

Ridgway Town Council  
Regular Meeting Agenda  
Wednesday, August 12, 2020

Due to COVID-19, and pursuant to the Town's Electronic Participation Policy,  
the meeting will be conducted via a virtual meeting portal

Join Zoom Meeting

<https://us02web.zoom.us/j/87508966968?pwd=NGxTa3M4aXBzeG9jbXhESVB6VGdNZz09>

Meeting ID: 875 0896 6968  
Passcode: 174047

Dial by your location  
+1 346 248 7799 US  
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**5:30 p.m.**

**ROLL CALL** Councilors Tessa Cheek, Kevin Grambley, Beth Lakin, Russ Meyer, Terry Schuyler, Mayor Pro Tem Eric Johnson and Mayor John Clark.

**EXECUTIVE SESSION** The Council will enter into a closed session for the purpose of 1) receiving legal advice to discuss the matter of David Gottorff v. Marshal Shane Schmalz and Deputy Ryan Hanson, 2020 CV000006, pursuant to C.R.S. 24-6-401(4)(b); and 2) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding River Ranch Parcel A, pursuant to C.R.S. 24-6-402(4)(e).

**6:00 p.m.**

**ADDITIONS & DELETIONS TO THE AGENDA**

**ADOPTION OF CONSENT CALENDAR** All matters listed under the consent calendar are considered to be routine by the Town Council and enacted by one motion. The Council has received and considered reports and recommendations prior to assigning consent calendar designations. Copies of the reports are on file in the Town Clerk's Office and are available to the public. There will be no separate discussion on these items. If discussion is requested, that item will be removed from the consent calendar and considered separately.

1. Minutes of the Regular Meeting of July 8, 2020
2. Minutes of the Joint Workshop Meeting of July 16, 2020.
3. Minutes of the Joint Workshop Meeting of July 23, 2020.
4. Register of Demands for August 2020.
5. Renewal of liquor store license for High Spirits.
6. Renewal of tavern liquor license for Star Saloon.
7. Renewal of tavern liquor license for Provisions.



8. Water leak adjustment for Account 5870.0/Mann.
9. Termination of Professional Services Agreement with J. David Reed, P.C.

**PUBLIC COMMENTS** Established time for the public to address the Council regarding any item not otherwise listed on the agenda. Comments will be limited to 5 minutes per person.

**PUBLIC REQUESTS AND PRESENTATIONS** Public comments will be limited to 5 minutes per person; discussion of each item may be limited to 20 minutes.

10. Request for Council to submit a letter of support to legislators regarding the Save Our Stages Act - Robb Austin, Ridgway Chautauqua Society.
11. Update on Ridgway's Dark Sky Community designation - Val Szwarc.
12. Request for Council to submit a letter of support for the Top of the Pines to be an IDA International Dark Sky Park – Mayor Clark.
13. Update from Uncompahgre Watershed Partnership, and request for input on strategic planning - Tanya Ishikawa.
14. Presentation on 5G wireless technology and small cell facilities - Dave Zelenok, HR Green.
15. Presentation on Baldy Mountain Landscape Resiliency and Habitat Improvements Project - Dana Gardunio, District Ranger, Ouray Ranger District.

**POLICY MATTERS** Public comments will be limited to 5 minutes per person; overall discussion of each item may be limited to 20 minutes.

16. Release of Subdivision Improvements and Lien Agreement for RiverSage PUD, Filing No. 2 - Town Planner.
17. Confirmation or amendment of voluntary water restrictions promulgated by the Town Manager - Town Manager.
18. Confirmation or amendment of rescission of emergency restrictions on burning and fires within the Town of Ridgway - Town Manager.
19. Authorization of staff to expend budgeted funds and enter into a contract to purchase a patrol vehicle for the Ridgway Marshal's Department - Town Manager.
20. Review and action pertaining to Order Extending the Declaration of Local Disaster in and for the Town of Ridgway related to the COVID-19 pandemic - Town Manager.

**WRITTEN REPORTS** Written reports may be provided for informational purposes prior to the meeting updating Council on various matters that may or may not warrant discussion and action.

21. Town Manager's Report.
22. Updated 2021 Fiscal Year Budget Preparation Schedule.



**COUNCIL COMMITTEE REPORTS** Informational verbal reports from Councilors pertaining to the following committees, commissions and organizations:

Committees, Commissions, Task Forces:

Ridgway Parks, Trails & Open Space Committee - Mayor Pro Tem Johnson  
Ridgway Planning Commission - Councilor Cheek and Mayor Clark  
Ridgway Creative District Creative Advocacy Team - Councilor Grambley  
Ridgway Scholarship Committee - Mayor Pro Tem Johnson and Mayor Clark

Board Appointments:

Ouray County Weed Board - Councilor Lakin; alternate - Town Engineer  
Ouray County Joint Planning Board - Councilor Meyer, citizens Rod Fitzhugh & Tom McKenney;  
alternate - Mayor Pro Tem Johnson  
Sneffels Energy Board - Councilor Lakin and Public Works Services Administrator; alternate -  
Mayor Pro Tem Johnson  
Region 10 Board - Mayor Clark  
WestCO Dispatch Board - Town Marshal; alternate - Town Manager  
Gunnison Valley Transportation Planning Region - Town Manager; alternate - Public Works  
Services Administrator  
Ouray County Transit Committee - Public Works Services Administrator; alternate - Town Manager  
Ouray County Water Users Association - Councilor Meyer

Liaisons and Participation:

Chamber of Commerce - Councilmember Lakin  
Communities That Care Coalition - Mayor Clark  
Ouray County Fairgrounds - Councilor Schuyler

**ADJOURNMENT**

Deadline for agenda items for next regular meeting, Wednesday, September 2, 2020 at 4:00 p.m.,  
Town Clerk's Office, 201 N. Railroad Street, Ridgway, Colorado.



# Consent Agenda



RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
JULY 8, 2020

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.

CALL TO ORDER

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

EXECUTIVE SESSION

The Town Attorney suggested the Town Council enter into a closed session pursuant to Colorado Revised Statutes 24-6-402(4)(b) for a conference with the Town Attorney for the purpose of receiving legal advice regarding the matter of David Gottorff vrs the Town of Ridgway.

ACTION:

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

The Council entered into executive session at 5:35 p.m. with the Town Attorney, Town Manager, and Town Clerk.

The Council reconvened to open session at 5:45 p.m.

The regular meeting began at 6:00 p.m.

CONSENT AGENDA

1. Minutes of the Regular Meeting of June 10, 2020
2. Minutes of the Joint Workshop Meeting of June 18, 2020.
3. Minutes of the Special Meeting held June 23, 2020.
4. Register of Demands for July 2020.
5. Renewal of restaurant liquor license for Eatery 66.
6. Renewal of tavern liquor license for The Sherbino Theater.
7. Modification of liquor licensed premises for Star Saloon, located in Ridgway Lodge, to encompass an area of the fenced outdoor seating area to the south side of the facility.

ACTION:

It was moved by Councilor Meyer, seconded by Mayor Pro Tem Johnson and unanimously carried by a roll call vote to approve the consent calendar.



## PUBLIC REQUESTS AND PRESENTATIONS

### 8. Update from Ridgway Area Chamber of Commerce

Hilary Lewkowitz, Marketing Director for the Ridgway Area Chamber of Commerce, presented a bi-annual written lodging tax report dated 7-2-20 and also addressed the Council. She explained after the onset of the COVID pandemic, the board cut the annual budget and placed projects on hold. These included major website upgrades, visitor center temporary signage project, youth programming and visitor center operations. Staff hours were cut and marketing priorities shifted to support the Town and local businesses. As of June 11<sup>th</sup> the Chamber resumed marketing the Town as a travel destination. Current projects include promoting off peak season tourism, preparing next years travel guide and partnering with the Colorado Creative Corridor project and creating a marketing video for distribution this winter. She reported the visitor center will be closed for the remainder of the year, and four marketing signs have been installed directing visitors to local businesses.

### 9. Request to reconsider requirements placed on approval of liquor license for The Patio at Steps Tavern

Dan Easton requested the Council remove the restrictions placed at the time of approval of the Patio at Steps tavern liquor license on April 10, 2019, requiring music to end at 9:00 p.m. and the bar to close at 9:30 p.m.

The Council discussed a suggestion from one of the members to temporarily extend service hours for the remainder of the summer.

Letters of opposition received from neighbors Martha McKenney and Paulette Crabb and support from neighbor Michi Countryman.

Speaking from the audience in support: Josey Scoville; Tamme Tuttle; Jake Niece; Paul Choate; Jesse Orvis; Polly Enochs; Autumn Bailey and Sawyer Perkins.

Tom McKenney noted as a neighbor he supported the request "as long as the noise level is kept down" and the "volume is kept reasonable".

There was discussion by the Council and it was agreed to approve extending hours, and follow up at the October meeting.

#### ACTION:

Councilmember Meyer moved to adjust the existing condition on the liquor license at Steps Patio, music to stop at 9:00 p.m. and the bar can remain open until 10:00 p.m. until October 14<sup>th</sup>. Councilor Grambley seconded the motion which carried unanimously on a roll call vote.

### 10. Update on application for designation as a Dark Sky Community

Val Szwarc announced the Town has been designated as an International Dark Sky Community. He thanked everyone involved in preparing the application to the Dark Sky Association to receive the international designation. He noted Gary Ratcliff has donated a photo of the Milky Way over Chimney Peak, which is displayed on the Town's page located on the International Dark Sky Association website.



## PUBLIC HEARINGS

### 11. Request for extension of Preliminary Plat for River Park Ridgway Business Park Filing 3

Staff Report dated 6-29-20 from the Town Planner presenting a request from Ridgway Light Industrial LLC to extend the Preliminary Plat approval for River Park Ridgway Business Park Filing 3, Outlot O/3/C of the plat.

Planner Coburn reported the application involves the outlaying area west of the existing industrial park, which would include the extension of N. Laura Street. Filing 1 was approved in 2001; Filing 2 in 2005; this is the sixth request to extend the requirement to construct Filing 3, she noted. The applicant is requesting another two year extension to the preliminary plat.

There were questions and comments from the Council.

Applicant Glenn Pauls addressed the Council and requested the extension.

Tom McKenney spoke in support of a one year extension.

#### ACTION:

Moved by Mayor Pro Tem Johnson to approve a two year extension for the preliminary plat for River Park Business Park Filing 3 with all previous conditions placed on the development, Councilor Cheek seconded, and on a roll call vote the motion carried unanimously.

### 12. Application for Replat of Lots 1-3, Block 12

Staff Report dated 7-8-20 from the Town Planner presenting a request to Replat Block 12, Lots 1-3; Address: 953 Moffat Street; Zoned: Historic Residential; Applicant and Owner: Ellen Hunter.

The Planner reported the Planning Commission has recommended approval of the replat of three historic residential lots into two lots. The property is currently occupied by a single family residence. The Commission's recommended conditions include allowing 180 days to meet the conditions of approval.

There were comments from the Council and applicant.

#### ACTION:

Moved by Councilmember Meyer to approve the Hunter Replat for Block 12, Lots 1-3, for owner Ellen Hunter given the criteria have been met, with the following conditions to be met before the final plat can be recorded: the existing propane tank shall be removed; electrical service line for Lot A shall be relocated to the easement on the proposed plat map or the easement can be revised to encompass the existing service line; phone and internet service to Lot B shall be sorted out; survey monument shall be placed. The applicant shall have 180 days to meet the conditions. Seconded by Councilor Lakin the motion carried unanimously on a roll call vote.

### 13. Application for Plat Amendment for all lots within Parkside Subdivision

Staff Report dated 7-8-20 from the Town Planner presented an application for a plat amendment for all lots within Parkside Subdivision; Addresses: 795, 791, 790, 765, 760, 755, 740, 730, 720 and multiple TBD N Laura and multiple TBD Marion Overlook; Zone:



Residential; Applicants: Parkside Ridgway Community Association; Owners: Habitat for Humanity of the San Juan's; Cameron L. Miller and Bertina A. Minjares; Kim Moriyama, Alpine Creek Homes LLC, Roger & Susan Stewart Trust, Will and Caitlin Lawshe, Meaghan McGuire; Mark Paigen; Riverside Investment Partners LLC; Brittany Christina Martin; Anton R. and Debbie Potochnk; Scott Rob and Norma Nyra Unfug; Parkside Ridgway Holdings LLC; Andre N. Jr Bollaert; Matthew P. Sandoval; Stephen J. Hertzfeld; 425 N Laura Homestead LLC; John A. Jr Malone; A. Henry Case; Bryce Lanier Jones and Ryan Andrews Jones; and Justin R. Fagan.

The Planner reported the requested amendment to the Parkside Plat Map would change Plat Note 2 which currently restricts driveway construction and access from Parkside Place. The Planning Commission reviewed the request at the June 30<sup>th</sup> meeting and recommended approval with a condition that the curb cut be setback greater or ten feet from the property line at the corner, or twenty feet from the cross street.

**ACTION:**

Councilmember Meyer moved to approve the Plat Amendment to the Parkside Subdivision to edit plat note 2 to say "Lot 9 may use Parkside Place for driveway access. Notwithstanding the foregoing no lot bordering Green Street or Parkside Place shall use these streets for driveway or construction access. Any permit issued for a curb cut for Lot 9 shall have a setback that is the greater of ten feet from the property line at the corner, or twenty feet from the cross street". Councilor Lakin seconded, and the motion was approved on a roll call vote.

**14. Application for Plat Amendment, Marie Scott Village Subdivision**

Staff Report dated 7-8-20 from the Town Planner presenting an application for Plat Amendment; Location: all lots within Marie Scott Village Subdivision Addresses: 275, TBD, 245, 255 S Amelia Street; 236, 242, 267, 247, 239, 227, 215, and multiple TBD Marie Street; Zone: Residential; Applicants: Brad Blackwell; Owners: Gordon P. and Rebecca J. Reichard; Melissa B. Mann; Bradley K. Blackwell; David P. Drew; Angela Ferrelli and Matthew Pratt; BSSK Family Trust; Jacob Randolph Niece; Josephine Fallenius; Michael Karl Pennings; Mark A. and Carrie L. Cowan; Randall C. and Abigail S. Lang; Douglas and Mary Reinhardt.

Mayor Pro Tem Johnson recused himself from the discussion and vote.

Planner Coburn explained the request is to amend the plat map to allow the construction of accessory dwelling units. State Statute requires common interest communities to receive approval of 67% of the property owners to amend a plat, and there is consensus among the owners.

There were questions from Council to staff.

There were comments from property owner Brad Blackwell; and owners Angela Perrilli, Jacob Niece, Melissa Mann and Gordon Reichard spoke in support.

**ACTION:**

Moved by Councilor Cheek, seconded by Councilor Schuyler and unanimously carried by a roll call vote with Mayor Pro Tem Johnson abstaining to approve the plat amendment to the Marie Scott Village Subdivision plat to edit the plat note to say "ease lot is limited to one principal dwelling unit. In addition, each lot may have an accessory dwelling unit if compliant with Town code provisions as in effect from time to time. Any addition subdivision will be subject to excise tax



per Ridgway Municipal Code Chapter 3 Section 4", with the condition that a minimum of 67% of property owners sign the amendment.

Mayor Pro Tem Johnson returned to participate with the Council.

15. Application for Minor Subdivision of Lot 4, Yates Subdivision

Staff Report from the Town Planner dated 7-8-20 presenting an application for Minor Subdivision; Location: Yates Subdivision Lot 4; Address: 423 N Amelia Street; Zone: Historic Residential; Applicant and Owner: Dan Bartashius.

The Town Planner presented the application explaining the request is to reallocate one lot into two parcels. The Planning Commission is recommending approval with conditions.

There were comments by the Council.

ACTION:

Councilmember Lakin moved to approve the minor subdivision of Lot 4 of the Yates Subdivision for owner Dan Bartashius with the recommendations and conditions in the staff report. Councilor Meyer seconded, and the motion was approved on a roll call vote.

POLICY MATTERS

16. Renewal of liquor license for Steps Tavern

Staff Report dated 7-1-20 from the Town Manager presenting a summary of the meeting with the applicant for renewal of Steps Tavern liquor license.

Manager Neill explained at the previous meeting Council directed staff to meet with Dan Easton, applicant for renewal of the tavern liquor license for Steps, to discuss ways to mitigate noise directly outside the establishment. Items discussed at the meeting were signage inside and outside encouraging patrons to reduce noise levels respecting adjoining residential properties. Another was to research the use of the adjacent restaurants patio area for use by persons smoking cigarettes.

Applicant Dan Easton reported the idea to allow patrons to smoke in the adjacent patio will not work due to insurance coverage. He reported signage has been installed which states that persons creating noise outside may not be readmitted into the Tavern.

There were comments from the Council. There was discussion between the Council and Mr. Easton. Mr. Easton suggested positioning a "bouncer" at the top of the stairs and entrance into the tavern.

Letters requesting requirements be placed on the license premises to abate noise from Paulette Crabb and Martha McKenney. Letter in support from neighbors Mark and Kim Day, Larry Mallord and Michi Countryman.

Speaking in support of the licensed premises: Paul Choate; Natalie Pacheco; Tamme Tuttle; Ellen Hunter; Jeff Tunnicliff; Shantel Messer; Jake Niece; Tate Rogers; Larry Mallard and Damon Bailey.



Tom McKenney noted problems with noise have been due to groups of patrons standing in the street, and suggested a speaker system which would allow employees to hear what is occurring outside the business.

Speaking in support of increased police coverage, noting "it is not the business owners job to police the streets", Richard Juice; Jeff Tunnicliff stated "the problem is a need for police enforcement at night" and suggested "law enforcement presence". Applicant Easton agreed with the need for more law enforcement presence between 11:00 p.m. and 2:00 a.m.

There were questions from Council to staff, and comments by the Council.

Marshal Schmalz reported the departments weekend schedule has been adjusted to have an officer on duty until 2:00 a.m. He noted over the course of the last year ten noise complaints have been received regarding persons in the street, and the department has requested meetings with the business owner to mitigate the complaints.

**ACTION:**

Councilor Meyer moved to approve the liquor license renewal for Steps Tavern with continued efforts to try and mitigate outside noise by patrons. Mayor Pro Tem Johnson seconded the motion, which carried unanimously on a roll call vote.

**17. Resolution adopting Water and Sewer Specifications and Development Standards**

Staff Report from the Town Engineer and Public Works Services Administrator dated 6-25-20 presenting amendments to the standard and typical drawings for infrastructure.

Public Works Services Administrator Chase Jones explained at the previous meeting the Council requested the new standard drawings for infrastructure be presented in July with proposed changes shown, and to allow more time for public review of the document. The Town Engineer noted all changes are shown with potential impacts to developers.

Planner Chris Hawkins stated the changes were "easy to review and understand" and questioned "oversizing" for reimbursement agreements.

**ACTION:**

Moved by Mayor Pro Tem Johnson, seconded by Councilor Cheek and unanimously carried by a roll call vote to approve Resolution No. 20-06 Amending the Town of Ridgway Standard Specification and Typical Drawings for Infrastructure Construction.

**18. Discussion regarding opportunity to align South and North Railroad Streets**

The Mayor noted the Town has been discussing "for decades" the alignment of Railroad Street.

The Town Planner reported construction of the co-housing development off S. Railroad Street is presenting an opportunity to pursue realigning Railroad Street. She presented a background on prior discussions; and stated staff is not recommending purchasing the property which will become available through the development process.

There was discussion and comments by the Council. It was agreed to have both the right-of-way and parcel being offered for sale appraised, and staff was directed to contact the



Department of Transportation regarding the possibility of installing a round about between the two streets.

19. Mid-year update on the 2020 Fiscal Year Budget

Staff Reported from the Town Clerk/Treasurer dated 6-30-20 presenting financial reports from January 1<sup>st</sup> to June 30<sup>th</sup>.

The Town Clerk/Treasurer explained at the April meeting staff and Council reviewed a list of major expenditures contained in the 2020 Fiscal Year Budget. Due to the uncertainty of COVID Council asked that a number of expenditures be frozen and staff was directed to use discretion when purchasing items and services, and determine if purchases were essential and necessary. She reported the Town's financial condition is good, and similar to where it was last year at the same time, including an increase in sales tax receipts up 7% from the previous year.

The Clerk presented, and reviewed with the Council, a sales tax comparison between 2019 and 2020; funds held in reserve and operating accounts as of June 30, 2020; Budget versus Actual report of the complete fiscal year budget.

20. Emergency restrictions instituted by the Town Manager pertaining to burning and fires within the Town

The Town Manager reported last week Ouray County instituted a Stage 1 Fire Ban. The Town Manager has the authority to call a ban within the Town, which he did on July 2<sup>nd</sup>. He presented a copy of the Finding of the Town Manager Enacting a Town Wide Fire Ban which was placed into effect, and asked for Council acknowledgement.

There was discussion by the Council and it was agreed to uphold the emergency restriction.

21. Resolution adopting the Updated Colorado Communities for Climate Action Policy Statement for 2020-2021

Staff Report dated 7-1-20 from the Town Manager presenting a resolution from the Colorado Communities for Climate Action.

Councilor Lakin explained the Colorado Communities for Climate Action has prepared a policy statement for 2020 and 2021 containing a list of items to pursue and lobby at the State level. She encouraged the Council to adopt the policy statement, noting the "power created by a collective of communities" working together.

ACTION:

Moved by Councilmember Cheek to approve Resolution No. 20-08 Adopting the Updated Colorado Communities for Climate Action Policy Statement for 2020-2021. Seconded by Mayor Pro Tem Johnson the motion carried unanimously on a roll call vote.

22. Resolution establishing the Town of Ridgway Youth Advisory Council

Staff Report from the Town Manager dated 7-1-20 presenting a resolution establishing a Youth Advisory Council.

Manager Neill noted at the April meeting Council discussed formation of a Youth Advisory Council, and discussed the role at the previous meeting. Staff has prepared a resolution to



form the board, and if approved, will solicit interested students in late August with an application submittal deadline in late September.

ACTION:

Councilmember Cheek moved to adopt Resolution No. 20-09 Establishing the Town of Ridgway Youth Advisory Council. Councilor Lakin seconded the motion, which carried unanimously on a roll call vote.

23. Order Extending the Declaration of Local Disaster related to the COVID-19 Pandemic

The Town Manager recommended extending the declaration of a local disaster to August 13<sup>th</sup>.

ACTION:

Councilor Meyer moved, with Councilmember Cheek seconding to approve the Order extending the declaration of a local disaster in and for the Town of Ridgway. On a roll call vote, the motion carried unanimously.

24. Agreement for Legal Services with Bo James Nerlin, P.C.

Town Attorney Nerlin explained at the end of July he will be leaving the office of J. David Reed and joining up with another law firm. He stated if the Council desires to continue his services as Town Attorney, which he has held since 2016, the current agreement can be terminated effective August 1<sup>st</sup>, and a new agreement similar to the existing one entered into.

ACTION:

Moved by Councilor Lakin to enter into a professional services agreement between the Town of Ridgway and Bo James Nerlin for legal services, Councilor Meyer seconded, and on a roll call vote the motion carried unanimously.

ACTION:

Councilmember Meyer moved, with Councilmember Lakin seconding to authorize the Town Manager to terminate the professional services agreement with J. David Reed P.C. On a call for the vote the motion carried unanimously on a roll call vote.

25. Change employment status of the Town Manager from probationary to permanent

Mayor Clark reported the Town Manager, who is employed as a contract employee, has reached the six month probation period, required under the Town's Personnel Regulations. He recommended the Council remove Preston Neill from probationary status and designate him a permanent employee. The Council agreed.

26. Amendment to Intergovernmental Agreement for CARES Act Funds

The Town Manager noted after adoption at the last meeting of the Intergovernmental Agreement (IGA) with Ouray County and the City of Ouray, an error was found in the distribution of funds. The Town's new allocation would be \$80,291. He asked the Council to approve the amendment to the IGA to include the new distribution amounts.



### STAFF REPORTS

The Town Manager presented a written monthly report and an update to progress of items contained in the 2020 Strategic Plan. He presented the Council with a proposed meeting schedule to review the draft 2021 Budget.

### ADJOURNMENT

The meeting adjourned at 10:40 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk



MINUTES OF JOINT WORKSHOP  
RIDGWAY TOWN COUNCIL,  
OURAY COUNTY BOARD OF COMMISSIONERS,  
OURAY CITY COUNCIL

JULY 16, 2020

The Town Council convened at 6:00 p.m. for a Joint Workshop with the Ouray County Commissioners and Ouray City Council via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy, due to COVID-19. In attendance from the Council Councilors Grambley, Lakin, Meyer and Mayor Clark. Councilor Cheek and Mayor Pro Tem Johnson were absent. Councilmember Schuyler was not present for the roll call.

Town Clerk's Notice of Joint Workshop dated July 13, 2020.

The purpose of the meeting was to allow the policymakers an opportunity to discuss and strategize about planning, recovery and economic impacts due to COVID-19.

Councilmember Schuyler joined the meeting at 6:30 p.m.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Respectfully Submitted,

Pam Kraft, Town Clerk



MINUTES OF JOINT WORKSHOP  
RIDGWAY TOWN COUNCIL,  
OURAY COUNTY BOARD OF COMMISSIONERS,  
OURAY CITY COUNCIL

JULY 23, 2020

The Town Council convened at 6:00 p.m. for a Joint Workshop with the Ouray County Commissioners and Ouray City Council via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy, due to COVID-19. In attendance from the Council Councilors Grambley, Lakin, Meyer, Schuyler and Mayor Clark. Councilor Cheek and Mayor Pro Tem Johnson were absent.

Town Clerk's Notice of Joint Workshop dated July 13, 2020.

The purpose of the meeting was to allow the policymakers an opportunity to discuss and strategize about planning, recovery and economic impacts due to COVID-19.

ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Pam Kraft, Town Clerk



**Town of Ridgway**  
**Register of Demands**  
**August 2020**

Name	Memo	Account	Paid Amount
<b>Pro Velocity</b>		<b>Alpine-Operating Account</b>	
	laptop connection (#3)	530GOO · Computer	-75.00
	server install	556GOO · IT Services	-1,012.92
	server install	917WOO · IT Services	-1,012.92
	server install	917SOO · IT Services	-1,012.91
	server install	820GO3 · IT Services	-85.00
		556GOO · IT Services	-42.50
		820GO3 · IT Services	-21.25
	switch	571GOO · Office Equipment Purchase	-333.34
	switch	971WOO · Office Equipment Purchase	-333.33
	switch	971SOO · Office Equipment - Purchase	-333.33
	Sept 2020 maintenance	556GOO · IT Services	-166.67
	Sept 2020 maintenance	615GO2 · IT Services	-166.66
	Sept 2020 maintenance	729POO · IT	-166.66
	Sept 2020 maintenance	820GO3 · IT Services	-166.67
	Sept 2020 maintenance	917WOO · IT Services	-166.67
	Sept 2020 maintenance	917SOO · IT Services	-166.67
TOTAL			-5,262.50
<b>InDesign Signs</b>		<b>Alpine-Operating Account</b>	
	no overnight parking (2)	639GO2 · Street Signs	-164.00
TOTAL			-164.00
<b>United States Postal Service</b>		<b>Alpine-Operating Account</b>	
	pre-sort mail permit	951WOO · Postage - water	-120.00
	pre-sort mail permit	951SOO · Postage - sewer	-120.00
TOTAL			-240.00
<b>Mesa County HDR Laboratory</b>		<b>Alpine-Operating Account</b>	
		990WOO · Testing - water	-20.00
TOTAL			-20.00
<b>DOLA</b>		<b>Alpine-Operating Account</b>	
		992WOO · Debt Service - DOLA	-9,795.00
TOTAL			-9,795.00
<b>DOLA</b>		<b>Alpine-Operating Account</b>	
		996SOO · Debt Service - DOLA (2)	-15,915.00
TOTAL			-15,915.00



**Town of Ridgway**  
**Register of Demands**  
**August 2020**

Name	Memo	Account	Paid Amount
<b>True Value</b>		<b>Alpine-Operating Account</b>	
		632GO2 · Supplies & Materials	-3.93
		732POO · Supplies & Materials	-2.88
		732PO1 · Supplies - community center	-99.63
		832GO3 · Equipment & Supplies	-15.97
		961SOO · Vehicle & Equip Maint & Repair	-9.49
		932SOO · Supplies & Materials	-3.93
		932WOO · Supplies & Materials	-45.90
		961WOO · Vehicle & Equip Maint & Repair	-9.50
TOTAL			-191.23
<b>Western Paper Distributors</b>		<b>Alpine-Operating Account</b>	
		732PO1 · Supplies - community center	-71.12
		732POO · Supplies & Materials	-314.27
		632GO2 · Supplies & Materials	-3.92
		932WOO · Supplies & Materials	-3.93
		932SOO · Supplies & Materials	-3.93
TOTAL			-397.17
<b>The Paper Clip LLC</b>		<b>Alpine-Operating Account</b>	
		541GOO · Office Supplies	-72.34
		941WOO · Office Supplies	-16.81
		941SOO · Office Supplies	-16.81
TOTAL			-105.96
<b>UNCC</b>		<b>Alpine-Operating Account</b>	
		915WOO · Dues & memberships	-45.45
		915SOO · Dues & Memberships	-45.44
TOTAL			-90.89
<b>Consolidated Consulting Servi...</b>		<b>Alpine-Operating Account</b>	
	engin - stormwater	614GO2 · Consulting/ContractualServices	-720.00
	engin - Ridgway Cohousing (to be reimb)	519GOO · Contractual Services	-720.00
	engin - Cora 6plex (to be reimb)	519GOO · Contractual Services	-135.00
	engin - Preserve (to be reimb)	519GOO · Contractual Services	-630.00
	engin - Old Fire House (to be reimb)	519GOO · Contractual Services	-225.00
	engin - RiverSage (to be reimb)	519GOO · Contractual Services	-270.00
	engin - Lena St Commons (to be reimb)	519GOO · Contractual Services	-90.00
	engin - TCW interconnection	931WOO · Maintenance & Repairs	-420.00
	engin - standards	914WOO · Consulting & Engineering Ser...	-1,172.50
	engin - standards	914SOO · Consulting & Engineering Servs	-1,172.50
	engineering	914WOO · Consulting & Engineering Ser...	-840.00
	engin - Lena St line replacement	931WOO · Maintenance & Repairs	-1,120.00
	engin - Lena St line replacement	931SOO · Maintenance & Repairs	-1,120.00
	engin - Triangle (to be reimb)	519GOO · Contractual Services	-3,645.00
	engin - Vista Commons (to be reimb)	519GOO · Contractual Services	-2,610.00
TOTAL			-14,890.00



**Town of Ridgway**  
**Register of Demands**  
**August 2020**

Name	Memo	Account	Paid Amount
<b>Ouray County Road &amp; Bridge</b>		<b>Alpine-Operating Account</b>	
	July 2020	660GO2 · Gas & Oil	-246.70
	July 2020	760POO · Gas & Oil	-386.60
	July 2020	960WOO · Gas & Oil	-85.36
	July 2020	960SOO · Gas & Oil	-337.93
	July 2020	860GO3 · Gas & Oil	-479.24
TOTAL			-1,535.83
<b>Ridgway Valley Enterprises, Inc.</b>		<b>Alpine-Operating Account</b>	
	Lena St line replacement - July 2020	931WOO · Maintenance & Repairs	-49,692.51
	Lena St line replacement - July 2020	931SOO · Maintenance & Repairs	-49,692.50
TOTAL			-99,385.01
<b>Hartman Brothers Inc</b>		<b>Alpine-Operating Account</b>	
		661GO2 · Vehicle & Equip Maint & Repair	-2.27
		961SOO · Vehicle & Equip Maint & Repair	-2.28
		961WOO · Vehicle & Equip Maint & Repair	-2.27
TOTAL			-6.82
<b>San Miguel Power Assoc, Inc.</b>		<b>Alpine-Operating Account</b>	
	6/19/20-7/19/20	542GOO · Utilities	-58.86
	6/19/20-7/19/20	5075GO1 · Region 10	-23.68
	6/19/20-7/19/20	638GO2 · Street Lighting	-327.44
	6/19/20-7/19/20	642GO2 · Utilities	-46.51
	6/19/20-7/19/20	742POO · Utilities	-320.25
	6/19/20-7/19/20	742PO1 · Utilities - community center	-58.86
	6/19/20-7/19/20	842GO3 · Utilities	-58.85
	6/19/20-7/19/20	942SOO · Utilities	-3,849.49
	6/19/20-7/19/20	942WOO · Utilities	-686.99
TOTAL			-5,430.93
<b>City of Grand Junction</b>		<b>Alpine-Operating Account</b>	
		918SOO · Testing & Permits - sewer	-301.50
TOTAL			-301.50
<b>Caselle Inc</b>		<b>Alpine-Operating Account</b>	
	Sept 2020	914SOO · Consulting & Engineering Servs	-159.50
	Sept 2020	914WOO · Consulting & Engineering Ser...	-159.50
TOTAL			-319.00
<b>Kim's Housekeeping LLC</b>		<b>Alpine-Operating Account</b>	
	July 2020	779PO1 · Janitorial Services - comm cntr	-245.00
	July 2020	779POO · Janitorial Service - parks	-525.00
TOTAL			-770.00



**Town of Ridgway**  
**Register of Demands**  
**August 2020**

Name	Memo	Account	Paid Amount
<b>Grand Junction Pipe &amp; Supply ...</b>		<b>Alpine-Operating Account</b>	
	TCW interconnection	931WOO · Maintenance & Repairs	-9,973.97
	TCW interconnection	931WOO · Maintenance & Repairs	-3,053.53
	TCW interconnection	931WOO · Maintenance & Repairs	-316.76
	TCW interconnection	931WOO · Maintenance & Repairs	-122.58
TOTAL			-13,466.84
<b>WestCo</b>		<b>Alpine-Operating Account</b>	
	3rd qtr 2020	885GO3 · Dispatch Services	-10,003.60
TOTAL			-10,003.60
<b>CDPHE</b>		<b>Alpine-Operating Account</b>	
	7/1/20-6/30/21 annual	918SOO · Testing & Permits - sewer	-1,427.00
TOTAL			-1,427.00
<b>CDPHE</b>		<b>Alpine-Operating Account</b>	
	7/1/20-6/30/21 annual	918WOO · Permits - water	-310.00
TOTAL			-310.00
<b>MUNIREvs</b>		<b>Alpine-Operating Account</b>	
	SUTS annual	522GOO · Dues & Memberships	-260.00
TOTAL			-260.00
<b>Recla Metals LLLP</b>		<b>Alpine-Operating Account</b>	
	forks - skidsteer	661GO2 · Vehicle & Equip Maint & Repair	-12.37
	forks - skidsteer	961WOO · Vehicle & Equip Maint & Repair	-6.19
	forks - skidsteer	961SOO · Vehicle & Equip Maint & Repair	-6.19
TOTAL			-24.75
<b>Verizon Wireless</b>		<b>Alpine-Operating Account</b>	
		741POO · Telephone	-21.33
		943SOO · Telephone	-75.93
		943WOO · Telephone	-151.23
		843GO3 · Telephone	-170.60
		543GOO · Telephone	-96.27
		643GO2 · Telephone	-53.64
		552GOO · GIS Mapping - admin	-10.00
		952SOO · GIS Mapping - sewer	-10.01
		952WOO · GIS Mapping - water	-10.01
		830GO3 · Computer	-160.04
TOTAL			-759.06
<b>CSG Systems Inc</b>		<b>Alpine-Operating Account</b>	
	liquor notice signs (10)	540GOO · Printing & Publishing	-75.65
TOTAL			-75.65



**Town of Ridgway**  
**Register of Demands**  
**August 2020**

<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
<b>United States Postal Service</b>		<b>Alpine-Operating Account</b>	
	July 2020 billing	951WOO · Postage - water	-91.63
	July 2020 billing	951SOO · Postage - sewer	-91.63
TOTAL			-183.26
<b>Ouray County Clerk Recorder</b>		<b>Alpine-Operating Account</b>	
	record Parkside S/D lot 9	550GOO · Filing Fees/Recording Costs	-23.00
TOTAL			-23.00



## **STAFF REPORT**

Subject: Request for water leak adjustment - Account #5870.1/Mann  
Initiated By: Pam Kraft, MMC, Town Clerk  
Date: July 28, 2020

---

### **BACKGROUND:**

Attached is a water leak adjustment request from Melissa Mann. A leak was found in the irrigation system at 242 Marie Street and repaired as soon as it was discovered.

---

### **ANALYSIS:**

Pursuant to Municipal Code Section 9-1-23 the Council has the authority to authorize water leak adjustments. The language is as follows:

#### **9-1-23:WATER BREAK ADJUSTMENTS.**

(A) The Town Council shall have authority to make an equitable adjustment to a water bill when the bill is extraordinarily high due to an undiscovered break downstream of the customer's meter if the break was not caused by the customer's negligence and the customer did not have a reasonable opportunity to discover the break more quickly than it was discovered.

(B) No adjustment shall be allowed unless the customer submits a written request for the adjustment within fifteen days of the mailing of the bill in question and unless the leak has been repaired.

(C) The adjustment shall not reduce the customer's bill below the cost to the Town of producing the water supplied through the meter.

The customer used 48,900 gallons in June and was billed \$674.50. This calculates to 43,900 gallons over the base allotment; based on the leak adjustment rate of \$11.00 for each 1,000 gallons between 5,000 and 10,000 gallons; \$13.00 between 10,000 and 18,000 gallons; and \$15.00 over 18,000 gallons, the customer can be awarded a water leak adjustment credit of \$161.55.

---

### **FINANCIAL CONSIDERATIONS:**

There is a loss in revenue when the water rate is decreased.

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### **STAFF RECOMMENDATION:**

Approve the water leak adjustment credit of \$161.55 for Account #5870.1/Mann

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ATTACHMENT: Email dated July 16, 2020 from Melissa Mann



## Wanda Taylor

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**From:** Melissa Mann [REDACTED]  
**Sent:** Thursday, July 16, 2020 2:15 PM  
**To:** Pam Kraft  
**Cc:** Wanda Taylor  
**Subject:** Melissa Mann requests water break adjustment

Hello Pam,

Thank you for talking with me earlier today, Thursday, 7/16/20. As I said in our call, I spoke with Wanda today and she informed me that I had an **extraordinary** water bill for the month of June. I informed her that I had a water break in June when I was in Flagstaff for a week. My neighbor Brad Blackwell notified me as soon as he saw the water running by his home. I telephoned Telluride Irrigation the same day he called me. Brad helped with turning the water off and Telluride Irrigation made the repairs to the break in my irrigation. I was unaware of the process of notification and requesting for a water break adjustment or I would have done it sooner. Also, my bill goes to Flagstaff, AZ, so I have not seen it yet. I was planning to pay online tomorrow when I'm sure I would have seen the large amount on my bill.

I would like to request of the town council that I may please have a water break adjustment on my water bill for the month of June 2020.

Most sincerely,  
Melissa Mann



TERMINATION OF PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE TOWN OF RIDGWAY, COLORADO, AND J. DAVID REED, P.C.

THIS TERMINATION OF THE PROFESSIONAL SERVICES AGREEMENT is dated this this \_\_\_\_ day of July 2020 by and between the Town of Ridgway, a municipal corporation acting by and through its authorized officers (the "Town") and J. David Reed, P.C., a Colorado Professional Corporation ("Reed")

WHEREAS, the Town and Reed entered into a Professional Services Agreement dated May 11, 2016 (the "Reed Agreement"); and

WHEREAS, the Town Council at its July 8, 2020 regular Town Council meeting elected to terminate the Reed Agreement and select Bo James Nerlin, and Bo James Nerlin, P.C. as legal counsel for the Town; and

WHEREAS, the Town and Reed wish to enter into this agreement to terminate the Reed Agreement.

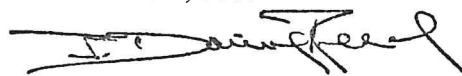
NOW THEREFORE, in consideration of the promises contained herein and all other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Termination. The Reed Agreement shall be terminated as of August 1, 2020. Reed, and the responsible attorneys with Reed shall continue to bill the Town for legal services provided through the end of July. These services shall be billed at the rate under the Reed Agreement, the first week of August. Thereafter, the Town shall remit payment when due.
2. Release. Upon termination, and payment in full of Reed's July billing, the parties hereby mutually release each other from any and all responsibilities or liability under the Reed Agreement.

IN WITNESS THEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

TOWN OF RIDGWAY, COLORADO

J. DAVID REED, P.C.





## AGENDA ITEM #10





To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 5, 2020  
Agenda Topic: Request for Council to submit a support letter to legislators regarding the Save Our Stages Act

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**SUMMARY:**

Robb Austin, Ridgway Chautauqua Society Board member, will attend Wednesday's virtual meeting to request that Council approve the attached letter for submittal to our legislators regarding the Save Our Stages Act. The Save Our Stages Act is an effort to aid independently operated cultural and music venues affected by COVID-19 shutdowns. If passed, the act would provide Small Business Administration grants to music venues, theaters and other venues that rely on crowds in order to operate.

**PROPOSED MOTION:**

"I move to authorize Mayor Clark, on behalf of the Ridgway Town Council, to sign the letter of support for the Save Our Stages Act."

**ATTACHMENT:**

Support Letter





August 12, 2020

**RE: Letter of Support for S. 4258/H.R. 7806, Save Our Stages Act**

Dear Senator Bennet, Senator Gardner and Representative Tipton:

We write today to ask you to please support S. 4258/H.R. 7806, the Save Our Stages Act, which would ensure the survival of live performance venues across the nation.

Small venues and performing arts centers were the first to close and will be the last to re-open. They arguably represent the industry hardest hit by the pandemic. They are completely shuttered small businesses in need of support in order to survive until it is safe to re-open. These venues are economic multipliers, community builders, educators, and beloved institutions, driving tens of millions in attendance each year. Sadly, they will have no revenues from ticket sales for some time. These venues drive significant spending at other businesses and can have a substantial economic impact in their communities.

Here in Ridgway, Colorado, the Sherbino Theater has become a centerpiece of our town, an anchor in our tiny "main street" where restaurants and small businesses were thriving prior to the COVID-19 pandemic. The Sherbino Theater has been closed since March 12, 2020 due to the COVID-19 pandemic. In a normal year, the Sherbino Theater would be in use over 600 times with diverse programming which includes music performances, children's theater, adult theater, lectures, movies, art classes, trivia and game nights. The Sherbino Theater hosted 160 performances or shows in 2019.

Save our Stages is a critical bridge for independent venues to survive until they can re-open safely and successfully and start to inspire our country again. We applaud the sponsors of S. 4258/H.R. 7806 and strongly urge you to support Save Our Stages. Thank you very much for your time.

Sincerely,

John I. Clark  
Mayor  
On behalf of the Ridgway Town Council



## AGENDA ITEM #11





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TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | [www.town.ridgway.co.us](http://www.town.ridgway.co.us)

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To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 5, 2020  
Agenda Topic: Update on Ridgway's Dark Sky Community designation

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**SUMMARY:**

Val Szwarc will attend Wednesday's virtual meeting to give an update on the Town's IDA International Dark Sky Community designation.



## AGENDA ITEM #12





To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 5, 2020  
Agenda Topic: Request for Council to submit a letter of support for the Top of the Pines to be designated as an IDA International Dark Sky Park

---

**SUMMARY:**

Council is being asked to approve and submit a letter of support for the Top of the Pines to be designated as an IDA International Dark Sky Park. If approved, the support letter would be included in the Top of the Pines application to IDA that is slated for submittal later this year.

**PROPOSED MOTION:**

"I move to authorize Mayor Clark, on behalf of the Ridgway Town Council, to sign the letter of support for the Top of the Pines to be designated as an IDA International Dark Sky Park."

**ATTACHMENT:**

Support Letter





August 12, 2020

IDA Board of Directors  
International Dark-Sky Association  
5049 E Broadway Blvd, #105  
Tucson, AZ 85711

**RE: Letter of Support for the Top of the Pines to be designated as an IDA International Dark Sky Park**

Dear IDA Board of Directors:

We, the Ridgway Town Council, recognize the valuable natural resource of our area's dark skies for residents, visitors, businesses, and wildlife. We support ROCC's Dark Sky Committee and Top of the Pines (TOP) Board of Directors endeavor to obtain an official International Dark Sky Park designation from the International Dark Sky Association for Ouray County's TOP Recreation Area.

If approved, TOP would be an excellent model of an International Dark Sky Park. It is a public recreation area owned by Ouray County, Colorado, and managed/operated by the TOP Board of Directors. It has an exceptional quality of dark starry nights, located at an elevation of 8,600 feet. It is at a remote location six miles southwest of the Town of Ridgway. The night sky is very dark and is protected as the Town of Ridgway has recently been IDA designated as a Dark Sky Community with an IDA compliant outdoor lighting ordinance that went into effect in October of 2019. Ouray County also has an outdoor lighting ordinance in place, and we support TOP strictly regulating existing and future lighting via a TOP Board approved Light Management Plan. With its beautiful ponderosa forest, large, wide open meadow, and stunning views, TOP has an exquisite day and nighttime environment that is recognized for its scenic, ecological, and educational value. A Dark Sky designation from IDA would increase public awareness and enjoyment and help preserve this valuable natural resource for future generations not only for TOP but for surrounding areas. This would also enhance public awareness of IDA's goal and mission of preserving the inspiring dark night sky.

Thank you for your consideration in this endeavor.

Sincerely,

John I. Clark  
Mayor  
On behalf of the Ridgway Town Council



## AGENDA ITEM #13





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TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | [www.town.ridgway.co.us](http://www.town.ridgway.co.us)

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To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 6, 2020  
Agenda Topic: Update from Uncompahgre Watershed partnership and request for input on strategic planning

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**SUMMARY:**

Tanya Ishikawa, Communications Director for the Uncompahgre Watershed Partnership (UWP), will attend Wednesday's virtual meeting to provide an update on UWP activities and request Council's input on their strategic planning process.



## AGENDA ITEM #14





TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | [www.town.ridgway.co.us](http://www.town.ridgway.co.us)

To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 4, 2020  
Agenda Topic: Presentation on 5G wireless technology and small cell facilities

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**SUMMARY:**

Dave Zelenok with HR Green will attend Wednesday's virtual meeting to deliver a presentation on the topic of 5G wireless technology and small cell facilities. HR Green is one of the nation's longest operating engineering firms. They offer transportation, surveying, governmental, land development, environmental, and construction services.

**ATTACHMENT:**

5G and Small Cell Presentation



# 5G + Small Cell Rollout

## Preparing Ridgway



**August 12, 2020**

**Ken Price, CGCIO**  
*KPrice@HRGreen.com*



**Dave Zelenok, PE**  
*DZelenok@HRGreen.com*



## Part I: OVERVIEW

*Where are we? How Did We Get Here? What is Broadband anyway?*

## Part II: SMALL CELLS

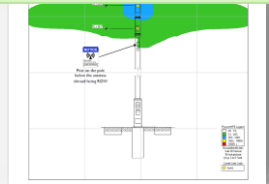
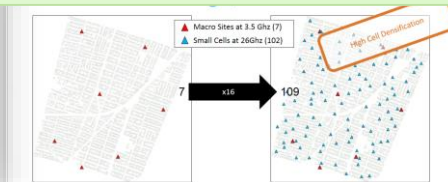
*What Are They? What Can YOU Do?*

## Part III: SMALL CELLS – BIG HEALTH CONCERNS (?)

*Enforcing FCC's Safety Rules: Max Exposure to Radiation*

## Part IV: NEXT STEPS

*Best Practices*





Established 1913



100



**Governmental Services**

**Transportation**

**Water Resources**

**Land Development**



- ✓ Emerging Technologies
- ✓ Strong Colorado Presence





# What Are Other Cities Doing – and Why?

5



## SB-152 Exempt Cities ~114!

### Pre-Nov 2015 & Exemptions

1. Longmont – 2011
2. **Centennial - 2013**
3. Boulder
4. Cherry Hills Village
5. Montrose
6. Estes Park
7. Grand Junction
8. Red Cliff
9. Wray
10. Yuma
11. Rio Blanco County
12. Yuma County
13. San Miguel County
14. Glenwood (grandfather'd)

### Nov 3, 2015 Counties

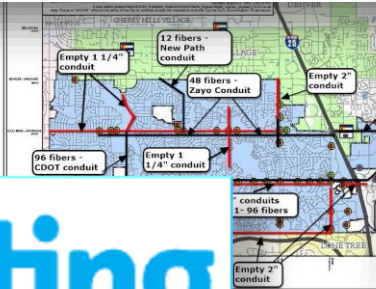
1. Archuleta
2. Clear Creek
3. Custer
4. Eagle
5. Garfield
6. Gilpen
7. Huerfano
8. Jackson
9. Lake
10. LaPlata
11. Moffat
12. Park
13. Pitkin
14. Routt
15. San Juan
16. Summit
17. Washington

### 2015 Cities

1. Alma
2. Bayfield
3. Brighton
4. Cedaredge
5. Craig
6. Crawford
7. Crested Butte
8. Delta
9. Durango
10. Fairplay
11. Fort Collins
12. Fraser
13. Gunnison
14. Hayden
15. Hotchkiss
16. Ignacio
17. Loveland
18. Oak Creek
19. Ophir - Ouray
20. Paonia
21. Ridgway
22. Steamboat Springs
23. Telluride
24. Thornton
25. Winter Park
26. Yampa + 3 School Districts

### 2016-2017 Cities

1. Buena Vista
2. Colorado Springs
3. Cripple Creek
4. El Paso County
5. Fruita
6. Mancos
7. Orchard City
8. Pagosa Spgs
9. Teller County
10. Victor
11. Westcliffe...
12. Manitou Spgs
13. Minturn
14. Vail
15. Eagle



ting





# What Are Others Doing: Small Cells + Fiber

6

## Small Cells

- ✓ Small Cell **RF Compliance & Plan Review**
- ✓ Small Cell **Public Policy Advisory I Consulting**
- ✓ Small Cells + **Streetlights**
- ✓ Small Cells in “Converged” - **New Developments**
- ✓ Small Cells and Fiber at **Traffic Signals**
- ✓ Small Cells, Fiber, **Broadband Conceptualization**



## Fiber

- ✓ Fiber **Inventories & “strand” mapping & leasing**
- ✓ Fiber **IGAs & Partnering – Public + Private**
- ✓ Fiber **Policy**
- ✓ Fiber / **Broadband Feasibility**
- ✓ Fiber Optic Cable **Design**
- ✓ Fiber as a sensor (**NEW**)





# What is – “Broadband” Anyway?

8

*Think of a 3 Megabyte attachment  
(song, doc, photo) ~ 25 megabits*

**Broadband =**

25 megabits per second download,

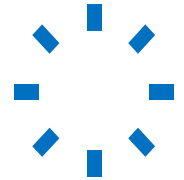
3 Megabits per second upload

*So - if you can download a*

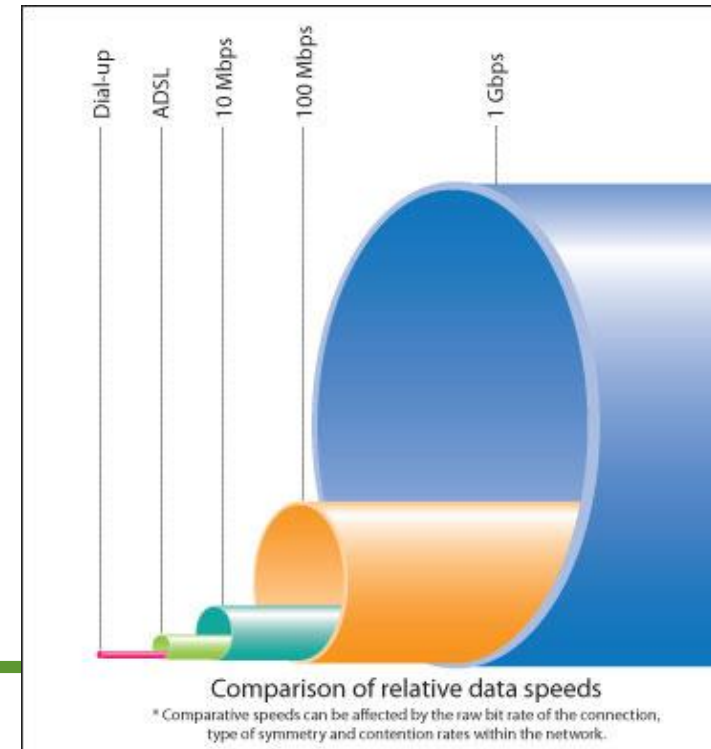
*3 MB file in 1.0 second,*

*You have “broadband”*

*(Most cell phones and homes don’t)*



**25/3: will seem slow in the future**





# How is Broadband Delivered?

9

## Wireless...



**Satellite**

**Cellular 4G/LTE**

**5G** (coming soon)



## Wireline – aerial or underground



**DSL** (Telephone-based – copper wires)

**Coax Cable**

**Fiber Optic Cable** - *“future-proofed”*



*All use fiber / No better technology today*



# Imagine Your 5G Future with Small Cells – Should Ridgway Look Like a PORCUPINE?

11



Courtesy – City of Centennial



# Street Light Municipalization

LED's – reduce **power** expenses by 50%+

But – power often < 20% of total expenses

Cities now **municipalizing** lighting, (Golden, Breck)

Paying **separately** for energy

Up-front capital and conversion costs

» R.O.I.s ~ 5-10 years



**Streetlights...**

**From Cost to Revenue Source (~\$240/light/year)**



**Significant cost savings possible –**

**Re-purposing street lights**

- Talk to SMPA about buying them + public **broadband**





Think: B&W to **COLOR** TV

- Fiber Optics & Small Cells Everywhere
- Faster, more devices
- 3 Miles vs 300 Miles
- New Frequencies

**Not all 5G Is Created Equal**

- Carriers ~ 50 mbps - 1,000 mbps
- Vastly Different Frequencies & Towers Needs
- ~ 600 - 50,000 MHz (50 GHz)
- US Laws vs Laws of Physics

Speeds shown are current speeds based on T-Mobile & Verizon info via available advertising and media reports

time  
able costs"



# 5G and Small cell deployment

23

- **Small Cell Antennas ~ Every Block**
- Fiber Optic Backbones - “Densify”
- Faster, lower latency and many, many more devices
- **Twice** as many small cells as street lights at full deployment,





# Permit Requests Increasing...

- Cities are being flooded with permit requests
- Permit applications for fiber optics - Feeding Small Cell Sites
  - Typical ~10 Blocks = 20 Towers
  - **Each** of 4 providers
  - Terrain could require an extensive antenna system
  - Demand will drive deployment



Top 10 Things the Wireless Industry Doesn't Tell You about Small Cells  
April 11, 2017  
By Ken Schmidt, [Omar Masry](#), and [Rick Edwards](#)

Micro Trenching (?)



# 5G: Small Cells – Really 300 feet?

25

Cell Density – High: 5G Small Cells  
(26 Ghz – 95% coverage)

**~2 SQ Miles x 300 ~ 600 transmitters (?)**

- Reality is less,
- Likely over several years
- Sooner – vs - Later -  
Depends on the Town & Demand

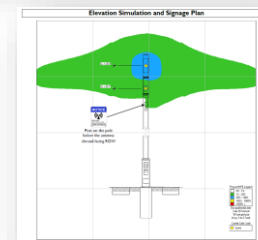
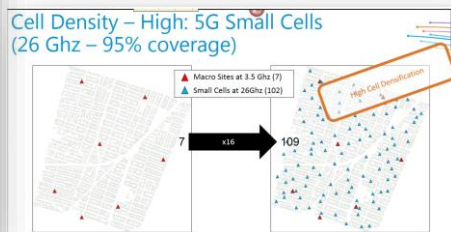
Source: Fiber Broadband Association Technology Committee:  
- Kevin Wynne, Head of Comsof Americas, Comsof  
- Joe Jensen, Director, Americas FTTH Market Development, Corning



# Part III: HEALTH CONCERNS

Doing All You Can...

*Enforcing FCC's Safety Rules: Max Exposure to Radiation*





# Health Concerns:

## The Science is undecided... FCC Standards: 20+ years old.



### 5G Is Coming: How Worried Should We Be about the Health Risks?

So far, at least, there's little evidence of danger

By Kenneth R. Foster on September 16, 2019

“  
5G is an emerging technology that hasn't really been defined yet.

Michael Wyde, toxicologist



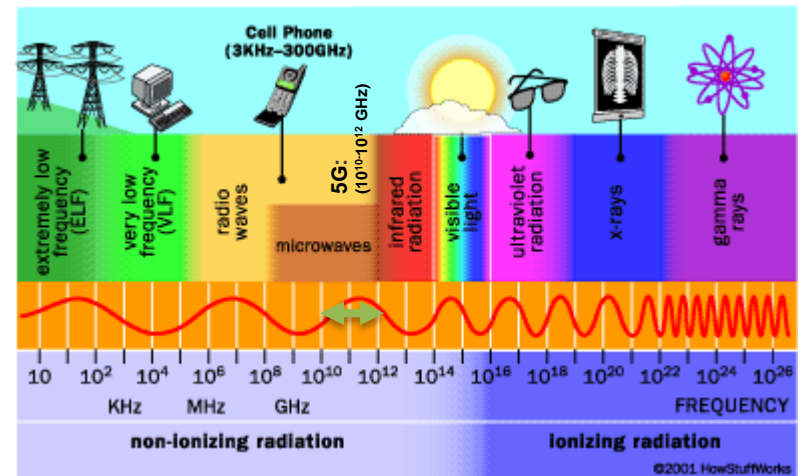
Activists fear radiation from 5G wireless service could be dangerous to public health. And they want more research done before carriers deploy the technology.

NurPhoto



# Health Concerns: Electromagnetic Radiation

- **Radiation** is broken down into two types: **non-ionizing** and **ionizing**.
- **Ionizing radiation** contains enough energy to strip **electrons from** atoms and molecules within tissue and alter chemical reactions in the body, causing radiation burns and/or long term, mutations which can result in cancer.
- **Non-ionizing radiation** is typically considered **safe**. It causes some heating effect at **low** power levels usually not enough to cause any type of long-term damage to tissue. **Cell phones emit this type of radiation.**



Source: "How Cell-phone Radiation Works - Potential Health Risks". <https://electronics.howstuffworks.com/cell-phone-radiation2.htm>



# Health Concerns: Electromagnetic Radiation

*Radio waves can be transmitted*

*“omni directional” or Focused in a “beam”*

Combined -

1. Power levels
2. Frequency
3. Distance

Are often thought to be the most important factors when considering long term and short term health effects





# New Federal regulations...

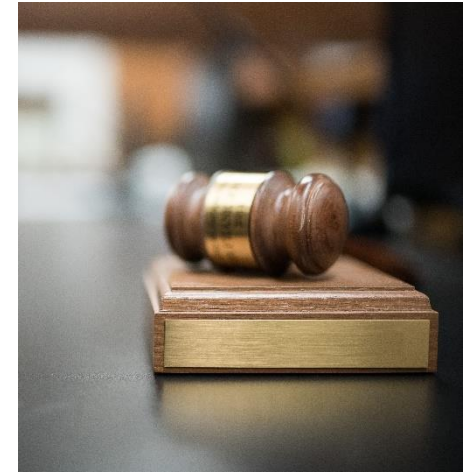
On **September 26 2018**, the FCC:

Voted to approve a declaratory ruling, report and order that

**Preempts local authority** over small cell wireless facility deployment and management of local rights-of-way.

The order:

- **Creates a “Shot Clock” shortening the time** cities must process applications for small cells
- **Limits application fees** for small cells and recurring fees
- **Prohibits cities from assessing fees** that only allow “reasonable approximation” of “reasonable costs”
- **Limits aesthetic review** and requirements of facilities
- **Sprint Corporation v. FCC**, et al, Case Number 19-70123 (9<sup>th</sup> Circuit 2019)
- **“Can’t say NO”**





***Not so fast...***

## **Court challenges to New FCC ‘Shot Clock’ Rules**

### **Lawsuits:**

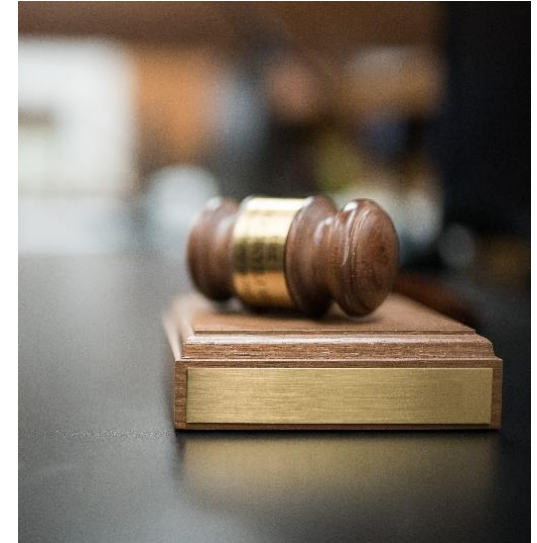
Local governments & Industry: court challenges arguing :

**A - FCC’s action exceeds their authority**

**B – FCC doesn’t go far enough**

**New Court ruling – FCC Order does NOT supercede:**

- Historic Areas
- NEPA



**New Lawsuit: Excess Site Fees:** Verizon vs Clark County ~ \$3,000-\$6,000

- 100/square mile = \$300,000 / carrier / year / square mile
- Typical City / 4 Carriers ~\$30-\$40MM in fees

**No significant challenges to permit review costs –**

**“...Pass-throughs”**

One notable Case: City of San Jose, et al v. FCC, et al, Case Number 18-9568 (10<sup>th</sup> Circuit 2018)



# Managing Small Cell Aesthetics & RF



Traffic Signal Pole



# Health Concerns...

*Las Vegas Strip ~\$6,000 annual fee per pole*

- Effective Public Policy
- Manage Aesthetics
- Establish Standards
- Protect Health & Safety
  - RF Emissions
  - Infrastructure



*Las Vegas Blvd & Flamingo*



# "5G IS AN ABSOLUTE MESS"

"Miami Dade County Commissioner, Miami Herald Sept 2019

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2 of 2

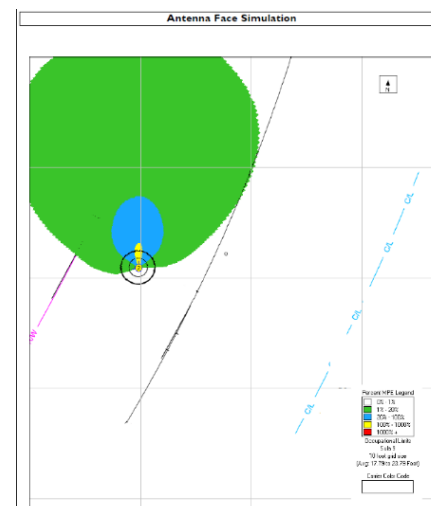
5G telecommunications equipment strapped to trees in Miami's Upper East Side neighborhood.

LINDA ROBERTSON





## Context Sensitive Compliance





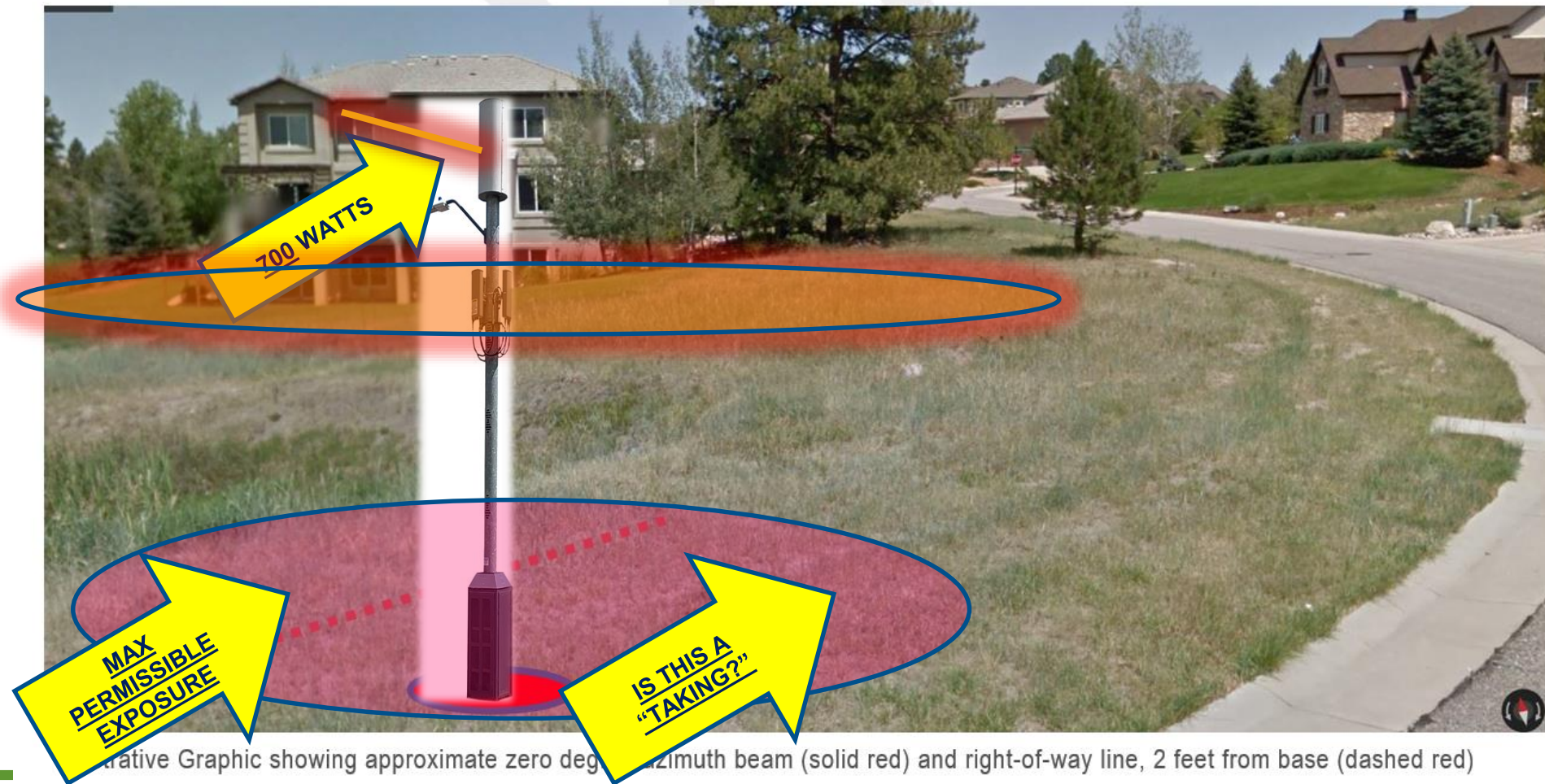
## 39



# “RF” Review...

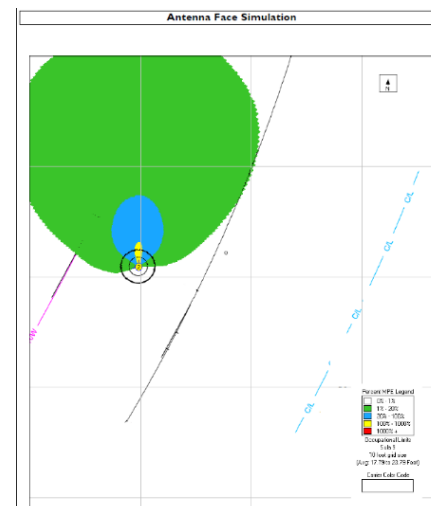
40

## Proposed: Microwave Transmitting 700 WATTS





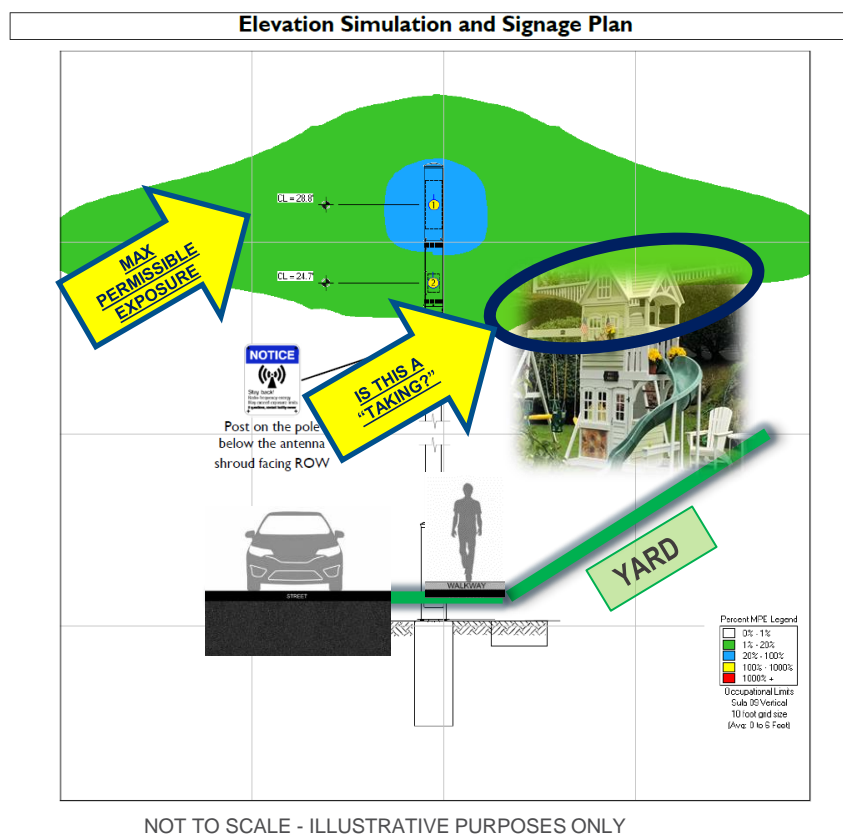
# Managing Small Cell Aesthetics & RF



NOT TO SCALE - ILLUSTRATIVE PURPOSES ONLY



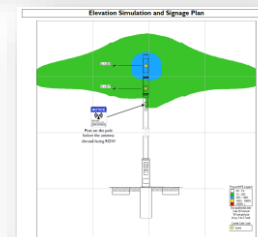
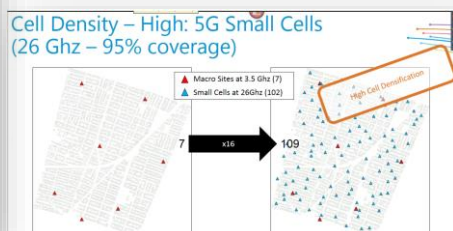
# Managing Small Cell Aesthetics & RF





# Part IV: NEXT STEPS

## *Best Practices*





# BEST PRACTICES: *What Can Ridgway Do?*

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## Next Steps : implement Small Cell/5G Policies

### Fees, Time, and Standards

- Review Standards for attachments
  - (i.e., traffic, light and utility poles, rights-of-way)
- Refine Attachment agreements
- Analyze time and resources needed in the application process to document cost of services - **charge** 100% for review
- Detailed application forms
- Develop new aesthetic requirements
- Include Small Cell Checklists, Mandatory
  - PE Reviews
  - NEIR Reports reviewed
- Make the entire application process electronic
  - (submittal and review)
- Cost studies to justify application and rental fees
- Plan & reserve space on your assets to meet your and other public sector user needs

1.4 The following items are required at the first submittal package. Failure to do so will result in multiple review cycles and may delay approval of the MSP.

1.4.1 General Application, Form DS-3032

1.4.2 Structural Calculations stamped and signed by a licensed Engineer in the state in which the small cell will be located. (Calculations may be consolidated onto the plan and may not be a separate document).

1.4.3 Radio Frequency

Include: % Me

Feet

1.4.4 Color Photo Sim

Show simulation of ant

Show separate % MPE

1. Provide assurance

a. Only if

b. The pr

c. The pr

d. Prior t

e. The tr

when:

2. On report/draw

a. Page s

b. Indic

c. Acron

d. State t

e. Clear

unles

3. Provide separ

a. At an

b. At pr

c. Calcul

d. MPE s

e. Graph

effect

feet at

beam:

1.4.5 Four sets of plan

Small Cell Checklist - Aesthetic and RF Review

Small Wireless Facility Construction Plan Review Checklist

As there is a Master Use and Occupancy Agreement (MUOA) - Previously known as a Master Use and Occupancy Permit (MUOP):

Y/N

Is the MUOA executed?

1.1 If YES, provide an executed copy of the MUOA.

1.2 If NO, submit the following items for an MUOA review:

1.2.1. Draft of MUOA.

1.2.2. If required - a copy of the approved Master Structural Plan (MSP)

1.2.3. Small Cell Attachment & Right of Way Permit Application

1.2.4. Electric service map with electric service shown to proposed site.

1.2.5. Metering:

For Unmetered Service: Location of point of demarcation / connection for unmetered service for proposed site in the event of a direct connection to electrical power source.

For Metered Service - location of meter (often at the base of the mast, unless multiple masts are contemplated)

B. Master Structural Plan (MSP):

Y/N

1. Is the MSP approved?

1.1 If YES, provide a copy of the approved MSP.

1.2 If NO, submit the following items for an MSP review: 1.1.1. Signed copy of the MUOA

1.1.2. MSP Application

1.3 The following review disciplines will review the MSP applications:

- Engineering Building Review
- Structural review
- WCF-Telecom Review
- Traffic Safety Review
- Geology Review

Small Cell Checklist - Aesthetic and RF Review: Page 11

### HR GREEN'S 12-PAGE SMALL CELL PLAN REVIEW CHECKLIST



# BEST PRACTICES: *What Can Ridgway Do?*

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## Next Steps (continued) : implement Small Cell/5G Policies

### Fees, Time, and Standards

- Update Master Lease Agreements
- Ensure Application Intake & Payments –
  - State Permit System
  - Staff / Consultant Time Coding
- Small Cell Layer – GIS Mapping
- Excess Fiber Leasing - Establish Value
- Conduit Ownership – Key Element



The image shows a document titled "Small Wireless Facility Construction Plan Review Checklist" from HR Green. It is a 12-page checklist used for reviewing small cell plan applications. The document includes sections for general application requirements, radio frequency information, color photo simulation, and specific checklist items for Master Use and Occupancy Agreement (MUOA), Master Structural Plan (MSP), and Small Cell Attachment & Right of Way Permit Application. It also lists review disciplines: Engineering Building Review, Structural Review, WCF-Telecom Review, Traffic Safety Review, and Geology Review.

### HR GREEN'S 12-PAGE SMALL CELL PLAN REVIEW CHECKLIST



# Explore Short Term Strategies

- **Identify community partners, available infrastructure, seek mutual benefits**
  - Coordination; CDOT, SMPA, DMEA
  - Ridgway Fiber Plan – DOLA Grants
  - Leverage **Federal/Local grant** programs
- **Consider New Processes, such as:**
  - **Co-location program**
  - Suitable **trenching/installation standards**
  - **Proper street restoration**
  - **Cost recovery systems - streets**
  - **Cost documentation** – antenna permits
  - **Cost Sharing Policies**
  - **Fee modifications**
- Create Fiber Master Plan (Roadmap)
- Prepare for **street light municipalization** with mapping coordination



*Street Restoration in Laguna Beach*



## ***Bottom Line: Strategies***

- ✓ **Set Small Cell Aesthetic Standards**
- ✓ **Check 100% new towers for RF standards**
- ✓ **Talk to SMPA or DMEA about –  
Streetlights & Fiber / Broadband**
- ✓ **Recover costs & Co-locate all Conduit**
- ✓ **Ask DOLA for grant: Fiber Optic Plan**
- ✓ **Agree on small cell strategy –  
Proactive / Reactive: Sooner or Later?**





# How can we help?

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- Develop Small Cell Policy / Guidelines
- Small Cell Management
- Asset Management
- Fiber Master Planning & Permitting



Source: "Governmental Services", <https://www.hrgreen.com/markets-projects/governmental-services/>





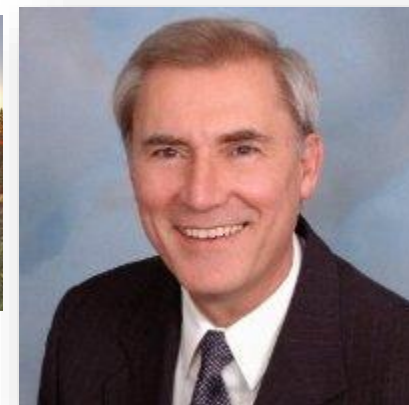
GOVERNMENTAL SERVICES

Questions?



# 5G + Small Cell Rollout

## Preparing Ridgway



**Thank You!**

**Ken Price, CGCIO**

*KPrice@HRGreen.com*



**Dave Zelenok, PE**

*DZelenok@HRGreen.com*



## AGENDA ITEM #15





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TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | [www.town.ridgway.co.us](http://www.town.ridgway.co.us)

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To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 4, 2020  
Agenda Topic: Presentation on Baldy Mountain Landscape Resiliency and Habitat Improvements Project

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**SUMMARY:**

Dana Gardunio, District Ranger for the Ouray Ranger District of the Uncompahgre National Forest, will attend Wednesday's virtual meeting to provide an overview of the Baldy Mountain Landscape Resiliency and Habitat Improvements Project. This is a fuels treatment project that the Forest Service is in the early stages of planning in the Baldy Mountain area.



## AGENDA ITEM #16





**To:** Town Council  
**From:** Shay Coburn, Town Planner  
**Date:** August 12, 2020  
**Re:** RiverSage P.U.D. Filing No. 2 Subdivision Improvements and Lien Agreement Release

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### **ACTION BEFORE COUNCIL**

Review and release of the Subdivisions Improvements and Lien Agreement for RiverSage P.U.D. Filing No. 2.

### **PROPOSED MOTION**

"I move to release the Subdivision Improvements and Lien Agreement for RiverSage P.U.D. Filing No. 2 recorded in Ouray County records at reception No. 224554 on January 9, 2020 as terms of the Agreement have been met."

### **BACKGROUND AND SUMMARY**

The Ridgway Town Council approved the Final Plat for RiverSage P.U.D. Filing No. 2 at the regular Council meeting on January 8, 2020. At that same meeting, the Council release the Subdivision Improvements and Lien Agreement for Filing No. 1 and entered into a new Subdivision Improvements and Lien Agreement for Filing No. 2 (see attached).

All of the terms of the Agreement have been met, however there are a few things to note:

1. The disturbed areas needing revegetation have been seeded but have not yet germinated; however, it may germinate in cooler and wetter weather. Rick Weaver will add more seed if needed.
2. Staff will mark up the as-builts with the following information:
  - a. Communication conduit and wires were installed starting on the east side of Chester Ct. and moving to the north side as the road turns all the way to the end of the cul-de-sac to lot 14. The lines cross the road to reach lots 15 and 16.
  - b. Label the tables as swing ties.

Since all of the terms of the Agreement have been met, the release of this Agreement is now before Council which would remove the Town's Lien on Lot 15 within the development.

### **ATTACHMENTS**

1. Subdivision Improvements and Lien Agreement recorded on January 9, 2020 in Ouray County records at Reception No. 224554
2. Release of Subdivision Improvements and Lien Agreement



## SUBDIVISION IMPROVEMENTS AND LIEN AGREEMENT

THIS AGREEMENT is entered into between, RiverSage Ridgway, LLC, a Colorado Limited Liability Company, Grantor (hereinafter sometimes referred to a Subdivider) and the Town of Ridgway, Colorado, (hereinafter sometimes referred to as Town) pursuant to the Subdivision Regulations of the Town.

### WITNESSETH:

The Subdivider agrees that in consideration of receiving final plat approval from the Town for the Subdivision known as RiverSage P.U.D. Filing No. 2 as follows:

1. The Subdivider agrees to cause the below listed improvements to be constructed and completed in accordance with the preliminary and final plats and other plans and documents, as approved by the Town, and in accordance with the applicable design and construction standards of the Town's Subdivision Regulations, including the Town's Road Specifications, all as modified by Preliminary Plat approval, and shall cause such improvements to be completed by the date specified below. Power, gas, water and telephone facilities shall be constructed in compliance with the requirements of the affected public utility and Town specifications. "As built" plans and drawings along with TCWCD acceptance shall be submitted for the Water System upon completion. All improvements shall be designed and constructed in accordance with good engineering practices.

Improvements	Completion Date
Chester Court – repair any damage to the road from winter, install final lift of ¾" road base, test for compaction and modify as needed, shape shoulders	June 1, 2020
Complete cul-de-sac at end of RiverSage Drive	June 1, 2020
Phone/internet lines to be run through the conduit and pedestals installed	June 1, 2020
Drainage – finish shoulders of the road and the drainage channels along lots 15 and 16	June 1, 2020
Remove debris piles, remove dirt pile at end of cul-de-sac, overall cleanup	June 1, 2020
Revegetation of disturbed property	June 1, 2020
As built drawings	June 1, 2020
<b>Total Cost</b>	<b>\$108,000</b>

2. As security to guarantee the proper construction and acceptance of the above public and private improvements by the completion date specified, Subdivider hereby grants, bargains and conveys to the Town a lien, prior to all mortgages, deeds of trust, liens and



encumbrances other than the lien for general ad valorem taxes upon the following described property situated in Town of Ridgway, Ouray County, Colorado:

Lot 15, RiverSage P.U.D., Filing No. 2.

Such lien may be foreclosed in any lawful manner as a mortgage or otherwise, and the Town shall be entitled to recover all its costs and reasonable attorney's fees, if such improvements are not installed, constructed and accepted, as required. The Town may also enforce compliance by certifying the costs estimated to complete the improvements together with costs of collection including attorney's fees, to the County Treasurer, as a delinquent water, sewer or other charge, to be collected against the above described property similarly as taxes are collected.

3. Subdivider may obtain a partial release of the lien for any lot by paying the Town 150% of the cost to complete uncompleted improvements necessary to serve that lot, to be held in an escrow account. Funds in the account will be returned to the Grantor for those improvements completed when the improvements are approved by the Town; and a complete set of "as built" plans for water, and storm drainage improvements are delivered to the Town. Such funds may be used by the Town to complete improvements not completed as required by Town Subdivision Regulations or this Agreement. The Town Manager may approve an amendment to this agreement to switch the first lien to another lot upon a request to do so.
4. When Subdivider has completed any or all of the required improvements, Subdivider shall submit, when required, "as built" drawings and request the Town or affected utility to inspect such improvements for proper completion. If the Town or affected utility determines that the improvement or improvements have been completed in accordance with the requirements of this Agreement and the Town's Subdivision Regulations, it shall certify such, in writing, and the applicable portion of the security for the completed improvements may be released. Subdivider shall repair or replace any improvement which is defective or fails within 2 years of the Town's certificate of acceptance. Private improvements shall be properly maintained thereafter by the lot owners and owner's association.
5. This Agreement shall be binding upon the heirs, successors and assigns of the Subdivider or the Town, provided that Subdivider may not assign this Agreement without express written consent of the Town. This Agreement shall be a covenant running with the land as described above.
6. This Agreement may be enforced by the Town in any lawful manner, and the Town may compel the Subdivider to adhere to the agreement by an action for specific performance or an injunction in any court of competent jurisdiction. Subdivider understands that no water or sewer taps or building or occupancy permits shall be granted or issued and no sale of any lot may occur if Subdivider is in breach of any provision of this Agreement at any time.



IN WITNESS WHEREOF, the parties have executed this Agreement as of the 9<sup>th</sup> day of January, 2020.

TOWN OF RIDGWAY, COLORADO

ATTEST:

Pam Kraft  
Town Clerk

By [Signature]  
Mayor

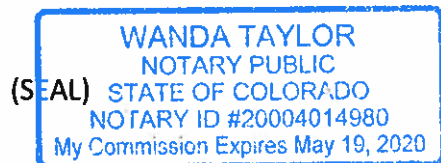
RiverSage Ridgway, LLC

By [Signature]  
Rick Weaver, Manager

STATE OF COLORADO )  
 ) ss.  
COUNTY OF OURAY )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of January, 2020, by John Clark Mayor and Pam Kraft Town Clerk of the Town of Ridgway, Colorado.

Witness my hand and official seal.  
My commission expires:



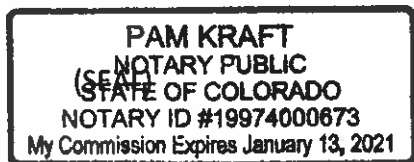
Wanda Taylor  
Notary 55 Valley View Rd  
Ridgway, Co 81432  
Address



STATE OF )  
 ) ss.  
COUNTY OF )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of  
January, 2020, by Rick Weaver, Manager of RiverSage Ridgway, LLC

Witness my hand and official seal.  
My commission expires:



Pam Kraft  
Notary

750 Sabeta Ridgway  
Address



RELEASE OF SUBDIVISION IMPROVEMENTS AND LIEN AGREEMENT

WHEREAS, the Town of Ridgway, Colorado and RiverSage Ridgway, LLC entered into a Subdivision Improvements and Lien Agreement recorded on January 9, 2020 in Ouray County records at Reception Number 224554; and

WHEREAS, the Town of Ridgway, Colorado, was granted a lien on Lot 15 RiverSage P.U.D, Filing No. 2, toward completion of improvements specified in this Subdivision Improvements Agreement; and

WHEREAS, RiverSage Ridgway, LLC has constructed and completed the improvements listed in the recorded Subdivision Improvements and Lien Agreement in accordance with the terms of such Agreement.

NOW, THEREFORE, THE TOWN OF RIDGWAY, COLORADO, HEREBY RELEASES THIS SUBDIVISION IMPROVEMENTS AND LIEN AGREEMENT FOR THE RIVERSAGE RIDGWAY, LLC, RIVERSAGE P.U.D - FILING NO. 2 according to the official plat thereof on file in the Ouray County Records, which lien was created by that "Subdivision Improvements and Lien Agreement" recorded under reception number 224554 on January 9, 2020 in Ouray County records.

IN WITNESS WHEREOF, this document has been executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF RIDGWAY, COLORADO

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

STATE OF COLORADO     )  
                                          ) ss.  
COUNTY OF OURAY     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_, Mayor and \_\_\_\_\_, Town Clerk of the Town of Ridgway, Colorado

Witness my hand and official seal.  
My commission expires

(SEAL)

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Address



## AGENDA ITEM #17





To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 5, 2020  
Agenda Topic: Confirmation or amendment of voluntary water restrictions promulgated by the Town Manager

---

**SUMMARY:**

In 2018, the Council approved Resolution No. 18-06 (attached), ratifying the Town of Ridgway Water Conservation and Management Plan. At that time, Council expressed a desire to conserve water in times of need to ensure effective and safe delivery of water to the Ridgway community during all times, including in times of restricted or limited water supply and drought. According to the U.S. Drought Portal, accessible at [www.drought.gov](http://www.drought.gov), areas in southwestern Colorado, and particularly Ouray County, are experiencing either severe or extreme drought conditions. Based on that information, at the end of July, staff began utilizing various communication channels to promote “voluntary water restrictions” and to encourage residents to reduce their water use. Staff recommends that Council formally ratify, by motion and vote, voluntary water restrictions for the Town of Ridgway.

**RECOMMENDED MOTION:**

“I move to ratify voluntary water restrictions for the Town of Ridgway.”

**ATTACHMENT:**

Resolution No. 18-06



**Resolution No. 18-06**

**Resolution of the Town Council of Ridgway, Colorado  
Ratifying the Town of Ridgway Water Conservation and Management Plan**

**WHEREAS**, the water supply for the Town of Ridgway is a precious, valuable and critical resource for the Ridgway community; and

**WHEREAS**, the Town of Ridgway, State of Colorado and the United States have seen periods of drought that significantly impact the local water supply, threatening the health, safety and welfare of our communities; and

**WHEREAS**, the Town Council desires to be proactive in communicating with the Ridgway community and water users of town-supplied water regarding the water conservation efforts that will be employed and the timing of such water restrictions; and

**WHEREAS**, the Town Council desires to conserve water in times of need to insure effective and safe delivery of water to the Ridgway community during all times, including in times of restricted or limited water supply and drought.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO** the Ridgway Water Conservation and Management Plan as defined herein is ratified.



## Water Conservation and Management Plan

Stage	Trigger Condition	Actions
Stage I	Voluntary Restrictions: Statewide Drought Status (Begins May 1)	<ul style="list-style-type: none"> <li>Does not apply to drip systems and use of hand-watering containers.</li> <li>No irrigating between the hours of 9:00 am and 6:00 pm, or when windy, in order to minimize evaporation, and anytime on Mondays.</li> <li>Properties located on the SOUTH side of Hwy 62 &amp; Hunter Parkway – irrigate only on Tuesdays, Thursdays and Saturdays.</li> <li>Properties located on the NORTH side of Hwy 62 &amp; Hunter Parkway – irrigate only on Wednesdays, Fridays and Sundays.</li> <li>Outreach on water use and fixing leaks, limited gardening, etc.</li> </ul>
Stage II	Mandatory Restrictions: Demand exceeds system capacity (water from the town storage reservoir is the only source)	<ul style="list-style-type: none"> <li>Properties located on the SOUTH side of Hwy 62 &amp; Hunter Parkway – irrigate only on Tuesdays and Saturdays.</li> <li>Properties located on the NORTH side of Hwy 62 &amp; Hunter Parkway – irrigate only on Wednesdays and Sundays.</li> <li>Town Parks irrigation limited to the same as properties north and south of Highway 62.</li> </ul>
Stage III	Demand remains above system capacity and tank levels are not sustained after Stage I and Stage II actions	<ul style="list-style-type: none"> <li>Maintain all Stage II curtailments plus:</li> <li>Water Waste Ordinance activated, including emergency rate structure reducing base water use allocation and increasing cost of water (may require more frequent meter readings – 2x month – for use and leak detection).</li> <li>Largest outdoor water users significantly curtailed.</li> <li>Restaurants only serve water upon customer request.</li> </ul>



Stage	Trigger Condition	Actions
Stage IV	Demand remains above system capacity and tank levels are not sustained after Stage III actions	<ul style="list-style-type: none"> <li>• Maintain all Stage III curtailments plus:</li> <li>• Properties located on the SOUTH side of Hwy 62 &amp; Hunter Parkway – irrigate only on Tuesdays and Saturdays on the 2<sup>nd</sup> and 4<sup>th</sup> weeks of the month.</li> <li>• Properties located on the NORTH side of Hwy 62 &amp; Hunter Parkway – irrigate only on Wednesdays and Sundays on the 1<sup>st</sup> and 3<sup>rd</sup> weeks of the month</li> <li>• Town Parks irrigation limited to the same as all properties north and south of Highway 62.</li> </ul>
Stage V	Demand remains above system capacity and tank levels are not sustained after Stage IV actions	<ul style="list-style-type: none"> <li>• Maintain all Stage IV curtailments plus: <ul style="list-style-type: none"> <li>○ No outdoor irrigation.</li> <li>○ No car washing, pond, or pool filling.</li> <li>○ No sidewalk washing.</li> <li>○ No use of potable water in water features (e.g., fountains).</li> </ul> </li> </ul>
Stage VI	Demand remains above system capacity and tank levels are not sustained after Stage V actions	<ul style="list-style-type: none"> <li>• Maintain all Stage V curtailments plus: <ul style="list-style-type: none"> <li>○ Allow no new connections to system until fall or relief from drought.</li> <li>○ Contact largest commercial/industrial customers and meet to develop a plan to reduce indoor consumption by 30%.</li> </ul> </li> </ul>

---

## Enforcement

Enforcement of this Water Conservation and Management Plan is per the Ridgway Municipal Code (RMC) and other enforcement provisions for the Town of Ridgway, including but not limited to **RMC Section 2-4: Administrative Enforcement of the Ridgway Municipal Code**:

Under the existing Code Section for Administrative Enforcement, the general process, in part, is as follows, and is only provided here to provide notice to the Ridgway Community:

*First Violation – Optional Verbal or written notice, or written Notice of Violation*

*Second Violation – written Notice of Violation*

*Third Violation – Administrative Citation pursuant to RMC 2-4-13*

**RMC 2-4-13:**

*(B) If the responsible party fails to correct the violation cited, commits the same violations again, or fails to correct a violation as specified in accordance with an administrative enforcement order of the AHO, subsequent administrative citations may be issued for violations of the same code section. The penalties assessed for each administrative citation issued for violations of the same code section or sections shall not exceed the following amounts regardless of the number of violations per citation:*



*(1) First administrative citation: one hundred and fifty dollar (\$150.00).*

*(2) Second administrative citation: five hundred dollars (\$500.00).*

*(3) Third and each subsequent administrative citation: nine hundred and ninety-nine dollars (\$999.00).*

*(C) Payment of the penalty shall not excuse the failure to correct the violations nor shall it bar further enforcement action by the Town.*

In addition, pursuant to **RMC 9-1-3: Limitations on the Use of the Water and Sewer System**, the following may be pursued:

*RMC 9-1-3, in part:*

*(B) The Mayor may promulgate emergency regulations restricting the use of Town water for irrigation or other uses subject to confirmation or amendment by the Town Council.*

*(C) The Town Council may declare by resolution a moratorium on taps or line extensions for the entire water or sewer systems or any part of them at any time due to limitations on system capacity or other circumstances which require such action.*

*(D) The Town shall have the right to temporarily interrupt service without notice for the purpose of making repairs, taps, extensions or for other reasons as necessary for the proper operation and maintenance of the water and sewer systems. If practical, reasonable notice shall be given to the customer.*

*(E) No customer located outside of the corporate limits of the Town may significantly increase the amount or degree of his use of Town water or sewer service beyond the extent of his use at the effective date of this Section.*

*(F) The Town Council may set regulations governing the use of water for irrigation and sprinkling by resolution.*

Other Ridgway Municipal Code provisions may apply.

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**PASSED AND APPROVED** this 11<sup>th</sup> day of April 2018.

**ATTEST**

**TOWN OF RIDGWAY**

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Pam Kraft, MMC,  
Town Clerk

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John Clark,  
Mayor



## AGENDA ITEM #18





To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 5, 2020  
Agenda Topic: Confirmation or amendment of rescission of emergency restrictions on burning and fires within the Town of Ridgway

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**SUMMARY:**

On July 2<sup>nd</sup>, the Town followed the lead of Ouray County and other agencies in our region in implementing “Stage 1” fire restrictions. The Town Manager formally promulgated emergency restrictions on burning and fires within the Town and the restrictions were ratified by Council at the July 8<sup>th</sup> Council meeting.

On July 30<sup>th</sup>, the Town joined all other jurisdictions in Ouray County and our region, including the Bureau of Land Management and the U.S. Forest Service, in transitioning out of all fire restrictions. Fire managers based their decision on specific moisture measurements in vegetation and other risk factors such as predicted weather and amount of current fire activity. According to Section 12-2-1(C) of the Ridgway Municipal Code, “emergency restrictions shall be subject to confirmation or amendment by the Town Council.”

The next regional meeting of fire managers to discuss fire conditions and restrictions is scheduled for August 12<sup>th</sup>.

**PROPOSED MOTION:**

“I move to ratify the rescission of emergency restrictions on burning and fires within the Town of Ridgway.”



## AGENDA ITEM #19





To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 7, 2020  
Agenda Topic: Authorization of staff to expend budgeted funds and enter into a contract to purchase a patrol vehicle for the Ridgway Marshal's Department

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**ACTION BEFORE COUNCIL:**

Council is asked to consider authorizing staff to expend budgeted funds and enter into a contract to purchase a patrol vehicle for the Ridgway Marshal's Department.

**PROPOSED MOTION:**

"I move to authorize staff to expend budgeted funds and enter into a contract to purchase a patrol vehicle for the Ridgway Marshal's Department at a total sales price of \$42,960."

**SUMMARY:**

Council earmarked funds in the 2020 Fiscal Year Budget for the purchase of a new patrol vehicle for the Ridgway Marshal's Department. Currently, the Department has a 2018 Ford Explorer driven by Marshal Schmalz, a 2017 Ford Explorer driven by Deputy Hanson, and a 2014 Ford Fusion driven by Deputy Pickle. Deputies from the Ouray County Sheriff's Office who work part-time and fill in needed shifts throughout the course of each month use one of our vehicles when on shift. The Department lacks a backup vehicle for times when one of the existing fleet vehicles breaks down or requires maintenance of some kind.

The new vehicle the Marshal's Office is exploring purchasing is a 2020 Dodge Durango Pursuit AWD at an MSRP of \$34,870. With the required law enforcement upfit and custom specifications, the total for the vehicle is \$42,960, which is well below the budgeted amount of \$45,000.

The Town's Procurement Manual states that contracts for the purchase of supplies, goods, equipment and services in excess of \$25,000 shall be approved by Council. Staff has followed all provisions of the Procurement Manual in exploring this purchase.

**FINANCIAL IMPLICATIONS:**

At the July 8<sup>th</sup> Council meeting, Council gave direction to staff to continue to take a conservative approach in expending funds allocated in the 2020 Fiscal Year Budget. Council also encouraged staff to be prudent in identifying expenditures that should move forward in 2020 given the impact of the COVID-19 pandemic on General Fund revenues. Given that the Town's finances are in good condition and in a similar state to where it was last year at the same time, including revenues, and given that the vehicle was budgeted and that the Marshal has continually expressed the need, staff has no reservations about the purchase of a new patrol vehicle and believes the existing budget can accommodate the expenditure.



## AGENDA ITEM #20





To: Honorable Mayor Clark and Ridgway Town Council  
From: Preston Neill, Town Manager  
Date: August 5, 2020  
Agenda Topic: Review and action on Order Extending the Declaration of a Local Disaster in and for the Town of Ridgway

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**ACTION BEFORE COUNCIL:**

Due to the ongoing nature of the COVID-19 pandemic, Council is asked to consider approving the attached Order that would extend the Declaration of a Local Disaster to September 10, 2020.

**PROPOSED MOTION:**

"I move to approve the Order Extending the Declaration of a Local Disaster in and for the Town of Ridgway."

**SUMMARY:**

On March 17, 2020, the Town Manager issued an Order Declaring a Local Disaster in and for the Town of Ridgway. The Order was issued pursuant to the authority granted to the Town Manager and issued with the approval and support of the Mayor. Subsequently, the Town Council has extended the Declaration several times and it is now set to expire on August 13, 2020. With the Town of Ridgway and Ouray County continuing to navigate the immediate response to COVID-19, as well as the subsequent phases of reopening and economic recovery, staff is recommending that the Declaration be extended to September 10, 2020.

It's worth noting that according to the *Town of Ridgway Amended Electronic Participation Policy for Regular and Special Meetings*, the policy may only be utilized upon the adoption of a resolution declaring a local disaster emergency pursuant to Section 24-33.5-709, C.R.S. In anticipation of a time in the near future when the Declaration does not need to be further extended, staff is planning to bring an amended Electronic Participation Policy before Council during the September 9<sup>th</sup> Council meeting that, if approved, would eliminate the need for a local disaster emergency declaration to be in place for the Town Council and all advisory boards, commissions and committees of the Town to conduct meetings by phone or other electronic means of participation.

**ATTACHMENT:**

Order Extending the Declaration of a Local Disaster in and for the Town of Ridgway



**TOWN OF RIDGWAY, COLORADO**  
**ORDER EXTENDING THE DECLARATION OF A LOCAL DISASTER IN AND FOR**  
**THE TOWN OF RIDGWAY**

**WHEREAS**, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, et. seq. (the “Act”), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters; and

**WHEREAS**, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared unilaterally by the principal executive officer of a political subdivision; for the Town of Ridgway, Colorado (the “Town”), the principal executive officer is the Town Manager; and

**WHEREAS**, the Town Manager issued an Order Declaring a Local Disaster (the “Order”) on March 17, 2020; and

**WHEREAS**, the Order was issued pursuant to the authority granted to the Town Manager, and issued with the approval and support of the Mayor for the Town; and

**WHEREAS**, on March 20, 2020, the Town Council extended the Declaration of a Local Disaster to May 14, 2020; and

**WHEREAS**, on May 13, 2020, the Town Council extended the Declaration of a Local Disaster to June 11, 2020; and

**WHEREAS**, on June 10, 2020, the Town Council extended the Declaration of a Local Disaster to July 9, 2020; and

**WHEREAS**, on July 8, 2020, the Town Council extended the Declaration of a Local Disaster to August 13, 2020; and

**WHEREAS**, the Town Council wishes to extend the Declaration of a Local Disaster; and

**WHEREAS**, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins; and

**WHEREAS**, pursuant to C.R.S. § 24-33.5-709, this Declaration activates the response and recovery aspects of any applicable disaster emergency plans and authorizes the furnishing of aid and assistance under such plans; and

**WHEREAS**, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local emergency shall not be continued beyond a period of seven (7) days or removed except by action of the governing board of the political subdivision for the Town, the Town Council; and



**WHEREAS**, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder, the [Town] clerk ... and with the office of emergency management"; and

**WHEREAS**, because of the COVID-19 pandemic, which was recognized by the Governor of the State of Colorado on March 10, 2020, the Town is suffering and has suffered a disaster emergency as defined in the Act.

**NOW, THEREFORE, IT IS HEREBY ORDERED** on this 12<sup>th</sup> day of August, 2020, that the disaster emergency that was declared in and for the Town of Ridgway beginning on March 17, 2020, is extended to September 10, 2020, unless further extended or amended by action of the Town Council for the Town.

**IT IS FURTHER ORDERED** that this Declaration shall be given prompt and general publicity, filed immediately with the office of the Ouray County Emergency Manager and a copy filed with the Ouray County Clerk and Recorder, as well as to the Colorado Office of Emergency Management.

**APPROVED BY THE TOWN COUNCIL ON THIS 12<sup>th</sup> DAY OF AUGUST 2020**

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John Clark, Mayor

ATTEST:

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Pam Kraft, Town Clerk



## AGENDA ITEM #21



## AGENDA ITEM #22





# 2021 Fiscal Year Budget Preparation Schedule

*REVISED August 6, 2020*

Date	Description	Responsible Parties
August 24 – September 11, 2020	<b>Meetings with Town staff:</b> <ul style="list-style-type: none"> <li>• Strategic Plan</li> <li>• Town-wide initiatives</li> <li>• Levels of service</li> <li>• Fees</li> <li>• Goals and objectives</li> <li>• Personnel requests</li> <li>• Capital Outlay requests</li> <li>• Line item justifications</li> </ul>	Preston, Pam, Staff
October 14, 2020	<b>Draft 2021 Fiscal Year Budget Submitted to Council</b>	Preston, Pam
October 17, 2020 9:00 a.m. – 2:00 p.m. (Council direction needed on proposed date and time)	<b>Budget Retreat:</b> <ul style="list-style-type: none"> <li>• Introduction of Draft 2021 Fiscal Year Budget</li> <li>• Introduction of Draft 2021 Strategic Plan</li> </ul> <b>Outcomes:</b> <ul style="list-style-type: none"> <li>• Council direction for revisions</li> <li>• Council direction for Capital Improvement Projects</li> <li>• Council direction for revenue projections</li> <li>• Council requests for additional information, analysis or options</li> </ul>	Council, Preston, Pam
November 11, 2020	<b>Council Budget Hearing:</b> <ul style="list-style-type: none"> <li>• Staff Presentation of 2021 Fiscal Year Proposed Budget</li> <li>• Presentation of 2021 Strategic Plan</li> <li>• Follow-up on any Council directions or requests</li> <li>• Council discussion and public comment</li> </ul>	Council, Preston, Pam
November 19, 2020	<b>Council Budget Workshop:</b> <ul style="list-style-type: none"> <li>• Overview of 2021 Fiscal Year Proposed Budget</li> <li>• Follow-up on any Council directions or requests</li> <li>• Council discussion and public comment</li> </ul>	Council, Preston, Pam
December 9, 2020	<b>Council Budget Hearing:</b> <ul style="list-style-type: none"> <li>• Adoption of 2021 Fiscal Year Budget, including Capital Projects Plan and 2021 Strategic Plan</li> <li>• Approval of Resolution Certifying Mill Levy</li> </ul>	Council, Preston, Pam