

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
MAY 10, 2017

OATH OF OFFICE

The Town Clerk administered the oath of office to recently elected Councilor Eric Johnson.

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, Hunter, William, Young, Mayor Pro Tem Johnson and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of April 12, 2017.
2. Minutes of Joint Workshop on April 26, 2017.
3. Register of Demands for May 2017.
4. Intergovernmental Agreement with Ouray County for fuel purchases.
5. Renewal of Liquor Store License for Ridgway Liquors.
6. Renewal of Brew Pub Liquor License for Colorado Boy Pub & Brewery.
7. Sales Room Liquor License at Ridgway Farmers Market for Stone Cottage Cellars.

ACTION:

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

POLICY MATTERS

8. Appointment of Vicki Hawse to fill the vacancy on the Town Council

ACTION:

Councilor Young moved to appoint Vicki Hawse as Town Councilor for a one year term. Councilor Austin seconded the motion, and on a call for the vote, the motion unanimously carried.

OATH OF OFFICE

The Town Clerk administered the oath of office to Councilmember Vicki Hawse.

PUBLIC COMMENTS

Kuno Vollenweider addressed vehicles speeding on residential streets and suggested the speed limit be reduced to 10 miles per hour, and remove stop signs north to south and install more signs east to west "especially Moffat which is being used as a short cut throw Town".

Priscilla Peters noted “to circumvent the highway construction” vehicles are using residential streets and “speeding and blowing through the stop signs”. She stated she agrees with 10 to 15 mile per hour speed limit in residential areas.

Angela Hawse spoke in support of the comments regarding lowering the speed limit.

Sandy Brown suggested installing signs which read “please drive at a courteous speed” with some of the speed limit signs.

The Council discussed speed deterrents to slow traffic on residential streets and directed staff to place on the next agenda discussion regarding traffic calming devices and potentially lowering the speed limit in Town.

## PUBLIC REQUESTS AND PRESENTATIONS

### 9. Staff update on Ride the Rockies event and use of Town rights-of-ways

Town Planner Shay Coburn presented an update on the Ride the Rockies event which will be in Town on June 14<sup>th</sup> and 15<sup>th</sup>. She reported the Ouray Resort Association is coordinating the event with Town staff. The event will bring 2,000 bike riders and 500-700 support persons and family members. Arrival from Durango on the 14<sup>th</sup> should begin around 11:00 am, and bicycles will enter into Town and turn down Railroad Street to head to the secondary school on Green Street, which will be the event headquarters. The event in the Hartwell Park will begin at 2:00 pm with music and vendors. Participants will depart Town the following morning following the same route. She reported highway construction will be paused for the event, traffic on Railroad Street will be limited to bicycles and emergency vehicles only, Marion Overlook will be closed along with Kismet to Green Street.

Ms. Coburn answered questions from the Council.

### 10. Request to use Town rights-of-way for inaugural Ridgway Area Trails bike race

Email dated 5-4-17 from Edward Hines requesting assistance for the RAT bike race.

Edward Hines addressed the Council representing the Ridgway Area Trails (RAT) Chapter of the Colorado Plateau Mountain Bike Association. He noted along with this years annual RAT Festival on June 10<sup>th</sup> the organization will be holding a bike race at the local 28 mile mountain bike trail off County Road 10. He explained the event is capped at 100 participants, and will need a police escort from Town to the trail area, which should be approximately 20 minutes. The County and Department of Transportation have approved street and highway usage, and permitting is in process. He requested use of Town roads and a Marshal Department escort.

#### ACTION:

Councilmember Hunter moved to approve the use of Town rights-of-ways for the RAT Race on Saturday June 10<sup>th</sup> and use of a Marshal escort. Mayor Pro Tem Johnson seconded and the motion carried unanimously.

### 11. Presentation of 2017 First Quarter from the Ridgway Area Chamber of Commerce

Letter dated 5-5-17 from the Ridgway Area Chamber of Commerce presenting the first quarter Interim Lodging Tax Report articulating activities and expenditures of lodging tax funds.

Colin Lacy, President of the Ridgway Area Chamber of Commerce (RACC) presented the first quarter financial report and profit and loss statement, which included expenditure of remaining funds from last fiscal year. He explained the new website went on line last week; the organization is advertising for a coordinator position; a number of investments were made to the Visitors Center, which opened the first of May; and there will be a number of events this year in which the Chamber will participate and partner in.

Mr. Lacy responded to questions from the Council.

## PUBLIC HEARINGS

### 12. Adoption of Ordinance Amending the Official Zoning Map by Rezoning a Parcel of Land Currently Owned by Railroad Depot Funding LLC from "R" Residential to "HB" Historic Business District

Town Clerks Notice of Public Hearing dated 4-13-17.

Town Manager Jen Coates explained the rezone of the current Railroad Depot property was approved by the Planning Commission and Council in October of 2016. The Municipal Code requires an ordinance for any re-zoning.

#### ACTION:

It was moved by Councilor Hunter, seconded by Councilmember Austin and unanimously carried to adopt the Ordinance 17-02 Amending the Official Zoning Map by Rezoning a Parcel of Land Currently Owned by Railroad Depot Funding LLC from "R" Residential to "HB" Historic Business District.

### 13. Adoption of Ordinance Defining Short Term Rentals

Town Clerks Notice of Public Hearing dated 4-13-17; letter from Colin Lacy, President RACC dated 5-5-17 and Montrose Association of Realtors dated 5-4-17; email dated 5-10-17 from Judi Snelling and 5-9-17 from Jill Parisi.

The Town Manager explained the Planning Commission and Council held six joint workshops to receive public input on the proposed short term rental definitions. She reviewed proposed changes made at the April Council meeting which included an abbreviated license and lower fee to rent only one room in an owner occupied home; non-transferability of licenses; and changes to the code to clarify language.

The Mayor opened the public hearing. Speaking from the audience:

Paula James questioned accessory dwelling unit regulations and asked the Council to consider short term rental of an accessory dwelling unit to be the same as long term use.

Colin Lacy representing the Chamber of Commerce Board expressed concerns with limiting the number of licenses "constraining residents ability to affordable housing" and "eliminating potential revenue streams for residents" and "economic versatility for current and future residents". He asked the Council to remove the cap on the number of licenses and postpone adoption of the ordinance.

Dana Ivers asked the Council to reassess limiting the number of licenses and designate how many could be on each street.

Bob Kelly read a letter submitted prior to the meeting stating opposition to limiting the number of licenses and the non-transferability clause, and asked the Council to “carve out the commercial district from the regulations”.

Christa Myers stated she agreed “with what everyone said, especially Collin” and asked the Council to continue to consider the items and “not vote tonight”.

Tom McKenney thanked the staff and Council “for all the time spent on this” and stated he feels the “regulations are sane and balanced” and will allow for a “good balance of long term and short term” rentals.

Brian Hopfling explained he is a long term renter in Town and stated “I appreciate the cap on 50 licenses” noting “we offer services to the community and long term renters have a lot to offer to the community”.

Kuno Vollenweider suggested the Council consider incentives for long term rental “situations”.

Chris Whaling encouraged the Council to “wait or re-do” the ordinance and “exempt homeowners who occupy homes and want to short term rent during vacations or when away”, to “allow folks access to income stream if they need to supplement their income” noting “it won’t affect long term rentals because they are permanent residents, and will provide short term rental housing”.

Ouray County Commissioner Ben Tisdal stated there are “not enough long term rentals through out the County” and noted the County has just implemented short term rental regulations. He suggested the Council consider revoking licenses that are not used; require posting in the residences “to support safety of renters” and stated he “applauds efforts and similarities with the County regulations passed in 2016”.

Mary Beth Hollenbeck stated she is “in the vacation rental business” and has “had an 80% occupancy rate with hundreds of repeat tourists”. She expressed concerns with not being able to sell her business with the license, and asked the Council to consider making them transferable.

Sandy Brown stated “marketing opened the flood gates”; “we think we want growth, but there’s a balance”, “we need to do something to preserve our community” she noted.

The Town Clerk read into the record an email received on 5-10-17 from Jill Parinsi in opposition to licensing short term rentals.

The Mayor closed the hearing. There were comments by the Council.

## ACTION

Moved by Councilmember Hunter, seconded by Mayor Pro Tem Johnson to adopt Ordinance 17-03 Defining Short Term Rentals, Revising Regulations for Short Term Rentals, Providing for Licensing of Short Term Rentals and Limiting the Number of Short Term Rentals Allowed within the Town of Ridgway, and Waiving Additional Tap Fees for Accessory Dwelling Units, as Defined in Section 7-3-13(G) of the Ridgway Municipal Code, Sharing a Single Tap with a Primary Dwelling. With the motion on the floor there was discussion by the Council. After a call for the vote, the motion carried unanimously.

