

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
JULY 10, 2019

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 suggested the Council enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(b) for the purpose of receiving legal advice regarding temporary access at Railroad Street and waste water utility maintenance; and C.R.S. 24-6-402(4)(e) for the purpose of determining position relative to matters that may be subject to negotiations for the Tri-County Water Conservancy District emergency interconnection and the proposed ordinance on the plastic bag ordinance.

ACTION:

It was moved by Councilor Meyer, seconded by Councilor Austin 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.

The regular meeting began at 6:10 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of June 12, 2019.
2. Minutes of the Joint Workshop Meeting on June 26, 2019.
3. Register of Demands for July 2019.
4. Renewal of liquor store license for High Spirits.
5. Renewal of restaurant liquor license for Eatery 66.

ACTION:

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

PUBLIC COMMENTS

Tom Heffernan suggested the Council participate in the Department of Transportation Adopt a Road program, and commit to clearing refuse from a portion of Highway 62 located 4.3 miles west of Town. He noted it would require removing litter in the spring and fall.

Council discussed the proposal and directed staff to place the suggestion on the agenda for the next regular meeting.

Robyn Cascade complimented the public works staff for repairing “the break in the water line in front of our house”.

PUBLIC REQUESTS AND PRESENTATIONS

6. Request from the Ridgway Library District to use Town property north of the library for construction staging

Dickson Pratt member of the Ridgway Library District Board of Trustees, addressed the Council regarding the upcoming library expansion. He requested use of a portion of the public parking lot adjacent to the north side of the library for construction staging, beginning this fall and going into May of 2020.

There was discussion between the Council and Mr. Pratt.

ACTION:

Councilor Lakin moved to approve the use of the parking lot for the library staging plan. Councilor Cheek seconded the motion which carried unanimously.

7. Presentation and request for letter of support for the draft Grand Mesa Uncompahgre Gunnison National Forest Plan and Community Conservation Proposal

Robyn Cascade, representing Great Old Broads for Wilderness, presented the Council with a draft letter and talking points for commenting on the recently released draft Grand Mesa Uncompahgre Gunnison (GMUG) National Forest Plan, and the Community Conservation Proposal. She explained the deadline for comments is July 29th. The plan includes a Community Conservation Proposal and the portion affecting Ouray County addresses wilderness and special designations within the San Juan Mountain Range. The local conservation proposal was submitted 18 months ago and included letters of support from local organizations addressing wildlife, water shed, forest, recreation uses, and protecting the area in perpetuity.

Ms. Cascade presented portions of the draft plan which could be included in a letter of support. The Council discussed and agreed upon items to include in a letter of support, which Councilor Lakin agreed to prepare.

ACTION:

Councilor Cheek moved, and Councilmember Hunter seconded to direct Councilor Lakin to take the talking points presented by Ms. Cascade and incorporate them into a letter of support on behalf of the Council. On a call for the vote the motion carried unanimously.

8. Presentation from the Uncompahgre Watershed Partnership

Ashley Bembeneck, Communications Director with the Uncompahgre Watershed Partnership (UWP) presented the studies performed in 2017 and 2019 upstream of the Ouray Hydro Dam. She reported the findings “found low metal concentrations” in the water, which “only changed” during the “time of delivery”, with “little reason to detect any impact” to the quality of the water in the Uncompahgre River between Ouray and Ridgway.

Ms. Bembeneck answered questions from the audience and Council.

Tanya Ishikawa, Technical Coordinator with UWP explained the organization is preparing a watershed guide to “help residents and visitors understand” water quality and water uses. She asked for input on items to address in the document; there were numerous suggestions from the Council.

9. Request to use Hartwell Park south parking lot on Friday evenings for car and motorcycle event

Justin Fagan with C.A.M.S. Car and Motorcycle Society requested approval of a special events permit to utilize the south parking lot at Hartwell Park Friday evenings through October 15th. He noted the event was held at the fairgrounds last summer and “provides a forum for gathering of car and motorcycle enthusiasts”.

Mr. Fagan answered questions from the Council. It was noted by the Council the event can not be held on weekends when other events have been scheduled.

ACTION:

Mayor Pro Tem Johnson moved to approve the inaugural application for use of the south parking lot in Hartwell Park for the weekly CAMS event, excluding any pre-existing scheduled events. Councilor Cheek seconded, and the motion carried unanimously.

PUBLIC HEARINGS

10. Transfer of restaurant liquor license at 146 N. Cora St.; Applicant: Thai Paradise Ridgway Inc.; Sole Member: Patcharin (Patty) Lawler

Staff Report from the Town Clerk dated 7-1-19 presenting an application for transfer of the restaurant liquor license for Thai Paradise.

The Town Clerk explained the current license is held by Thai Paradise LLC, sole member Kulanee Monthaven, and the new applicant is Thai Paradise Ridgway Inc. sole member, Patcharin (Patty) Lawler. The trade name of the establishment will remain Thai Paradise. Notice of the hearing has been posted on the premises and public notice boards; all State requirements for transfer of the license have been met, all forms filed and all fees paid. Additionally a background check has been conducted, she reported.

The Clerk explained state liquor law allows the transferee to request the local jurisdiction issue a temporary permit to continue to conduct business and sell alcohol under the existing license, during the period in which the application to transfer ownership is pending approval by the state. The applicant is seeking issuance of a temporary operating permit along with the request for transfer of the liquor license she noted.

ACTION:

Councilor Meyer moved, with Councilmember Lakin seconding to approve the transfer of liquor license for Thai Paradise and grant a temporary operating permit. On a call for the vote the motion carried unanimously.

11. Presentation and approval of Heritage Park and Visitor's Center Strategic Plan

Community Initiatives Facilitator Diedra Silbert presented the Heritage Park and Visitors Center Strategic Plan, noting if approved it would become an element of the Master Plan. She explained the plan was developed through grant funds from the Colorado Main Street Program and involves expansion of Heritage Park and construction of a new visitors center. She reported the existing commuter parking lot may need to be relocated; the Parks Committee has suggested restrooms at the Visitors Center be made accessible to the public; and grant funds will need to be sought for project construction.

The Town Manager noted the project would need to be incorporated into the Town's capital improvement plan.

ACTION:

Moved by Councilmember Austin to approve the Heritage Park and Visitor's Center Strategic Plan as presented this evening. Councilor Lakin seconded the motion which carried unanimously.

12. Adoption 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 up to Two Gallons in Size

Manager Coates reported at the prior meeting Council discussed creating an exemption to the existing ban on plastic bags by allowing the use of small locking base up to two gallons in size. The ordinance was modified at the meeting to eliminate the locking bags, and the new draft is being presented for adoption.

The Mayor suggested the Council consider changing the ordinance to approve the use of locking bags up to a quart in size. There was discussion by the Council regarding creating a "sunset clause" to allow for review in 18 months to determine if the exemption can be eliminated if compostable products become available.

SPEAKING FROM THE AUDIENCE:

Krista Meyer questioned the insertion of a clause into the document.

Tom Hennessey supported "requiring all products be compostable".

There was discussion by the Council.

ACTION:

It was moved by Councilor Austin to adopt the Ordinance Allowing an Exemption to the Prohibition of Use of Plastic Bags to Allow for the Use of Small, Locking, Plastic Bags up to One Quart in Size and add to Section 12-3-1(B) a number 2 which says small locking bags up to one quart in size, Mayor Pro Tem Johnson seconded, the motion carried unanimously.

LAND USE MATTERS

13. Reciprocal Agreement for purchase of project infrastructure easements and Town conveyed land to Lena Commons LLC and utility easement from Lena Street Commons to the Town

The Town Attorney explained Council approval of the Lena Street Commons preliminary plat was tied to agreements for purchase of an easement and also conveyance of land for

utility easements. He presented agreements containing language approved within the development agreement. Attorney Nerlin asked the Council to approve a deed of sale for conveyance of 1512 square feet of property off Otto Street based upon market value of \$10.72 per square foot. The property is needed by the development to complete required storm drainage.

ACTION:

Moved by Councilor Hunter, seconded by Councilor Lakin and unanimously carried to approve the Bargain and Sale Deed between the Town and Lena Street Commons LLC.

