

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
JUNE 7, 2017

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, Hawse, Hunter, William, Young and Mayor Clark in attendance. Mayor Pro Tem Johnson was not present for the roll call.

CONSENT AGENDA

1. Minutes of the Regular Meeting of May 10, 2017.
2. Minutes of Special Meeting on May 17, 2017.
3. Minutes of Joint Workshop on May 17, 2017.
4. Minutes of Special Meeting on May 17, 2017.
5. Register of Demands for June 2017.
6. Renewal of Tavern Liquor License for The Sherbino Theater.
7. Renewal of 3.2% Beer License for the Ridgway Shell Station.
8. Renewal of 3.2% Beer License for the Ridgway Conoco Station.
9. Renewal of Hotel/Restaurant with Optional Premises Liquor License for the Chipeta Solar Springs Resort.
10. Appointment of Betsy Baier to the Ridgway Creative District Committee.
11. Modification of premises for hotel/restaurant liquor license for Chipeta Solar Springs to include new building in the optional premises of license.

Councilor Austin stepped down due to a conflict of interest

ACTION:

It was moved by Councilmember Hunter and seconded by Councilor Hawse to approve the consent agenda. The motion carried unanimously.

Councilor Austin returned to sit with the Council.

PUBLIC COMMENTS

Tom McKenney read a letter with suggestions on affordable housing which would “follow the formula of the Gunnison County affordable housing project”. He presented proposed scenarios to create affordable housing projects.

Bob Kelly requested the Council reconsider non-transferability of short term rental licenses, instituted at the previous meeting.

## PUBLIC REQUESTS AND PRESENTATIONS

### 12. Request to construct residential access stairs in the public right-of-way

Staff Report dated 6-2-17 from the Town Manager presenting a request from Angela Hawse to construct stairs to access the residence at 1029 Clinton Street in the public right of way.

Councilor Hawse stepped down due to a conflict of interest.

Manager Coates presented photos of 1029 Clinton Street which delineated stairs from the street being used to access the property. She explained the existing stairs, which are completely within the right of way, have become compromised by tree roots and the property owner would like to replace them. Structures in the right of way require Council approval through a revocable permit, and staff would issue a building permit and work permit she noted.

#### ACTION:

Councilmember Austin moved to approve a revocable special use permit to construct residential access stairs in the public right of way at 1029 Clinton Street. Councilor Hunter seconded and the motion carried unanimously.

Councilmember Hawse returned to sit with the Council.

### 13. Request for ownership of the Railroad Museum train shed currently located on Town property

Staff Report dated 6-2-17 from the Town Manager presenting a request for ownership of the train shed structure constructed in 2016 at the Ridgway Railroad Museum.

The Town Manager explained the Railroad Museum is situated on Town property under a lease agreement which states structures and improvements on the the premises shall remain the property of the landlord. She noted the museum is planning to move to a new location within the Town and have requested to disassemble and relocate the structure.

Karl Schaffer, President of the Railroad Museum, stated "I will remove the foundation and regrade the area".

Mayor Pro Tem Johnson entered the meeting at 6:05 p.m.

There was discussion by the Council.

#### ACTION:

It was moved by Councilor Hunter, seconded by Mayor Pro Tem Johnson and unanimously carried to approve the request for ownership of the train shed cover located on Town property at the Park Subdivision Tracts E & K with the stipulation if the shed is not moved in one year from today the Town owns it again.

## PUBLIC HEARINGS

### 14. Adoption of 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

Town Clerks Notice of Public Hearing dated 5-11-17.

The Town Manager reported eight months ago the Council and Planning Commission discussed the concept of allowing illumination of public art, if compliant with the Town's dark sky philosophy. The ordinance introduced at last month's meeting allows the illumination with an automatic shut off device activated by 10:00 pm, and internally, downcast, soft glow light.

The Mayor opened the public hearing and with no comments from the public, closed the hearing.

#### ACTION

Moved by Councilmember Hunter, seconded by Mayor Pro Tem Johnson to adopt Ordinance 17-04 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 after a call for the vote, the motion carried unanimously.

15. Recommendation from the Planning Commission to approve an amendment to the Keithly Replat; Location: Block 16, Keithly Replat Lots 1, 2 & 3; Address: 626 Charlotte, 844 Charles & TBD Charles or Charlotte Street; Zoned: Historic Residential; Applicant: John and Kelly Lannan Owners: John and Kelly Lannan, Andrea Sokolowsik and Grant Kleeves

Staff Report from the Town Planner dated 6-7-17 presenting a recommendation to approve an amendment to the replat of Lots 1, 2 and 3 of Block 16.

Manager Coates presented a recommendation from the Planning Commission meeting of 5-3-17 to approve Amendment 1 to the Keithly Replat. She explained the subject property currently consists of a single family home, duplex lot and vacant lot. The original plat set a maximum number of four dwelling units, and a request has been made by the property owners to amend the plat to allow for construction on the undeveloped lot.

The Mayor opened the public hearing and one of the applicants, John Lannon, requested approval.

There were comments by the Council.

#### ACTION:

Moved by Mayor Pro Tem Johnson to approve the changes in the plat note for the Keithly Subdivision as recommended by the Planning Commission, the motion was seconded by Councilmember Hunter and unanimously carried.

16. Recommendation from Planning Commission to approve an amended plat for building setback; Location: River Park Ridgway Business Park Filing No. 2, Lot 204; Address: TBD River Park Drive; Zoned: Residential; Applicant and Owners: Daniel Zokaites and Kelly Ryan

Staff Report dated 5-30-17 from Town Planner Coburn presenting a request to approve an amended plat for Lot 204 River Park PUD. Letter of support from Justin Spain, adjacent property owner.

Manager Coates explained the Planning Commission has approved a request to amend the River Park Filing No. 2 Plat Map to remove the five foot setback from the twenty foot utility easement on Lot 204. The front of the lot has the utility easement, and a five foot setback from the easement, which creates a 25 foot slope easement. Due to steep topography on the

lot she noted, the property owners are requesting the removal of the five foot setback so there can be construction within the area.

The Mayor opened the public hearing and speaking from the audience, applicant Daniel Zokaites explained the intent is to “only build in a small section of the set back and most is roof line”.

The Mayor closed the public hearing and there was discussion by the Council.

**ACTION:**

Moved by Councilmember Hunter, seconded by Councilor Young and unanimously carried to approve the amended plat for building setback on Lot 204 River Park PUD as proposed in the staff report.

**POLICY MATTERS**

17. Draft Ordinance Amending Chapter 11 of the Municipal Code including Updating the Leash Law Boundaries, Clarifying and Defining Voice and Sight 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

Email dated 6-7-17 from Ruth Stewart supporting the ordinance as written.

Manager Coates introduced the draft ordinance, noting it was the same document presented at the previous meeting.

Mayor Clark explained he asked that the item be placed on the agenda for further discussion. He asked the Council to discuss the proposed changes to regulations pertaining to dogs.

There was discussion by the Council.

**SPEAKING FROM THE AUDIENCE:**

Ken Mihelich spoke in support of the ordinance as presented.

Krista Stewart spoke in support of a Town wide leash requirement and construction of a dog park.

Kelly Ryan stated “most dogs in Town are well behaved” and “problems are created when dogs are leashed all the time”.

Jill Mihelich supported the proposed ordinance.

Krista Meyer offered to provide “classes and presentations to help people understand the body language” of dogs.

Andy Michelich stated “I strongly disagree with a Town wide leash law” and supported educating dog owners.

Dan Zokaites stated he exercises his dog 15 hours a week and has “encountered dogs off leash and we’ve had zero issues with that”, “we have had issues with a few dogs on leash”.

There was discussion by the Council regarding the proposed changes to the leash area. Councilor Austin moved to delete Section 10 with reference to the leash law boundaries and bring the ordinance back to the Council. Councilmember Young seconded and on call for the vote the motion did not carry.