The Council took a recess at 7:45 pm and reconvened the meeting at 8:00 pm.

POLICY MATTERS (Continued)

13. Ratification of Resolution Declaring the Reaffirmation of Celebrated Community Values and Vision

Manager Coates noted at the last meeting the Ridgway Ouray Community Council (ROCC) asked the Council to reaffirm community values. The resolution she noted, restates the Town's established community values and vision.

Speaking from the audience on behalf of ROCC Liza Ferguson requested a banner be placed on the banner pole with "a few key words" on it. The Council directed staff to work with ROCC on the request.

ACTION:

Moved by Mayor Pro Tem Johnson to adopt the Resolution as presented, the motion was seconded by Councilmember Austin and unanimously carried.

14. Resolution Establishing Fees for Short Term Rental Licenses

The Town Manager noted the adopted ordinance pertaining to short term rentals establishes a fee for licenses, and the proposed resolution sets the fee for a two year license at \$400, and a owner occupied home renting one bedroom \$300. She explained the fees are based on recouping the Town's costs to administer the program and provide health/safety inspections of the premises.

Speaking from the audience:

Jack Petrucelli asked that the fee be pro-rated for the first year.

Andy Mueller supported pro-rating for the first year, or changing the term.

Chris Whaling spoke in support of pro-rating the fee for the first year.

There was discussion by the Council.

ACTION:

Moved by Councilmember Hunter, seconded by Mayor Pro Tem Johnson and unanimously carried to adopt the Resolution Establishing Fees for Short Term Rental License with direction to Town staff to prepare a pro-ration with respect to implementation.

15. Introduction of an Ordinance Amending Chapter 11 of the Municipal Code, including updating the leash law boundaries, clarifying and defining voice and sigh control, setting a maximum number of dogs per household, and requiring all dog owners to carry a dog leash and waste pickup bag at all times

Manager Coates presented a draft ordinance based on numerous meetings over the past eight months pertaining to leash laws, and revised leash boundaries. She noted from the last meeting the brochure and ordinance were amended to include new boundaries, defining voice control, require the custodian carry a leash and dog waste bag at all times, and yield to dog on leash if encountered with a dog off leash.

SPEAKING FROM THE AUDIENCE:

Tom McKenney spoke in support of the ordinance and suggested to assist visitors a notice stating "all dogs must be on a leash unless otherwise posted". He also suggested requiring all dogs "have a collar with a rabies tag in case an owner needs to be contacted".

Christa Myers explained she is a professional dog trainer, and stated "these are the best dog policies I have ever seen anywhere". She spoke in support of establishing a "good off leash, fenced area".

Kirsten May stated "one of the reasons we moved here is because it's a dog friendly Town" and expressed concerns that the ordinance is "punishing people who have their dogs under control" because a "vocal minority" has complained.

Kuno Vollenweider stated "I appreciate what you are trying to do" but expressed concerns that the proposed leash area is just within the Historic District of Town.

Andy Michelich suggested fining owners and requiring the wearing of a specific color tag to identify problem dogs.

There were comments by the Council.

Councilor Austin made a motion to introduce the ordinance as written and presented tonight. Councilmember Hunter seconded the motion. On a call for the vote Councilors Austin and Hawse voted yes and Councilors Hunter, Williams, Young and Mayor Pro Tem Johnson voted no, and the motion died.

Staff was directed to place on the next agenda re-introduction of the ordinance with a change to the document retaining the current leash boundaries and including all the other items contained in the draft ordinance, along with the changes to the brochure.

16. Introduction of an ordinance regulating the illumination of public art

The Town Manager explained last fall the Council discussed lighting public art and it was agreed to adopt regulations which require lighting be on timers and dimmers and be off by 10:00 pm; prohibit up lighting; and require internal illumination. She noted the proposed ordinance allows the illumination of public owned art on public property and includes 500 lumens, or 2500 degrees; no up or outward lighting and requires internal lighting.

ACTION:

Moved by Councilor Hunter to introduce the Ordinance Providing for Appropriate Illumination of Public Art on Public Property that Respects the "Dark Skies" Desires of the Community While Providing for Some Illumination of Public Art in Public Places, seconded by Councilor Young, the motion carried unanimously.