Attorney Nerlin stated the Council approved reciprocal utility easements as part of the development agreement. The Town will receive a 1260 square foot easement east of the project to access existing utility mains; and the Town will deed 1200 square feet to allow the developers to bring storm water from Lena to Railroad Street along Otto Street.

ACTION:

It was moved by Councilmember Lakin, seconded by Councilmember Hunter to approve the Access and Utility Easement Agreement with Lena Street Commons pending discussions regarding water and gas lines with the developers. The motion carried unanimously.

POLICY MATTERS

14. Agreement for receipt and use of private donation for the purpose of designing and constructing a pavilion and storage building in the Ridgway Athletic Park

The Town Manager reported the Town has been approached by an anonymous donor to construct a pavilion and storage structure in the Athletic Park. The agreement states the Town will try to raise \$75,000 in cash contributions, and provide a \$25,000 in-kind donation to total \$100,000. The donor will match on a three to one basis, up to a maximum of \$300,000. She stated staff is committed to fundraising this year, so construction can begin next year.

ACTION:

Mayor Pro Tem Johnson moved to approve receipt and use of a private donation for the purpose of designing and constructing a pavilion and storage building in the Ridgway Athletic Park. Councilor Lakin seconded and on a call for the vote the motion carried unanimously.

15. Update on Dark Skies Ordinance discussion at the Planning Commission meeting

The Town Manager reported the Planning Commission reviewed the proposed dark skies ordinance at the last meeting. The Commission agreed to continue discussions to the next meeting to allow for all members to be present. The Commission noted concerns with enforcement demands on Town staff.

Val Swartz, chair of the Dark Skies Committee, explained the Town can apply for the dark skies community designation with the International Dark Skies Association under the 2015 guidelines which will allow "grandfathering" non-compliant residences and businesses. The regulations would "only affect new construction". He noted "currently most residences are in compliance".

SPEAKING FROM THE AUDIENCE

Dave Jones noted there are 24 vapor street lights which the Town would need to replace with LED lights within five years. San Miguel Power has committed to pay one-third of the cost, and he noted the new street lights “will pay for themselves in three years”.

Tom Hennessey and Tom Heffernan spoke in support of the proposed ordinance.

There was discussion by the Council. It was agreed to support the proposed ordinance and applying for dark skies certification. The Planning Commission was asked to review the ordinance and provide comments for introduction of the ordinance at the Council’s August meeting.

16. Update from Colorado Communities for Climate Action meeting and ratification of policy statement

Councilor Lakin presented a report on attendance at the annual retreat for Colorado Communities for Climate Action (CC4CA), an organization of 27 municipalities and counties within the state, which are working to lobby the legislature on climate related issues. She presented a policy statement which all members are being asked to ratify.

ACTION:

Mayor Pro Tem Johnson moved to ratify the CC4CA policy document as presented with the changes as shown in the document. Councilor Hunter seconded the motion which carried unanimously.

17. Request for letter of support for broadband installation in Ouray County

Manager Coates presented a request dated 7-9-19 from Cleanetworkx asking for a letter of support for grant funds to expand the broadband network in Ouray County, north of Town.

ACTION:

Moved by Councilor Meyer, seconded by Councilmember Cheek and unanimously carried to send the letter of support for broadband in Ouray County as documented in the agenda packet.

18. Request for location to install TESLA supercharger electric car stations

Email dated 6-19-19 from TESLA Company requesting the Council discuss possible locations for installation of Tesla supercharger stations in Town.

There was discussion by the Council. It was agreed the Council was interested in having the supercharging stations in Town. Consensus was if placement is chosen on public property, the parking lot north of the library would be the most preferred location.

TOWN MANAGERS REPORT

Manager Coates reported on removal of a tree in Hartwell Park; and the budget retreat to be held in August.

COUNCIL REPORTS

Councilor Austin reported on the Ouray County Affordable Housing Advisory Committee.

EXECUTIVE SESSION

The Town Attorney suggested the Council enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(b) for the purpose of receiving legal advice regarding waste water utility maintenance; and C.R.S. 24-6-402(4)(e) for the purpose of determining position relative to matters that may be subject to negotiations for the Tri-County Water Conservancy District emergency interconnection.

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 9:10 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 9:40 p.m.

ADJOURNMENT

The meeting adjourned at 9:40 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk