

**OURAY CITY COUNCIL MEETING  
SUMMARIZED MINUTES  
MONDAY, JULY 19, 2021, 1 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 dial:      408 638 0968 or 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 1:00 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, Public Works Director Joe Coleman, Community Development Coordinator Lily Oswald, Police Chief Jeff Wood, City Resource Director Rick Noll, and Administrative Accounting Clerk Julie Lancaster.

**3. The PLEDGE OF ALLEGIANCE was recited**

**4. PUBLIC HEARING – Hotel & Restaurant Liquor License Application, El Reno Inc. dba Mi Mexico Family Mexican Restaurant, 118 7<sup>th</sup> Ave.**

Mayor Nelson opened the floor for public comment.

Modesto Ramos, one of the owners, introduced himself and said he was available to answer questions. Councilor Lindsey asked when they planned to be open. Mr. Ramos said, pending council approval today, around 2 weeks. Mayor Pro Tem Wood asked how they were planning to staff the restaurant with the labor shortage. Mr. Ramos said they are able to bring a lot of employees from the Montrose location, but are still looking for one or two more servers and a few bussers.

Craig Curl, small business development center representative, said he has supported Mi Mexico in their expansion across the state.

Mayor Nelson closed the floor.

**5. CEREMONIAL/INFORMATIONAL**

**a. Proclamation of Richard Zortman Day**

Mayor Nelson read the proclamation for former Police Chief Richard Zortman Day.

**b. Proclamation of Jack Clark Day**

Mayor Nelson read the proclamation for former Mayor Jack Clark Day.

**c. Proclamation of First Annual Ouray County Pride Celebration**

Mayor Nelson introduced Ouray School 11<sup>th</sup> grader Pallen McArde who read the proclamation.

**d. San Miguel Power Association (SMPA) Notice of Road Closures – Project Postponed as of 6:30 pm on July 16, 2021**

Jeremy Fox, Engineering Manager from SMPA, first apologized for the short notice, but stated plans changed, and while he realizes the road closures are not convenient, it needs to be done for fire mitigation and other work. Mayor Pro Tem Wood suggested moving the work a little later to accommodate tourists heading back home in time for the start of the school year.

CDOT representatives Julie Constan, Region 5 director, Jennifer Allison, traffic engineer and Vance Kelso, area maintenance supervisor, stated they look forward to working with SMPA on this project, but said they didn't have a lot of advance communication from SMPA either.

DeAnne Gallegos, PIO for San Juan County, said the closure is very disruptive to the Silverton community, and they would like to be involved in planning for an updated closure schedule in order to minimize impact to the residents.

Austin Lashley, San Juan County Commissioner, thanked SMPA for listening to the community about their concerns.

**6. CITIZENS' COMMUNICATION**

Mayor Nelson opened the floor for public comment.

Jason Perkins, as Tourism Advisory Committee Chair, addressed the Ouray mobile app creation arguments for using BuildFire application builder instead of designing the app in house.

Mayor Nelson closed the floor.

**7. CITY COUNCIL REPORTS/INFORMATION**

**a. Glenn Boyd** – Nothing to report. Mayor Pro Tem Wood asked if the County have visibility into the effect of the delta variant. Councilor Boyd said it is not identified in many of tests being performed, so we do not.

**b. Ethan Funk** – worked on RFQ for web app

**c. Peggy Lindsey** – No beautification committee meeting this week. Committee is still cleaning the river walk trail on Tuesdays, and the committee ordered mulch for the playgrounds and is looking for volunteers to help spread it on Friday.

**d. John Wood** – CEDC meeting, update committee on Main Street Project

- e. **Greg Nelson** – Area tourism collaboration meeting; working on messaging opposed to advertising, such as “Stay the Trail”, “Leave no Trace”, etc.

## 8. DEPARTMENT REPORTS

### a. City Administrator – Silas Clarke

City has received two grants, one for backcountry preservation, and one for tourism. Parks and Facilities Maintenance Manager position has been filled by current employee Scott Schroeder. CCEC (Communications & Community Engagement Coordinator) position has been opened. Mayor Pro Tem Wood asked about the Rotary and Cascade Falls new restrooms, and how many sidewalk repair program applications have been submitted, as well as RV workforce housing permits. Mr. Coleman said state permits are the primary hold up, but once the buildings are delivered, they will be up and running pretty quickly. Mr. Clarke said one group of businesses has submitted a sidewalk application, but no RV workforce housing permits have been submitted. Interested business owners have not been able to find properties willing to host RVs.

### b. Finance and Administration Director – Melissa Drake

Mr. Clarke gave a brief overview of the financial report since Ms. Drake could not attend.

#### i. 2021 Election Calendar

#### ii. June 2021 Financial Report

#### iii. Sales Tax – May 2021 Activity

Revenue up in every category over 2019.

#### iv. LOT – May 2021 Activity

Up 72% compared to 2019.

#### v. Box Canon Falls Visitation – June YTD

Up 46% from 2019 visitation.

#### vi. Hot Springs Pool Visitation – June YTD

Up 5% from 2019, but revenue is up 13%.

### c. Community Development Coordinator – Lily Oswald

Ms. Oswald reported on Land Use and Planning activity for June and the first half of July, including many housing projects and solutions, and non-compliance notices. Published Community Plan is now available for interested parties.

### d. Visitor Center Coordinator – Paula Damke

Report in packet.

**9. CONSENT AGENDA - none**

**10. ACTION ITEMS**

- a. Hotel & Restaurant Liquor License Application, El Reno Inc. dba Mi Mexico Family Mexican Restaurant, 118 7<sup>th</sup> Ave.**

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

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

The motion passed on unanimous roll call vote.

- b. Consideration of Agreement between City and 5<sup>th</sup> Avenue, LLC to extend 6<sup>th</sup> Street between 6<sup>th</sup> and 7<sup>th</sup> Avenues**

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

Eli Doose explained the details of the road construction plan.

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

The motion passed on unanimous roll call vote.

**11. DISCUSSION ITEMS**

- a. Termination of the Emergency Declaration related to COVID-19**

Mr. Clarke highlighted the effects of terminating the declaration, including disallowing alcoholic beverages in the park, sidewalk seating and other policy changes mid-season. Councilor Boyd felt that the emergency declaration should be revoked to remove the extra powers it incurs, since he does not believe they are necessary any longer, even though COVID-19 is still a concern. Council can “clean up” the ordinances that allow the sidewalk seating an alcohol in the park to keep those through the end of the summer when removing the emergency declaration.

- b. Future Agenda Items**

- i. ADU Ordinance per July 8, 2021 Joint Work Session**
- ii. Formalize Public Hearing Process (Joint City Council and Planning Commission)**

- iii. **Short-Term Renter Violator Penalty Ordinance (Per Resolution 8, 2021 at 4:00 pm Work Session)**
- iv. **Short-Term Rental Ordinances (Cap & Trade and possible Taxation per July 19, 2021 at 4:00 pm Work Session)**

Councilor Boyd asked to discuss business licenses and/or registration before his term expires.

Councilor Boyd made a motion to go into recess at 2:17pm, Councilor Funk seconded the motion.

**12. EXECUTIVE SESSION (Beginning at 3:00 pm; a recess will take place if previous agenda items are completed prior to 3:00 pm) For continued discussion of a personnel matter under C.R.S. 24-6-402(2)(f) regarding the 6-month review of the City Administrator who has not requested discussion of the matter in open session**

Councilor Boyd made a motion to move into executive session at 3:02 pm. Councilor Funk seconded the motion.

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

The motion passed on unanimous roll call vote.

Executive session ended at 3:42 pm.

**10. ACTION ITEMS**

- c. **Discussion and possible action on City Administrator 6-Month Review Performance Goals and Employment Agreement (this agenda item will take place after the Executive Session listed as agenda item 12 below)**

Mayor Pro Tem Wood made a motion to accept the evaluation, and to create an addendum to Mr. Clarke's employment agreement raising his salary to the midpoint from the 2015 salary study beginning next pay period, July 24<sup>th</sup>, and release the collective results of the evaluation to the public. Councilor Funk seconded the motion.

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

The motion passed on unanimous roll call vote.

**13. ADJOURNMENT**

Councilor Funk made a motion to adjourn at 3:45 pm, Councilor Boyd seconded the motion. The motion passed on unanimous vote.

ATTEST:

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

7/19/21  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Melissa M. Drake, City Clerk

CERTIFICATION **JULIE LANCASTER** **AN EMPLOYEE**

I, ~~Melissa M. Drake~~, do hereby certify that I am ~~the City Clerk~~ **JULIE LANCASTER** 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 July 19, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 29<sup>th</sup> day of July, 2021.

  
\_\_\_\_\_  
~~Melissa M. Drake, City Clerk~~  
**JULIE LANCASTER**