

**OURAY CITY COUNCIL REGULAR MEETING
VIRTUAL MEETING FOR PUBLIC
SUMMARIZED MINUTES
MONDAY, May 18, 2020, 1 PM**

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1. CALL TO ORDER

Mayor Nelson called the meeting to order at 1:00 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. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. CEREMONIAL/INFORMATIONAL – none

5. CITIZENS' COMMUNICATION

Nate Disser – Via Ferrata Update: going according to plan, anticipate opening route on May 23, 2020. Need final certification and testing this week. Signage is being installed Tuesday.

Mark Iuppenlatz – Conversation with Tanner on Via Ferrata COVID-19 protocols, permission was granted on behalf of Ouray County Public Health. Gloves will be required, passing zones are larger than 6 feet, its one-directional, masks are recommended, and rangers will be stationed at the entrance to the park to guide visitors.

Erin Eddy – proposes picnic tables in closed off street that would be shared between restaurants to add seating, as well as expanding liquor license boundaries. Restaurants desperately need this in order to stay open. Ms. Viner invited restaurateurs to attend this Thursday's work session to continue that conversation. Council decided to hold a special meeting immediately following the work session at 10:30 pm to make decisions based on Thursday's work session.

6. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – COVID-19 meetings, hotels are at 50% occupancy, a variance has been requested from the state for short term rentals. Looking at a variance request for restaurants, will go before the Board of Health tomorrow. The mask order has been extended to June 16th. Citizens are free to attend committee meetings whether they are members of the committee or not. Voyager will be opening soon.
- b. **Ethan Funk** – received OIPI report, would like to see report included next time in council packet
- c. **Peggy Lindsey** – hanging flowers will be here June 9th, planter flowers will be here on the 10th, looking for volunteers to plant flowers.
- d. **John Wood** – CEDC has been meeting weekly since the business owners in the committee are keeping up with the latest restrictions and openings.
- e. **Greg Nelson** - Shared positive feedback he's received: for CEDC's involvement, and Mr. Van Meter's information published so far. Mayor Nelson noticed the Facebook community has gotten negative, and feels it is not helpful, and asks citizens to keep a positive outlook.

7. DEPARTMENT REPORTS

a. **Acting City Administrator - Finance and Administration Director**

Written report included in packet. Ms. Drake feels that the city staff are providing excellent service even while stressed and wants to thank them. Mr. Van Meter has been updating the visitor website already, and has a meeting with Ms. Drake later today. Visitor guides have begun to be distributed to hoteliers and shopkeepers in Ouray and Ridgway.

Financial statements in packet are preliminary and still need to be reviewed by Ms. Drake. April will be presented next meeting, and May will be presented the second meeting of June. Overall, positioned well for an emergency with cash reserves. How things unfold in the next month will determine how the city will proceed with budgetary concerns. Mayor Nelson asked about the pool renovation fund balance, and Ms. Drake said that account will be closed in the 2019 year-end audit, and combined with the Parks fund.

b. **Community Development Coordinator**

Very active in building permits and enforcement. Provided list of currently approved short term rentals in town (90 in total). Planning commission is meeting tomorrow. Councilor Boyd asked about the two account numbers without addresses, and Ms. Tibbs said those were ones that are currently denied, but could become approved in the future. Councilor Funk asked Community Development Coordinator to check on that some Oak Street addresses are in zone R-2 and not R-1. It was pointed out that a few addresses were grandfathered in.

Dolgio Nergui asked when the short term rental licenses will be received since they need to be displayed at the rental. Ms. Drake asked Ms. Nergui to email her so they could resolve.

c. **Unified Command Update - Police Chief**

On the 15th the quarantines expired, hotels can now operate at 50% capacity, but restaurants are still only serving takeout and delivery. There is a discussion of whether restaurant patrons are allowed to receive their carry out and then eat at an outside table on the restaurant property. Chief Wood said

stores are allowed to enforce a mask policy just like they'd enforce and shirt and shoes policy. Unified command is working on signage as people enter town.

8. CONSENT AGENDA

a. Liquor License Renewal – For the Love of Food dba Bon Ton

b. Liquor License Renewal – Friends of the Wright Opera House Inc. dba Friends of the Wright Opera House

Mayor Pro Tem Wood made a motion to approve the consent agenda, Councilor Boyd seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

9. ACTION ITEMS

a. Liquor License Renewal & Modification of Premise – Red Mountain Brewing LLC dba Red Mountain Brewing

Mayor Pro Tem Wood recused himself since his company owns the building Red Mountain Brewing leases from. Councilor Funk made a motion to approve, Councilor Boyd seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood			X	
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

Approved on 4-0 roll call vote.

b. Ordinance 5 – Fiber Optic on Poles – First Reading

Mayor Pro Tem Wood rejoined the meeting.

Council discussed extending sunset date to September 30th, 2022 due to COVID-19 situation.

Funk made a motion to approve the ordinance with sunset date moved ahead one year, and allow Ms. Viner to remove the sentence to require to underground any utility wires on the pole when one utility does, thus removing the poles from the sunset clause. Councilor Boyd seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			

Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

Motion passed on unanimous roll call vote.

c. Request to Waive Fees for Massard Room Kitchen for Library Lunch Program for Children

Mayor Pro Tem Wood made a motion to waive the fees for the Library Lunch Program, councilor Lindsey seconded the motion. Councilors Boyd and Funk stated they are not normally comfortable waiving fees, but since this is an emergency response they are in favor of it.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

Motion passed on unanimous roll call vote.

d. Consideration of July 4th Events

Since it would be impossible to social distance with the number of people that attend the 4th of July events, discussion of whether to hold the events was held. People will still come to town, but Unified Command believes the events should be cancelled to stop mass gatherings. Chief Wood believes the local police staff could handle crowds of 4000-5000 without requesting outside help that would be reluctant to come at all. The fireworks budget was contingent on reimbursement from OTO which will not be coming in. Mayor Pro Tem Wood believes either way this decision goes, the city loses. The daytime activities are dangerous for social distancing, and the fireworks are not in the budget. We could ask for donations to fund the firework show and only hold evening activities.

Nancy Nixon is in favor of doing the fireworks only and believes the city could easily raise the money for the show and socially distance in order to watch the show.

Lora Slawitschka fears we don't have the infrastructure to host guests from Telluride and Silverton that would come to Ouray this year since those towns cancelled their fireworks.

Ben Tisdell, County Commissioner, believes Hinsdale County is leaning towards cancelling events. Fire ban is likely to be in place during the 4th of July as well.

Gretchen McArthur asked about the public restrooms if events do happen.

Christine Coyer expressed concern for mask enforcement, social distancing with the children.

Dawn Glanc agrees with Ms. Slawitschka and Ms. Coyer that social distancing and mask wearing are not being followed well. With the dry summer we are set to have, fireworks is not a good idea.

Dolgio Nergui agrees with not holding fireworks show, and suggested alternate activities such as a light show.

Councilor Funk recommends holding on to the \$8000 being returned from the music in the park to hold a community event later in the year.

Mayor Nelson believes as much as he loves the 4th of July, the city needs to cancel the 4th of July events.

Nancy Nixon stated that in years past when events have been cancelled, citizens held them anyway.

Bruce Gulde said as a main street business they enjoy the business they receive on the 4th of July, he feels they would have a hard time enforcing social distancing in the stores and would like the city not to hold the daytime events.

Councilor Boyd personally believes Mr. Gulde is correct and economic impact should not be put above human lives.

Councilor Boyd made a motion to cancel all city events for the 4th of July and not issue any event permits for events on city property. Councilor Funk seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

Motion passed on unanimous roll call vote.

e. OVFD Request to Use Fireworks for Ouray High School Graduation

Councilor Boyd made a motion to approve the request, Mayor Pro Tem Wood seconded the motion. Councilor Boyd stated that he did not believe that this would draw the same crowds that the 4th of July would. Councilor Boyd amended his motion to not allow the school or businesses to publicly advertise the show, keeping it local for the graduates and their families. Mayor pro tem wood accepted the amendment.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

Motion passed unanimously on roll call vote.

f. Request for Banner Placement at Fellin Park

Students would like to put up a banner to thank unified command, but need approval for the size of the sign. Ms. Viner says that city council could approve a resolution to allow hanging the banner for 30 days that will be approved at the Thursday special meeting.

g. Clearnetworkx Broadband Request

Doug Seacat from Clearnetworkx is trying to get broadband to North Ouray by wiring underground along the walking path around the river, starting by the pool and ending at the Biota building. Ms. Viner determined that an encroachment permit process should be initiated with city staff, bringing in any other concerned groups (conservancy groups, etc).

h. PSA for Digital Messaging

Councilor Boyd stated he felt like he voted on misinformation when voting to offer the contract, believing that Mr. Van Meter’s contract was more than \$5000 a month leading him to vote against it. Councilor Funk stated for the record he is not comfortable with the \$5000 mark and believes \$3000 is more appropriate.

Mayor Pro Tem wood made a motion to approve the contract as is, Councilor Lindsey seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk		X		
Councilor Lindsey	X			

The motion passed 4-1 on roll call vote.

i. Hot Springs Pool Reopening Plan and Reorganization

Ms. Drake stated that the new organizational chart eliminates some positions that has nothing to do with personnel.

City Resource Director started by saying that pools are still closed in the state of Colorado, but this plan can be put in place when pools are reopened. Pools would open gradually with social distancing in place, no lobby access and limited locker room access.

Councilor Boyd and Councilor Funk expressed reservations in eliminating the pool manager position and having the supervisors at the pool report to the City Resource Director.

Mayor Pro Tem Wood suggested doing 3 sessions of 2 hours each as an alternative, but expressing reservations about the profitability at the levels of attendance suggested. Councilor Boyd expressed concern for the pool staff and potential abuse they will receive about the restrictive policies. Ms. Viner stated that the video surveillance at the pool needs to be recorded and kept for a reasonable amount of time if customers get out of control so law enforcement can review.

Mayor Nelson noted that the landscaping in the pools grounds is looking rough, and the sign is partially painted.

Mr. Noll stated the landscaping will be taken care of, and that the sessions are based on having one shift of staff working to reduce costs, and that changing the session plan to 2 two hours sessions would create negligible staff cost increases and believes it could be feasible.

Lynne Evans believes safety is the top priority in opening the swimming pool. Lynne and her daughter, a former lifeguard at the pool, believes that three 3 hour shifts would be feasible.

Ryan Hein doesn't believe the resource director will have the time availability to run the pool.

Christine Coyer asked how annual pass holders will be treated in the attendance restrictions.

Nancy Nixon asked where to access the pool reopening plan. Mayor Nelson directed her to the city website.

Ron James believes the proposal is logistically impossible with the staff levels proposed. Mr. James also asked if Mr. Noll would move his office to the pool in order to be on site, since a manager needs to be on site all the time. Mr. James also asked why the school teachers do not get discounted memberships like other organization volunteers do, such as Log Hill Fire Dept.

Ben Tidel asked if there was a rule about a Red Cross lifeguard certified staff member being on site at all times, which may require the pool manager to be on site.

Sheri Huggins said that the pool manager is essential to running the pool smoothly.

Mr. Noll addressed the certifications question, saying that certain positions do not have certification requirements, but that individuals hold certain certifications.

Ms. Drake reminded council and the public that these are temporary measures.

Mayor Pro Tem made a motion to approve the plan as presented. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd		X		
Councilor Funk		X		
Councilor Lindsey	X			

Motion passes 3-2 in roll call vote.

j. OVFD Command Vehicle

Council would like to move the purchase of a command back into the budget, lowering the cost in deference to the current crisis, shopping for a slightly used vehicle.

Mayor Pro Tem made a motion to reinstate this budget line item, not to exceed \$30,000 total cost. Councilor Funk seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

Motion passed on unanimous roll call vote.

k. Resolution in Support of Main Street Program

Councilor Boyd made a motion to approve the resolution. Mayor Pro Tem Wood Seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

Councilor Lindsey requested a 5 minute recess. Mayor Nelson agreed.

10. DISCUSSION

a. Box Cañon Falls Reopening Plan

Rick Noll has created a plan for reopening Box Canon Falls, calling for reduced hours and reduced staff. Plexiglass would be installed for cashier protection. Question was raised whether the hand rails along the trail have been addressed. Mr. Noll stated we can only do so much before individuals' personal responsibility comes into play. Box Canon staff would limit customers in the nature center/gift store.

b. City Hall Reopening Plan

Currently with police and public works and admin staff coming in as needed, we are staffed at least 50%. Proposal that window will be open on June 1st with 25% staff in city hall. Mayor Pro Tem Wood would like to see staff return to work as a show of leading the way to normalcy in our community. Ms. Drake said that staff were drawing up a telecommuting policy to put in place for the future.

Dolgio Nergui said that having offices half-staffed helps reduce contact tracing time and effort for confirmed cases of coronavirus.

c. Public Restrooms Reopening Plan

Public restrooms are allowed to be open, but cleaning must be "more frequent". Proposal to open public restrooms and clean 3 times a day. Portable restrooms will remain to expand options.

d. Visitor Center

Discussion on how to reopen the visitor center with current city staff or volunteers

Dawn Glanc said volunteers can't be held accountable for their actions, and putting Rick in charge of this is spreading him too thin.

Lora Slawitschka said the building could be operated to some degree from the window, or just shutting down public restrooms and access to the downstairs, and counting bodies in the top level to allow social distancing.

Dolgio Nergui saw someone urinating on Main Street this morning.

Lou Hart doesn't see that volunteers could staff and run the visitor center effectively without training and management. Ms. Hart feels that someone should be paid to staff the visitor center with training on answering questions accurately and without liability.

Lora Slawitschka asked if Ms. Drake had considered adopting the Silverton Visitor Center model. Ms. Drake has not looked into it.

Markus Van Meter said he has some volunteers willing to help.

Councilor Boyd asked Ms. Hart to clarify what the liabilities she stated would be. Ms. Hart said the liability is in how difficult the visitor center staff say certain activities are in steering visitors. Ms. Viner said this would not be a lawsuit issue, but just being truly helpful and decent.

Mr. Van Meter says that personal responsibility still exists and visitors need to understand their limits at this elevation and their experience in certain activities.

Ms. Hart said her mention of liability is not of lawsuits, but in representing the city fairly.

Heather Smith suggested using a QR code on the door to give information.

e. Possible Resolution Encouraging Face Coverings in The City

Councilor Boyd would like to create a resolution encouraging anyone in town to wear a face covering, a term which would encourage non-medical grade cloth masks. Mayor Nelson pointed out that visitors will likely not look up our resolutions before coming, and so we'd have to come up with some way to encourage citizens and visitors to wear masks. If the council passed the resolution and didn't follow up on it, there would be no point. The city needs to get the word out effectively, and back up the businesses that are requiring masks to enter their store.

Lora Slawitschka said hotels are either strongly recommending or requiring masks for guests, and we need to make sure locals are wearing masks as well

Markus Van Meter said the Colorado Tourism office is recommending actions just like this and would like to commend the council for this.

Dolgio Nergui recommended listing a resource where masks/face coverings could be purchased.

f. Future Agenda Items

Agenda items should be sent to Ms. Drake for the June 1st meeting.

11. ADJOURNMENT

Mayor Pro Tem Wood made a motion to adjourn, Councilor Funk seconded. The motion passed unanimously.



Greg Nelson, Mayor

06/23/2020
Date

ATTEST:



Melissa M. Drake, City Clerk

Melissa M. Drake, City Clerk

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 May 18, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 22nd day of June, 2020.



Melissa M. Drake, City Clerk

Melissa M. Drake, City Clerk