

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING

APRIL 10, 2019

OATHS OF OFFICE

The Town Clerk administered the oath of office to recently elected Councilors Tessa Cheek, Ninah Hunter, Eric Johnson, Beth Lakin and Russ Meyer.

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. The Council was present in its entirety with Councilors Austin, Cheek, Hunter, Lakin, Meyer, Mayor Pro Tem Johnson and Mayor Clark in attendance.

EXECUTIVE SESSION

The Town Attorney requested entering into a closed session pursuant to Colorado Revised Statutes 24-6-402(b) and (e) for conference with the Town Attorney for the purpose of receiving legal advice and to determine positions relative to matters subject to negotiations regarding park improvements, signage and water utility operations within the Town.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilor Meyer 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.

The regular meeting began at 6:05 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 13, 2019.
2. Minutes of the Special Meeting held March 12, 2019.
3. Register of Demands for April 2019.
4. Renewal of tavern liquor license for Steps.

ACTION:

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

ACKNOWLEDGMENTS AND INTRODUCTIONS

Mayor Clark thanked Jacquie Mace for 28 years of dedicated service to the Town maintaining the public facilities.

PUBLIC COMMENTS

Kuno Vollenweider expressed concerns with removal of snow from the “foot bridges” between Cottonwood Park and Moffat Street. He also requested the Council address speed deterrents on Moffat Street, noting the two pedestrian foot bridges “don’t have stop signs to slow traffic down”.

There was a discussion by the Council regarding speed deterrents, and it was suggested staff and the Planning Commission review placement of stop signs on Moffat Street. The Mayor asked staff to place as a priority the removal of snow from the pedestrian bridges.

PUBLIC REQUESTS AND PRESENTATIONS

5. Update on Ridgway Old West Fest

Eve Becker-Doyle presented an update on planning for the Ridgway Old West Fest to be held October 11 through 13. She explained the purpose of the festival is to “highlight Ridgway’s film, ranching and railroad heritage; celebrate western arts and culture and commemorate fifty years since the release of the movie ‘True Grit’”. She presented the many events planned during the festival, noting numerous venues will be used throughout Town, and the Railroad Museum will be holding a ‘railroad days’ during the festival. Ms. Becker-Doyle requested exemption on sign regulations and ability to have an axe throwing event in Hartwell Park, and Council referred the requests to staff.

PUBLIC HEARINGS

6. Application for Tavern Liquor License for The Patio at Steps Tavern

Staff Report from the Town Clerk dated 3-19-19 presenting a tavern liquor license application from Steps LLC for The Patio at Steps Tavern.

Town Clerk’s Notice of Public Hearing dated 3-14-19.

The Town Clerk presented an application for a tavern liquor license from Daniel Easton, sole member of Steps LLC, to license 566 Sherman Street. She noted the location which consists of a concrete slab, was formally licensed to a restaurant which served food and alcohol from an AirStream trailer. The proposed use will be comprised of a metal structure placed at the south west side of the slab, and hooked up to the water and sewer taps located on the property. This structure will function as the serving area and storage, and will be accessible to staff only by one door from the west side of the building. The complete premises will be fenced, with one public entrance from Sherman Street; and filled with tables, chairs and a number of shade structures. She reported Steps LLC, and Mr. Easton currently hold a tavern liquor license issued by the Town in March of 2016, for Steps Tavern located on S. Cora Street.

Applicant Dan Easton addressed the Council and explained the business would be closed by 9:30 p.m., serve food and provide a “family friendly” atmosphere.

SPEAKING FROM THE AUDIENCE:

Gene Elrich expressed concerns with noise from music which maybe played at the outdoor facility. He noted the licensed premises currently held by Mr. Easton can be noisy, and patrons “leave trash around”.

Sharon Knowlton explained she resides adjacent to the site and does not feel it is “an appropriate location”. She stated this would be “primarily a drinking establishment and will be loud and my bedroom is 150 feet away”. She expressed concerns with “after hours law enforcement” and “noise”; “no flush restrooms at the location” stating she does not feel use of “a porta-pottie should be allowed, it is not appropriate for this use”, and noted concerns with smell. She stated “a vacant lot is not an appropriate use” for a bar.

Cody Monroe noted Eatery 66 operated at the same location, and “served out of a trailer”, “which is similar”. He stated “Dan has owned and operated” Steps Tavern, and is a responsible business owner.

Christa Meyer supported “everything that has been said” and noted “Eatery also served alcohol and food”, and “had porta-potties and no problems”.

Sarah Smith explained she lives above Steps Tavern and “noise has never been an issue”. She expressed support for issuance of the license and the “9:30 p.m. time frame”.

Haley Niven supported the application, and noted she “misses having an eating establishment at this location”, and is “excited for another family friendly food area in Town”. She noted that “Dan is a responsible business owner”.

John Strandberg spoke in opposition noting “a tavern license only requires serving snacks and can stay open to 2:00 am per State law”. He expressed concerns with noise; an “undue amount of licenses”; and the premises “may require more law enforcement”. He noted many communities do not “allow outside bars” and encouraged the Council to direct staff to “look into code changes to not allow outdoor bars”. He asked the Council to “take into consideration concerns from residents” when making the decision to license the premise and “encouraged” denial.

Angela Ferrelli spoke in support noting the business “will add value to the Town”.

The Mayor closed the public hearing.

The Town Clerk read into the record three letters received from Dale Laidlaw, Ethan and Melissa Cartwright and Tom McKenney in opposition to issuing the license.

There were questions to the Town Attorney from the Council, and comments by the Council.

The Mayor re-opened the public hearing and asked the applicant to come to the podium to answer questions from the Council. Based on the questions Mr. Easton stated the music will be acoustic; the business will “close early”; he will look into constructing within a year a uni-sex bathroom; there will be “rotating chefs to prepare a rotating menu” and food will be served; all lighting will be “down ward facing”; fencing will be “corrugated metal five feet in height” placed “all the way around” “so sound goes up and disburses” to address noise.

SPEAKING FROM THE AUDIENCE:

John Strandberg expressed concern with statements regarding serving of food, noting the license type “only needs to serve snacks”. He asked the Council to look into code changes and “not permitting an outdoor bar like this again”.

Gene Ulrich expressed concerns stating “this is a bar and people go there to drink”.

Sharon Knowlton question the building permit process for the proposed use.

There were questions from the Council to staff. There was discussion by the Council.

ACTION:

Councilor Hunter moved, with Councilmember Lakin seconding to approve the application for liquor license to The Patio at Steps Tavern with conditions that the premise close by 9:30 p.m. and music is off by 9:00 p.m. With the motion on the floor there were questions to the Town Attorney. On a call for the vote the motion carried unanimously.

7. Adoption of Ordinance Amending Chapters 3, 6, 7, 8, 10 and 11 of the Ridgway Municipal Code Regarding Fees for Sales Tax, Lodging Tax, Building Regulations, Planning and Zoning, Marijuana, Nuisances and Animals

Town Clerk's Notice of Public Hearing dated 3-13-19.

Town Manager Coates explained the proposed ordinance updates fees in the Code pertaining to sales and lodging taxes; building code; subdivision regulations; Planning Commission applications; marijuana licensing. She noted at the prior meeting Council asked to amend the draft ordinance to include the ability to lower or waive fees for affordable housing.

SPEAKING FROM THE FLOOR:

Kuno Vollenweider spoke in opposition to increasing the fee for sales tax licenses.

ACTION:

It was moved by Councilor Meyer, seconded by Councilor Cheek and unanimously carried to adopt the Ordinance Amending Chapters 3, 6, 7, 8, 10 and 11 of the Ridgway Municipal Code Regarding Fees for Sales Tax, Lodging Tax, Building Regulations, Planning and Zoning, Marijuana, Nuisances and Animals.

LAND USE MATTERS

8. Recommendation from the Planning Commission to approve an Amended Plat; Location: True Grit Subdivision, Lot A; Address: 109 N. Lena Street and 545 Sherman Street; Zoned: Historic Business (HB); Applicant and Owner: Nathan Worswick

Staff Report dated 4-10-19 from the Town Planner presenting a recommendation from the Planning Commission meeting of March 26th to approve the request for subdivision of Lot A of the True Grit Subdivision.

Notice of Public Hearing dated 3-27-19.

Planner Coburn reported the request for plat amendment of Lot A of the True Grit Subdivision splits the property between two existing buildings creating Lots A1 and A2. The Planning Commission found that criteria for the request had been met, and also approved two variances.

ACTION:

Mayor Pro Tem Johnson moved to approve the amended plat for the True Grit Subdivision. Councilor Meyer seconded the motion which carried unanimously.

POLICY MATTERS

9. Award of contract and approval of Professional Services Agreement for development of the stormwater master plan

Public Works Services Administrator Chase Jones reported the Council budgeted \$175,000 for a stormwater master plan. The Town has received grant funding from the Department of Local Affairs in the amount of \$87,500 for the project. After advertising requests for proposals, four bids were received and three companies interviewed by staff. Staff is recommending award of the contract to RESPECT in the amount of \$175,000.

ACTION:

Councilor Austin moved to award the approval of a professional services agreement for preparation of a stormwater master plan to RESPECT company not to exceed \$175,000, Councilor Lakin seconded, and the motion carried unanimously.

10. Review and ratification of the 2019 Capital Assessment Report

The Public Works Services Administrator presented a Capital Assessment Report prepared by SGM. The report addresses current and proposed expansions to facilities, parks, streets and fleet vehicles.

There were questions from the Council.

Town Manager Coates noted items contained in the report will be presented to the Council during budget discussions for placement in the five and ten year capital improvement plans. The companion report addressing the water and wastewater systems will be presented next month.

ACTION:

Moved by Councilmember Hunter to ratify the 2019 Capital Assessment Report. Mayor Pro Tem Johnson seconded the motion, which carried unanimously.

11. Approval of option for ground lease with ArtSpace Projects Inc. for the Town owned property located on Lots 6 - 10, Block 28, for the Space to Create Project

The Town Manager reported at the previous meeting Council approved changes to a proposed agreement with ArtSpace for an option to lease the ground for the Space to Create Project. The agreement is necessary to complete an application due in June, for low income housing funds from the Colorado Housing and Finance Authority. She noted awards will be announced in September, and if the Town is unsuccessful, the application will be submitted for the next round of funding.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilmember Cheek and unanimously carried to approve the option for ground lease with ArtSpace Projects, Inc.

12. Approval of contract for purchase of dump truck

The Town Manager explained the Council budgeted \$90,000 for a purchase of a used dump truck. After an extensive search through out the nation, staff has located a used 2006 Kenworth T800 dump truck in the state of Virginia. The price is \$93,750 due to delivery cost, and she requested deviation from the Town Procurement Policy to purchase the vehicle.

ACTION:

Councilor Hunter moved to approve the contract for purchase of a dump truck, Councilmember Lakin seconded, and the motion carried unanimously.

13. Discussion regarding Ouray County Housing Advisory/Authority Committee

Staff report from the Town Manager dated 4-5-19 presenting a background on the Ouray County Housing Authority/Advisory Committee.

Manager Coates explained on 11-8-18 the Council attended a joint meeting with the County and City of Ouray to receive a report from the housing advisory committee. During discussions it was noted the Town was in the process of preparing an update to the Master Plan, including a new Housing Element. It was agreed to meet again after completion of the document, and the meeting has been set for April 18th to discuss the future of the committee.

There was discussion by the Council pertaining to creation of a formal authority to address affordable housing, continuation of the committee in an advisory capacity, or disbanding the authority. It was noted the Town has already undertaken many measures, including a current project, to address affordable housing.

There was discussion between Council and staff. Planner Coburn noted the Housing Element of the Master Plan will provide a framework for staff to follow, and a housing authority is not necessary.

Consensus of the Council was a housing authority, or advisory committee, is not needed at this time.

14. Follow up discussion regarding plastic bag prohibition and format for the forum on single use plastics

Mayor Clark noted the Council will be holding a forum on April 22nd to provide information to businesses on the new regulations pertaining to use of single use plastics. There was discussion by the Council regarding format of the event which included information sharing and receiving feedback.

15. Update on staffing in the Marshals Department

The Town Manager presented updates to staffing in the Marshals Department, reporting on resignation of the Marshal and hiring of two new Deputy Marshals.

16. Discussion pertaining to requests for letters of support

Mayor Clark noted he receives many requests for letters of support, most of them regarding environmental issues. It was noted letters of support are presented to the Council, and at

times the requested time frames do not meet the Council's monthly meeting schedule. There was discussion by the Council and it was agreed all letters of support must be presented to the full Council, and if time frames are limited, then the request will have to be denied.

17. Invitation to join the Colorado Communities for Climate Action

Mayor Clark presented an invitation to join with other municipalities in the Colorado Communities for Climate Action (CC4CA) to jointly address items to be lobbied at the state level. There was discussion by the Council.

ACTION:

Moved by Mayor Pro Tem Johnson, seconded by Councilor Lakin to join the CC4CA for a base level annual dues of \$1000. On a call for the vote the motion carried unanimously.

18. Creation of a Youth Council

Mayor Clark suggested the Council explore forming a youth council, to get youth involved in local government. The Council agreed to pursue the idea.

19. Annual appointment of Mayor Pro Tem and review of Council representation on commissions, committees and boards

ACTION:

Councilor Austin moved to appoint Eric Johnson Mayor Pro Tem. Councilor Hunter seconded the motion which carried unanimously.

The Council received a memo from the Town Clerk dated 3-29-19 presenting current Council representation on boards and committees. The Council reviewed the list of appointments and agreed to remove Councilor Hunter from the Parks and Trails Committee; Councilor Cheek will serve as Council representative to the Town Planning Commission; Ouray County Weed Board, Councilor Lakin; Ouray County Joint Planning Board Councilmember Meyer; Councilmember Lakin and the Public Works Administrator will serve on the Sneffels Energy Board; the Public Works Administrator will also represent the Town on the Gunnison Valley Transportation Planning and Ouray County Transit Committee; Councilor Meyer will serve on the Ouray County Water Users Association; Councilor Austin will sit on the Ouray County Fairgrounds Board if the position is needed; staff will contact the Chamber of Commerce and if a liaison is needed from the Council, Councilmember Hunter will serve.

TOWN MANAGERS REPORT

Manager Coates reported on the Space to Create initiative; mailing of a community newsletter; water usage reports sent to utility users; CML legislation on single use plastics going to the state legislature in 2020; the upcoming CML conference; Single Use Plastics Forum on April 22nd; meeting regarding master sign plan regulations; and broadband installation.

ADJOURNMENT

The meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk