

**OURAY CITY COUNCIL  
SUMMARIZED MINUTES  
MONDAY, NOVEMBER 1, 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, Public Works Director Joe Coleman, Community Development Coordinator Lily Oswald, Police Chief Jeff Wood, and City Attorney Carol Viner.

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

**4. PUBLIC HEARING – none**

**5. CEREMONIAL/INFORMATIONAL – none**

**6. APPROVAL OF MINUTES – September 7 and 27, 2021 and October 4 and 18, 2021**

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

## 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 on Wednesday. Nov 16<sup>th</sup> regional seminar on homeland security dollars. 1 pm. 18<sup>th</sup> cyber security meeting at 10:30 in Delta or online.
- b. **Ethan Funk** – Ice Rink liner and ground work being done for this winter.
- c. **Peggy Lindsey** – Wednesday meeting for beautification. Working on Christmas decorations. Yule night is December 4.
- d. **John Wood** – Round table with OIPI and CEDC went well. Hopefully City will see huckstering permits for breakfast and lunch to be sold at the park.
- e. **Greg Nelson** – Region 10 executive committee meeting. Attended OIPI/CEDC Roundtable discussion. Participated in State opioid settlement meeting. Met with Town of Silverton/San Juan County on tourism issues. US Forest Service “Choose Outdoors” meeting. Doing a public showing of the capital Christmas tree special that was made last year, and doing a Q&A about the Forest Service work.

Councilor Boyd announced that there would be a planned city-wide power outage on Nov 4<sup>th</sup> from midnight to 1 am.

## 9. DEPARTMENT REPORTS

### a. City Administrator – Silas Clarke

Geothermal line work starting soon. Estimated completed December 13<sup>th</sup>. Line will be jettied before being put back online. Backflow prevention letter went out, little feedback from the community. Hired new building inspector, Matt Haldeman, who will manage backflow prevention program going forward. Budget workshops were great, additional budget work has been completed since then.

### b. Police Chief – Jeff Wood

Chief Wood presented service calls for October. Call volume is lower than September 2021, but higher than October 2020. Annual skills training starting in November for part time officers.

### c. Fire Chief – Adam Kunz

Report in packet.

### d. Public Works Director – Joe Coleman

Chosen Veolia as manufacturer for Moving Bed Biofilm Reactor. It was a tough decision, and this pushed the 90% plans date out, but not construction. Training on sample taking in river before and after construction. Meeting with JVA and Element Engineering this week.

**e. City Resources Director – Rick Noll**

Mr. Noll is on vacation, report in packet.

**f. Finance and Administration Director – September 2021 Financial Report – Melissa Drake**

All funds are in the positive for the year, but could change due to expenditures before the end of the year.

**10. CONSENT AGENDA – none**

**11. ACTION ITEMS**

**a. Ordinance 8, Series 2021 Formalizing the Tourism Advisory Committee – First Reading**

Administrator Clarke highlighted the changes since it was last on the agenda. Jason Perkins, current TAC chairman, said there was a discussion on whether a quorum was applicable to an advisory group and whether that needs to be written into the ordinance. Looking into getting an OCRA member on the committee to expand the scope. Ms. Viner said there are quorum requirements for other City committees, so in keeping with that, there should be a quorum.

Councilor Funk made a motion to table Ordinance 8 until a resolution about quorum can be reached. Mayor Pro Tem Wood 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.

**b. Ordinance 9, Series 2021 Regarding Business Registration – First Reading**

Fees are not included by design, and will be set by resolution at the time of the second reading.

Councilor Boyd made a motion to approve Ordinance 9. 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.

**c. Ordinance 10, Series 2021 Setting Utility Rates for 2022 – First Reading**

Mr. Clarke distributed water and wastewater loan estimates to the audience. Mayor Nelson stated that rate hikes are never popular, but City Staff have worked hard to get minimal interest rates to keep the rate increases minimal.

Mayor Pro Tem Wood made a motion to approve Ordinance 10. Councilor Lindsey seconded the motion.

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.

**d. Consideration of Removing “Affordable Housing” Requirements for Lots 34, 35, 36, 46, 47, and 48 in the Silver Shield PUD Based on Agreement**

Councilor Lindsey said it should be removed because no one held up their end of the agreement. Councilor Funk disagrees, since a PUD is a give and take situation.

Councilor Boyd made a motion to have the City Attorney draw up a release. Mayor Pro Tem Wood seconded the motion.

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 Moving the Regular Council Meeting on November 15, 2021 to November 17, 2021 at 1pm**

Mayor Pro Tem Wood made a motion to approve the new meeting date. Councilor Funk seconded the motion.

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.

**f. Nomination and Recommendation of 3 Planning Commissioners and 1 Associate Member to the BOCC for Appointment to the Ouray Area Joint Planning Board**

City Staff recommend Gary Dunn, Mike Fedel and Jeff Skoloda, and Mike Hakola as the associate (alternant).

Mayor Pro Tem Wood made a motion to recommend Gary Dunn, Mike Fedel and Jeff Skoloda, with Mike Hakola as an alternant. Councilor Lindsey seconded the motion.

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.

**g. Consideration of Colorado Opioids Settlement MOU; Subdivision Settlement Participation with Johnson & Johnson; Subdivision Settlement with AmerisourceBergen, Cardinal Health, and McKesson; and Subdivision Escrow Agreement**

Administrator Clarke stated that a large settlement is being received and distributed among various jurisdictions. The City’s portion is \$7,500, and Mr. Clarke suggests that the City does not accept the money, but allow it to be used by the region to keep reporting requirements down.

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

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.

**h. Consideration of Extension to the Aug. 20, 2021 Letter of Intent between the City and Ouray Silver Mines, Inc. to complete the Lease of Water Available under the Revenue Virginius Mine Water Works Water Right for the Ouray Ice Park**

Water Right paperwork was submitted by Ouray Silver Mines, but a lease has not been completed yet.

Boyd made a motion to extend the letter of intent. Councilor Funk seconded the motion.

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.

**12. DISCUSSION ITEMS**

**a. Discussion of Possible Extension of Ordinance 4, Series 2021 Regarding Workforce Housing in RVs**

Ms. Oswald stated that she received a 3<sup>rd</sup> application, but the current ordinance expires November 19<sup>th</sup>. Councilor Funk suggested extending for a year, and City Staff will look into drafting an emergency ordinance to extend it before it expires.

**b. 2022 Draft Budget**

Changes made in work sessions are reflected in new draft. Mayor Pro Tem Wood asked if details about the largest expenses would be released with the budget for transparency.

**c. Future Agenda Items – Off-leash Hours for Dogs at Fellin Park**

Councilor Boyd suggested adding a whereas statement in the fee portion of the business license ordinance that stated the intent is to keep the fee minimal, so that future councils are aware that the fee was intended to be nominal to cover small amounts of staff time to maintain the list.

**13. ADJOURNMENT**

Councilor Lindsey made a motion to adjourn at 7:30 pm. Councilor Boyd seconded the motion. The motion passed on unanimous vote.

ATTEST:

Melissa M. Drake  
Melissa M. Drake, City Clerk

John Wood                      12/6/21  
John Wood, Mayor Pro Tem                      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 November 1, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 2<sup>nd</sup> day of December, 2021.



Melissa M. Drake, City Clerk