



MONTROSE CITY COUNCIL

September 17, 2024

A regular meeting of the Montrose City Council was held on Tuesday, September 17, 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, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Briceida Ortega, Gunnison Clamp, Matt Magliaro, Scott Murphy, Blaine Hall, Shani Wittenberg, Jace Hochwalt, William Reis, Greg Stunder, Christian Castravet, Chris Velasquez

GUESTS

Tom Mathis, April Fitzgerald, Richard Fitzgerald, Ron Smith, John Brown, Melanie Bell, Kathleen Curry, Nicole Johnston, Peter Phillips, Sydney Bell, Graysen Vidmar, Robin Kittell, Darinka Skybova, Kathryn Jakino, Lauren Clark

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Mayor J. David Reed reported that five new police officers took the oath of office before the meeting. Mayor Reed encouraged the public to attend future oath ceremonies.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

John Brown spoke in support of a formal Non-Sanctuary City declaration by City Council.

Tom Mathis spoke regarding issues he encountered while attempting to build a home on the Western Slope and spoke in favor of compliance with established building codes.

Kathleen Currey, candidate for House District 58, introduced herself.

Nicole Johnston spoke in favor of a formal Non-Sanctuary City declaration and in support of transparency regarding city expenditures.

APPROVAL OF MINUTES

City Council considered the minutes of the September 3, 2024, special City Council meeting and the September 3, 2024 regular City Council meeting.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the minutes of the September 3, 2024, special City Council meeting and the September 3, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

YOUTH CITY COUNCIL APPOINTMENTS

City Council considered applicants Peter Phillips, Sydney Bell, Graysen Vidmar, Robin Kittell, Darinka Skybova, Kathryn Jakino, and Lauren Clark for positions on the 2024-2025 Montrose Youth City Council.

Youth City Council Coordinator Briceida Ortega stated that 11 applications were received, and 7 of the applicants were present for interviews.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to appoint Peter Phillips, Sydney Bell, Graysen Vidmar, Robin Kittell, Darinka Skybova, Kathryn Jakino, and Lauren Clark to the Montrose Youth City Council for the 2024-2025 term. 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 1544 Oxbow Drive, Suite 198, for Fitz Union LLC, doing business as Endless Pastabilities, for consumption on the licensed premises. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order and the fees have been paid. Mr. Dowsey stated that a staff review of the application found no issues that would prevent the license from being issued.

Applicants April Fitzgerald and Richard Fitzgerald provided an overview of their dream to own their own restaurant with good Italian food at a reasonable price. Mr. Fitzgerald said they plan to have entertainment and activities such as open mic nights, karaoke, and performances by local musicians.

Mr. Fitzgerald agreed to the City of Montrose as the neighborhood and said issuing the license would help meet the needs of the neighborhood.

Mr. Dowsey provided a summary of a petition process. A total of 100 signatures were submitted, with 77 determined to be valid and in support of the license.

Mr. Fitzgerald stated that he is familiar with Colorado liquor laws and their policy will be to ID everyone regardless of age. Mr. Fitzgerald said he is familiar with alcohol server training offered by the City and said all licensees, managers and servers will complete the training.

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 approve a new Hotel and Restaurant liquor license at 1544 Oxbow Drive, Suite 198, for Fitz Union LLC, doing business as Endless Pastabilities, for consumption on the licensed premises. All voted yes. Motion passed.

ORDINANCE 2671 – SECOND READING

City Council considered Ordinance 2671 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 5 Chapter 2 Sections 1 and 5 of the Official Code of the City of Montrose, Colorado, increasing the hotel room tax from .9% to 6% and limiting the use of the funds generated to assist in the impact of tourism on the City of Montrose.

City Attorney Chris Dowsey reported that Ordinance 2671 increases the hotel room tax from .9% to 6% but the Ordinance only becomes effective if the ballot issue is passed by the voters on November 5. Mr. Dowsey said the Ordinance also allocates the revenue generated to right of way

maintenance, childcare services, affordable housing, tourism/promotion, and public transit services.

Public comment was accepted. No comments were received.

Mayor Reed stated that the increase is intended to generate additional income to offset the impact of tourism in our community. Mayor Reed said the tax will be paid by visitors to the community and not locals.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adopt Ordinance 2671 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2672 – SECOND READING

City Council considered Ordinance 2672 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 11 Chapter 7 Section 8, regarding the requirements of planned developments.

Community Development Director Jace Hochwalt reported no changes to Ordinance 2672 since it was passed on first reading at the previous meeting. Mr. Hochwalt stated that this is a stand-alone code amendment to eliminate the planned development requirement for multi-building, multi-family projects.

Mr. Hochwalt said that the amendments expedite the development review process for housing and incentivize multi-family development. Mr. Hochwalt stated that the amendments do not change where multi-building and multi-projects are allowed, set back standards, or dimensional requirements, and a formalized review process still exists.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to adopt Ordinance 2672 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2673 – SECOND READING

City Council considered Ordinance 2673 on second reading, an Ordinance of the City of Montrose, Colorado, repealing Title 6 Chapter 2 Section 3 (6-2-3) only, regarding the limit on dogs and cats.

Assistant City Attorney Matt Magliaro reported that the Ordinance repeals the limits on the number of cats and dogs per household, and no changes have been made to the Ordinance since first reading at the previous meeting. Mr. Magliaro stated that the Ordinance strikes all language regarding limits on the number of dogs and cats and replaces the title with a placeholder of "Reserved."

Public comment was accepted. No comments were received.

A motion was made by Judy Ann Files, seconded by Dave Frank, to adopt Ordinance 2673 on second reading as presented. All voted yes. Motion passed.

RESOLUTION 2024-15

City Council considered Resolution 2024-15, setting November 5, 2024, as the hearing date for the Leonard Farm Addition Annexation.

Planner II William Reis reviewed the annexation timeline and proposed hearing date of November 5. Mr. Reis reviewed the location of the 71.22 acre site south of Ogden Road and said the parcel is within the Urban Growth Boundary and within city water and sewer service areas. The proposed zoning designation of R-3A, Medium High Density District was reviewed as well as the zoning of the surrounding area. A Planning Commission zoning hearing is scheduled for September 25.

Mr. Reis stated that the proposal is consistent with public health safety and welfare, annexation policies, and the Comprehensive Plan. An Annexation Impact Report is required.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Dave Frank, to adopt Resolution 2024-15 as presented. All voted yes. Motion passed.

OGDEN ROAD LOUTSENHIZER CANAL CULVERT REPLACEMENT CONSTRUCTION CONTRACT

City Council considered \$988,964.84 in expenditures for construction of the Ogden Road Loutsenhizer Canal Culvert Replacement Project. This includes the award of a construction

contract to K&D Construction in the amount of \$944,464.84 and a survey and engineering support contract to Del-Mont Consultants in the amount of \$44,500.00.

City Engineer Scott Murphy reported that the culvert crossing is progressing toward failure which placed the project at a higher priority. The project is scheduled to begin in November after irrigation water is turned off. The project includes the installation of a wider box culvert, construction of sidewalks on both sides of the road, relocation of a waterline, and installation of a sewer line beneath the canal. The project was designed by Del-Mont Consultants.

Mr. Murphy reviewed the bid process. Seven bids were received with the low bid submitted by K&D Construction. Mr. Murphy recommended awarding a construction contract to K&D Construction and a survey contract to Del-Mont Consultants.

Mr. Murphy stated that a full closure of Ogden Road is necessary and reviewed detour routes. Construction will conclude in March of 2025 with paving when temperatures allow.

Mr. Murphy said the project is not in the 2024 budget, but funds designated for the delayed Woodgate Roundabout project will be used in 2024, with funding for the remainder of the project in the 2025 budget. Permitting with the Bureau of Reclamation is in progress.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve \$988,964.84 in expenditures for construction of the Ogden Road Loutsenhizer Canal Culvert Replacement Project as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report

Finance Director Shani Wittenberg presented a sales, use, and excise tax report for the month of July 2024. Ms. Wittenberg reported that total sales and use tax collections were down 1.6 percent as compared to July of 2023, with a negative budget variance of 1.1 percent. Year-to-date collections were up 3.5 percent with a positive budget variance of 5.7 percent.

The impacts of the Highway 50 bridge closure were discussed.

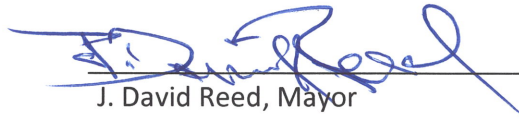
CITY COUNCIL COMMENTS

City Councilor Doug Glaspell commended Police Department staff for recruitment efforts and the success of the Law Enforcement Academy.

ADJOURNMENT

At 7:04 p.m., the meeting adjourned with no further action taken.

ATTEST:


J. David Reed, Mayor


Lisa DelPiccolo, City Clerk

