

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, November 4, 2019 at 6:00pm
MASSARD ROOM – Ouray Community Center**

1. CALL TO ORDER

Mayor Larson called the meeting to order at 6:00 p.m.

2. ROLL CALL

Mayor Pam Larson - Present
Mayor Pro Tem Glenn Boyd – Present
Councilor Ethan Funk – Present
Councilor Dawn Glanc – Present
Councilor Bette Maurer – Present

Also present were City Administrator Justin Perry, City Resources Director Rick Noll, Acting Police Chief Gary Ray, Public Works Director Joe Coleman, Community Development Coordinator Chris Hawkins, Finance and Administration Director Melissa Drake, and City Attorney Carol Viner

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. PUBLIC HEARING ON CITY OF OURAY 2020 BUDGET

Administrator Perry thanked staff and Council for their work on the budget. He gave an overview of the process and the contents of the budget. He covered staffing changes, Cost of Living Adjustments for employees based on CPI, health insurance increase of 2.47%, utilities rate increases, and capital expenditures.

Mayor Larson opened the Public Hearing.

John Nixon asked about work slated for 2020 on the City Hall façade. After Administrator Perry noted the work to be done, Mr. Nixon noted that part of the façade is polyurethane and will require multiple coats of paint. He also spoke about additional maintenance.

Dolgio Nergui asked if short-term rental revenue was included in the budget. Staff and Council stated that it was.

Seeing that there were no more public comments, Mayor Larson closed the Public Hearing.

5. CEREMONIAL/INFORMATIONAL - Overview of Best Practices of Social Media Use

Postponed due to staff illness

6. APPROVAL OF MINUTES

a. October 7, 2019

Mayor Larson asked if there were any corrections to the minutes. There were none. She stated that the minutes stand approved.

b. October 21, 2019

Mayor Larson asked if there were any corrections to the minutes. There were none. She stated that the minutes stand approved.

c. October 29, 2019 Special Meeting

Mayor Larson asked if there were any corrections to the minutes. There were none. She stated that the minutes stand approved.

7. CITIZENS' COMMUNICATION

Dolgio Nergui asked about a cap on short-term rentals.

John Nixon thanked all Council members for their service to the City. He asked about the issues with the sound system and thanked whomever did the work on remodeling the San Juan Room. He also noted the bad condition of the bases of street lights in town.

John Wood spoke against requiring insurance for private citizens to plow snow in City rights-of-way. He stated that the insurance is cost-prohibitive and suggested waiving the requirement for private citizens or developing a group insurance option. Staff will explore options in this area with stakeholders and the City Attorney.

Mike Bazin spoke about encroachments and the requirement of fees. He stated that the Risch property also has an encroachment which should have a fee. Administrator Perry stated that he has already had a meeting about that and it is in progress.

8. CITY COUNCIL REPORTS/INFORMATION

- a. **Councilor Glanc** – the IPAT met last week but she missed it because of the conflicting Census meeting. Paper census forms will be delivered to each residence in Ouray. She spoke about the importance of the census. November 1 was Mary Mitchell Day and the party at the Visitor Center was great. OTO will participate in the Green Business Program through EcoAction Partners.
- b. **Councilor Bette Maurer** – Region 10 approved an application for Broadband from DOLA. Mayor Pro Tem Boyd recognized the County for all the work on the Broadband Project. Connie Hunt, Ouray County Manager, spoke about the funding sources for this project.

- c. **Councilor Ethan Funk** – attended the Broadband Project meeting with City Staff. Input is needed from the City regarding anchor sites.
- d. **Mayor Pro Tem Boyd** – also attended the CEDC meeting regarding the census and slides are available. The Multi-hazard Mitigation plan is still in progress and should come to Council for approval before the end of the year.
- e. **Mayor Larson** – met with 3rd Graders who want to vote in this election, working on MOU with OIPI regarding the water initiative they have proposed.

9. DEPARTMENT REPORTS

a. City Administrator

City Administrator Justin Perry noted Emergency Management training for elected officials on December 17th. Also attended the regional Broadband meeting and thanked the County for the work. Will be working on tax collection from AirBnB and VRBO based on information brought to us by Mike Bazin.

b. Acting Police Chief

Acting Chief Gary Ray spoke about the “Stuff the Cruiser” campaign, in progress now. He also asked for names of families in need. Names will be held in confidence.

c. Public Works Director

The SCADA system upgrade is almost complete.

d. City Resources Director

Nothing to add to the packet.

e. Finance and Administration Director

i. September Financial Report

Mayor Pro Tem Boyd made a motion to approve the September Financial Report. Councilor Glanc seconded the motion and it was approved on unanimous vote.

ii. Preliminary October LOT Report (September Lodging Activity)

Council discussed.

10. CONSENT AGENDA none

11. ACTION ITEMS

a. Liquor License Renewal - BPOE #492 – Elks Club

Councilor Maurer recused herself from this item since she is listed as the applicant for the Elks Club.

Councilor Funk made a motion to approve the renewal. Mayor Pro Tem Boyd seconded the motion. John Wood asked about staff keeping abreast of the changing liquor law. Director Drake stated that staff has continual updates and training regarding liquor law. The motion was approved on unanimous vote.

Councilor Maurer rejoined the meeting.

b. Ordinance for Utility Rate Changes – First Reading

Mayor Pro Tem Boyd made a motion to approve the first reading of the ordinance. Councilor Glanc seconded the motion. Boyd thanked staff for getting this annual ordinance prepared as a regular ordinance instead of an emergency ordinance. John Wood stated that some changes to EQRs will be occurring and staff should take that into account.

The motion was approved on unanimous vote.

c. Annual MOU with Ouray County

Mayor Pro Tem Boyd recused himself since the MOU includes payment for his position as County Emergency Manager.

Councilor Funk made a motion to approve the annual MOU. Councilor Glanc seconded the motion. Mayor Larson noted that it has been great working with the County. The motion was approved on unanimous vote.

Mayor Pro Tem Boyd rejoined the meeting.

d. Consideration of fixed encroachment permit fee associated with the Twin Peaks Final PUD for (1) existing lobby building encroachments into the Third Avenue Right-of-Way; (2) trash compactor in the Second Street Right-of-Way; and (3) future geothermal lines in the Third Avenue Right-of-Way

Mayor Larson recused herself since her company did work on the project..

Councilor Maurer made a motion to approve the fixed encroachment. Councilor Glanc seconded the motion. Council discussed the value placed on the encroachment permit and the applicant's request to consider the property as a single lot which \$9,922.11.

Maurer amended her motion to approve with the applicant's amount of \$9,922.11. Glanc did not agree to the amended motion. Boyd seconded the amended motion. Council discussed

the letter from the applicant and the fact that the PUD was passed with the property as one lot.

The motion passed on unanimous vote.

Mayor Larson rejoined the meeting.

e. Consideration of a fixed encroachment permit for the County Courthouse Project for bollard encroachments in the alley east of the Courthouse

Community Development Coordinator Chris Hawkins gave an overview of the issue and noted that there would be no fee as agreed in a previous IGA.

Councilor Funk made a motion to approve the fixed encroachment. Mayor Pro Tem Boyd seconded the motion. Council discussed the issue. The motion passed on unanimous vote.

12. DISCUSSION ITEMS

a. Affordable Housing

Councilor Funk requested this discussion item to give direction to the Planning Commission in assigning them this issue to deliberate. He suggested that possible changes to code, zoning, and policy may help encourage affordable housing. Council discussed many options with staff and citizens.

They assigned the following to the Planning Commission for deliberation:

- Possible changes to ADU codes
- Possibly redefining long-term rentals
- Density
- RV Parks/Mobile Homes/Tiny Homes

b. Future Agenda Items

Boyd – meeting times for Council
Maurer – RFP process and committee application process
CEDC Appointments
Trailer Parking in the City

Council took a 5 minute break.

13. EXECUTIVE SESSION

For a conference with the City attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) concerning employment, hiring, and contract services, practices and procedures; and for the purpose of determining positions relative to matters that may

be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(e) regarding the City Attorney contract for services.

At 8:21pm Mayor Pro Tem Boyd made a motion to go into Executive Session. Councilor Maurer seconded the motion and it was approved on unanimous vote.

At 9:03pm, the Executive Session ended.

14. ADJOURNMENT

At 9:03pm, Mayor Pro Tem Boyd made a motion to adjourn the meeting. Councilor Glanc seconded the motion and it was approved on unanimous vote.

ATTEST:



Glenn Boyd, Mayor Pro Tem

12-3-19

Date



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 November 4, 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 26th day of November 2019.



Melissa M. Drake, City Clerk