

**OURAY CITY COUNCIL  
SUMMARIZED MINUTES  
MONDAY, APRIL 5, 2021, 6 PM  
320 6<sup>th</sup> Ave – Massard Room**

Zoom Meeting for Non-participants:

<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 - excused  
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. The PLEDGE OF ALLEGIANCE was recited**

**4. CEREMONIAL/INFORMATIONAL – none**

**5. Approval of Minutes – March 1, 5, & 15**

A correction to the minutes was sent out to council after the packet was published. Councilor Funk made a motion to approve the minutes with the corrections. Councilor Boyd seconded the motion.

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

The motion passed on unanimous roll call vote.

## 6. CITIZENS' COMMUNICATION

Martin Pitts asked if the miner housing development would come before council again for any reason. City Administrator Mr. Clarke said that unless the applicant requested a variance for building, or a waiver for sewer tap fees, it would not come before the council again. Mr. Pitts then went on to ask why Planning Commission was advised not to visit the possible site development; Ms. Viner addressed. Mr. Pitts asked why Mayor Pro Tem Wood individually was able to communicate directly with former Community Development Coordinator on the project. Ms. Viner directed him to contact Mr. Clarke about any potential concerns. Finally, Mr. Pitts asked City Council to give more consideration to big, divisive matters such as the miner housing project.

## 7. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – MAC meeting on Wednesday. Councilor Boyd asked Mr. Clarke to update the council on anything noteworthy from the Unified command meeting, since he was unable to attend.
- b. **Ethan Funk** – Mt. Sneffels Energy Board meeting on March 30<sup>th</sup>. Board is collectively funding purchase of greenhouse gas inventory forecasting and collecting tool to be made available to many local municipalities, allowing them to model changing various policies to see what has the greatest effect.
- c. **Peggy Lindsey** – Beautification Committee meeting on March 30<sup>th</sup>. Trees are coming this month to be planted in berm at Rotary Park. Bids are out on the fencing around the pool equipment. Looking for volunteers for River Walk cleaning and highway cleaning in May.
- d. **Greg Nelson** – Participated in MAC meeting and Joint Policy Group meeting. BOCC will meet tomorrow to talk about possible mask mandates.

## 8. DEPARTMENT REPORTS

### a. City Administrator

Ouray County COVID Response was the main topic at Unified Command, since the decisions are now being put in the Counties' hands. PARC will be hosting softball, 4<sup>th</sup> of July activities being planned, Mountain Air Music Series will be held in Fellin Park this year, and City Hall is open for business as normal now. Highlighted open positions. Mr. Clarke announced a 5% raise for all current City employees effective April 3<sup>rd</sup>.

### b. Police Chief

Chief Wood presented service calls for March, and highlighted a case where a man tried to pass off movie prop money as real money. He wants to keep business owners informed and aware of fake currency and what to look for. Recurring officer training has been completed, and radios and computers are in the process of being updated.

### c. Public Works Director

Upcoming projects: curb painting and striping, maintaining and adding road base, and applying mag chloride. City water supply was officially re-classified as groundwater under the influence of surface water, and staff are slowly increasing the chlorine levels to temporarily mitigate the potential hazards while a permanent solution is being completed.

**d. City Resources Director**

Mr. Noll asked that baseball and softball schedules be shared with him to be put on the park schedule.

**9. CONSENT AGENDA**

**a. Liquor License Renewal – Alpenglow Properties Ouray LLC dba Twin Peaks Lodge & Hot Springs**

**b. Liquor License Renewal – Full Tilt Saloon LLC dba Full Tilt Saloon**

Councilor Boyd made a motion to approve the consent agenda. Councilor Funk seconded the motion.

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

The motion passed on unanimous roll call vote.

**10. ACTION ITEMS**

**a. Consideration and Possible Approval of Blanket Huckstering Permit for Ouray Creative for May 29, 2021.**

Jen Norvell presented the new organization “Ouray Creative” as a creative arts district for the City. Ms. Norvell is requesting a huckstering permit to have a makers’ market over Memorial Day Weekend featuring products made and sold in Ouray, and creating an advertising campaign for locally made products for sale in stores. Councilor Funk noted that while the plan listed closing 6<sup>th</sup> Ave for the market, no street closure application was submitted in the packet. Ms. Norvell will follow up on that process to ensure that is done as well. The organization will ensure that all vendors have a sales tax license, since it is a blanket permit.

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

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

The motion passed on unanimous roll call vote.

**b. Consideration and Possible Approval of Request for Funding from Ouray Creative**

Ouray Creative requested the funding as seed money to kick start purchasing items to sell as fundraising.

Councilor Funk asked Ms. Norvell to consider changing the non-profit’s registered information to differ from her business to keep everything separate and clear. Councilor Funk asked about the trademark/copyright status of the Ouray Made logo. Ms. Norvell said since the organization is so new, it has not been copyrighted, but they are in the process of trademarking. Councilor Boyd asked if the funds would come from LOT/Tourism funds. Mr. Clarke said, pending a final ok from the auditor, that is where

requests like this one would normally come from. Councilor Funk asked about the banners to be printed; Ms. Norvell clarified she wanted businesses to hang them on the sides of buildings at each end of town, not over Main Street.

Councilor Boyd made a motion to approve the request to come out of LOT funds, pending auditor approval. Councilor Lindsey seconded the motion.

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

The motion passed on unanimous roll call vote.

**c. Consideration and Possible Approval of 2020 Ouray County COVID-19 Economic Resiliency Study from EPS**

Council clarified that they are approving the contents of the study as advisory. Mayor Nelson also noted that “visitouray.com” was listed as a county asset, and that needed to be corrected to identify it as a city asset.

Councilor Funk made a motion to approve the study as presented as contractual fulfillment by the vendor, Councilor Boyd seconded the motion, but noted that the footnotes still called the document a “plan”. Councilor Boyd requested to add the correction to the “visitouray.com” page ownership and the correction to the footnotes to the motion. Councilor Funk agreed.

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

The motion passed on unanimous roll call vote.

**d. Via Ferrata Expansion Agreement**

Attorney Viner and Mark Iuppenlatz presented an overview of the agreement.

Councilor Boyd made a motion to approve the agreement with the condition that they continue to work with the Climbers’ Alliance. Councilor Lindsey seconded the motion.

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

The motion passed on unanimous roll call vote.

**e. PSA with SEH, Inc. for Community Development Department Assistance.**

Mr. Clarke noted that he already signed the agreement and is ratifying the agreement tonight and approving the hourly rates listed in the contract. Councilor Lindsey pointed out that the contract expiration date was already past. Councilor Funk asked how much drawing work Mr. Clarke planned on having them complete, since the contract stated that they would continue to own the drawings. Mr. Clarke said no drawings were planned.

Councilor Lindsey made a motion to approve the agreement, Councilor Boyd seconded with change to expiration date to December 31<sup>st</sup>, 2021. Councilor Lindsey agreed to the change.

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

The motion passed on unanimous roll call vote.

**f. Provide Direction to Staff Regarding Sidewalk Repair and Replacement Program**

Council decided to add a mandatory cut pattern and mandate that the permit is approved prior to work to the direction list.

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

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

The motion passed on unanimous roll call vote.

**g. Consideration and Possible Reappointment of Cindy McCord to the Beautification Committee**

Councilor Lindsey made a motion to reappoint Ms. McCord, Councilor Boyd seconded the motion.

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

The motion passed on unanimous roll call vote.

**11. DISCUSSION ITEMS**

**a. Future Agenda Items**

Councilor Funk would like to bring back monthly check reports to the council meetings.

Councilor Lindsey would like to look at creating a ballot item asking voters to allocate lodging taxes partially to the wastewater treatment plant, or look at other ways that tourists can cover part of the cost of the wastewater treatment plant.

Councilor Boyd would like to develop a strategic plan from the community plan. Council discussed whether staff should create the first draft or council/committees.

Mayor Nelson said restaurants are in favor of outdoor seating and allowing alcoholic beverages at Fellin Park as long as the state allows.

Councilor Boyd would also like to look at rescinding the declaration of the state of emergency, or what milestone would kick that off.

Mayor Nelson would like to look at fee structures and the business license program, since it had been highlighted in the Economic Resiliency Study, and work on crosswalk installations with CDOT.

Councilor Funk asked about the status of the noise ordinance. Attorney Viner said the first reading would take place next meeting, and the second reading the meeting after that.

**12. ADJOURNMENT**

Councilor Lindsey made a motion to adjourn at 7:38 pm, Councilor Boyd seconded the motion. The motion passed on unanimous vote.

ATTEST:

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

*06/04/2021*  
\_\_\_\_\_  
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 April 5, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 20<sup>th</sup> day of April, 2021.

  
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Melissa M. Drake, City Clerk

Melissa M. Drake, City Clerk