

RICO TOWN BOARD MINUTES

May 15, 2019

The Regular Town Board meeting was called to order at 7:00 p.m. by Mayor Zach McManus.

Members Present. Zach McManus, Barbara Betts, Stephan Roberts and Genevieve Yellowman. Absent was Sophia Kyriakakis and Nicole Pieterse.

Staff Present. Kari Distefano and Linda Yellowman.

Guests Present. Scott

Approval of the Agenda. The agenda for May 15, 2019 was presented for approval. Mountaintop Liquor was postponed to June meeting. Barbara Betts would like to add geothermal report. Barbara Betts made a motion to approve the agenda for May 15, 2019 as amended and seconded by Genevieve Yellowman. The motion passed unanimously.

Approval of the Minutes. The Rico Town Board minutes for March 20, 2019 were presented for approval. Genevieve Yellowman made a motion to approve the minutes as submitted. Stephen Roberts seconded the motion. The motion passed unanimously.

Executive Session-Attorney Matters. Zach McManus made a motion to go into executive session for a conference with the Town Attorney, pursuant to C.R.S. 24-6-402(4)(B), for the purpose of receiving legal advice on specific legal questions regarding code enforcement procedures and specific violations and under C.R.S. 24-6-402(4)(f) to discuss personnel matters concerning the Town Manager. Seconded by Genevieve Yellowman. Motion passed unanimously.

Regular meeting was called back to ordered.

Consent Agenda:

Approval of the Monthly Bills. The Monthly bills for May 2019 were submitted for approval. Barbara Betts made a motion to approve paying the Monthly Bills for May 2019 as presented. Stephen Roberts seconded the motion. The motion passed unanimously.

Treasurers Report. Town Manager Kari Distefano reviewed the April 2019 report with the Board. Barbara Betts made a motion to approve the April 2019 Treasurers Report. Genevieve Yellowman seconded the motion. The motion passed unanimously.

Citizens Communication.

Town Clerk. Town Clerk Linda Yellowman informed the Board she will be out of the office from May 21 through May 31, 2019.

Public Works. Town Manager Kari Distefano reports the roads are being graded.

Water Consultant. Will be part of the Town Manager's report.

Parks & Recreation. Mr. McManus gave an update on the courthouse roof, upgrade on the

Internet, bathroom and the shed at the park.

Town Board Reports. Barbara Betts reports the Geothermal Committee needs some members. The Professor will be bringing a group in August of this year.

Town Manager's Report. Update on the Rico Center Emergency Grant Application. In an effort to offset the additional money we spent on snow removal in March and the predicted additional expense of the Rico Infrastructure Improvement Economic Analysis as well as the expense of removing the asbestos from both the bathroom area and the old boiler in the basement, the Town applied to the Rico Center for some emergency grant funding. The Town was awarded \$15,000 for emergency snow removal and up to \$8,000 that will go toward the Rico Infrastructure Improvement Economic Analysis. We were not awarded funding for the asbestos removal. The asbestos has been removed from the bathroom anyway. This was necessary to complete the remodel. The asbestos removal from the old boiler, which is a bigger project, will have to wait. In the meantime we will limit access to that area.

Update on the Rico Infrastructure Improvement Economic Analysis. As per the direction from the Trustees at the March meeting, the Town signed a contract with RPI for a reduced scope of work based on my ability to gather some of the information necessary for the analysis.

Update on State Revolving Funds Loan Application. Started the process of applying for a low-interest loan from the State Revolving Fund. The Town would be applying for a low interest loan on any costs associated with the proposed infrastructure upgrades for which we cannot get grant funding. The Town included both the sewer system and the re-activation of Silver Creek in this application because the process is extremely involved and it is necessary to start early. There are a series of web-based applications and once those have been filled out, a representative from the State Revolving Fund schedules a site visit.

Update on the USDA Grant and Loan Application. Originally the Town was not going to apply for an infrastructure loan from the USDA because their interest rates are currently higher than those of the State Revolving Fund – 3.5% as opposed to 0.5% however apparently there is some grant funding available through the USDA as well as loans. Duane Dale who is the USDA regional manager said that how much was available in grant funding and how much of the cost of the project, a loan was based on a complicated equation and he could not give me any definitive information until the Town applied for the grant/loan.

Update on the Rico Land Use Code Revisions. Nancy Dosedall, the planner from Russell Engineering has finished reviewing the Rico Land Use Code. The Town is now in the process of going through the revised code and addressing Ms. Dosedall's comments. Our tentative plan is to have Ms. Dosedall come to the June 26th meeting to discuss the updates.

Update on the Installation of the Supervisory Control and Data Acquisition (SCADA) System. The areas around the tank and the well house are finally clear enough to start installing the Supervisory Control and Data Acquisition system, which is the first step in automating the Town's water system. The SCADA system will allow us to monitor the tanks and well remotely and thus save wear and tear on the maintenance vehicle as well making the maintenance man's life easier especially in the winter. It is also my hope that Rico will be awarded funding from the Department of Local Affairs to start replacing meters toward the end of the summer. In addition to saving maintenance hours, this system will allow us to catch leaks in a much more timely manner and alert homeowners prior to large water losses

Update on the Town Hall Repairs. Jesse Pekola, who is a structural engineer came to look at the Courthouse roof right after the last meeting. Mr. Pekola prepared a report and he is going to come back to determine what, if anything needs to be done to reinforce the structure within the roof. In the meantime he does not think it is in danger of immediate collapse and in fact, may be fine. According to records from the last historical structural assessment, some work had already been done to stabilize the roof. As soon as we get Mr. Pekola's report on whether or not, the Town needs to do anything to the roof, staff will start applying for emergency funding from the state historic society.

Action Items.

2nd Reading of an Ordinance Concerning Fixed and Temporary Encroachments. Town Manager Kari Distefano made revisions to include language about the right to revoke the permit if the encroachment deteriorates or gets demolished or a material change in the condition occurs. Also fixed the grammatical error in paragraph 1003. Zach McManus made a motion to approve the 2nd Reading of an Ordinance Concerning Fixed and Temporary Encroachments. Seconded by Barbara Betts. Motion passed unanimously.

1st Reading of an Ordinance Establishing Fire Safety Standards for Existing Commercial Structures. The Rico Fire Department initially requested this Ordinance when there was a fire in the Prospector building. The object of the ordinance is to ensure that structures that are used for accommodations have adequate fire safety measures. The ordinance requires that all commercial structures are being used for accommodations have fire alarms, carbon monoxide detectors and fire escape routes. It also has provisions for enforcement should the facility fail to provide such safety measures. Barbara Betts made a motion to approve the 1st Reading of an Ordinance Establishing Fire Safety Standards for Existing Commercial Structures. Genevieve Yellowman seconded the motion. Motion passed unanimously.

Special Use Permit Application for the Short-Term Rental of 201 N. Piedmont-Eliza Gass. Eliza Gass would like to use her house, located at 201 N. Piedmont, as a short-term rental. Ms. Gass applied for a Special Use Permit as required by the Rico Land Use Code. The application is attached to this memo for your review and is complete. The Town has required that the applicant maintain a contract for property management services with a local representative available to respond to emergencies or disturbances and that contact information for the local representative be kept current and be available to local law enforcement as well as Town Officials. There will be a renewal review after one year of the short-term rental operation. The Rico Planning Commission reviewed and approved the application on May 8, 2019. Zach McManus made a motion to approve the SUP application for the Short-Term Rental of 201 N. Piedmont/Eliza Gass. Seconded by Stephan Roberts. Motion passed unanimously.

Transfer of Mountain Top Liquor License to Larry Steele. Postponed to the next meeting in June 2019.

Change in Website Providers and Eligible Governmental Entity Agreement between the Statewide Internet Portal Authority of the State of Colorado and the Town of Rico. There were some difficulties with the Town's website. For some reason, Bluehost, the folks that host the Town's website changed the address of the server that holds the media. Finally got a hold of Ben Steele who told me how to fix the problem and spent hours repointing all the information on the site to the new address. Staff started looking at the possibility of switching to a more reliable system. A state sponsored platform called SIPA and is a much better deal. It's free and suits our needs. They provide training and 90 days' worth of free technical service. The one thing that they require for use of this service is a signed Eligible Governmental Entity Agreement between the Statewide

Internet Portal Authority of the State of Colorado and the Town of Rico. Barbara Betts made a motion to Change in Website Providers and Eligible Government Entity Agreement between the Statewide Portal Authority of the State of Colorado and the Town of Rico. Stephan Roberts seconded the motion. Motion passed unanimously.

Change June Meeting Date. Town Manager Kari Distefano requests changing the meeting date from June 19th to June 26th for she will be at a CML Conference. Barbara Betts made a motion to have the regular Town Board meeting on June 26, 2019. Genevieve Yellowman seconded the motion. Motion carried unanimously.

Discussion Items.

Applicants for the Rico Board of Trustees. At the March 2019 meeting, discussion regarding the two applicants for Keith Lindauer's vacant seat, Brandy Randall and Allyn Svoboda, the Trustees had decided to wait until Barbara Betts returned to consider an appointment to the Trustee's seat. The Board also discussed whether they should make an appointment or leave the seat vacant until the November election. The consensus from the Board was to wait until the November election.

A Deadline Extension for the Requirement to Fill or Otherwise Stabilize the Cut on Lots 21-24, Block 5, Town of Rico, 134 S. Glasgow. Last November, Town Attorney Carol Viner wrote a letter to Terrance and Charlene Johnson owners of the Lots at 134 S. Glasgow, advising them that they had excavated without a permit and that they were required to fill or otherwise stabilize the cut by May 1st. The Johnsons subsequently sold the lots to Anna Mills, who is intending to build on the lot and open a coffee shop. Ms. Mills has not applied filled the cut or applied for a building permit. The question open for discussion is whether or not to allow her more time to apply for a building permit or to file a complaint and summons in municipal court for zoning violations as indicated by Town Attorney's letter. The Board gave direction that Kari Distefano work with Anna Mills.

Discussion of Whether or Not the Town Should Begin Levying Fines for Property Owners Using their Houses for Short-Term Rentals Without a Special Use Permit as Required by Ordinance 2011-03. It has come to the town's attention that there are a number of homeowners in Rico that are short-term renting their properties without the special use permits that are required by Ordinance No. 2011-03. Notices were sent out on March 2019 with water bills. On April 30, 2019 letters were sent out to each of the property owners that are advertising on either Airbnb or VRBO. Some property owners have responded. Others have not, the question for discussion by the Board is if and when the Town should start filing complaints and summons in municipal court. The Board gave direction Kari Distefano work with property owners.

Adjournment.

Zach McManus made a motion to adjourn the meeting at 9:00 pm. Seconded by Stephen Roberts. The motion passed unanimously.


Linda Yellowman
Rico Town Clerk


Zach McManus
Mayor