A regular meeting of the Montrose City Council was held on Tuesday, January 2, 2024, 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: Barbara Bynum, J. David Reed, Dave Frank, Doug Glaspell, Ed Ulibarri, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Nik Pridy, Matt Magliaro, Scott Murphy, Anthony Russo, William Reis, Jim Scheid, Jace Hochwalt, Dan Payne, Blaine Hall

GUESTS: Teri Alexander, Craig Hasto, Becky Waugh, Christina Files, Charli Oswald, Mary Burgner, Don Blowers, Jo Allen Blowers

CALL TO ORDER

Mayor Barbara Bynum called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

Mayor Pro Tem J. David Reed announced that Item 8, Asbestos Abatement Assistance for Former Daily Bread Building, was added to the agenda. An amended agenda and meeting packet were posted earlier in the day.

CALL FOR PUBLIC COMMENT

No comments were received.

APPROVAL OF MINUTES

City Council considered the minutes of the December 5, 2023, regular City Council meeting.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the minutes of the December 5, 2023, regular City Council meeting as presented. All voted yes. Motion passed.

DESIGNATION OF OFFICIAL POSTING LOCATION

City Council considered the designation of the City of Montrose website as the official posting location for meeting notices with the bulletin board in the lobby of City Hall as a secondary location for use in exigent or emergency circumstances.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to designate the City of Montrose website as the official posting location for meeting notices with the bulletin board in the lobby of

City Hall as a secondary location for use in exigent or emergency circumstances. All voted yes. Motion passed.

ORDINANCE 2653 – SECOND READING

City Council considered Ordinance 2653 on second reading, an Ordinance of the City of Montrose, Colorado creating the Otter Pond Circle Utility Relocation Special Improvement District. A hearing was held.

Mayor Barbara Bynum recused herself from this agenda item because she lives within the neighborhood. Mayor Bynum left the City Council Chambers at 6:04 p.m.

City Attorney Chris Dowsey reported that this is the second reading of the ordinance creating the Special Improvement District (SID). Mr. Dowsey stated that the topic was discussed in detail at the November 6 work session, a resolution of intent to create a SID was adopted on November 14, and Ordinance 2653 was passed on first reading on December 5. If the Ordinance is adopted, the SID will be created. Mr. Dowsey said the final assessments will be brought before City Council in the form of an ordinance when the utility relocation is complete.

Mr. Dowsey stated that petitions requesting the SID were received from the vast majority of property owners, and no letters of dissent were received.

Mayor Pro Tem J. David Reed opened the hearing.

Public comment was accepted.

Otter Pond residents Christina Files, Becky Waugh, and Mary Burgner spoke in support of Ordinance 2653 and thanked City Council and staff.

Mayor Pro Tem Reed closed the hearing.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to adopt Ordinance 2653 on second reading as presented. Barbara Bynum abstained. All others voted yes. Motion passed.

Mayor Bynum rejoined the meeting at 6:08 p.m.

ASBESTOS ABATEMENT ASSISTANCE FOR FORMER DAILY BREAD BUILDING

City Council considered funding in the amount of $98,375.97 for asbestos abatement in the historic Daily Bread/Creative Corner building at 344/346 E. Main Street.

Anthony Russo, Business Development, reported that the new owners of the building are planning to add office space on the second floor along with a restaurant on the first level, and asbestos must be removed as part of the renovation process. Mr. Russo stated that a 50 percent deposit was required to secure the cost of the asbestos removal which was substantially lower than other bids submitted. Mr. Russo stated that the asbestos removal is set to begin January 4, and the applicants were present to answer questions.

Mr. Russo confirmed that the applicants paid the required 50 percent deposit and would be reimbursed. The project was discussed in detail at a work session held earlier in the day.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to approve $98,375.97 for asbestos abatement in the historic Daily Bread/Creative Corner building at 344/346 E. Main Street as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

Applicant Craig Hasto said the building once housed the Calloway Brothers Grocery Store.

COBBLE CREEK WEST UTILITY SERVICE AGREEMENT

City Council considered a utility service agreement with Chipeta Water District and Weststar Development, LLC to provide City of Montrose water service to the Cobble Creek West Addition.

City Engineer Scott Murphy provided an overview of a request for the City to provide water service outside of its designated service area and within the Chipeta Water service area for the Cobble Creek West Addition. Mr. Murphy said that urban-level development typically cannot be serviced by rural water districts because fire protection cannot be provided and water resources have not been secured to meet the demand.

Mr. Murphy reported that the developers negotiated with Chipeta Water and are now asking for final approval from the City. Mr. Murphy stated that the City can meet the demands of the development while preserving water resources for existing customers. The City can also place conditions on water use such as requiring waterwise landscaping for residential lots and requiring irrigation water for HOA landscaping. Mr. Murphy said the agreement is signed by the developer and was approved by the Chipeta Water District board.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to enter into a utility service agreement with Chipeta Water District and Weststar Development, LLC to provide City of Montrose water service to the Cobble Creek West Addition as presented. All voted yes. Motion passed.

NORTH WOODGATE EXTENSION PHASE II MEMORANDUM OF AGREEMENT

City Council considered a memorandum of agreement with the Marketplace West Condominium Association to create the framework for right of way acquisition and completion of the North Woodgate Extension Project's second phase.

City Engineer Scott Murphy reported that the City secured right of way for the planned Woodgate/E. Oak Grove roundabout and for the first phase of the extension of a backage road that will support the adjacent businesses and planned All Points Transit facility. Mr. Murphy stated that the City is seeking to secure right of way to Encanto Place which would provide access to the traffic signal at E. Oak Grove and Townsend. Mr. Murphy said the MOU creates a framework to secure right of way if the project proceeds. The project would benefit the city in terms of traffic volume, safety, and business access.

Mr. Murphy confirmed that improvements to the intersection of E. Oak Grove and Townsend are in the planning stages.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to enter into a memorandum of agreement with the Marketplace West Condominium Association to create the framework for right of way acquisition and completion of the North Woodgate Extension Project's second phase as presented. All voted yes. Motion passed.

2024 ANNUAL ANNEXATION REPORT AND 3-MILE PLAN

City Council considered the 2024 Annexation Report and 3-Mile Plan.

Planning Manager Jace Hochwalt presented the 2024 Annexation Report and 3-Mile Plan and reviewed the annual requirement to approve the plan before any annexations are approved. Mr. Hochwalt stated that the three mile boundary is unchanged from 2023, and annexations completed in 2023 were primarily in-fill. Mr. Hochwalt said annexation policies and priorities are also unchanged. Six annexation requests were processed in 2023 totaling 25.87 acres along with one disconnection/deannexation of 25.82 acres.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reed, to approve the 2024 Annexation Report and 3-Mile Plan as presented. All voted yes. Motion passed.

BLOWERS ADDITION ANNEXATION

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

Ed Ulibarri disclosed a conversation with the property owner regarding the annexation. Mr. Ulibarri stated that he could maintain impartiality, and he did not receive information that the other City Councilors would not receive.

Planner II William Reis reviewed the annexation schedule for the 15.22 acres which encompasses three separate properties and a small sliver of right of way. Mr. Reis stated that the requested zoning designation is RL, Rural Living District, and the applicants are requesting a minimum lot size of one acre.

Mr. Reis recommended approval of the annexation and zoning designation stating that the request is consistent with public health, safety and welfare, City annexation policies, and the Comprehensive Plan. An annexation agreement has been signed by the applicant and an annexation impact report was filed with Montrose County. Mr. Reis stated that the Planning Commission recommended approval of the RL zoning designation with a vote of 6-1 on November 8, 2023.

Resolution 2024-01: City Council considered Resolution 2024-01, Findings of Fact for the annexation of the Blowers Addition.

Public comment was accepted.

Applicant Don Blowers questioned whether the City requires annexation if a property is located on a City water line. City Engineer Scott Murphy stated that utilities are a driver of annexation but water is the exception. Mr. Blowers expressed hesitation regarding annexing to connect to City water but said he did not want to delay the project. Mr. Murphy provided background on the annexation and water connection requirements and said the topic was reviewed at a staff level many times. Mr. Murphy said the goal is to balance compliance with the Comprehensive Plan and what is reasonable for the property owners.

City Council and the property owners discussed postponing the topic or proceeding with the first readings of the ordinances. A consensus was reached to proceed with the action items on the agenda, and staff will meet with Mr. Blowers before second reading of the ordinances.

A motion was made by J. David Reed, seconded by Dave Frank, to adopt Resolution 2024-01 as presented. All voted yes. Motion passed.

Ordinance 2654 – First Reading: City Council considered Ordinance 2654 on first reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Blowers Addition.

Mayor Barbara Bynum opened the hearing.

Public comment was accepted.

Jo Allen Blowers said that Tri County Water is willing to provide water service to the lot he owns as long as they had a letter of authorization from the City. Mr. Blowers asked if it was necessary to annex his lot.

Mayor Bynum closed the hearing.

A motion was made by Doug Glaspell, seconded by J. David Reed, to pass Ordinance 2654 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2655 – FIRST READING

City Council considered Ordinance 2655 on first reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Blowers Addition as an "RL" Rural Living District.

Mayor Barbara Bynum opened the hearing.

Public comment was accepted.

Don Blowers asked when he could meet with staff and was told City staff members would meet with him after this agenda item to set a time to meet.

Mayor Bynum closed the hearing.

A motion was made by J. David Reed, seconded by Doug Glaspell, to pass Ordinance 2655 on first reading as presented. All voted yes. Motion passed.

2024 BALDRIDGE PARK MASTER PLAN AWARD RECOMMENDATION

City Council considered the award of a contract for the Baldridge Park Master Plan to Berry, Dunn, McNeil & Parker, LLC (BDM&P) of Portland, Maine in the amount of $174,048.00.

Public Works Director Jim Scheid provided an overview of the process to develop a master plan for Riverbottom, Cerise, and Sunset Mesa Parks and the Ute and McNeil fields. Mr. Scheid stated that several systems are reaching end of life and are in need of replacement or updating. The updated master plan will account for changes in use and future uses and will incorporate best practices in terms of water conservation, accessibility and park design.

Mr. Scheid reviewed the RFP process, and recommended approval of a contract with BDM&P.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to award a contract for the Baldridge Park Master Plan to Berry, Dunn, McNeil & Parker, LLC (BDM&P) of Portland, Maine in the amount of $174,048.00 as presented. All voted yes. Motion passed.

2024 ASPHALT CRUSHING AWARD RECOMMENDATION

City Council considered the award of a Professional Services Agreement to Rocky Mountain Aggregate and Construction, LLC, for asphalt crushing at the City's Material Storage Yard in the amount not-to-exceed $200,000.00.

Public Works Director Jim Scheid reported that the agreement is for the crushing of stockpiled asphalt on Sunset Mesa, and the end product will be used for trails, gravel road resurfacing, and pothole repair.

Mr. Scheid reviewed the bid process and recommended awarding a contract to Rocky Mountain Aggregate. Mr. Scheid said the City has worked with the company on other projects with favorable results and the rates are close to what was estimated and anticipated.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to award a Professional Services Agreement to Rocky Mountain Aggregate and Construction, LLC, for asphalt crushing at the City's Material Storage Yard in the amount not-to-exceed $200,000.00 as presented. All voted yes. Motion passed.

STAFF REPORTS

No staff reports were provided.

CITY COUNCIL COMMENTS

No comments were made.

MOTION TO ADJOURN

At 7:08 p.m., a motion was made by Doug Glaspell, to adjourn the meeting with no further action taken.

ATTEST:

Barbara Bynum, Mayor

Lisa DelPiccolo, City Clerk

CITY OF MONTROSE
CITY SEAL
COLORADO