

**OURAY CITY COUNCIL SPECIAL MEETING
SUMMARIZED MINUTES
TUESDAY JUNE 29, 2021, 2:00 P.M.
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 in open session 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 2:00 pm.

2. ROLL CALL

Mayor Greg Nelson – present
Mayor Pro Tem John Wood – present
Councilor Glenn Boyd – excused
Councilor Ethan Funk – present
Councilor Peggy Lindsey – present

Also present were City Administrator Silas Clarke, Finance and Administrator Director Melissa Drake, Public Works Director Joe Coleman, Community Development Coordinator Lily Oswald, Police Chief Jeff Wood, City Resources Director Rick Noll and City Attorney Carol Viner.

3. The PLEDGE OF ALLEGIANCE was recited.

4. CITIZENS' COMMUNICATION

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

5. ACTION ITEM

a. Consideration of Emergency Ordinance 4, Series 2021 – Temporary Allowance of Workforce Recreational Vehicle Camping on Private Property

City Administrator Silas Clarke presented the ordinance, stating the permit is weekly to prevent squatters' rights from being applicable, and the permit is issued to the parking spot/property owner, not the particular RV. Mayor Pro Tem Wood discussed tenant rights as they apply to RV parking spots licensed to someone other than the occupant of the RV, and stated that the

weekly permitting process adds unnecessary workloads to City Staff. Ms. Viner stated the weekly period limited the tenant rights, allowing the City greater leeway to evict tenants for misbehavior.

Council asked for a notice provision to be added for employers to notify the City when an employment relationship terminates to ensure tenants continue to remain part of the local workforce. Mayor Nelson asked about the 18 hour per week working requirement; Ms. Viner said it was a starting point and could be altered as Council desired, but the purpose was to disallow people who only work a couple hours a week to use this program. Council discussed removing the hard ground regulations to allow more potential spaces in town to be used.

Mayor Nelson opened the floor for public comment.

Jason Perkins, owner of Ouray RV Park and Cabins, listed concerns he had with the language in the ordinance, including grey and black water handling, true livability of RV's, and how the ordinance would affect existing RV parks in town.

Dolgio Nergui asked if the City would put a cap on the number of permits from the beginning, and asked the City to regulate the fire extinguishers and smoke detectors to keep neighbors of the property owners who allow an RV on their property safe as well, because of the close proximity.

Dee Williams asked how many employees would be needed by all the various businesses, Mayor Nelson said he did not have a number. Councilor Funk added that this is an experiment, and there is no indication of how much it will be utilized, if at all.

Councilor Lindsey said the word "front" from setback requirements, meaning the property would have to meet *all* setbacks, in response to Ms. Nergui's fire danger concern with RVs being very close to other buildings. Ms. Lindsey also believes the hard ground requirement should be removed so RVs can be parked on grass or dirt.

Mayor Pro Tem Wood discussed moving in a different direction for the future and asking existing RV Park owners to collaborate with the City on creating additional RV spots to be used as workforce housing. Mr. Perkins thought he could add around a dozen new sites if allowed.

Councilor Funk made a motion to approve the ordinance with the following changes: setback allowances, vehicle must be registered, move inspection to terms and conditions of permit, cap permits to 30, employer must sign off on permit application and must notify City of employment changes, remove hard surface requirement, and amend grey water allowance to not allow dumping. Councilor Lindsey requested that if no applications are submitted in 60 days the ordinance would expire at that point. Councilor Funk agreed, and with that addition Councilor Lindsey seconded the motion.

Ms. Viner asked if council was ok with waiting until the regular meeting on July 6th. Mr. Clarke felt the changes were clear enough to pass now, but to allow a few days to have the document edited before it goes into effect.

Councilor Funk amended his motion to make the ordinance go into effect on Friday morning. Councilor Lindsey seconded the amendment.

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 3-1 roll call vote.

Mayor Pro Tem Wood asked other councilmembers if they were interested in pursuing the RV park spot creation idea. Council agreed in pursuing that idea for the future.

b. Discussion and Possible Action on Temporary Short-term Rental Restrictions

Ms. Oswald presented the breakdown of City staff research into Short Term Rentals. Previous City staff have told some locations that they do not need apply for a short term rental license, since they are operating as a condo/hotel model.

Mayor Pro Tem Wood suggested setting an approval schedule for all STR licenses, such as setting all start dates to the licenses to February, or another slower time of year, in order to stop the revolving door of constantly changing licensed properties to get a firm count of active properties.

Councilor Funk made a motion to direct staff to temporarily not accept new applications for 60 days for anyone who is in current violation of the STR ordinance, except for expired existing licenses. Mayor Pro Tem Wood seconded the motion.

Kent Scribner said that his neighborhood is predominantly R-2, except for five houses that are R-1, and would like to either see the R-2 restriction removed, or for his and the four other houses to be rezoned to match the rest of the neighborhood.

Judy Snelling asked if the direction to staff would affect a real estate transaction in process where the buyer intends to apply for a new license on a property that has never been licensed before. Staff and council confirmed it would not affect that situation.

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

Motion passed on unanimous vote.

6. ADJOURNMENT

Councilor Funk made a motion to adjourn at 3:56 pm, Councilor Lindsey seconded the motion. The motion passed unanimously.

ATTEST:


Melissa M. Drake, City Clerk


Greg Nelson, Mayor Date 07/01/2021

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 June 29, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1st day of July, 2021.


Melissa M. Drake, City Clerk