

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
MARCH 10, 2021

CALL TO ORDER

The Town Council convened via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy, due to the COVID-19 pandemic.

The Mayor called the meeting to order at 5:30 p.m. via Zoom Meeting. The Council was present in its entirety with Councilors Ferrelli, Grambley, Lakin, Meyer, Schuyler, Mayor Pro Tem Johnson and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of February 10, 2021.
2. Minutes of the Joint Workshop Meeting of February 18, 2021.
3. Minutes of Joint Workshop Meeting of March 4, 2021.
4. Register of Demands for March 2021.

ACTION:

It was moved by Councilmember Meyer, seconded by Councilor Grambley and unanimously carried by a roll call vote to approve the consent calendar.

PUBLIC COMMENTS

Val Szwarc reported the Chamber of Commerce is working on placing a Ridgway Dark Skies section into the Chamber Website.

Diane Thompson representing the Ridgway Ouray Community Council Public Lands Committee, gave an update on the Save the Blue Lakes campaign. She explained the group is meeting with representatives from the Forest Service to "find out how we can help them", and noted the committee will be working on preparing educational materials for outdoor users.

Jim Corsin acknowledged Mayor Pro Tem Johnson's 18 years of service on the Council.

PUBLIC PRESENTATIONS

5. Introduction of consultants for Town planning services

The Town Manager introduced Community Planning Strategies, consultants hired to perform the Town's land use planning services, while the Town advertises to fill the Planner position. The Council welcomed the three members of the planning firm.

6. Presentation from the newly formed Water and Land Committee for the Uncompahgre Valley

Mike Berry with Tri-County Water Conservancy District presented the newly formed Water and Land Committee for the Uncompahgre Valley. He explained the committee was formed when Uncompahgre water users and Tri County water came together to discuss water users and water rights, as it has moved from "ag to municipal use". The mission statement of the

committee is to provide education and have a “positive effect on water and land use”. He explained he is approaching jurisdictions in the lower Uncompahgre Valley to inquire if “decision makers” would like to “join the conversation”.

Jennifer Nelson gave a PowerPoint presentation on “working with regional partners in neighboring communities to protect the Uncompahgre River Corridor”.

Councilmember Meyer volunteered to become a regular member to the committee, and the Town Manager will participate when it is possible.

7. Request the Town establish a mulch giveaway program

Jennifer Nelson asked the Town to consider establishing a mulching program and offer free mulch to property owners within the Town. She explained organic mulch adds nutrients to the soil and it also “can retain up to 70% more water in the soil”, which “reduces the time spent watering, prevents dust, and regulates the soil”. She noted the Town’s branch collection program is currently used to create mulch for Town use, and stored at the public work facility. She suggested the Town open the area once or twice a year for a “free mulch giveaway”; that a wood chipper be purchased for staff to use to chip branches; and staff be committed to work during the “giveaway” so “community members could pick up mulch”.

Manager Neill noted funds have been budgeted for rental of a wood chipper. After discussion the Council agreed staff will research and determine how to proceed with the suggestion.

8. Request for use of Town rights-of-ways and parks for Solstic/Fete de la Musique event

Trisha Moran, with Weehawken Creative Arts and the Sherbino Theater, requested use of sidewalk rights-of-ways, Hartwell Park and the stage, and Rollans Park for Solstic/Fete de la Musique event on June 20<sup>th</sup>. She explained the event will be “spread through out Town”, begin around 5:00 p.m. and go until dark. Acoustic musicians will play at various locations, and the Valley Symphony will play on the stage in Hartwell Park. She stated the organization has spoken to the Public Health Director regarding COVID regulations, and based on the “COVID dial at the time” the outdoor event can be held. She requested approval of conditional use of rights-of-ways, parks and the stage, including waiver of fees.

There was discussion by the Council and agreement to the concept of the event, and direction was given to staff to proceed with the application process.

PUBLIC HEARINGS

9. Adoption of Ordinance No. 03-2021 Amending the Official Zoning Map

Staff Report from the Town Manager dated 3-10-21 presenting for second reading and adoption an Ordinance Rezoning a portion of Track 1 and Lot 2E, Lots 4D, 5D, 3E, and 4E of the Lena Street Commons Planned Unit Development from Historic Business to General Commercial.

The Town Manager noted the ordinance was introduced at the last meeting, and will amend a portion of the zoning and realign property lines, in the Lena Street Commons development.

ACTION:

Councilor Meyer moved to adopt the Ordinance Amending the Official Zoning Map by Rezoning a Portion of Tract 1 and Lot 2E, Lots 4D, 5D, 3E and 4E of the Lena Street Commons Planned

Unit Development from Historic Business to General Commercial based on meeting the criteria of the code for rezoning. Mayor Pro Tem Johnson seconded the motion which carried unanimously on a roll call vote.

## POLICY MATTERS

### 10. Owner's Recognition Agreement between the Town, Bridgewater Bank, and Artspace Ridgway Limited Partnership concerning the Ridgway Space to Create Project

Town Attorney Nerlin presented an Owners Recognition Agreement as follow up to adoption of related site leases at the last regular meeting. He noted the agreement is "recognition of terms of the 99 year ground lease with Artspace" for the bank which will be funding the project.

There were questions from the Council to the Town Attorney.

#### ACTION:

Moved by Councilor Meyer to approve the Owner's Recognition Agreement between Artspace Ridgway Limited Partnership, Bridgewater Bank and the Town of Ridgway. Councilor Lakin seconded the motion which carried unanimously on a roll call vote.

### 11. Community anchor build as part of Phase 2 of the DOLA Broadband Grant with Region 10

Staff Report dated 3-4-21 from the Town Manager presenting the proposed anchor build schedule and associated costs relative to the Department of Local Affairs (DOLA) broadband grant, being administered through the Region 10 broadband project.

Manager Neill explained in September the Council directed staff to move forward with broadband connection for four anchor builds in Town and pursue indefeasible rights of use (IRU's) at the Athletic Park, Town Hall, Elementary and High Schools; and obtain pricing for a 20 year term for ongoing operation and maintenance (OM) costs. He reported final costs from Region 10 and Clearnetworx were not received until the last days of 2020 and so were not included in the 2021 budget, and the proposed costs for identified anchors were higher than initially expected. With O&M costs at 30 year terms the total would be \$122,000, the Town responsible for half, or \$61,000.50. He noted if Town choses a 20 year IRU term, the share would be \$53,255.50, and reported the grant funding from DOLA is only available through May.

There was discussion by the Council and it was agreed it was more economical to go with the 30 year term. The Manager noted the current fiscal year line item contains \$55,000 and consensus of the Council was to use the budgeted funds and also allocate additional funds for the project.

### 12. Hartwell Park Performing Arts Stage fee schedule

Staff Report from the Town Manager dated 3-4-21 presenting a request to discuss established fees for use of the performing arts stage in Hartwell Park.

The Town Manager explained in 2014 the Council set fees for use of the stage in Hartwell Park. Staff has received numerous requests for waiver by non-profit organizations, and reduced fees for use.

There was discussion between the Council and staff. Consensus was to eliminate the fee for stage preparation and breakdown, to continue to require a damage deposit, fee for electrical usage and retain the \$50 permit fee, and authorize staff to determine if the fee should be reduced or waived for non-profit organizations. Staff was directed to prepare a resolution for adoption at the next regular meeting.

13. Resolution No. 21-03 Adopting the 2020 Ouray County COVID-19 Economic Resiliency Study

Town Manager staff report dated 3-5-21 presenting the Ouray County COVID-19 Economic Resiliency Study.

The Town Manager explained the Council has participated with the other three jurisdictions in the County to provide input to Economic Planning Systems Inc. for preparation of the study, which provides recommendations and resource information that can be used as a guide for residents and business owners.

There were comments and discussion by the Council.

ACTION:

Councilor Lakin moved to approve Resolution No. 21-03 Adopting the 2020 Ouray County COVID-19 Economic Resiliency Study, seconded by Councilor Meyer the motion carried unanimously on a roll call vote.

14. Resolution No. 21-02 Canceling the April 6, 2021 Regular Election

The Town Clerk reported the annual election in April was called to fill four council seats. Only three nomination petitions were received by the statutory filing deadline, and since there were not more candidates than offices to be filled at the election, she has cancelled the election and declared the candidates elected for two year terms. The persons elected are Angela Ferrelli, Beth Lakin and Russ Meyer. She requested the Council adopt a resolution ratifying the cancellation of the annual election.

ACTION:

It was moved by Mayor Pro Tem Johnson, seconded by Councilor Meyer and approved by a unanimous roll call vote to approve Resolution No. 21-02 Canceling the April 6, 2021 Regular Election.

15. Discussion regarding appointment of member to the Town Council

The Town Clerk noted the Council will have a vacant seat in April. She asked if the Council would like her to prepare a notice soliciting letters of interest to serve to fill the one year term. The Council agreed to noticing the opening, and letters of interest will be reviewed at the April meeting.

16. Purchase of a used hydro-vac excavator trailer and request to consider acquisition of a used street sweeper

Staff Report from the Town Clerk/Treasurer dated 3-4-21 presenting a recommendation to purchase a used Hydro-Vac Excavator Trailer.

The Town Clerk explained the fiscal year budget contains \$195,000 for purchase of a hydro-vac excavator vacuum vehicle. Staff has located a unit mounted on a trailer, which can be

stored during the winter months in the public works facility. The used piece of equipment is a demo model with 300 hours of use, and includes a jetter attachment, and would cost \$113,275. Additionally staff is requesting to research and request quotes on the purchase of a used street sweeping vehicle with the remaining funds in the line item. She explained the Town's procurement policy contains a provision which allows waiving a formal request process when quotes yield a better cost for the Town, and staff is requesting the Council approve the deviation from the procurement policy, and waive the formal request process for the acquisition.

**ACTION:**

Councilmember Meyer moved to approve the deviation from procurement procedures waive the formal request process for acquisition of equipment, and approve the purchase from Vermeer Colorado of a trailer mounted hydro-vac excavator vacuum in the amount of \$113,275 and authorize staff to enter into a purchase agreement. Councilor Grambley seconded the motion, and it carried unanimously on a roll call vote.

There was discussion by the Council and there was consensus to authorize staff to research and request quotes on the purchase of a used street sweeping vehicle.

**17. Resolution No. 21-04 Supporting President Biden's Temporary Pause on Oil and Gas Leasing on Federal Public Lands**

Mayor Clark reported the Mountain Pact organization is requesting Council support a temporary pause on oil and gas leasing on federal public lands, and presented a draft resolution.

There were comments and discussion by the Council.

**ACTION:**

Moved by Councilor Lakin to approve the Resolution Supporting President Biden's Temporary Pause on Oil and Gas Leasing on Federal Public Lands, seconded by Councilmember Ferrelli, and carried on a roll call vote with Councilor Meyer voting no.

Mayor Clark explained Mountain Pact has also requested a resolution supporting enforcement of banning specific types of traps used on fur bearing animals. There was discussion and it was agreed the Mayor will send the request to the Council.

**STAFF REPORTS**

The Town Manager presented a written monthly report and reviewed some of the items.

Councilor Schuyler reported on an earth day event at the schools, which will also include a ribbon cutting ceremony for electric car charging stations.

**EXECUTIVE SESSION**

The Town Attorney suggested the Town Council enter into an executive session pursuant to Colorado Revised Statutes 24-6-402(4)(b) for the purpose of receiving legal advice regarding enforcement of the Municipal Code and uses within the Residential Zone District and Colorado Revised Statutes 24-6-402(4)(f) for the discussion of a personnel matter concerning the Town Manager's annual performance evaluation.

**ACTION:**

It was moved by Councilor Meyer, seconded by Councilmember Schuyler and unanimously carried on a roll call vote to enter into closed session.

The Council entered into executive session at 9:00 p.m. with the Town Attorney and Town Manager.

The Council reconvened to open session at 9:30 p.m.

**ADJOURNMENT**

The meeting adjourned at 9:30 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk