

RIDGWAY TOWN COUNCIL  
MINUTES OF REGULAR MEETING  
SEPTEMBER 9, 2009

CALL TO ORDER

The Mayor Pro Tem called the meeting to order at 5:35 p.m. in the Community Center at 201 N. Railroad Street, Ridgway, Colorado. Members in attendance were Councilors Hebert, Hunter, Hynes, Johnson, Weaver and Mayor Pro Tem Clark. Mayor Willits was absent.

CONSENT AGENDA

1. Minutes of the Regular Meeting of August 12, 2009.
2. Minutes of Workshop Meeting of August 26, 2009.
3. Register of Demands for September 2009.
4. Resolution pertaining to the allocation of lodging tax funds.
5. Request for water leak adjustment - Account #2890.0/Phillips.
6. Request for water leak adjustment - Account #3510.0/Johnson & Middleton.

ACTION:

It was moved by Councilor Hunter and seconded by Councilmember Hebert to approve the consent agenda. The motion carried unanimously.

DEPARTMENTAL REPORTS

7. Quarterly report from the Police Department

Marshal Scott distributed a written report of actions taken to date in 2009, with comparisons back to 2002. He discussed the document with the Council, noting 654 report numbers have been used this year, and last year at the same time 854 had been issued. Statistics were presented, and employee training, shift coverage and scheduled vacations, patrol units and special event coverage were reviewed.

PUBLIC REQUESTS AND PRESENTATIONS

8. Request for reimbursement of alley repairs off S. Lena Street, between Hyde and Sherman Streets

David Patterson explained three years ago building construction adjacent to his home, and down the alley, left the alley between Hyde and Sherman Streets in need of repairs. He stated the contractors did not repair the damage they created, and last year he repaired the alley, including the purchase of road base and gravel, at his own expense. He noted this summer the Town has been repairing alleys throughout Town, and requested reimbursement of \$1969.20 for time and materials he incurred in the repairs. He also

expressed concerns regarding the loss of gravel at the entrance to the alley from Highway 62, as rains move the materials and create an unsafe driving surface.

There was discussion between staff, Council and Mr. Patterson.

The Council agreed they would not honor the request for reimbursement, as Mr. Patterson chose to perform the repairs without consulting the Town. It was noted by staff there is a history of requesting permission from the Colorado Department of Transportation to repair infrastructure to mitigate drainage problems along Highway 62 and no solutions have been reached. Town Engineer Joanne Fagan said she would contact the agency and ask if a valley pan can be installed at the turn off into the alley.

## PUBLIC HEARINGS

### 9. Introduction of ordinance regarding rate changes for water and sewer service

Memorandum dated 9-3-09 from the Town Manager presenting a working paper on monthly water and sewer rate adjustments.

Town Manager Greg Clifton reported the draft ordinance is in follow up to discussion at a workshop meeting, and presentation at the prior regular meeting. He explained pursuant to state law, the water and sewer departments must be treated as business enterprises, and enterprise funds can not be subsidized and need to be paid through rates and connection fees. The enterprise funds are beginning to operate at a loss, as revenues are not meeting the annual expenses. A comparison of operating revenues and expenditures was presented. He noted water rates have not been raised since being established in the early 1980's; and sewer rates were adjusted in 2001 by \$3 over three years. The Town uses grant and loan monies to fund capital improvement projects, and lenders require the fund be self sustaining. Manager Clifton presented an update on the financing package recently acquired for replacement of main water lines, which have "outlived their useful life". A graph of residential water and wastewater tap fees and rate comparisons was displayed.

Public Works Director Joanne Fagan explained for the audience the water line replacement project, and what it will entail. She further noted the water base rate was established in 1983 at the time the original water line mains were installed, and due to inflation and progressive changes in costs, expenditures now exceed income.

There were questions from the following members of the audience: Jack Young, Gary Redman, David Patterson, Scott Kennett, Judy Snelling and Ed Folga regarding the proposed replacement of water lines; materials used in the original installation; location of the lines; base rate increases for commercial usage and residential rates.

## ACTION:

Councilmember Johnson moved, with Councillor Weaver seconding to introduce Ordinance No. 09-08 Enacting Rate Changes for Water and Sewer Service. The motion carried unanimously.

### 10. Consideration of adoption of an emergency Ordinance of the Town of Ridgway, Colorado Acting By and Through Its Water Enterprise, Approving Loans From The Colorado Water Resources and Power Development Authority to Finance Upgrades and Replacement of Failing Service Lines; Authorizing the Execution of Loan Agreements and Bonds to Document the Loans; Providing for Payment of the Bonds; and Declaring An Emergency

Town Attorney John Kappa presented an ordinance approving loan agreements and bonds, which was required by the lender funding the loan for replacement of the main water service lines. He noted receipt of stimulus fund monies requires construction begin by October 20th, which necessitates the ordinance be adopted as an emergency measure.

**ACTION:**

Councillor Hebert moved to adopt emergency ordinance No. 09-09 of the Town of Ridgway, Colorado Acting By and Through Its Water Enterprise, Approving Loans From The Colorado Water Resources and Power Development Authority to Finance Upgrades and Replacement of Failing Service Lines; Authorizing the Execution of Loan Agreements and Bonds to Document the Loans; Providing for Payment of the Bonds; and Declaring An Emergency. Councillor Weaver seconded the motion and after a call for the vote it carried unanimously.

**LAND USE ISSUES**

11. Recommendation to approve variance to building height regulations to construct a tower at the Ouray County Fairgrounds; Location: 22737 Highway 550; Zoned: General Commercial; Applicant: Board of Ouray County Commissioners

Town Planner Jen Coates presented a recommendation from the Planning Commission to approve a variance to building height regulations to allow construction of a 65.6 foot tower at the Ouray County Fairgrounds to install an anemometer. This wind measuring device, received through application to the Governors Energy Office and administered through Colorado State University, will determine the feasibility of small-scale wind development for alternate energy use.

Planner Coates noted the variance granted by the Commission does not require Council approval, but the fairgrounds property is leased by the Town to the County, and staff agreed it would be appropriate for the Council to approve the use, since it affects the lease agreement.

**ACTION:**

Moved by Councillor Hunter, seconded by Councillor Weaver and unanimously carried to authorize placement of an anemometer tower on the fairgrounds property per the approval of a variance by the Planning Commission.

**POLICY MATTERS**

12. Report on drainage issues at Redcliff Condominiums

Memorandum dated 9-3-09 from the Building Inspector presenting a follow up to a request at the 7-8-09 meeting at which time the Council directed staff to ensure that all requirements of building approval pertaining to drainage for the Redcliff Condominiums have been addressed.

Town Building Inspector Bill Behan presented an overview of his memorandum presenting the drainage requirements on the building plans, a memorandum from the Ouray County Building Department, which were performing building inspections at the time, and discussions at the 12-14-05 Council meeting. He stated after observing the existing drainage elements during recent rain events, they are not functioning properly.

There was discussion between Council and the Building Inspector regarding requirements of construction, and with the Town Attorney regarding code provisions. It was agreed staff should document which elements are not functioning adequately and determine what can be done from a legal perspective to require changes to ensure proper mitigate of the situation.

13. Report on expenses and receipts for 2009 community events

Staff Report dated 8-26-09 from the Town Clerk/Treasurer presenting expenses and receipts for 2009 community events.

The Town Clerk explained the Town sponsored two community events this year, the 14th Annual Love Your Valley Festival and the 2nd Annual Pickin' In the Park Concert Series. The Valley Festival was a one day event held in June. The Concert Series was held weekly over a four week period. Both events were held in Town Park, and at both events revenues were generated through beer tasting at the Valley Festival and beer sales at the Concert Series.

The total cost associated with the events was \$33,751.61 and revenues generated were \$16,163.36. The difference is the cost bore by the Town - \$17,588.25, which were taken from a budgeted line item of \$22,000, coming in under budget by \$4,411.75.

She reported costs for the Valley Festival were \$5117.28 with income of \$5220.00, noting there were non-monetary contributions made from the breweries, which all donated beer. The concert series expenses of \$28,634.33, then generated \$10,943.36 from business sponsors and the beer sales. She noted there were also non-monetary contributions made in the form of lodging for musicians, beer and advertising.

14. Award of contract for reservoir enlargement study

Town Manager Clifton explained a feasibility study to enlarge the water reservoir has been funded through a grant with the Colorado Water Conservation Board. A request for proposals from engineering firms generated four responses, and staff would like to review the documents and award the contract before the next regular meeting of the Council.

The Council agreed to schedule a special meeting to award the bid and approve the contract, in addition to awarding the contract for replacement of the main water lines throughout Town.

STAFF REPORTS

There were questions from the Council pertaining to the written Staff Report dated September 9th, and discussion ensued. The Town Manager suggested submitting an application for highway enhancement funds for a pedestrian crossing at Highways 550 and 62, and the Council agreed.

ADJOURNMENT

The Mayor Pro Tem adjourned the meeting at 8:15 p.m. to a workshop meeting on Wednesday, September 16, 2009, at 5:30 p.m.

Respectfully Submitted,

Pam Kraft, MMC  
Town Clerk