

**OURAY CITY COUNCIL  
SUMMARIZED MINUTES  
MONDAY, MAY 3, 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 - 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. The PLEDGE OF ALLEGIANCE was recited**

**4. PUBLIC HEARING – Ordinance 3, Series 2021 – Noise Regulations**

Mayor Nelson opened the floor for public comment. Since there were no comments, Mayor Nelson closed the floor.

**5. CEREMONIAL/INFORMATIONAL – Thank you to Community Plan Committee**

Mayor Nelson and all of council extended a thank you to each person who served on the committee.

**6. Approval of Minutes – April 5 & 19**

Councilor Lindsey made a motion to approve the minutes. Mayor Pro Tem Wood seconded the motion.

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

The motion passed on unanimous roll call vote.

## 7. CITIZENS' COMMUNICATION

Mayor Nelson opened the floor for public comment. Since there were no comments, Mayor Nelson closed the floor.

## 8. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** – MAC meeting coming up on Wednesday, May 5<sup>th</sup>. Walk-in clinic for Johnson & Johnson vaccines on Saturday from 9 am to 3 pm at the 4-H Center. Mock accident for schools will be May 14 at the fairgrounds, with Ouray PD and Ouray FD participation. Updated 402 course for council members and directors on May 24<sup>th</sup> in the Community Center. Mask mandate set to expire on May 7<sup>th</sup>, BOCC meeting to discuss potential extensions or changes. On May 17<sup>th</sup>, vaccines will move back to the public Health Office from the 4-H Center.
- b. **Ethan Funk** – Ice Park meeting: discussed repair work for water system and hydroelectric system, engineering is making progress for regulatory approvals. Ongoing discussion of water rights.
- c. **Peggy Lindsey** – Beautification Committee met on 30<sup>th</sup>, going to hold a “love your river walk” weekend this coming weekend to clean up the river walk, as well as a highway cleanup day on May 15<sup>th</sup>. Flowers will arrive around June 15<sup>th</sup>.
- d. **John Wood** – Nothing to report
- e. **Greg Nelson** – CML meeting about funding infrastructure projects and researching available grants and low interest loans.

## 9. DEPARTMENT REPORTS

### a. City Administrator

IT Administrator will start next week, Pool Manager will be starting soon as well, depending on housing; Visitor Center Coordinator was hired; Community Development Coordinator starts this Wednesday. Hired 10 new employees at the pool, still need another 15. Box Canon opened on Friday, need one more cashier. Pool Operator, Seasonal Pool Operator and Seasonal Parks Maintenance positions are still open. Parks and Facilities Maintenance Manager, Building Inspector and Main Street Coordinator to open soon. Deck at the Visitor Center is complete, just a little more painting needs to take place. Multiple city projects are moving forward, including geothermal line, sidewalk repair and water treatment plant.

### b. Police Chief

Presented service calls for month of April. Chief Wood presented the results of a week-long traffic study at the Horseshoe with approximately 79 cars an hour, during the monitored times, noting that it represents a very slow time of the year. Average speed was 28.8 mph (speed limit is 25), the fastest recorded speed was 43 mph. With results in mind, Chief Wood recommended 4 spots for cross walk locations. Councilor Lindsey suggested installing button-activated blinking cross walk indicators for added visibility.

### c. Fire Chief

Chief Kunz could not attend this meeting, but will submit monthly reports going forward. Administrator Clarke wanted to thank all the firefighters involved in cleaning the streets in preparation for striping.

**d. Public Works Director**

Parking stall striping has been delayed due to weather, looking to complete later this week if weather cooperates. Mayor Pro Tem Wood asked for an update on the Rotary Park and Cascade Park restrooms, Mr. Clarke confirmed they have been ordered.

**e. City Resources Director**

Box Canon Falls had strong opening weekend. Running lifeguard certification classes at the pool to get more lifeguards.

**f. Finance and Administrator Director – March 2021 Financial Report (YTD)**

All funds have had higher revenue than expense this year except capital improvements fund and parks fund, which are not concerns at this time of the year.

**10. CONSENT AGENDA – none**

**11. ACTION ITEMS**

**a. Ordinance 3, Series 2021 – Noise Regulations – Second Reading**

Councilor Funk made a motion to approve the ordinance, Councilor Lindsey 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. Resolution 4, Series 2021 – Adopting the Community Plan**

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

Mayor Nelson listed 3 minor changes that he wanted to see included in the motion. Councilor Boyd amended his motion, and Councilor Funk amended his second.

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 of Blanket Huckstering Permit for the Wright Opera House for 7/3, 8/7, 9/4 and 10/2**

Councilor Lindsey made a motion to approve the permit. Councilor Boyd seconded the motion.

Alyssa Preston presented on behalf of the Wright Opera House for multiple outdoor artisan markets with vendor booths hosted by the Opera House, like the market being hosted by Ouray Creative on May 29<sup>th</sup>.

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. Consideration of Request for Funding from Ouray International Film Festival**

Councilor Boyd made a motion to approve the request. Mayor Pro Tem Wood seconded the motion.

Councilor Boyd said that the newly adopted community plan has a focus on local arts, so it seems logical to approve it. Mayor Nelson said this is given with no implication that any money would be given in future years without a new request. Mayor Pro Tem Wood would also like to see requests like this to come much earlier in the future for budget planning. Councilor Funk asked if the Wright Opera House was the parent organization of the Ouray Film Festival, and if that was where the money would be sent. Alyssa Preston confirmed, and Councilor Boyd updated the motion to specify that money would be sent to the Wright Opera House for the Ouray International Film Festival. Mayor Pro Tem Wood amended his second.

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. Consideration of US Forest Service Collection Agreement for Alpine Ranger Program**

Mayor Pro Tem Wood asked if it was known what other municipalities would be contributing. It was not known who else was contributing to the program. Since it was only a \$5000 request, council decided to move forward with it without knowing who the other municipal participants would be.

Mayor Pro Tem Wood made a motion to approve the agreement, Councilor Lindsey seconded the motion. Councilor Boyd asked if the funds would be coming out the tourism fund; Ms. Drake confirmed.

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. Consideration of Kraft Minor Subdivision involving Lot 2, Tract B of Ouray River Park Townhomes Plat with legal description of Ouray River Park Tract B, S: 30, T: 44, R: 7 (Parcel ID: 451530304011)**

Andy Arnold from SEH, Inc provided the overview of the request, since the land in question had not been previously platted and is not zoned for residential currently, but has been given a legal name/description and GIS data from the County. The current structure on this lot is nonconforming in setbacks and square footage, but the nonconformity could continue if it was not extended beyond the current specifications because the lot is an unusual shape defined by a waterway. Because of the size and location of the lot, according to the code a park fee would be assessed, but Planning Commission recommended waiving the fee.

Councilor Lindsey made a motion to approve the minor subdivision and include the park fee, 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 of Professional Services Agreement for Engineering Services with Element Engineering, LLC for Water Treatment Plant Design**

Mr. Clarke said the City met with 3 different contractors, and would like to move forward with Element Engineering to design the water treatment plant. Ms. Viner has reviewed the contract, and added clauses to the contract to ensure that the Council is kept up to date on the project on a regular basis so it stays on target.

Mayor Pro Tem Wood made a motion to approve the agreement, changing a reference of Exhibit A to Exhibit B. Councilor Lindsey 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.

**h. Consideration of Letter of Support for Top of the Pines Dark Sky Designation**

Councilor Boyd made a motion to approve the letter as written, Councilor Lindsey 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.

**12. DISCUSSION ITEMS – Future Agenda Items**

Affordable Housing and Short Term Rentals Workshop(s)

Mayor Nelson has received numerous complaints about the repair of trenching on Oak St for broadband, and would like to hold the contractors accountable.

**13. ADJOURNMENT**

Councilor Lindsey made a motion to adjourn at 8:09 pm, Councilor Funk seconded the motion. The motion passed on unanimous vote.

ATTEST:

*Melissa M. Drake*

Melissa M. Drake, City Clerk

*Greg Nelson* 06/09/2021  
 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 May 3, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7<sup>th</sup> day of May, 2021.

*Melissa M. Drake*

Melissa M. Drake, City Clerk