

**OURAY CITY COUNCIL VIRTUAL REGULAR MEETING
SUMMARIZED MINUTES
MONDAY, April 20, 2020, 1 PM**

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800-941-0912 Pin: 594536#

- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Action may be taken on any agenda item
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Development Committee, Beautification Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 1:01 pm.

2. ROLL CALL

Mayor Greg Nelson - present
Mayor Pro Tem John Wood - present
Councilor Glenn Boyd - present
Councilor Ethan Funk - present
Councilor Peggy Lindsey – present

Also present were Acting City Administrator Melissa Drake, City Resources Director Rick Noll, Public Works Director Joe Coleman, Community Development Coordinator Aja Tibbs, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster and City Attorney Carol Viner.

3. CEREMONIAL/INFORMATIONAL

a. CEDC Update

Pre-COVID-19, the CEDC wanted to apply to the Colorado Main Street Program for affiliate status. CEDC is asking council for permission to pursue. Affiliate status is the lowest tier in the program. This program will plug the city into resources for funding and support

b. 2020 Census Update

Quite a few deadlines have been extended to October 31st, 2020. Door-to-door activities have been pushed to September/October. Census forms can be filled out right now over the phone or online. Response rates so far for State is about 48%, Ouray County is around 28% and the City of Ouray is around 10%.

Option to allow people to make appointments at the library, get prescreened and fill out census form online from library computers. With warmer weather, could also set up outside.

4. CITIZENS' COMMUNICATION

Ryan Hein is asking on behalf of OCRA to grant forbearance for one month at 1 EQR rate for all restaurants and businesses

Robert Stouffer 401 6th ST – would like to ask about flowers. Staff and council confirmed that will be included in Item 8j.

Kim Davis stands behind Ryan Hein's request.

5. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – weekly MAC group every Wednesday, login info on county website. Starting mental health recovery group this week.
- b. **Ethan Funk** – opportunity to cost share in trenching for long term water plan for Ice park, also burying power lines. Proposal is to share costs between Ice Park, San Miguel Power and City. Councilor Funk will pass on relevant information to Wright Water Engineers to prepare trench info
- c. **Peggy Lindsey** – Beautification committee has met twice, wants to buy flowers that do not require a gardener. Committee believes the flowers are a source of joy for the residents and visitors alike.
- d. **John Wood** – CEDC was exposed to CTO program roll out for after virus scare is over, CEDC will share with community after meeting.
- e. **Greg Nelson** – Economic relief activities with various groups in the area, including the Women's Club, Telluride Foundation, Center for Mental Health, etc.

6. DEPARTMENT REPORTS

- a. **Acting City Administrator / Finance and Administration Director** – Ms. Drake provided a report in packet, to be covered in detail on action item for budget. Overtime for hourly employees and purchases are currently reimbursable up to 75% per FEMA. All hours should be tracked regardless in case new laws come into effect. Can be "in-kind" match time for tracked COVID time from employees
- b. **Community Development Coordinator** – Ms. Tibbs provided a staff report. Beginning 4th week of employment. Working with Chris Hawkins to learn background and processes. Planning commission did not meet this month. Ms. Tibbs and committee chair decided to cancel the meeting.
- c. **Chief of Police** – Chief Wood will forgo usual criminal reporting to report on COVID. As of today, we have 5 cases, 1 death. 18 tests performed pending results. Two national guardsmen currently at Unified Command, potentially requesting one more. County Health orders are slated to expire April 30, but that could obviously change before then. 9:30 am tomorrow morning the BOCC will meet to discuss public health orders, public comments will be welcomed. Mayor Pro Tem Wood would like to know what it would look like when the state of emergency would be called off and dissolve unified command. There are not currently any specific criteria in place to reopen. BOCC meeting will have more of this information.

7. CONSENT AGENDA – Liquor License Renewal – Alpenglow Properties Ouray Inc. dba Twin Peaks Lodge & Hot Springs

Mayor Pro Tem Wood made a motion to approve the Consent Agenda. Councilor Funk seconded the motion and it was approved on unanimous roll call vote.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

8. ACTION ITEMS

a. Possible Action Regarding CEDC Recommendation

Councilor Boyd made a motion to allow CEDC to proceed with the Colorado Main Street Program. Mayor Pro Tem Wood seconded. The motion passed on unanimous roll call vote.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | x | | | |
| John Wood | x | | | |
| Glenn Boyd | x | | | |
| Ethan Funk | x | | | |
| Peggy Lindsey | x | | | |

b. PSA – Executive Search Firm

Funk made a motion to approve the PSA agreement with executive search firm, Mayor Pro Tem Wood seconded. The motion passed on unanimous roll call vote.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

c. Employment Contract for Acting City Administrator

Mayor Pro Tem Wood made a motion to approve. Councilor Boyd seconded. Councilor Funk questioned a phrase in the contract, Ms. Viner confirmed that he was right and the wording should be changed. Mayor Pro Tem Wood and Councilor Boyd approved the amend to the motion. Motion passed on unanimous roll call vote.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | x | | | |
| John Wood | x | | | |
| Glenn Boyd | x | | | |
| Ethan Funk | x | | | |

| | | | | |
|---------------|---|--|--|--|
| Peggy Lindsey | x | | | |
|---------------|---|--|--|--|

d. PSA – Caselle Financial Services

Mayor Pro Tem Wood would like to put a cap of 30 hours a week on Caselle contract work. Councilor Boyd made a motion to accept both agreements with Caselle. Councilor Lindsey seconded the motion.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

e. Via Ferrata Management Agreement

Council would like to move this item to the next regular meeting to allow the public to read through the agreement and weigh in on the discussion.

Mike Gibbs had previously criticized the council for not including all stakeholders and commends the current council for wanting to wait to take action on this item until all stakeholders can review.

Nate Disser has been asking for this agreement to be on the agenda for months, and believes that the agreement is well done and flexible.

Mark Lupenlatz says this has been in the works for 4 years and since we are so close to the finish line, he would like to make the final push to get the agreement in place.

Dolgio Nergui would like more time to read and analyze the agreement for climbing routes. Ms. Nergui would also like to clarify why this didn't go through an RFP. Councilor Funk said it is not required for services only agreements when nothing is being purchased. Councilor Funk believes this is a very flexible agreement that can be amended in the future as needed.

Ben Tisdell, Ouray County Commissioner, says agreement mentions Rio Lode, which belongs to the County, and is under an existing use agreement with the city and should be noted in the Via Ferrata agreement. City Attorney Ms. Viner will review if the contracts are in conflict.

Logan Tyler wanted to thank Mark and Nate for the clarification in the structure and is looking forward to the Via Ferrata opening and generating revenue for the city.

Mayor Nelson wanted to confirm if this agreement is similar to the OIPI operating agreement, but added more approvals and collaboration for the City. Ms. Viner asserted that it was.

Councilor Boyd made a motion to table this until the next regular meeting. Councilor Funk seconded the motion. The motion passed on unanimous roll call vote.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |

| | | | | |
|---------------|---|--|--|--|
| Peggy Lindsey | X | | | |
|---------------|---|--|--|--|

f. PSA for Community Plan

Staff is recommending cancellation of the current community development coordinator contract. Mayor Pro Tem Wood made a motion to activate the 30 notice for termination. Councilor Boyd seconded the motion.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

g. Discussion and Possible Action Concerning Digital Messaging

Councilor Lindsey would like each councilor to state what they are looking for this year.

Councilor Lindsey thinks international marketing is irrelevant. Ms. Lindsey would like to propose 4-5 part time visitor center employees.

Councilor Funk wants to confine this action to messaging related to COVID-19 and eliminate marketing discussion because the city is in discussion with OTO about marketing.

Councilor Boyd feels like this is marketing and should not be discussed separately from OTO contract negotiations. If city wishes to move away from OTO council should make a motion to do so.

Mayor Pro Tem Wood doesn't care what we call it, but said that this messaging needs to get out as soon as possible. Mr. Wood would like to get a contract group in place, minimally staff the visitor center and get us on the map for tourism this year.

Ms. Drake suggests funding this through regular visitor center GL, let them go negative and then positive again in the future as the LOT fund is replenished.

Mayor Nelson believes we need to do this for the businesses and by extension the residents of the city. If the council needs to vote to halt negotiations with OTO to enact this, then council needs to make a motion to do so. OTO could also bid on the RFP.

Ms. Viner believes that a termination of negotiations needs a notice ahead of time and should not be voted on today.

Mayor Pro Tem Wood made a motion to post the RFP, redacting sections a3, b, c, and d, and amending the proposal deadline to Wednesday next week. Councilor Lindsey seconded the motion.

Kim Davis would like the city to hold off on hiring a city administrator to fund the digital messaging campaign.

Tamara Gulde from Mountain Fever Gifts, says we need to have messaging now, and reactivating the OTO would be the quickest way to get our messaging out there. Council just needs to figure out how to fund it.

Dawn Glanc asked if the letter to OTO was public record and where to access it. Councilor Lindsey has said there is no money, so she would like to see this talked about in more detail.

Ryan Hein believes we do need to do digital marketing, but believes this is being handled poorly. Business owners in the city could handle the digital marketing for a short time since the city says they have no money to fund a digital marketing campaign.

Jen Donovan asked is Jennifer Peterson available to take care of digital messaging for the time-being. Mayor Nelson said she is not.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

The motion passed unanimously on roll call vote.

~~h. Consulting PSA – Former City Administrator – deferred by staff~~

i. Discussion and Possible Action Regarding Potential RFP for Hot Springs Pool Management

Councilor Lindsey would like to postpone this action item for 2 weeks to gather more information.

Councilor Boyd believes many people have sat through the meeting in order to give comment on this issue and we should not put it off completely.

Lynne Evans has done some independent research about pool management companies, two in Denver metro area, two in Ft. Collins. Ms. Evans says a management company will never have the passion for the Ouray Hot Springs like we do, and we should not export the management outside of the community.

Lora Slawitschka is not opposed to the idea, but it is a terrible time to start this discussion.

Kim Davis would like council response on delaying hiring the city administrator. Mayor Nelson said there is already a contract in place to hire a new administrator.

Mayor Pro Tem would like to bring in a business consultant to give objective advice instead of outsourcing the management. Mr. Wood believes there is more the city should do before it looks to outsourcing.

Dee James feels one of the problems is that the pool is struggling with its identity and needs to determine who it wants to be before pursuing a strategy.

Mayor Pro Tem Wood made a motion to table the discussion. Councilor Boyd seconded the motion.

Councilor Boyd agrees with Mayor Pro Tem Wood.

Pam Larson says this pool is one of the city's biggest asset to bring in tourists. City should update what they can while the pool is closed in order to reopen as soon as allowed.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

The motion passed on unanimous roll call vote.

j. Discussion and Possible Action Regarding Emergency Budget Reductions

Ms. Drake prepared a presentation for budget adjustments. City employees (except pool employees) are still working from home or with PPE as relevant. Projects and large purchases have been delayed.

Utility payments could be put on forbearance, but that would require contracts with each utility customer. An easier method would be to simply waive fees and allow customers to pay up as they can without an official forbearance. CEDC’s request for EQRs to be temporarily dropped is a different request than a forbearance and would materially affect the revenue for the year and would require additional research.

Council had concerns with not stripping the parking spots and not applying Mag Chloride as budget cuts and want to strike those items from the budget cuts this round. Since Flume repair money is earmarked as a tax, there is no reason to cut those expenses to save money.

Council also had concerns about cancelling the juvenile diversion fund contribution with school not being in session and kids having free time on their hands.

Lori Leo said the Juvenile Diversion program would still be operating

Ryan Hein with Hinkson Development, river dredging is based on flows

Ben Tisdell County Commissioner wanted to speak in support of the Juvenile Diversion Program.

Council would like to look into a used vehicle for the Ouray Fire Dept, citing safety concerns for the existing vehicle.

Council officially halted the Geothermal Project until further notice.

Council want to halt late fees and interest on utilities until September 30th, 2020. On October 1st, fees and interest will be accrued on current balance starting. Will be presented as an emergency ordinance next regular meeting.

Mayor Pro Tem Wood made a motion to use beautification fund money to purchase flowers and to fund employees to maintain flowers. Councilor Lindsey seconded the motion.

Robert Stouffer, co-chair of the beautification committee, said beautification committee would be ok with not receiving the full amount budgeted.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

Motion passed on unanimous roll call vote.

Mayor Pro Tem Wood made a motion to approve the numbers presented with the exceptions talked about. Councilor Lindsey seconded. The motion passed on unanimous roll call vote.

| Council Member | For | Against | Abstain | Absent |
|----------------|-----|---------|---------|--------|
| Greg Nelson | X | | | |
| John Wood | X | | | |
| Glenn Boyd | X | | | |
| Ethan Funk | X | | | |
| Peggy Lindsey | X | | | |

9. DISCUSSION – Future Agenda Items

- Ballot initiatives – schedule work session
- Affordable housing
 - Ms. Viner interjected that this topic should not be addressed on Zoom and is tabled until regular meetings are able to be held again.

10. ADJOURNMENT

Councilor Lindsey made a motion to adjourn at 6:12 pm. Councilor Funk seconded the motion. The motion passed on unanimous vote.

ATTEST:



Melissa M. Drake, City Clerk



 Greg Nelson, Mayor

05/07/2020

 Date

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on April 20, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1st day of May, 2020.

A handwritten signature in cursive script that reads "Melissa M. Drake". The signature is written in black ink and is positioned above a horizontal line.

Melissa M. Drake, City Clerk