

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 21, 2018

CALL TO ORDER

The Mayor called the meeting to order at 5:40 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. In attendance Councilors Austin, Hawse, Hunter and Mayor Clark. Mayor Pro Tem Johnson was not present for the roll call; Councilors Williams and Young were absent.

EXECUTIVE SESSION

The Town Attorney requested an executive session pursuant to CRS 24-6-402(b) and (e) for conference with the Town Attorney for the purpose of receiving legal advice and to discuss matters subject to negotiations.

ACTION:

It was moved by Councilor Hunter, seconded by Councilor Austin and unanimously carried to enter into closed session.

The Council entered into executive session at 5:40 p.m. with the Town Attorney and Town Manager.

Mayor Pro Tem Johnson entered the meeting at 5:55 p.m.

The Council reconvened to open session at 6:05 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of January 10, 2018.
2. Minutes of the Special Workshop Meeting of January 25, 2018.
3. Minutes of the Joint Workshop Meeting of January 30, 2018.
4. Register of Demands for February 2018.

ACTION:

It was moved by Mayor Pro Tem Johnson and seconded by Councilmember Hawse to approve the consent agenda. The motion carried unanimously.

ACKNOWLEDGMENTS

The Mayor welcomed Deputy Marshal Shane Schmalz. Town Manager Coates explained Deputy Schmalz has met his six month probation period, and the Marshal is recommending permanent employment status.

PUBLIC COMMENTS

Kuno Vollenweider addressed the Council regarding maintenance of snow removal on sidewalks along the highway, noting uncleared sidewalks create safety hazards for children.

Town Manager Coates explained snow removal on sidewalks is the responsibility of the adjacent property owner, which can be difficult along the State Highway. She reported staff has spoken with the Department of Transportation regarding assistance with plowing snow from the highway in ways which would facilitate easier snow removal from the adjacent sidewalks. The Public Works staff have proposed options pertaining to maintenance of the sidewalks including establishing seasonal maintenance; purchasing equipment to accommodate the width of the sidewalk to allow staff to maintain them; allow a variance to regulations for sidewalk maintenance for property owners adjacent to the highway; or enforce all of the current regulations unilaterally.

There was discussion between Council and staff.

PUBLIC REQUESTS AND PRESENTATIONS

5. Presentation of contribution for the electric vehicle charging station installed in Hartwell Park

Willy Freeman with San Miguel Power Association, presented the Town with a contribution towards the electric vehicle charging station recently installed in the Hartwell Park parking lot. He noted the charging station completes the RAMP Project, and provides benefits to members of the community and visitors.

6. Request for letter of support for application of grant for Recycling Resources Economic Opportunity funding from Colorado Department of Public Health and Environment

Manager Coates explained last year the Council prepared a letter of support for a recycling resource grant applied for by the Mautz Brothers 3XM, LLC. She reported the grant was not received and the company is applying this year, and seeking another letter of support. The Town of Telluride has committed \$60,000 in matching funds to the project which will purchase equipment to establish a composting yard. The facility will recycle food and green waste for Delta, San Miguel, Montrose and Ouray Counties.

ACTION:

Councilmember Austin moved to approve a letter of support for the grant application for Recycling Resources Economic funding for Mautz Brothers 3XM, LLC. Councilor Hunter seconded and the motion carried unanimously.

POLICY MATTERS

7. Introduction of Ordinance Amending the Official Zoning Map to Provide for the Uncompahgre River Overlay District, Creating River Corridor Development Regulations and Amending the Town's Subdivision Regulations for Preliminary Plat and Required Improvements

Letter dated Feb 9, 2018 from Stephen Johnson Law Firm presenting concerns from Ridgway River Development regarding impacts to proposed development plans.

Manager Coates noted introduction of the ordinance is in follow up the January 25th workshop. She noted no changes have been made to the content of the ordinance, it remains as presented at the workshop.

SPEAKING FROM THE AUDIENCE:

Kuno Vollenweider stated “we need to protect the land owners” “so nobody gets hurt by this process”. He said he feels the regulations are “taking peoples property rights away” and “tell them what they can do on the river”. He suggested the Town approach property owners and offer to purchase property to “tie into Rollans Park”. He said he feels the ordinance is “too restrictive of property owners” and “I think morally it’s wrong”.

Linda Ingo noted her opposition to the regulations.

Laura Hagert explained along the river corridor in the City of Montrose, people are living under the bridges, and noted “we may have that problem”.

There was comments and discussion by the Council.

ACTION:

Councilmember Hunter moved, with a second by Councilor Hawse, to introduce the Ordinance Amending the Official Zoning Map to Provide for the Uncompahgre River Overlay District, Creating River Corridor Development Regulations and Amending the Town’s Subdivision Regulations for Preliminary Plat and Required Improvements. The motion carried unanimously.

8. Intergovernmental Agreement with the City of Ouray and Ouray County for administration of the State of Colorado Public Safety’s Victim Assistance in Law Enforcement (VALE) grant

The Town Manager reported the Town, City and County of Ouray have received a \$40,000 Victim Assistance grant to fully fund a victims advocate position for one year. She explained the employee will be on call to assist law enforcement within all three jurisdictions, and presented an intergovernmental agreement to address accountability and responsibility of the shared grant.

ACTION:

Councilor Austin moved to approve the Intergovernmental Agreement for Shared Victim Advocacy Services as presented, Mayor Pro Tem Johnson seconded, and the motion carried unanimously.

9. Fiber-optic Indefeasible Right of Use Agreement with Clearnetworx for sharing fiber-optic conduit

Manager Coates reported staff has worked with Clearnetworx to set fiber-optics conduit in the RAMP project area and throughout Hartwell Park. The conduit is owned by Clearnetworx and leased by the Town for 99 years. The Town paid to invest in placement of the conduit, and though it is owned and will be maintained by Clearnetworx, the Town has an interest in the use and can provide a carrier neutral location to other entities in the future, of which Clearnetworx retains fifty percent of the use. The Town owns the conduit in the Park, and can lease the fifty percent of use in the RAMP Project to the open market.

Town Attorney Nerlin noted the conduit is in the ground and ready for fiber optics. The agreement contains a repayment provision if the Town terminates within the first five years.

The Town Manager noted staff will produce a clearer, more accurate map to attach to the agreement which delineates all locations. She asked the Council to approve the agreement noting the map, which will be prepared through the GIS system, will be presented at another meeting.

ACTION:

Mayor Pro Tem Johnson moved to approve the Fiber-Optic Indefeasible Right of Use Agreement with Clearnetworx LLC with the exception of the appendix which will be ratified at a later date. Councilor Hunter seconded and the motion carried unanimously.

10. Contract to purchase 2017 Ford Explorer for Marshals Department

Manager Coates explained the Council budgeted funds to purchase two new police vehicles, and presented a contract to purchase a new Ford Explorer. She asked the Council to approve the purchase of the vehicle, and a second vehicle which will be ready in the next few months. She noted cost of both vehicles will be under the budgeted amount.

ACTION:

Mayor Pro Tem Johnson moved, Councilor Hunter seconded and it carried unanimously to approve this contract and a subsequent, similar contact to purchase a 2017 Ford Explorer for the Marshals Department.

11. Submittal of planning grant to the Colorado Department of Local Affairs for update to the Master Plan

The Town Manager reported the request for proposals for preparation of an update to the Master Plan was advertised last week. Staff is requesting approval to submit a planning grant application to the Department of Local Affairs for \$25,000 in funding, to supplement the \$75,000 budgeted by the Town.

ACTION:

It was moved by Councilor Hunter to approve submittal of a planning grant to the Colorado Department of Local Affairs for development of an update to the Master Plan, Councilor Hawse seconded the motion which carried unanimously.

12. Resolution amending the Police Procedures Manual to add Section 23: Seat Belt Policy

Manager Coates explained the Marshal is applying for "Click it or Ticket it" grant funding, and the application requires department procedures contain a seat belt policy. She presented a resolution adding a seat belt policy to the Police Procedures Manual.

ACTION:

Moved by Councilor Austin to approve the Resolution Amending the Police Procedures Manual to add Section 23: Seat Belt Policy. Councilmember Hunter seconded and on a call for the vote the motion carried unanimously.

13. Letter regarding the impact of House Bill 4239 transferring control of oil and gas drilling on public lands to States

Mayor Clark presented a letter from The Mountain Pact addressed to members of the Senate and House of Representatives regarding House Bill 4239, the Secure American Energy Act, asking that the impacts of transferring control of oil and gas drilling on public lands be considered.

ACTION:

Mayor Pro Tem Johnson moved to approve the letter to the Senate and House of Representatives regarding the impact of House Bill 4239 transferring control of oil and gas drilling on public lands to States, Councilmember Hunter seconded, the motion carried unanimously.

14. Letter of resignation from Councilor Young

Mayor Clark reported the Council has received a letter of resignation from Councilmember Erica Young.

ACTION:

Moved by Councilor Hunter, seconded by Mayor Pro Tem Johnson to regretfully accept the resignation of Erica Young from the Council. The motion carried unanimously.

There was discussion regarding the vacancy on the Council and the Town Clerk was directed to advertise the vacancy and present letters of interest at the next regular meeting.

TOWN MANAGERS REPORT

Manager Coates reported the Statewide Basins are reporting minimum accumulation of snow pack this winter, with low snow to water equivalent. Currently the Gunnison Basin is at 23%, which is considered severe drought. She suggested the Council enact voluntary water restrictions, and if the Public Works Department determines the need, mandatory restrictions can be implemented at the beginning of summer.

There was discussion by the Council and it was agreed to direct staff to prepare a plan to present to the Council, addressing voluntary restrictions beginning May 1st and encouraging water users to check for leaks in plumbing and irrigation systems, and then look at mandatory restrictions in summer.

The Town Manager presented an update on the master plan process; reported a request for proposal for a parking assessment is being prepared; the request for proposals for waste removal will be presented at the next meeting; a citizen newsletter is being prepared by staff; time to re-certification of the Creative District will be approaching; staff is creating outreach to property owners regarding snow removal on sidewalks; attendance at the annual Colorado Municipal League Conference in June; and suggested moving the meeting date for the Council Workshop to hear a report on a site specific development plan for Lena Street Commons to March 7th. The Council agreed to postponing the meeting date and beginning the meeting at 6:00 p.m.

COUNCIL REPORTS

Councilor Austin presented an update on the recent public forum held by the Housing Authority Committee.

Councilor Hunter left the meeting at 8:20 p.m.

EXECUTIVE SESSION

The Town Attorney requested an executive session pursuant to CRS 24-6-402(b) CRS 24-6-402(b) and (e) for conference with the Town Attorney for the purpose of receiving legal advice and to discuss matters subject to negotiations.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilmember Hawse and unanimously carried to enter into closed session.

The Council entered into executive session at 8:25 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 8:55 p.m.

ADJOURNMENT

The meeting adjourned at 8:55 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk