

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
MAY 9, 2018

OATH OF OFFICE

The Town Clerk administered the oath of office to recently appointed Councilor Tim Malone.

CALL TO ORDER

The Mayor Pro Tem called the meeting to order at 5:35 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. In attendance, Councilors Austin, E. Hunter, N. Hunter, Malone and Mayor Pro Tem Johnson. Mayor Clark was 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 E. Hunter, seconded by Councilor N. Hunter and unanimously carried to enter into closed session.

The Council entered into executive session at 5:35 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 6:05 p.m. with Mayor Pro Tem Johnson presiding.

PROCLAMATIONS

The Town Manager read two proclamations, recognizing the Town Clerk and International Municipal Clerks Week; and another proclaiming Water Supply Week and acknowledging the Town's public works staff that supply drinking water to the community.

CONSENT AGENDA

1. Minutes of the Regular Meeting of April 11, 2018.
2. Minutes of the Workshop Meeting of April 25, 2018.
3. Register of Demands for May 2018.
4. Renewal of restaurant liquor license for Oriental Chinese Restaurant.
5. Renewal of tavern liquor license for Steps.
6. Renewal of brew pub license for Colorado Boy Brewing Company.

ACTION:

It was moved by Councilmember E. Hunter and seconded by Councilmember Austin to approve the consent agenda. The motion carried unanimously.

PUBLIC REQUESTS AND PRESENTATIONS

7. Recommendation from Parks Committee and request to expend \$10,000 of Town appropriated funds toward development of Green Street Park to construct a community garden

Staff Report from the Town Manager dated 5-3-18 presenting a request for funding and approval of revised, phased plan for the Ridgway Community Garden in the Green Street Park on leased Town property.

Speaking on behalf of the Ridgway Community Garden Committee Agnieszka Przeszlowska explained two GOCO grant applications have been denied for development of Green Street Park, which would include the community garden. The committee has evaluated ways in which to proceed without grant funding, and recently met with the Parks Committee. She reported they are recommending a "scaled back version" of the park, and phased construction of the garden. The committee has raised over \$30,000 in donations and is looking at constructing Phase 1, which would include 22 raised beds, irrigation system, fencing and tool shed, based on the original design. She requested the Council consider allocating the \$10,000 budgeted for construction of the park, to be used to provide Town labor to grade a gravel parking area and path to the garden site.

ACTION:

Councilor Austin moved to accept the Parks Committee recommendation to expend the \$10,000 budgeted funds and accept the concept of working with the community garden, Councilmember N. Hunter seconded and the motion carried unanimously. On a question from the Council, Councilor Austin amended the motion to include the \$10,000 to be used for creation of a parking area, Councilor N. Hunter seconded, and the motion carried unanimously.

8. Presentation of the Citizens Wilderness Proposal for the Grand Mesa, Uncompahgre & Gunnison National Forest Revision Plan

Jim Stephenson speaking on behalf of the Ridgway Ouray Community Council and Northern San Juan Great Old Broads for Wilderness explained the two organizations have collaborated and created a citizens wilderness proposal to include in the proposed revision to the Grand Mesa, Uncompahgre & Gunnison(GMUG) National Forest Plan. The proposal includes recommending designations for five wilderness and special interest areas within Ouray County, the Bear Creek Drainage; Baldy Mountain Trail Addition; Hayden Mountain Complex; Whitehouse Addition and the Abram Special Management Area. The "scoping period" to accept comments is the first step in a four part process, and he requested the Council send an endorsement of the proposal, which will be submitted by the June 2nd deadline.

There was discussion by the Council and it was agreed to adopt a resolution of support at the June meeting. The citizens group was requested to prepare a resolution and present it to staff for inclusion into the agenda.

9. Recommendation from the Parks Committee and request for funding from Public Art Ridgway Colorado to purchase FreeNotes Harmony Park outdoor musical instruments for Town parks

Staff Report dated 5-3-18 from the Town Manager presenting a request from Public Art Ridgway Colorado (PARC) and recommendation from the Parks Committee.

Susan Baker on behalf of PARC explained the committee has been offered the purchase of seven new FreeNotes Harmony Park outdoor musical instruments. The committee is proposing to purchase and donate to the Town the instruments which can be used by children and adults, for placement in Weaver and Hartwell Parks. She reported the non-profit committee can donate \$3000 towards the purchase, and requested the Town expend funds for the remaining \$4000.

Mayor Pro Tem Johnson reported the Parks and Trails Committee received the request at the last meeting and is in favor of the purchase and placements.

SPEAKING FROM THE AUDIENCE:

Sue Husch and Brad Wallace spoke in support of the purchase.

There was discussion between Council and staff pertaining to allocation of the funds from the fiscal year budget.

ACTION:

Councilor E. Hunter moved, with a second by Councilmember N. Hunter, to approve the request for funding up to \$4000 to purchase FreeNotes Harmony Park outdoor musical instruments in conjunction with PARC and utilize a variety of funds as discussed. The motion carried unanimously.

10. Request to use Hartwell Park and public rights-of-way, Railroad Street and Sherman Street, for the second annual Ridgway Area Trails bike race

Special event permit application from COPMOBA Ridgway Area Trails Chapter for the Ridgway Fat Tire Festival RAT Race on June 9th.

Edward Hines, representing the Ridgway Area Trails Group, requested permission to use the Hartwell Park parking area and gazebo, and close streets from Railroad Street to Sherman and receive a police escort, for the second annual Ridgway Annual Trails (RAT) bike race. He explained the race is held off Highway 550 at County Road 10, on 22 miles of trails located on Bureau of Land Management property, and will host 200 riders.

ACTION:

Councilor Austin moved to approve the request to use Hartwell Park and public rights-of-ways, Railroad Street and Sherman Street, for the second annual RAT 26 mile ride and race, Councilor N. Hunter seconded, and the motion carried unanimously.

11. Presentation of quarterly report from Ridgway Area Chamber of Commerce for the first quarter of 2018

Letter dated 5-4-18 presenting the first quarter report from the Ridgway Area Chamber of Commerce.

Chamber Board President Colin Lacy presented a quarterly report on the use of lodging tax receipts for marketing purposes. He explained "we are right on target where we should be" and presented updates which included: the new executive director; two new board members; the Colorado Corridor Project with Town collaboration; updates to the website; 2018 Visitors Guide, 100,000 copies distributed; on-line presence project; design work on themes for

common identifiers; print media with co-op advertising; developing itineraries to post on the website; initiatives to engage with “youth ambassadors”.

PUBLIC HEARINGS

12. Adoption of an Ordinance amending Chapter 9-2 of the Ridgway Municipal Code to provide for mandatory animal-resistant trash containers for all properties within the Town of Ridgway, defining animal-resistant cans, containers and dumpsters, and amending the Short Term Rental Regulations in Chapter 7-3 to reference the entire Chapter 9-2 for trash and recycling utility services, and revising regulations and rates for Town curbside solid waste and recycling service

Manager Coates presented an ordinance which coordinates with the award of the residential refuse and recycling contract, and implements requiring the use of animal resistant containers for both residential and commercial properties. She reviewed the proposed ordinance with the Council. Manager Coates noted if approved by the Council, staff will need to contact all residential users and request a choice to either lease or purchase an animal resistant container, so the program can be instituted by the end of the June.

SPEAKING FROM THE AUDIENCE

Anthony Gegauff stated if refuse is “placed out” on the day of pick up only, there would not be a need for animal resistant containers. He requested an exception be placed in the ordinance for persons placing refuse “out on the morning of the pick up”, “not be required to use” an animal resistant container.

Robert Warren supported the statement made by Mr. Gegauff explaining he lived in a community that required the use of animal resistant containers and “it didn’t work”. If refuse was “placed out the night before” bears would break into the containers.

David Stytz asked “can we put this up for a public vote”?

Vicki Hawse stated she agreed with the other statements and asked if there could be an option of sizes of refuse containers. She spoke in support of “individual accountability” and fining persons not following regulations.

Kuno Vollenweider asked about disposal of yard waste.

Michelle Brugiere agreed with comments made, and asked about disposal of refuse containers currently being used.

There was discussion between the Council and staff regarding questions posed by the audience. The Town Attorney reported on election and citizen’s initiatives, the Town Manager noted she would speak to the refuse contractor regarding recycling existing containers, and it was noted collection of yard waste is addressed in the proposed ordinance. The Council discussed the purchase or lease of animal resistant containers.

ACTION:

Councilmember N. Hunter moved to adopt the Ordinance amending Chapter 9-2 of the Ridgway Municipal Code to provide for mandatory animal-resistant trash containers for all properties within the Town of Ridgway, defining animal-resistant cans, containers and dumpsters, and amending the Short Term Rental Regulations in Chapter 7-3 to reference the entire Chapter 9-2 for trash

and recycling utility services, and revising regulations and rates for Town curbside solid waste and recycling service, seconded by Councilor E. Hunter the motion carried unanimously.

LAND USE ITEMS

13. Recommendation from the Planning Commission and request to participate with the Lena Street Commons Development in cost of design for improvements of Lena Street

Staff Report dated 5-4-18 from the Town Manager presenting a background and recommendation from the Planning Commission regarding the proposed Lena Street Commons development, and improvements to Lena Street.

Manager Coates explained the Planning Commission has approved the preliminary plat for the Lena Street Commons Development, which will be forwarded to the Council in June. The developer has asked the Town to participate in the cost to develop and pave Lena Street between Otto and Charles Streets. The first step of the process would be design and engineering which is estimated to cost between \$14,000 and 16,000. She recommended appropriating unbudgeted funds to participate in the engineering, and retaining the Town Engineers firm, Consolidated Consulting Services (CCS), which will eliminate review costs by the Town, and could save \$4,000 to 6,000.

Speaking on behalf of the developers, attorney Tom Kennedy stated the developers approve the concept of hiring the engineering firm and “paying for half of the cost”.

ACTION:

Councilor E. Hunter moved to accept the recommendation from the Planning Commission to participate with the Lena Street Commons Development for cost of engineered design for Lena Street with a 25-75 split with Lena Street Commons paying 75%, and award the contract to CCS for a total amount not to exceed \$16,000, Councilor Austin seconded, and the motion carried unanimously.

POLICY MATTERS

14. Presentation on Town internship through the Department of Local Affairs/University of Colorado-Denver Best and Brightest Intern Program

Assistant Planner Lu Hauger reported her two year internship with the Town is expiring at the end of month. She presented an overview of projects she has been involved in while employed by Town, her final school project, and receipt of her masters degree in political science and public policy. She thanked the Council for the opportunity to work for the Town, and expressing appreciation.

15. Award of bid and enter into an agreement with Bruin Waste Management for residential curbside refuse and recycling services

The Town Manager presented a contract and scope of services for a five year residential refuse and recycling collection contract with Bruin Waste Management. She noted the contract requires users of the service to purchase an animal resistant container, or lease a container on a monthly basis.

There was discussion between the Council and Chris Troser with Bruin Waste regarding lease or purchase of the containers, and collection of yard waste. Mr. Troser answered a question from the audience regarding replacement of damaged containers.

ACTION:

Councilor N. Hunter moved to award the bid and enter into an agreement with Bruin Waste Management for residential curbside refuse and recycling with a correction to the contract as presented regarding second can service. Councilor E. Hunter seconded and after a call for the vote the motion carried unanimously.

The Council took a recess at 8:20 p.m. and reconvened at 8:30 p.m.

16. Amendment to extend for one year the Memorandum of Understanding regarding annexation of Ouray County property

Manager Coates presented an amendment to extend for one year the Memorandum of Understanding with Ouray County dated August 9, 2017 regarding annexation of county property off Mall Road. She reported the County has requested the one year extension due to the Courthouse Renovation Project.

ACTION:

Moved by Councilor E. Hunter, seconded by Councilor Malone to approve the amendment to the Memorandum of Understanding dated July 9, 2017 regarding annexation of Ouray County property, extending the deadline by one year. The motion carried unanimously.

17. Memorandum of Understanding for access to Railroad Street for Park Subdivision, Lot A and Mitchell Subdivision No. 2, Lot 1

The Town Attorney asked the Council to approve another thirty day temporary access easement off of Railroad street for the Ridgway Railroad Museum.

ACTION:

Councilor N. Hunter moved to extend the temporary access off Railroad Street for Park Subdivision, Lot A and Mitchel Subdivision No. 2, Lot 1 for another 30 days, seconded by Councilmember Austin, the motion carried unanimously.

18. Appointment of Councilor to fill vacancy created from the cancelation of the annual election

Mayor Pro Tem Johnson announced at the previous meeting the Council appointed Jonathan Barfield to fill a one year vacancy on the Town Council. He reported Mr. Barfield will not be able to devote the time necessary to the position and has declined.

There was discussion by the Council and it was agreed to appoint Tom Heffernan for the remainder of the vacant term.

ACTION:

Councilmember Austin moved to appoint Tom Heffernan to fill the vacancy on the Town Council, Councilor E. Hunter seconded, the motion carried unanimously.

19. Request for consideration of penalty and fee schedule updates

Staff Report from the Town Manager dated 5-4-18 presenting a proposed update to fees and penalties and preparation of a fee schedule.

Manager Coates reported staff has been reviewing current fees, fines, penalties and various code provisions. Staff is recommending revising fees and consolidating into a single fee schedule document. The Council agreed with the concept.

TOWN MANAGERS REPORT

Manager Coates updated the Council on the status of the drought; the master plan process; the annual Greenlights Program; and the need to update code provisions regarding the water cross connection regulations.

COUNCIL REPORTS

Councilor Austin reported on the Multi-Jurisdictional Housing Authority.

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 E. Hunter, seconded by Councilor N. Hunter and unanimously carried to enter into closed session.

The Council entered into executive session at 9:05 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 9:35 p.m.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk