A regular meeting of the Montrose City Council was held on Tuesday, February 7, 2023, at 6:00 p.m. in the Community Room of the Montrose Public Safety Complex. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Dave Frank, Barbara Bynum, Doug Glaspell, J. David Reed, Ed Ulibarri, Hunter Barton, Ann Morgenthaler, Ben Morris, Chris Dowsey, Lisa DelPiccolo, Greg Story, Jim Scheid, Jace Hochwalt, Blaine Hall, Scott Murphy, William Reis, David Bries, William Woody, Briceida Ortega, Charles Greenacre, Shane Brandt, Tyler Good

GUESTS: Daisy McEachern, Preston McEachern, Shiloh Warthen, Steve Stevenson, Adam Renfrow, Jim Renfrow, Rhiannon Bergman, Karin Slater

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.

YOUTH CITY COUNCIL APPLICANT INTERVIEW

City Councilors interviewed applicant Shiloh Warthen for a position on the Montrose Youth City Council.

CALL FOR PUBLIC COMMENT

Adam Renfrow spoke in favor of the City considering the Dark Skies Initiative for residential and commercial development.

APPROVAL OF MINUTES

City Council considered the minutes of the January 17, 2023, regular City Council meeting.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the minutes of the January 17, 2023, regular City Council meeting as presented. All voted yes. Motion passed.

2023 EQUIPMENT DISPOSAL LIST

City Council considered a list of City-owned equipment for disposal at auction.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the 2023 Property Disposal List as presented. All voted yes. Motion passed.

NEW TAVERN LIQUOR LICENSE APPLICATION

City Council considered an application for a new Tavern liquor license at 35 N. Cascade Avenue for Daisy McEachern, d.b.a. Red, White and Brew Tavern, for consumption on the licensed premises. A hearing was held.

City Attorney Ben Morris reported that this application is for a business at the former location of Twisted Ginger and Sam's Tavern. Mr. Morris stated that the file is in order, the fees are paid and a written findings report is included in the meeting packet. Mr. Morris said that petitions were circulated, with 81 signatures submitted and 39 signatures determined to be valid and in support of the license being issued. The applicant attended and passed the most recent alcohol server training.

Mr. Morris stated that the previous owner received a nonrenewal notice from the state due to unpaid taxes, but that should not affect this application. The premises map includes a sidewalk area, and an encroachment permit is in process. The license has received preliminary approval at the state level.

Applicant Daisy McEachern reviewed the business plan and said she intends to create a venue for both the younger and older demographic. Ms. McEachern acknowledged the determination of the neighborhood as the City limits and did not object. She said that the needs of the community are not being met because existing establishments are not inclusive and are geared toward one crowd. Ms. McEachern said that the petitions were circulated in the vicinity of the business and were also signed by people who stopped in to see the venue. Ms. McEachern stated that she is familiar with liquor laws and said all bartenders have completed alcohol server training.

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 Barbara Bynum, to approve a new Tavern liquor license at 35 N. Cascade Avenue for Daisy McEachern, d.b.a. Red, White and Brew Tavern, for consumption on the licensed premises. All voted yes. Motion passed.

ORDINANCE 2611 – SECOND READING

City Council considered Ordinance 2611 on second reading, an Ordinance of the City of Montrose, Colorado, granting and authorizing the conveyance of an interest in City-owned real estate pursuant to §1-9-2 of the Official Code of the City of Montrose.

Planning Manager Jace Hochwalt reported that Ordinance 2611 authorizes the transfer of a parcel of City owned property at Black Canyon Golf Course to Jim Renfrow. Mr. Hochwalt stated that the property was originally donated by Mr. Renfrow and remained an unmaintained parcel at the Golf Course. Mr. Hochwalt said the transaction is a boundary line adjustment involving less than one acre of property with no new lots created.

Mr. Renfrow was present and spoke in favor of earmarking the proceeds of the sale for improvements at the Golf Course.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reed, to adopt Ordinance 2611 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2612 – FIRST READING

City Council considered Ordinance 2612 on first reading, an Ordinance of the City of Montrose, Colorado, revising Chapter 10-1 of the Official Code of the City of Montrose, Colorado, for the regulating of traffic; adopting by reference the 2020 edition of the "Model Traffic Code for Colorado Municipalities;" repealing all ordinances in conflict therewith; superseding the 2003 Model Traffic Code for Colorado Municipalities; providing other provisions consistent with the adoption of the 2020 code; and providing penalties for violation thereof. A hearing was held.

City Attorney Ben Morris reported that Ordinance 2612 is the culmination of a collaborative effort involving the Municipal Court, the City Manager's Office, Police Department command staff, and the Legal Department. Mr. Morris stated that the city is currently using the 2003 edition of the Model Traffic Code and desires to update to a newer version. Ordinance 2612 addresses issues found and adopts the Model Traffic Code into the City code with the necessary changes.

Mayor Dave Frank opened the hearing.

Public comment was accepted.

Municipal Court Judge Charles Greenacre reported that adoption of the 2020 Model Traffic Code brings the City in line with current state law, clarifies what is a traffic infraction and what is not, and requires court to adopt the state fine schedule for traffic infractions.

Mayor Frank closed the hearing.

A motion was made by J. David Reed, seconded by Doug Glaspell, to pass Ordinance 2612 on first reading as presented. All voted yes. Motion passed.

CASA PRELIMINARY PLANNED DEVELOPMENT

City Council considered the CASA Preliminary Planned Development.

Planner II William Reis reviewed a planned development application submitted by CASA for 7.47 acres north of the San Juan bypass. Mr. Reis stated that CASA is planning a supportive housing development including 45 residential units and a community center which is considered a conditional use in the existing I-1, Light Industrial, zoning. Mr. Reis said the development is not associated with a subdivision as it will remain under single ownership. Mr. Reis reviewed the PD process and Comprehensive Plan provisions. Mr. Reis said a proposed utility easement is dedicated through the PD plat.

The Planning Commission unanimously recommended approval on January 25 with the condition that sheds, tents or other temporary structures for housing as well as cars, trailers or recreational vehicles used for shelter are not allowed.

CASA Executive Director Carlton Mason reviewed the services provided by CASA to kids and families experiencing abuse and neglect. Mr. Mason stated that the supportive housing project will focus on the needs of 18- to 24-year-olds and address the needs of seniors experiencing homelessness and mental health issues.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Ed Ulibarri, to approve the CASA Preliminary Planned Development. All voted yes. Motion passed.

KLEIN ADDITION ANNEXATION

A hearing was held on the annexation of the Klein Addition.

Planner II William Reis reviewed the annexation schedule and the location of the 1.00-acre parcel located on the southwest corner of Draft Horse and 6600 Roads. The property is located within the Urban Growth Boundary, City sewer service area, and Tri-County Water service area. Mr. Reis stated that the applicant is the property owner and is applying to connect to city sewer service.

Mr. Reis reviewed the requested zoning designation of MHR, Manufactured Housing Residential District.

Mr. Reis recommended approval of the annexation and proposed MHR zoning designation stating that the proposal is consistent with public health, safety and welfare, City and state annexation policy and the Comprehensive Plan. An annexation agreement was signed by the applicant, and an annexation impact report is not required. Mr. Reis stated that the area is urbanizing and the property being annexed meets contiguity requirements.

The Planning Commission unanimously recommended approval of the MHR zoning designation.

Resolution 2023-02: City Council considered Resolution 2023-02, Findings of Fact for the Klein Addition.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Ed Ulibarri, to adopt Resolution 2023-02 as presented. All voted yes. Motion passed.

Ordinance 2613- First Reading: Ordinance 2613 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Klein Addition. A hearing was held.

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 Ed Ulibarri, to pass Ordinance 2613 on first reading as presented. All voted yes. Motion passed.

<u>ORDINANCE 2614 – FIRST READING</u>

City Council considered Ordinance 2614 on first reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Klein Addition as an "MHR," Manufactured Housing Residential District. A hearing was held.

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 2614 on first reading as presented. All voted yes. Motion passed.

<u>ORDINANCE 2615 – FIRST READING</u>

City Council considered Ordinance 2615 on first reading, an Ordinance of the City of Montrose, Colorado, designating the Montrose Electric Light & Power Company Building, with an historic address of 7 South Townsend Avenue, Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 4-15 of the Official Code of the City of Montrose. A hearing was held.

Planner II William Reis reported that the building meets eligibility due to its age, its association with the history of power generation in Montrose, its association with the Valley Feed and Seed Company, and because it retains original architectural components.

Mr. Reis reviewed the history of the building and its architectural features and recommended approval stating that the building meets eligibility and integrity criteria for inclusion on the City's register of historic buildings.

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 2615 on first reading as presented. All voted yes. Motion passed.

6700 ROAD EXTENSION PROJECT CONSTRUCTION CONTRACT

City Council considered $4,595,856.14 in expenditures for construction of the 6700 Road Extension Project. This includes the award of a construction contract to Williams Construction in the amount of $4,387,256.14, a survey and engineering support contract to Del-Mont Consultants in the amount of $133,600, flashing crosswalk and school zone signage expenditures of $25,000, and $50,000 in expenditures to Delta-Montrose Electric Association for a portion of costs associated with powerline relocation and undergrounding alongside the project.

City Engineer Scott Murphy provided an overview of the project to complete the missing link of 6700 Road between Sunnyside and Miami Roads. Mr. Murphy stated that a design contract for the project was awarded to Del-Mont Consultants last year, and the design is similar to the E. Oak Grove and S. Hillcrest Extension projects.

Mr. Murphy reviewed the bid process and reported that four bids were received with Williams Construction submitting the low bid. Flashing crosswalks will be installed at the Miami and Sunnyside intersections, and the City will cost share undergrounding of power lines with DMEA. Mr. Murphy said that Del-Mont Consultants will perform survey and stake out work on an as needed basis which ensures continuity with the design.

Mr. Murphy stated that $4.09 million was budgeted for the project. The total cost is $500,000.00 over budget, and a 400,000.00 contingency is included. The project will begin this week with completion of intersections by mid-August and project completion in October.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Doug Glaspell, to approve $4,595,856.14 in expenditures for construction of the 6700 Road Extension Project as presented. All voted yes. Motion passed.

RAUSCH USA CCTV SEWER CAMERA VAN PURCHASE RECOMMENDATION

City Council considered the purchase of a Rausch USA CCTV sewer camera van from Ten Point Sales & Marketing LLC, of Wheat Ridge, Colorado, for the total purchase price of $279,833.00.

Utilities Manager David Bries reported that the City has a closed-circuit TV camera for condition assessments and investigation of sewer problems. The current TV van is over 20 years old, and the camera system was replaced in 2016. Mr. Bries said Rausch USA was selected because of its maintenance program and ability to ship cameras and replacement parts.

Mr. Bries said that the vendor has a cabin chassis available for building the van and can ship it within a few months. The 2023 budget includes $245,000.00 for the purchase, and the additional funding will be provided from the Sewer Fund.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reed, to approve the purchase of a Rausch USA CCTV sewer camera van from Ten Point Sales & Marketing LLC for the total purchase price of $279,833.00 as presented. All voted yes. Motion passed.

2023 TRASH TRUCK PURCHASE RECOMMENDATION

City Council considered the purchase of three trash trucks from Kois Brothers Equipment in Commerce City, Colorado, for the total purchase price of $1,226,495.25.

Public Works Manager Jim Scheid reported that two of the three dump trucks were recommended for purchase in 2022. Due to the failure of the chassis vendor, the purchase was terminated and rolled into this recommendation. Mr. Scheid said two are replacements and the third is an additional truck budgeted in 2022 in response to growth.

Mr. Scheid reviewed the RFP process and stated that none initially received met specifications. Staff reached out to manufacturers and compiled an updated RFP. One bid was received from Kois Brothers. Mr. Scheid stated that the purchase price exceeds the budgeted amount but the cost overrun will be recouped through the Fleet Fund.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to approve the purchase of three trash trucks from Kois Brothers Equipment in Commerce City, Colorado, for the total purchase price of $1,226,495.25 as presented. All voted yes. Motion passed.

2022 FORD VEHICLE PURCHASE AMENDMENT

City Council considered a cost increase totaling $146,830.48 for the 2022 Ford vehicle purchase previously awarded to Sill-Terhar Motors.

Public Works Manager Jim Scheid reported that an order for 20 Ford vehicles was placed in December of 2021 for the 2022 budget year. Because Ford did not produce enough vehicles to fulfill all orders in 2022, the model year of the ordered vehicles converted to 2023 which in turn increased the cost. Mr. Scheid stated that the increase conforms with the 2023 state bid pricing for the 2023 model.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Ed Ulibarri, to approve a cost increase totaling $146,830.48 for the 2022 Ford vehicle purchase as presented. All voted yes. Motion passed.

STAFF REPORTS

No staff reports were provided.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Representative Hunter Barton reported that a major event is planned for March. Mr. Barton said the annual Rock the Rec event was instituted to raise awareness of alcohol and drug abuse, and the 2023 event will focus on mental health. The event will be held at the Community Recreation Center with tournaments, games, and a St. Patrick's Day theme.

CITY COUNCIL COMMENTS

City Councilor Doug Glaspell thanked staff for diligence in overcoming purchasing challenges.

City Councilors acknowledged Information Systems staff for facilitating the temporary relocation from the City Council Chambers to the Community Room. Public Works Manager Jim Scheid reported that renovations to the City Council Chambers will be completed by the end of March.

City Councilor Ed Ulibarri thanked Police Chief Blaine Hall and the Montrose Police Department for promoting pedestrian safety.

MOTION TO ADJOURN

At 7:23 p.m., a motion was made by J. David Reed, to adjourn the meeting with no further action taken.

ATTEST:

Barbara Bynum, Mayor Pro Tem

Lisa DelPiccolo, City Clerk

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