

A regular meeting of the Montrose City Council was held on Monday, April 1, 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, Graysen Vidmar, Robin Kittell, Bill Bell, Ann Morgenthauer, Chris Dowsey, Greg Story, Lisa DelPiccolo, William Reis, Scott Murphy, Tim Cox, Jim Scheid, Dan Payne, Nik Pridy, Shane Brandt, Gunnison Clamp, Matt Magliaro, Jace Hochwalt

GUESTS: Judy Ann Files, Nicole Stone-Lankes, Dennis Lankes, Dan Carr, Jason Senior, Jessi Rochel, Brian White, Briana Greer

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Youth City Councilor Graysen Vidmar.

CHANGES TO THE AGENDA

No changes were made to the agenda.

NATIONAL DONATE LIFE MONTH PROCLAMATION

Mayor Barbara Bynum and the Montrose City Council proclaimed the month of April 2024 as National Donate Life Month in the City of Montrose. Mayor Bynum presented the proclamation to Jessi Rochel, executive director of the Chris Klug Foundation.

SEX ASSAULT AND CHILD ABUSE AWARENESS PROCLAMATION

Mayor Barbara Bynum and the Montrose City Council proclaimed April 2, 2024 as a Day of Awareness for Sex Assault and Child Abuse in the City of Montrose. Mayor Bynum presented the proclamation to Nicole Stone-Lankes, founder and chief conservator of Faultless, Inc.

CALL FOR PUBLIC COMMENT

Brian White spoke in support of a Non-Sanctuary City declaration.

Briana Greer spoke in opposition to City support for the Dolores Canyon National Monument proposal.

APPROVAL OF MINUTES

City Council considered the minutes of the March 18, 2024, special City Council meeting and the March 19, 2024, regular City Council meeting.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the minutes of the March 18, 2024, special City Council meeting and the March 19, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

NEW DISTILLERY PUB LIQUOR LICENSE APPLICATION

City Council considered an application for a new Distillery Pub liquor license at 947 Mayfly Drive for Shelter Distilling, Inc., doing business as Shelter Distilling, to sell malt, vinous, and spirituous liquor for consumption on the licensed premises and to sell spirituous liquors manufactured on the licensed premises and packaged in sealed containers for off-premises consumption. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order, the fees have been paid, and a staff review of the application found nothing that would prevent the approval of the license.

Attorney Dan Carr and Jason Senior were present to represent the applicants.

Eva Garretson with Liquor Pros reviewed the petition process where a total of 93 signatures were collected in support of the license with 7 opposed.

Mr. Carr stated that Shelter Distilling was founded in Mammoth, California, and Montrose was selected as a new location. The owners invested \$12 million in the new facility and anticipate a staff of 30 employees. Mr. Carr stated that Mr. Senior has experience operating a liquor licensed establishment in California, and Shelter Distilling holds a Tavern liquor license in the new concourse of Montrose Regional Airport. Mr. Carr said that Shelter Distilling received TTB approval for the Montrose facility and is planning to open in May.

Mr. Senior agreed to the neighborhood as the City of Montrose. He said that this license would help meet the needs and desires of the neighborhood and would not constrain competition within the neighborhood. Mr. Senior stated that he is familiar with liquor laws and that customers who appear to be under 40 will be asked to provide an ID. Mr. Senior said that the licensees, managers and servers would be required to complete alcohol server training.

Mayor Barbara Bynum opened the hearing.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to approve a new Distillery Pub liquor license at 947 Mayfly Drive for Shelter Distilling, Inc., doing business as Shelter Distilling, to sell

malt, vinous and spirituous liquor for consumption on the licensed premises and to sell spirituous liquors manufactured on the licensed premises and packaged in sealed containers for off-premises consumption as presented. All voted yes. Motion passed.

NEW BREW PUB LIQUOR LICENSE APPLICATION

City Council considered an application for a new Brew Pub liquor license at 947 Mayfly Drive for Shelter Distilling, Inc., doing business as Shelter Distilling, to sell malt, vinous, and spirituous liquor for consumption on the licensed premises and to sell malt liquor manufactured on the licensed premises and packaged in sealed containers for off-premises consumption. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order, the fees have been paid, and a staff review of the application found nothing that would prevent the approval of the license.

Applicant Jason Senior agreed to the neighborhood as the city of Montrose. He said this license will help meet the needs and desires of the neighborhood and would not constrain competition in the neighborhood.

Attorney Dan Carr asked City Council to consider the answers provided during the previous agenda item and the results of the petitioning process.

Mayor Barbara Bynum opened the hearing.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve a new Brew Pub liquor license at 947 Mayfly Drive for Shelter Distilling, Inc., doing business as Shelter Distilling, to sell malt, vinous and spirituous liquor for consumption on the licensed premises and to sell malt liquor manufactured on the licensed premises and packaged in sealed containers for off-premises consumption as presented. All voted yes. Motion passed.

BEAR CREEK TOWNHOMES PRELIMINARY PLAT

City Council considered the Bear Creek Townhomes Preliminary Plat.

Mayor Pro Tem J. David Reed recused himself from this agenda item. Mr. Reed left the City Council Chambers at 6:34 pm.

Planner II William Reis reviewed the location of the 5.6 acre parcel within the Bear Creek Subdivision adjacent to Killdeer Street, Blue Creek Avenue, and Magpie Gulch Street. Mr. Reis stated that 48 townhome lots are proposed within a portion of the property zoned R-3A, Medium High Density District, and 5 single-family lots are proposed within the R-5, Low Density/Manufactured Housing District.

Mr. Reis stated that the site is located within the Bear Creek PD Plan Amendment 3 approved in 2004 and the R-3A zoning allows for townhouses and multifamily housing as a use by right. Mr. Reis said reviewed the amended PD process, standard subdivision review standards, and zoning regulations.

Mr. Reis recommended approval with the standard condition stating that the Preliminary Plat is in compliance with Subdivision Regulations and the Comprehensive Plan and meets the intent of the R-3A and R-5 zoning districts and the Bear Creek PD Plan Amendment 3.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the Bear Creek Townhomes 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 present voted yes. Motion passed.

Mr. Reed rejoined the meeting at 6:42 pm.

MOVING MONTROSE FORWARD 2024 STREET MAINTENANCE CONTRACT AWARD

City Council considered \$4,100,000.00 in expenditures for completion of the Moving Montrose Forward 2024 Contracted Street Maintenance Project. This includes the award of a construction contract to Mountain Valley Contracting in the amount of \$3,850,000.00 and up to \$250,000.00 in reimbursements to FCI Constructors for drainage and alley improvements on South First Street and Park Avenue.

City Engineer Scott Murphy provided an overview of 2024 MoveMo street maintenance projects and stated that projects in 2024 will focus on the original town plat south of Main Street with the largest projects on S. 5th Street.

Mr. Murphy reviewed the bid process and stated that the low bid was submitted by Mountain Valley Contracting.

Mr. Murphy said more than \$5.9 million was budgeted for MoveMo projects in 2024 including \$650,000.00 for waterline replacements on S. Fifth and on S. Nevada Streets, signal design for 6530 Road at the San Juan Bypass, and warrant studies for signals at 6450 and the San Juan Bypass and 6700 Road and Highway 50.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve \$4,100,000.00 in expenditures for completion of the Moving Montrose Forward 2024 Contracted Street Maintenance Project as presented. All voted yes. Motion passed.

2024 SIDEWALK IMPROVEMENTS PROJECT EXPENSE AUTHORIZATION

City Council considered the authorization of \$150,000.00 for sidewalk improvements as part of the 2024 MoveMo Project.

Streets Superintendent Nik Pridy reported that sidewalk improvements to Zone C of the City between E. Oak Grove and Ogden Roads from 6800 Road to Townsend Avenue will be conducted in 2024. Multiple on-call concrete contractors will be used.

Mr. Pridy reviewed a list of all 2024 concrete projects totaling \$727,000.00.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to authorize \$150,000.00 for sidewalk improvements as part of the 2024 MoveMo Project as presented. All voted yes. Motion passed.

STREETS CRACK SEAL MATERIAL PURCHASE

City Council considered the purchase of crack seal material from DISSCO (Denver Industrial Sales) in the amount of \$103,454.80 for use by the City's Streets crew.

Streets Superintendent Nik Pridy reported that this material will be utilized by city crews for maintenance work in Zone E between Niagara and E. Oak Grove Roads. Mr. Pridy said the zone encompasses 33.7 lane miles, and needs were determined last year after patching was conducted. Mr. Pridy stated that this request includes a sole source waiver recommendation for a specific material that is compatible with the City's equipment and the climate.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the purchase of crack seal material from DISSCO (Denver Industrial Sales) in the amount of \$103,454.80 as presented. All voted yes. Motion passed.

STREETS PAVEMENT MARKING CONTRACT AWARD

City Council considered the award of a contract in the amount of \$285,000.00 to Stripe A Lot LLC of Montrose for the application of regulatory pavement markings to streets and parking lots within the City of Montrose.

Streets Superintendent Nik Pridy reviewed the list of services provided in the striping contract and stated that the Federal Highway Administration Uniform Traffic Control Code recommends that municipalities refresh pavement markings annually.

Mr. Pridy reviewed the bid process and said one bid was received from Stripe A Lot. The bid of \$270,000.00 is below the budgeted amount of \$285,000.00. Mr. Pridy requested authorization of the full budgeted amount for anticipated expansion of roundabout thermoplastic rehabilitation after the striping projects are completed.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to award a contract in the amount of \$285,000.00 to Stripe A Lot LLC of Montrose for the application of regulatory pavement markings to streets and parking lots within the City of Montrose as presented. All voted yes. Motion passed.

PARKS FERTILIZER AND HERBICIDE APPLICATION CONTRACT AWARD

City Council considered the award of a contract in the amount of \$110,000.00 for parks and vacant lot fertilizer and herbicide application to Aspen SavATree of Ridgway.

Parks Superintendent Dan Payne reported that this contract will allow for the application of fertilizer and herbicide to 149 acres of turf and 18 city-owned vacant lots in the spring and fall.

Mr. Payne stated that Aspen SaveATree is licensed through the Colorado Department of Agriculture and will ensure all state and local regulations are followed.

Mr. Payne reviewed the RFP process and stated that five bids were received that were considered qualified.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to award a contract in the amount of \$110,000.00 for parks and vacant lot fertilizer and herbicide application to Aspen SavATree of Ridgway as presented. All voted yes. Motion passed.

PARKS TURF MAINTENANCE CONTRACT EXTENSION

City Council considered the extension of a contract in the amount of \$138,000.00 with Green and Bearit of Montrose for parks turf maintenance.

Parks Superintendent Dan Payne reported that this contract extension is for 75 percent of turf care in city parks not including Sunset Mesa and Cedar Creek Cemetery. Services include mowing trimming, edging, sidewalks cleared of trash, and biweekly irrigation checks. Mr. Payne reported

that a bid process was conducted in 2023 and the City has experienced a good working relationship with Green and Bearit since 2017.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to extend a contract in the amount of \$138,000.00 with Green and Bearit of Montrose for parks turf maintenance as presented. All voted yes. Motion passed.

2024 DUMP TRUCK PURCHASE

City Council considered the purchase of one Western Star dump truck from Transwest Truck Trailer RV in the amount of \$219,311.00.

Fleet Superintendent Shane Brandt reported that this vehicle is for use by the Wastewater Treatment Plant and is a replacement for an existing vehicle.

Mr. Brandt reviewed the bid process and stated that three qualified bids were received. Mr. Brandt recommended approval of the purchase from Transwest due to expedited delivery time and previous favorable experiences with Transwest. Mr. Brandt stated that \$265,000.00 was budgeted for the purchase.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to approve the purchase of one Western Star dump truck from Transwest Truck Trailer RV in the amount of \$219,311.00 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 January of 2024. Ms. Wittenberg reported that total sales and use tax collections were up 6.3 percent as compared to January of 2023 with a positive budget variance of 6.8 percent.

Municipal Election Update: City Clerk Lisa DelPiccolo reported that ballots must be received by the City Clerk's Office by 7:00 pm on Tuesday, April 2. Ms. DelPiccolo said unofficial results will be posted on the City of Montrose website as soon as they are available.

YOUTH CITY COUNCIL REPORT

Youth City Councilor Graysen Vidmar provided an update on the food drive in progress and said donations will be collected through Thursday, April 4. Mr. Vidmar reported that Youth City Councilors are participating in a legislative trip to Denver next week including a tour of the Capitol and meetings with legislators.

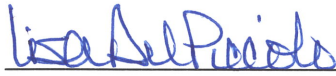
CITY COUNCIL COMMENTS

No City Council comments were received.

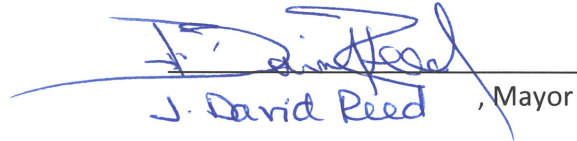
ADJOURNMENT

At 7:20 p.m., a motion was made by Doug Glaspell to adjourn the meeting with no further action taken.

ATTEST:



Lisa DelPiccolo, City Clerk


J. David Reed, Mayor

