

**OURAY CITY COUNCIL MEETING
SUMMARIZED MINUTES
MONDAY, APRIL 19, 2021, 1 PM
320 6th Ave – Massard Room**

Zoom Meeting for Non-participants:
<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

- Electronic copies of the Council Packet are available on the City website at 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 1:01 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 - excused

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, 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 – Mayor’s Proclamation of Mental Health Month

5. CITIZENS’ COMMUNICATION

Jake Abell from the Ouray International Film Festival presented this year’s guest speakers, plans for future years, comments from last year’s festival, and an upcoming request for funding for specific needs.

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

6. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – State has done away with the COVID dial, all restrictions are up to the counties. There is still a state and local mask order, but no other restrictions. MAC meeting on Wednesday at 2 pm.
- b. **Ethan Funk** – Ice Festival documentary is now available to stream on YouTube and other locations. No meetings to report on.

- c. **John Wood** – Been out of town, nothing to report.
- d. **Greg Nelson** – Participated in Montrose Ridgway Ouray Tourism collaboration meeting. Participated in Region 10 Gunnison Valley Transportation Planning Region meeting; many road projects going on in our area.

7. DEPARTMENT REPORTS

a. City Administrator

Mr. Clarke and Public Works management staff have met with 3 engineering firms for the water treatment plant project, and have asked one to write a written report on the project to bring to Council. Plan to have a contractor on the job before the 30% mark to expedite construction. The chances of meeting the 18 month deadline are slim, but the City will be pushing through as fast as possible. Mayor Pro Tem Wood asked what would be the worst case scenario for not meeting the 18 month deadline for the water treatment plant. Mr. Clarke said that because the City is actively working on the project, the State will likely be reasonable with the City, but the City could be required to send a letter to citizens like they did for the backflow prevention systems.

Looking to hire a contractor on for the wastewater treatment plant project soon, as we are near the 30% design mark. Councilor Funk asked when the building materials need to be decided on for the wastewater treatment plant. Mr. Clarke said that will be decided after the contractor is selected to get their input.

Mr. Clarke reported that the City is receiving very few applicants for open positions, and invited the audience and councilors to invite anyone qualified to apply to the open positions.

OIPI is working on replacing a catwalk over the canyon; keeping City involved in process.

Councilor Funk asked about the Region 10 CNL lease renewal status; Mr. Clarke said that was on an agenda for tomorrow.

b. Finance and Administration Director

i. 2020 Year-end Financial Report

Most funds are in a good position after 2020 books were closed, except for the predicted negative balances in the Refuse/Recycle fund, and the Parks fund due to limited pool attendance last year.

ii. Hot Springs Pool Visitation – March YTD

Pool approached monthly revenue amount from March 2019 in March 2021, marking an almost complete recovery from COVID-19 in terms of attendance and revenue.

iii. Sales Tax – February 2021 Activity

40% increase from February 2020, and up 38% for 2021 activity year-to-date.

iv. LOT – February 2021 Activity

Revenue is up from last year, and that trend will continue for a while as lodging was shut down around this time last year.

8. CONSENT AGENDA

- a. Liquor License Renewal – Ouray Brewery**
- b. Liquor License Renewal – Red Mountain Brewing**
- c. Liquor License Renewal – The Imogene**

Mayor Pro Tem Wood recused himself from the consent agenda because Red Mountain Brewing was on the agenda, and he rents the building to them. Councilor Boyd made a motion to approve the consent agenda. Councilor Funk seconded the motion.

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

The motion passed on unanimous roll call vote.

9. ACTION ITEMS

- a. Ordinance 3, Series 2021 – Noise Ordinance – First Reading**

Mayor Pro Tem Wood made a motion to approve the ordinance as written. Councilor Funk seconded the motion.

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

The motion passed on unanimous roll call vote.

- b. Resolution 5, Series 2021 – Sidewalk Repair/Replacement Program**

Council discussed the source of funds, whether it was appropriate to fund all sidewalk repair out of the Tourism Fund, or would it only apply to Main Street where the focus is this year, or whether it should be shared with or fully supported by the Beautification Fund, or another fund. The auditor felt it should come out of the Tourism Fund, and Council decided the identifying wording in the resolution should be changed to “the Tourism Fund of the Lodging Occupation Tax”.

Jason Perkins says that as the chair of the Tourism Advisory Committee, he has received concerns from citizens that the fund would come out of the Tourism Fund instead of the Beautification Fund.

Councilor Funk asked why the text said at one point that the homeowner could do the work, but in another location that the work must be done by a “licensed professional contractor”. Since licenses do not exist in the State of Colorado for that kind of work, that will be removed from the language, the word

“homeowner” be changed to “property owner”, require that only a certificate of liability be provided, without naming the City as additional insured, and that the concrete meets specifications as outlined.

Bette Maurer stated that it was the former council’s intention to have the Beautification Fund cover sidewalk replacement on Main Street, and agreed with Mr. Perkins on citizen concerns with using the Tourism Fund.

Councilor Boyd made a motion to approve the resolution with the listed changes. Mayor Pro Tem Wood seconded the motion.

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

The motion passed on unanimous roll call vote.

c. Consideration and possible approval of Six Basins request to place kiosk at “the Horseshoe” parking area

Council discussed the ideal placement of the kiosk to not block traffic flow, but make it noticeable for ATV/UTV drivers and riders to educate them on backcountry rules and etiquette. Mayor Nelson asked how a dispute on maintenance would be handled if there was a disagreement between Six Basins and the City on upkeep/condition of the kiosk. Mr. Clarke said in event of a disagreement, in the contract, the City could act on its sole discretion to maintain it if necessary. Council discussed the appropriateness of having advertising brochures stocked on the kiosk as opposed to informational and educational brochures. Council decided that all brochures placed in the kiosk will be approved by the City Administrator to separate advertising material from educational material, only allowing businesses to appear as “sponsored by” on the kiosk or materials stocked there.

Councilor Funk made a motion to approve the agreement with the listed changes. Mayor Pro Tem Wood seconded the motion.

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

The motion passed on unanimous roll call vote.

10. DISCUSSION ITEMS

a. Rotary Park and Cascade Park Restrooms

Mr. Clarke provided quotes for installing vault toilets at Cascade Park, and renovating/replacing restrooms at Rotary Park with flush toilets. \$85,000 has been budgeted for both of these projects, but quotes for both locations exceed that. Council wants to proceed with the projects and allocate other funds towards those projects. Councilor Funk stated that he felt the “Rocky Mountain” model was the most appropriate looking for the area, even though it is slightly more expensive than other models priced out. Mayor Nelson agreed,

saying he'd like to keep all restrooms looking consistent throughout the City too. Mr. Clarke will move forward with the discussed plans.

b. Ice Park/Via Ferrata Restroom

Nathan Disser spoke on behalf of the Friends of the Via Ferrata collaborating with OIPI for a shared restroom. Mayor Pro Tem Wood would like the City to contribute some money to the project to upgrade the facility to a concrete vault instead of plastic tanks to have the longer lasting system in place. Council discussed who would be responsible for cleaning and maintenance, and decided that depending on the season, the active organization would be responsible for that. The existing restroom would be removed since it is not adequate for the needs of the location.

c. Future Agenda Items

Short Term Rentals after new Community Development Coordinator arrives.

11. ADJOURNMENT

Councilor Boyd made a motion to adjourn at 3:00 pm, Mayor Pro Tem Wood 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 19, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 20th day of April, 2021.



Melissa M. Drake, City Clerk