

**Ouray City Council Regular Meeting
Summarized Minutes
Tuesday, January 21, 2020 at 6:00pm
MASSARD ROOM – Ouray Community Center**

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 6:03 p.m.

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 City Administrator Justin Perry, City Resources Director Rick Noll, Police Chief Jeff Wood, 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

a. Consideration of Ordinance 01, Series 2020 – Modifying Council Meeting Times

Council explained the change of the meeting time to 1pm for the second meeting of the month. There was no public comment.

b. Consideration of a PUD amendment to (1) allow for a rear addition to the building on the Property for larger hotel rooms (not increasing the number of permitted rooms); (2) expand the rooftop bar/restaurant area; and (3) miscellaneous changes to accomplish the foregoing; 740 Main Street, Lot 13, Block 9, City of Ouray

Community Development Coordinator Chris Hawkins gave an overview of the PUD Amendment. Council discussed with him. Stuart Gillespie, applicant, gave a presentation regarding the project. Council discussed the application with Mr. Gillespie.

Mayor Nelson opened the public hearing.

Steve Gurzenski spoke in favor of the project and allowing the business owner to use umbrellas as needed.

Scott Clifford spoke against Mr. Funk. Mayor Nelson stated that Mr. Clifford's comments were not regarding the PUD and asked him to refrain.

Sally Clifford spoke about her concerns of noise on the rooftop.

Since there were no additional public comments, Mayor Nelson closed the public hearing.

5. CEREMONIAL/INFORMATIONAL – none

6. CITIZENS' COMMUNICATION

Lou Hart, representing OTO, asked about a crosswalk in front of the Visitor Center. Mayor Nelson stated that this is an issue for CDOT. He stated that the request has been rejected once already by CDOT.

7. CITY COUNCIL REPORTS/INFORMATION

- a. **Mayor Pro Tem John Wood** – CEDC is expecting additional applications for membership and the report of the IPAT meeting was positive
- b. **Councilor Ethan Funk** – Ice Park Board meeting - ice conditions good, the 25th Annual Ice Fest this coming weekend, and OIPI has hired security to handle what is needed for the events. Lora Slawitschka gave more details about the Ice Fest. PARC had its Winterfest last weekend and the ice at the rink is in great shape. EcoAction Partners – we may qualify for a grant from San Miguel Power for repairing the electric vehicle charging station at the pool, 3XM is looking at collecting compost with Waste Management, OCHAC meeting set for tomorrow is not cancelled, it is postponed.
- c. **Councilor Peggy Lindsey** – saw a lot of locals at Ironton skiing
- d. **Councilor Glenn Boyd** – Community Plan meeting coming up, FEMA has approved the Multi-hazard Mitigation Plan, Voyager progressing, Blue Mesa CDOT Project upcoming
- e. **Mayor Greg Nelson** –
 - January 15th - met with Administrator Perry and OTO to begin negotiations regarding the upcoming contract, there will be a Council Work Session at 4pm on February 3 regarding this topic
 - CDOT has plans for roadwork on Highway 550 this summer but plan to have 1 lane open at all times; SMPA plans work in 2021 on Highway 550
 - Mayor has been holding office hours at the library and citizens have discussed city communications, sidewalks, crosswalk at visitor center, visibility at intersections, North Corridor, snow removal, Rotary Park improvements, OTO and Ouray Merchants Association

- People have asked what the City is going to do about the issue with the Ouray County Sheriff. He noted that the City is in no way associated with the Ouray County Sheriff. He commented on the high level of professionalism of the Ouray City police Department and the Ouray County Deputies. Police Chief Jeff Wood echoed the Mayor's comments on the professionalism and working relationship with the Sheriff's Deputies. Mayor Pro Tem Wood spoke about his opinions regarding the unprofessional behavior of the Ouray County Sheriff and called for all elected officials in the County to condemn his actions.

8. DEPARTMENT REPORTS

- a. **City Administrator** – Out sick, report in the packet

- b. **Finance and Administration Director**

- i. **December Disbursements**

Councilor Boyd made a motion to approve the December Disbursements. Mayor Pro Tem Wood seconded. Council discussed. The motion was approved on unanimous vote.

- ii. **November Sales Tax Report**

Council discussed.

- iii. **November LOT Report (October Lodging Activity)**

Council discussed.

- c. **Community Development Coordinator**

Community Development Coordinator Chris Hawkins reported on the Planning Commission's work on long-term housing incentives. He introduced the new Building Inspector, Jim Shannon. He stated that Commissioners Dunn and Hein have expressed interest in continuing their service on the Planning Commission. Roughly 80 applications for Short-term Rental Licenses have been received at this point. Council discussed short-term rentals.

9. CONSENT AGENDA

- a. **Bed and Breakfast Liquor Permit Application Renewal – KIDO Enterprises LLC dba Ouray Inn**
- b. **Huckstering Permit Application – Ouray Café Steakhouse, Ice Festival, January 24th – 26th**
- c. **Huckstering Permit Application – The Goods Ouray, Ice Festival, January 24th – 26th**
- d. **Huckstering Permit Application – Red Mountain Brewing, Ice Festival, January 24th – 26th**
- e. **Huckstering Permit Application – Ouray Meat and Cheese Market, Ice Festival, January 24th – 26th**

Councilor Funk made a motion to approve the Consent Agenda. Councilor Boyd seconded the motion and it passed on unanimous vote.

