

**OURAY CITY COUNCIL VIRTUAL MEETING  
SUMMARIZED MINUTES  
MONDAY, MARCH 1, 2021, 6 PM**

Join Zoom Meeting

<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230

Passcode: 491878 or by phone: +1 408-638-0968 +1 669-900-6833

- Electronic copies of the Council Packet are available on the City website at [www.cityofouray.com](http://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 6:00 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 City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, City Resources Director Rick Noll, Public Works Director Joe Coleman, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster, and City Attorney Carol Viner.

**3. PUBLIC HEARING – Adoption of the City of Ouray Community Plan 2021**

Chris Hawkins gave an update on the development process of the Community Plan between 2018 to now, highlighting the final decisions that should be made by council before passing.

Councilor Funk asked about the steering committees wording on historical residential development using the word “consider” for decisions instead of directing one way or another. Mr. Hawkins said the language should stay as advisory in nature since that is the purpose of the document, rather than a legally binding agreement or contract.

Mayor Nelson opened the floor for public comment.

John Nixon noted that some private land in the North Ouray corridor was labeled in the plan as public park land. Mr. Hawkins recommended correcting the map before council approval.

Martin Pitts wanted to commend everyone who put the effort into the plan, but wanted to alert Council about potential hazards about development on the west side of the Uncompaghre River because of more limited access than lots on the east side of the river.

Mayor Nelson closed the floor.

**4. CEREMONIAL/INFORMATIONAL – Home Trust of Ouray County Presentation**

Dee Williams introduced Andrea Sokolowski as the director of the Home Trust of Ouray County board. The organization was founded in December 2020 and has applied for 501c3 nonprofit status. The intent of the organization is to provide affordable homes for families in Ouray County. Applicants who earn below 80% of the area median income for both rentals and mortgages.

**5. Approval of Minutes – Jan. 4 & 19 and Feb. 1 & 16**

List of corrections in order as they appear in the minutes:

- Jan 4<sup>th</sup>, item 9(b) – reflect in minutes that Councilor Boyd directed staff to research rental Jeeps and limo parking
- Jan 19<sup>th</sup>, item 3(b) – missing Janet’s last name from JVA presentation
- Jan 19<sup>th</sup>, item 6(b) – correction to which meeting Councilor Funk attended during schedule conflict
- Jan 19<sup>th</sup>, item 9(e) – include the WENS notification from the motion in the minutes
- Feb 16<sup>th</sup>, item 3(b) – change “trail etiquette” to “backcountry safety and usage”
- Feb 16<sup>th</sup>, item 3(c) – incomplete last sentence

Mayor Pro Tem Wood made a motion to approve the minutes with the listed corrections. 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			

The motion passed on unanimous roll call vote.

**6. CITIZENS’ COMMUNICATION**

Mayor Nelson opened the floor for public comment.

Josh Smith wanted to urge council to do a site visit for the miners’ housing project. Attorney Viner said because it was a scheduled future hearing, it should be commented on at that time.

Martin Pitts would like big decision topics to take place at times other than during a workday and when many residents are out of town for the winter.

Mayor Nelson closed the floor.

**7. CITY COUNCIL REPORTS/INFORMATION**

- Glenn Boyd** – Policy group meeting on 4<sup>th</sup>. Unified command structure decision possibly. 1410 total vaccines, 246 last week. Completed 1b2, waiting on state to move to 1b3 tier. New category 1b4 created including restaurant workers, government essential workers. Mayor Nelson passed along feedback from citizens that the County Public Health Department is handling vaccinations very well.
- Ethan Funk** – Ice Park takeaways: UIAA continental cup considering coming to Ouray. Working with Ouray Silver Mines for additional water rights.

- c. **Peggy Lindsey** – Beautification committee is getting bids for fencing around the equipment at the pool, and trees at Rotary Park. Flowers will be delivered June 15. Next meeting on March 23<sup>rd</sup>.
- d. **John Wood** – TAC recommendations to be reviewed later in the meeting.
- e. **Greg Nelson** – US Forest Service meeting talking about forest health including beetle kill. Region 10 board meeting, offering low interest business loans, grants for downtown related efforts. Follow-up meeting between Region 10 and CDOT about little blue canyon.

**8. DEPARTMENT REPORTS**

**a. City Administrator**

Applicant has accepted position for community development coordinator and will start in May after finishing her Master’s program. Hiring a contract worker to help complete backflow prevention program

Still taking applications for committee members until Friday to be on the Agenda for the March 15 meeting.

**b. Police Chief**

Chief Wood presented service calls for February, and reported that all quarantined officers are now back to work. Working with municipal court to streamline fine payments.

**c. Public Works Director**

Ventilation system in community center should be complete by Friday if all goes smoothly. Mayor Nelson wanted to know how curb painting, striping and new signage was coming, Mr. Coleman said it should be all in place before Memorial Day Weekend.

**d. City Resources Director**

Mr. Noll would like to note that LED lights were installed at the bath houses by Ridgway Ouray Community Council very efficiently and would like to thank them.

**9. CONSENT AGENDA – none**

**10. ACTION ITEMS**

**a. Animal Control Agreement with Second Chance**

Councilor Boyd made a motion to approve the agreement, Councilor Funk seconded.

Councilor Boyd asked what happens if the City exceeds the \$3000 limit in the budget. Kelly Goodin from Second Chance said they would not turn away any animals, but use that information to negotiate a new contract for the next year.

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.

**b. Electric Vehicle Charging Station Agreement**

Mayor Pro Tem Wood brought his concerns about the agreement, including potential exclusivity, and the low lease amount.

Councilor Funk asked if a build date requirement could be added so that the agreement officially begins in a reasonable amount of time, and also questioned the need of a non-disclosure agreement.

Councilor Lindsey agreed with Mayor Pro Tem Wood's concerns about granting exclusivity for that long of a period.

Mayor Nelson stated concerns about the apparent rise in the number of spaces during the development conversation, and the exclusivity.

Rebecca Paruch from ChargePoint and construction contractor Jim Frank addressed council member concerns.

Council would like to redefine the area as only the outlined spaces and not the entire property as the exclusivity area.

Councilor Funk made a motion to approve the agreement with the above condition and a condition to build within a year, 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 4-1 roll call vote.

**c. Possible termination of the Geothermal Heating Agreement, dated April 4, 1988, between the City and the owners of 302 Oak Street**

Mayor Pro Tem Wood made a motion to terminate the agreement, 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			

The motion passed on unanimous roll call vote.

**d. Consideration and Possible Approval of Resolution 4, Series 2021 – Adopting the City of Ouray Community Plan 2021**

Mayor Nelson listed corrections, including the visitor center being labeled as the chamber of commerce office, and mention of a few select artisans in the arts section, and protections with regards to the photo credits and potential liability for publishing.

Councilor Funk stated that the library should be listed under lifelong learning, and had a number of formatting issues.

Councilor Funk made a motion to table the approval until after a work session to address minor changes. 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 on unanimous roll call vote.

**e. Consideration and Possible approval of the Tourism Advisory Committee (TAC) Strategic Plan**

Mayor Pro Tem Wood presented TAC's plan.

Councilor Lindsey made a motion to approve the strategic plan, 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.

**f. Ordinance 2, Series 2021 – Adding Default Judgement Provisions to Municipal Code – First Reading**

Attorney Viner presented the potential changes, including city recourse for ignored judgments.

Councilor Funk made a motion to approve the agreement, 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.

**11. DISCUSSION ITEMS**

**a. Work Session Scheduling**

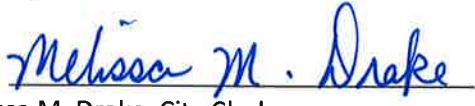
Council provided their availability for future meetings and work sessions. Work session scheduled for March 22<sup>nd</sup> from 3-5 pm for discussing city charter. Work session scheduled for March 15<sup>th</sup> at 10am.

**b. Future Agenda Items**

**12. ADJOURNMENT**

Mayor Pro Tem Wood made a motion to adjourn at 9:05 pm, Councilor Lindsey seconded the motion. The motion passed on unanimous vote.

ATTEST:



Melissa M. Drake, City Clerk

  
\_\_\_\_\_  
Greg Nelson, Mayor

04/19/2021  
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 March 1, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 5<sup>th</sup> day of April, 2021.



Melissa M. Drake, City Clerk