

A regular meeting of the Montrose City Council was held on Tuesday, March 19, 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, Sydney Bell, Reign Icasiano, Hunter Barton, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Briceida Ortega, Tim Cox, Matt Magliaro, Jim Scheid, Scott Murphy, William Reis, Larry Witte, Jonathan Roberts

GUESTS: Rex Swanson, Denise Swanson, Jill Franck, Kelsey Canavan, Leilani Bate, Sherman Hebein, Donna Hebein, Robert W. Gray, Mary Brackin, Kenzie White, Jerry Hessenflow, Ken Hodson, Marge Harp, Christine Hollendonner, David Johnston, Phil Moomjean, Wayne Jones, Susan Gray, Susan Hrivnak, Ann Back, Sharon Fisher, Garry Fisher, Maureen Burnet, Tammee Waltrip, Carol McBride, Karen Steele, Randy Steele, Lois Dane Earnest, Charles Long, Johnny Bingham, Ann Holmes, Adrian Appelkans, Don Archer, Carma Kennedy, Sklyer Brown, Joseph Porter, Maury Kennedy, Kathie Steele, Cheryl Harris, Bill Stewart, Jay Vickers, Kurt R. Kubik, Greg Parrish, Bobbi Fresquez, Carol Gallegos, Kate Patterson, Linda Zeman, Chris Jolley, Tammy Jolley, Charles Hofer, Pollyanna Mangold, Carol Heller, Brian Heller, Karin Freudenberg, Rachel Zatterstrom, Emily Padley, Joseph C. Stucky, Carol K. Martinez, Tina M. Gray, Autumn Barrett, Charles R. Andrews, Susan L. Mann, Wendy Jilek Dallman, Brandi Brown, Charles Jett, Sandi Woodman, Ron Nichols, Sally Nichols, Debbie Snapp, Ben Burnet, Dan Waltrip, Sandra Smagala, Ronda Bingham, Christina Turner, Brandon Quinn, Kathryn Hackenberg, Karen Maxner, Greg Fishing, Deborah Thompson, Shawn Roberts, Jamie Schell, Tanya Newman, June Stewart, Kevin Moore, Josh Hallenbeck, Tiffany Vincent, Eben Stucky, Cassandra Lee, Richard Buckingham, Benjamin Jensen, Laura L. Bond, Robyn Chasten, Rick Chasten, Guy Wright, Jo Ann Houston, Rob Carrell, Denise Carrell, Yolanda Nieves, Danny Schoeppner, Debbie Schoeppner, Megan Schoeppner, Noah Schoeppner, Janice Heasty, Bob Heasty, Peggy Mederlitz, Karla Montoya, Maria Valadez, Anna Jordan, Ed Court, Jesse G. Mabanglo, Carl Fish, Michelle Cannon, Joshua Cannon, Jeanine Fellin, Mac Fellin, Jennifer Henderson, Jon Henderson, Don E. Hawks, Shane Nicolas, Janie Hawks, Pamela Llewellyn, Elvira M. Bussing, Matt Goldasich, Sue Goldasich, Leslie Gore, Bill Burnet, Dean Burnet, Trena Unrein, Margaret Kaufmann, Susan Bothwell, Colleen Brueske, Jessie Saunders, Gordon Strople, Chris Ormsbee, Robert Morgen, Russell Huglin, Amy C. Schifren, Robert Saunders, RuLyn Bymaster, Diane Carabetta, Joe Carabetta, Lynn H. Wilson, Paul T. Wilson, Jeff Kintzer, Ron Smith, Maggie Muchmore, Tim Davis, Lisa Wright, Connie Kolker, Bianca Diaz, Edgar Cervantes, Lawrence Bates, Michael Canavan, Ronald Lee, Amy Racki, Seth Roybal, David Farnese, Nancy Turley, Oda Wilson, Pam Rehfeldt, Elizabeth Smith, Tom Smith, DeLainee White, Michael Bohnenkamp, Cheri Fisher, Collin Galloway, Jan Stryker, Joyce Wolff, George Wolff, Jr., Geraldine Wold, Allen Todd, Tammie Todd, Laura Gillenwater, David Gillenwater, Ed Lafferty, JK Lafferty, Tamera Schlegel, Allen Schroeder, Keith McCurdy, Jim Bowen, Cheryl Larsen, John McChesney, Yvonne McChesney, David LaPointe, Pamela LaPointe, Bernadette Waltrip, Peg Evanoika, Michelle Klippert, Jon Klippert, Cheryl Jennings, Gary Jennings, Jeff Mora, Mark Neuhardt, Leo Chavez, Greg Parish, Kim Chamberlain, James Higgins, Christina Higgins, Megan Herriman, Crystal Harwood, Makenzi Larson, Nancy White, Renee Luckey, Darrell Gills, John Morris, Jason Rayburn, Ralph Jones, Tony Sanchez, Leah Vandersluis, Sherry Hamblin, Marc Woodruff, Kya Woodruff, Jan Hessenflow, Rick Hill, Tina Lemus, Richard Rogers, Richard

Jakino, Neal Muldoon, Dave Stockton, Shirley Dykes, Michelle Jensen, Hayden White, Ronnie P. Sanchez, Wendy Cole, Tim Smith, Robyn Smith, Barrett Jensen, Jo Clugg, Regina Sowell, Kelly Schoonover, Laura Boyer, Bill Volk, Kim Volk, Lauri Olin, Mark Olin, Kal Greenman-Baird, Donna McMahon, Henry Bellew, Kathryn Ballard, Connie Welt, Ryan Sedgeley, Nicole Sedgeley, Jerry Heimbigner, Delona Heimbigner, Colby Oval, Shawn Wareford, Russell Nocero, Kaisa Simon, Kirsten Atkuis, Alejandro Salazar, Evelyn Greenman-Baird, David N. Evanoika, David LaBlanc, Ellen Ayers, Stephanie Williams, Kaitlynn Boyd, Ann-Marie Fleming, Maurice Potter, Mary Potter, Ken Otto, David Gleason, Mary Avery, Sanjuana Padron, Jesus Padron, Amy Dickinson, Ray Evan, Phillip Lee, Karen Lee, BJ Cardenas, Charles Hopner, Peggy Niederlitz, Emily Padley, Carol Fish, Sally Lovett, Verlita Pacheco, Priscilla A. Fishing, Rodney Johnson, Allan Miller, Rick Antolovich, Carol Antolovich, Megan Harriman, Connie Kolaer, Phil D. Chastain, Robyn Chastain, Stacy Wright, Roger Johnson, Bev Cardenas, Drea Patterson, Mary Ann Morse, Wayne R. Slieter, Erin Slicton, Adylenne Robinson, Kurt Bechthold, Diane Haynes, Jeanne Welfelt, Bill Welfelt, Kris Kirk-Flower, Angeles Mendez, Rochelle Sparlin, Travis Bates, Gene Cardenas, Zabelle Strasters, Annette Ashcroft, Kathrn Patterson, Jan Ramsey, Marve Abeyta, Joann Aaron, Bruce Scofield, Stephen Replogle, Kathee Thompson, Gary Thompson, Jennifer Fallis, Barbara Vance, Charlene Willis, Carole McBurney, Lisa Brown, Valerie Hardin, Randi Cooling, Jan Hatch, Francis Brauer, Cynthia Jones, Mackensey Hansen, Mary Ann More, Wayne R. Slieter, Erin Slicton, Adylenne Robinson, Kurt Bechthold, Diane Haynes, Jeanne Welfelt, Bill Welfelt, Kris Kirk-Flower, Angeles Mendez, Richard Brown, Darlene Mora, Ricardo Perez, Karen Sherman Perez, Debbie Reed, Phoebe Benziger, Kylea Henseler, Norma Marcinek, John Brown, Matt Brown, W.D. Hass, Lori Syme

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

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

Tamera Schlegel spoke regarding a tree at Black Canyon Golf Course. Ms. Schlegel requested assistance with a large branch that hangs over her home and needs to be removed. City staff will contact Ms. Schlegel following the meeting.

APPROVAL OF MINUTES

City Council considered the minutes of the February 26, 2024, special City Council meeting, the March 4, 2024, Special City Council meeting, the March 4, 2024, regular City Council meeting and the March, 7, 2024, emergency City Council meeting.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to approve the minutes of the February 26, 2024, special City Council meeting, the March 4, 2024, Special City Council meeting, the March 4, 2024, regular City Council meeting and the March, 7, 2024, emergency City Council meeting as presented. All voted yes. Motion passed.

YOUTH CITY COUNCIL COMMENTS

Youth City Councilors Sydney Bell and Reign Icasiano reported that a food drive is underway. Bins have been placed at City Hall, the Visitor Center, Peer Kindness, Fabula, the Library and the Community Recreation Center. Donations can be placed in the bins until at least March 25.

ORDINANCE 2660 – SECOND READING

City Council considered Ordinance 2660 on second reading, an Ordinance of the City of Montrose, Colorado, designating the E.J. Mathews Mercantile/Calloway Bros. building, with an historic address of 346 East Main Street as a City of Montrose Historic Property Pursuant to § 11-3 of the Official Code of the City of Montrose. A hearing was held.

Planner II William Reis reported no changes to Ordinance 2660 since first reading on March 5. Mr. Reis stated that the Historic Preservation Commission unanimously recommended approval of the designation on February 27, 2024.

Mr. Reis recommended adoption of Ordinance 2660 stating that the building meets criteria for designation based on its age, its association with the history of downtown Montrose, and its architectural features.

Mayor Barbara Bynum opened the hearing.

Public comment was accepted. No comments were received.

Mayor Bynum closed the hearing.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adopt Ordinance 2660 on second reading as presented. All voted yes. Motion passed.

FLEX PARK AT COLORADO OUTDOORS LAND ACCEPTANCE

City Council considered the acceptance of Lot 24 of the Colorado Outdoors Subdivision, Amendment 7, Reception No. 966762 being donated to the City of Montrose to support creation of the Flex Park at Colorado Outdoors.

City Engineer Scott Murphy reported that the Flex Park in the Colorado Outdoors development is being constructed primarily with grant funds from Colorado Health Foundation. Mr. Murphy said the current property owners are donating the parcel that encompasses the park and is slightly over one-half acre in size. The transaction will involve a deed, and the City will sign an IRS form documenting the donation for tax purposes.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to accept Lot 24 of the Colorado Outdoors Subdivision, Amendment 7 for creation of the Flex Park at Colorado Outdoors as presented and authorize the City Manager to execute associated documents. All voted yes. Motion passed.

PUBLIC WORKS FACILITY AND RIO GRANDE EXTENSION DESIGN CONTRACT

City Council considered the authorization of \$800,000.00 for the design and initial site cleaning for the Public Works Facility and Rio Grande Extension, including a contract with Blythe Group for an initial amount not to exceed \$700,000.00.

Public Works Director Jim Scheid reported that the requested authorization is the first step in the design of a Public Works facility and the design of the Rio Grande extension. The projects are close in proximity and dependent upon each other. Mr. Scheid stated that in 2024 the site layout will be determined, enough civic design will be completed to conduct some site work in 2024, and enough conceptual design of the facility will be completed to determine detailed cost estimates for budgeting purposes. While designing the facility, the design of the civil portion of the road project will also be completed. Mr. Scheid said sitework will be conducted by city staff in 2024 and these costs are included in the authorization request.

Public comment was accepted.

Ralph Jones asked questions about the Rio Grande project. Staff will contact Mr. Jones following the meeting.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to authorize \$800,000.00 for the design and initial site cleaning for the Public Works Facility and Rio Grande Extension, including a contract with Blythe Group for an initial amount not to exceed \$700,000.00 as presented. All voted yes. Motion passed.

2024 BLACK CANYON GOLF COURSE RENOVATION AWARD

City Council considered the authorization of \$257,345.45 for a renovation and upgrade at the Black Canyon Golf Course including a contract award to Stryker and Company Inc. in the amount of \$214,772.72

Public Works Director Jim Scheid reported that this request is for renovations to the restaurant building and pro shop at Black Canyon Golf Course. The renovations include roof replacement, an HVAC upgrade, and an upgrade to the electrical system.

Mr. Scheid reviewed the bid process and stated that one bid was received from Stryker and Company. Mr. Scheid said that the project was included in the 2023 and 2024 budgets, but no funds were expended in 2023. Mr. Scheid recommended approval of the contract award.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reid, to authorize \$257,345.45 for a renovation and upgrade at the Black Canyon Golf Course including a contract award to Stryker and Company Inc. in the amount of \$214,772.72 as presented. All voted yes. Motion passed.

RESOLUTION 2024-04

City Council considered Resolution 2024-04, setting May 7, 2024, as the hearing date for the Blowers Addition Annexation.

Planner II William Reis reported that this annexation request was initiated in 2023. The applicant requested an amendment prompting new application and hearing processes as required by state statute. Mr. Reis stated that the applicant removed one of the three parcels on the initial application which reduces the total acreage to 12.94. All other aspects of the annexation remain unchanged.

Mr. Reis stated that the parcels are eligible for annexation, and the Planning Commission will hold a hearing on the applicant's requested zoning designation of RL, Rural Living, on April 10. An annexation agreement and an annexation impact report are required.

Mr. Reis recommended adoption of Resolution 2024-04 stating that the proposal is consistent with public health, safety and welfare, city annexation policies, and the Comprehensive Plan.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adopt Resolution 2024-04 as presented. All voted yes. Motion passed.

RESOLUTION 2024-05

City Council considered Resolution 2024-05, a Resolution of the City Council of the City of Montrose, Colorado, authorizing the filing of an Energy and Mineral Impact Assistance Grant under the More Housing Now Initiative through the Colorado Department of Local Affairs to secure funding for public water infrastructure improvements and other infrastructure improvements for a proposed middle-income housing development within the City of Montrose, Colorado.

City Engineer Scott Murphy reported no changes to the Resolution since a work session discussion on March 18. Mr. Murphy stated that if successful, the grant funds would support a waterline project in cooperation with Tri-County Water and infrastructure site work for a potential 120-unit housing complex. The application deadline is April 1.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to adopt Resolution 2024-05 as presented. All voted yes. Motion passed.

BRIEF RECESS

A brief recess was taken at 6:36 p.m. The meeting reconvened at 6:48 p.m.

CONSIDERATION OF THE DECLARATION TO BE A NON-SANCTUARY CITY

City Council considered the declaration to be a Non-Sanctuary City.

Mayor Pro Tem David Reed set the parameters for conduct during this agenda item, emphasizing the need for decorum and civility.

Mr. Reed stated that at a March 7 emergency City Council meeting, action was taken to declare the City of Montrose a Non-Sanctuary City, and action taken during an emergency meeting must be ratified at a regular meeting. Mr. Reed said that if the declaration is ratified, a formal resolution will follow at an upcoming meeting.

Mr. Reed emphasized that Montrose is not a Sanctuary City and City Council has no intention of proceeding in that direction.

Public comment was accepted.

Rex Swanson, Ann Holmes, Leah Vandensluis, Marc Woodruff, Jim Bowen, Sherman Hebein, Donna Hebein, Ken Hodson, DeLainee White, Richard Buckingham, Norma Marcinek, John Brown, Matt Brown, (no name given), Richard Brown, Don Archer, Sally Lovette, Linda Zeman, Tom Smith, Verlita Pacheco, Nancy White, W.D. Hass, Stephen Repogle, Mike Bohnenkamp, Matt Goldasich,

David LeBlanc, Susan Hrivnak, and Jacob Sims spoke in favor of the adoption of a Non-Sanctuary City resolution.

Richard Rogers, Karen Sherman Perez, Adylenne Robinson, Bianca Diaz, Amy Dickinson, Lori Syme, Eliza Harriman, Kaisa Simon, Ryan Sedgely, Regina Sowell, Rachel Zatterstrom, and Maria Valadez, spoke in opposition to the adoption of a Non-Sanctuary City resolution.

A brief recess was taken at 8:40 p.m. The meeting reconvened at 8:49 p.m.

City Council discussed the comments received, the initial declaration at the March 7 meeting, their individual stances, and whether to proceed with a formal declaration in the form of a resolution.

City Attorney Chris Dowsey confirmed that the decision being considered is whether to ratify the decision made at the March 7 meeting. If the decision is ratified, a resolution will be drafted for future consideration. If the decision is not ratified, the issue dies.

A motion was made by Dave Frank, seconded by Barbara Bynum, to deny the declaration to be a Non-Sanctuary City. Doug Glaspell and Ed Ulibarri voted no. All others voted yes. Motion passed.

City Council discussed whether to proceed with preparing a formal statement that Montrose is not a Sanctuary City or to proceed with individual statements. A consensus was reached to not issue a formal statement.

EXECUTIVE SESSION

At 9:18 p.m., a motion was made by Barbara Bynum, seconded by Dave Frank, to enter into an executive session for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b). All voted yes. Motion passed.

RECONVENEMENT

The meeting reconvened into regular session at 9:33 p.m.

STAFF REPORTS

No staff reports were given.

CITY COUNCIL COMMENTS

No City Council comments were made.

ADJOURNMENT

At 9:34 p.m., a motion was made by Barbara Bynum to adjourn the meeting with no further action taken.

ATTEST:



Lisa DelPiccolo, City Clerk


Barbara Bynum, Mayor

