A regular meeting of the Montrose City Council was held on Tuesday, December 6, 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, Doug Glaspell, J. David Reed, Ed Ulibarri, Maggie Ellen Kusar, Bill Bell, Ann Morgenthaler, Ben Morris, Chris Dowsey, Lisa DelPiccolo, Greg Story, Scott Murphy, Shani Wittenberg, Jace Hochwalt, William Reis, David Bries, Jim Scheid, Tim Cox

ABSENT: Barbara Bynum

GUESTS: Crystal Combs, Jarrod Young, Connie Pittenger, Suzanne Teague, Les Teague

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.

CALL FOR PUBLIC COMMENT

No comments were received.

APPROVAL OF MINUTES

City Council considered the minutes of the November 14, 2022, special City Council meeting, the November 15, 2022, special City Council meeting, and the November 15, 2022, regular City Council meeting.

A motion was made by Ed Ulibarri, seconded by Doug Glaspell, to approve the minutes of the November 14, 2022, special City Council meeting, the November 15, 2022, special City Council meeting, and the November 15, 2022, regular City Council meeting as presented. All voted yes. Motion passed.

HISTORIC PRESERVATION COMMISSION APPOINTMENTS

City Council considered applicants Catherine Stroh and Darlene Mora for vacant positions on the City of Montrose Historic Preservation Commission.

A motion was made by J. David Reed, seconded by Ed Ulibarri to appoint Catherine Stroh as an alternate member of the Historic Preservation Commission for a term that expires on October 16, 2025, and to appoint Darlene Mora as a regular member of the Historic Preservation Commission for a term that expires on October 16, 2023. All voted yes. Motion passed.

LODGING AND ENTERTAINMENT LIQUOR LICENSE TRANSFER APPLICATION

City Council considered the transfer of a Lodging and Entertainment liquor license at 511 E. Main Street from Precedence Productions, d.b.a. Precedence Productions to The Temple LLC, d.b.a. The Temple LLC, for consumption on the licensed premises.

Assistant City Attorney Chris Dowsey reported that this is a public inquiry for the transfer of an existing Lodging and Entertainment liquor license. Mr. Dowsey stated that the file is in order, the fees have been paid, and a staff review found no issues that would prevent the transfer of the license.

Applicants Crystal Combs and Jerrod Young reviewed their plan to continue to operate the venue as an event center and concert hall. Ms. Combs stated that she has studied Colorado liquor laws and will attend the next City-sponsored alcohol server training. Ms. Combs stated that IDs will be checked to prevent service to underage customers, and all employees will be expected to complete the alcohol server training.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the transfer of a Lodging and Entertainment liquor license at 511 E. Main Street from Precedence Productions, d.b.a. Precedence Productions to The Temple LLC, d.b.a. The Temple LLC, for consumption on the licensed premises. All voted yes. Motion passed.

ORDINANCE 2606 – FIRST READING

City Council considered Ordinance 2606 on first reading, an Ordinance of the City of Montrose, Colorado, amending Ordinance No. 2567 which appropriated funds for defraying the expenses and liabilities of the City of Montrose, Colorado, during the fiscal year beginning January 1, 2022; said expenditures of the City of Montrose over and above those anticipated at the time of adoption of the original budget for the fiscal year beginning January 1, 2022. A hearing was held.

Finance Director Shani Wittenberg reported that Ordinance 2606 is the supplemental budget ordinance for 2022 and appropriates funds for expenditures not anticipated during the initial development of the budget. Ms. Wittenberg reviewed the original and final budgeted amounts for each of the affected funds.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by J. David Reed, seconded by Doug Glaspell, to pass Ordinance 2606 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2607 – FIRST READING

City Council considered Ordinance 2607 on first reading, an Ordinance of the City of Montrose, Colorado, vacating a portion of a public utility easement. A hearing was held.

City Engineer Scott Murphy reported that the City is replacing an aged and undersized waterline near the intersection of San Juan and Townsend. Relocating the waterline to the eastern edge of the property will create efficiencies for construction, access, and maintenance purposes. Mr. Murphy stated that Ordinance 2607 vacates the existing easement. Mr. Murphy outlined the sequence of events. The City will enter into a memorandum of agreement with the property owner, the new easement will be granted, the waterline will be constructed and brought into service, and the existing easement will be formally vacated.

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 pass Ordinance 2607 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2608 – FIRST READING

City Council considered Ordinance 2608 on first reading, an Ordinance of the City of Montrose, Colorado, amending Title 3 Chapter 1 Section(s) 6 and 7 correcting a codification error. A hearing was held.

Assistant City Attorney Chris Dowsey reported that Ordinance 2608 corrects a codification error by moving one subsection to its appropriate place with no substantive change.

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 pass Ordinance 2608 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2609 – FIRST READING

City Council considered Ordinance 2609 on first reading, an ordinance of the City of Montrose, Colorado, disconnecting property at 67365 Sunshine Road. A hearing was held.

Planner II William Reis reported that property owners Gary and Diane Fulks requested de-annexation of 25.82 acres from the City limits. Mr. Reis stated that requests for disconnection are considered on a case-by-case basis with lack of utilities as the biggest factor in consideration. The property is outside of the City water service area and is served by Tri County Water. It is also more than 2,000 feet from the nearest sewer line. Mr. Reis stated that the property was originally annexed in 2008 as part of the Amerdev Addition.

Mr. Reis recommended approval of Ordinance 2609 stating that there are no deleterious financial impacts to the City as a result of the disconnection.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by J. David Reed, seconded by Doug Glaspell, to pass Ordinance 2609 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2601 – SECOND READING

City Council considered Ordinance 2601 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of 820 6650 Road from "R-2," Low Density District to "R-5," Low Density/Manufactured Housing District.

City Councilor Doug Glaspell recused himself from this agenda item because he lives next to the subject property. Mr. Glaspell left the City Council Chambers at 6:25 p.m.

Planning Manager Jace Hochwalt reported that applicant Rudy Vargas is the property owner, and the Planning Commission voted unanimously to recommend approval on October 26. Mr. Hochwalt stated that the subject property is 1.1 acres in size, is currently vacant, and is currently zoned R-2. Mr. Hochwalt said that the applicant is seeking the rezone for construction of a manufactured home on the site which is not allowed within the R-2 zoning designation.

Mr. Hochwalt reviewed rezone criteria and the R-5 zoning district, as well as Comprehensive Plan and Municipal Code provisions.

Mr. Hochwalt recommended approval stating that the request meets rezone criteria, meets the intent of the R-5 zoning district, is in compliance with the Comprehensive Plan, and is compatible with existing uses in the area.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to adopt Ordinance 2601 on second reading as presented. All present voted yes. Motion passed.

Mr. Glaspell rejoined the meeting at 6:29 p.m.

ORDINANCE 2602 – SECOND READING

City Council considered Ordinance 2602 on second reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Hilltop North Addition.

Planner II William Reis reviewed the annexation schedule and the location of the 10.01 acres on 6600 road north of the intersection with Locust Road. Mr. Reis stated that the property is located within the Urban Growth Boundary, Tri County Water service area, and City sewer service area. Mr. Reis reviewed the zoning of the surrounding area and the applicant's requested zoning designation of R-4. An annexation agreement and annexation impact report are required.

Mr. Reis recommended approval of the annexation and R-4 zoning designation stating that the proposal is consistent with public health, safety, and welfare, City annexation policies, and the Comprehensive Plan.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reid, to adopt Ordinance 2602 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2603 – SECOND READING

City Council considered Ordinance 2603 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Hilltop North Addition as an "R-4", High Density District.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Doug Glaspell, to pass Ordinance 2603 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2604 – SECOND READING

City Council considered Ordinance 2604 on second reading, an Ordinance of the City of Montrose, Colorado, designating the Montrose Electric Light & Power Co., 44 S Grand Ave, Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 4-15 of the Official Code of the City of Montrose.

Planner II William Reis reported the Montrose Electric Light and Power Company is eligible for historic property designation due to its age, its association with the history of utilities in Montrose, and its architectural style. Mr. Reis stated that the building is representative of industrial construction in the early 20th century.

Mr. Reis recommended adoption of Ordinance 2604.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reed, to adopt Ordinance 2604 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2605 – SECOND READING

City Council considered Ordinance 2605 on second reading, an Ordinance of the City of Montrose, Colorado, designating the Montrose Radium Ore Sampler, 112 W Main St, Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 4-15 of the Official Code of the City of Montrose.

Planner II William Reis reported that the Montrose Radium Ore Sampler is eligible for historic property designation due to its age and its association with industrial history in Montrose. Mr. Reis stated that the facility reportedly housed the only commercial radium sampler in the world. Mr. Reis reviewed additional details that he and Historic Preservation Commission Chair Jon Horn discovered after first reading of the ordinance.

Mr. Reis recommended adoption of Ordinance 2605.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adopt Ordinance 2605 on second reading as presented. All voted yes. Motion passed.

VACTOR #361 JET-VAC REPAIRS

City Council considered repairs to Vactor #361 Jet Vac by Farris Machinery, Inc., for the not to exceed amount of $105,000.00.

Utilities Manager David Bries reported that a catastrophic failure of the blower system occurred on a Vactor unit scheduled for replacement this year, and delivery of new units on order was delayed until the first or second quarter of 2023. Mr. Bries stated that Farris Machinery estimated the cost of repair to be $98,995.00. The resale value without repairs is estimated at $15,000.00. The repaired unit would have a resale value of approximately $150,000.00 and could be used until the new units arrive.

Mr. Bries recommend approval of the repairs up to $105,000.00.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve repairs to Vactor #361 Jet Vac by Farris Machinery, Inc., for the not to exceed amount of $105,000.00 as presented. All voted yes. Motion passed.

CITY HALL RELOCATION PROJECT CONTRACT AMENDMENT

City Council considered the authorization of $1,135,000.00 for the second phase of the City Hall Relocation Project, including the amendment of a contract with FCI Constructors, Inc. as the Construction Manager/General Contractor (CM/GC).

Public Works Manager Jim Scheid reported that this agenda item is for the second phase of the City Hall Relocation Project, and the first phase was approved earlier this year. Mr. Scheid stated that construction documents were received in October, demolition work began in October, and the CM/GC model expedited the project. Mr. Scheid recommending authorization to use the funds included in the 2023 budget. The project is scheduled to be completed in February or March.

Mr. Scheid said that exterior improvements are included in phase III which is currently in the conceptual design process.

Public comment was accepted. No comments were received.

A motion was made by J. David Reid, seconded by Doug Glaspell, to authorize $1,135,000.00 for the second phase of the City Hall Relocation Project, including the amendment of a contract with FCI Constructors, Inc., as the Construction Manager/General Contractor (CM/GC) as presented. All voted yes. Motion passed.

EMERGENCY DUMP TRUCK REPAIR

City Council considered $70,000.00 in expenditures to repair a damaged dump truck (Unit 256).

Public Works Manager Jim Scheid reported that a dump truck was severely damaged during asphalt operations and is inoperable in its current condition. Mr. Scheid stated that the truck is needed for snow removal operations, and due to delays in receiving purchased equipment, repairing the truck is the best option. Mr. Scheid said that the repair will be funded from the 2022 Fleet Fund budget and will be completed in approximately five weeks.

Public comment was accepted. No comments were received.

A motion was made by J. David Reid, seconded by Doug Glaspell, to approve $70,000.00 in expenditures to repair a damaged dump truck (Unit 256) as presented. All voted yes. Motion passed.

STAFF REPORTS

No reports were provided.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Representative Maggie Ellen Kusar reported that Youth City Councilors are visiting with residents of local nursing homes. Ms. Kusar also reported that a "Seven Days of Service" social media challenge is planned during December.

CITY COUNCIL COMMENTS

City Councilors J. David Reed and Doug Glaspell thanked City staff members involved with organizing the annual Parade of Lights.

City Councilor Ed Ulibarri thanked Public Works crews for snow removal efforts.

MOTION TO ADJOURN

At 6:54 p.m., a motion was made by Doug Glaspell to adjourn the meeting with no further action taken.

ATTEST:

David Frank, Mayor

Lisa DelPiccolo, City Clerk

CITY OF MONTROSE
CITY SEAL
COLORADO