



**TOWN COUNCIL MEETING
September 28, 2020**

Minutes

1. The meeting was called to order at 6:01 P.M.
2. The Pledge of Allegiance took place
3. Roll Call: Present were Barber, Buford, Kurtz, Pepper, Smith, Romero, Watkins
VIA GoTo: Phillip Malouff, TA, Pat Cole, Guest
4. There were no additions to the agenda.
5. The agenda was approved 7-0. Romero (M), Kurtz (S)
6. Consent Agenda: A. The meeting minutes from September 14, 2020 were approved. 7-0
Watkins (M), Smith (S)

7. Old Business
 - A. The Columbine License has been completed and issued.
 - B. The parking ordinance has been updated by Mr. Malouff (TA) and presented to the council. The ordinance will be available for citizens review on the town website and placed on the October 26 meeting for adoption.
 - C. A setback has taken place concerning the towing contract and negotiation are ongoing.
 - D. The contractor has visited the site and it putting together a bid.
 - E. Town 1.) Letters were sent in regard to weed control to 8 large land owners for weed Control.
Cemetery: Discussion took place on the cemetery ordinance and the posting of the rules. Ms. Kurtz will work on a proposal for the next meeting.
Reservoir updates: the repair work evaluation is ongoing by GMS. There are still problems with the dumping of trash and fisherman not picking up after themselves.
 - F. The Conestoga Park tree project is ongoing with damage being worse than previously thought. More trees will have to be taken down. Pictures of damages are on the town website for citizen viewing.
 - G. Cares Act-No News from County Commissioners
 - H. The Computer Chip for the water billing system is being ordered.
 - I. The maps concerning the expansion west of Ordway were presented.
 - J. Discussion took place concerning the demolishing process for 123 Arkansas.
8. Public Comment: (those individuals interested in speaking, please sign in at the beginning of the meeting. Please limit public comments to five minutes.
NONE

*The following information was provided to the public for them to participate in the meeting.

Ordway Town Meeting

Mon, September 28, 2020 at 6:00 PM - (MDT)

Please join my meeting from your computer, tablet or smartphone.

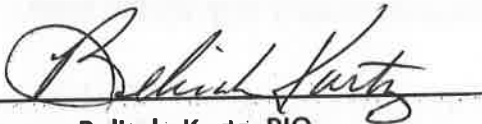
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Belinda Kurtz, PIO

10-26-20
Date

ORDINANCE NO. _____

**AN ORDINANCE LIMITING ON-STREET
PARKING OF CERTAIN VEHICLES**

WHEREAS, the Town of Ordway is experiencing crowded streets due to the unqualified parking of large oversized vehicles on the streets of Ordway;

WHEREAS, the purpose of this ordinance is to regulate the parking of trucks, trailers and other similar vehicles and equipment of a certain size upon roadways within residential neighborhoods. Said vehicles and equipment tend to block the view of other vehicles and children playing in these neighborhoods as well as negatively impacting the aesthetics of the residential neighborhood.

WHEREAS, This ordinance further provides for a restriction of the parking of said vehicles upon single-family residential properties in order to further protect the health, safety and general well-being of the residents of Ordway;

NOW THEREFORE, BE IT ORDAINED as follows:

Section 1. New Sections 10.20.60 through 10.20.069 are enacted as follows:

10.20.060 Definitions. As used herein, the reference to truck, tractor, tractor trailer, trailer body, mobile home, house trailer, camper trailer, bus or any similar vehicle or equipment means vehicles or equipment having an overall length in excess of twenty (20) feet or a height of more than nine (9) feet.

10.20.061 Express or implied consent of property owner required.

It is a violation for any person to park or cause to be parked any vehicle upon any private or public property in the Town without the express or implied consent of the owner or person in possession and control of the property nor for a time period in excess of that time for which consent was given by the owner or person in possession and control of the property.

10.20.062 Designation of areas of implied consent; revocation as regards to posted areas; sign specifications.

- a. There shall be an implied consent to park in areas set aside for parking on any public or private property, except on property used as a single-family residence.

b. **Off-street parking prohibitions.** It shall be unlawful for anyone to store trucks, trailers or commercial vehicles, recreational vehicles, motor homes, travel trailers or campers as defined in this ordinance, on properties in residential zoning districts unless they comply with the following rules:

(1) Such storage shall not be located closer than three (3) feet to any side or rear lot line and ten (10) feet of any street line.

(2) Travel trailers or campers shall not exceed thirty-five (35) feet in length and eight (8) feet in width.

(3) Only one (1) such travel trailer or camper shall be permitted to be stored outdoors in any required yard setback areas of a lot on any residential zoning district.

(4) No travel trailer or camper stored in conformance with this subsection shall remain in such storage for longer than twelve (12) consecutive months.

(5) Any such vehicle stored in accordance with this subsection shall not be occupied and shall not be provided with utility connections other than required for vehicle maintenance and shall not be used for storage of any non-recreational material.

(6) The within section shall not apply to the storage of any construction vehicles engaged in construction for an active construction site.

(7) Only one (1) commercial vehicle of a rated capacity not exceeding two (2) tons with two (2) axles, owned or used by a resident of the premises, shall be permitted to be regularly parked or garaged on a lot in any residential zoning district. For purposes of this ordinance a commercial vehicle is a bus and/or vehicle advertising matter intending to promote the interest of any business, whether or not said vehicle is registered as a commercial vehicle with any State Division of Motor Vehicles.

c. **Prohibition.** No person shall park or leave standing any motor vehicle upon any residential lawn area. Lawn area is defined as the property from the front of a residential house, condominium, or cooperative to the

street line other than a driveway, walkway, concrete or blacktopped surface parking space.

Section 2. Effective Date. This ordinance shall become effective on November 1, 2020.

INTRODUCED, PASSED on first reading this 28th day of September, 2020.

ADOPTED on second reading this _____ day of October, 2020.

TOWN OF ORDWAY

Gerald Barber, Mayor

ATTEST:

Ruth Froman, Town Clerk

[SEAL]

ORDWAY VALLEY VIEW CEMETARY RULES

12.20.120 Fences, railings, decorations, and planting of vegetation.

Fences, railings, hedges and other obstructions and decorations other than flowers, vases, wreaths, and flags are prohibited, , and will be removed without notice. All decorations of lots or spaces and planting of vegetation within the cemetery shall be under control, supervision, and direction of the superintendent, who will governed by the rules and regulations of the cemetery.

(Ord. 274 § 12, 1969)

12.20.140 Prohibitions within cemetery

No person in the town cemetery shall:

- A. Drive or ride any machine or animal on lots, lawns, or walks;
- B. Drive an automobile or other vehicle in excess of twenty (20) miles per hour or such lesser speed as shall be prudent under the conditions and circumstances then existing;
- C. Discard papers, boxes and other unsightly articles in the cemetery;
- D. Cause any employee to do work for lot owners without and order from the superintendent or give any employee and valuable consideration to do work for the lot owner;
- E. Do work on the grounds, except by permission of the superintendent;
- F. Perform, or cause to be performed a burial in the cemetery on Sunday without a special permit therefor issued by the board of trustees on written recommendation of the health officers;
- G. Disturb the birds or fowl in any way, this includes, hunting, discharge of any firearms and/or other missiles withing or over any portion of the cemetery or around the gates, fences or roads adjoining the dam, expect as a part of military funerals or similar occasions;
- H. Deface, damage, or destroy or injure any monuments, markers, signs and/or other property in the town cemetery.

Revised 10-26-2020 (Ord. 274 § 13, 1969)

Combined AP / Payroll Check Register Report - FNB - General Checking-92195601

Bank: FNB - General Checking-92195601, Status = 'O'

For The Date Range From 10/1/2020 To 10/23/2020

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
29542	C	AP	10/1/2020	United States Postal Service	\$251.00	O
29543	C	PR	10/9/2020	Sprosty, Desire'	\$929.65	O
29544	C	AP	10/9/2020	Ben's Gas House	\$761.95	O
29545	C	AP	10/9/2020	Black Hills Energy 1373413495	\$839.71	O
29546	C	AP	10/9/2020	Black Hills Energy 2225362617	\$21.91	O
29547	C	AP	10/9/2020	Black Hills Energy 8585463108	\$1,166.30	O
29548	C	AP	10/9/2020	Crowley County Commissioners-Water	\$3,940.42	O
29549	C	AP	10/9/2020	Crowley County Adm - Law/Dispatch	\$5,287.95	O
29550	C	AP	10/9/2020	Dana Kepner Company	\$155.47	O
29551	C	AP	10/9/2020	DPC Industries, Inc.	\$30.00	O
29552	C	AP	10/9/2020	Earl Simon Pipe Cleaning	\$9,549.45	O
29553	C	AP	10/9/2020	Gobin's Inc.	\$122.96	O
29554	C	AP	10/9/2020	Ingram	\$317.10	O
29555	C	AP	10/9/2020	Mendenhall & Malouff, RLLP	\$820.00	O
29556	C	AP	10/9/2020	Ordway Building Supply	\$92.21	O
29557	C	AP	10/9/2020	Prairie Automotive	\$162.55	O
29558	C	AP	10/9/2020	Precision Pest Control	\$35.00	O
29559	C	AP	10/9/2020	SE & E Central Recycling Association	\$549.78	O
29560	C	AP	10/9/2020	Verizon	\$130.01	O
29561	C	AP	10/9/2020	Walmart	\$78.48	O
29562	C	AP	10/9/2020	Waste Connections Misc Billings	\$720.96	O
29563	C	AP	10/9/2020	Waste Connections Company	\$10,931.81	O
29564	C	AP	10/9/2020	Rusler Implement Company	\$235.29	O
29565	C	AP	10/9/2020	Clean Valley Recycling	\$135.00	O
29566	C	AP	10/9/2020	Secom	\$278.54	O
29567	C	AP	10/9/2020	Companion Life	\$192.47	O
29568	C	AP	10/9/2020	Crowley County School District	\$85.21	O
29569	C	AP	10/9/2020	Nationwide	\$747.74	O
29570	C	AP	10/9/2020	Utilibills Com	\$199.00	O
29571	C	AP	10/9/2020	Black Hills Energy #6900	\$515.31	O
29572	C	AP	10/9/2020	Cindy Karle	\$800.00	O
29573	C	AP	10/9/2020	Jamie Pickerill	\$2.90	O
Colorado Department of Revenue-W/H Tax	E	AP	10/9/2020	Colorado Department of Revenue-W/H Tax	\$580.21	O
Colorado State Treasurer	E	AP	10/9/2020	Colorado State Treasurer	\$192.70	O
Colorado Water Resources & Power Development	E	AP	10/9/2020	Colorado Water Resources & Power Development	\$30,169.25	O
Internal Revenue Service	E	AP	10/9/2020	Internal Revenue Service	\$4,423.59	O
R548E54	E	PR	10/9/2020	[REDACTED]	\$1,025.29	O
R548E58	E	PR	10/9/2020	[REDACTED]	\$1,081.87	O
R548E60	E	PR	10/9/2020	[REDACTED]	\$847.68	O
R548E61	E	PR	10/9/2020	[REDACTED]	\$458.40	O
R548E62	E	PR	10/9/2020	[REDACTED]	\$1,800.85	O



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Report Periods

System Options

FILE NEW REPORT

DOWNLOAD SPREADSHEET TEMPLATE

This template is used for uploading case and asset information on your reports.

YOUR REPORTS:

Refresh

Report Period	Organization:	Status	Action
2020-01-01 through 2020-06-30	Ordway, Town of	Submitted	<input type="checkbox"/>
2019-07-01 through 2019-12-31	Ordway, Town of	Published	<input type="checkbox"/>

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CROWLEY COUNTY BOOSTER CLUB MEMBERSHIP TIER OPTIONS

Platinum \$350

- 3 x 5 sign on football field
- Booster Club Membership Certificate
- Advertisement in all sports programs
- Free Admission (2 people) to 4 games
- 2 Charger Car Decals

Gold \$200.00

- 3 x 5 sign on football field
- Booster Club Membership Certificate
- Advertisement in all sports programs
- Free Admission (2 people) to 3 games

Silver \$100

- Booster Club Membership Certificate
- Advertisement in all sports programs
- Free Admission (2 people) to 1 game

Red \$50

- Booster Club Membership Certificate
- Charger coffee mug
- 1 Charger Car Decal

Charger \$25

- Booster Club Membership Certificate
- 1 Charger Car Decal

Sensus Meter Data Equipment

Omni Pro Communication Tool

Qty	Unit	Description	Price	Total Price
1	1.0 EA	UNI PRO 2, COMMUNICATION TOOL, USB	\$346.77	\$346.77
				\$346.77

Total Units: 1.0

Average Cost per Each: \$346.77

- iii. The number of Medical Marijuana Testing Facilities located in the Town shall be limited to one (1).
- iv. The number of Retail Marijuana Testing Facilities located in the Town shall be limited to one (1).
- B. Notwithstanding the enactment of this chapter, no other Medical or Retail businesses shall be allowed or licensed within the Town other than those listed in this section.
- C. Upon receipt of more applications for more marijuana dispensaries of any kind than are allowed under this section, the Town shall act upon only the first completed applications submitted and reject all subsequent applications.

INTRODUCED AND READ IN FULL, PASSED, ADOPTED AND ORDERED
PUBLISHED ON the ____ day of October, 2020.

Town of Ordway

Gerald Barber, Mayor

ATTEST:

Ruth Froman, Town Clerk

INVOICE

Jacques Wiggins
 J and M Tree service
 Commercial and Residential Tree Service
 719 568 0532

Town of Ordway
 Conestoga Park, Ordway Colorado. 81063

Invoice # 20017

Invoice Date 09/29/2020

Due Date 09/29/2020

Item	Description	Unit Price	Quantity	Amount
Service	Stump Removal	160.00	19.00	3,040.00
<p>NOTES: Notes: Removal of stump with stump grinder and cleaned up. Stump will be removed up to 1 or 1.5 inches under ground level.</p> <p>ANY ADDITIONAL STUMBS WILL BE AT \$160.00 per Stump</p> <p>Payment is accepted by Check Cash or Card Please make all Checks out to J and M LLC.</p> <p>Thank you for your Business</p>				
Subtotal				3,040.00
Total				3,040.00
Amount Paid				0.00
Balance Due				\$3,040.00



Trujillo Tree Trimming Inc.
Michael Trujillo – owner
Fowler, CO 81039

Bid for: Town of Ordway
Date 8/9/2020

City park

Trim 77 trees, cut down 7

-Cut only (without clean up, 8ft lengths max) = \$18,750

-Full clean up = \$26,500

Reservoir

Trim 13 trees, cut down 3

-Cut only = \$3,900

-Full clean up = \$5,250

Combined Totals (park/reservoir)

Cut only = \$22,650

Full clean up = \$31,750

Estimated Start Date – October

Job Length – cut only 2-3 weeks, full clean up 3-4 weeks

No Deposit to start. Payment in 25% increments as job is finished.

CIRSA LIABILITY ALERT

Website Accessibility for ADA Compliance (cont.)

Addressing Accessibility and DOJ Resources. According to the DOJ, one way to help meet the ADA's effective communication requirements is to ensure that your websites have accessible features for people with disabilities. Another option is to provide an alternative, accessible way for citizens to use the programs or services otherwise provided on-line, such as a staffed telephone information line. But these types of alternatives can be cost-prohibitive and according to the DOJ, are "unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available."

The DOJ has published a variety of resources to assist municipalities in assessing website accessibility issues and options for compliance. Click [here](#) for the Website Accessibility chapter from DOJ's "ADA Best Practices Tool Kit for State and Local Governments." And click [here](#) for a related DOJ document that includes additional technical information for web developers. This document includes links to information about web features that can make a web page more accessible or less accessible to persons with disabilities, and to web design standards.

Website Accessibility Standards. Neither the ADA nor related regulations dictate exactly what technical standards must be met to make a website ADA compliant, but recent DOJ settlement agreements are insightful. For example, through several voluntary compliance agreements with Colorado municipalities—which are entered to settle pending or potential enforcement actions—the DOJ has required compliance with the Web Content Accessibility Guidelines ("WCA Guidelines") developed by the Web Accessibility Initiative.

The WCA Guidelines are technical standards intended to provide "a single shared standard for web content accessibility," including information on "how to make web content more accessible to people with disabilities," addressing both natural content—e.g., text, images and sounds—as well as underlying code and markup that defines the website's structure and presentation. These settlement agreements also typically include requirement for periodic reviews, additional training, and clear notices of how and where individuals can request accessible information and provide input on accessibility issues. You can click [here](#) to review (at pages 11-12) the terms of DOJ's 2018 settlement agreement with Denver regarding accessibility to web-based services and program.⁶

Conclusion. As noted in the Denver Post story, the recent rash of website accessibility lawsuits filed in the Colorado federal courts is the result of aggressive tactics of an out-of-state law firm. While these tactical lawsuits have been on the rise in other states too, as reported [here](#), the underlying issue of website accessibility is real...and an issue that should be proactively addressed. Checking up on your compliance may prevent you from being the target of this recent trend in "click-by" claims but, more importantly, will confirm your commitment to the letter and spirit of the ADA, and to serving the needs of your community.

If you have any questions regarding this article, please call our Liability Hotline at 720-605-8002 to speak to CIRSA's General Counsel, Sam Light. In addition, if your entity is interested in ADA Coordinator training, please contact Eileen Chavez at eileenc@cirsa.org for information on these CIRSA-sponsored workshops. The final 2020 workshop is scheduled for November 19 in Ouray—click [here](#) for more information—and workshops are currently be scheduled for 2021.

¹ For reflections on the ADA at 30, see this [article](#) authored by CIRSA Executive Director Tami Tanoue and CIRSA Loss Control Manager Greg Barlow.

² 42 United States Code (U.S.C.) § 12132.

³ 28 CFR § 35.160(a)(1).

⁴ *ADA Best Practices Tool Kit for State and Local Governments*, Chapter 3, "General Effective Communication Requirements Under Title II of the ADA," available at [this link](#).

⁵ *Accessibility of State and Local Government Websites to People with Disabilities*, published by U.S. DOJ, Civil Rights Division, Disability Rights Section, available at [this link](#).

⁶ Pursuant to provisions of the Rehabilitation Act of 1973, recipients of federal assistance can be subject to specific website accessibility standards. A discussion of the Rehabilitation Act requirements is beyond the scope of this article.