

AGENDA
OURAY CITY COUNCIL
320 6th Avenue – Community Center MASSARD ROOM
July 1, 2019
Work Session 4pm and Regular Meeting 6pm

- 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

Work Session 4pm

Waste Water Treatment Facility – discussion with JVA

Regular Meeting 6pm

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES - June 3, 2019 and June 17, 2019 Page 2
5. CITIZENS' COMMUNICATION
6. CITY COUNCIL REPORTS/INFORMATION
Glenn Boyd, Dawn Glanc, Bette Maurer, Dee Hilton, and Pam Larson
7. DEPARTMENT REPORTS
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 - a. Special Event Liquor Permit for the Firemen's Ball on July 3, 2019 and Request to Waive 30-day Prior Notice Page 26
 - b. Fireworks Contract with OTO Page 27
 - c. Grant Administration Duties
 - d. Street Closure – 300 Block of 6th Avenue – July 4th
 - e. 2019 Colorado Summer Swim Club Requests for Camping in Fellin Park and Pool Closures on Aug. 1st, 2nd, 3rd, & 4th Page 29
 - f. Consideration of City Hall Closure on July 5, 2019
9. DISCUSSION Page 30
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12. ADJOURNMENT

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, June 3, 2019 at 6:00pm
Massard Auditorium – Ouray Community Center**

1. CALL TO ORDER

Mayor Pro Tem Boyd called the meeting to order at 6:00 p.m.

2. ROLL CALL

Mayor Pam Larson - Excused
Mayor Pro Tem Glenn Boyd – Present
Councilor Dawn Glanc – Present
Councilor Dee Hilton – Present
Councilor Bette Maurer – Present

Also present were Interim City Administrator Justin Perry, City Resources Director Rick Noll, Acting Police Chief Gary Ray, Public Works Director Joe Coleman, Community Development Coordinator Chris Hawkins, and Finance and Administration Director Melissa Drake

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. CEREMONIAL/INFORMATIONAL

Ouray Ice Park Inc. Year-end Report

Dan Chehayl gave an overview of the 2018-2019 Ice Climbing Season.

5. APPROVAL OF MINUTES

i. May 6, 2019

Mayor Pro Tem Boyd asked if there were any corrections to the minutes. There were none. He stated that the minutes stand approved.

ii. May 20, 2019

Mayor Pro Tem Boyd asked if there were any corrections to the minutes. There were none. He stated that the minutes stand approved.

6. CITIZENS' COMMUNICATION

Mayor Pro Tem Boyd announced that there are issues with the bear-proof trash cans delivered today. Waste Management has picked them up and will re-deliver when the problem has been solved with the manufacturer.

Jenny Hart, wanted to have a dialogue about short-term rental fees. Administrator Perry stated that this topic will be on the June 17th agenda.

Erin Eddy asked about the status of snow routes. Administrator Perry stated that work will be done this year on snow routes.

Don Wild asked Councilor Hilton why she was against the Short-term Rental Ordinance without placing a cap on them. She stated that she was representing citizens who were afraid to speak publically for a cap. Councilor Maurer stated that the issue will be readdressed in a few months after more information is gathered. Mr. Wild asked Council to do what is best for the community, not for any one sector of it.

Casey (no last name given) spoke about creating a balance between short-term rentals and affordable housing. Councilor Maurer stated that the Mountain Coalition for Affordable Housing will have a conference in September in Ouray.

Nate Disser also spoke about short-term rentals and gathering information to support a decision regarding a cap.

Andrea Iuppenlatz and Lee Ann Parden also spoke about short-term rentals.

Greg Nelson echoed Councilor Hilton's comment about citizens' fear to speak up.

7. CITY COUNCIL REPORTS/INFORMATION

- a. **Councilor Glanc** – Ecoaction Partners has their Green Light Program available again through San Miguel Power
- b. **Councilor Bette Maurer** – Ouray County Housing Advisory Committee is working on the housing conference in September and she attended the State of the River meeting: 99.9% of Colorado is no longer in drought. Mayor Pro Tem Boyd stated that the City and County are on high alert regarding flooding from the Uncompahgre River in the area.
- c. **Councilor Dee Hilton** – thanked the school, Ouray Trail Group, and other volunteers for their work in the City. She also thanked Joe Coleman for Public Works help.
- d. **Mayor Pro Tem Boyd** – the Ouray County Multi-hazard Mitigation Plan Meeting will be June 13 from 9am to 11am.

8. DEPARTMENT REPORTS

a. Interim City Administrator

Interim Administrator Justin Perry stated that he has been working with our state partners regarding possible flooding in the area. The general opinion is that there will not be major flooding. Debris is being cleared as soon as possible as it is found. There are some localized concerns due to the amount of debris this year. He stated that citizens should not hesitate to call 911 if debris is seen which may cause a backup.

Mr. Perry stated that the City will be working with JDS Hydro, through DOLA, on a rate study for utilities, at no cost to the City. This DOLA program will save the City \$20,000-\$30,000.

b. Acting Police Chief

Acting Chief Gary Ray stated that in 2018, the PD entered into a trial period with body cameras for officers. Last week, as part of a last request, someone donated 7 new body cameras.

c. Public Works Director

Public Works Director Joe Coleman stated that the baseball field has been renovated. Greg Nelson, representing PARC, thanked Joe and PW for this work.

d. City Resources Director

City Resources Director Rick Noll stated that swim lessons begin next week and we may add more classes.

e. Finance & Administration Director

i. April Financial Report

Councilor Glanc made a motion to approve the April Financial Report. Councilor Hilton seconded the motion and it passed on unanimous vote.

ii. April Disbursements

Councilor Maurer made a motion to accept the April Disbursements. Councilor Hilton seconded the motion and it passed on unanimous vote.

iii. April Sales Tax Report

Council discussed the report with Finance and Administration Director Melissa Drake.

iv. April LOT Report

Council discussed the report with Finance and Administration Director Melissa Drake and OTO Director Kat Papenbrock.

9. CONSENT AGENDA – Special Events Permit Application – Mountain Air Music, Inc. for Mountain Air Music Series – June 6th, 13th, 20th, and 27th

Councilor Hilton made a motion to approve the Consent Agenda. Councilor Glanc seconded the motion and it was approved on unanimous vote.

10. ACTION ITEM - Resolution No. 5, 2019 for Budget Amendment #1

Finance and Administration Director Melissa Drake stated that the amendment is needed to revise the budget for 2019. Staff has identified areas of expense savings as well as areas of additional revenue which allows additional expenditures in Utilities Funds.

Councilor Glanc made a motion to approve the Resolution. Councilor Hilton seconded the motion.

Mayor Pro Tem Boyd thanked Ms. Drake for all the time and effort she put into revising the budget. Councilor Glanc thanked her for the individual meetings she held with the Council on the budget.

The motion passed on unanimous vote.

11. DISCUSSION

a. Broadband Installation Projects – Clearnetworkx

Doug Seacat with Clearnetworkx gave an update regarding the status of the CNL. He also gave an update on the fiber internet project in the City. He asked the Council to modify the code or allow a variance to allow cabling on San Miguel Power (SMP) poles. He stated that SMP has agreed to allow this. Mayor Pro Tem Boyd stated that when the ordinance was passed to require all new cabling to be placed underground, SMP was not allowing any additional cable on their poles.

Council discussed this with Mr. Seacat and Craig Hinkson. Council directed staff to discuss options with the City Attorney.

b. Composting in the City

Councilor Glanc attended an ROCC meeting where Ecoaction Partners presented information about a composting program. She asked citizens and Council to consider whether or not there is interest in a program here. She also suggested a Facebook survey.

Council discussed the possibility of this program. Council agreed on a survey.

c. Future Agenda Items

None

12. ADJOURNMENT

At 7:37pm, Councilor Maurer made a motion to adjourn the meeting. Councilor Hilton seconded the motion and it was approved on unanimous vote.

ATTEST:

Pamela J. Larson, Mayor

Date

Melissa M. Drake, City Clerk

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, June 17, 2019 at 6:00pm
Massard Auditorium – Ouray Community Center**

1. CALL TO ORDER

Mayor Larson called the meeting to order at 6:05 p.m.

2. ROLL CALL

Mayor Pam Larson - Present
Mayor Pro Tem Glenn Boyd – Present
Councilor Dawn Glanc – Present
Councilor Dee Hilton – Present
Councilor Bette Maurer – Excused

Also present were City Resources Director Rick Noll, Acting Police Chief Gary Ray, Public Works Director Joe Coleman, Community Development Coordinator Chris Hawkins, and Deputy Clerk/Treasurer Beverly Martensen. Interim City Administrator Justin Perry and Director of Finance and Administration Melissa Drake were excused.

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. PUBLIC HEARING – Ordinance No. 4 Regulating Short Term Rentals in the City of Ouray

Mayor Larson opened the Public Hearing.

Erin Eddy, 319 4th St – Expressed concerns regarding the increasing commute for work force due to more City of Ouray properties renting short term. Spoke in favor of high licensing fees for short term rentals, which he would like to see used to fund future housing solutions.

Monica Bangert, 445 6th Ave – Spoke as property manager for 50+ rental properties in Ouray. Feels a permit fee structure is totally appropriate. Does not want to see regulations which penalize property owners for offering short term rental properties.

Mark Iuppenlatz, 215 5th St – Would like to see a possible exemption from future cap for full time residents/owners.

Councilor Hilton presented three pages of signatures of those in favor of capping the number of short term rentals. Mayor Larson indicated a cap is not included in this ordinance and will be a discussion for a later date.

Ben Tisdell, Ouray County Commissioner - Stated that caps are common in communities and discussed Ouray County's implementation of a cap over a period of time so that the number could be evaluated.

LeeAnn Parden, 105 5th Ave Ct. - Thanked the council members for their work on the ordinance. Not in favor of a cap, but is in favor of regulations ensuring safe rentals. Wants to see more study and research before implementing a cap on short term rentals. Spoke in favor of this ordinance.

Phil Suitt, 1531 Oak St – Expressed concerns regarding parking at short term rental properties. Emphasized the need for clear communication regarding parking regulations and the need for parking enforcement.

Dolgio Nergui, 226 3rd Ave – Spoke in favor of capping the number of short term rentals.

Mayor Larson closed the public hearing.

5. CEREMONIAL/INFORMATION – San Juan Mountain Guides Year-End Report

Nate Disser presented the San Juan Mountain Guides Year End Concession Report. Season highlights included free community wide kids climbing clinics, ice park maintenance days, increased emphasis on park use rules for guides and SJMG employees. SJMG worked with OIPI to create application procedures and minimum requirements to better manage ice park use by educational and non-profit groups. Future emphasis will include adapting to increasing demand and environmental challenges. Disser stated the Ouray Ice Park Inc. will take over his role managing commercially guided ice climbing. Nate introduced Mark Iuppenlitz, member of Friends for the Via Ferrata to provide a brief update on Via Ferrata.

Mark Iuppenlitz updated Council on status of the Via Ferrata. Route selection is currently underway. Personalized rungs are available for \$500 sponsorship. Upcoming stakeholders meeting identifying exactly where route should be established so that it does not interfere with other climbing operations. Engineer has been selected. Installation is targeted to begin in August of 2019 and be completed in October 2019. Contract selection is underway. Fundraising is at about 50% of goal total of \$220,000. Commercial sponsorships are available.

6. CITIZENS' COMMUNICATION

Peggy Lindsey, 415 Hillcrest Court – Stated they are currently removing dead timber from their property. She would like to request the City remove three dead trees from adjoining City property at the time when they have their own dead timber removed. She will meet with Joe Coleman.

Dolgio Nergui, 226 3rd Ave - Thanked the City Police Department and Public Works for installing a traffic calming planter on 3rd Avenue.

Ben Tisdell, Ouray County Commissioner – Stated the annual regional planning meeting with CDOT will be tomorrow at the land use office at 11:00 am. CDOT has requested municipalities participate in this annual planning process. Mayor Pro Tem Boyd will attend this meeting.

7. CITY COUNCIL REPORTS/INFORMATION

- a. **Boyd** – Missed the CEDC meeting due to scheduling conflict and attending emergency response meeting. A public meeting will be held in late July or early August which will include emergency management and rock fall discussion.
- b. **Glanc** – Reached out to Eco Action Partners regarding composting discussion. Attended meeting with Ouray Ice Park regarding the development of additional raw waterline into town which would in part serve the ice park. OIPI will hire a professional fundraiser and are looking for people to serve on committees to facilitate. Contact Dan Chehayl if willing to serve on this committee. Dolgio Nergui stated there are grants available for a composting program.
- c. **Hilton** – Thanked all the volunteers and Ouray School for assisting with flower planting this week.
- d. **Larson** – No report as she was on vacation.

8. DEPARTMENT REPORTS

- a. **Interim City Administrator** – Interim City Administrator is attending the CML conference. His report is in the packet.

- b. **Finance and Administration Director**

- i. May Financial Report

Mayor Pro Tem Boyd made a motion to approve the May Financial Report. Councilor Hilton seconded the motion and it was approved on unanimous vote.

- ii. May Disbursements

Mayor Pro Tem Boyd made a motion to accept the May Disbursements. Councilor Glanc seconded the motion and it was approved on unanimous vote.

- iii. May Sales Tax Report

Presented in the packet.

- iv. May LOT Report (April Rental Activity)

Reports presented in the packet.

c. Community Development Coordinator

Chris Hawkins recommended that a committee be formed to support and promoted the Census process. Mayor Pro Tem Boyd stated the CEDC has expressed willingness to assist in supporting the Census process. Hawkins said the census process will be on the CEDC July agenda.

Hawkins stated the next community plan update meeting will be on Arts & Culture at 6 p.m.

9. CONSENT AGENDA

a. Special Events Permit Application – BPOE Lodge #492, 4th of July

b. Huckstering Permit Applications – MS LLC dba Dippin’ Dots Ice Cream, 4th of July

c. Huckstering Permit Application – Masonic Lodge, 4th of July

Mayor Pro Tem Boyd made a motion to approve the Consent Agenda., adding the condition that Staff be allowed to approve last minute huckstering permits for 4th of July. Councilor Hilton seconded the motion and it passed on unanimous vote.

10. ACTION ITEMS

a. Second (and Final) Reading of Ordinance No. 4 Regulating Short Term Rentals in the City of Ouray

Mayor Pro Tem Boyd made a motion to approve the final reading of Ordinance No. 4 Regulating Short Term Rentals in the City of Ouray. Councilor Glanc seconded the motion. Mayor Pro Tem Boyd amended his motion to include a correction of a typo in the Section 3 of the ordinance. Councilor Glanc amended her second.

Council directed Staff to conduct a study of data regarding a cap on the number of short term rentals. Mayor Larson stated the discussion of a cap on short term rentals has been placed on a Council agenda three months from now. Chris Hawkins stated it should not be necessary to hire an outside consultant to conduct study on capping short term rentals.

April Orgren, 428 5th Ave – Feels one piece of data useful to collect at application is whether the property is a full-time short term rental or part-time short term rental.

Lee Ann Parden, 105 5th Ave Ct – Spoke in support of taking time to gather comprehensive data.

Erin Eddy, 319 4th St – Spoke in favor of consideration for full-time residents.

Don Wild, 125 6th Ave – Expressed support that R-1 be opened up to short term rentals if there is going to be a cap.

Kim Kelly, 835 2nd St – Asked what type of enforcement is taking place if short term rental is occurring in the wrong zone. Spoke in favor of capping the number of short-term rentals.

Attorney Carol Viner explained that code enforcement is a complaint driven system. Chris Hawkins stated enforcement will be handled by the Community Development department.

Dolgio Nergui, 226 3rd Ave – Would like to see a limit on the number of short term rentals by single entity.

Craig Hinkson, 1980 Oak St – Expressed his concerns that limiting short term rentals discourages new construction. Hinkson also stated his belief that it is a misconception that a cap on short term rentals helps to solve the affordable housing problem.

A vote was taken on the motion and passed unanimously.

b. Consideration of a fixed encroachment permit for a stone landscape planter, landscaping and fence for the Columbus Building with the encroachment located in the Eighth Avenue Right-of-Way north of Block 9, Lot 13, 740 Main St

Chris Hawkins explained encroachment permit fees are based on property value. Total for this permit would be \$10,000. The applicant would like to pay \$2,300 up front, with the remaining balance to follow. Hawkins stated Staff is in support of this fixed encroachment permit. City Attorney Carol Viner stated she has not had the opportunity to review this encroachment permit.

Councilor Glanc made a motion to table this discussion until the City Attorney has a chance to review the encroachment permit. Councilor Hilton seconded the motion.

Mike Bazin, 80 4th Ave – Asked if proposed encroachment is an increase to the existing encroachment. Hawkins stated this encroachment is less than the previous encroachment.

Greg Nelson, 219 4th Ave – Asked if encroachment already exists. Hawkins stated it does exist, but will be repaired and will actually be smaller.

A vote was taken on the motion and it passed on unanimous vote.

11. DISCUSSION ITEMS

a. Short Term Rental Application Form

Council and the public in attendance discussed that a single application could apply for multiple units on a single property. Fees would apply for each separate unit.

The application will ask about full time short term rental vs. part time short term rental.

Dolgio Nergui, 226 3rd Ave - Stated that all requirements for parking, trash handling, snow removal and all other short term rental regulations should be included in the application packet. Also, a zoning map should be included in application packet.

Ethan Funk, 331 6th Ave – Ordinance No. 4 does not address fee structure. This will be addressed in a future ordinance.

Mayor Pro Tem Boyd requested that the minutes reflect that the intent of Ordinance No. 4 is one person per one rental.

b. Short Term Rental Fees

Council and attending public discussed that the fee schedule should indicate where incoming application funds should be allocated.

City Attorney Carol Viner explained that Colorado State law requires that fees cannot be designed to increase revenues for government operating expenses, rather fees are set to defray the cost of administration of the program.

Mike Bazin, 80 4th Ave – Stated that there are expenses associated with short term rentals that would fall under cost of administration, such as extra trash collection and extra police department involvement.

Craig Hinkson, 1980 Oak St. - reminded Council that the original intent of the short term rental committee was to cover the administration costs of the short term rental program. He recommends that existing short term rental would not be required to pay the higher initial application fee.

c. Future Agenda Items

The discussion of whether or not to cap the number of short term rentals will occur in 3 months.

- 12. EXECUTIVE SESSION** - For a conference with the City attorney for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiations, and/or instructing negotiators regarding the City Administrator employment contract, under C.R.S. 24-6-402(4)(b) and (e).

At 8:15 pm, Mayor Pro Tem Boyd made a motion to go into Executive Session. Councilor Glanc seconded the motion and it was approved on unanimous vote.

At 9:00 pm Council went into regular session.

There was discussion regarding two changes to the draft contract as presented which were adding a non-disparagement/confidentiality clause and a minor change to the City vehicle clause.

Mayor Pro Tem Boyd made a motion to approve the draft employment agreement subject to the two changes discussed. Councilor Glanc seconded the motion and it passed on unanimous roll call vote.

The City attorney was directed to make the changes. Council decided there would be an official signing the following Monday at 4:00 pm, with the changes, and a signed version for public release would be available the next day.

13. ADJOURNMENT

At 9:09 pm, Councilor Glanc made a motion to adjourn the meeting. Mayor Pro Tem Boyd seconded the motion and it was approved on unanimous vote.

Pamela J. Larson, Mayor

Date

ATTEST:

Melissa M. Drake, City Clerk

City Administrator Report

- I was out the week of June 17th for the Colorado Municipal League Conference as well as a CIRSA training. The following were classes/trainings attended:
 - CIRSA liability training that discussed First Amendment Audits, Colorado Open Meetings Law, Social Media, Personal Data Policies, and transparency.
 - Department of Local Affairs – Mission is to strengthen Colorado local communities, Colorado 2020 Census, Rural Development, Healthcare issues and ways to reduce cost, Climate and Energy, New Funding opportunities for Affordable housing, Colorado Main Street Grant Opportunities
 - Leadership by Mary Kelley – 7 Prescriptions for Leadership
 - Municipal Water: Effective Planning for Long-Term Growth
 - Affordable Housing: Buena Vista/Collegiate Commons Project
 - Getting Real on Risk Management
 - Maintaining Successful Commercial Districts
 - Collaborative Legal Responses to Homelessness Issues
 - Effective Municipal Leadership
 - Counting Colorado: Preparing for the 2020 Census
 - Overcoming Resistance to Change
 - Networking lunches and dinners each day
- On Monday the 24th I met with a citizen who reported the need for roadwork in a local alley way. Public Works was contacted and advised they would take care of the issue.
- Met with a few of the department heads for one on one meetings and discussed various projects and issues in their respective departments.
- On Monday the 24th we opened the water meter proposals and conducted a criteria analysis with each company. We received proposals from Neptune, Metron, and Mountain States Pipe & Supply/Kamstrup. We are requesting products from the selected companies for testing purposes, which will occur over the next month. Upon completion of the testing phase, we will determine which company has the most effective, viable, and economic product for our geographical area and community. The final recommendation will come before City Council in August. We will also be researching a few grants to assist with funding of this project.
- I met with Frank Robertson with OIPI and discussed the water initiative they are proposing. This will come before City Council for a formal discussion in late July. In addition, we discussed the intern/seasonal employee that was agreed upon by contract for OIPI. OIPI and staff will be working on a job description and the area of responsibility for this temporary position.
- Community Development Coordinator Hawkins and I met via phone conference on a few occasions with officials working on the County Courthouse. The project is proceeding well and areas of concern have been rectified.
- I attended the Colorado Association of Chiefs of Police Conference June 26th through the 28th

Ouray Police Department Council Report

It saddens me to say that Timothy Walterschied will not be joining the Ouray Police Department. The Ouray Police Department is now in the process of completing a background check on Casey Canfield for the position of a full time officer.

Body Cameras

The Ouray Police Department received a gracious donation in the form of (7) Axon body cameras. The donation could not have come in at a better time due to the free trial period with Axon is coming to the end of its time period. I want to say thank you to Jim Loya for the donation. Below is the press release for the donation.

Giving Back from the Beyond – Former Visitor of Ouray Purchases Body Cameras for Ouray Police Department

Ouray, Colo. The officers of the Ouray Police Department were elated when they received a donation of seven (7) new body cameras from longtime Ouray visitor, Jim Loya. Jim, who recently passed away, was a devoted visitor of Ouray for many years and requested in his passing that money be sent to the Ouray officers so that they can continue to protect the mountain town he loved so much.

Jim was a longtime supporter of Law Enforcement. He believed in seeing the good in everyone and in officers having the proper equipment to support and protect their communities.

“We are beyond excited and blessed to receive this donation” stated acting Chief Ray. City Administrator Justin Perry, was also very excited and said “It is always comforting to be reminded of those that show true appreciation and support of law enforcement and our first responders”.

This donation comes as a great relief to our department as funds to purchase these cameras was very challenging with budgetary restrictions.

Spillman/MDCs

During the month of June, The Ouray Police Department officers attended the hands on training for the Spillman program. Spillman is now launching the on line learning management system (LMS) and officers will be continuing their training on online. During the hands on training, I was advised the system is set to go live at the beginning of August 2019.

Events

4th of July Annual Event

On June 11, 2019 the Ouray Police Department facilitated a kick off meeting with those involved in the planning and organizing of the 4th of July events. Safety, communication, notifying of the events and sanitary needs were discussed during the meeting along with how to meet those needs. A follow up, finalization meeting has been set for July 1st to make sure all of the items that were discussed have been taken care of to make sure we have a Fun and Successful event.

Voyager program

The Ouray Police Department hosted a tour of the Ouray Police Department for the Voyager Youth program. During the tour, the kids learned what a 'Police Officer' does. They were also given a tour of a patrol car. Those children whose parents signed a permission slip were fingerprinted to begin a child identification kit. The fingerprinting was done in support of the Safe Neighborhood Community policing program.

Movie in the park

The Ouray Police Department hosted a movie in the park on 06/25/2019. The purpose of the event was so the community could meet the officers and the officers could mingle with the citizens of the community. The movie that was shown was "How to Train Your Dragon III". During the event, the Ouray Police Department also provided refreshments for those attending. I did not take a head count, but it appeared we had both children and some adults that attended. While speaking with some of those in attendance, they expressed their thanks to the Department for taking the time to put on the event and stated they enjoyed it.

Traffic Safety

The Community Policing Traffic Safety Meeting/Safe Neighborhood committee met this month and unfortunately only one person showed up for the meeting.

Calls for service

The last Ouray Police Department Case number as of this report (06/27/2019) was O19-1664.

- 249 Minor Incident Report (MIR) have been completed. Minor incidents are incidents that are reported or officer initiated that are not criminal in nature, such as directed/foot patrols, information reports vehicle identification verifications ect.

Officer completed the following incident/Accident reports a Reports

- 2 vehicle accidents
- 2 speeding citations
- 7 Parking violation citations issued
- Driving under revocation citation issued
- 3 VIN checks completed
- 2 Citizen assists were completed
- 3 wildlife calls
- 5 Lost/found property reports
- 2 Verbal disturbances
- 2 criminal mischief calls

- 2 Dog at large citations issued
- Disorderly Conduct summons issued
- First Degree Criminal Trespass (Item stole from a vehicle)
- Harassment (Warrant obtained for the suspect)
- Medical assist
- Juvenile Runaway out of Montrose County recovered in Ouray
- Wanted person arrested
- Suspicious
- Assault (Suspect Arrested)

Ouray Police Department
Acting Chief, Sergeant G.Ray

Public Works June Update

Water

- Water Usage Numbers for **May**:
 - Influent (Water from spring) – 55,946,864 Gallons
 - Effluent (Water to town) – 18,446,327 Gallons
 - Hydro Plant – 23,916,448 Gallons
 - Mineral Farms – 102,500 Gallons
- Water Tap on Fedel Ct.
- Repaired a leak at 525 6th street
- Repaired a leak at 303 Oak street
- Removed debris from the Uncompahgre River to help with possible flooding
- Repaired water leak in the basement of City Hall

Sewer

- Continued monitoring sludge levels and dissolved oxygen levels in Sewer Lagoons
- Put drywall up in new Chlorine building per code for electrical inspection
- Mud, Taped and Painted the inside of Chlorine building
- Sewer Tap on Fedel Ct.

Streets

- Grade and prep roads for Magnesium chloride application
- Applied GMCO 80/20 CS and DustGard[®] liquid magnesium chloride and complex sugars. These blends are all-natural, environmentally friendly solutions for road stabilization and dust control.
- Installed speed bumps and calming devices on Oak St.

City Resources

- Continued geothermal monitoring
- MWAT Spread sheet for upstream conductivity probe. Downloaded data and added to the spreadsheet for DMR report.
- Weekly E-Coli sample taken to Grand Junction
- Park prepared and parking cones set out on Thursdays for MAMS
- Park cleaned and parking cones picked up Fridays after MAMS
- WET test done for Ouray Hot Springs Pool
- Refinished the Fellin Park infield for safety of all players
- Installed new First base safety bag at Fellin Park infield
- Jet Box Canon Hot Springs line from Nixon's vault and from manhole on 7th
- Fellin Park field prep for multiple Little League Baseball Games!!!
- Repair and paint playground equipment at Rotary Park
- Flowers arrived 6/10/2019. They were planted and started on their daily watering schedule

City Resources Department

July 1, 2019

Annual attendance at the Box Canon Falls as of June 24, 2019 is 16,105. This is 1,070 visitors higher than on the same date in 2018. During 2018 the wildfire on Molas Pass restricted travel from the south which affected visitation.

The annual conference of the Colorado Ornithological Society was held in Montrose June 14-16, 2019. During this time there were daily field trips to Ouray and the Box Canon Falls to observe Black Swifts and other local bird species. Due to the cold, wet spring the Swifts were not yet setting on nests but they were seen by many birders in the Box Canon area during early morning and evening hours as the Swifts circled in the sky.

Attendance at the Hot Springs Pool was lower in April 2019 compared to the same month in 2018. Spring weather was much wetter and colder in 2019 compared to the previous year. During April 2019 the Hot Springs Pool was closed for several days for maintenance on the pools and filtration system.

Hot Springs Pool personnel are working to clarify the water in the geothermal pools by increasing the pretreatment while simultaneously keeping a high level of desirable minerals in the water. The four pretreatment filters were rebuilt during the April shutdown. It appears that one of those four has a damaged internal component and must again be rebuilt. Parts are on hand for this work and replacement filter media has been ordered. The repairs will be scheduled at a time when OX2 is turned off so there will be less water flow through the pretreatment system. This repair work will be scheduled to minimize impacts during the busyness around the 4th of July. Staining in the pool shell is reversible through the vitamin C treatments that have been used successfully already this spring. Staining is likely recurring because one pretreatment filter is allowing iron to pass through. Iron at the levels present in the pools is not harmful to people or equipment. The level of iron in the pools is lower than what existed prior to the renovation.

Hot Springs Pool staff have been using thermal blankets at night to maintain water temperatures in the pools. The Pool Manager and City Resource Director walked the length of the Box Canon water line to see if the cause could be identified. A problem causing a large amount of geothermal water to back up and overflow into Canyon Creek was located. The Public Works Department has been notified of the problem and cleaning of the water line has been scheduled. It appears that there is a problem with the pipeline that is causing this to be a recurring problem.

Shade sails have been installed at the Hot Springs Pool. Members of the Volunteer Fire Department installed the white cover on one of the shade structures. Pool staff and management installed the sails over the pools. All staff with experience with these shade devices have left the pool during the recent period of staff turnover. The involvement from the OVFD, management, and lifeguard staff is greatly appreciated.

The first session of swim lessons at the Hot Springs has completed. A second two week session is scheduled in July. A Red Cross Lifeguard Certification class is scheduled July 12 – 16, 2019.

The Colorado Summer Swim Club Swim Meet, an annual statewide meet of summer swim provided by the Pool Manager and members of the Ouray Screaming Eels Swim Team:

It is an honor for Ouray to be hosting the 2019 Summer Club championship on Friday, August 2, Saturday August 3, and Sunday August 4. It is anticipated there will be 300 swimmers. Swimmers plus family members and coaches means there could 900 to 1200 people over the three days at our facility.

As the pool manager it is my recommendation to close the pool during the swim meet. That is standard practice for swim meets. This would allow the swimmers to use the facility for a full competition. Our pools would be closed except the ones being used for the competition. This would most likely only be the lap pool for the competition and a warm up cool down area at the activity pool. The geothermal pools will likely be closed for all use during the hours of the swim meet.

When the competition is finished each day we (the pool staff) will close for an hour to clean and then open the entire facility to the public. Regular staffing levels would utilized when open to the public. The latest the pool would open to the public would be 5 pm on the days of the competition.

The locker rooms would be open to the swimmers and family.

Hot Springs Pool staff during the meet would include 3 to 4 lifeguards, one front desk staff, one maintenance person, and the Pool Manager.

During the competitions competing swimmers and families will be in the pool facility. Other swimmers, not currently in a heat, will wait in Fellin Park where tents will be set up by the Summer Club event organizers.

Many of the families will stay in motels and RV parks. Some families will choose to camp in the park starting Thursday and through Saturday night. They will also use the park until the meet is complete. The number of campers is not currently known. There will be food vendors in the park as well. (Proper permits to follow).

Screaming Eels will be in charge of security in collaboration with the Ouray Police Department. Screaming Eels will also talk to the Police department and Public Works Department about traffic cones along the highway to block parking.

Screaming Eels will have a volunteer at the top of our lot with parking information and will place a 'lot is full' sign when needed.

Pool staff and Screaming Eels will advertise this closure on our website, phone messages, Facebook, radio, Instagram, newspaper as a PSA, and posters and post cards at hotels.

Screaming Eels will coordinate with EMS and Mt Rescue to make sure they understand they need to use alternative landing if there is a need for an air evacuation.

Screaming Eels will notify the EMS the dates of the meet.

If you have any questions please be sure to ask. Between the Screaming Eels and myself we will keep you up to date on any changes or additions to this plan.

This is a tremendous opportunity to bring a large number of swimming families to Ouray to experience the new Ouray Hot Springs Pool.

Thanks,
Kentee

City Resource Department staff has been participating in 4th of July planning meetings facilitated by the Ouray PD. City Resource Director participated in a tour of the proposed via feratta route on June 24.

The 4th Grade Class at Ouray Elementary School raised funds for a fire pit at Lee's Ski Hill. On June 7th a dedication and picnic was held at the ski hill with hot dogs and marshmallows cooked over the new fire pit. Prior to the new fire pit families had built small fires in a galvanized wash basin at the base of the ski hill. The fire pit has provided a location for families to gather and be warm while family members enjoy the ski hill. As a result, a sense of community has developed at the ski hill. This donation by the youth of Ouray, class of 2027 is appreciated.

Many unused belongings of the Ouray community passed through the Community Center during the annual Woman's Club Rummage Sale. As always, the Woman's Club left the building clean and in good condition after the large event.

Event and Communications Coordinator

City Communications:

- Posted Council agenda's; Planning Commission agenda's; multiple job postings; posted upcoming City events
- Updated website
- Corresponded with Facebook and Twitter followers and responded to comments, questions, etc.
- Created Facebook/Twitter posts for misc. issues
- Attended City Council meetings
- Created Council update videos with Mayor Larson
- Created and Published June newsletter
- Attended fire pit dedication at Lee's Ski Hill
- Met w/ Justin and Rick about transitioning into new communications/grant position
- Attended 4th of July planning meeting as rep for city and PD
- Purchased online grant writing class to begin asap
- Attended CML Conference in Breckenridge June 18-21

Police Department Communications:

- Corresponded with social media followers and responded to comments, questions, etc.
- Created Facebook and Instagram posts for: Fingerprinting w/ Voyager youth; bears; D Day; Back the Badge; Father's Day; Movie in the Park; fox family; parking issues; garbage issues; Code Red; Avalanche debris pictures; 4th of July meeting; fallen officer; Traffic safety meeting; music in the park video
- Created Press Release for body camera donation

- Communicated w/ local newspaper regarding body cameras and upcoming events
- Assisted Officer Suppeland w/ creating PSA videos.
- Coordinated and attended movie in the park event
- Attended fingerprinting event w/ Voyager youth program
- Created four new Blotter videos with Officer Suppeland to be published on Facebook and Twitter.
- Attended weekly meetings w/ Sgt. Ray
- Created messaging for 4th of July
- Assisted the PD approximately 40 hours in June
- Attended CML conference June 18-21

Event Coordination:

- Assisted with event set-up and cleaning as needed
- Events held in the Community Center included: City Council meetings, BOCC meetings, Planning Commission, City Committee meetings, OIPI Board meetings, Community Plan meetings, Women's Club meetings, Women's Club Rummage Sale, Steve Rush Antique Mining Show, Ouray Trail Group, Ouray Mtn. Rescue reunion, Library Summer Reading Program, Library Community Talk event, County staff meetings, misc. city staff meetings and employee interviews.
- Corresponded with misc. parties regarding use of the facility/parks
- Coordinated w/ families to host wedding at Fellin Park and family reunion at Rotary Park
- Upcoming Events: Council meetings, BOCC, Planning Commission, Community Plan meetings, Monthly Community meetings with Administrator Perry, Committee meetings, 4th of July Breakfast, Library Book Sale, Missionaries Dinner, Land Rover Rally at Rotary Park, wedding and reunions at Fellin Park, MAMS, PARC Softball and Youth Softball



ACTION ITEMS (July 1, 2019):

Special Event Liquor Permit for the Firemen's Ball on July 3, 2019 and Request to Waive 30-day Prior Notice

Action Requested – *Will City Council approve the Special Event Liquor Permit for the Fireman's Ball to be held on July 3, 2019 and will they waive the 30-day prior notice provision?*

Background – The July 3rd Fireman's Ball is an annual event held by the Ouray Volunteer Fire Department in Fellin Park. The event includes alcohol, which per regulation requires a 30-day prior notice. This 30-day provision can be waived by City Council if agreed and voted upon.

Recommendation – City staff recommends approval of the Special Event Liquor Permit for the Firemen's Ball on July 3, 2019 and the Request to waive the 30-day Prior Notice.

Fireworks Contract with OTO

Action Requested – *Will City Council approve the 2019 Fireworks Contract with the Ouray Tourism Office?*

Background – The City of Ouray and OTO have participated in a joint effort for many years to provide fireworks for the 4th of July celebration in the City of Ouray. By contract, the Volunteer Fire Department orders all fireworks which is then paid in full by OTO. The amount required for payment this year is \$11,996.59.

Recommendation – City Staff recommends City Council approve the fireworks contract with OTO.

Grant Administrator Duties

Action Requested – *Will City Council approve adding additional grant administrator duties to City of Ouray employee, Jennifer Peterson's, current duties as Event and Communications Coordinator, with an increase of \$10,000 annually to her salary?*

Background – A few months ago, City Council asked that City Staff look into grant writing options for the City of Ouray. It was originally thought that the City would look into contracting with an outside entity for the services. After researching grant writing resources and the needed areas of responsibility, and speaking with State and local officials, it was determined best practice to find someone in-house with the skills and ability to fill the role. The additional duties will include researching and identifying grant and funding opportunities, completing grant applications, and management of each grant.

Management will encompass a wide range of tasks to include performing required reporting, data collection and analysis, and annual presentations to Council. As we look into the future of Ouray, there are many needed organizational and infrastructural needs that can be greatly supplemented with grants and other funding opportunities. Jennifer will work alongside each department head and myself as we identify the needs and begin seeking funding sources. The \$10,000.00 additional to her salary this year will be paid through savings in the General Fund of unexpended labor costs with reduced staffing. For future budgets, this additional expense will be allocated from various funds from which Jennifer will be working.

Recommendation – City Staff recommends City Council approve adding grant administrator duties to Jennifer Peterson's current position with an increase of \$10,000.00 per year to her salary.

Street Closure – 300 block of 6th Avenue – 4th of July

Action Requested – *Will City Council approve the street closure in 300 block of 6th Avenue for 4th of July?*

Background – The 4th of July event is the busiest event of the year and in particular, the 300 block of 6th Avenue becomes incredibly congested with pedestrians. This location is the start and finish of the annual Ourayce 10K, and the main staging area for emergency services. This block of roadway has been closed for this event in the past and proven to be a needed closure.

Recommendation – City Staff recommends City Council approve the closure of the roadway in the 300 block of 6th Avenue on the 4th of July.

2019 Colorado Summer Swim Club Requests for Camping in Fellin Park and Pool Closures for August 1st, 2nd, 3rd, and 4th.

Action Requested – *Will City Council approve the closure of the Ouray Hot Springs Pool facility for public use on August 2nd, 3rd, and 4th until 5pm, and will City Council approve camping in Fellin Park for the competitors on the nights of August 1st, 2nd, and 3rd?*

Background – The City of Ouray is honored to be the host of the 2019 Colorado Summer Swim Club Championship to be held on August 2nd, 3rd, and 4th. With the number of competitors (upwards of 300) and spectators (900 -1200), it is recommended by the Pool Manager, Kentee Pasek that the pool remain closed during the competition which will complete by 4pm each day. The pool will then open for public use from 5pm through closing. It is further requested that competitors be granted approval to camp on the nights of the 1st, 2nd, and 3rd. Security is being organized by pool staff member Ron James and the Police Department.

Recommendation – City Staff recommends City Council approve the pool closure on August 2nd, 3rd, and 4th until 4pm with the facility opening to public by 5pm. City Staff further recommends that City Council grant approval for the competitors to camp in Fellin Park on the nights of August 1st, 2nd, and 3rd.

Consideration for City Hall Closure on July 5, 2019

Action Requested – *Will City Council approve the closure of City Hall on July 5th?*

Background – With many employees working on the 4th of July for our 4th of July event, it has been requested by City Staff to have City Hall closed for business on the 5th of July this year.

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT
AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
2110 ☒ MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
2170 ☐ FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE

Ouray Volunteer Fire Department

State Sales Tax Number (Required)

98-05775

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE
(include street, city/town and ZIP)

PO BOX 468
Ouray CO 81427

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT
(include street, city/town and ZIP)

FELLIN PARK
1200 MAIN ST.
Ouray CO 81427

NAME

DATE OF BIRTH

HOME ADDRESS (Street, City, State, ZIP)

PHONE NUMBER

4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE

CHIEF TREVOR LATTA

5. EVENT MANAGER

TREVOR LATTA

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN
ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?

☒ NO ☐ YES HOW MANY DAYS?

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?

☒ NO ☐ YES TO WHOM?

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? ☒ Yes ☐ No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date	Date
Hours From To	Hours From To	Hours From To	Hours From To	Hours From To
07/03/2019 12:00 P.m. To 11:59 P.m.				

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE

RECEIVED

TITLE

CHIEF TREVOR LATTA

DATE

06-03-19

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

City of Ouray

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

CITY OF OURAY

☒ CITY
☐ COUNTY

TELEPHONE NUMBER OF CITY/COUNTY CLERK

970-325-7066

SIGNATURE

TITLE

MAYOR

DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number

Liability Date

State

TOTAL

-750 (999) \$

(Instructions on Reverse Side)

CONTRACT



THIS AGREEMENT made and entered into effective the 1st day of July, 2019, by and between: the City of Ouray (hereinafter referred to as the City); and, The Ouray Chamber Resort Association, doing business as the Ouray Tourism Office (hereinafter referred to as OTO).

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, together with other good and valuable consideration, the adequacy of which the parties acknowledge and affirm, the City and OTO agree as follows.

1. **Payment by City.** The City will pay the invoice in the amount of \$11,996.59, for fireworks ordered by the Ouray Volunteer Fire Department for the 2019 Fourth of July celebration.
2. **Payment by OTO.** Upon payment by the City of the invoice for fireworks, the City will promptly invoice OTO for the same amount, and OTO will pay such invoice within thirty (30) days.
3. **Late Fee and Interest.** If OTO fails to pay the invoice within thirty (30) days, the City shall be entitled to collect a late fee equal to ten percent (10%) of the invoice amount and interest at the rate of one percent (1%) per month until the invoice has been paid in full.
4. **Entire Agreement.** This instrument contains the entire agreement between the parties, and no statements, promises, or inducements made by either party or agent of either party that are not contained in this agreement shall be valid or binding. This agreement may not be enlarged, modified, or altered except in writing signed by the parties.
5. **Attorney Fees.** In any proceeding for the resolution of any controversy or claim arising out of, or relating to, this contract, or its breach, the finder of fact shall determine and award to the prevailing party, their reasonable attorney fees.

6. **Waiver.** No waiver of any breach of this agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this contract shall be taken and construed as cumulative, that is, in addition to every other remedy provided therein or by law.
7. **Counterparts.** This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have signed this agreement the day and year first written above.

CITY:

OTO:

Pamela J. Larson, Mayor

Christina L. Hinkson, President

ATTEST:

Melissa Drake, Clerk for City

Melissa Drake

From: Dee James <djames@ouray.k12.co.us>
Sent: Tuesday, June 25, 2019 10:24 PM
To: Melissa Drake
Subject: For the council packet

Some information for the upcoming swim meet August 2, 3 and 4th

The state is very excited that we are considering closing the pool. They really wanted to pool closed but I told them it was not my decision alone.

The plans are coming along. The state is also very excited that we are allowing camping in the park. I believe we have completed the paperwork to reserve the whole park August 1, 2, 3 for camping and we will be selling concessions the 4th and people will be leaving that day. Our plan was that no one could be in the park until 3:30 on the 1st. This is for the swimmers that will start at 7:00 am on the 2nd. We are planning on putting a tent up in the park for the swimmers to stay warm in after the 1st session of warm ups since it is not "warm" until later in the day. We will be swimming before the sun comes up so it will be good to have a warm place for the swimmers.

We will be launching a web page advertising all the information about the meet and the pool requirements. We want to make this a positive experience for the state swimmers and their families. Thank you for your support of this event. It is not something that we will host every year so this is our time to show the state we have an amazing community and pool!! Thank you

--
Dee James | Business/IT
Ouray School District | PO Box N | Ouray, CO 81427
970.325.4505 Ext 6035
970.325.7343 Fax



CONFIDENTIALITY STATEMENT

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DISCUSSION ITEMS (July 1, 2019)

Colorado Municipal League Reports

Background – Mayor Larson has requested this item be included to the agenda. City of Ouray employees and Council members who attended the conference will provide a brief overview of the takeaways from training and classes attended.

Long-term Housing

Background – Mayor Larson has requested this discussion item be added to the agenda. As the City of Ouray has recently been working with short-term rental regulations, many concerns have been voiced regarding long-term and affordable housing. This agenda item begins the needed discussions about our City's current housing challenges and will begin to identify direction we can take as a City organization and community to find solutions.

Ouray Trail Group Proposal for Land Purchase

Background – The Ouray Trails Group has requested time to discuss a possible proposal to City Council regarding the Perimeter Trail and the steep stone ramp north of the tunnel in Box Cañon Park.

Future Agenda Items – Council discussion about future agenda items.



May 21, 2019
Ouray City Council
C/o Justin Perry, Administrator

Dear Councilors,

As you are aware, in 2006 the Ouray Trail Group began the construction of the Perimeter Trail with the intention of providing hiking access to Ouray's scenic areas including Cascade and Box Cañon Parks. In subsequent years, the trail has become extraordinarily popular, putting increasing pressure on the OTG, the City and Forest Service to ensure that it is as safe and comfortable to hike as our terrain will reasonably allow. One segment that is a particular challenge is the steep stone ramp north of the tunnel in Box Cañon Park that is well illustrated in the attached photo taken in 1903.

Though the OTG did install new steps and safety cabling on that ramp a number of years ago, it needs to be upgraded for the large number of expected hikers on the trail in coming years. The Trail Group has the engineering and financial resources to initiate that process this season and attached is an illustration of our proposed upgrades. There are, however, possible questions of ownership and seniority that should be addressed before we begin any construction. These are a consequence of the fact that portions of tunnel, ramp and waterline trail are on a private mining claim patented in 1903 and owned by Mr. Paul Chesley.

The City constructed the tunnel and waterline trail in 1900 before the Box Cannon Lode went to patent and the claim owner may well have no ownership or liability concerns with the tunnel or trail as a result. Another factor is that the trail is outside City limits and could fall within the County's purview as an historic right of way that was identified and mapped during the Public Access process initiated by the BOCC almost a decade ago. The Trail Group clearly has an interest in seeing this public access question firmly established but must rely on the City and/or County to do so.

One suggestion we would offer, and could support, would be a proposal to Mr. Chesley to purchase the bottom section of his claim, including the trail and tunnel, and make this parcel part of Box Cañon Park through a boundary adjustment with the City's Trout Lode. The parcel is very steep terrain of no reasonable use to Mr. Chesley and would likely have a minimal appraised value. The attached sketch map on an aerial photo will give a sense of the size and location of the proposed purchase. Being relieved of any possible liability concerns for the tunnel and trail by means of a land conveyance could be attractive to the landowner as well. Ensuring public access on the trail segment by this method will enable the ramp construction to begin and that is in the best interest of all concerned.

Thank you for the consideration,

Bob Risch, President
Ouray Trail Group

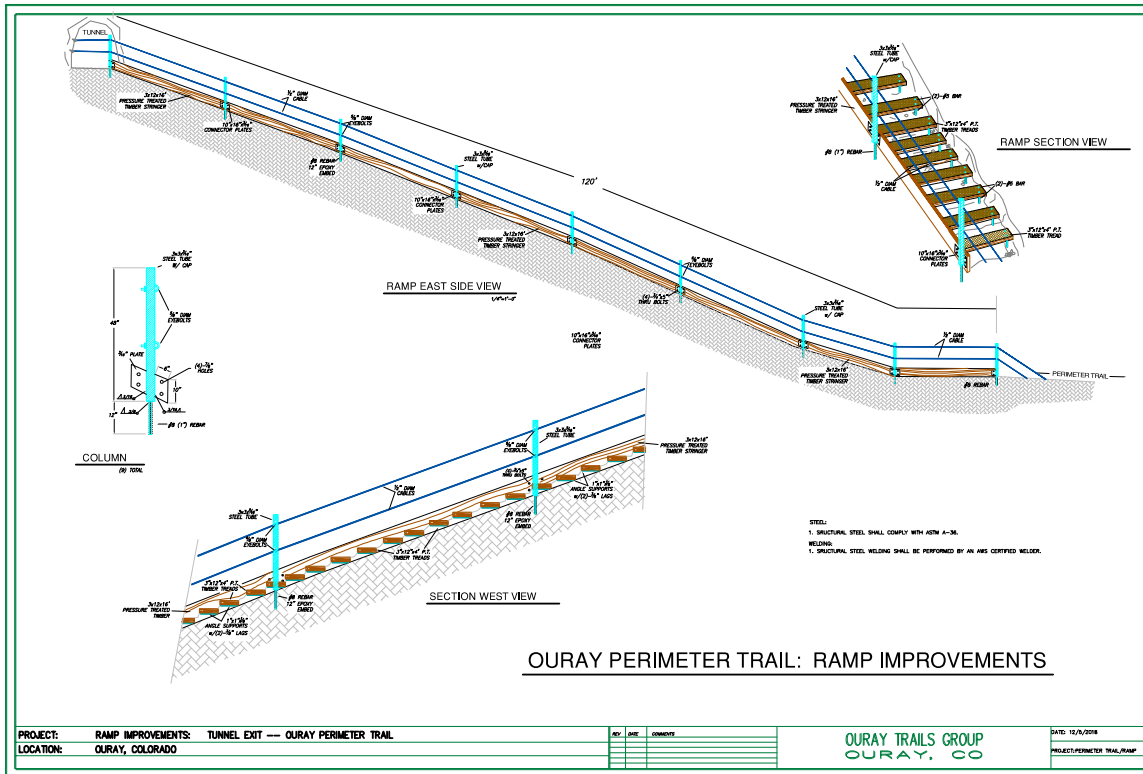




Photo courtesy Ouray County Historical Society.