

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
MAY 8, 2019

CALL TO ORDER

The Mayor called the meeting to order at 6:05 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. In attendance Councilors Cheek, Hunter, Mayor Pro Tem Johnson and Mayor Clark. Councilors Austin, Lakin and Meyer were absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of April 10, 2019.
2. Minutes of the Special Meeting held April 15, 2019.
3. Register of Demands for May 2019.
4. Renewal of restaurant liquor license for Oriental Chinese Restaurant.
5. Renewal of restaurant liquor license for Full Tilt Saloon.
6. Renewal of brew pub liquor license for Colorado Boy Pub & Brewery.
7. Renewal of hotel restaurant liquor license for Chipeta Sun Lodge.

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

The Mayor thanked and acknowledged Dan Bartashius on his retirement after 31 years of service to the Town.

PUBLIC COMMENTS

Tammi Tuttle requested the Council hold a “work session” with business owners to discuss the new water rates.

Bob Collins noted the request for a meeting with the Council is to “review if improvements” are being paid for “equally” by all utility users, and that increases “affect everyone”, “not just businesses”.

There was discussion and the Council agreed to add an item to the agenda to discuss calling a workshop meeting.

Dave Jones noted the municipal code requires “50% live vegetation” before issuance of a certificate of occupancy, and suggested the Town research changing the language to allow for other types of ground coverage.

Sue Williamson recapped events within the Marshals Department and expressed concerns for “victims of crime”.

Eric Waltwist questioned the need for a policy pertaining to public inquires made to the Marshals Department.

Brad Wallace encouraged a “broader interpretation of xeriscape regulations” and suggested the Council “consider something else besides live vegetation”.

**ACTION:**

Mayor Pro Tem Johnson moved to amend the agenda to consider a possible workshop to discuss water rates for commercial businesses, Councilor Hunter seconded, and the motion carried unanimously.

The Council reviewed dates to hold a workshop to discuss commercial water rates. It was agreed to extend the workshop meeting scheduled for May 23<sup>rd</sup>, and begin the water rate discussion at 7:30 p.m.

**PUBLIC REQUESTS AND PRESENTATIONS**

**8. Request to adopt a proclamation Declaring May to be Mental Health Awareness Week**

Paul Reich with Tri-County Health Network presented the Council with a draft proclamation declaring May to be Mental Health Awareness Month. He noted adoption of the proclamation may assist in raising awareness of mental health disorders, and educate the community of two new programs offered within the County.

There was discussion by the Council.

**ACTION:**

Moved by Mayor Pro Tem Johnson, seconded by Councilor Hunter and unanimously carried to approve the proclamation declaring May to be Mental Health Awareness Week.

**9. Request for letter of support of the Single Family Owner Occupied Housing Rehabilitation Program and Ridgway Community Development Plan**

The Town Manager presented an email dated 4-11-18 from Ute Janz with Delta Housing Authority, requesting approval of a letter of support and community development plan to assist in preparation of a grant application to the Colorado Division of Housing for housing rehabilitation funds for low and moderate income homeowners. She explained the program will offer \$5000 and \$10,000 “forgivable loans” for home rehabilitation, and noted the Town is being asked to provide \$250 for each project completed within the community.

There was discussion by the Council and it was agreed to budget for four projects, for a total of \$1000.

**ACTION:**

Councilor Hunter moved to approve the letter of support of the rehabilitation program and commit to the development plan and pay towards four projects in the amount of \$1000. Mayor Pro Tem Johnson seconded the motion which carried unanimously.

10. Quarterly update from the Ridgway Area Chamber of Commerce

Hilary Lewkowitz, Marketing Director for the Ridgway Area Chamber of Commerce presented a written report for the first quarter of 2019. She reviewed the report with the Council which addressed updates on staffing and the board of directors; Colorado Tourism Office grant funds for off peak season marketing; state grant to promote off-peak season tourism; co-tourism grant for strategic plan to re-design the visitor center and Heritage Park; Colorado Creative Corridor; website, digital newsletters and social media; 2019 Visitors Guide; fundraiser; marketing initiatives; print media; itinerary development project; youth apprenticeship program and career experience fair; profit and loss report for January through April.

PUBLIC HEARINGS

11. Application for Tavern Liquor License for Star Saloon; Applicant: Star Saloon LLC, shareholder: Adam Dubroff; Location: 373 Palomino Trail

Staff Report from the Town Clerk dated 4-8-19 presenting a tavern liquor license application from Star Saloon LLC.

Town Clerk's Notice of Public Hearing dated 4-8-19.

The Town Clerk presented an application for a tavern liquor license from Adam Dubroff, sole member of Star Saloon LLC, to license a new premise at 373 Palomino Trail, and operate an establishment called Star Saloon within Ridgway Lodge. She noted the proposed license will encompass a recently constructed bar, kitchen, sitting/dining area and lounge; a recently renovated reception area; the pool and outside patio area, all located within the lodge.

SPEAKING FROM THE AUDIENCE:

Tammy Tuttle spoke in support of issuing the license.

ACTION:

Councilor Hunter moved, with Mayor Pro Tem Johnson seconding to approve the application for tavern liquor license to Star Saloon LLC, location 373 Palomino Trail. On a call for the vote the motion carried unanimously.

POLICY MATTERS

12. Presentation of the Ridgway Master Plan

The Town Planner and Community Initiatives Facilitator presented a report on the update to the Town's Master Plan. The "extensive community outreach", and "effort to involve the public in all facets of visioning and development" during the year long process of the plan was noted. The draft plan was presented to the Planning Commission during the recent meeting, is now being presented for Council review. At the next meetings public hearings will be held, and adoption recommended. It was noted the plan represents "where the community hopes to go in the future", "a statement of policy and intent", "is a guiding document" and brings all other plans, such as parks and transportation into one document. The planning process started with a community steering committee, which met seven times. Community outreach began in June of 2018 with community engagement events

and two major public meetings to receive ideas and feedback. Three on-line surveys were conducted with over 900 responses received. Input was solicited at public events and from students at the schools.

The plan is organized into several parts which address an overview of the plan; background; vision and values; goals and policies; growth framework and an action plan. Community values are comprised of topics most important to the community including healthy natural environment; sense of community and inclusivity; small town character and identity; vibrant and balanced economy; well managed growth. There are action plan items for each community value which include goals and action items. The action items will assist in the annual Town budgeting process to “determine priority projects and land use decisions”.

#### SPEAKING FROM THE AUDIENCE:

Rick Discoe suggested future development areas may need to be revised on the zoning map.

Kari Girard questioned the adoption process.

The Town Attorney explained adoption will include a public hearing before both the Planning Commission and Town Council.

Kari Girard expressed concerns the document “may affect property values”. She suggested the Town “reach out to property owners” and “notify them if their property is being rezoned”.

Chris Hawkins asked the Council to consider including “employee housing” and “higher density”.

It was noted from the Council the document “is for guidance”, and is “not code”.

Ellen Hunter commended the process noting there was a “great amount of public outreach” with an “extensive public process”. She stated “support for adoption of the plan” noting it is a “great guiding document”.

Tom Heffernan stated “it’s a great plan” and supported the adoption.

The Council took at recess at 7:45 p.m. and reconvened the meeting at 7:55 p.m.

#### 13. Request for renewal of ground lease for post office facility with United States Postal Service

The Town Manager presented a lease with the US Postal Service to continue leasing property in Hartwell Park for use of the post office facility. She noted the new lease is for a five year term with an increase in the annual lease payment, and contains automatic renewals for two more five year terms.

There was discussion by the Council and it was agreed to only allow one five year automatic renewal to the lease.

#### ACTION:

Councilor Hunter moved to approve the ground lease to the USPS with modification to the lease for one, five year term, for the annual rate of \$9074, Councilor Cheek seconded, and the motion carried unanimously.

14. Introduction of an Ordinance Amending Ordinance 2018-07 Which Prohibits the Use of Certain Plastic Bags, to Allow an Exemption for the Use of Small, Locking, Plastic Bags When Used to Seal Consumable Food Products

Manager Coates presented a draft ordinance in follow up to the ordinance banning businesses from giving plastic bags to customers. She explained in discussions with business owners it was requested that an exception be made for “small locking plastic bags when used to seal consumable food products” since compostable locking bags are not available.

There was discussion by the Council.

SPEAKING FROM THE AUDIENCE:

Sue Husch representing Second Chance Thrift Store asked that the exemption include small locking base to seal other products besides consumables.

Tammy Tuttle expressed concerns with costs to businesses to provide alternative products.

There was discussion by the Council and staff. Mayor Pro Tem Johnson made a motion to introduce the ordinance, which died for lack of a second. There was further discussion by Council and it was agreed to direct staff to define the exact size of the locking bags and research consideration to not limit to consumable food products.

15. Information on carry out bag fees

Mayor Clark presented model ordinances from the Product Stewardship Institute depicting regulations adopted by communities establishing regulations which require businesses to charge a fee for persons requesting a bag for merchandise. He noted the regulations would create incentives and “motive consumers to use their own bags”. The carry out bag fee would be five cents for each bag provided to a customer.

16. Resolution to Join Colorado Communities for Climate Action (CC4CA) and Support the CC4CA Policy Agenda

The Town Manager noted at the prior meeting staff was directed to inquire into joining the Colorado Communities for Climate Action (CC4CA). She reported the organization requires members adopt a resolution supporting the CC4CA policy agenda, and presented the document for Council approval.

ACTION:

Moved by Councilmember Hunter to adopt the Resolution to Join Colorado Communities for Climate Action (CC4CA) and Support the CC4CA Policy Agenda. Mayor Pro Tem Johnson seconded the motion which carried unanimously.

17. Appointment of member to the Ouray County Housing Advisory Committee

Mayor Clark reported the Council needs to appoint a member to serve on the Ouray County Housing Advisory Committee. The Council agreed to ask Councilmember Austin if he would like to represent the Town.

18. Modification to Sherbino Theater tavern liquor license

Mayor Clark stepped down due to a conflict of interest, and turned the gavel over to Mayor Pro Tem Johnson.

The Town Clerk presented an application for modification to the tavern liquor license for the Sherbino Theater to include under the license the adjacent property, 610 Arts Collective.

ACTION:

It was moved by Councilmember Hunter, seconded by Councilmember Cheek and unanimously carried to approve the modification to the Sherbino Theater tavern liquor license to include the 610 Arts Collective building.

Mayor Clark returned to sit with the Council.

19. Request for tap fee deferments for the Lena Street Commons PUD

The Town Manager explained developers of the Lena Street Commons PUD have requested deferment of paying water and sewer tap fees. She noted the municipal code requires tap fees be paid at final plat, which is after all infrastructure is installed. The developer is requesting paying tap fees at the time of issuance of building permit for the five buildings. She noted staff is recommending deviating from code requirements to facilitate the request within estimated time frames.

There was discussion between the Council and staff.

ACTION:

Moved by Mayor Pro Tem Johnson, seconded by Councilor Cheek to offer deferred tap fee payments to Lena Street Commons PUD based on utility main line work that needs completed, with tap fees to be due upon the earlier of three years from the execution of the Lena Street Commons Development Agreement, or upon the issuance of a building permit, which ever is first. On a call for the vote the motion carried unanimously.

20. Request from Parks Committee to appoint new member

Manager Coates reported the Parks Committee is recommending appointment of Sue Husch to the committee.

ACTION:

Mayor Pro Tem Johnson moved to appoint Sue Husch to the Parks Committee. Councilor Cheek seconded the motion which carried unanimously.

TOWN MANAGERS REPORT

Manager Coates reported on the Ouray County Multi-Hazard Mitigation Plan; formation of a task force for selection of artwork for the Space to Create site; street sweeping; plan for replacement of the water/wastewater operator due to retirement from employment.

### COUNCIL REPORTS

Mayor Pro Tem Johnson reported on the Parks Committee; Councilor Hunter on the Creative District Committee; Mayor Clark on the upcoming Region 10 event.

### 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 signage and water utility improvements and operations.

#### 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 9:30 p.m. with the Town Attorney and Town Manager.

The Council reconvened from closed session at 10:10 p.m.

### ADJOURNMENT

The meeting adjourned at 10:10 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk