

A regular meeting of the Montrose City Council was held on Tuesday, September 20, 2022, at 6:00 p.m. in the City Council Chambers of the Elks Civic Building. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Dave Frank, Barbara Bynum, Doug Glaspell, J. David Reed, Ed Ulibarri, Bill Bell, Ben Morris, Ann Morgenthauer, Chris Dowsey, Lisa DelPiccolo, Briceida Ortega, Shani Wittenberg, Matthew Magliaro, Blaine Hall, Greg Story

GUESTS: Bud Taylor, Cherie Stock Collins, Melanie Bell, Gunnison Clamp, Grace Hotsenpiller, Ciana Beller, Maggie Ellen Kusar, Sydney Bell, Khloey Kuehn, Hunter Barton

CALL TO ORDER

Mayor Dave Frank called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CONSTITUTION WEEK PROCLAMATION

Mayor Dave Frank and the City Council proclaimed the week of September 17 through 23, 2022 as Constitution Week in the City of Montrose. Mayor Frank presented the proclamation to Cherie A. Stock Collins with Daughters of the American Revolution.

CALL FOR PUBLIC COMMENT

No comments were received.

APPROVAL OF MINUTES

City Council considered the minutes of the September 6, 2022, special City Council meeting and the September 6, 2022, regular City Council meeting.

A motion was made by Barbara Bynum, seconded by J. David Reed, to approve the minutes of the September 6, 2022, special City Council meeting and the September 6, 2022, regular City Council meeting as presented. All voted yes. Motion passed.

SPECIAL EVENTS PERMIT APPLICATION

City Council considered an application for a Special Events Permit for Black Canyon Boys & Girls Club to serve alcohol in conjunction with the closure of the 500 Block of Main Street for the Dinner on Main event on September 24, 2022.

A motion was made by Barbara Bynum, seconded by J. David Reed, to approve a Special Events Permit for Black Canyon Boys & Girls Club to serve alcohol in conjunction with the closure of the 500 Block of Main Street for the Dinner on Main event on September 24, 2022. All voted yes. Motion passed.

YOUTH CITY COUNCIL APPLICANT INTERVIEWS

City Council interviewed applicants Grace Hotsenpiller, Ciana Beller, Maggie Ellen Kusar, Sydney Bell, and Khloey Kuehn for positions on the Montrose Youth City Council for the 2022-2023 term. Applicant Hunter Barton was interviewed upon his arrival later in the meeting.

Mayor Dave Franked and the City Council thanked all the applicants for their willingness to serve on the Youth City Council.

ORDINANCE 2594 – SECOND READING

City Council considered Ordinance 2594 on second reading, an Ordinance of the City of Montrose, Colorado, extending the temporary moratorium to prohibit the establishment of any new or relocation of existing adult gaming arcade uses within the City limits of the City of Montrose; providing that the moratorium shall be in effect for a period which shall terminate at the earliest of the City's adoption of an amendment to Title 4, Chapter 14 Adult Business Regulations, or the expiration of seven hundred thirty (730) days from date of passage of Emergency Ordinance 2560; providing for legislative findings, intent, and purpose; providing repealing clauses; and providing an effective date.

Assistant City Attorney Matthew Magliaro reported that Ordinance 2594 extends a city-wide moratorium on adult gaming arcade uses until September 21, 2023. Mr. Magliaro stated that clean and red line versions of the Ordinance are included in the meeting packet, and no changes were made since first reading on September 6. Mr. Magliaro stated that the passage of HB 22-1412 expands the powers of the Division of Gaming regarding this topic, and staff is requesting additional time to work with the Division of Gaming on the rule making sessions and pursue enforcement avenues.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Doug Glaspell, to adopt Ordinance 2594 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2595 – SECOND READING

City Council considered Ordinance 2595 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 5 Chapter 11 Sections 1, 3, and 8, to reflect recodification of certain sections of the Colorado Revised Statutes. A hearing was held.

Assistant City Attorney Chris Dowsey reported that Ordinance 2595 updates cross references to Colorado Revised Statutes related to pawnbrokers and does not include any substantive changes.

Mr. Dowsey stated that no changes were made to the Ordinance since first reading on September 6.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by Doug Glaspell, seconded by J. David Reed, to adopt Ordinance 2595 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2596 – SECOND READING

City Council considered Ordinance 2596 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 5 Chapter 12 Sections 1, 2, 3, 5, 7, 8, 9, and 10, to reflect recodification of certain sections of the Colorado Revised Statutes. A hearing was held.

City Attorney Ben Morris reported that this item is similar to the previous agenda item. Mr. Morris said that statutes related to alcoholic beverages were recodified by state legislature, and Ordinance 2596 updates cross references in the Municipal Code. Mr. Morris stated that no changes were made to the ordinance since first reading on September 6.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by Barbara Bynum, seconded by J. David Reed, to adopt Ordinance 2596 on second reading as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report: Finance Director Shani Wittenberg provided a sales, use, and excise tax report for the month of July 2022. Ms. Wittenberg reported that total sales and use tax collections were up 7.8 percent as compared to July of 2021 with a positive budget variance of 26.2 percent. Year-to-date collections were up 11.5 percent with a positive budget variance of 30.2 percent.

Montrose Public Safety Complex Grand Opening: Police Chief Blaine Hall invited the community to a grand opening ceremony for the Montrose Public Safety Complex beginning at noon on Tuesday, September 27. Chief Hall reported that many state and local officials will be present for the ceremony, and multiple opportunities for public tours of the facility are scheduled during the week. Mayor Dave Frank confirmed that South First Street in front of the Public Safety Complex will remain closed until approximately October 15 and then will open to one-way traffic.

CITY COUNCIL COMMENTS

No comments were provided.

MOTION TO ADJOURN

At 6:33 p.m., a motion was made by Barbara Bynum to adjourn the meeting with no further action taken.

ATTEST:



Lisa DelPiccolo, City Clerk



David Frank, Mayor

