

RIDGWAY TOWN COUNCIL
MINUTES OF REGULAR MEETING
MAY 12, 2021

OATH OF OFFICE

The Town Clerk administered the oath of office to newly appointed Councilmember Adam Beck.

CALL TO ORDER

The Town Council convened in person at 201 N. Railroad Street, and broadcast the meeting to the public 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 5:35 p.m. The Council was present in its entirety with Councilors Beck, Ferrelli, Grambley, Lakin, Schuyler, Mayor Pro Tem Meyer and Mayor Clark in attendance.

CONSENT AGENDA

1. Minutes of the Regular Meeting of April 14, 2021.
2. Register of Demands for May 2021.
3. Renewal of Brew Pub Liquor License for Colorado Boy Pub and Brewery.
4. Renewal of Liquor Store License for Ridgway Liquors.
5. Renewal of 3.2 Beer Liquor License for Ridgway Shell.
6. Renewal of 3.2 Beer Liquor License for Ridgway Conoco.
7. Water and sewer leak adjustment for Ridgway Secondary School, Account # 7050.

ACTION:

It was moved by Councilmember Lakin, seconded by Mayor Pro Tem Meyer and unanimously carried by a roll call vote to approve the consent agenda.

PUBLIC COMMENTS

Jim Nowak addressed the Council and questioned the Town's water capacity and ability to supply new construction and existing property owners who have not built to capacity, or wish to construct an accessory dwelling unit. He addressed the decrease in snow pack, and changes in weather patterns. Mr. Nowak reported in 1998 two Town lots were needed to build, and recently the Town decreased this to support more growth, and noted "there are unintended consequences for density". He stated "we are in a drought, the future does not look rosey". He noted he spoke to the Town Manager and there is plan to put out a request for proposals (RFP) to prepare a water capacity plan. He asked when the project will go out to bid, and that the public be apprised of the timeline on the RFP and the "conclusion of that assessment".

Town Manager Neill responded to Mr. Nowak's concerns agreeing with the need to understand the water capacity for new and existing landowners and reported the RFP is slated to be prepared at the end of the week, and then advertised.

POLICY MATTERS

8. Lease Agreement with Ridgway Bike Park for use of Town property

Staff Report dated 5-7-21 from Town Manager presenting a lease agreement with Ridgway Bike Park for use of a portion of property in the Athletic Park.

Manager Neill reported Matt Mclsaac approached staff in June of 2020 about the prospect of utilizing property to the south of the Athletic Park, and the request was taken to the Parks and Trails Committee before being presented to the Council in October. Council approved preparation of a lease, and the use of a water source for required maintenance and committed to partner on grant opportunities.

Matt Mclsaac explained a design plan has been prepared for an "asphalt pump track" and "bike playground" for different skill levels. He reported the group is "ready to move forward with grants".

There were questions from the Council, and discussion by the Council.

ACTION:

It was moved by Councilor Grambley, seconded by Councilmember Ferrelli and approved by a unanimous roll call vote to approve the lease agreement with Ridgway Bike Park for the use of a portion of Town property as a Bike Park.

9. Introduction of Ordinance No. 04-2021 Amending Section 3-2 "Sales Tax" of the Ridgway Municipal Code to Adopt Uniform Definitions to Address Sellers with No Physical Presence in the Town

Staff Report from the Town Clerk dated 5-4-21 presenting an ordinance pertaining to Economic Nexus and Marketplace Facilitators.

The Town Clerk explained as a home rule municipality the Town self collects sales tax. In 2014 the Colorado Municipal League (CML) started a uniformity project to address simplification of sales tax remittance for out of state retailers, and large marketplace sellers, like Amazon. CML staff oversaw the project with finance directors forming the Sales Tax Simplification Committee. As part of those discussions state legislation was enacted to adopt statewide uniform and standard designations and regulations for simplification of sales tax collection statewide; and creation of a single point remittance portal through the Department of Revenue (DOR). By participating in the single point remittance portal it allows out of state sellers to remit taxes with a single sales tax payment, and requires only one sales tax license. She explained in 2019 the Town entered into a Standard Uniform Tax Simplification Agreement with the DOR for use of the single remittance portal. CML is now asking all municipalities to adopt a model ordinance which will provide uniformity in languaging for remittance by remote sellers and marketplace facilitators, which she noted is being presented to the Council for introduction and first reading.

There were questions from the Council.

ACTION:

Mayor Pro Tem Meyer moved to introduce Ordinance No. 04-2021 Amending Section 3-2 "Sales Tax" of the Ridgway Municipal Code to Adopt Uniform Definitions to Address Sellers with No Physical Presence in the Town, seconded by Councilor Lakin the motion carried unanimously on a roll call vote.

10. Fiber-Optic Indefeasible Right-of-Use Agreement

Staff Report from the Town Manager dated 5-6-21 presenting a Fiber-Optic Indefeasible Right-of-Use Agreement with Cleanetworx LLC and Region 10 League for Economic Assistance and Planning, Inc.

The Town Manager reported at the March meeting Council directed staff to move forward with acquiring a Indefeasible Right-of-Use (IRU) Agreement for a 30 year term to pursue broadband connections to anchor institutions. The anchors will be placed at the Athletic Park; Town Hall; Elementary School and High School. The total cost will be \$122,001 and the Town would be responsible for half, and a grant from the Department of Local Affairs will pay the remainder. He noted \$55,000 has been budgeted, but staff feels the budget can accommodate the increased cost.

ACTION:

Councilmember Lakin moved to approve the Fiber-Optic Indefeasible Right-of-Use Agreement between Cleanetworx, LLC, Region 10 League for Economic Assistance and Planning Inc. and the Town of Ridgway. Councilor Grambley seconded the motion, and it carried unanimously on a roll call vote.

11. Discussion regarding the 2021 Ridgway Concert Series

The Town Manager reported staff is continuing to plan for five concerts every Thursday in July, and noted at the last meeting Council asked to revisit the conversation. The Town Clerk presented a summary of plans being made by similar communities for free concerts this summer.

There were comments by the Council and questions to the County Public Health Director.

12. Voluntary Water Restrictions pursuant to the Town Water Conservation and Management Plan

Staff Report dated 5-7-21 from the Town Manager requesting the Council consider promulgating the voluntary water restrictions.

The Town Manager reported the drought portable is calling for continued drought in Southwest Colorado, and recommended the Council promulgate Stage 1 Voluntary Water Restrictions.

There were comments and discussion by the Council, and the importance of educating the community was noted.

There were comments from the audience by Sue Husch and Jake Niece.

ACTION:

Moved by Councilor Lakin to promulgate State 1 Voluntary Water Restrictions for the Town of Ridgway. Councilor Ferrelli seconded the motion which carried unanimously on a roll call vote.

13. Letter of support for installation of broadband infrastructure within US 50 Little Blue Creek Canyon Improvements Project

Mayor Clark announced Region 10 has asked the Town to support efforts to bring broadband conduit fiber to US 50 Little Blue Creek Canyon Improvements Project in conjunction with the project the Town is participating in. He asked for approval to sign a letter in support of the installation.

ACTION:

Mayor Pro Tem Meyer moved to approve the Mayor signing a letter of support for installation of broadband infrastructure within US 50 Little Blue Creek Canyon Improvements Project, seconded by Councilor Lakin the motion carried unanimously on a roll call vote.

14. Update on annual Council scholarship to a local high school senior

The Mayor announced only one application was received for the annual \$1000 scholarship to a high school senior, and the recipient of the grant is "very deserving".

15. Use of Town right-of-way for parking lot sale on South Railroad Street

The Town Clerk presented an application for use of a public right-of-way from The Vintage Vault to conduct a parking lot sale along a portion of South Railroad Street on May 28th.

There was discussion by the Council and the applicant was encouraged to keep all pedestrians on the sidewalk adjacent to the parking spaces.

ACTION:

Moved by Mayor Pro Tem Meyer to approve application for use of right-of-way for the Vintage Vault parking lot sale on May 28th from 9:00 am to 3:00 p.m., seconded by Councilmember Grambley, and carried on a roll call vote.

16. Update on Council participation in the Adopt a Highway Program

Mayor Clark noted "after waiting a few years", the Council has been offered a section of highway to clean on a bi-annual basis as part of the Adopt a Highway Program. It will be between mile markers 20 and 22, to the west of Town.

MISCELLANEOUS REPORTS

15. Appointment of Michelle Montague to the Planning Commission

The Council received a copy of a letter sent to Michelle Montague appointing her to the Planning Commission.

The Mayor noted the Town Charter affords the Mayor the authority to appoint members to the Planning Commission. Two letters of interest were received for the opening on the Commission, and based on Michelle Montague's background she was appointed to serve.

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

Councilor Ferrelli reported on Parks and Trails Committee.

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 Town of Ridgway Municipal Code and uses within the Residential Zone District; 2) Colorado Revised Statutes 24-6-402(4)(b) for the purpose of receiving legal advice regarding the Ridgway Wastewater Treatment Facility; and 3) Colorado Revised Statutes 24-6-402(4)(b) for the purpose of receiving legal advice regarding the Ridgway Space to Create Project.

ACTION:

It was moved by Councilor Lakin, seconded by Mayor Pro Tem Meyer and unanimously carried on a roll call vote to enter into closed session.

The Council took a recess at 7:20 p.m. and resumed the meeting at 7:30 p.m.

The Council entered into executive session at 7:30 p.m. with the Town Attorney, Town Manager and Town Engineer.

The Council reconvened to open session at 8:10 p.m.

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk