

A regular meeting of the Montrose City Council was held on Tuesday, April 16, 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, Judy Ann Files, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Briceida Ortega, William Reis, Scott Murphy, Tim Cox, Brandon Owens, Christine Aslakson, David Bries, Erin Maxwell, Jody Moreland, Rebeqah Love

GUESTS: Debbie Reed, Phoebe Benziger, Ralph Files, Kelly Bynum, Lori Sharp, Ellen Angeles, Karen Sherman Perez, Susie Brake, Evelyn Greenman Baird, John Brown, Rob McGovern, Ethel Brown, Ryan Sedgeley, Molly Benson, Amy Dickenson, Marisa Borchardt, Ron Smith, Eli Howe, Alli Howe, Sean Killeen

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.

EARTH WEEK PROCLAMATION

Mayor Barbara Bynum and the Montrose City Council proclaimed the week of April 22 through April 26, 2024, as Earth Week in the City of Montrose.

ARBOR DAY PROCLAMATION

Mayor Barbara Bynum and the Montrose City Council proclaimed April 26, 2024, as Arbor Day in the City of Montrose. Mayor Bynum presented the proclamation to Public Works Team Leader Brandon Owens.

PRIDE MONTH PROCLAMATION

Mayor Barbara Bynum proclaimed the month of June 2024 as Pride Month in the City of Montrose. Mayor Bynum presented the proclamation to Evelyn Greenman Baird.

CALL FOR PUBLIC COMMENT

Phoebe Benziger thanked the newly elected City Councilors and acknowledged Mayor Barbara Bynum for her service on many state and local boards as well as the city council.

John Brown spoke in support of a non-Sanctuary City declaration for the City of Montrose.

Ryan Sedgeley thanked the City leaders for making the City of Montrose a better city.

Ellen Angeles thanked all City Council for their public service and acknowledged Mayor Barbara Bynum for many accomplishments on multiple community boards. Ms. Angeles also spoke in support of diversity.

APPROVAL OF MINUTES

City Council considered the minutes of the April 1, 2024, regular City Council meeting.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the minutes of the April 1, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

SWEARING IN OF NEWLY ELECTED OFFICIALS

City Clerk Lisa DelPiccolo administered Oaths of Office to newly elected City Councilors J. David Reed, Dave Frank and Judy Ann Files.

ACKNOWLEDGEMENT OF OUTGOING CITY COUNCILOR

Mayor Pro Tem J. David Reed recognized Barbara Bynum for her contributions to the City of Montrose.

SELECTION OF MAYOR AND MAYOR PRO TEM

Mayor Pro Tem J. David Reed presided over the selection of Mayor and Mayor Pro Tem for the 2024-2025 mayoral term.

A motion was made by Dave Frank, seconded by Doug Glaspell, to nominate J. David Reed as mayor for the 2024-2025 term. All voted yes. Motion passed.

A motion was made by Doug Glaspell to nominate Ed Ulibarri as Mayor Pro Tem for the upcoming year. Mr. Ulibarri declined the nomination.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to nominate Dave Frank as Mayor Pro Tem for the 2024-2025 term. All voted yes. Motion passed.

PLANNING COMMISSION APPOINTMENT

City Council considered the appointment of Planning Commission Alternate Ron Cairns as a regular member of the City of Montrose Planning Commission.

Deputy City Manager Ann Morgenthaler reported that a recent resignation leaves one open voting seat on Planning Commission, and Ron Cairns has served as an alternate since July of 2022. Ms. Morgenthaler recommended the approval of Ron Cairns as a regular voting member of the Planning Commission with a subsequent recruitment of an alternate member.

A motion was made by Ed Ulibarri, seconded by Doug Glaspell, to appoint Planning Commission Alternate Ron Cairns as a regular member of the City of Montrose Planning Commission with a term that expires on December 31, 2024. All voted yes. Motion passed.

ORDINANCE 2661 – FIRST READING

City Council considered Ordinance 2661 on first reading, an Ordinance of the City of Montrose, Colorado, granting and 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 (West South First Street Right of Way). A hearing was held.

City Attorney Chris Dowsey reported that a parcel was recently sold and it was discovered that a building was constructed in the City right of way in the 1960s. This vacation of a portion of right of way will resolve any title issues with the parcel. Mr. Dowsey stated that the right of way is not needed for access or utility purposes and recommended approval.

Mayor J. David Reed opened the hearing.

Public comment was accepted. No comments were received.

Mayor Reed closed the hearing.

A motion was made by Dave Frank, seconded by Doug Glaspell, to pass Ordinance 2661 on first reading as presented. All voted yes. Motion passed.

THE GROVE FINAL PLANNED DEVELOPMENT

City Council considered The Grove Final Planned Development.

City Councilor Judy Ann Files recused herself from this agenda item and left the City Council Chambers at 6:38 p.m.

Planner II William Reis reviewed the location of the subdivision in southeastern Montrose on the east side of 6725 Road. Mr. Reis reported that the property is approximately 44.7 acres in size

and the applications are for a final plat to subdivide 53 new residential lots. Mr. Reis stated these are part of The Grove Preliminary Plat approved by City Council on March 21, 2023 and The Grove Preliminary Planned Development approved by City Council on September 5, 2023.

Mr. Reis reported that the property is zoned R-2, Low Density District. Mr. Reis reviewed final plat requirements and stated that setback deviations are requested in the Planned Development specific to open air porch structures.

Mr. Reis recommended approval with the standard condition of the Final Planned Development and Final Plat stating that the proposal is in compliance with subdivision regulations, pd regulations and the Comprehensive Plan and meets the intent of the R-2 Zoning Designation.

City Engineer Scott Murphy reviewed unique infrastructure requirements and said drainage will be handled by an infiltration pond with an adaptive management memorandum of agreement between the City and the developer. Mr. Murphy said the City is aware of issues with damaged irrigation for Brown Ranch Subdivision, and the owner, developer, and a representative of Brown Ranch are working to remedy the problem.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve The Grove Final Planned Development. All present voted yes. Motion passed.

THE GROVE SUBDIVISION FILING 1 FINAL PLAT

City Council considered The Grove Subdivision Filing 1 Final Plat to create 53 residential lots and associated easements, rights-of-way, and open space.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve The Grove Subdivision Filing 1 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinances 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.

Public comment was accepted.

Sean Killeen spoke regarding the irrigation issues and damage to irrigation heads owned by Brown Ranch Subdivision as well as grading of earth work that appears to be too steep for landscaping. Mr. Killeen also questioned whether the reduction in setbacks could result in homeowners' insurance implications due to increased fire hazard.

City Engineer Scott Murphy reported that the building code addresses smaller setbacks and fire spread hazard on a permit-by-permit basis and structures would be built in compliance with codes adopted by the City.

Mr. Glaspell restated the motion, and Dave Frank seconded the restated motion. All present voted yes. Motion passed.

Judy Ann Files returned to the meeting at 6:55 pm

HOME OF THE BRAVE SUBDIVISION FILING 1 FINAL PLAT

City Council considered the Home of the Brave Subdivision Filing 1 Final Plat to create 27 residential lots and associated easements, rights-of-way, and open space.

Planner II William Reis reviewed the location of the parcel north of downtown along 6450 Road and said the preliminary plat was approved by City Council on March 1, 2022. Mr. Reis stated that the subdivision is 39.4 acres located within the R-3, Medium Density District, and this plat proposes 27 residential lots.

Mr. Reis said that the Final Plat dedicates new right of way that will become city streets.

Mr. Reis recommended approval with the standard condition stating that the proposal is in compliance with subdivision regulations and the Comprehensive Plan and meets the intent of the R-3 zoning designation.

City Engineer Scott Murphy reported that the infrastructure is complete, and he is ready to sign the Final Plat.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the Home of the Brave Subdivision Filing 1 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinances 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.

STAFF REPORTS

Sales, Use, and Excise Tax Report: Sales Tax Accountant Leeanne Whittaker provided a sales, use, and excise tax report for the month of February 2024. Ms. Whittaker reported that total sales and use tax collections were up 7.6 percent with a positive budget variance of 8.1 percent. Year-to-date collections were up 7.2 percent with a positive budget variance of 7.7 percent.

CITY COUNCIL COMMENTS

Mayor Pro Tem Dave Frank reported that he attended the Chopped Montrose Style fundraiser at the Montrose Center for Arts.

City Councilor Judy Ann Files was welcomed back to the City Council. Ms. Files thanked the community and city staff for the welcome.

Mayor J. David Reed congratulated Dave Frank for his selection as Mayor Pro Tem and thanked fellow Councilors for selecting him as mayor.

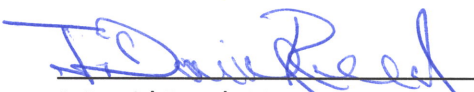
ADJOURNMENT

At 7:08 p.m., a motion was made by Judy Ann Files, seconded by Ed Ulibarri, to adjourn the meeting with no further action taken.

ATTEST:



Lisa DelPiccolo, City Clerk



J. David Reed, Mayor



