A regular meeting of the Montrose City Council was held on Monday, September 20, 2021 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. Public participation for this meeting was held in person and via Zoom. The meeting agenda included a Zoom link and phone numbers for public participation.

PRESENT: Doug Glaspell, Dave Frank, Barbara Bynum, J. David Reed, Anthony Russo, Bill Bell, Ann Morgenthaler, Stephen Alcorn, Greg Story, Lisa DelPiccolo, Mikayla Unruh, Jim Scheid, Amy Sharp, Matt Smith, Scott Murphy, Briceida Ortega, Blaine Hall, Ross Valdez, Shani Wittenberg, William Reis

GUESTS: Melissa Alcorn

CALL TO ORDER

Mayor Doug Glaspell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Anthony Russo.

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 September 7, 2021 special City Council meeting and the September 7, 2021 regular City Council meeting.

A motion was made by Dave Frank, seconded by Barbara Bynum, to approve the minutes of the September 7, 2021 special City Council meeting and the September 7, 2021 regular City Council meeting as presented. All voted yes. Motion passed.

YOUTH CITY COUNCIL APPOINTMENTS

City Council considered applicants Gunnison Clamp, Harrison Hall, Grace Hotsenpiller, Amy Scriffiny, Jasmine Hemenway, and Indica Taylor for appointment to the City of Montrose Youth City Council for the 2021-2022 term.

City Councilor Barbara Bynum commended the applicants for their interest in local government and their willingness to serve.

A motion was made by Dave Frank, seconded by J. David Reed, to appoint Gunnison Clamp, Harrison Hall, Grace Hotsenpiller, Amy Scriffiny, Jasmine Hemenway, and Indica Taylor for appointment to the City of Montrose Youth City Council for the 2021-2022 term. All voted yes. Motion passed.

PLANNING COMMISSION ALTERNATE APPOINTMENT

City Council considered applicants Steven Ball, Catherine Buckley Hoffman, and Tina McFarlin for a vacant Planning Commission alternate position.

Paper ballots were distributed and City Councilors each cast one vote. Steven Ball received five votes. A motion was made by Barbara Bynum, seconded by J. David Reed, to appoint Steven Ball as Planning Commission alternate for a term that expires on December 31, 2024. All voted yes. Motion passed.

RESOLUTION 2021-20

City Council considered Resolution 2021-20, a Resolution authorizing the filing of a Colorado Department of Transportation Revitalizing Main Streets: Small and Multimodal Economic Resiliency Project grant program application.

Community Program Specialist Briceida Ortega reviewed an opportunity to apply for funds to rehabilitate the downtown pocket park adjacent to San Juan Construction. Ms. Ortega stated that the pocket park is a community gathering and cultural event space in the historic downtown area that has been underutilized as a result of COVID-19.

Ms. Ortega outlined renovations to rehabilitate the space including additional seating, enhanced lighting, landscaping improvements, and the incorporation of public art. Ms. Ortega stated that the planned renovations total $165,000.00. The grant application is for $150,000.00 with 10 percent match of up to $15,000.00. Ms. Ortega said the matching funds would be provided by a DOLA Main Street Mini Grant.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Anthony Russo, to adopt Resolution 2021-20 as presented. All voted yes. Motion passed.

ORDINANCE 2553 -SECOND READING

City Council considered Ordinance 2553 on second reading, an Ordinance of the City of Montrose, Colorado, repealing and replacing Title 5 Chapter 3 of the Official Code of the City of Montrose.

City Attorney Stephen Alcorn reported that Ordinance 2553 removes the requirement for alarm installers to be licensed by the City Clerk. Mr. Alcorn stated that the license requirement no longer serves a legitimate purpose and recommend removing the provision from the Municipal Code.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to adopt Ordinance 2553 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2554 - SECOND READING

City Council considered Ordinance 2554 on second reading, an Ordinance of the City of Montrose, Colorado vacating portions of a right of way within the City of Montrose.

City Engineer Scott Murphy provided an overview of a proposed vacation of obsolete right of way along the Uncompahgre River in exchange for a more suitable option. Mr. Murphy recommended adoption of Ordinance 2554 and stated that recording of the ordinance will be delayed until completion of a plat action dedicating the new right of way.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Ordinance 2554 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2555 - SECOND READING

City Council considered Ordinance 2555 on second reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Riverbend RV Park Addition II.

Senior Planner Amy Sharp reviewed the annexation schedule and stated that this item dovetails with the previous agenda item. Ms. Sharp reported that this is a clean-up annexation of .26 acres that is almost completely surrounded by City limits. Ms. Sharp reviewed the proposed zoning designation of B-2, Highway Commercial District, and stated that this zoning is consistent with the zoning of the adjoining property. An annexation impact report and annexation agreement are not required.

Ms. Sharp recommended approval of the annexation and B-2 zoning designation stating that the proposal is consistent with public health, safety, and welfare, City annexation policies and the Comprehensive Plan. The Planning Commission recommended approval of the zoning designation on August 11.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Anthony Russo, to adopt Ordinance 2555 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2556 - SECOND READING

City Council considered Ordinance 2556 on second reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the Riverbend RV Park Addition II as a "B-2", Highway Commercial District.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to adopt Ordinance 2556 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2558 - SECOND READING

City Council considered Ordinance 2558 on second reading, an Ordinance of the City of Montrose, Colorado, vacating a portion of Pinon Way within the City of Montrose.

Senior Planner Amy Sharp reviewed the proposed vacation of right of way along Pinon Way adjacent to Sunshine Peak Apartments. Ms. Sharp stated that the property owner to the south requested the vacation for development of a four-plex. Ms. Sharp said the southern half of the right of way of will be vacated, and the northern half will be retained by the City for future use.

Public comment was accepted. No comments were received.

A motion was made by Anthony Russo, seconded by J. David Reed, to adopt Ordinance 2558 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2559 - SECOND READING

City Council considered Ordinance 2559 on second reading, an Ordinance of the City of Montrose, Colorado, repealing and replacing Title 2 Chapter 1 Section 1 (2-1-1) of the Official Code of the City of Montrose.

Senior Planner Amy Sharp reviewed a proposed modification the Municipal Code to update Planning Commission compensation from $40.00 per month to $80.00 per month, and increase compensation for the chair from $60.00 per month to $100.00 per month.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Anthony Russo, to adopt Ordinance 2559 on second reading as presented. All voted yes. Motion passed.

BROWN RANCH SUBDIVISION AMENDMENT #3 PRELIMINARY PLAT

City Council considered the Brown Ranch Subdivision Amendment #3 Preliminary Plat.

Senior Planner Amy Sharp reviewed the location of the property south of Ogden Road and east of 6725 Road and stated that the Preliminary Plat will develop the 5.574 acres into 22 single family residential lots. The current zoning designation is R-2, Low Density District, and the proposal is in compliance with allowable uses within the zoning district.

Ms. Sharp stated that the roads are in place and the minimum lot size of 7,500 square feet has been met. Ms. Sharp recommended conditional approval stating that the request is in compliance with subdivision regulations and the Comprehensive Plan and meets intent of the zoning district. The Planning Commission recommended approval on September 8.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to approve the Brown Ranch Subdivision Amendment #3 Preliminary Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

BROWN RANCH SUBDIVISION FILING NO. 7 FINAL PLAT

City Council considered the Brown Ranch Subdivision Filing No. 7 Final Plat to create 22 new residential lots.

Senior Planner Amy Sharp reported that this item involves the same property as previous agenda item, and the 5.574 acres would be subdivided unto 22 lots. Ms. Sharp stated that the infrastructure has been completed and minimum lot size has been met. Ms. Sharp stated that the streets are in place and approved by City Engineer, and utility easements were also approved.

Ms. Sharp recommended approval of the Final Plat with the standard condition.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the Brown Ranch Subdivision Filing No. 7 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

TOWNSEND UTILITY REPLACEMENTS CONSTRUCTION CONTRACT

City Council considered a contract award to Mountain Valley Contracting in the amount of $1,345,278.88 for construction of the Townsend Avenue Utility Replacements Project.

City Engineer Scott Murphy reported that this contract is for replacement of aging waterlines and rehabilitation of the tops of manholes on Townsend Avenue in anticipation of a CDOT mill and overlay project.

Mr. Murphy reviewed the bid process and recommended approval of a contract with Mountain Valley Construction which submitted the low bid. Mr. Murphy stated that the project was designed in house, and there are no outside design expenses.

Mr. Murphy reviewed the project schedule. Work will begin in November with single lane closures and lane shifts. Access will be maintained to businesses on Townsend Avenue and some side streets will be closed. Mr. Murphy said the project costs are split between the 2021 and 2022 budgets.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Anthony Russo, to award a contract to Mountain Valley Contracting in the amount of $1,345,278.88 for construction of the Townsend Avenue Utility Replacements Project as presented. All voted yes. Motion passed.

PUBLIC WORKS FACILITY DESIGN CONTRACT AMENDMENT NO. 1

City Council considered an amendment to the Public Works Facility Design Contract with Chamberlin Architects to add scope of work for a Phase II environmental site assessment at a cost of $48,500.00.

City Engineer Scott Murphy reported that the design process is underway for a new Public Works facility on the San Juan Bypass, and site constraints and layout are being determined. A Phase I environmental site assessment was conducted. Due to the history of the facility as a fleet maintenance shop with underground fuel storage tanks, and an asphalt batch plant, a phase II assessment is warranted.

Mr. Murphy stated that the contract is on a time-and-materials, not-to-exceed basis, and the cost will be added to the original design contract.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to amend the Public Works Facility Design Contract with Chamberlin Architects to add scope of work for a Phase II environmental site assessment at a cost of $48,500.00 as presented. All voted yes. Motion passed.

INTERGOVERNMENTAL AGREEMENT FOR LIQUOR LICENSE SERVICES

City Council considered an Intergovernmental Agreement between Montrose County and the City of Montrose for Liquor Licensing Shared Services.

City Clerk Lisa DelPiccolo reviewed a proposal for the City Clerk's Office to process applications for liquor licenses and permits in unincorporated Montrose County. Ms. DelPiccolo stated that the Board of County Commissioners will remain the liquor licensing authority, the City will retain the application fees, and the term of the agreement is one year.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to approve the Intergovernmental Agreement between Montrose County and the City of Montrose for Liquor Licensing Shared Services 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 2021. Ms. Wittenberg reported that total sales and use tax collections up 16.8 percent as compared to July of 2020 with a positive budget variance of 23.5 percent. Year-to-date collections were up 23.7 percent with a positive budget variance of 31.7 percent.

CITY COUNCIL COMMENTS

Mayor Pro Tem Dave Frank commented on recent Peer Kindness and San Juan Healthcare Foundation fundraising events and the benefit of nonprofit events to the community.

City Attorney Steven Alcorn reported that a special City Council meeting will be held via Zoom at 4:00 p.m. on Tuesday, September 21, to consider Emergency Ordinance 2560 which would enact a moratorium on specific gambling-like businesses within the City. An agenda is posted on the City website with a link to the virtual meeting. Mr. Alcorn stated that a hearing will be held on the Ordinance with the opportunity for public comment, but the agenda will not include a call for public comment for non-agenda items.

MOTION TO ADJOURN

At 6:45 p.m., a motion was made by J. David Reed to adjourn the meeting with no further action taken.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

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