10. ACTION ITEMS

a. Ordinance 1, Series 2020 – Modifying Council Meeting Times – Second Reading

Councilor Boyd made a motion to approve the Ordinance setting the meeting time of the second meeting of the month to 1pm. Mayor Pro Tem Wood seconded the motion and it passed on unanimous vote.

b. Consideration of a PUD amendment to (1) allow for a rear addition to the building on the Property for larger hotel rooms (not increasing the number of permitted rooms); (2) expand the rooftop bar/restaurant area; and (3) miscellaneous changes to accomplish the foregoing; 740 Main Street, Lot 13, Block 9, City of Ouray

Mayor Pro Tem Wood made a motion to approve the PUD Amendment as set forth in Exhibit C. Councilor Lindsey seconded the motion. Council discussed the PUD. Councilor Boyd spoke about the open space trade off and his safety concerns with 2nd egress. He is concerned that the 2nd egress from the roof comes back into the building. If there is a fire in the building, people could be forced back into that fire. Mr. Hawkins stated that the area that people would go back into has a firewall on one side. Mayor Pro Tem Wood also voiced concerns with egress on the adjacent building.

Stuart Gillespie stated that structural drawings of the adjacent building are not available. The addition to that building where the 2nd egress is located was built in the 1980s and the snow load requirements were the same as they are today.

Mayor Pro Tem Wood amended his motion to include the following conditions:

1. Amend Section 7 of the draft PUD agreement to require the Applicant pay \$2,406 for the open space payment in-lieu.
2. Prior to recording the PUD agreement, the Applicant will provide site plan and final elevations in the PUD plan set; the AMI for the housing unit will conform to the original Council approval; and the cost of the paint removal will be consistent at \$50,000.
3. The building official will confirm the weight bearing capacity to the south.

Councilor Lindsey seconded the amendment.

Council continued discussion. Lora Slawitschka spoke about the PUD.

Mayor Nelson re-opened the Public Hearing to see if anyone in addition to Ms. Slawitschka had additional comment. There was no additional comment so Mayor Nelson closed the public hearing again.

The amended motion passed on unanimous roll-call vote.

c. CEDC Appointment(s)

Councilor Boyd made a motion to appoint Heather Smith and Steven Gurzenski to the CEDC. Councilor Funk seconded the motion. Council discussed the number of members required for the Committee. The motion passed on unanimous vote.

d. PARC Appointment

Mayor Nelson stated that PARC has recommended approval of Logan Tyler since they have reviewed his application. They would like to review Mr. Shuster's application before the Council considers his appointment.

Councilor Funk made a motion to reappoint the existing members to the PARC. Mayor Pro Tem Wood seconded the motion and it passed on unanimous vote.

Councilor Funk made a motion to appoint Logan Tyler to the PARC. Mayor Pro Tem Wood seconded the motion and it passed on unanimous vote.

e. Dispatch IGA

Councilor Boyd made a motion to approve the Dispatch IGA. Mayor Pro Tem Wood seconded the motion and it passed on unanimous vote.

f. Resolution 3, Series 2020 Regarding Fire Department Special Fund

City Attorney Carol Viner gave an overview of the resolution which adds the City Administrator as a signer on the account.

Councilor Lindsey made a motion to approve the Resolution. Councilor Funk seconded the motion and it passed on unanimous vote.

11. DISCUSSION ITEMS

a. Sound System for Community Center

Mayor Pro Tem Wood discussed rough estimates he gathered for possible audio/visual improvements to the Community Center. Councilor Funk discussed the current system and the estimates that are already included in the 2020 budget. Council discussed options and took citizen comments as well.

b. Snow Plowing/Removal

Mayor Nelson gave an overview of the current status of snow removal in the City. Mayor Pro Tem Wood spoke about his personal frustrations with the City snow removal policy. Council discussed the issues with staff and citizens.

c. Box Cañon Road

Mayor Pro Tem Wood spoke about an idea to make the road two-way instead of one-way to give access to County Road 361. Council discussed potential issues with staff and citizens.

d. Possible Charter Amendments

Council discussed possible amendments to the Charter and discussed the possibility of holding a work session on this topic.

e. City Communications

Mayor Nelson spoke about stopping rumors with facts. Council, staff, and citizens discussed communications.

f. Future Agenda Items

Councilor Boyd – form of minutes for land use issues

12. ADJOURNMENT

At 9:50 pm, Mayor Pro Tem Wood made a motion to adjourn the meeting. Councilor Boyd seconded the motion and it was approved on unanimous vote.

ATTEST:

Melissa M. Drake
Melissa M. Drake, City Clerk

Greg Nelson 02/05/2020
Greg Nelson, Mayor 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 January 21, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 31st day of January, 2020.

Melissa M. Drake
Melissa M. Drake, City Clerk