



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, August 1, 2023 - 6:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose City Council is pleased to have residents of the community take time to attend City Council meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time. The 11:00 p.m. Rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

Public participation for this meeting will be in person in the City Council Chambers. The meeting can be viewed via livestream at <https://www.cityofmontrose.org/759/Live-Meetings-Viewer> and recordings of the meetings can be viewed at <https://www.youtube.com/user/MontroseCityGov>.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to schedule time to book this resource, please email planningmail@cityofmontrose.org at least three (3) days before the meeting.

- 1) City Council meeting called to order by Mayor Barbara Bynum
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions
- 5) CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS

The "Call for Public Comment" agenda item is a time when members of the community may publicly voice their concerns. Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please stay on topic and limit comments to three (3) minutes. Also, be aware that neither City Council nor City staff are expected to engage in discussion or debate. However, the City may respond when appropriate at a later time.

Personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial or gender-oriented slurs are prohibited, as is any "disorderly conduct" which violates state or local law. See, City of Montrose Regulations (Sec. 7-14-1, et seq.)

6) CONSENT AGENDA (5 minutes)

- A) City Council consideration of the minutes of the July 18, 2023, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*
- B) City Council consideration of the approval of a Special Events Alcohol Permit in conjunction with the closure of Apollo Road for the FUNC Fest event on August 12 and 13, 2023. *Staff: City Clerk Lisa DelPiccolo*
- C) City Council consideration of an application for a Special Events Alcohol Permit in conjunction with the closures of N. 6th Street, N. 7th Street, Ute Avenue, and Selig Avenue adjacent to LaRaza Park for the Monte de Rosas Fiesta on August 19. *Staff: City Clerk Lisa DelPiccolo*
- D) City Council consideration of the disposal/sale of six police radios to the Olathe Police Department. *Staff: Police Chief Blaine Hall*

Action: Consider making a motion to approve the consent agenda as presented.

7) LIQUOR LICENSE CHANGE OF LOCATION (10 minutes)

City Council consideration of an application from Bliss Beauty Bar Co. LLC, doing business as Bliss Beauty Bar, to change the location of a Lodging and Entertainment liquor license from 431 E. Main Street to 1544 Oxbow Drive, Unit 156. *Staff: Assistant City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to approve the change of location of the Lodging and Entertainment liquor license for Bliss Beauty Bar Co. LLC, doing business as Bliss Beauty Bar to 1544 Oxbow Drive, Unit 156 as presented.

8) RESOLUTION 2023-12 (10 minutes)

City Council consideration of Resolution 2023-12 authorizing the City of Montrose Police Department to file a Victim Assistance Law Enforcement (VALE) Grant through the 7th Judicial District Victims Assistance Board for the total of \$55,150.00 to cover a portion of both the current Victim Advocate's Salary and a new Victim Advocates salary; authorizing the Chief of Police to act in connection with the application and to provide such additional information as required; authorizing the City Manager, Chief of Police and Finance Director to sign the grant application and reporting documents. *Staff: Police Chief Blaine Hall*

Action: Accept public comment. Consider making a motion to adopt Resolution 2023-12 as presented.

9) RESOLUTION 2023-13 (10 minutes)

City Council consideration of Resolution 2023-13 a Resolution of the City of Montrose, Colorado, rescinding the City Manager's declaration of a public health emergency within the City of Montrose, Colorado. *Staff: Emergency Manager Paul Eller*

Action: Accept public comment. Consider making a motion to adopt Resolution 2023-13 as presented.

10) RESOLUTION 2023-14 (10 minutes)

City Council consideration of Resolution 2023-14 authorizing assignment to the Colorado Housing and Finance Authority of a private activity bond allocation of the City of Montrose pursuant to the Colorado Private Activity Bond Ceiling Allocation Act. *Staff: Community Development Specialist Christopher Ottinger*

Action: Accept public comment. Consider making a motion to adopt Resolution 2023-14 as presented.

11) ELDERADO FINANCIAL ASBESTOS ABATEMENT ASSISTANCE (10 minutes)

City Council consideration of a request from Elderado Financial for \$50,881.10 for assistance with asbestos abatement in conjunction with the construction of a new office building. *Staff: City Manager Bill Bell*

Action: Accept public comment. Consider making a motion to approve \$50,881.10 for asbestos abatement for the Elderado Financial office building project as presented.

12) ORDINANCE 2634 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2634 on first reading, an Ordinance of the City of Montrose, Colorado, amending Title 9 Chapter 4 Section 1 and Title 6 Chapter 1 Section 21, regarding the removal of snow and/or ice and unreasonable noise. *Staff: Public Works Director Jim Scheid, Streets Division Superintendent Nik Pridy, Parks Division Superintendent Dan Payne*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2634 on first reading as presented.

13) ORDINANCE 2635 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2635 on first reading, an Ordinance of the City of Montrose, Colorado, regarding the cable franchise agreement between the City of Montrose and Spectrum Pacific West, LLC, an indirect subsidiary of Charter Communications, Inc. *Staff: City Attorney Ben Morris*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2635 on first reading as presented.

14) ORDINANCE 2636 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2636 on first reading, an Ordinance of the City of Montrose, Colorado, 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 (Clear Networkx easement). *Staff: City Attorney Ben Morris, Public Works Director Jim Scheid*

Action: Accept public comment. Consider making a motion to pass Ordinance 2636 on first reading as presented.

15) ORDINANCE 2630 - SECOND READING (15 minutes)

City Council consideration of Ordinance 2630 on second reading, an Ordinance of the City of Montrose, Colorado, updating Title 1 Chapter 2, General Provisions and Title 1 Chapter 14, Municipal Court, of the Official Code of the City of Montrose, Colorado: repealing and replacing Title 1 Chapter 2 Section 3 (1-2-3) regarding general penalty; repealing and replacing Title 1 Chapter 14 Section 4 (1-14-4), regarding sentencing; and repealing and replacing other code provisions to standardize cross-references in the Official Code of the City of Montrose regarding sentencing. *Staff: Assistant City Attorney Matt Magliaro, City Attorney Ben Morris, Assistant City Attorney Chris Dowsey*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2630 on second reading as presented.

16) ORDINANCE 2631 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2631 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Dry Cedar Creek II Addition. *Staff: Planner II William Reis*

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2631 on second reading as presented.

17) ORDINANCE 2632 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2632 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Dry Cedar Creek II Addition as an "R-3A," Medium High Density District. *Staff: Planner II William Reis*

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2632 on second reading as presented.

18) ORDINANCE 2633 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2633 on second reading, an Ordinance of the City of Montrose, Colorado, designating the Methodist Episcopal Church of Montrose, 19 S. Park Ave., Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 11-3 of the Official Code of the City of Montrose. *Staff: Planner II William Reis*

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2633 on second reading as presented.

19) FUEL AND OIL CONTRACT AWARD (10 minutes)

City Council consideration of the award of a contract to Parish Oil of Montrose, Colorado, to supply the City with bulk fuel and oil. *Staff: Public Works Director Jim Scheid*

Action: Accept public comment. Consider making a motion to award a contract to Parish Oil of Montrose, Colorado, to supply the City with bulk fuel and oil as presented.



20) CERISE PARK STORAGE BUILDING EXPENSE AUTHORIZATION (10 minutes)

City Council consideration of the authorization of expenses for the construction of a storage building in Cerise Park near the Montrose Rotary Amphitheater in the amount of \$183,574.72 including a contract with Stryker and Company for the design and construction. *Staff: Public Works Director Jim Scheid*

Action: Accept public comment. Consider making a motion to approve expenses for the construction of a storage building in Cerise Park near the Montrose Rotary Amphitheater in the amount of \$183,574.72 including a contract with Stryker and Company for the design and construction as presented.

21) FLASHING CROSSWALK SIGNAGE EXPENSE AUTHORIZATION (10 minutes)

City Council consideration of \$61,100.00 in expenditures for the purchase of solar-powered flashing crosswalk equipment. *Staff: City Engineer Scott Murphy*

Action: Accept public comment. Consider making a motion to authorize \$61,100.00 in expenditures for the purchase of solar-powered flashing crosswalk equipment as presented.

22) STAFF REPORTS

23) CITY COUNCIL COMMENTS

24) MOTION TO ADJOURN