**ACTION:**

Mayor Pro Tem Johnson move to introduce the Ordinance Amending Chapter 11 of the Municipal Code including Updating the Leash Law Boundaries, Clarifying and Defining Voice and Sight 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, Councilor Williams seconded, the motion carried with Mayor Pro Tem Johnson, Councilors Hawse, Hunter and Williams voting yes, and Councilors Austin and Young voting no.

The Council took a recess at 7:25 p.m. and reconvened the meeting at 7:35 p.m.

**18. Discussion regarding traffic and speed limits through out Town**

The Town Manager explained at the prior meeting the Council asked for an agenda item to discuss traffic impediments and speed limits. She presented the Traffic Flow Plan, an element of the Master Plan, which was ratified by the Council in 2011. The document addresses multi modal safety and includes speed limits based on traffic volumes.

There was discussion by the Council regarding seasonal traffic calming devices and speed limits. Consensus of the Council was to direct staff to place an item on the next agenda to discuss lowering the speed limit to fifteen Town wide; prepare outreach to receive public input; explore portable, temporary traffic calming device options and place into the budget for next fiscal year; place a sign at the Moffat and Cora Street bridge warning drivers of bicyclists exiting from the bridge.

Speaking from the audience Andy Michelich supported use of barricade type traffic calming devices, and the proposed lowering of the speed limit.

**19. Request from the Ouray County Housing Advisory Committee for appointment of two joint members**

Manager Coates reported the Ouray County Housing Advisory Committee is seeking appointment of two at large members, and Shirley Diaz and Chris Pike have requested the appointments.

**ACTION:**

Mayor Pro Tem Johnson moved to support appointment of Shirley Diaz and Chris Pike as at large members to the Ouray County Housing Advisory Committee. Councilor Young seconded and the motion carried unanimously.

**20. Request to hold a paint recycling event on August 29<sup>th</sup> in the Hartwell Park parking lot**

The Town Manager reported the Town has been contacted by Kevin Lynch, Colorado Program Manager for a state wide paint recycling program known as PaintCare. The state would like to hold an event on August 29<sup>th</sup> from 1:00 pm to 5:00 pm in the Hartwell Park parking lot.

ACTION:

Moved by Councilmember Hunter, seconded by Mayor Pro Tem Johnson to approve the use of Town property for paint recycling event on August 29<sup>th</sup> in the Hartwell Park parking lot, the motion carried unanimously.

21. Request from Mountain Pact to sign a letter of support for the Antiquities Act to Protect National Monuments

Mayor Clark presented a request from the Mountain Part organization to join other political organizations and sign a letter of support of the Antiquities Act to Protect National Parks and Monuments.

ACTION:

Mayor Pro Tem Johnson moved to sign on to the Antiquities Act to Protect National Parks and Monuments. Councilmember Hunter seconded the motion which carried unanimously.

MANAGERS REPORT

Manager Coates announced the Creative District would like to hold a celebration on August 26<sup>th</sup>, along with a community potluck, to celebrate the RAMP Project. They are requesting closure of Clinton and Cora Streets and a contribution of \$5,000 for purchases.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilmember Hunter to approve \$5,000 expenditure for the RAMP Project Community Celebration and approve closed streets to hold the event. The motion carried unanimously.

Manager Coates noted the second phase of the RAMP Project should be completed in August.

The Town Manager reported the Land Use Plan adopted in 2011 establishes goals and community action items for staff implementation. Staff would like to research development along the river corridor and she suggested discussing the topic at a workshop meeting, the Council agreed.

COUNCIL AND STAFF REPORTS

Mayor Clark announced the hiring of the new Marshal, Tammy Stroup; and the award of the annual student scholarship to Serene Robertson.

The Town Clerk presented an update on the recent Love Your Valley Festival, and the upcoming Concert Series.

ATTORNEYS REPORT

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:**

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

Councilor Williams left the meeting at 8:45 p.m.

The Council entered into executive session at 8:50 p.m. with the Town Attorney and Town Manager.

The Council reconvened back into open session at 9:15 p.m.

**ADJOURNMENT**

The meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk