

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
JULY 12, 2017

CALL TO ORDER

The Mayor called the meeting to order at 5:40 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. The Council was present in its entirety with Councilors Austin, Hawse, Hunter, William, Young, Mayor Pro Tem Johnson and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of June 7, 2017.
2. Register of Demands for July 2017.
3. Renewal of Tavern Liquor License for Eatery 66.
4. Renewal of Restaurant Liquor License for Thai Paradise.
5. Renewal of Liquor Store License for High Spirits.

ACTION:

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

PUBLIC COMMENTS

Tanya Ishikawa with the Uncompahgre Watershed Partnership explained to commemorate the recent tenth annual RiverFest held in Rollans Park a community banner was created from 250 individual colored pieces. She displayed the finished banner and explained the Parks Committee has agreed to placement of the community mural in Rollans Park.

PUBLIC REQUESTS AND PRESENTATIONS

6. Request to support San Miguel Power Association petition to increase renewable sources

Dave Jones on behalf of the Ridgway Ouray Community Council Clean Energy Committee, explained San Miguel Power Association (SMPA) has petitioned the parent cooperative, Tri State, to change the regulation capping generation of locally renewable sources from five percent to ten percent. He noted numerous local agencies have expressed support of the request to produce clean energy locally, and encouraged the Council to do the same.

There was discussion by the Council.

ACTION:

Councilmember Hunter moved to authorize the Mayor to send a letter supporting SMPA's request to change the cap from five percent to ten percent for local renewable alternative energy sources. Mayor Pro Tem Johnson seconded and the motion carried unanimously.

PUBLIC HEARINGS

7. Adoption of 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

Letter of support from Cathy Redmond was received prior to the meeting.

Town Manager Jen Coates explained the proposed ordinance expands the dog leash area from Amelia to Railroad and Moffat to Otto and Charles Streets, with Hartwell Park and the river corridor and trail still remaining mandatory. The document also clarifies voice control, limits the number of dogs per household and requires carrying a leash and waste bag at all times.

The Mayor opened the public hearing and the following persons spoke from the audience:

Kuno Vollenweider stated “there is no rational basis for the boundaries” and feels the decision will “down zone my property” and asked for the Council to “put it up to a public vote”.

Ruth Stewart stated “I am extremely happy with the middle ground” of the boundaries and noted “the ordinance is a good compromise of comments over the last year”.

Krista Stewart noted it is a “good place to start and see where it goes”, “in time we can make adjustments”.

Jill Craig spoke in support of the ordinance.

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

ACTION:

Mayor Pro Tem Johnson move to adopt 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 Hunter seconded, the motion carried with Mayor Pro Tem Johnson, Councilors Hawse, Hunter and Williams voting yes, and Councilors Austin and Young voting no.

8. Beer and Wine Liquor License application from Burro Cafe to operate at 555 Clinton Street and request for use of Town right-of-way to place tables on sidewalks adjacent to the building on Clinton and Cora Streets

Staff Report from the Town Clerk dated 6-2-17 presenting an application for liquor license from Burro Cafe and draft revocable encroachment permit.

The Town Clerk presented a request from John Metcalf sole member of Burro Cafe LLC, for a wine and beer liquor license at 555 Clinton Street which includes licensing the backyard area. All public hearing requirements for the application have been met, and a clear background check received, she noted. The applicant is also requesting use of the sidewalks along Clinton and Cora Streets to place tables and chairs which will also be used for the consumption of alcoholic beverages.

Applicant John Metcalf addressed the Council noting the premise has previously been licensed, and he desires to “make the building active again for the community and become a part of Clinton Street ambiance”. He noted coffee will be served during the day from 8:00 am to 3:00 pm and wine and beer from 4:00 to 8:00 pm.

There was discussion between the Council and Mr. Metcalf and it was noted tables will not be able to be placed on the Cora Street sidewalk, as the sidewalk width is not six feet which is required for handicap access.

The Mayor opened the public hearing and the following persons spoke from the audience:

Krista Stewart supported the application and expressed concerns with the placement of tables on sidewalks in Town, noting current problem areas with “pedestrian passage”.

Ruth Stewart stated she lives near the location and it has “never had any impacts before” and expressed support of the license.

ACTION:

Moved by Councilmember Hunter to approve the beer and wine liquor license application from Burro Cafe to operate at 555 Clinton Street, the motion was seconded by Councilmember Hawse and unanimously carried.

There was discussion by the Council and it was agreed to issue the revocable permit for use of Clinton Street only, the permit to include ADA access requirements, and asked the applicant to try and delineate an area and keep alcohol confined within the perimeter.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilor Hunter and unanimously carried to approve the revocable permit for Burro Cafe, and eliminate the Cora Street sidewalk portion of the request.

9. Beer and Wine Liquor License application for Melry’s Lunchbox at 631 Sherman Street

Staff Report from the Town Clerk dated 6-7-17 presenting a beer and wine liquor license application from Melry’s Lunchbox.

The Town Clerk presented the application from Melissa Clark owner of Melry’s Lunchbox for a wine and beer liquor license for 631 Sherman Street. She noted all hearing requirements have been met, and a clear background check received. The Clerk answered questions from the Council on behalf of the applicant.

There was no one from the audience wishing to speak during the public hearing.

ACTION

Moved by Councilmember Hunter, seconded by Councilor Young to approve the beer and wine liquor license application from Melry’s Lunchbox at 631 Sherman Street, after a call for the vote, the motion carried unanimously.

POLICY MATTERS

10. Ratification of mandatory wear policy for the Marshals Department

Town Marshal Tammy Stroup explained she is in the process of writing a grant to purchase body armor, which would include bullet proof vests. The grant requires adoption of a mandatory wear policy which states that all officers must wear Minimum IIIA body armor when on duty. She noted if adopted by the Council, the policy would be placed within the Marshals Department Policy Manual.

ACTION:

Moved by Councilmember Young, seconded by Councilor Austin and unanimously carried to ratify the mandatory wear policy for the Marshals Department.

11. Discussion regarding traffic and speed limits throughout Town

Email from Susan Baker dated 6-20-17 in support of lowering the speed limit.

Mayor Clark explained at the prior meeting there was discussion regarding lowering the current speed limit in Town from 20 miles per hour to 15.

There was discussion between the Council and staff regarding traffic calming devices.

SPEAKING FROM THE AUDIENCE:

Ben Tisdal endorsed the use of traffic calming devices.

Laura Hager supported one way streets in the downtown core, and lowering the speed limit.

Kuno Vollenweider requested more stop signs east to west and encouraging traffic to move to the highways.

Joan Chismire supported placing signage in the center of roadways stating slow children at play.

Guthery Castle noted side street traffic will change after completion of the Town wide street construction project.

There was discussion by the Council. It was agreed to direct staff to look at solutions and report back at another meeting, including information on signage from the Marshal.

12. Mountain Pact request to support the Paris Climate Agreement

Mayor Clark presented a request from Mountain Pact to join the organization and stand in support of the Paris Climate Agreement, and opposition to the US withdrawal. There was discussion by the Council. It was noted the commitment date to participate has expired, and consensus was to still send a message of support.

ACTION:

Councilor Austin moved to support the Town endorsing the pledge and send a message the Town supports the agreement. Councilor Young seconded and the motion carried unanimously.

13. Town Council guidance regarding considering public requests

The Town Manager presented a document dated 7-7-17 entitled Town Council Guidance for Considering Public Requests. She explained at a workshop meeting last month the Council directed staff to prepare a comprehensive list of criteria and items which should be presented with public requests.

The Council and Manager reviewed the document. It was agreed the document as presented provides guidance for staff and consensus was to ratify the document.

14. Award of paving contract for Hartwell Park parking lots and associated improvements

Town Engineer Joanne Fagan explained the Council placed funds in the current fiscal year budget to match a grant for paving of the two parking lots in Hartwell Park, and along the east side of Town Hall. She announced bids have been received for the project, the lowest was received from Asphalt Specialists, and within the budgeted amount. She noted the project would be completed in the late fall.

ACTION:

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Hunter to award the paving contract to Asphalt Specialties, the motion carried unanimously.

The Council took a recess at 7:40 p.m. and reconvened the meeting at 7:50 p.m.

15. Introduction of an ordinance providing for river corridor development regulations

The Town Manager explained during the budget process the Council discussed priorities from the 2011 Land Use Plan goals and action items, which were developed through community input. Staff was asked to review the Plan and suggest a topic to address. At a recent workshop meeting staff recommended the goal regarding preservation of the river corridor. She noted the Council directed staff to research creating a river overlay zone for the Uncompahgre River which would be based on the Land Use Plan, which establishes the river buffer zone at 100 feet from the river bank or flood zone, whichever is higher. She noted these regulations would apply to all properties within 100 feet of the river buffer zone, and the proposed overlay map would be based upon the Federal Emergency Management Agency (FEMA) flood plain map.

Manager Coates presented the draft ordinance noting development standards include public access, setbacks, storm water drainage, commercial design guidelines and would create a new zone, and limited development within a 100 yard area of the river.

SPEAKING FROM THE AUDIENCE:

Tanya Ishikawa speaking on behalf of the Uncompahgre Watershed Partnership supported "more public access along the river corridor", "helping the riparian areas and water shed".

Joan Chismire spoke on behalf of property owner Dee Dee Decker who expressed concerns with ways in which the regulations will affect her property. She was “surprised she was not notified when it affects her property” noting it will “restrict development on her property”.

Jack Petruccelli stated the ordinance as written “takes away all property rights”, “it takes all uses by right”, “I think it’s a complete rezone”.

Ben Tisdale suggested “the floodplain should not be part of the equation”, he has “found floodplain maps can be edited or can be inaccurate” and suggested it would be “more consistent to go with bank fill width then floodplain”.

Linda Ingo expressed concerns with her property being affected by the regulations and stated “if someone has a use by right, this takes it away”.

Glen Pauls stated “I just heard about this, I feel I should have got notice”, “I have questions about the process”.

Jim Pettengill suggested sharing the FEMA map with property owners “so they know how it affects them”. He noted “it is just as effective to deal with bank fill” and suggested removing reference to the FEMA map”, as it “can be relatively inaccurate” and encouraged use of the “bank instead of the floodplain”. He stated “I am one hundred percent in favor of protecting the river corridor” and suggested “take time up front to consider things to get them right”.

Tom Hillhouse stated the ordinance has “some good and some critical issues”, “I need time to consider the document”. He suggested giving the public “time to study it and then provide public comment”, noting it is “too significant of a document to proceed” now.

Jack Petruccelli noted “this affects some properties completely”, “one hundred percent of the property would be included”.

There was discussion by the Council and consensus was to table the discussion to the next meeting. Staff was directed to present a current FEMA Flood Plain Map for review at the next meeting.

16. Outdoor watering restrictions

The Town Engineer reported the water plant is running close to capacity and to assist with the strain on the system and treatment process, she suggested instituting voluntary outdoor watering restrictions. If the monsoon rains do not begin soon, she said, then change the restrictions to mandatory. The Council agreed.

17. Purchase of water filter modules for the water treatment plant

Engineer Fagan explained the water treatment plant filter modules have a life span of eight to ten years. The current modules have been in use for ten years, and are in need of being replaced. She noted the cost would be \$80,000 and the purchase is not in the current fiscal year budget.

Manager Coates stated the replacement of the filter modules has been in the five year capital improvement plan, and the water fund balance could support the expenditure this year. If the Council chooses the expenditure can be placed in the 2018 Fiscal Year Budget, and the expenditure made in January, she noted.

ACTION:

Councilor Hunter moved to allow the expenditure of \$80,000 for modules for the water plant. Councilmember Young seconded the motion which carried unanimously.

MANAGERS REPORT

The Town Manager reported the Town can apply for grant funds for participation of policy makers at the Community Builder's Leadership Institute on August 4th. She inquired if there were members of the Council that wished to attend. Councilor Young and Mayor Clark stated they could attend, and the Council agreed to apply for grant funds to cover the registration fees.

Manager Coates noted the American Planning Association will be holding a conference in Telluride October 4th through the 6th and attendance is open to members of the Planning Commission and Council. She presented a brief report on the recent Colorado Municipal League Conference.

The Manager presented an update on the hiring process for a Deputy Marshal and Public Works Manager.

ATTORNEYS REPORT

Town Attorney Nerlin recommended the Council consider preparation of Council Meeting Policies, Procedures and Rules of Conduct. He suggested drafting a document for review at the next meeting.

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

The Council entered into executive session at 9:15 p.m. with the Town Attorney and Town Manager.

The Council reconvened back into open session at 10:05 p.m.

ADJOURNMENT

The meeting adjourned at 10:05 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk