

Ridgway Town Council
Regular Meeting
Wednesday, November 10, 2010, 5:30 pm
Community Center, Ridgway Town Hall
201 N. Railroad Street, Ridgway, Colorado

ROLL CALL Councillors Rich Durnan, Ellen Hunter, Eric Johnson, Tim Patterson, Rick Weaver, Mayor Pro Tem John Clark and Mayor Pat Willits

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 Regular Meeting of October 13, 2010.
2. Register of Demands for November 2010.
3. Renew tavern liquor license for Ouray County Fairgrounds.
4. Water and sewer leak adjustment for River View Plaza/Account #7440.0.

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 Comments will be limited to 5 minutes per person; discussion of each item may be limited to 20 minutes - unresolved items may be continued to a future meeting.

5. Offers to install sculptures in Town parks and rights of ways – Katlin Switzer.
6. Update on relocation of fire department facility – Randy Gardner.

LAND USE ISSUES Public comments will be limited to 5 minutes per person; discussion of each item may be limited to 20 minutes - unresolved items may be tabled to another meeting.

7. Recommendation from Planning Commission to approve Condominium Subdivision at 501 Chipeta; Zoned: Residential; Applicant: Nancy Koos – Town Manager.

STAFF ITEMS Staff will notify Council of upcoming events for scheduling purposes.

STAFF REPORTS Written report is provided for informational purposes prior to the meeting updating Council on various matters that may or may not warrant discussion and action.

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

- ~ Chamber of Commerce Liaison - Councillor Weaver
- ~ County Board of Appeals - Mayor Pro Tem Clark
- ~ Fairgrounds Liaison - Mayor Willits

- ~ Gunnison Valley Transportation Planning Region – Town Manager; alternate Public Works Director
- ~ Parks, Trails & Open Space Task Force - Councillors Durnan, Johnson and Weaver
- ~ Planning & Zoning Commission representatives - Mayor Pro Tem Clark and Mayor Willits
- ~ Region 10 - Councillor Patterson; alternate - Mayor Willits
- ~ Multi-Jurisdictional Housing Authority - Councillor Hunter and Town Manager
- ~ Joint Planning Board - Councillors Hunter and Weaver, citizen Rod Fitzhugh; alternate – Councilmember Patterson
- ~ New Community Coalition Advisory Board - Mayor Pro Tem Clark; alternate - Mayor Willits
- ~ County Weed Board – Councillor Hunter; alternate – Public Works Director
- ~ Ouray County Transit Committee – Public Works Director; alternate – Town Manager

ADJOURNMENT

Deadline for agenda items for next regular meeting, Wednesday, December 1, 2010 by 5:00 p.m. Town Clerk's Office, 201 N. Railroad Street, Ridgway, Colorado.

MINUTES OF REGULAR MEETING

OCTOBER 13, 2010

OATHS OF OFFICE

The Town Clerk administered the oath of office to Councillor Tim Patterson, who was appointed to the Council at the previous meeting.

CALL TO ORDER

The Mayor called the meeting to order at 5:40 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. In attendance were Councillors Durnan, Hunter, Patterson, Weaver, Mayor Pro Tem Clark and Mayor Willits. Councilmember Johnson was absent.

CONSENT AGENDA

1. Minutes of Regular Meeting of September 8, 2010.
2. Minutes of Adjourned Meeting of September 14, 2010.
3. Minutes of Workshop Meeting of September 22, 2010.
4. Register of Demands for October 2010.
5. Resolution No. 10-07 Amending Personnel Regulations as they Pertain to Compensatory Time.
6. Approve employment agreement with Jennifer Coates as Town Manager.
7. Ratify appointment of Joanne Fagan to the Ouray County Transit Committee, and Jen Coates as alternate.
8. Approve agreement for website maintenance with mtngeo geek.
9. Amendment of lease with Pureline Treatment Systems for chlorine dioxide generator at water treatment plant.
10. Water leak adjustment for Account #2570/O'Brien.

ACTION:

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

PUBLIC COMMENTS

Lisa Davitian suggested the Council consider requiring building inspections for rented and leased living quarters. She stated landlords should be held accountable for the health, safety and welfare of persons renting their facilities, and encouraged Town regulation.

Ouray County Commissioner Lynn Padgett explained in August elected officials received a letter from the Air Force regarding proposed low altitude military training over Southwest Colorado. The proposal includes three training flights a day, five days a week, to be conducted by lit aircraft at night, two hundred feet above the ground, at speeds of 288 miles per hour. The original notification established a public comment deadline of October 4th and this has been extended to November 14th. She suggested if the Council has concerns with the proposal the letter sent should also be copied to local senators and congressmen. She stated she personally questions the definition of a municipality or rural area, and a noise sensitive area; what analysis has been made on impacts to big game species and livestock; interaction with local and medical air traffic; and the frequency of mishaps over land.

PUBLIC REQUESTS AND PRESENTATIONS

11. Request the Town consider holding a community block party

Joe Alaimo asked the Council to consider holding another community block party to celebrate the success of the summer concert series. He suggested the event could be held in Town Park and along N. Lena Street, noting he has spoken to local merchants who support the proposal.

There was discussion and consensus was if citizens would like to organize and fund the event, it should be coordinated with the Town Clerk.

12. Update on Second Chance Humane Society operations and programs

Kelly Goodin, Executive Director of Second Chance Humane Society, presented the Council with an annual update on programs and services offered by the organization. She displayed a slide presentation outlining the organizations vision and mission statement; programs and services including volunteers, community education, pet placement and counseling services, mobile adoption, special events and fund raisers, shelter and fostering, and the thrift store. She reported the shelter can house 15 dogs and 30 cats and remaining animals are placed in foster homes. In 2009 the shelter took in 390 pets and adoptions were double the national rate. As of August of this year there have been 201 pet intakes and 105 adoptions.

Financial statements through August 31st were presented. Assets of \$561,927 included the thrift store, land for construction of a new shelter and cash; a profit and loss statement showed 70% of income is received from sales at the thrift store.

There was discussion between the Council and board members.

PUBLIC HEARINGS

13. Application for restaurant liquor license for Land and Ocean ; 185 Sherman Street, Unit 101; Applicant: Land and Ocean LLC, shareholder: Luis Bolanos

Staff Report from the Town Clerk dated 9-16-10 presenting an application for restaurant liquor license from Land and Ocean LLC, shareholder Luis Bolanos, for Land and Ocean Restaurant at 185 Sherman Street, Unit 101.

Town Clerk's Notice of Public Hearing dated 9-2-10.

The Town Clerk explained the restaurant liquor license application has been filed by Luis Bolanos, single shareholder in Land and Ocean LLC. The application includes licensing a seating area along the front entry to the restaurant, which is enclosed and adjacent to the building. She reported all requirements of the license have been met, including receipt of clear findings from the Colorado Bureau of Investigation on the background check.

ACTION:

Moved by Councilor Weaver to approve the restaurant liquor license, seconded by Mayor Pro Tem Clark and unanimously carried.

POLICY MATTERS

14. Update on proposed improvements by the Colorado Department of Transportation to Highway 62

Staff Report from the Public Works Director and Town Manager dated 10-7-10 presenting planned improvements by the Colorado Department of Transportation (CDOT) to Highway 62.

Public Works Director Joanne Fagan addressed the Council regarding proposals by CDOT pertaining to improvements on Highway 62. The highway bridge is scheduled for replacement in 2012 and improvements, including a center turn lane, are planned for 2016. In the spring the Town applied for CDOT Enhancement Funds, Phase 4 of Town wide improvements, to finance construction of sidewalks and crosswalks at the highway she explained. Staff met with CDOT representatives who expressed concerns the improvements may be removed and replaced during the scheduled improvements and discussions ensued regarding integrating the project with desires of the Town. These discussions included review of the Town's 2006 Historic Business District Streetscape Plan, which includes a highway profile. A few weeks ago, she noted, staff again met with representatives who presented a plan which differs considerably from the Streetscape Plan. Staff is now soliciting input from the public, Planning Commission and Town Council regarding the planned improvements.

Town Manager Coates explained the Streetscape highway profile includes a 12 foot center turn lane, two 12 foot drive lanes, two foot curbs and gutters, a six foot landscape strip and seven foot sidewalks on each side. CDOT is proposing 14 foot turn lanes, two 12 foot drive lanes with adjacent three foot bike lanes, curbs and gutters two and half feet, and eight foot sidewalks on both sides allowing landscape planters, and does not include landscape strips. She explained at the recent Planning Commission meeting there was significant discussion regarding the proposal and consensus was reached that the center turn lane should be from the bridge to Laura Street and then neck down to two lanes from Laura to Amelia Street; retaining the existing pedestrian islands at Amelia Street and the Fairgrounds is important; landscape planters are acceptable with sufficient sidewalk; a yield to pedestrians sign at the Lena Street crosswalk is desired; crosswalks at Lena, Cora and Laura with colored and stamped concrete as shown in the Streetscape Plan; the idea of bike lanes is favorable, but considering the options for the Highway Profile, bike lanes are not preferred.

Prior to the meeting the Council received emails dated 10/13/10 from the following citizens supporting installation of bike lanes - Brenda Moden, Scott Middleton, Stephanie Wallin, Raleigh Coburn, Kellie Day and Lisa Issenberg.

SPEAKING FROM THE AUDIENCE:

Dick Spirek spoke in support of bike lanes.

Lawrence Carlock questioned impacts on businesses with the elimination of highway parking.

Rod Fitzhugh supported narrower turn lanes and wider sidewalks to "make it pedestrian friendly".

Randy Charrette stated bike lanes are needed for safety of both riders and drivers, and noted that bike lanes will also encourage alternative forms of transportation for residents.

Emme Spirek supported bike lanes.

Lisa Davitian stated it is "important to maintain the old west flavor we have here" noting it draws tourists which support local businesses.

There was discussion between the Council and audience. The Council agreed CDOT should be encouraged to reduce the turn lane from fourteen to twelve feet, necking down from three to two lanes from Laura to Amelia Streets, explore the idea of raised medians and inclusion of tree grates in the sidewalks. There was agreement with the concept of bike lanes, colored concrete diversions in the crosswalks and that the overall concept be more pedestrian friendly.

15. Review of Council committee representation

The Town Clerk suggested, due to the resignation of the Councillor Hebert and appointment of Councilmember Patterson, the Council review representation on committees and boards.

It was agreed that citizen Rod Fitzhugh will become one of the representatives on the Joint Planning Board, and Councillor Patterson the alternate; Councilmember Patterson will serve on the Region 10 Board and Councillor Hunter will provide representation on the Multi-Jurisdictional Housing Authority.

STAFF REPORTS

Manager Coates reported One Track Communications has inquired into the application process for utility easements for telecommunication lines. She also presented an update on the New Community Coalition Advisory Board.

Councilmember Hunter explained at the recent budget workshop there was consensus to pursue xeroscaping at the north end of the Athletic Park. After meeting on site with staff she recommended the Council consider the use of grass in the area. It was agreed by the Council the area should be seeded in the spring.

Councillor Weaver suggested staff contact CDOT regarding the process for placement of a park identification sign on Highway 550 at the entrance to the Dennis Weaver Memorial Park. The Council agreed.

Councillor Durnan explained the Bureau of Land Management is preparing a new management plan which requires identification of any properties which may be considered

for purchase or land swap. It was agreed staff should send a comment on the plan requesting inclusion to purchase the agencies property off of County Road 10.

EXECUTIVE SESSION

The Town Attorney suggested the Council enter into an executive session to discuss matters subject to nuisance enforcement, water rights, litigation, easements and General Improvement District #1 pursuant to State Statute Provisions 24-6-402(4)(a)(b)(c)&(e) to confer with the Town Attorney and receive legal advise, determine a position and a strategy relative to negotiations and acquisition of public property.

ACTION:

Mayor Pro Tem Clark moved to go into closed session. Councilmember Hunter seconded. The motion carried unanimously.

The Council entered into a closed session at 8:20 p.m. with the Town Attorney, Town Manager and Public Works Director.

The Council reconvened to open session at 9:25 p.m.

ADJOURNMENT

The Mayor adjourned the meeting at 9:25 p.m. to a workshop meeting on November 3rd at 5:30 pm.

Respectfully Submitted,

Pam Kraft, MMC
Town Clerk

259235 10/20/2010 613.33

3-80-602 Sewer Fund - SEWER DEPARTMENT - Vehicle & Equip Maint & Repair
259235 10/20/2010 613.33**Labelmaster**1-40-534 General Fund - STREETS & MAINTENANCE - Street Signs
K33508-001 10/27/2010 40.15**Montrose Bank**2-70-814 Water Fund - WATER DEPARTMENT - Debt Service - Montrose Bank
120110 11/04/2010 11,826.25**Office Solutions**1-20-402 General Fund - ADMINISTRATIVE SERVICES - Office Supplies
1213966-0 11/05/2010 37.99**Ouraynet**1-20-432 General Fund - ADMINISTRATIVE SERVICES - Computer Services
35657 11/01/2010 25.171-60-432 General Fund - LAW ENFORCEMENT - Computer Services
35657 11/01/2010 25.162-70-432 Water Fund - WATER DEPARTMENT - Computer Services
35657 11/01/2010 25.163-80-432 Sewer Fund - SEWER DEPARTMENT - Computer Services
35657 11/01/2010 25.16**Pro-Build**5-90-102 Capital Improvements Fund - Raw Water Storage Expend's - Equipment
0855-00389470 10/04/2010 699.38
0855-00390033 10/18/2010 123.42**Ridgway Mountain Market**1-20-426 General Fund - ADMINISTRATIVE SERVICES - Meetings & Community Events
74-NOV 11/01/2010 69.07**Ridgway True Value Hardware**1-40-522 General Fund - STREETS & MAINTENANCE - Supplies & Materials
1908OCT 2010 10/26/2010 10.311-40-602 General Fund - STREETS & MAINTENANCE - Vehicle & Equip Maint & Repair
1908OCT 2010 10/26/2010 6.291-50-402 General Fund - PARKS,FACILITIES & ENVIRONMENT - Supplies - community center
1908OCT 2010 10/26/2010 4.491-50-522 General Fund - PARKS,FACILITIES & ENVIRONMENT - Supplies & Materials
1908OCT 2010 10/26/2010 175.991-60-500 General Fund - LAW ENFORCEMENT - Equipment & Supplies
1908OCT 2010 10/26/2010 15.482-70-522 Water Fund - WATER DEPARTMENT - Supplies & Materials
1908OCT 2010 10/26/2010 96.68
1908OCT 2010 10/26/2010 10.31

3-80-522 Sewer Fund - SEWER DEPARTMENT - Supplies & Materials

	1908OCT 2010	10/26/2010	10.31
San Miguel Power Association			
1-20-404	General Fund - ADMINISTRATIVE SERVICES - Utilities		
	18378118	10/28/2010	62.00
1-40-404	General Fund - STREETS & MAINTENANCE - Utilities		
	18378105	10/28/2010	48.00
1-40-532	General Fund - STREETS & MAINTENANCE - Street Lighting		
	18378099	10/28/2010	73.00
	18378106	10/28/2010	7.00
	18378107	10/28/2010	7.00
	18378108	10/28/2010	7.00
	18378109	10/28/2010	7.00
	18378110	10/28/2010	7.00
	18378112	10/28/2010	77.00
1-50-404	General Fund - PARKS, FACILITIES & ENVIRONMENT - Utilities - community center		
	18378118	10/28/2010	62.00
1-50-550	General Fund - PARKS, FACILITIES & ENVIRONMENT - Utilities		
	18378098	10/28/2010	11.00
	18378100	10/28/2010	24.00
	18378101	10/28/2010	26.00
	18378104	10/28/2010	11.00
1-60-404	General Fund - LAW ENFORCEMENT - Utilities		
	18378118	10/28/2010	62.00
2-70-404	Water Fund - WATER DEPARTMENT - Utilities		
	18378103	10/28/2010	87.00
	18378111	10/28/2010	275.00
	18378115	10/28/2010	44.00
	18378116	10/28/2010	46.00
3-80-404	Sewer Fund - SEWER DEPARTMENT - Utilities		
	18378102	10/28/2010	12.00
	18378113	10/28/2010	3,150.00
	18378114	10/28/2010	28.00
	18378117	10/28/2010	92.00
Sani Serv Llc			
1-50-522	General Fund - PARKS, FACILITIES & ENVIRONMENT - Supplies & Materials		
	42996	10/31/2010	100.00
Sunset Automotive			
1-60-602	General Fund - LAW ENFORCEMENT - Vehicle Maintenance & Repair		
	16386	10/19/2010	697.97
	25467	10/20/2010	22.00
	25511	11/02/2010	18.00
Utility Notification Center Of			
2-70-404	Water Fund - WATER DEPARTMENT - Utilities		
	21010613	10/31/2010	17.71
3-80-404	Sewer Fund - SEWER DEPARTMENT - Utilities		
	21010613	10/31/2010	17.71
Xerox Corp.			
1-20-416	General Fund - ADMINISTRATIVE SERVICES - Office Equipment - Leases		
	051322424	11/01/2010	78.80

GL Acct No	Invoice No	Inv Date	Amount
2-70-416	Water Fund - WATER DEPARTMENT - Office Equipment - Leases 051322424	11/01/2010	40.00
3-80-416	Sewer Fund - SEWER DEPARTMENT - Office Equipment - Leases 051322424	11/01/2010	40.00
Grand Total:			<u>40,266.33</u>

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



OURAY COUNTY
 OURAY COUNTY FAIRGROUND
 PO BOX 890
 RIDGWAY CO 81432-0890

License Number 26-48208-0000	License Type 2010
Liability Information 56 017 722410 G 011304	
Business Location 22739 HWY 550 RIDGWAY CO	
Current License Expires JAN 12, 2011	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

Agenda Item 3

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

OATH OF APPLICANT		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.		
Authorized Signature <i>Christine J. Hunt</i>	Date 9-23-10	Business Phone 970-325-7263
Title <i>County Administrator</i>	Sales Tax Number 26-48208-0000	
REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.		
Local Licensing Authority for		Date
Signature	Title	Attest

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

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Business Name OURAY COUNTY	LICENSE NUMBER (Use for all reference) 26-48208-0000		PERIOD 01-12
TYPE OF LICENSE ISSUED TAVERN LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 2010-750(999) \$ 25.00	CITY 85% OAP 2180-100(999) \$ 425.00

ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999)

SUB-TOTAL	\$ 500.00
TOTAL AMOUNT DUE	\$ _____

STAFF REPORT

Subject: Request for water leak and sewer adjustment – RiverView Plaza/Account # 7440.0
Initiated By: Pam Kraft, MMC, Town Clerk
Date: October 27, 2010

BACKGROUND:

We have received a letter requesting a water leak and sewer adjustment for the commercial building at 177 Sherman Street (Riverview Plaza). The water leak was located in the landscaping drip system, and has been repaired.

Staff has reviewed the water and sewer usage history and a leak adjustment on both the water and sewer is recommended. Commercial water usage is charged \$4 after 10,000 gallons, and a leak adjustment is pro-rated at \$3. The monthly sewer charge is \$18 per month, and since the water went into the ground and not into the sewer system, staff is recommending the fees for excess sewer be forgiven. The water credit would be \$43.00 and sewer \$192.23 for a total adjustment of \$235.23.

ANALYSIS:

Pursuant to Municipal Code Section 9-1-23 the Council has the authority to make 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.

FINANCIAL CONSIDERATIONS:

In prior actions the Council has set a precedence and approved water and sewer leak adjustments. Of course there is a loss in revenue when the rate is decreased.

STAFF RECOMMENDATION:

Approve the water/sewer leak adjustment for RiverView Plaza/Account #7440.0 in the amount of \$235.23.

ATTACHMENT 1. Email dated 10-18-10 from Scott Schroeder

From: Scott Schroeder [mailto:scott-1021@live.com]
Sent: Monday, October 18, 2010 4:34 PM
To: Wanda Hunger
Subject: water bill

Hi Wanda,
Here's a follow up letter for RiverView Plaza.(date 10-05-10)
I found and had it repaired,a water leak out by the control box of the irrigation line.
I'm asking for a water adjustment on account 7440.0 it's normally around \$100.00 give or take.

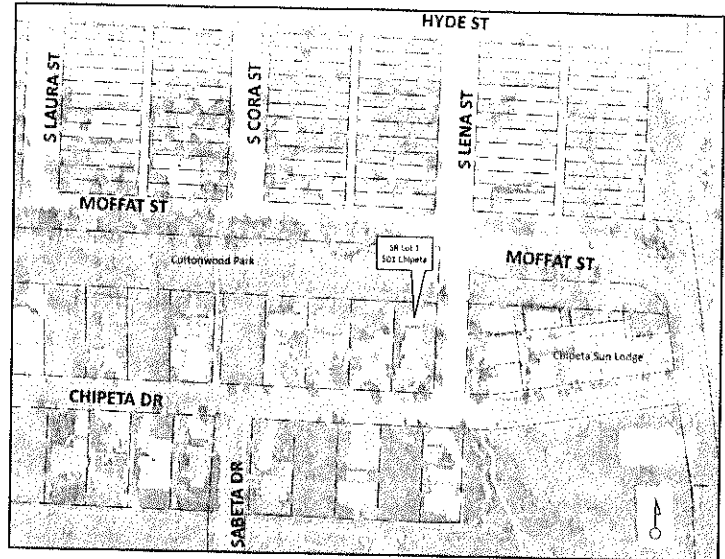
Thank you, Scott Date 10-05-10

STAFF REPORT

Subject: Condominium Subdivision
Location: Lot 1, Solar Ranches, Filing No. 1; 501 Chipeta Drive
By: Jen Coates, Planner
Date: August 27, 2010

BACKGROUND:

This existing residential, duplex building is situated on northwest corner of the intersection of Lena and Chipeta Streets at the north entry to Solar Ranches Subdivision. The property is zoned Residential (R) and the .276 acre parcel (12,023 sf) is designated for two family units per Resolutions 02-05 and 02-10, which establish and amend duplex designations within the Solar Ranches Subdivision and PUD. The structure was built in 1993.



The property has been posted and this hearing noticed per the Town's regulations.

ANALYSIS:

Applicant seeks to subdivide an existing structure creating 2 separate living units/condominiums for individual ownership. The submittal includes an application, a plat map, Condominium Declarations, and Bylaws.

Condominium Subdivision Process

Existing duplexes for which condominiumization is requested are reviewed as Minor Subdivisions pursuant to RMC §7-4-8. This is a recommended approach insofar as the need for a detailed preliminary plat submittal is not truly needed as the Applicant is subdividing a platted and developed lot, and the utility infrastructure and site features are established. RMC §7-4-8(C) requires review in accordance with RMC §7-4-5(C), Final Plat.

Minor Subdivision (RMC §7-4-8)

This request meets all the requirements for review as a Minor Subdivision under RMC §7-4-8 in that there are no more than 2 units, required improvements exist, zoning regulations without the need for variance are met, the lot has not been previously subdivided within the last 3 years, no highway access permit is required, and the subdivision design standards are met. Review of the requirements under Final Plat provisions appear to also have been met.

Solar Ranches PUD

This subdivision involves a minor modification of a planned unit development. The modification is consistent with the efficient development and preservation of the entire planned unit development and does not affect in a substantially adverse manner either the enjoyment of land within the planned development or the public interest, and is not granted to confer a special benefit upon any person. The density or number of units within Solar Ranches is not affected by this subdivision as two 'single family equivalents' were previously approved for this lot per Town Resolutions 02-05 and 02-10.

Condominium Declarations

Staff provided a cursory review of the CCRs for the sole purpose of ensuring that the property tracks with what is being subdivided, and that no inconsistencies with Town regulations appear. Toward these objectives, Article VIII, Sections 8.01 and 8.02 identifies reserved rights subject to the approval of the Town of Ridgway regulations, ordinances, etc. It should also be noted here that these reserved rights are subject to the Solar Ranches PUD, associated documents, and regulations. Subsections b) and i) should be stricken altogether as any increase units on this property may necessitate a full amendment to the Planned Unit Development of Filing No. 1, related documents, and payment of requisite fees and excise tax(es). Subsection 8.04 entitled 'no further authorizations needed' needs to also reference being subject to the Town of Ridgway Ordinances, Regulations, Plat Notes, etc. as in 8.01 and 8.02, and including the Solar Ranches PUD.

The Town Attorney will need to thoroughly review and approve the CCRs prior to recording.

Plat Map

The plat appears to be encompassing with appropriate dedication, certifications, and detail, but remains subject to review and approval by the Town Attorney.

Utilities

Shared blanket utility easements are identified on the plat and the declarations. There is a shared water tap, water can and meter, as well as a shared sewer tap. While this is not ideal, the Municipal Code at this time does not require separate taps or meters for a single structure, only for separate buildings. The covenants speak to an assessment for common expenses and establishment of a working fund.

Excise Tax

Pursuant to RMC §3-4 dwelling units in existence prior to July 1, 1999 are exempt from payment of the development excise tax.

Staff Recommendation

Recommendation to Town Council for approval of Solar Ranches PUD Lot 1 condominium subdivision based upon criteria as listed in this report, with conditions identified below:

1. Final review and revision of condominium declarations, bylaws, and plat map as recommended by the Town Attorney;
2. As built locations of private utilities shall be provided to the Town, if available.

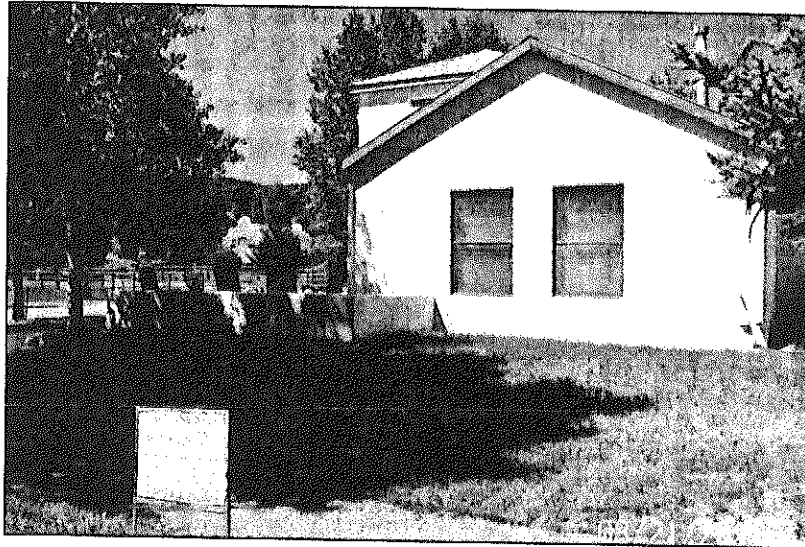


Photo taken from Lena Street, facing west

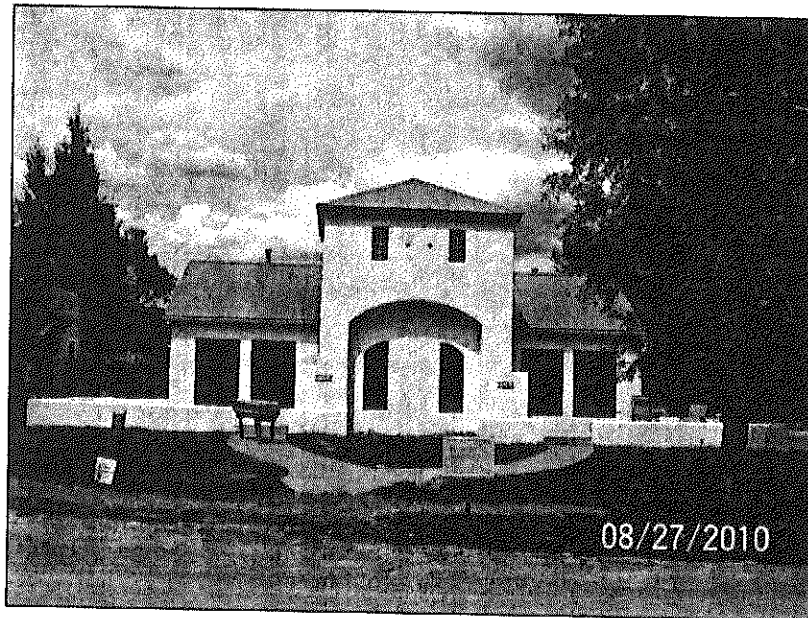


Photo taken from Chipeta Street, facing north

STAFF REPORT

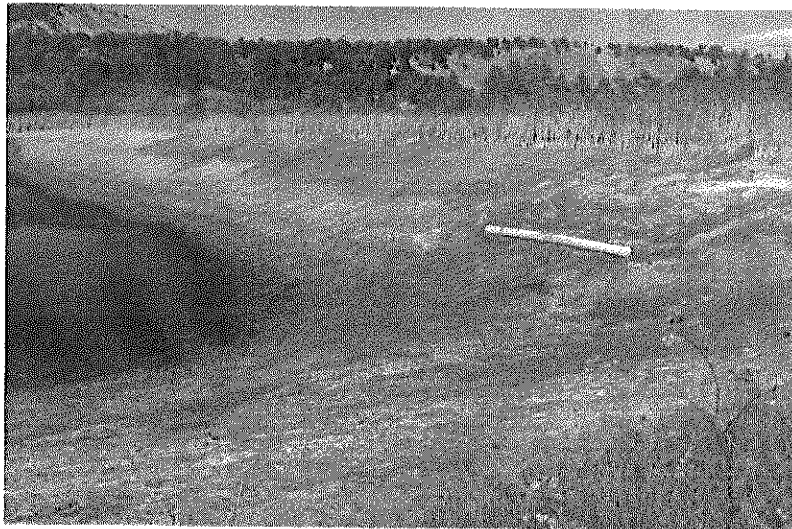
November 4, 2010

This Staff Report is a supplemental Report for inclusion in the Town Council packet and agenda at its regular monthly meeting. It is for informational purposes; items herein may or may not warrant Council discussion, and do not require Council action.

Water

Clean Up

With the cooler and somewhat wetter fall weather, demand for treated water has dropped and staff is using this time to work on the raw water supply system. We dropped the level of the lower pre-sedimentation pond and have started trying to remove the aquatic plant growth from the intake pipe and from the pond in general. Initially we are using mechanical equipment and manpower to try to pull the materials out, but will also be trying to freeze the material and kill it that way. We expect to keep working on this project intermittently through November. The photo below shows the intake pipe after cleaning and the pond sides with some growth, although the vast extent of the growth is much more obvious in real life.



Pureline Contract

As explained in last month's staff report, Pureline, the firm from whom we lease the chlorine dioxide generator (used for taste and odor control), had proposed increasing the lease fee over 2.5 times. At last month's Council meeting council authorized approval of a lease amendment with 60% increase. Pureline has indicated that the amendment we proposed is acceptable and that we should received their signature on the amendment in early November. For the last several weeks, their generator has been operating erratically. Pureline will have someone on site the first week in November to address those problems. Staff is continuing to research alternative methods of generating chlorine dioxide to see if we can find something a bit less expensive and not much more complicated to maintain.

Water Study and Measuring Devices

Staff has installed four ramp flumes on the Ridgway Ditch to more accurately measure how much water we are getting from Beaver Creek and the springs, and how the flow varies as it runs through the Ditch as part of the raw water system study. We only have a couple of weeks of data, so it is too early to draw conclusions. In addition, the staff gauge in Lake O has been in place for about a month. So far the leakage appears minimal but we will have more data to consider in the next few weeks. Staff continues to work with Applegate on the feasibility study for Lake O.

CDPHE Audit

The State Health Department (CDPHE) performed their sanitary survey of the Town's water system and provided their assessment. The district engineer was highly complimentary of Dan's record keeping and operation of the water plant. The report did not note any major deficiencies, but did have a few minor ones. CDPHE adopted new rules for backwash ponds and groundwater, and the Town is working on compliance. We have budgeted for these improvements in 2011.

CDPHE noted two minor deficiencies with the water distribution system. One was the lack of a vent on the Vista Terrace water tank and the other the lack of redundancy for the Vista Terrace pump stations. For the former, we agreed if it was a serious concern (after 30 years) we would add vent next year. On the latter we explained that we have DOLA funds that are planned for upgrading the VT pump stations in 2011. Plans and specification for the Vista Terrace Pump Station are in process, and we hope to bid the work late this fall for 2011 construction. We hope to have a contractor furnish and install the pump stations and the Town will likely install most, if not all, of the new transmission line.

Wastewater

Fairgrounds Lift Station

We are pursuing a couple of easement options for installation of the force main along Hwy 62, and will wrap up the lift station project.

Nutrient Criteria

It appears that CDPHE staff may propose to exempt lagoon systems from the very stringent limits that are currently proposed for nutrient criteria stream standards, in part due to the excessive costs for lagoons to comply. Staff is participating in a work group with CDPHE that will draft criteria for exemptions and variances. We should know in mid November whether exempting lagoons will be the official CDPHE position. Whether it is or not the Town will want to stay involved in the rule making process so that the final rule reflects something that will at least postpone the costs of meeting very stringent nutrient criteria until there is a real need to do so from a water quality perspective. Even if lagoons are exempted, there will be some increased monitoring (and costs) that all dischargers will be required to complete.

Energy Audits

With the assistance of The New Community Coalition and the Western San Juans Community Energy Board, staff submitted a letter of interest to the Governor's Energy Office for a pilot program to have energy audits performed on the water and wastewater systems. Power consumption at the wastewater plant is almost \$40,000 a year. A few years ago, Council agreed to buy some renewal energy from SMPA for the plant, but the plant still has a very large energy and carbon footprint. The audits appear to require some matching but the details today are uncertain on the form of the match. The City of Ouray also submitted a letter of interest.

Streets and Drainage

Hwy 62 Improvements

We have not heard anything new from CDOT on the bridge (2012) or the 3 lane project design (2016). At the State Transportation meeting in late October, they indicated that both projects are still on track.

Staff did communicate with CDOT about centerline pedestrian crossing signs for the Lena Street crosswalk at Hwy 62, and was told that CDOT only allows those signs on three lane highways, and the highway as configured did not qualify for placement of the signage. The request for the directional sign for the Dennis Weaver Memorial Park was more successful and CDOT will be erecting a sign entitled "Dennis Weaver Town Park". State regulations require the terminology "Town Park", and also require signage for the bathrooms

located in the BLM parcel just south of the park. The Town is responsible for purchase and installation of the directional bathroom signage.

Winter Prep

In preparation for winter, staff has gone back through and cleaned problematic culverts and checked others. We are trying to get through all the culverts at least once a year and most of them twice a year. We have also been touching up the more travelled streets after the rain and snow events.

Parks and Open Space

Winterizing

Public works and parks staff drained the non potable water system in late October and did a little maintenance of the system as well.

Mosquitoes

At the County's request, staff presented our Mosquito Control Report to the BOCC. The BOCC was extremely pleased with our success in control mosquitoes this year and highly complimentary of George's efforts and expertise and his ability to work with the landowners.

Landscaping

The bulb outs on Lena and Cora Streets got a face lift in October. We removed the mostly gravel material in the bulbs and replaced it with topsoil and then planted the bulbs with wildflower seeds. We have asked the adjoining land owners to water and maintain the bulbs.

Bridges

Staff is working with Dean Bosworth, the structural engineering with whom we frequently work, to develop an inspection and maintenance plan for the pedestrian bridges.

Athletic Park Bathrooms

With the completion of the sewer tie-in and when the electrical improvements are completed for the bathrooms at the athletic park, staff would like to explore the option of leaving the bathrooms open during daytime hours. The Marshal's Office would be locking the bathrooms at night as is done with the facilities in Hartwell Park.

Enhancement Projects

Phase 2

We still have quite a bit of paperwork to complete for CDOT to close out the Highway 62 pathway project. We hope to have that closed out by mid December.

Phase 3

This phase (Hwy 550 crossing and sidewalk along the south side of Hunter Pkwy and down Palomino Trail) is in the design phase and planned for construction in 2011. The funds have been awarded and we are awaiting and IGA with CDOT.

Phase 4

At the TPR (Transportation Planning Region) meeting in late October, Joanne and Jen presented the final project and the committee approved the Town's selected plan for the phase 4 project. The project includes crosswalks at Railroad and Cora (assuming we successfully justify the walk at Cora), a block of sidewalk on South Railroad from Hwy 62 to Hyde Street, and a ped/ bikepath from Hunter Parkway to the existing path around the pond at the Ridgway Village Condos. CDOT notified the Town that they would fund the project at 80% up to \$280,000 rather than the \$240,000 cap initially offered.

Gunnison Round Table

The Gunnison Round table did not meet in September; however the Marketable Pool Sub-Committee did. That is a group of Gunnison and Arkansas basin folks that are working on figuring out whether there is water or storage capacity in Blue Mesa that might be used to address compact calls or for other purposes. The subcommittee evaluated uses for the "marketable pool" water if there is water or storage available. The sub-committee is also working with the other roundtables to see about sending a delegation to DC to talk with USBR officials about use of Blue Mesa to meet various calls.

Gunnison Valley Transportation Region

As mentioned earlier the TPR committee awarded the Town \$280 in enhancement funds to complete additional sidewalk and crosswalk improvements in Town. The Chairman of the commission also indicated that transit funds for capital projects are available. Improvements to the Park and Ride lot at the fairgrounds appear to qualify for these funds. Staff will work toward identification of improvements required so as to be prepared for future funds.

BLM UFO Plan Update

The next stakeholder meeting is planned for January

Ouray County Housing Board

Last year the Ouray County Housing Authority partnered with the San Miguel Regional Housing Authority on a grant application for a regional housing needs study. The contract has finally been executed and the participating parties are meeting with the consultant to kick off the project on November 11th. The consultant is RRC/ Rees Consulting. Rees was the consultant for the OCHA on the Ouray County Action Plan in 2009. The October meeting of the OCHA was cancelled. The next meeting is on Nov. 11.

Marshals Department

The Marshal's Department continues to work with the Montrose PD on the investigation for the burglaries this summer. As the investigation is continuing, there is nothing to report at this time.

The Department is working on a Penalty Assessment schedule for review by the Council upon completion. This schedule defines fees associated with code violations.

Planning Commission

During the October meeting, the PC continued discussion of the 2011 Land Use Update by evaluating the 2000 Land Use Update, the 2009 Community Survey, and the 2009 Strategic Plan. In November, the Commission will review regional studies (Alternative Futures for the Telluride Region and the Theobald Buildout Analysis), and will consider a proposed scope for the Update, which will be forthcoming to the Council. The community is encouraged and welcome to attend these preliminary meetings, and as we move forward, there will be additional outreach efforts.

Seasonal Staff

In mid-October we held a thank you gathering for the seasonal staff. We are grateful for another successful season and all the hard work completed by the crew.