MONTROSE CITY COUNCIL

August 5, 2025

A regular meeting of the Montrose City Council was held on Tuesday, August 5, 2025, at 6:00 p.m. in the City Council Chambers of the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT

Dave Frank, Judy Ann Files, Doug Glaspell, J. David Reed, Ed Ulibarri, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Blaine Hall, Scott Murphy, Thomas LeClaire, Greg Stunder, Paul Eller, Jace Hochwalt, Tim Cox, Matt Magliaro, Thomas Morgan, Leif Betancourt-Ege

GUESTS

Sophano Kan, Sokhun Chan, Xochitl Mejia, Matt Miles, Marci Miles, John Brown, Michael Badagliacco, Leah Vandersluis, Howie Walser, Alia Eyres, Cynthia Alvarez, Ryan Eakes, Nancy Zaenger, Becky Dickey, Bonnie Holn Koehler, Karen Elliott, Lee Elliott, Connie Pittenger, Gary Presler, Ron Britten, Tim Larsen

CALL TO ORDER

Mayor Dave Frank 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.

OATH OF OFFICE FOR MUNICIPAL COURT JUDGE

City Clerk Lisa DelPiccolo administered the Oath of Office to Municipal Court Judge Thomas LeClaire.

CALL FOR PUBLIC COMMENT

John Brown spoke in support of a non-sanctuary city proclamation by City Council.

Becky Dickey and Katrina Davis spoke in support of the City of Montrose dropping all charges against Montrose United Methodist Church and in support of finding a solution for the unhoused population.

Leah Vandersluis and Lacy Sanchez spoke regarding the perceived circulation of recall petitions by a City Council member at a recent Montrose Summer Music Series event.

Mayor Pro Tem Judy Ann Files stated that she was speaking with friends at the event, was not identified as a petitioner, and was not circulating a petition.

Connie Pittenger spoke in opposition to the City's ordinance enacting a camping ban and in support of determining solutions to homelessness within the community.

APPROVAL OF MINUTES

City Council considered the minutes of the July 14, 2025, special City Council meeting and the July 15, 2025, regular City Council meeting.

A motion was made by J. David Reed, seconded by Doug Glaspell, to approve the minutes of the July 14, 2025, special City Council meeting and the July 15, 2025, regular City Council meeting as presented. All voted yes. Motion passed.

MEETING CANCELLATION

City Council considered the cancellation of the regular City Council meeting scheduled for Tuesday, December 16, 2025.

A motion was made by J. David Reed, seconded by Doug Glaspell, to approve the cancellation of the regular City Council meeting scheduled for Tuesday, December 16, 2025. All voted yes. Motion passed.

RESOLUTION 2025-11

City Council considered Resolution 2025-11, authorizing the City of Montrose Police Department to file an application for a Victim Assistance Law Enforcement (VALE) Grant through the 7th Judicial District Victims Assistance Board for the total of $55,150.00 to cover a portion of both the current Victim Advocate's Salary and a new Victim Advocate's salary; authorizing the Chief of Police to act in connection with the application and to provide such additional information as required; authorizing the City Manager, Chief of Police and Finance Director to sign the grant application and reporting documents.

A motion was made by J. David Reed, seconded by Doug Glaspell, to adopt Resolution 2025-11 as presented. All voted yes. Motion passed.

RESOLUTION 2025-12

City Council considered Resolution 2025-12 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.

A motion was made by J. David Reed, seconded by Doug Glaspell, to adopt Resolution 2025-12 as presented. All voted yes. Motion passed.

NEW RETAIL LIQUOR STORE LICENSE APPLICATION

City Council considered an application for a new Retail Liquor Store liquor license at 113 W. Main Street for West Main Liquor LLC, doing business as West Main Liquor, for consumption off of 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 approval of the application.

Manager Xochitl Mejia was present to represent the applicant. Ms. Mejia stated that the location of the business was previously a retail liquor store and the owner would like to return to that purpose to meet customer requests. Ms. Mejia agreed to the neighborhood as the City of Montrose and said the issuance of the license would help meet the needs and desires of the neighborhood.

Mr. Dowsey reviewed a summary of petitions submitted. A total of 299 signatures were submitted with 107 determined to be valid and in support of the license.

Ms. Mejia said all customers who appear to be under 51 years of age will be required to provide a valid ID. Ms. Mejia said all owners, managers and employees will complete the City's alcohol server training.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by J. David Reed, seconded by Doug Glaspell, to approve a new Retail Liquor Store liquor license at 113 W. Main Street for West Main Liquor LLC, doing business as West Main Liquor, for consumption off of the licensed premises. All voted yes. Motion passed.

NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION

City Council considered an application for a Hotel and Restaurant liquor license at 344 and 346 E. Main Street for Typhoon Hospitality, Inc., doing business as Persimmon / Ms So, 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 approval of the application.

Applicant Alia Eyres presented her plan to open two new restaurants in the building that formerly housed The Daily Bread. The restaurants are both Asian concept restaurants. Ms So will feature traditional Asian street food, and Persimmon will be an elevated dining experience with a farm-to-table concept.

Ms. Eyres agreed to the neighborhood as the City of Montrose and said the issuance of the license will help meet the needs and desires of the neighborhood.

Erin McCullough, with Oedipus Petitioning Services, presented a summary of the petitions circulated. A total of 135 signatures were collected with 2 opposed and 133 in favor of the license.

Ms. Eyres stated that she is familiar with Colorado liquor laws and a strict ID check policy will be enforced. Ms. Eyres stated that the POS system will prompt for age verification for all alcohol sales, required signage will be posted, and any attempts to use invalid IDs will be documented and reported. Ms. Eyres stated that all owners, managers, and employees will complete the City's alcohol server training class.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve a new Hotel and Restaurant liquor license at 344 and 346 E. Main Street for Typhoon Hospitality, Inc., doing business as Persimmon / Ms So for consumption on the licensed premises. All voted yes. Motion passed.

2025 CITY OF MONTROSE MASTER CONTINUITY OF OPERATIONS PLAN

City Council considered approval of the 2025 City of Montrose Master Continuity of Operations (COOP) Plan and promulgation signature by the City Manager.

Emergency Manager Paul Eller reported that the 2025 Master COOP Plan was presented at a previous work session. Mr. Eller stated that the Plan defines policies, procedures, and processes for sustaining essential functions as a city during times of disruption or disaster.

Public comment was accepted. No comments were received.

A motion was made by Judy Ann Files, seconded by J. David Reed, to approve the 2025 City of Montrose Master Continuity of Operations (COOP) Plan and promulgation signature by the City Manager as presented. All voted yes. Motion passed.

RESOLUTION 2025-13

City Council considered Resolution 2025-13 setting September 16, 2025, as the hearing date for the annexation of the Black Jack Addition.

Senior Planner William Reis reviewed the annexation schedule and said the 13.55 acre site is located within the City's Urban Growth Boundary, within the City of Montrose sewer service area and within the Tri County Water service area.

Mr. Reis reviewed the requested zoning designation of R-2, Low Density District, and the zoning of the surrounding area.

Mr. Reis recommended adoption of Resolution 2025-13 and said an annexation agreement and an annexation impact report are required.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Doug Glaspell, to adopt Resolution 2025-13 as presented. All voted yes. Motion passed.

ORDINANCE 2683 – SECOND READING

City Council considered Ordinance 2683 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 11 Chapter 7 Section 7, regarding density standards in the B-1 zone district and front-yard garage setbacks in residential zone districts.

Community Development Director Jace Hochwalt provided an overview of two proposed Municipal Code amendments. The first Code amendment would remove density standards within the B-1 zoning designation and the requirement to comply with the density standards of the R-3A zone. Mr. Hochwalt said this change will help retain the historic character in the downtown area and create vibrancy. The second amendment is related to garage set backs in the R-3, R-3An and R-4 districts from 25 feet to 20 feet. Mr. Hochwalt said this will prevent vehicle encroachments into rights of way and will allow for flexibility in site planning.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Ordinance 2683 on second reading as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

ORDINANCE 2684 – SECOND READING

City Council considered Ordinance 2684 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of Lot 1 of the Carrier Neutral Location Minor Subdivision from "P", Public District, to "B-1", Central Business District.

Senior Planner William Reis reported that this is a proposed rezone of the historic City Hall building at 433 S. First Street except for one segment of the annex building that remains under City ownership. Mr. Reis reviewed rezone criteria as well as the proposed B-1 zoning designation and the zoning of the surrounding area.

Mr. Reis recommended approval stating that the proposal is in compliance with the Comprehensive Plan and is compatible with existing uses in the surrounding area.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reed, to adopt Ordinance 2684 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2685 – SECOND READING

City Council considered Ordinance 2685 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of Lot 2 of the Klein Minor Subdivision from "MHR", Manufactured Housing District, to "R-6", Medium Density/Manufactured Housing District.

Senior Planner William Reis reviewed the location of the 1.00 acre site at 675 6600 Road. Mr. Reis reviewed rezone criteria along with the proposed R-6 zoning designation and the zoning of the surrounding area. Mr. Reis stated that the R-6 zoning will allow for an accessory dwelling unit on the property.

Mr. Reis recommended approval stating that the proposal is in compliance with the Comprehensive Plan and is compatible with existing uses in the surrounding area.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adopt Ordinance 2685 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2686 - SECOND READING

City Council considered Ordinance 2686 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Waterfall Canyon Pond Addition.

City Councilor J. David Reed recused himself from agenda items 15-18 due to a conflict. Mr. Reed left the City Council Chambers at 6:51 p.m.

Senior Planner William Reis reviewed the annexation schedule and stated that the 8.98 acre site is located with in the City's Urban Growth Boundary, within the West Montrose Sanitation District, and within the City of Montrose water service area. Mr. Reis stated that this parcel is a retention pond serving the existing subdivision within the City.

Mr. Reis reviewed the proposed R-3 zoning designation which matches the zoning of the existing subdivision. The site is not suitable for residential development.

Mr. Reis recommended approval of the annexation and zoning designation stating that the property is eligible for annexation. An annexation agreement is required and an annexation impact report is not required.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Ordinance 2686 on second reading as presented. Ed Ulibarri voted no. All others present voted yes. Motion passed.

ORDINANCE 2687 – SECOND READING

City Council considered Ordinance 2687 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Waterfall Canyon Pond Addition as a "R-3", Medium Density District.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Ordinance 2687 on second reading as presented. Ed Ulibarri voted no. All others present voted yes. Motion passed.

ORDINANCE 2688 – SECOND READING

City Council considered Ordinance 2686 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Waterfall Canyon West Addition.

Senior Planner William Reis reviewed the annexation schedule and said the 1.21 acre site is located within the City's Urban Growth Boundary, within the City of Montrose sewer service area, and within the Chipeta Water service area.

Mr. Reis reviewed the proposed zoning designation of R-3 which matches the zoning of the existing subdivision. This parcel is not suitable for residential development.

Mr. Reis recommended approval stating that this annexation meets city and state annexation policies. Mr. Reis said an annexation agreement is required, and has been signed by 100 percent of the property owners. An annexation impact report is not required.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Ordinance 2688 on second reading as presented. All present voted yes. Motion passed.

ORDINANCE 2689 – SECOND READING

City Council considered Ordinance 2689 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Waterfall Canyon West Addition as a "R-3", Medium Density District.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Ordinance 2689 on second reading as presented. All present voted yes. Motion passed.

City Councilor J. David Reed rejoined the meeting at 6:59 p.m.

ORDINANCE 2690 – FIRST READING

City Council considered Ordinance 2690 on first reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote to the registered electors of the City of Montrose proposed amendments to Article I Sections 7, 8, 9, 10, 11, 14, Article II sections 2, 4, 9, Article III Sections 1, 4, 7, Article IV Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 18, 20, 21, 22, 23, Article V Sections 5, 19, Article VI Sections 3, 5, Article VII Sections 1, 2, 3, Article VIII Sections 1, 2, 3, 5, Article IX Sections 3, 5, 6, and Article X, Section 1 of the Charter of the City of Montrose and additions of Article IV Sections 24, 25, Article VIII Section 9 to the Charter of the City of Montrose; and setting a ballot measure for the November 4, 2025, Coordinated Election. A hearing was held.

City Attorney Chris Dowsey reported that Ordinance 2690 sets the ballot language for a question on the November 2025 Coordinated Election ballot. Mr. Dowsey said the proposed changes to the City Charter were discussed in detail on May 19, and further revisions were requested. The final version was presented at the July 14 work session. Mr. Dowsey recapped the proposed changes to the current City Charter and said a redline and final versions of the proposed revisions will be available on the City of Montrose website following second reading of the ordinance.

Mr. Dowsey stated that any changes to the City Charter require voter approval and the Charter cannot be changed by the City Council.

Mayor Dave Frank opened the hearing.

Public comment was accepted. No comments were received.

Mayor Frank closed the hearing.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to pass Ordinance 2690 on first reading as presented. Ed Ulibarri voted no. All others present voted yes. Motion passed.

6600 ROAD WATERLINE INTERCONNECT CONSTRUCTION CONTRACT

City Council considered a contract award to Hayes Excavating in the amount of $757,318.89 for construction of the 6600 Road Waterline Interconnect Project.

City Engineer Scott Murphy reported that an error in the company name was corrected since this item was presented at the July 14 work session. Mr. Murphy reviewed the location of this project on 6600 Road between Locust Road and Draft Horse road. Mr. Murphy stated that this agenda item is the third step in a three-step process. Water service area boundaries have been modified, and a grant was awarded from DOLA to support affordable housing and infrastructure. Mr. Murphy said this item is the infrastructure project to allow for housing projects and future growth.

Mr. Murphy reviewed the bid process and recommended the award of a contract to Hays Excavating of Grand Junction. Mr. Murphy said the project will be completed in phases. Local access will be maintained and neighborhood outreach will be conducted.

Mr. Murphy stated that $2 million was received from DOLA, with $600,000.00 earmarked for this portion of the project. The remaining funds will be provided from the Water Capital Fund.

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 Hayes Excavating in the amount of $757,318.89 for construction of the 6600 Road Waterline Interconnect Project as presented. All voted yes. Motion passed.

STAFF REPORTS

No staff reports were provided.

CITY COUNCIL COMMENTS

Mayor Dave Frank invited the community to the National Night Out event hosted by the Montrose Police Department on S. First Street until 8:00 p.m. this evening.

ADJOURNMENT

At 7:10 p.m., the meeting adjourned with no further action taken.

ATTEST:

Dave Frank, Mayor

Briceida ~~Ortgega~~, Sr. Deputy City Clerk
Ortega

CITY OF MONTROSE
CITY SEAL
COLORADO