

**OURAY CITY COUNCIL VIRTUAL MEETING  
SUMMARIZED MINUTES  
MONDAY, OCTOBER 19, 2020, 1 PM**

Join Zoom Meeting  
<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 1:02 pm.

**2. ROLL CALL**

Mayor Greg Nelson - present  
Mayor Pro Tem John Wood - present  
Councilor Glenn Boyd – tardy, joined meeting at 1:05 pm  
Councilor Ethan Funk - present  
Councilor Peggy Lindsey - present

Also present were Acting City Administrator Melissa Drake, Public Works Director Joe Coleman, Community Development Coordinator Aja Tibbs, Police Chief Jeff Wood, and Administrative Accounting Clerk Julie Lancaster.

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

**4. CEREMONIAL/INFORMATIONAL**

**a. Recognition of Justin Perry's Service to the City of Ouray**

Mayor Nelson presented Sheriff Justin Perry with a plaque recognizing his years of service to the City as City Administrator and Police Chief.

*Councilor Boyd joined the meeting at 1:05 pm.*

**b. 2019 Financial Audit – Blair and Associates**

2 page summary provided in packet. Overall, records are in very good shape, and have improved over 2018.

**c. OIPI Pre-season Report**

OIPI CEO Peter O'Neil covered the highlights in his report. Mr. O'Neil would like to present Ouray as the premier ice climbing location in North America, not just Colorado, and expand the revenue earnings beyond primarily Ice Fest 2021, especially since COVID-19 will limit the old festival model.

**5. CITIZENS' COMMUNICATION**

Marti Whitmore, an attorney representing a city resident, wanted time on a future agenda to present her client's case regarding water charges.

Bruce Gulde asked what "City Intellectual Property" meant in regards to a recent executive session.

**6. CITY COUNCIL REPORTS/INFORMATION**

- a. Glenn Boyd** – Working on ideas to help support businesses in Ouray and Ridgway. MAC group meeting and COVID informational meeting at 2:00 pm. 1.8% positivity rate per people tested (not per test) for Ouray County COVID cases. Mayor Nelson asked Councilor Boyd to further explain fire restrictions in the area.
- b. Ethan Funk** – PARC meeting last week, put together a budget at meeting. Would like to advertise for open PARC seat.
- c. Peggy Lindsey** – Wednesday 8:00 am cleanups on River Walk Trail continue to happen as long as weather permits.
- d. John Wood** – TAC met last Wednesday working on SWOT analysis for tourism spending. IPAT meeting next week on 28<sup>th</sup>. CEDC working on a trash compactor program for Main St addresses, and the Main Street Program planning. Councilor Funk added that there is an OIPI public meeting coming up on Wednesday at 6:00 pm as well.
- e. Greg Nelson** – Mineral farms representatives met with City staff. Region 10 meeting this coming Thursday. Capitol Christmas Tree will be in town on November 11; there will a TV special on Ouray by PBS, Mayor wants the City to look "Christmas-y" for that.

**7. DEPARTMENT REPORTS**

**a. Acting City Administrator / Finance and Administration Director**

Health Insurance search is looking better than anticipated. Box Canon achieved an all-time year-to-date visitor high as of Oct 13, after opening 6 weeks later than normal. Pool visitor increase of 8.8% over last year for the period from September 1<sup>st</sup>-October 14<sup>th</sup>. With staff being out of the office for the past few weeks, September financials will be presented at the first meeting in November. Sales Tax is up over 30% from last year from August activity. LOT occupancy rate is down 9.5% from 2019, but revenue is up. Mayor Nelson announced in a public meeting for the benefit of anyone that might not have heard yet that Silas Clarke has signed an employment contract with the city and is expected to start work at the beginning of December.

**b. Community Development Coordinator**

Building Permit report was not ready for packet but is now ready for review. Fully transitioned from Colorado Code Consulting to newly hired Building Inspector Michael Huskey. Changing STR report to quarterly since updates don't happen that fast. Columbus Building project is wrapping up. Pre-application

for workforce housing project and a re-plot application. Working on community engagement plan for the Community Plan draft. Census is now complete as of October 15<sup>th</sup>, response rate was lower than 2010. City will see results next spring. Two variances denied for ineligibility.

**c. Police Chief – parking issues**

Meeting with Ms. Viner, Sergeant Ray and Chief Wood in regards to parking signage. Main Street parking would keep the same layout, with “single vehicle only” restrictions on parallel parking. Council needs to consider and clarify the rules of overnight/72 hour in the overflow parking area at the end of 9<sup>th</sup> Ave. Also need to discuss overnight parking in the horseshoe. Mayor Nelson said the oversize vehicle parking signage on the north side of town is not sufficient and should be re-evaluated. Mayor Pro Tem Wood discussed allowing van camping in the horseshoe during the winter to prevent them from camping along other streets in town during that time, since banning it altogether would not be effective. Chief Wood believes the \$15 parking violation fee is too low, people are just willing to park illegally and pay the fine.

**8. CONSENT AGENDA – Liquor License Renewal – Western Hotel/Monte Alta Room & Saloon**

Councilor Funk made a motion to approve the consent agenda. Mayor Pro Tem Wood seconded the motion.

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 unanimous roll call vote.

**9. ACTION ITEMS**

**a. Accept 2019 Financial Audit**

Mayor Pro Tem Wood made a motion to approve the 2019 financial audit. Councilor Boyd seconded the motion.

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 unanimous roll call vote.

**b. Agreement with EPS for COVID-19 Economic Recovery Services**

Agreement would impact where \$80,000 CARES Act Funds goes towards before reserve fund is tapped. Mayor Pro Tem Wood wanted a breakdown of what tasks would be covered in this position and why the City needs it when sales tax have actually been up this year. County Administrator Connie Hunt provided backstory for this position and that it has been pursued to help the region as a whole recover in all industries without putting undue strain on Ouray County Public Health Director Tanner Kingery and County Emergency Manager Glenn Boyd.

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

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 unanimous roll call vote.

**c. Broadband Project Expenditures and Goals for 2020 and 2021**

Melissa presented Clearnetworx’s update on the ongoing fiber project. There is approximately \$70,000 budgeted including 100% matching for the remainder of 2020 and \$98,000 for the first part of 2021 budgeted to finish it up. Mayor Pro Tem Wood pointed out that the City has an ordinance disallowing utility digging between November 1<sup>st</sup> and April 1<sup>st</sup>, and contractors are asking for a 15 day extension to dig. Ms. Drake said it may be a policy and not an ordinance, which would be easier to get around. Staff felt that if the digging deadline is extended for Clearnetworx, it should be extended for anyone. With the project timeline as it currently is, the fiber project would violate the policy/ordinance, so council needs to have a clear stance on whatever position they take to take the pressure off staff. If the City heeds the policy/ordinance and delays the work, the City would miss out on matching funding from DOLA/Region 10. If the contractor moves forward with digging after November 1<sup>st</sup>, it is riskier since it is harder to tell what is ground, utility lines or rocks when everything is frozen.

Councilor Funk made a motion to approve the budget for 2020 and 2021, and to extend, only for this project, the ditch digging to November 15<sup>th</sup>. Mayor Pro Tem Wood seconded the motion. Councilor Lindsey would like to allow others to dig as well. Councilor Funk amended his motion to only approve the budget, removing any ditch digging regulations. Mayor Pro Tem Wood 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 unanimous roll call vote.

Mayor Pro Tem Wood made a motion to extend the digging permits to November 15<sup>th</sup> for projects for public utilities. Councilor Boyd seconded the motion. Ms. Tibbs asked to clarify with council if home building-related digging was included in that. Mayor Pro Tem Wood said his intent is to allow existing projects to finish, but not for new projects to be started because of the extension. Mayor Pro Tem Wood amended the motion to open and extend digging permits from November 1<sup>st</sup> to November 15<sup>th</sup> to major utility infrastructure projects permitted to a utility company. Councilor Boyd amended his second.

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 unanimous roll call vote.

**d. Appoint Police Chief Wood and Fire Chief Latta to the Ouray County Emergency Telephone Service Authority aka "911 Board"**

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

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 unanimous roll call vote.

**e. Restroom Cleaning Policy**

Mayor Nelson wanted to clarify that sinks are treated the same way as countertops are according to the policy. Mr. Coleman said they are.

Councilor Boyd made a motion to approve the policy with sinks mentioned in the dialogue as well as the log. Councilor Funk seconded the motion.

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 unanimous roll call vote.

**f. Access Policy**

Mayor Pro Tem Wood made a motion to approve the policy. Councilor Funk seconded the motion.

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 unanimous roll call vote.

**10. DISCUSSION ITEMS**

**a. Location of EV Charging Station**

Mr. Coleman presented the two options from ChargePoint for installing charging stations as shown in the packet. Council was not in favor of Option 1, but Option 2 is very close to/on County land which would require their cooperation. Mayor Pro Tem Wood shared his screen with the GIS map and council discussed other areas not overlapping with county property, and decided on a spot at the north end of the parking lot at the property boundary. Mr. Coleman will reach out to Ms. Paruch with ChargePoint to see if that location would work.

**b. Ordinance Regarding Chain Businesses in the City**

Mayor Nelson would like to look at restricting chain businesses from establishing new chain businesses (but not to interfere with existing chain businesses or their resell-ability). Councilor Funk said this is most effectively accomplished by implementing zoning laws that would discourage nationwide brands by disallowing the types of storefronts they'd be interested in. City will pursue with Ms. Viner.

**c. Water Agreement with OIPI for 2020-2021 Season**

Current water agreement with OIPI ended at the end of 2019. Usage logs have been kept, and Mayor Pro Tem Wood feels that a one year extension of the 2019 agreement would be reasonable, but a 3-5 year new contract is too much.

**d. Future Agenda Items**

Geothermal use discussion  
ADU discussion

**11. ADJOURNMENT**

Councilor Boyd made a motion to adjourn at 3:49 pm, Councilor Funk seconded the motion. The motion passed on unanimous vote.

ATTEST:



Melissa M. Drake, City Clerk

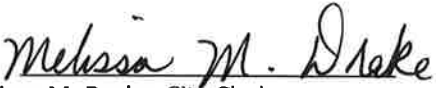
  
Greg Nelson, Mayor

  
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 October 19, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 22<sup>nd</sup> day of October, 2020.

A handwritten signature in cursive script that reads "Melissa M. Drake". The signature is written in black ink and is positioned above the printed name.

Melissa M. Drake, City Clerk