17. Request from the Ridgway Creative District Volunteer Committee asking the Town Council to express the Committee's objections to the 2018 White House Budget Proposal regarding the elimination of federal support for the National Endowment for the Arts

The Town Manager noted federal funding has been received for the Endowment of the Arts, so the item is now a mute point, the Council agreed.

18. Amendment One to the Signage and Wayfinding Plan

Manager Coates presented an amendment to the Signage and Wayfinding Plan noting the proposed changes and modifications were approved by the Planning Commission last month and establishes proposed signage for the downtown core, and creates signs with a map of Town which will be installed on light poles.

ACTION:

Mayor Pro Tem Johnson moved to ratify amendment to the Signage and Wayfinding Plan as proposed by the Planning Commission. Councilor Young seconded and the motion carried unanimously.

19. Intergovernmental Agreement for Regional Transportation Commission for Regional Planning through the Gunnison Valley Transportation Planning Region

The Town Manager presented an intergovernmental agreement with the Regional Transportation Commission which will allow staff to continue to participate in meetings with the Gunnison Valley Transportation Planning Region.

ACTION:

Moved by Councilmember Hunter, seconded by Councilor Young to enter into an Intergovernmental Agreement for a Regional Planning Commission for Transportation Planning through the Gunnison Valley Transportation Planning Region, the motion carried unanimously.

20. First Amendment to the Intergovernmental Agreement between the City of Ouray, Town of Ridgway and Ouray County establishing a Multijurisdictional Housing Advisory Committee for the purpose of clarifying how members shall be appointed to the Committee

Councilor Austin stepped down due to a conflict of interest.

ACTION:

Mayor Pro Tem Johnson moved to ratify the first amendment to the IGA between the County, City and Town establishing a Multijurisdictional Housing Advisory Committee. Councilmember Hunter seconded the motion which carried unanimously.

Councilmember Austin returned to sit with the Council.

21. Award bid for the construction and delivery of curved benches and bike racks for the RAMP Up! Ridgway Project

Manager Coates announced bids have been received for construction of four curved benches around the public art display at the corner of Lena and Highway 62, and 39 bike racks for the RAMP UP! Ridgway Project. The lowest bid was from local welder Kevin O'Brien for the construction and delivery of benches and racks, she reported.

ACTION:

It was moved by Councilmember Austin, seconded by Councilmember Hunter to award the bid for construction and delivery of curved benches and bike racks for the RAMP Project to O'Brien Custom Welding. The motion carried unanimously.

22. Annual appointment of Mayor Pro Tem and review of Council representation on committees and commissions

ACTION:

Moved by Councilmember Young to appoint Eric Johnson as Mayor Pro Tem. Councilor Austin seconded the motion, on a call for the vote the motion carried unanimously.

The Council reviewed representation on committees and commissions. It was agreed the liaison for the Chamber of Commerce will be shared by Councilors Young and Hawse and the Sister Cities Imitative Committee will be Councilors Young and Hawse.

MANAGERS REPORT

Manager Coates announced the Town was not awarded the GOCO grant for creation of Green Street Park and the Community Garden. The Parks Committee is recommending the grant be resubmitted in September. The committee has received a request from the Ouray County Soccer Association for construction of a storage facility at the Regional Athletic Fields in 2018, and the committee has recommended applying for a GOCO mini grant. The committee has also approved installation of a Peace Pole in Weaver Park.

Manager Coates announced the Colorado Municipal League Spring Outreach Meeting and Lunch will be held on May 17<sup>th</sup> in Montrose; and updated the Council on special meeting items for the following week.

The Town Manager noted staff is proposing a celebration of the RAMP Project on August 26<sup>th</sup> and closing Clinton Street for a community potluck; details will be presented to the Council at the June meeting.

ATTORNEYS REPORT

Based on the recent Public Official Liability Training, Town Attorney Nerlin suggested preparing policies and procedures and code of conduct for Council and committee meetings.

The Town Attorney requested an executive session pursuant to CRS 24-6-402(b) for conference with the Town Attorney for the purpose of receiving legal advice.

ACTION:

Moved by Councilmember Young, seconded by Mayor Pro Tem Johnson and unanimously carried to enter into closed session.

The Council entered into executive session at 10:00 p.m. with the Town Attorney and Town Manager.

The Council reconvened back into open session at 10:20 p.m.

ADJOURNMENT

The meeting adjourned at 10:20 p.m. to a Workshop Meeting on May 17, 2017 at 5:30 p.m. Ridgway Community Center, 201 N Railroad Street.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk