

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
OCTOBER 11, 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. Register of Demands for October 2023.
2. Water leak adjustment for Account# 3850.0/Murphy.

ACTION:

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

PUBLIC REQUEST

3. Introduction and consideration for funding in 2024 Budget from Minerva West Performing Arts

Kathleen O'Mara and Brenda Ratcliff representing Minerva West Performing Arts presented a letter dated September 22, 2023 and addressed the Council on items contained therein.

They explained the non-profit local theater group has both adult and children community theater programming, and the Board is requesting Town funding to assist in supporting the children's theater group and activities which take place after hours at both the schools, and during the summer months. They stated youth scholarships, which made up \$4,000 of the organizations budget this year, ensure that regardless of "background and economic standing" children are able to participate in the six week programs, which provide 55-60 hours of instructional time, and three performances. 122 community actors ranging from ages 7 to 79, gave 41 performances in 11 productions last year, which was seen by over 1700 spectators.

There were questions from the Council.

POLICY MATTERS

4. Update regarding Ridgway Athletic Park master planning process

Staff Report from the Town Manager dated 10-5-23 presenting 86 written comments regarding planning for the Athletic Park.

Town Manager Neill reported the Town is entering into the third phase of Master Planning the Athletic Park. The public forums have filled the Community Center, and public feedback

is currently being solicited, with 86 written comments received to date. He stated staff is requesting direction on specific uses at the park to allow the planning contractor, DHM Consulting, to present a plan at the next public meeting in early November.

There were comments by the Council. It was noted the micro-grid placement in the park has received “overwhelming comments” in opposition. After extensive discussion it was agreed the solar grid should not be placed in the park.

There was further discussion and it was agreed the plan should be an open concept with green spaces; include more soccer and baseball uses; six to eight pickleball courts placed on the east side of the park along the county road; the school should be invited to participate in the planning with the understanding that some recreation activities might be better placed at the schools; the dog park should be placed at another location; the tennis and basketball courts should be used for those uses only, not for pickleball; parking should be placed in a central location.

Speaking from the audience Linda Browning encouraged considering ground water levels during the planning process.

5. Resolution No. 23-13 Extending the Receipt of Waste, Refuse and Recycling Services from Bruin Waste Management

The Town Manager presented a proposed resolution extending the professional services agreement with Bruin Waste Management, which was slated to expire in June and was extended to October 16th by Council action. He reported staff and representatives of the company have created proposed updates to extend the agreement for two years to expire on 10-15-25, with some modifications to the services. The new agreement will include a fifth clean up day dumpster for recycling metal; modifying the size of refuse container given for Town use on a weekly basis; and increasing fees by five percent based on land use tipping fees.

Chris Trosper with Bruin Waste Management addressed the Council and explained the proposed composting pilot program, which will be started in San Miguel County and then offered in Ouray County.

There were questions from the Council.

ACTION:

Councilor Schuyler moved to approve Resolution 23-13 Extending the Receipt of Waste, Refuse and Recycling Services from Bruin Waste Management. Councilor Thomas seconded and the motion carried unanimously.

PUBLIC HEARINGS

6. Application for Final Plat for Subdivision and Planned Unit Development Wetterhorn Homes

Staff Report dated 10-6-23 from TJ Dlubac, Contractual Planner with Community Planning Strategies.

Planner Dlubac presented an application from Ridgway Homes, LLC for Final Plat for Planned Unit Development, Wetterhorn Homes, located in the Historic Residential District of Town. The property is just under one acre in size and located on Block 30, adjacent to Laura Street and south of Otto Street. The Sketch Plan process was approved in May of 2020 and

Preliminary Plat in July of 2022 at which time density of the project was also approved. The project consists of seven townhome structures, two stories each, providing 14 affordable housing units on 14 lots, with another lot dedicated to storm water management located on a .98 acre parcel. The projects infrastructure improvements were assisted by a grant through the Department of Local Affairs, received on their behalf by the Town. Some of these public improvements, he noted, are being included in the Subdivision Improvements Agreement until completion. The Planning Commission voted to recommend approval on 8-29-23.

Applicant Paul Majors presented updates on the affordable housing projects infrastructure process. Twelve homes are under contract, with two homes remaining to sell before the "move in" date of November 1st.

ACTION:

Moved by Councilor Lakin, seconded by Mayor Pro Tem Meyer and unanimously carried to approve the Final Plat and Final PUD for Wetterhorn Homes Subdivision finding that the criteria set forth in Section 7-4-5(C)(9) of the Ridgway Municipal Code have been met and with the following conditions - an executed mylar of the final plat be submitted by the application to the Town for final execution and recording with the Ouray County Clerk and Recorder; the Subdivision Improvement Agreement be approved by the Town Council; all comments in the Staff Report Letter dated August 25, 2023 be adequately addressed prior to recording of the Final Plat with the Ouray County Clerk and Recorder.

7. Application for Final Plat for Subdivision and Planned Unit Development; Riverfront Village

Staff Report dated 10-6-23 from TJ Dlubac, Contractual Planner with Community Planning Strategies.

Planner Dlubac presented an application from Jake Cantor with Alpine Homes - Ridgway, LLC for Final Plat for Planned Unit Development, Riverfront Village, located in the General Commercial District of Town. The property is 8.141 acres and includes both the east and west sides of the Uncompahgre River. The Preliminary Plat was approved in November of 2021 and installation of public improvements began in the spring of 2022. The project is a mixed use development comprised of 38 residential units, consisting of townhomes, tri-plex and four-plex dwelling units and four commercial units with 3,983 square feet of commercial area, and residential units above. He noted the project includes internal roads, property slated for public uses with a pedestrian access easement along the southern edge of the property, a river trail and proposed passive park. Deviations were granted in relation to the high water set backs. The Planning Commission voted to recommend approval on 9-26-23.

There were questions from the Council and discussion regarding the proposal for short term rentals within the project.

Applicant Jake Cantor and Attorney Tom Kennedy presented comments on the conditions. Architect Jim Kehoe addressed Council questions and stated the project will be dark sky compliant, ADA accessible, and will be a full electric project and "solar ready".

ACTION:

Moved by Councilor Schuyler, seconded by Mayor Pro Tem Meyer and unanimously carried to approve the Final Plat and Final PUD for Riverfront Village PUD Subdivision finding that the criteria set forth in Section 7-4-5(C)(9) of the Ridgway Municipal Code have been met and with the following conditions - prior to the Town recording the Final Plat and PUD with the Ouray County Clerk and Records Office, an emergency access easement and utility easement as

depicted on the Final Plat, shall be recorded on Lot 2, Triangle Subdivision; prior to the Town recording the Final Plat and PUD with the Ouray County Clerk and Recorders Office, a note shall be added to the Final Plat stating that the portions of the sewer line the Developer will continue to own, maintain and repair which has been approved by the Town Staff; prior to the Town recording the Final Plat and PUD with the Ouray County Clerk and Recorders Office, all grammatic, technical and procedural non-material amendments to application materials be made as necessary to ensure the ability to enforce and administer the provisions pursuant to the Ridgway Municipal Code standards; the Subdivision Improvement Agreement be approved by the Town Council.

8. Ordinance Granting a Franchise to San Miguel Power Association, Inc

The Town Attorney presented a draft ordinance for second reading and adoption, which will issue a 15 year franchise agreement for electric power utility to San Miguel Power Association (SMPA). He explained the agreement has been approved by SMPA legal staff, and no public comments have been received since the ordinance was introduced in September.

ACTION:

Moved by Mayor Pro Tem Meyer to approve Ordinance No. 06-2023 Granting a Franchise to San Miguel Power Association, Inc., to Operate an Electric Power Utility within the Town of Ridgway and Fixing the Terms and Conditions Thereof. The motion was seconded by Councilmember Lakin and carried unanimously.

POLICY MATTERS (Continued)

9. Subdivision Improvements Agreement with Ridgway Homes, LLC

The Town Attorney presented a Subdivision Improvements Agreement (SIA) with Ridgway Homes LLC for the Wetterhorn Subdivision. He explained a condition of approval for the Final Plat was to enter into a SIA for improvements which are being delayed. A letter of credit will secure completion. The items are attached to the Agreement as Exhibit B, and outlines which improvements will be installed by late November.

There were questions from the Council.

ACTION:

Councilmember Lakin moved, Mayor Pro Tem Meyer seconded, and it was unanimously carried to approve the Subdivision Improvements Agreement for Ridgway Homes LLC.

10. Subdivision Improvements Agreement with Alpine Homes-Ridgway, LLC

The Town Attorney presented a Subdivision Improvements Agreement (SIA) with Alpine Homes-Ridgway LLC for Riverfront Village PUD. He explained a condition of approval for the Final Plat was to enter into a SIA for improvements which are being delayed. A letter of credit or cash escrow equaling 1.5 times the amount of the proposed infrastructure costs will secure completion, slated for January of 2024 and 2025.

There were questions from the Council.

ACTION:

Moved by Mayor Pro Tem Meyer, Councilmember Kroger seconded, and it was unanimously carried to approve the Subdivision Improvements Agreement for Alpine Homes-Ridgway LLC.

11. Interviews of Youth Advisory Council candidates and appointment of members

Staff Report from the Town Manager dated 10-4-23 presenting applications for the Youth Advisory Council.

Manager Neill reported another solicitation period for the 2023-2024 Youth Advisory Council began in August and three more applications were received from Keira DeLuccio, Lauren Mahlin and Patrick Megahee. Two appointments to the Council have already been made.

Both Keira DeLuccio and Lauren Mahlin were present and answered questions from the Council.

ACTION:

Councilor Schuyler moved to appoint Keira DeLuccio and Lauren Mahlin to the 2023-2024 Youth Advisory Council for terms expiring on June 30, 2023. Councilmember Lakin seconded, and the motion carried unanimously.

12. Introduction of Ordinance Concerning Floodplain Management Regulations and Adopting Updated Flood Insurance Study and Flood Insurance Rate Map

Staff Report from the Town Manager dated 9-8-23 presenting a proposed ordinance adopting an updated Flood Insurance Study and Rate Map.

The Town Manager explained updated documents prepared by the Federal Emergency Management Agency pertaining to the final flood hazard determination will become effective January 1st and the Town is required to adopt the regulations, updated flood insurance study and rate map.

ACTION:

It was moved by Mayor Pro Tem Meyer, with a second by Councilor Lakin to introduce Ordinance No. 07-2023 Amending Section 6-2 of the Ridgway Municipal Code Concerning Floodplain Management Regulations and Adopting Updated Flood Insurance Study and Flood Insurance Rate Map. The motion carried unanimously.

13. Ratification of purchase of audiovisual equipment for the Decker Community Room

Staff Report from the Town Manager dated 9-29-23 requesting approval of budgeted funds.

Manager Neill asked for approval to expend budgeted funds of \$35,174.90 to purchase audiovisual equipment for the Decker Community Room.

ACTION:

Councilmember Lakin moved, Councilor Kroger seconded, and it was unanimously carried to approve the deviation from procurement procedures and ratify the expenditure of budgeted funds, at \$35,174.90 to purchase audiovisual equipment for the Decker Community Room.

14. Presentation of the Draft 2024 Fiscal Year Budget

The Town Clerk/Treasurer presented a draft of the 2024 Fiscal Year Budget, noting time frame of the presentation meets requirements of State Statute. The 2024 Capital Projects will be discussed during a Budget Retreat on October 21st. The budget will be presented to the public at the November regular meeting and a budget meeting in late November, before being presented for adoption at the December regular meeting.

MISCELLANEOUS REPORTS

15. Update pertaining to Ridgway Wetterhorn Homes Project

The Council received a memorandum dated 10-11-23 from Ross Valdez, with Impact Development Services, presenting an update on the status of the remaining homes in the affordable housing application process for Wetterhorn Homes.

16. Reappointment to the Planning Commission

The Mayor announced he has reappointed Michelle Montague to the Planning Commission for a new term expiring on November 1, 2029.

17. Monthly Town Manager's Report

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

Councilor Thomas reported on the collaborative electric vehicle event held last month. He presented a letter from the Sustainability Advisory Board recommending adoption of a resolution by the Council "to take a more aggressive approach to achieve Net Zero Carbon Reduction", by targeting new residential and commercial construction. After discussion by the Council it was agreed that staff should draft a resolution for Council consideration.

EXECUTIVE SESSION

The Town Attorney asked the Council to enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(4)(f) for discussion of a personnel matter concerning the Town Manager's annual performance evaluation.

ACTION:

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

The Council entered into closed session at 8:35 p.m. with the Town Manager.

The Council reconvened from closed session at 9:15 p.m.

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk