

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
JUNE 13, 2018

OATH OF OFFICE

The Town Clerk administered the oath of office to recently appointed Councilor Tom Heffernan.

CALL TO ORDER

The Mayor 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, Heffernan, N. Hunter, Malone and Mayor Pro Tem Johnson and Mayor Clark. Councilor E. Hunter was not present for the roll call.

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 Mayor Pro Tem Johnson, 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 6:00 p.m.

Councilor E. Hunter entered the meeting at 6:00 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of May 9, 2018.
2. Minutes of the Joint Workshop Meeting of May 7, 2018.
3. Minutes of the Special Meeting on May 23, 2018.
4. Minutes of the Joint Council and Planning Commission Workshop of May 23, 2018.
5. Minutes of the Joint Council and Planning Commission Workshop of June 6, 2018.
6. Register of Demands for June 2018.
7. Renew liquor store license for Ridgway Liquors.
8. Renew beer and wine liquor license for Burro Cafe.
9. Renew hotel liquor license for Chipeta Sun Lodge.
10. Renew tavern liquor license for the Sherbino Theater.

11. Renew 3.2 beer liquor license for Ridgway Shell.
12. Renew 3.2 beer liquor license for Ridgway Conoco.
13. Renew restaurant liquor license for Eatery 66.

ACTION:

It was moved by Mayor Pro Tem Johnson and seconded by Councilmember N. Hunter to approve the consent agenda. The motion carried with Councilors Austin and Heffernan abstaining.

INTRODUCTIONS

Mayor Clark introduced the consultants hired to prepare an update to the Town's Master Plan, Darcy White and Charlie Brennan of Clarian Associates and Heidi Aggeler of BBC Research and Consulting.

The Mayor noted the year long process will map the Town's future, and invited community involvement and public participation at meetings.

PUBLIC COMMENTS

Renee Marr inquired into possible funding for paving of North and South Amelia Streets, and expressed concerns with the need for sidewalks on the street for safe passage to the school. She suggested the County be invited to participate in funding as S. Amelia leads on to a well used county road.

Staff was directed to speak to County staff and inquire if there would be interest to participate in a chip sealing project for South Amelia Street; and also look into potential Safe Routes to School grant funds for sidewalk construction.

PUBLIC REQUESTS AND PRESENTATIONS

14. Concerns regarding noise levels from Ridgway Concert Series

Jane Haefner explained she lives in Pleasant Valley and last year during the Town concert held on July 7th she was able to hear the music from her home. She expressed concerns with potential noise levels from the upcoming July concerts.

The Mayor noted the noise levels are monitored and "that particular show" was an "unusual" circumstance.

15. Presentation of Parking Assessment Study

Community Initiatives Facilitator Diedra Silbert explained through a Technical Assistance Grant from the Colorado Department of Local Affairs Main Street Program, the Town was able to have a parking assessment of the downtown area prepared.

Walker Christensen with DHM Design presented an overview of the findings of the study, consisting of 354 off street and 488 on street existing parking spaces. The summary of the findings contained in the document addressed hubs of activity and analysis of walkability and bikeability, current parking utilization and recommendations. He noted the study area fits into a quarter mile walking distance, and average occupancy counts are 31% of available on street parking spaces are filled and 32% off street, during the farmers market those numbers

increase to 41% on and 74% off. He noted based on future analysis of ratio for adequate parking, the Town will need to reach fifty percent growth before it "will run out of parking". Recommendations include educate employees to not use parking spaces in front of businesses; add more painted symbols on bike lanes to prevent parking; add diagonal parking signs to one side of the gravel streets; encourage adding parking spaces for accessory dwelling units; consider a reduction of certain types of projects such as affordable housing, public housing projects, and dense multi-family; require installation of paved sidewalks and on street parking adjacent to new developments. Further recommendations include restricting parking in hub areas to two hours; create additional parking; encourage shared parking between private businesses and less used off street parking spaces; leasing land for parking lots; encourage alternative modes of transportation; wayfinding signs directing traffic to parking areas. Jeff Fillows with SET Engineering presented recommended ways to address parking at special events.

There were comments from the Council and audience.

16. Ratify request to change name of Ridgway Creative District Committee to Creative Advocacy Team

Coordinator Siebert presented a request from the Creative District Committee to change the name of the group to the Creative Advocacy Team (CAT), and requested Council endorsement.

ACTION:

Councilor E. Hunter moved, with a second by Councilmember Austin, to approve the ratification of the name change to the Creative Advocacy Team. The motion carried unanimously.

17. Ratify letter of support for comments to revision of the Grand Mesa Uncompahgre Gunnison (GMUG) National Forest Plan

Town Manager Coates reported at the previous meeting staff was directed to prepare a letter of support to endorse comments which were submitted pertaining to local areas to be addressed in the draft revision to the GMUG Forest Plan. She presented a letter dated May 21, 2018 and asked for Council ratification.

ACTION:

Councilor Austin moved to ratify the letter of support of the Grand Mesa Uncompahgre Gunnison National Forest Plan revision comments, Councilor N. Hunter seconded, and the motion carried unanimously.

18. Request for letter of support for improvements and expansion of Montrose Regional Airport

Manager Coates presented a request for a letter of support from the Montrose County Board of County Commissioners for the first phase of a long term plan to improve and expand the Montrose Regional Airport. She noted the phase will include terminal expansion, relocation of the highway entrance and shuttle and rental car improvements.

ACTION:

Mayor Pro Tem Johnson moved to approve the letter of support for the Montrose County Regional Airport expansion, Councilor E. Hunter seconded, and the motion carried unanimously.

19. Request to appoint Andrea Sokolowski as member at large to the Ouray County Housing Authority

Mayor Clark presented a recommendation to appoint Andrea Sokolowski to the Ouray County Housing Authority. There was discussion by the Council and it was noted all three entities in the County must approve members at large.

ACTION:

Moved by Councilor E. Hunter, seconded by Councilor N. Hunter to appoint Andrea Sokolowski as member at large of the Ouray County Housing Advisory Committee. The motion carried unanimously.

PUBLIC HEARINGS

20. Recommendation from Planning Commission to amend the Parkside Subdivision Plat

Notice of Public Hearing dated 5-30-18; Staff Report from the Planner dated 6-7-18.

Planner Coburn presented a recommendation from the Planning Commission meeting of 5-29-18 to approve a plat amendment to Parkside Subdivision to allow accessory dwelling units on single family lots, and an additional plat note to allow street trees to count toward landscaping requirements.

There was discussion by the Council.

ACTION:

Councilor N. Hunter moved to approve the amendment to the Parkside Subdivision plat regarding allowing accessory dwelling units and allowing adjacent street trees to count toward the overall landscaping requirement, seconded by Mayor Pro Tem Johnson. With the motion on the floor there was discussion and Councilor N. Hunter amended the motion to include as provided in the staff report, Mayor Pro Tem Johnson seconded and on a call for the vote the motion carried unanimously.

21. Recommendation from Planning Commission to approve Preliminary Plat for Lena Street Commons Planned Unit Development

Notice of Public Hearing dated 5-30-18; Staff Report from the Planner dated 6-4-18.

Planner Coburn presented a recommendation from the Planning Commission to approve the Preliminary Plat for the Lena Street Commons Planned Unit Development (PUD). The development consists of 19 residential units, three deed restricted, and four commercial units. She noted if approved by the Town Council a development agreement will accompany the plat, and be presented to the Council as the next item on the agenda.

Planner Coburn reviewed the items contained in the Staff Report. She reported the applicant is requesting purchase of an easement from the Town along the north side of the project to accommodate a private storm drain system, and a five foot reciprocal utility easement near the south end of the project which will benefit both parties for maintenance of utilities. The Planning Commission has set the price to use and encumber the properties. Public access will be provided through two easements near the center of the development. The applicant is requesting a number of conditional uses and variances within the development, including

zero lot lines; reducing lot sizes; reduction in parking spaces; exceeding the height limit; variance from setback and roof pitch requirements. She reported staff is recommending approval with the condition that all updates and modifications as described in the Staff Report are completed within a 90 day time frame, and if not the application will be deemed unapproved.

Applicants attorney Tom Kennedy stated the developers have reviewed and agree with staff recommendations.

Staff and the applicant answered questions from the Council.

SPEAKING FROM THE AUDIENCE:

Russ Meyer spoke in opposition to approving a variance to building height, citing impact to existing residents.

Tom McKenney suggested all elevations of buildings and infrastructure be “clearly detailed” on the map and noted “the back of the buildings” will be more visible than the front, and asked that exterior construction be consistent on all sides.

ACTION:

Councilor Heffernan moved to accept the recommendation from the Planning Commission to approve the Preliminary Plat for Lena Street Commons Planned Unit Development, applicant to meet all requirements in the Staff Report dated June 4, 2018 within 90 days, Councilor E. Hunter seconded, and the motion carried unanimously.

22. Development Agreement and Site Specific Development Plan for the Lena Street Commons Planned Unit Development

Notice of Public Hearing dated 5-30-18; Staff Report from the Town Manager 6-12-18.

Manager Coates presented a recommendation from the Planning Commission to approve a Site Specific Development Plan and Development Agreement for Lena Street Commons PUD. She presented the development agreement along with exhibits and plans, noting the applicant is requesting statutory vested rights under the Municipal Code. Staff and the developers have been in discussions over the course of months to prepare the draft documents.

Manager Coates presented the agreement section by section and asked for Council direction on specific items which included phasing of the project with three years to submit final plat and total construction build out in six years; development of Lena Street including curb, gutter and sidewalks costs to be shared sixty percent by the developer and forty percent from the Town; acquisition of land and easement from the Town to be conveyed at market value of \$17,152 for the easement and \$16,209 for purchase; short term rentals to be allowed only in Buildings C & D; three units will be deed restricted and constructed in the last phase of development and there will be a waiver of plan check and excise development fees for those units.

Tom Kennedy, Attorney for the applicant, addressed the Council regarding infrastructure installations and the need for “additional time to get to final plat”; and conveyance of property after final plat, or “reevaluation before December 31, 2019”. He explained the developers wish to encompass within the construction of the Lena Street improvements “sidewalk to

sidewalk” and “ideally time all Lena Street improvements with our development”; and if the development places infrastructure “before the Town does” a “credit” is given to the developer.

There were questions from the Council to staff and the developers.

SPEAKING FROM THE AUDIENCE:

Russ Meyers spoke in opposition to diagonal parking on Lena Street.

There was discussion by the Council and agreement to the 60-40 split of costs for development of Lena Street from sidewalk to sidewalk; lock the selling price for the land and easement into the current prices until December 31, 2019 and if not purchased before this time a new purchase price will be renegotiated.

ACTION:

Moved by Councilmember N. Hunter to approve the Lena Street Commons Development Agreement and follow staff recommendations applying the following conditions 1) amend Section 4.3 to include as a date certain December 31, 2019 when the agreed upon purchase price of the Town properties will be renegotiated 2) developer shall submit final edits on the preliminary plat map which must be completed prior to recording of the agreement or plat 3) developer shall submit final legal descriptions of the Town properties to be purchased and conveyed along with reconciliation of the surveys with the final total land area 4) Exhibit A2 will be amended to add the following language from Section 3 of the Development Agreement, Phases 2 through 5 required improvements: “installation of sidewalk, curb, gutter, parking, drainage and other related facilities and improvements along the portion of Lena Street that is adjacent to the Project” 5) there shall be a 60/40 split, with the developer paying sixty percent and the Town forty percent, for all costs of developing all of Lena Street from sidewalk to sidewalk 6) add to Section 3 of the development agreement, under property owner may undertake improvements to Lena Street with the project: “In such event, the expenditures by the property owner in completing the Project Specific Infrastructure Improvements will be deemed to be a contribution by property owner towards its allocated share of the overall Lena Street Improvements” 7) staff and developer shall work together on language for subdivision improvements agreement options for the development of Lena Street at a later date, seconded by Councilor E. Hunter, on a call for the vote the motion carried unanimously.

Councilor Malone left the meeting at 9:30 p.m.

23. Request for extension of River Park Ridgway Business Park Filing 3, Outlot P3/C Preliminary Plat

Application dated 5-30-18 and letter dated 3-28-18 from Ridgway Light Industrial LLC requesting extension of preliminary plat for River Park Business Park Filing 3; Staff Report from the Town Manager dated 6-12-18 presenting background on the request.

Manager Coates explained the applicant and owner of the property is requesting an extension of the approved preliminary plat as it pertains to Filing 3, Blocks 9-12 of the Industrial Park. She noted the Council has approved numerous grants for two year extensions which began in 2010. The Town Manager noted approval to extend the preliminary plat dated 12-27-00 and as amended 4-29-08 should be subject to all prior conditions of approval and requirements of the Planned Unit Development.

Applicant Glen Pauls addressed the Council and stated based on recent discussions pertaining to development within the area and “a turn around in the market,” he is requesting

an extension “for at least one year”, “two years being preferred” of the preliminary plat approval.

There was discussion by the Council.

ACTION:

Mayor Pro Tm Johnson moved to grant Ridgway Light Industrial LLC a two year extension on the Preliminary Plat for River Park Business Park Filing 3, Councilor N. Hunter seconded and the motion carried unanimously.

The Council took a recess at 9:45 p.m. and reconvened the meeting at 9:50 p.m.

POLICY MATTERS

24. Introduction of Ordinance Granting a Franchise to Black Hills Energy

The Town Attorney explained the Town currently has a franchise agreement which is expiring in the next month, with Black Hills Energy to provide natural gas utilities. He recommended approval of the ordinance to grant another franchise for a fifteen year term, with a three percent franchise fee on the cost of services.

ACTION:

Councilor E. Hunter moved and Mayor Pro Tem Johnson seconded to introduce the Ordinance Granting a Franchise by the Town of Ridgway, Colorado to Black Hills Energy. On a call for the vote the motion carried unanimously.

25. Commencement of Stage Two Water Restrictions effective June 12, 2018

Staff Report from the Town Manager dated 6-12-18 presenting a current report on water availability and drought status.

Manager Coates reported in April the Council adopted a mandatory water restriction plan to be implemented in a phased approach, and explained Stage Two restrictions were instituted effective June 12th. The new restrictions limit outdoor irrigation to two specified days per week before the hours of 9:00 a.m. and after 6:00 p.m. and will be enforced by Town staff. She explained staff has begun to develop possible implementation of Phase 3 of the plan, which would require adoption of an emergency ordinance to implement a new water rate structure. There are ten to fifteen pending certificates of occupancy which are tied to landscaping requirements which may be held in abeyance.

There was discussion by the Council regarding instituting Town wide fire restrictions based on current restrictions instituted by the County. It was agreed to direct staff to prepare an emergency ordinance following Ouray Counties fire restrictions and call a special meeting to address adoption.

ACTION:

Councilor E. Hunter moved to direct staff to look at putting the existing landscape requirements in abeyance for issuance of certificates of occupancy and acknowledge the commencement of Stage Two water restrictions, seconded by Mayor Pro Tem Johnson, the motion carried unanimously.

26. Request for thirty day extension of temporary access to North Railroad Street at Lot A Park Subdivision

The Town Attorney recommended approving the third request for a thirty day extension of temporary access on to Railroad Street for Lot A of Park Subdivision.

ACTION:

Moved by Councilor N. Hunter and seconded by Mayor Pro Tem Johnson the motion to approve the request for a thirty day extension for temporary access to North Railroad Street from Lot A Park Subdivision carried unanimously.

27. Request to expend funds to create a preliminary design for South Railroad Street

The Town Manager reported the Alpenglow Co-Housing Development on the south side of Highway 62 has submitted a preliminary plat. The proposed development involves the possible realignment of North and South Railroad Streets, and she recommended retaining the services of Consulted Consulting Services to prepare preliminary road designs, for an amount not to exceed \$12,000.

ACTION:

Councilor Austin moved to expend up to \$12,000 to create a preliminary design for South Railroad Street as related to the Alpenglow Co-Housing Development south of Highway 62. Councilmember E. Hunter seconded the motion, which carried unanimously on a call for the vote.

28. Appointment to WESCO Dispatch Services Board

Manager Coates recommended appointing Marshal Tammy Stroup as the Town representative to the WESCO Dispatch Services Board.

ACTION:

It was moved by Councilmember E. Hunter, seconded by Mayor Pro Tem Johnson and unanimously carried to appoint Tammy Stroup as the Town representative to the WESCO Dispatch Services Board.

TOWN MANAGERS REPORT

Manager Coates presented an update on the Master Plan process; Public Works Department and animal resistant containers.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk