A regular meeting of the Montrose City Council was held on Tuesday, April 4, 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, Ed Ulibarri, Ann Morgenthaler, Ben Morris, Chris Dowsey, Lisa DelPiccolo, Greg Story, William Woody, Shani Wittenberg, Nik Pridy, Blaine Hall, Jace Hochwalt, Jim Scheid, Scott Murphy

ABSENT: J. David Reed

GUESTS: Rhiannon Bergman, Paty Johnson, Jack Krawczyk, Christian Vieweg, Ashley Dennis, Jamie Temple, Mike Surak

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.

AMERICORPS WEEK PROCLAMATION

Mayor Dave Frank and the Montrose City Council proclaimed the week of April 3-9, 2023, as AmeriCorps Week within the City of Montrose. Mayor Frank presented the proclamation to Christian Vieweg, Public Health Analyst with Tri County Health Network.

CALL FOR PUBLIC COMMENT

No comments were received.

APPROVAL OF MINUTES

~~City Council considered the minutes of the March 21, 2023, regular City Council meeting.~~

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the minutes of the March 21, 2023, regular City Council meeting as presented. All voted yes. Motion passed.

ORDINANCE 2620 – FIRST READING

City Council considered Ordinance 2620 on first reading, an Ordinance of the City of Montrose authorizing the substitution of other City property for the City Hall building under a 2017 lease-purchase financing; and authorizing and approving documentation related thereto.

Finance Director Shani Wittenberg reported that Ordinance 2620 authorizes the substitution of the Animal Shelter & Brown Center facilities for the historic City Hall as collateral for 2017 lease purchase financing. Ms. Wittenberg stated that the combined value of the Animal Shelter and the Brown Center equal the value of the historic City Hall. Ms. Wittenberg said the City borrowed $10 million in 2017 to address deferred maintenance. A total of $4.8 million was dedicated to Montrose Urban Renewal Authority infrastructure and the remainder was applied throughout the City of Montrose.

City Council Ed Ulibarri expressed concerns related to an increased interest rate on the $2.9 million loan without an opportunity to pay down the principal and the sale of the existing City Hall at 50 percent on the dollar for the existing mortgage.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Barbara Bynum, to pass Ordinance 2620 on first reading as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

ORDINANCE 2618 – SECOND READING

City Council considered Ordinance 2618 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of 122 acres adjacent to the south of the Cobble Creek Golf Course bordering 6400 Road from "R-3" Medium Density District with conditions to "R-3" Medium Density District with no conditions. A hearing was held.

Planning Manager Jace Hochwalt reviewed the location of the 122 acres that was originally annexed as part of the larger Two Creeks Addition in 1996. The original zoning ordinance included several conditions including a lot count restriction of 139 units which is far below the R-3 zoning standard. Mr. Hochwalt said that the restrictions within the ordinance should have been approached as a planned development, and staff determined that the best approach is a new zoning ordinance and Declaration of Covenants.

Mr. Hochwalt recommended adoption of Ordinance 2618, with the condition that the Declaration of Covenants is signed, stating that the request meets multiple Comprehensive Plan Goals.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Ed Ulibarri, to adopt Ordinance 2618 on second reading as presented expressly conditioned upon the execution and recording of the Agreement and Declaration of Covenants between the City of Montrose and Weststar Development, LLC that was authorized by City Council for signature at their February 21, 2023, Regular meeting. All voted yes. Motion passed.

ORDINANCE 2619 – SECOND READING

City Council considered Ordinance 2619 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of Lot 12 of the Miami Business Park Subdivision Filing No. 1 and Lots 5-11 of the Miami Business Park Subdivision Filing No. 2, totaling 5.56 acres, from "OR" Office-Residential to "R-4" High Density District. A hearing was held.

Mayor Pro Tem Barbara Bynum recused herself from the discussion and left the meeting at 6:20 p.m.

Planning Manager Jace Hochwalt reviewed the location of the subject property along the 600 block of East Star Court adjacent to the Star Drive-In. Mr. Hochwalt reviewed the zoning of the surrounding area and the applicant's plan to construct a multi-building, multi-family development. The current OR zoning would require a conditional use permit, while the R-4 zoning would allow higher density without a conditional use permit.

Mr. Hochwalt recommended approval stating that the request meets multiple Comprehensive Plan goals.

Parking and traffic concerns were discussed.

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 Ed Ulibarri, to adopt Ordinance 2619 on second reading as presented. All present voted yes. Motion passed.

Ms. Bynum rejoined the meeting at 6:25 p.m.

DRY CEDAR CREEK FINAL PLANNED DEVELOPMENT

City Council considered the Dry Cedar Creek Final Planned Development.

Planning Manager Jace Hochwalt reviewed the plan for a multifamily development known as The Residences at Dry Cedar Creek. Mr. Hochwalt stated that the preliminary PD Plan was presented at the last City Council meeting and there are no changes between the preliminary and final plans.

Mr. Hochwalt reviewed the location of the 7.34 acres next to the Community Recreation Center and said the development includes 60 multifamily units on 4.41 acres of the parcel. Mr. Hochwalt stated that while multi-family housing is a permitted use within the R3-A district, more than one building on a parcel requires a PD process. Mr. Hochwalt said the applicant is ready for construction and the site development application has been approved.

Mr. Hochwalt stated that the Final PD plan includes 1.82 acres of open space which exceeds the 20 percent threshold. The deviations included in the proposal are to allow multiple buildings on a single parcel and to allow a minimum setback of two feet from the UVWUA canal easement.

Mr. Hochwalt recommended approval stating that the request is in compliance with Zoning Regulations and the Comprehensive Plan and meets the intent of the R3-A zoning designation.

Public comment was accepted.

Paty Johnson asked about guidelines for affordable housing. Mayor Dave Frank reported that staff members would be available to discuss this topic with her outside of the meeting.

A motion was made by Doug Glaspell, seconded by Barbara Bynum, to approve the Dry Cedar Creek Final Planned Development. All voted yes. Motion passed.

ANDERSON ROAD PAVING CONSTRUCTION CONTRACT

City Council considered the approval of $679,873.30 in expenditures for construction of the Anderson Road Paving Project. This includes the award of a construction contract to Skip Huston Construction in the amount of $639,873.30 and a survey/engineering support contract to Del-Mont Consultants in the amount of $40,000.00.

City Engineer Scott Murphy provided an overview on the project to pave Anderson Road, including curb, gutter, sidewalk, and paving, from Townsend Avenue to Commercial Lane. The project was designed in house with assistance from Del-Mont Consultants.

Mr. Murphy reviewed the bid process and said Skip Huston submitted the low bid of four bids received. Mr. Murphy said once the road is closed, the contractor has 75 calendar days to complete the work. Access will be available for businesses and residents during the closure. Mr. Murphy stated that $500,000.00 was budgeted for the project, and the excess amount is due to inflation. Mr. Murphy said that $60,000.00 of the $180,000.00 overrun is contingency.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Ed Ulibarri, to approve $679,873.30 in expenditures for construction of the Anderson Road Paving Project as presented. All voted yes. Motion passed.

2023 PARKS MOWER PURCHASE RECOMMENDATION

City Council considered the purchase of three Toro mowers from Roaring Fork Rentals in Glenwood Springs, Colorado, for the total purchase price of $51,432.00.

Public Works Manager Jim Scheid reviewed a recommendation to purchase three Toro mowers for use by City crews at Cedar Creek Cemetery, the Sunset Mesa ball fields, and portions of other parks. Mr. Scheid stated that the City is standardizing its fleet of mowers to Toro mowers for cost savings and ease of operation, and Roaring Fork Motors is the regional supplier. Mr. Scheid said government pricing was available through Toro. The purchase exceeds the budgeted amount of $49,200.00, but excess funds were collected through the Fleet Fund.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Ed Ulibarri, to approve the purchase of three Toro mowers from Roaring Fork Rentals in Glenwood Springs, Colorado, for the total purchase price of $51,432.00. All voted yes. Motion passed.

STAFF REPORTS

Planning Manager Jace Hochwalt invited the public to an open house for the Land Use Code amendment process on Monday, April 17, beginning at 6 p.m. Mr. Hochwalt said the purpose of the project is to consolidate and modernize the Land Use Code for ease of use, and the City is in the first phase of a multiphase process.

Public Works Manager Jim Scheid announced that the City will transition back to the Elks Civic Building for public meetings including City Council meetings, Planning Commission Meetings and Municipal Court sessions, beginning on April 17.

YOUTH CITY COUNCIL COMMENTS

No comments were provided.

CITY COUNCIL COMMENTS

City Councilor Ed Ulibarri commented on recent road repairs using new Public Works equipment and recycled asphalt millings.

Mayor Pro Tem Barbara Bynum asked for an update on the Black Canyon Golf Course. Deputy City Manager Ann Morgenthaler reported that the Golf Course is currently open during good and is transitioning to summer operating hours soon. Ms. Morgenthaler said a new point-of-sale system has been installed, and a new menu is in place at The Rusty Putter with additional appetizer options.

Mayor Dave Frank reported that the City currently has numerous employment opportunities including many seasonal positions.

<u>MOTION TO ADJOURN</u>

At 6:56 p.m., a motion was made by Doug Glaspell, seconded by Barbara Bynum, to adjourn the meeting with no further action taken.

ATTEST:

David Frank, Mayor

Lisa DelPiccolo, City Clerk