

**Ouray City Council Regular Meeting  
Summarized Minutes  
Tuesday, February 18, 2020 at 6:00pm  
MASSARD ROOM – Ouray Community Center**

**1. CALL TO ORDER**

Mayor Nelson called the meeting to order at 6:04 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, Finance and Administration Director Melissa Drake, and City Attorney Carol Viner.

**3. THE PLEDGE OF ALLEGIANCE WAS RECITED**

**4. PUBLIC HEARING**

Consideration of Ordinance 02, Series 2020 – Regarding Refinancing COP

Mayor Nelson opened the public hearing.

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

**5. CEREMONIAL/INFORMATIONAL – none**

**6. CITIZENS' COMMUNICATION**

Jason Perkins, Ouray RV Park and Cabins, stated that Bev helped him clear up the EQR rates for washing machines in order to open a laundromat to the public on a membership basis for a 6 month trial run.

## 7. CITY COUNCIL REPORTS/INFORMATION

- a. **Councilor Glenn Boyd** – none
- b. **Councilor Ethan Funk** – Cabin Fever days went off very well, he would like to thank the volunteers who helped pull it off.
- c. **Councilor Peggy Lindsey** – Uncompaghre Valley Water Users Association is gathering new data on flows, and reports better water storage than last year. Drought not officially over, but looking positive. Going to CAST meeting in March.
- d. **Mayor Pro Tem John Wood** – Emergency meeting of CEDC concerning grants. Anticipating a good meeting now that new members have been appointed.
- e. **Mayor Greg Nelson** – Building Better Places training in Grand Junction with other cities in Idaho, Montana and Colorado. Plans to engage people in community plan and city vision. Ideas for main street crosswalks and beautification. Meeting with Ben Tisdell from county talking about affordable housing and other community issues. Justin Perry handed in his resignation effective March 27.

## 8. DEPARTMENT REPORTS

- a. **City Administrator** – Attended City/County Manger conference and Building Better Places meeting in the last two weeks. Meeting with Ridgway about housing postponed from February 25 or 26 to early March. Met with Connie Hunt as well as Ridgway administrator about 2020 Census. Meeting for the public scheduled March 18<sup>th</sup> at 6:00 pm at the County Fairgrounds. Reminder about CML conference coming up in June. Councilor Boyd reiterated the usefulness of attending these each year. Sidewalk replacement program to be refined and brought back to council for approval. Councilor Wood received a quote regarding sidewalk replacement for tearing out, replacing and hauling the rubble to Montrose that he would like to pursue. Councilor Funk would like to direct Mr. Perry to pursue sidewalk replacement for the core commercial district.

Tom Tyler would like to alert council to include Joe Coleman and Public Works for sidewalk replacement plans for curb boxes.

- b. **Finance and Administration Director** – Working with auditor on financial statement, hopefully available in near future. Provided pool revenue report and preliminary Parks Fund financial report for 2019. Revenues and attendance were down for the year, Mayor Nelson wants to make sure that the issues are being addressed. Rick Noll attributed the decline in attendance partially to employee turnover. Councilor Funk stated that it is a 1% decrease and is not sure it is statistically significant to research. Councilor Wood wants to compare revenues to businesses in town to see if they are seeing the same trends. Ms. Drake reported to council that the city will be changing the auto attendant phone system to have two live people's phones ring before the auto attendant picks up.

c. **Community Development Coordinator** – out of town, refer to information in packet.

**9. CONSENT AGENDA**

**Liquor License Renewal – TABJ Companies LLC dba Silver Eagle Saloon**

Mayor Pro Tem Wood made a motion to approve the Consent Agenda. Councilor Funk seconded the motion. Councilor Lindsey says she was approached about the fairness of the EQR rate for the saloon. Mr. Perry encouraged the owner to talk to him about the EQR rate since that was not the issue for discussion at this time. The motion passed on unanimous vote.

**10. ACTION ITEMS**

**a. Ordinance 2, Series 2020 – Regarding Refinancing COP – Second Reading**

Councilor Boyd made a motion to approve the Ordinance allowing the City to refinance the COP. Mayor Pro Tem Wood seconded the motion and it 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. Resolution 4, Series 2020 – Regarding Ouray County Sheriff**

Councilor Boyd recused himself since he is employed by the county.

Councilor Funk made a motion to postpone the Resolution indefinitely. Mayor Pro Tem Wood seconded the motion. Councilor Funk says there are already processes in place to remove elected officials and the city should not take a position in another entity’s election, just like he would not like the county to interfere in a council member’s recall election, for example. Mayor Pro Tem Wood believes the city needs to make a statement. Councilor Funk’s motion failed 1 to 3, with Councilor Funk voting “Yes.”

Mayor Pro Tem Wood made a new motion to approve but remove the statements about the Ouray Police Department. Councilor Lindsey seconded the motion.

Mayor Nelson opened the floor for public comment.

Dawn Glanc urged council to let the recall petition and votes say what is needed to be said.

Eric Funk said this is a dangerous precedent for the city to set.

Mayor Nelson closed the floor for public comment. The motion passed on a 3 to 1 vote, with Councilor Funk voting against.

Councilor Boyd rejoined the meeting.

**c. Dowl Engineering Agreement – Box Cañon Road Repairs**

Councilor Boyd made a motion to approve the Agreement with Dowl Engineering. Mayor Pro Tem Wood seconded the motion. Mayor Pro Tem Wood wants to ensure that the underlying causes of the road deterioration is addressed while the road is being repaired. Motion passed on unanimous vote.

**d. PSA with Preservation Studio, Inc. for Work on the Columbus Building State Historic Fund Grant**

Councilor Funk made a motion to approve the PSA with Preservation Studio Inc. Finance and Administration Director Drake confirmed that no city money was budgeted for this, it is entirely separate from city funds. Mayor Pro Tem Wood seconded the motion and it passed on unanimous vote.

**11. DISCUSSION ITEMS**

**a. Mobile Vendor Ordinance**

A temporary ordinance was created for mobile vendors but has now expired. Mobile vendors have stated that it was not productive and they will not be pursuing again. Council and staff will not move forward with a permanent ordinance at this time since there is no demand.

**b. Robert's Rules of Order**

Councilor Funk would like to review Robert's Rules of Order in council meetings to add more structure to meetings. Councilor Boyd requested Councilor Funk to type up a loose structure for council to review and agree upon on the upcoming council retreat.

**c. Tread Lightly Training**

Mayor Pro Tem Wood would like to encourage bringing the Tread Lightly group into the city as a co-branding effort with large events such as Jeep Jamboree that will broadcast the message about respecting the environment to their membership when they visit.

Mayor Nelson opened the floor for public comment

Dawn Glanc, representing OTO, stated her support for trail preservation training but advised council that many people and groups are already in support and report any destructive behavior they witness.

Craig Hinkson, president of 6 Basins, spoke of his organization's efforts to provide signage, bathrooms, and posted rules of the road for guests.

Lou Hart asked that we refrain from accusatory tones when working with the groups and position them as allies in protecting the trails.

Mayor Pro Tem Wood will meet with the City Administrator to prepare a resolution with City Attorney Carol Viner.

#### **d. Future Agenda Items**

- Sidewalk plan with proposal for City action
- Broadband update – County willing to present update to City as a work session
- Planning commission update
- Proposed new agenda item for staff to report back to council on council directions. Idea was given to include in Administrator's report on any directions given from council
- RFP for pool operation
- Council work session proposed on affordable housing and planning commission findings
- Brad Clark would like to propose posting the expenditures in the newspaper again. It was stated that the expenditures are posted on the city website in Council packets.

## **12. 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.

Motion to begin executive session made at 7:57 pm, as well as emergency session to discuss city administrator position. Councilor Boyd made the motion, Mayor Pro Tem Wood seconded. Motion passed on unanimous vote.

At 9:42 pm, the Executive Session ended.

## **13. ADJOURNMENT**

At 9:42 pm, Councilor Funk made a motion to adjourn the meeting. Mayor Pro Tem Wood seconded the motion and it was approved on unanimous vote.

ATTEST:

  
Greg Nelson, Mayor

04/23/2020  
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 February 18, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 22<sup>nd</sup> day of April, 2020.

  
Melissa M. Drake, City Clerk