MONTROSE CITY COUNCIL

August 6, 2024

A regular meeting of the Montrose City Council was held on Tuesday, August 6, 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

J. David Reed, Dave Frank, Judy Ann Files, Doug Glaspell, Ed Ulibarri, Bill Bell, Chris Dowsey, Greg Story, Briceida Ortega, Jace Hochwalt, Chris Ottinger, Scott Murphy

GUESTS

John Brown, Brent Fletcher, Wendy Fletcher, Chris Trosper, Phil Freismuth, Melanie Freismuth, Miguel Lopez, Rick Bleier, Alejandro Salazar, Ron Smith

CALL TO ORDER

Mayor J. David Reed called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

No changes were made to the agenda.

YOU MAKE A DIFFERENCE AWARD PRESENTATION

Mayor J. David Reed presented a You Make a Difference Award to Chasity Dejulio.

CALL FOR PUBLIC COMMENT

John Brown and Leah Vandersluis spoke in favor of a non-sanctuary city declaration.

Ron Smith spoke against the lodging tax ballot question.

Alejandro Salazar thanked City Council for working with Unify Montrose. Mr. Salazar also commended Michelle Wingfield for a great job.

Rick Bleier thanked City Council for supporting Unify Montrose.

Brent Fletcher spoke against the dog ownership limits within the City of Montrose.

APPROVAL OF MINUTES

City Council considered the minutes of the July 16, 2024, regular City Council meeting.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the minutes of the July 16, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION

City Council considered an application for a new Hotel and Restaurant liquor license at 1341 Mayfly Drive, Suite G-109, for Horsefly Brewing Company LLC, doing business as Toasty All Day Eatery, for consumption on the licensed premises. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order, the fees have been paid, and a staff review found no issues that would prevent the issuance of the license. Mr. Dowsey reviewed the results of the petition process and reported that 129 signatures were submitted. Of these, 14 were deemed insufficient—13 were from individuals outside the city limits, and 1 lacked an age indication. Ultimately, 115 signatures were in favor of the license.

Applicants Phil Freismuth and Melanie Freismuth stated that they hold 4 current liquor licenses. Mr. Freismuth reviewed the plan for the business said that all staff will be signing up for the upcoming alcohol server training offered by the City of Montrose.

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 Judy Ann Files, to approve a new Hotel and Restaurant liquor license at 1341 Mayfly Drive, Suite G-109, for Horsefly Brewing Company LLC, doing business as Toasty All Day Eatery, for consumption on the licensed premises. All voted yes. Motion passed.

RESOLUTION 2024-11

City Council considered Resolution 2024-11 authorizing assignment to the Colorado Housing and Finance Authority of a private activity bond allocation of the City of Montrose pursuant to the Colorado Private Activity Bond Ceiling Allocation Act.

Community Development Specialist Christopher Ottinger reviewed the resolution allocating the 2024 private activity volume capacity to the Colorado Housing and Finance Authority. Mr. Ottinger explained that the bonding capacity is granted to local governments to issue bonds for housing projects that use State housing tax credits and other programs. Mr. Ottinger explained that it was a bond authorization not specific monies granted to the City. The City has no desire to issue bonds due to administrative burden.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell seconded by Ed Ulibarri, to adopt Resolution 2024-11 as presented. All voted yes. Motion passed.

NATIONS ADDITION REVISED ANNEXATION AGREEMENT

City Council considered revisions to the Nations Addition Annexation Agreement.

Community Development Director Jace Hochwalt reviewed the revisions to the Nations Addition Annexation Agreement. Mr. Hochwalt also explained that the purpose of an annexation agreement is to outline the requirements for future developments specific to infrastructure requirements. Mr. Hochwalt said that the original agreement was approved in 2007, and it was modified in 2014 and again in 2018. Mr. Hochwalt mentioned that the development requirements and standards have changed, and a new comp plan has come into effect since the agreement was last modified.

Mr. Hochwalt explained that the revision aims to align with the City's development standards and practices. It includes the dedication of future rights of way to extend 6675 Road to the full width of Evans Street, widening the 6700 Road bridge, securing sufficient right of way for a potential future roundabout at 6700 and Miami Road, right of way specifications, specific language about future recreational trails, and bank stabilization language regarding Dry Cedar Creek.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Dave Frank, to approve the Nations Addition Revised Annexation Agreement as presented. All voted yes. Motion passed.

PUBLIC WORKS SHOP ADDITION ANNEXATION

A hearing was held on the annexation of the Public Works Shop Addition.

Community Development Director Jace Hochwalt reviewed the annexation schedule and the location of the 23.3 acres and stated that the parcel is within the City's Urban Growth Boundary and within City water and sewer service areas. The parcel is surrounded by City limits.

Mr. Hochwalt reviewed the zoning of the surrounding area and the requested zoning designation. The property would be designated P, Public District.

Mr. Hochwalt recommended approval of the annexation and proposed zoning stating that the proposal is consistent with public health, safety, and welfare, City annexation policies and the Comprehensive Plan.

Resolution 2024-12

City Council considered Resolution 2024-12, findings of fact for the Public Works Shop Addition annexation.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to adopt Resolution 2024-12 as presented. All voted yes. Motion passed.

Ordinance 2666

City Council considered Ordinance 2666 on first reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Public Works Shop Addition.

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 Doug Glaspell, seconded by Ed Ulibarri, to pass Ordinance 2666 on first reading as presented. All voted yes. Motin passed.

ORDINANCE 2667 – FIRST READING

City Council considered Ordinance 2667 on first reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Public Works Shop Addition as a "P", Public District. A hearing was held.

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 2667 on first reading as presented. All voted yes. Motion passed.

RIO GRANDE RIGHT OF WAY ADDITION ANNEXATION

A hearing was held on the annexation of the Rio Grande Right of Way Addition.

Community Development Director Jace Hochwalt reviewed the annexation schedule and the location of approximately 1.14 acres and stated that the parcel is within the City's Urban Growth Boundary and within City water and sewer service areas. The parcel is surrounded by City limits.

Mr. Hochwalt reviewed the zoning of the surrounding area and the requested zoning designation. The property would be designated P, Public District.

Mr. Hochwalt recommended approval of the annexation and proposed zoning stating that the proposal is consistent with public health, safety, and welfare, City annexation policies and the Comprehensive Plan.

Resolution 2024-13

City Council considered Resolution 2024-12, findings of fact for the Rio Grande Right of Way Addition annexation.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adopt Resolution 2024-13 as presented. All voted yes. Motion passed.

Ordinance 2668

City Council considered Ordinance 2666 on first reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Rio Grande Right of Way Addition.

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 Doug Glaspell, seconded by Ed Ulibarri, to pass Ordinance 2668 on first reading as presented. All voted yes. Motin passed.

ORDINANCE 2669 – FIRST READING

City Council considered Ordinance 2667 on first reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Rio Grande Right of Way Addition as a "P", Public District. A hearing was held.

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 2669 on first reading as presented. All voted yes. Motion passed.

CEDAR CREEK CEMETERY BRIDGE REPLACEMENT CONSTRUCTION CONTRACT

City Council considered a contract award to K&D Construction in the amount of $241,302.90 for replacement of the Cedar Creek Cemetery Bridge.

City Engineer Scott Murphy reviewed the construction contract for replacing the Cedar Creek Cemetery Bridge. The bridge has suffered structural failure, including deformation and the formation of a sinkhole at the crossing, leading to its closure for vehicles, though it remains open to pedestrians. Mr. Murphy noted that during the bridge replacement, the work area will be closed to both pedestrian and vehicular traffic.

Mr. Murphy outlined that a 20% contingency was necessary due to risks related to foundation and headwall conditions. The City budgeted $200K for 2024 and $150K for 2025 to cover any remaining costs, with the contract's maximum expenditure set at $241K.

Public comment was accepted. No comments were received.

A motion was made by Judy Ann Files, seconded by Ed Ulibarri, to award a contract to K&D Construction in the amount of $241,302.90 for replacement of the Cedar Creek Cemetery Bridge as presented. All voted yes. Motion passed.

2024 LANDFILL CONTRACT AWARD RECOMMENDATION

City Council considered the award of a contract with Bruin Waste Management for landfill services.

City Engineer Scott Murphy spoke on behalf of Public Works Director Jim Scheid. Mr. Murphy reviewed the contract award with Bruin Waste Management for Landfill services. Mr. Murphy said that 2 qualified bids were received, with Bruin Waste Management having the lowest total tipping fee. Bruin Waste operates a transfer station on North Townsend Ave which will help reduce the wear and tear on the trash trucks and reduce the time required to complete a route.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Judy Ann Files, to award a contract to Bruin Waste Management for landfill services as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

BALLOT QUESTION FOR NOVEMBER 2024 COORDINATED ELECTION

City Council considered the ratification of a decision to give notice to the Montrose County Clerk regarding the addition of a question on the November 5, 2024, Coordinated Election ballot related to an increase to the hotel room tax rate.

City Attorney Chris Dowsey explained that Montrose County requires a 100-day notice before adding a ballot question. This notice was presented to the City Council at a work session the day before, leaving them with less than 24 hours' notice to include it as an agenda item. However, there is an exemption for this item. Mr. Dowsey mentioned that City Council needed to ratify the previous decision to notify Montrose County about adding a question on the November 5, 2024, election regarding the hotel room tax rate.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Dave Frank, to ratify the decision to give notice to the Montrose County Clerk regarding the addition of a question on the November 5, 2024, Coordinated Election ballot as presented. All voted yes. Motion passed.

STAFF REPORTS

No staff reports.

CITY COUNCIL COMMENTS

Ed Ulibarri explained that he had safety concerns regarding the 2024 Landfill Contract Award to Bruin Waste Management which is the reason why he didn't support it.

Mayor J. David Reed commended Chief Hall and his staff for putting on a great event that evening.

ADJOURNMENT

At 7:12 p.m., a motion was made by Dave Frank to adjourn the meeting with no further action taken.

ATTEST:

J. David Reed, Mayor

Lisa DelPiccolo, City Clerk

CITY OF MONTROSE
CITY
SEAL
COLORADO