

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
APRIL 11, 2018

OATH OF OFFICE

The Town Clerk administered the oath of office to recently elected Mayor John Clark and Councilor Robb Austin, and newly appointed Councilor Ninah Hunter.

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, E. Hunter, N. Hunter, Mayor Pro Tem Johnson and Mayor Clark in attendance.

EXECUTIVE SESSION

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:

It was moved by Mayor Pro Tem Johnson, seconded by Councilor E. Hunter 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 6:00 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 14, 2018.
2. Register of Demands for April 2018.
3. Renewal of restaurant liquor license for Full Tilt Saloon.

ACTION:

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

INTRODUCTIONS

The Mayor thanked employees Karen Christian and Jeff Rivera for ten years of service to the Ridgway community.

PUBLIC COMMENTS

In follow up to the previous meeting, Rob Datsko asked if staff had spoken to the State highway department regarding installing 'no engine breaking' signage at the north entrance into Town. The Town Manager reported the Colorado Department of Transportation has stated the signs are obsolete. New signage states "truckers engine brake mufflers required", and the State will install the signage at both entrances into Town.

PUBLIC REQUESTS AND PRESENTATIONS

4. Update on Region 10 Broadband Project for Ouray County

Chris Kennedy, Broadband Director for Region 10 Economic Assistance and Planning, explained in 2014 the six counties which form Region 10 agreed to pursue a plan to bring broadband to communities within the organization. An agreement was entered into establishing goals to provide redundant broadband access, and carrier neutral locations to allow providers access to deliver services within the communities. He noted 'the need for high speed data services, is an investment in community'.

Mr. Kennedy reported Region 10 has many partners in the project; and currently has 'middle mile assets' in Delta and Montrose, and from Grand Junction through Delta out to Nucla. Phase 2 'is reaching' Gunnison and Ouray. There is currently a 'constraint on the ability to reach from Montrose to Ridgway' and Ridgway to Ouray, which the organization is 'working to solve'. He noted 'we are going to see progress in the next few months, as we move closer to our goals' and anticipated 'the attainment of a route' from Montrose to Ouray could take two to three years to accomplish. Region 10 is 'looking at interim solutions' such as 'leveraging grants to fill the gaps until then', 'while looking for a better long term solution'.

There were questions from the Council.

5. Request from Ridgway Public Library to expand the library building, pursuant to the lease agreement with the Town

Staff Report from the Town Manager dated 3-30-18 presenting background on the lease of land to the Ridgway Public Library District to house the library, and request from the district to expand the facility.

Stephanie Lyons, President of the Ridgway Public Library Board of Trustees, reported the bonds for the library construction have been 'retired early,' and with available funds and grant opportunities, the board is looking at expansion of the facility. Preliminary designs will add 1650 square feet, or a third of the current size. The project includes expanding the building on the west side; installing an entrance to the north side of the building; upgrading restrooms; installation of a indoor/outdoor seating area; and paving of the parking area. She requested Council support for the facility expansion pursuant to the property lease agreement, noting final plans should be completed in 12 to 18 months.

ACTION:

Councilor E. Hunter moved to approve the request from the Ridgway Public Library to expand the library building pursuant to the lease agreement with the Town, Mayor Pro Tem Johnson seconded and the motion carried unanimously.

6. Presentation regarding initiative for Dark Skies accreditation

Val Szwarc, representing a 'grass roots citizen effort' known as the Ridgway Dark Sky Committee, presented information pertaining to pursuing designation as a Dark Skies Community through the International Dark Skies Association. He noted benefits of the designation include life style and energy conservation. He explained if the idea is supported by the Council, the next step for the committee is preparing for Council review, proposed changes to the existing lighting regulations.

Committee member Dave Jones noted the group will prepare the application packet, which is a year long process involving tracking and measuring lighting lumens, acquiring letters of support, and conducting training and informational public workshops.

The Council agreed the committee should proceed with the plans and work with Town staff as needed.

POLICY MATTERS

7. Access to Railroad Street for Park Subdivision, Lot A and Mitchell Subdivision No. 2, Lot 1

The Town Manager requested Council approval for a thirty day extension of the access to Railroad Street from Park Subdivision, as approved at the previous meeting.

ACTION:

Councilmember E. Hunter moved to extend approval for the existing thirty day access permit to the regular meeting in May. Councilor Austin seconded the motion which carried unanimously.

8. Correction Easement terminating the Pipeline Easement dated May 1980 and entering into a Corrected Easement locating the Lake Otonowanda pipeline in its as-built location

Town Manager Coates explained staff has been working with adjacent property owners to Lake Otonowanda, the Town's water reservoir, to correct easement errors located during the renovation of the lake. It was discovered the easement recorded in 1980 placing the pipeline trench between the pre-sediment pond and water treatment plant is incorrect, and the proposed easement will correctly record the easements. She noted there are two property owners involved, the agreement being presented at this meeting is with Acroama Holdings LLC, and an agreement with Shepard's Song Limited LLC will be presented at another meeting.

There was discussion between the Council and staff.

ACTION:

Councilor Austin moved, with a second by Mayor Pro Tem Johnson, to approve the correction easement with Acroama Holdings LLC, with item number four to be removed from the agreement as presented. The motion carried unanimously.

9. Award of bid and enter into an agreement to update the Town Master Plan

Town Planner Shay Coburn explained six proposals were received to prepare an update to the Town Master Plan. A review committee interviewed three of the firms, and are recommending awarding the bid, and entering into a contract for services, with Clarian

Associates. Manager Coates noted the cost to prepare a housing module was also included in the proposal, and she recommended approving both the update and module, as the cost falls within the budgeted amount of \$100,000. The Council agreed.

ACTION:

Mayor Pro Tem Johnson moved to award the bid and approve the agreement with Clarion Associates, Councilor N. Hunter seconded, and the motion carried unanimously.

10. Award of bid and enter into an agreement for downtown landscape maintenance

The Town Manager presented a request for proposals to maintain the landscaped areas within the RAMP downtown project area. She noted one bid was received from Earth, Wind and Rock and recommended the Council approve entering into an agreement for the services, in an amount not to exceed \$25,000.

ACTION:

Mayor Pro Tem Johnson moved to approve the contract with Earth, Wind and Rock not to exceed \$25,000 for landscaping services, Councilor Austin seconded, and the motion carried unanimously.

11. Award of bid and enter into an agreement for residential curbside refuse and recycling contract

Manager Coates explained the five year contract for curbside refuse and recycling services expires June 1st, and requests for proposals were solicited. One bid was received from the current provider, Bruin Waste Management. She reviewed the bid proposal with the Council.

There was discussion with Chris Trosper representing Bruin Waste, regarding the option to provide animal resistant containers for lease, or purchase, and the size and type of container.

ACTION:

Councilor E. Hunter moved to award the residential refuse and recycling contract to Bruin Waste Management with the option for animal resistant containers so the customer can chose to either buy or lease. Mayor Pro Tem Johnson seconded and with the motion on the floor there was discussion. After a call for the vote the motion carried with Councilor Austin voting no.

12. Introduction of an Ordinance amending Chapter 9-2 of the Ridgway Municipal Code to provide for mandatory animal-resistant trash containers for all properties within the Town of Ridgway, defining animal-resistant cans, containers and dumpsters, and amending the Short Term Rental Regulations in Chapter 7-3 to reference the entire Chapter 9-2 for trash and recycling utility services, and revising regulations and rates for Town curbside solid waste and recycling service, and declaring an emergency

The Town Manager presented an ordinance which coordinates with the award of the refuse and recycling contract, and also implements requiring the use of animal resistant containers for both residential and commercial properties, and reviewed the proposed document with the Council.

There was discussion by the Council pertaining to the bid and agreement with Bruin Waste. Mr. Trosper representing the refuse contractor, clarified the bid option is to either lease all animal resistant containers, or purchase all containers, not one or the other.

ACTION:

Councilor E. Hunter moved to table discussion of introduction of the ordinance, Councilor N. Hunter seconded, and the motion carried unanimously.

ACTION:

Councilmember E. Hunter moved to reopen discussion of Agenda Item 11, the award of bid to Bruin Waste Management, seconded by Mayor Pro Tem Johnson the motion carried unanimously.

11. CONTINUED DISCUSSION Award of bid and enter into an agreement for residential curbside refuse and recycling contract

The Council reopened discussion pertaining to award of bid to Bruin Waste Management for residential curbside refuse and recycling services.

The Council asked Mr. Trosper with Bruin Waste for clarification on the options presented in the bid for residential refuse and recycling services. Mr. Trosper explained the bid option is to either lease all containers, or purchase all containers, not one or the other.

There was discussion and the Council agreed the desired outcome is to present residential users with an option to purchase or lease an animal resistant container from the contractor, preferably with a choice of container size. Consensus of the Council was to direct staff to work with Mr. Trosper to come to a resolution and identify a solution regarding an option favorable to the outcome expressed by the Council.

Mr. Trosper requested extension of the current contract for an additional month to allow sufficient time to acquire information pertaining to container lease and purchase options.

ACTION:

Councilmember E. Hunter moved, with Mayor Pro Tem Johnson seconding, to extend Bruin Waste Management's existing contract for one month. The motion carried unanimously.

ACTION:

Moved by Councilor E. Hunter to rescind the approval of the award of bid to Bruin Waste Management as previously approved. Mayor Pro Tem Johnson seconded the motion which carried unanimously.

12. CONTINUED DISCUSSION Introduction of an Ordinance amending Chapter 9-2 of the Ridgway Municipal Code to provide for mandatory animal-resistant trash containers for all properties within the Town of Ridgway, defining animal-resistant cans, containers and dumpsters, and amending the Short Term Rental Regulations in Chapter 7-3 to reference the entire Chapter 9-2 for trash and recycling utility services, and revising regulations and rates for Town curbside solid waste and recycling service, and declaring an emergency

The Council reopened discussion regarding introducing an ordinance pertaining to refuse and recycling services and fees, and instituting mandatory use of animal resistant refuse containers.

ACTION:

It was moved by Councilmember E. Hunter and seconded by Mayor Pro Tem Johnson to approve the introduction of the Ordinance amending Chapter 9-2 of the Ridgway Municipal Code to provide for mandatory animal-resistant trash containers for all properties within the Town of Ridgway, defining animal-resistant cans, containers and dumpsters, and amending the Short Term Rental Regulations in Chapter 7-3 to reference the entire Chapter 9-2 for trash and recycling utility services, and revising regulations and rates for Town curbside solid waste and recycling service, and declaring an emergency with the possible amendment of roll off temporary type of dumpsters. After a call for the vote the motion carried unanimously.

The Council took a recess at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

13. Resolution in support of House Bill 18-1301 to protect water quality adverse mining impacts and concerning the protection of water quality from adverse impacts caused by mineral mining

Mayor Clark introduced Pete Dronkers with Earthworks Action who presented the Council with background on proposed House Bill 18-1301, which will amend the Colorado Mine Land Reclamation Act to include a provision disallowing future mining from receiving a permit without including a plan identifying 'an end date for water treatment'. He explained the provision would ensure 'accountability for closure times of mines', and save costs incurred by the State and local governments when a mine 'closes down' and does not address reclamation. He requested a resolution of support from the Council.

ACTION:

Councilor E. Hunter moved to approve the writing of a resolution in support of House Bill 18-1301, seconded by Mayor Pro Tem Johnson, the motion carried unanimously.

14. Resolution Ratifying the Town of Ridgway Water Conservation and Management Plan

The Town Manager presented a resolution ratifying a water conservation and management plan, and documentation from the US Drought Monitor for Colorado containing snow surveys, precipitation summaries and water supply forecasts for the Gunnison River Basin; and from the USDA, a Colorado Statewide Snowpack Summary including snow water equivalents; monthly year to date perception summaries; streamflow forecasts; and water year to date precipitation forecasts.

Manager Coates explained the resolution establishes an enforcement provision and limitation on use of the water and wastewater systems.

ACTION:

Moved by Councilor E. Hunter to approve Resolution No. 18-06 Ratifying the Town of Ridgway Water Conservation and Management Plan. Mayor Pro Tem Johnson seconded and on a call for the vote, the motion carried unanimously.

15. Update on planning efforts for the Ouray County Land Use property and Memorandum of Understanding regarding annexation of the property

Manager Coates reported the Memorandum of Understanding (MOU) with Ouray County regarding annexation of the County Land Use property will expire in June. The County

Administrator has explained the County is seeking “a year or two” extension of the MOU and annexation, to allow time for the court house renovation project. She noted if the Council chooses to extend the MOU, documentation can be presented at the next regular meeting.

There was discussion and consensus of the Council was to extend the agreement for one year, the Manager noted an amendment to the IGA would be presented to the Council at the May meeting.

16. Appointment of two Councilors to fill the vacancies created from the cancelation of the Annual Election of April 3rd

The Town Clerk presented a Notice of Openings on the Town Council dated 3-15-18 and three letters of interest seeking appointment to the two vacant seats, to fill a one year term. These were received from Jonathan Barfield, Tom Hefferman and Tim Malone.

There was discussion by the Council.

ACTION:

Councilmember Austin moved to appoint Jonathan Barfield to the Town Council, Councilor E. Hunter seconded, the motion carried unanimously.

There was discussion by the Council.

ACTION:

Moved by Councilor E. Hunter, seconded by Councilor N. Hunter to appoint Tim Malone to the Town Council. The motion carried unanimously.

17. Consideration of appointment to the Ridgway Ouray County Joint Planning Commission

ACTION:

It was moved by Councilor E. Hunter to appoint Tom McKenney to serve on the Ridgway Ouray County Joint Planning Commission, Councilmember Austin seconded the motion which carried unanimously.

18. Resolution authorizing a Records Management Program and adopting the Colorado Municipal Records Retention Schedule

The Town Clerk presented a resolution establishing a records management program for all Town records, designating the Town Clerk as the Records Manager and authorizing the direction and coordination for maintenance of all Town records, including the retention and disposition of records under the Colorado Records Retention Schedules.

ACTION:

Mayor Pro Tem Johnson moved, with a second from Councilor N. Hunter to authorize a records management program and adopt Resolution 18-05 adopting a records retention schedule. The motion carried unanimously.

19. Annual appointment of Mayor Pro Tem and review of Council representation on commissions, committees and boards

Mayor Clark asked for annual appointment of the Mayor Pro Tem. There was discussion by the Council.

ACTION:

Councilmember Austin moved to appoint Eric Johnson as Mayor Pro Tem. Councilor N. Hunter seconded, and the motion carried unanimously.

The Council agreed to review Council representation on committees and boards at the next regular meeting.

20. Presentation of onboarding and training plan for the Town Council and Planning Commission

The Town Manager presented an outline of a training plan for new members of the Council, and other training opportunities for all members of the Council and Planning Commission.

21. Request from the Ouray County Housing Advisory Committee for input to strategic plan update

Request dated 3-16-18 from the Ouray County Housing Advisory Committee (OCHAC) for input to update the five year strategic plan.

Manager Coates noted the OCHAC is seeking input from the Council, along with the other two entities who collectively form the committee, to assist in compiling the five year strategic plan.

There was discussion by the Council and staff was directed to present the committee with responses to the questions.

22. Amendment to the Intergovernmental Agreement establishing a multi-jurisdictional housing advisory committee

The Town Manager presented a request from Ouray County to extend for one year, the Intergovernmental Agreement between the County, City of Ouray and Town for the Ouray County Housing Advisory Committee.

ACTION:

Mayor Pro Tem Johnson moved to authorize extension of the IGA between the Town, City and County for a multi-jurisdictional housing advisory committee. Councilmember E. Hunter seconded, and the motion carried unanimously.

TOWN MANAGERS REPORT

Manager Coates updated the Council on development of the north/south alley on Block 11, south of Highway 62 between Charlotte and Elizabeth Streets; the new metering system at the water treatment plant which will monitor if water is being lost from the system; only one bid was received for the capital assessment project and it was double the amount budgeted, so requests for proposals will be readvertised.

COUNCIL REPORTS

Mayor Pro Tem Johnson presented an update from the Parks and Trails Committee.

ADJOURNMENT

The meeting adjourned at 10:25 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk