted if adopted with two readings the document would go into effect August 12th, one month after the regulations would go into effect in mid July.

There was discussion between staff and the Council regarding changing the ordinance to an emergency ordinance for adoption that would coincide with the other regulations.

ACTION:

Councilor Kroger moved to table Ordinance 04-2023 and look at adopting it as an emergency ordinance next month, Mayor Pro Tem Meyer seconded, and the motion carried unanimously.

17. Resolution No. 23-09 Adopting the Ouray and San Miguel County Regional Climate Action Plan

Memo dated 6-8-23 from Emma Gerona with EcoAction Partners requesting the Council adopt a resolution adopting the climate action plan for Ouray and San Miguel Counties. She explained the Energy Board actions have been implemented into the plan.

There were comments from the Council.

ACTION:

Moved by Councilmember Schuyler, seconded by Councilmember Thomas to approve Resolution No. 23-09 Adopting the Ouray and San Miguel County Regional Climate Action Plan. The motion carried unanimously.

18. Request for fee waiver from Home Trust of Ouray County related to Ridgway Duplex Project at Lot 6, Parkside Subdivision

Andrea Sokolowski with the Home Trust of Ouray County explained the non-profit organization is partnering with Habitat for Humanity to construct a duplex unit in Parkside Subdivision. Funding has been received to complete the project, and she requested waiver of Town fees.

The Town Manager explained the waiver would include building permit and plan check fees, water and sewer tap fees, excise development taxes and labor for meter can and mxu installation for a total of \$22,789.

There were questions and discussion from the Council.

ACTION:

Mayor Pro Tem Meyer moved to approve the waiver of building permit and tap fees for the Home Trust of Ouray County Duplex Project. Councilor Kroger seconded the motion which carried unanimously.

19. Resolution No. 23-10 Extending the Receipt of Waste, Refuse and Recycling Services from Bruin Waste Management

The Town Attorney explained the agreement with Bruin Waste Management for household refuse collection service is scheduled to expire in July, and requested the Council approve a resolution to continue the services until October to allow for bids to be received. He noted all contract terms will remain the same.

ACTION:

Moved by Mayor Pro Tem Meyer, seconded by Councilor Grambley and unanimously carried to approve Resolution No. 23-10 Extending the Receipt of Waste, Refuse and Recycling Services from Bruin Waste Management.

20. Notice of Award for the Athletic Park Master Plan Project

Staff Report dated 6-13-23 from the Town Manager presenting bids received for preparation of a Master Plan for the Athletic Park.

The Town Manager explained requests for proposal were sought in May and four bids were received on June 2nd. The selection committee collectively recommends entering to a contract with DHM Design based on their knowledge of the Town, and the long term established relationship. The bid amount is \$39,970 and \$40,000 was budgeted for the project.

There was a question from the audience regarding other aspects to the plan. The Town Manager noted the list of amenities on the request for proposals was not comprehensive, and all stakeholder groups will be invited to be present throughout the public process.

ACTION:

Mayor Pro Tem Meyer moved to authorize staff to enter into a Professional Services Agreement with DHM Design for the Ridgway Athletic Park Master Plan Project. Councilor Kroger seconded the motion and it carried unanimously.

21. Discussion regarding dedicated revenue source to address housing challenges

Town Managers Staff Report dated 6-9-23 presenting updated information on ways to obtain dedicated revenue sources for affordable housing.

Manager Neill explained at the prior meeting Council directed staff to focus on an increase to the lodging tax of six percent with a split of either 60-40 or 50-50 between tourism promotion and affordable housing.

There was discussion by Council regarding requests for waiver of fees for affordable housing development.

Speaking from the audience Jake Niece asked that ballot language also include use of the funds for child care programs.

There was discussion by the Council.

ACTION:

Councilor Kroger moved to submit to the County Clerk a notice of intent to place a question on the November ballot and direct staff to prepare a ballot question for review at the next meeting with includes a six percent and 50-50 split, Mayor Pro Tem Meyer seconded, and motion carried unanimously.

MISCELLANEOUS REPORTS

Manager Neill highlighted some items contained in the monthly Managers Report.

EXECUTIVE SESSION

The Town Attorney recommended the Council enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal

questions regarding the possible purchase and/or condemnation of 539 Marion Overlook, Ridgway, Colorado; and Colorado Revised Statutes 24-6-402(4)(b) for consultation with the Town Attorney and 24-6-402(4)(e) for matters subject to negotiation regarding the Town's possible purchase of water rights.

ACTION:

Mayor Pro Tem Meyer moved to enter into Closed Session, Councilor Schuyler seconded, and the motion carried unanimously.

The Council entered into closed session at 7:45 p.m. with the Town Attorney, Town Engineer, Town Manager and Town Clerk.

The Council reconvened from closed session at 8:30 p.m.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk