

**Ouray City Council Regular Meeting  
Summarized Minutes  
Monday, July 16, 2018 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  
Council member Dawn Glanc – Present  
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, and Finance and Administration Director Melissa Drake

**3. THE PLEDGE OF ALLEGIANCE WAS RECITED**

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

Mayor asked to add an item to the Consent Agenda for changing the fire restrictions back to stage one, following Ouray County.

Mayor Pro Tem Boyd made a motion to approve the agenda with the addition of the fire restriction change to the Consent Agenda. Council member Maurer seconded the motion and it was approved on unanimous vote.

**5. CITIZENS' COMMUNICATION**

- a. Mr. Roland Hinkson expressed the gratitude of the Polar Bears for allowing them to use the pool. He asked why they are only allowed use of the warm water if they have instruction for exercise. He stated that there are many benefits to senior citizens for soaking in the warm water. Mayor Pro Tem Boyd asked if the issue was with needing additional life guards. City Resources Director Noll said yes.

- b. Mark Corcoran asked about welding and the fire ban. He stated that in the County, he could weld if the Sheriff approved the location. Mayor Pro Tem Boyd stated that at Stage 1, welding can occur with a 10 foot square area cleared of flammable material
- c. Debra Braden spoke in opposition of the restored Box Canon sign due to light pollution. She requested that the lights be turned off and left off. She stated that the natural beauty of the area and the stars cannot be seen and that the light is invasive. Mayor Pro Tem Boyd stated that many people are pleased with the restoration.

Gretchen McArthur stated that you can no longer see the outline of the mountain and that the sign should not be lit. Council member Glanc stated that she requested a compromise since some hate it and others that love it. City Administrator Sickles stated that is in progress.

Kathy Jensen stated that it was the state that required the brighter light and that it is too bright.

Glynn Williams, one of the "5 Guys" who worked on the sign, stated that the original proposal was a much dimmer light but the State Historical Society required original type bulbs. He said that they are working on a dimming ability. Currently, the sign is lit from 9pm to 12am. The letters also have reflective paint on them for the original idea of the dimmer light. He said that he believes that it is 50 to 1 in favor of the sign as it is. Council discussed this with Mr. Williams.

Scott Clifford stated that initially he liked the idea of the sign but now it is too bright. He asked the City to consider their liability since in Colorado, a nuisance claim can be brought against the City. He recommends that the City shut it off until a compromise can be reached.

## 6. CITY COUNCIL REPORTS/INFORMATION

- a. **Dawn Glanc** – The Ice Park Meeting will be on Wednesday at 6pm
- b. **Bette Maurer** – attended the Gunnison TPR and there is a State initiative to increase tax for CDOT use for transit. She said that Ridgway Stop and Ride has been moved up to Tier 1.
- c. **Glenn Boyd** – at the CEDC Meeting they worked on questions for the Community Plan Survey. There will be a "State of the Economy" roundtable at the end of summer. John Wood, Chairman of the CEDC, stated they also discussed issues around OCRA (Ouray Chamber Resort Association) becoming OTO (Ouray Tourism Office). He said they also asked for a list of priorities of the City Council so they can focus on what is appropriate (understanding that the WWTP (Wastewater Treatment Plant) is probably the highest priority. Mr. Boyd thanked Nate Disser, former Chair, for his work and John Wood who has stepped up to the Chair position until the end of the year.

d. **Dee Hilton** – The Beautification Committee minutes in the packet and they are also looking for priorities from the Council.

e. **Pam Larson** – none

**7. COMMUNITY REPORTS - none**

**8. FINANCE DIRECTOR**

**a. June Financial Statements**

Finance and Administration Director Melissa Drake stated that the June 2018 Financial Statements were in the packet and noted the general trend of revenues being higher than previous years and that expenses are higher than 50% of the annual budget since most tax revenues are collected in the summer months and disbursements lag behind.

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

**b. June Disbursements**

Council member Maurer made a motion to accept the June Disbursements. Council member Glanc seconded the motion and it passed on unanimous vote.

**c. Sales Tax Report**

Ms. Drake stated that Sales Tax Revenues are higher than previous years. The Council asked that future reports show both segments of retail sales side by side for easier comparison.

**d. LOT Report**

Ms. Drake stated that Lodging Occupation Tax revenues are higher to date than in previous years.

**9. CONSENT AGENDA**

- a. **Declaration reverting to Stage 1 Fire Restrictions (similar to Ouray County action)**
- b. **Liquor License Renewal – Buen Tiempo LLC dba Buen Tiempo**
- c. **Special Events Permit Application – Ouray County Arts Association, Artists’ Alpine Holiday, July 26 – August 4**

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

## 10. ACTION ITEMS

### a. **Special Events Permit Application – Elks Lodge #492, Alferd Packer Trial BBQ, July 27 & 28**

Council member Maurer recused herself from the item since her name is listed on the application.

Council member Hilton made a motion to approve the application. Mayor Pro Tem Boyd seconded the motion and it was approved on unanimous vote.

Council member Maurer returned to the meeting.

### b. **Friends of Via Ferrata Development Agreement**

City Administrator Sickles stated that operations are now omitted from the agreement and this is just a development agreement. An operating agreement would be drafted prior to opening. This agreement will allow the Friends of Via Ferrata to fund raise and proceed with developing further agreements. Access will avoid the USFS.

Council member Glanc made a motion to approve the agreement. Council member Hilton seconded the motion.

Nate Disser thanked everyone for the hard work put in to date on this. He stated that when the Via Ferrata is operating, it will be the first approved of its kind.

Council member Glanc stated that Disser attended the Ouray Climber's Alliance and answered questions and assured cooperation.

The motion passed unanimously.

### c. **Coordinated Election Formal Intent for LOT Ballot question**

Ms. Sickles explained that this action item was needed to coordinate with Ouray County in case the City chooses to put a question on the ballot. She stated that this would allow staff to proceed with developing an IGA. It does not set forth ballot language.

Mayor Pro Tem Boyd made a motion to approve the formal intent. Council member Glanc seconded the motion. Council member Maurer spoke against the motion.

The motion passed on a vote of 4 to 1 with Council member Maurer voting "No."

**d. LOT Marketing Request for Proposal for 2020**

Administrator Sickles stated that the request came from OTO (Ouray Tourism Office) so they will know if an RFP will be forthcoming before they begin working on marketing for 2020. Ms. Sickles stated that if the Council determines to put out an RFP, a consultant would have to be engaged to develop it.

Chad Leaver stated that his comments in the work session were not against anyone, they were just regarding fiduciary responsibility. He stated that an RFP process could force the OTO to tighten their belts.

Mayor Larson asked the Council to get their questions regarding an RFP to Ms. Sickles.

The Council took no action.

**e. Ratification of Williams Construction Contract – Pool Discharge**

Mayor Larson stated that Cloward suggested that this work be done. The Council discussed this with Public Works Director Joe Coleman. Mayor Pro Tem Boyd made motion to ratify the contract. Council member Hilton seconded the motion and it was approved on unanimous vote.

**11. CITY ADMINISTRATOR**

**a. Upcoming schedule of all known meetings for the next month**

First budget meeting on July 30<sup>th</sup> at St. John's Episcopal Church beginning at 11am. The first Community Plan meeting will be held July 24<sup>th</sup> at 6pm at the Ouray School.

**b. JVA (company working on wastewater treatment and pool discharge issues)**

**i. Reports**

Ms. Sickles gave an overview of the reports in the packet and the Council discussed them.

**ii. Projects/Spreadsheet**

Administrator Sickles gave an overview.

**iii. Wastewater Treatment/Pool Discharge PSA for ongoing projects vs. single PSAs for each project**

Council member Maurer made a motion to approve the PSA. Council member Glanc seconded the motion and it was approved on unanimous vote.

**c. Public Works Director – Wastewater Treatment Lagoon Update**

Public Works Director Joe Coleman stated that he has submitted a 3<sup>rd</sup> application to the State to allow an addition of enzymes to the lagoons. He also submitted a request for a different enzyme. He also stated that he received an e-mail today stating that the aerator order will be delayed due to the availability of a part because the manufacturer closed without notice.

Laura Slawitschka suggested that everything else be dropped to focus on the Wastewater Treatment Lagoon issues and asked what the citizens can do to help. Ms. Sickles will get State representatives' and senators' phone numbers to be distributed.

Wayne Pandor stated that he has been doing some research and stated that the City has gone through 3 operators and 3 Public Works Directors in the last few years. He suggested that the City form an oversight advisory committee since some of the citizen population is very stable and can serve as a source of information. He submitted a proposal to the Council outlining this committee.

Kay Briggs asked about renting aerators since the delivery date is now in August. Joe Coleman stated that he has calls into a rental company and other communities for spares but he hasn't found anyone who uses the same horsepower aerators. She asked if the City could consult a chemist. Joe stated that at this time, a chemist would not help. JVA is scouring for solutions.

Benny Ellis asked what percentage of the area residents is affected by the smell. He stated that he doesn't see the sense of urgency he expects from the Council. He spoke about the severity of the smell at his home and asked why there is no solution yet. Mayor Larson stated that JVA has advised us to add the enzymes and aerators.

Mayor Larson stated that a study was done in the past and ALCOA had a plan for a new treatment method. JVA was working with CDPHE to get the method approved. ALCOA dropped their interest and Ouray was left without a solution. She also explained some of the recent history of the pool and the wastewater treatment plant.

Mike Hakola asked about portable treatment plants. Mayor Larson said the City would check it out.

Vivian Pilkington asked about the current levels of hydrogen sulfide gas and at what levels they become harmful. Mr. Coleman stated that it is harmful at 15-20 parts per million, and this morning we tested the lagoon, sitting in a boat on the lagoon, and it was at .08 parts per million.

John Pablonic stated that long term symptoms are respiratory problems. He stated that he has had a sore throat for weeks and his wife is having migraines. He suggested an alarm system when the levels are high.

John Wood asked if the Council has looked at what the cost of the long term solution will be. Ms. Sickles stated \$8M for the long term.

Betty Bricke asked about who is in charge of this project, if the enzymes are correct, and is there a moratorium on adding hookups to the sewer. Community Development Coordinator Chris Hawkins stated that the Hot Springs Inn is near being issued a building permit and there is currently no moratorium.

Laszlo Kabini asked about diverting the pool discharge. Mayor Larson said the contractor will be here on Thursday.

## 12. DISCUSSION

### a. Ouray Hot Springs Pool Proposal Draft

Tom Kavanaugh, Pool Manager, gave an overview of the proposal which was in the packet. He spoke about the traditional staff shortage beginning at the end of August when high school and college students go back to school. He spoke about the outreach we have done to attract employees. Mr. Kavanaugh spoke about the proposal, including pool hours, discounts for days when the pool is not up to temperature, and membership rates with the Council.

### b. Other –none

## 13. 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