

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, July 2, 2018 at 6:00pm
Massard Auditorium – Ouray Community Center**

1. CALL TO ORDER

Mayor Larson called the meeting to order at 6:02 p.m.

2. ROLL CALL

Mayor Pam Larson - Present

Mayor Pro Tem Glenn Boyd - Present

Council member Dawn Glanc – arrived at 6:03pm

Council member Dee Hilton - Present

Council member Bette Maurer – Present

Also present were City Administrator Katie Sickles, Public Works Director Joe Coleman, Police Chief Justin Perry, Community Development Coordinator Chris Hawkins, Finance and Administration Director Melissa Drake, and City Attorney David Masters

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. APPROVAL OF AGENDA – Move or remove items or address conflict of interest

City Administrator Katie Sickles asked to add an action item regarding approval of a Williams Construction agreement.

Council member Hilton made a motion to approve the agenda with the addition of the Williams Construction agreement Action Item. Council member Maurer seconded the motion and it was approved on unanimous vote.

5. APPROVAL OF MINUTES

a. June 4, 2018

Mayor Larson asked if there were any changes. There were none. She stated that minutes stand approved.

b. June 18, 2018

Mayor Larson asked if there were any changes. There were none. She stated that minutes stand approved.

6. CITIZENS' COMMUNICATION

- a. Tom Tyler asked about City financial reports and the status of the Jeep raffle. Mayor Larson stated that up-to-date financial reports were presented at the last meeting. Kat Papenbrock stated that the application to the state to hold the raffle was being submitted.
- b. Chad Leaver asked to get the OCRA financial issues on an agenda. Mayor Larson stated that we can only discuss LOT since that's the money we give OCRA for marketing.

7. CITY COUNCIL REPORTS/INFORMATION

- a. **Glenn Boyd** - none
- b. **Dawn Glanc** - none
- c. **Bette Maurer** – stated that she attended the Region 10 meeting which was the first meeting in the new building. She also spoke about a new program called the “Disney Way” regarding customer service
- d. **Dee Hilton** – stated that there are 8 softball teams in the league and that the Beautification Committee has distributed the flowers on Main Street and are now asking for donations
- e. **Pam Larson** – citizens have been calling her about not being able to use the County's ballot box and it may be moved near City Hall
- f. **CML Conference Update** - Mayor Larson stated that 5 attended the CML Conference and received lots of varied information.

8. DEPARTMENT REPORTS

a. **City Administrator**

Ms. Sickles repeated the Major Goals for 2018 which were determined at the retreat. She also mentioned attending the Emergency Management Evacuation training.

b. **Police Chief**

i. **Officer Brady Suppeland**

Police Chief Justin Perry introduced new Officer Brady Suppeland and Mayor Larson issued the oath of office to Officer Suppeland.

ii. July 4th preparation and readiness

Chief Perry stated that there have been a few planning sessions to prepare for the July 4th holiday. He stated that no fireworks will be allowed due to the current fire ban. The water fights will begin at 1pm instead of 2pm.

c. Public Works Director

Joe Coleman spoke about the discharge permit at the Wastewater Treatment Plant and contractors who are working with us.

He also stated that Public Works cut down 6 dead trees at Rotary and 3 dead trees at Cascade Park. They turned off the hydroelectric plant due to a change in spring flow. He asked everyone to conserve water and spread the word by talking to their neighbors.

d. City Resources Director

Director Noll stated that he had nothing to add to the report in the packet

e. Finance Director

Ms. Drake stated that there was an amended May 2018 Financial Report in the packet. This report corrects some errors in utility revenues (shortages) which were caused by a glitch in the financial software.

9. COMMUNITY ORGANIZATIONAL REPORTS

None

10. CONSENT AGENDA

- a. Liquor License Renewal, Ouray Brewery LLP**
- b. Liquor License Renewal, The Coachlight LLP**

Mayor Pro Tem Boyd made a motion to approve the Consent Agenda. Council member Hilton seconded the motion and it passed on unanimous vote.

11. ACTION ITEMS

- a. Hot Springs Inn request to trade water/sewer tap fees for greenspace/park**

Robert W. Eberhardt, owner of the Hot Springs Inn, stated that he bought the property 29 years ago. He stated that, in the past, he and Mr. Hinkson installed water and sewer lines in the street and he requested to trade that work and some greenspace for the tap fees that he is to be charged for planned expansion. He said that if the Council does not agree with that, he would like to get one sewer tap in exchange for the work he did in the past.

The Council discussed the needs of the sewer plant and the work session which immediately preceded this meeting.

Council member Glanc made a motion to deny the request. Council member Hilton seconded the motion. The Council discussed the options and especially the infrastructure needs of water and sewer utilities.

John Wood stated that Mr. Eberhardt should work with Mr. Hinkson to determine the value of the work done in the past and come back to the City with that request.

The offer was denied on unanimous vote.

b. Ouray School request to waive Community Center fees for July 4th Breakfast rental

Katie Link spoke on behalf of the school's request. She stated that school kids will be working the pancake breakfast starting at 4am.

Mayor Pro Tem Boyd made motion to approve waiving the fees. Council member Glanc seconded the motion and the Council discussed this.

Chad Leaver stated that he and the Beaumont Hotel would pay the \$165 fee. Mayor Pro Tem Boyd withdrew his motion and Council member Glanc agreed. The Council took no action.

12. RESOLUTIONS, ORDINANCES, IGAS, OR OTHER OFFICIAL LOCAL GOVERNMENT APPROVALS

a. Resolution No. 12, 2018 – Perimeter Trail withdrawal of boundary adjustment and verify ownership interest

Mayor Larson stated that this Resolution does not withdraw support from the Ouray Trail Group (OTG). This is simply an issue with the stairway which was built on private property.

Bob Rische, representing the Trail Group, stated that several members of the group will speak on different aspects of this issue:

- Hale Houtz, OTG Treasurer, stated that this decision could financially devastate the Ouray Trail Group. He stated that the owner of property in question is out of the country but is still willing to negotiate with the Group. The Group feels that tearing down the stairway would be detrimental to the Group. \$30,000 was donated by one individual for the specific use to build the stairway. It would have to be returned to the donor and that would financially devastate the Group. He asked the Council to deny the resolution or at least table it until a remedy can be worked out with the owner.

- Jeff Skoloda stated that his company built the stairway and it was built to Forest Service standards and was inspected by Mr. Mara in August 2017. He asked Council to deny this resolution.
- Mr. Rische stated that the issue is complicated by restrictions surrounding mining claims.

John Wood stated that the owner could donate the land to the Forest Service. Mayor Larson said that this has been discussed.

John Nixon thanked the OTG for all their work on the local trails.

Gary Dunn, member of the OTG, spoke about the 32 year history of the Group. He stated that over 150,000 hours of volunteer work has gone into maintaining the trails.

Council member Hilton stated that she cannot support the resolution. Mayor Pro Tem Boyd stated that there is a lot of bad information going around about this resolution. Administrator Sickles stated that the property owner is represented by Attorney Hockersmith and he has notified the City that the trail trespasses on his property. She also stated that the comment about the stairs not being built to Forest Service standards was not regarding the workmanship of the stairs, it was regarding the entry and exit.

Sabrina Flores, acting US Forest Service District Ranger, stated that the Forest Service is still willing to work with the City and OTG. She stated that the design was approved but it was not built on Forest Service land. There are also concerns that the Box Canon sign may suffer vandalism and that the trail is in a very steep area. The Forest Service would like the City to take over the whole Perimeter Trail.

Mayor Pro Tem Boyd asked City Attorney Masters what liability the City has whether the resolution is passed or not. Mr. Masters stated that the stairs are not on City property so we have no liability.

Council member Maurer stated that we are spending City staff time on an issue that does not belong to the City.

Council member Glanc stated her love of the Trail and made a motion to table this item until additional negotiations between the OTG and others can occur. She stated that OTG should come back in August with a timeline and action. Council member Hilton seconded the motion and it passed on unanimous vote.

13. DISCUSSION

a. Friends of Via Ferrata Agreement

Nate Disser, representing the Friends of Ouray Via Ferrata stated that the City Council approved the concept of the Via Ferrata in March of 2017. Mayor Larson stated that some of the access trails are on Forest Service land, not on the Rio Claim. Mr. Disser stated that the trails could be moved to be completely on the Rio Claim. He also stated that the access trails are existing hiking trails. The Council discussed the Via Ferrata with Mr. Disser and concerns from other groups. Mr. Disser agreed to meet with all stakeholders.

Chris Holland stated that recently he has built several Via Verratas in the Jackson area and is currently building one in Mammoth. He stated that the Forest Service has been very supportive.

Mike Gibbs, Rigging for Rescue, thanked Council for not making this an action item without time for citizen input. He stated that, as a citizen, his concern regards safety with existing climbing routes. He stated that a lot of engagement and collaboration is needed. Mr. Disser stated that he is eager to proceed with the collaboration.

Attorney David Masters stated that the County will need to be involved since the easement did not contemplate the type of improvements which would be involved in a Via Ferrata. Ben Tisdell, Ouray County Commissioner, agreed with Mr. Masters.

b. Wastewater Treatment Lagoons

Public Works Director Joe Coleman gave a synopsis of the work session which preceded this meeting which was a tour of the Wastewater Treatment Lagoons. He stated that enzymes are on hand but cannot be used until the State approves it. Aerators are on order and will be installed as soon as they arrive.

Ben Tisdell stated that he lives downwind from the lagoons and thanked the staff for working on this problem.

Ms. Sickles stated that a representative of CDPHE Air Quality Control told her that there is no health hazard in the ambient air and he will visit later in July.

Brock Adams stated that he lives in Whispering Pines and asked what will be done to prevent this from happening. Mr. Coleman stated that we are working on reverting the pool discharge back into the Uncompahgre River as was done in the past. Administrator Sickles stated that a consultant is working on a capacity study which should be completed in October. It is likely that sewer and water rates will have to increase to handle a remedy for the situation. Mr. Adams asked how this will affect property values.

Laszlo Kabini, from Whispering Pines, asked about speeding up the consultant work. Ms. Sickles stated that JVA is working on several issues for the City of Ouray.

Benny Ellis stated that he lives on Chatauqua and that he is struggling to understand how this happened. He stated that the cost should be borne by the motels and visitors, maybe a new tax. Mayor Larson stated that the motels carry much more of the burden than home owners. She also stated that in her opinion, the people responsible are no longer working for the City. Work on the problem has been going on for a long time. Mayor Pro Tem Boyd stated that we're doing more now than we ever have.

Dolgio Nergui stated that as a utility customer of the City, she understands that cost will have to go up. She is in favor of the capacity study.

Peggy Lindsey stated that she owns a home in Whispering Pines and is trying to sell it. She said that the smell is so bad that she can't sell it. She asked if the City has any liability for this situation. Attorney Masters stated that he would not comment.

Nancy Reels thanked the Council for the tour today and asked about reserve funds for repairs. Council stated their support of funding possible solutions for the problem.

Vivian Pilkington, Whispering Pines resident, asked about what will happen on July 4th when 20,000 people come into the City. Director Coleman stated that porta-potties will supplement the toilets in the City.

Council member Glanc thanked the people who attended the site tour and assured people who live outside the City limits that we are working on the problem as fast as possible.

Mike Bazin suggested that the Home Rule Charter should be changed to put more responsibility on the Council.

c. Other -none

NEW ACTION ITEM: Williams Construction

Council member Maurer made a motion to allow the Mayor to sign the contract to revert the pool discharge to the river instead of the sewer lagoons. Mayor Pro Tem Boyd seconded the motion and it was approved on unanimous vote.

Ms. Sickles mentioned that the first budget meetings will be on July 30th from 11am to 2:30pm and August 27th all day.

14. ADJOURNMENT

At 8:22pm, Mayor Pro Tem Boyd made a motion to adjourn the meeting. Council member Maurer seconded the motion and it was approved on unanimous vote.

Pamela J. Larson 8-6-18
Pamela J. Larson, Mayor Date

ATTEST:

Melissa M. Drake
Melissa M. Drake, City Clerk