



MONTROSE CITY COUNCIL

August 18, 2026

A regular meeting of the Montrose City Council was held on Tuesday, August 18, 2026, 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

Michael Badagliacco, Ed Ulibarri, Dave Frank, J. David Reed, Adam Woodden, Ann Morgenthauer, Chris Dowsey, Greg Story, Matt Magliaro, Lisa DelPiccolo, Brayden Reeder, Tim Cox, LEEANNE WHITTAKER, Heather MacDougall, Briceida Ortega, Leif Betancourt-Ege, Jim Scheid, Larry Witte, Scott Murphy, Dawn Dovey, Gunnison Clamp

GUESTS

Janet Eckerdt, Jodi Woodden, Judy Ann Files, Ralph Files, Alice Murphy, Cliff Faurer, Ron Henderson, Doug Glaspell, Neonila Martyniuk, Howard Walser, Bob Nicholson, Dave Stockton, John Brown, Jim Haugsness, Beth McCorkle, Richard Rogers, Claudia Rogers, Debbie Reed, Tom Cheney, Lesley Hallenborg, Aaron Ranstrom, Nikki Zwaschka, Patty Greeves, Phoebe Benziger, Alida Soileau, Beau Miller, Troy Ryder, Nathan Gueck, Claudia Hernandez, Clara Carrasco, Cynthia Harwood, Carol Howe, Butch Zinsli, Monty George, Kevin Dawson, Carol McBride, Sheri Bellgardt, Yacalisa Balderrama, Silke Printz, Terry Bennett, Rick Weaver, Dylan Marsee, Jennifer Jones, Mark Herman, Kate Rohr, Lorrie Martin

CALL TO ORDER

Mayor Michael Badagliacco called the meeting to order at 6:01 p.m.

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 Michael Badagliacco presented a You Make a Difference award to Visitor Center Volunteer Nikki Zwaschka.

CALL FOR PUBLIC COMMENT

Beth McCorkle spoke in opposition to the proposed charter amendments.

Carol Howe spoke in support of enacting a moratorium on new data centers until regulations are put into place.

Cliff Faurer spoke in opposition to recent articles in an online publication and questioned the motivation.

Patty Greeves spoke regarding concerns with the 2026 municipal election.

John Brown spoke in support of the proposed charter amendments.

Butch Zinsli spoke in favor of an electronic traffic speed sign on Miami Road by Cedar Creek Cemetery.

APPROVAL OF MINUTES

City Council considered the minutes of the July 29, 2026, special City Council meeting and the August 4, 2026, regular City Council meeting.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the minutes of the July 29, 2026, special City Council meeting and the August 4, 2026, regular City Council meeting as presented. All voted yes. Motion passed.

CITY COUNCIL MEETING SCHEDULE CHANGE

City Council considered the rescheduling of the November 3, 2026, regular City Council meeting to Monday, November 2, 2026, at 6:00 p.m. in the City Council Chambers.

A motion was made by Dave Frank, seconded by J. David Reed, to reschedule the November 3, 2026, regular City Council meeting to Monday, November 2, 2026, at 6:00 p.m. in the City Council Chambers 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 application at 512 E. Main Street for Pruf Concepts Inc., doing business as Pruf, for consumption on the licensed premises. A hearing was held.

City Attorney Chris Dowsey reported that the application is in order, the fees have been paid, and a staff review found no issues that would prevent the license from being issued. Mr. Dowsey stated that City Council must weigh the moral character of the applicants. No issues are usually raised during the hearings, but in this case, the applicants have minor criminal infractions including criminal mischief as recent as 2022.

Applicants Beau Miller, Troy Ryder, and Nathan Gueck were introduced. Mr. Gueck said that Pruf serves New York-style pizza, Detroit-style pizza, and specialty pizzas by the slice and to go. The business plan is to create a gathering space downtown in a unique building.

Mr. Gueck agreed to the neighborhood as the city of Montrose and stated that issuance of the license will help meet the needs and desires of the neighborhood.

Mr. Dowsey reviewed a summary of petitions circulated. Mr. Dowsey said that 100 signatures were submitted with 75 determined to be valid and in support of the license being issued.

Mr. Gueck stated that all alcohol sales will be conducted at a central point cash register with IDs required for all alcohol consumption. Mr. Gueck said all three owners will attend the City's alcohol server training class on August 25. Mr. Gueck committed to all licensees, managers and servers completing the class as soon as possible. To prevent overservice, Mr. Gueck said the applicants will sell canned beverages only with the sale of food, and they do not intend to create a bar atmosphere.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted. No comments were received.

Mayor Badagliacco closed the hearing.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to approve a new Hotel and Restaurant liquor license at 512 E. Main Street for Pruf Concepts Inc., doing business as Pruf, for consumption on the licensed premises. 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 application at 1245 E. Main Street for Claudia's Kitchen & Bakery, doing business as Claudia's Kitchen & Bakery, for consumption on the licensed premises. A hearing was held.

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

Applicant Claudia Hernandez, owner of Claudia's Bakery, said she has been in business as a small bakery for 10 years and now has four employees. Ms. Hernandez said she is expanding her business due to customer requests for more bakery items. She plans to offer breakfast, lunch, and dinner and would like to offer alcohol beverages.

Ms. Hernandez agreed to the neighborhood as the city of Montrose and said issuance of the license would help meet the needs and desires of the neighborhood.

Mr. Dowsey reviewed a summary of petitions circulated. Mr. Dowsey said that 98 signatures were submitted with 66 determined to be valid and in support of the license being issued.

Ms. Hernandez stated that she is familiar with state liquor laws, and IDs will be required for the purchase of alcohol. Mr. Hernandez said she is familiar with the City's alcohol server training and committed to all licensees, managers, and servers attending at the earliest opportunity.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted. No comments were received.

Mayor Badagliacco closed the hearing.

A motion was made by Dave Frank, seconded by J. David Reed, to approve a new Hotel and Restaurant liquor license at 1245 E. Main Street for Claudia's Kitchen & Bakery, doing business as Claudia's Kitchen & Bakery, for consumption on the licensed premises. All voted yes. Motion passed.

FIRE SUPPRESSION SYSTEM PROJECT AUTHORIZATION AND SOLE SOURCE WAIVER

City Council considered the authorization of \$75,000.00 for the installation of a fire suppression system in the Network Operation Center, including a contract with Pye Barker in the amount of \$69,987.00.

Mayor Michael Badagliacco recused himself from this agenda item due to a conflict. Mayor Badagliacco left the City Council Chambers at 6:36 p.m.

Facilities Manager Brayden Reeder reviewed the components of a safe gas system, a fire suppression that does not use water and removes the oxygen from the room. Mr. Reeder said these systems are commonly used in high-use computer network areas.

Mr. Reeder recommended approval of a sole source purchase and contract with Pye Barker, stating that Pye Barker has been the City's monitoring service for several years and it would be best to avoid multiple contracts for monitoring.

Public comment was accepted. No comments were received.

A motion was made by Adam Woodden, seconded by Dave Frank, to authorize \$75,000.00 for the installation of a fire suppression system in the Network Operation Center including a contract with Pye Barker in the amount of \$69,987.00 as presented. All present voted yes. Motion passed.

Mayor Badagliacco returned to the meeting at 6:40 p.m.

ORDINANCE 2723 – FIRST READING

City Council considered Ordinance 2723 on first reading, an ordinance of the City of Montrose, Colorado, vacating portions of a drainage easement within the City of Montrose. A hearing was held.

City Engineer Scott Murphy reported that this item is related to a drainage easement that was dedicated with the development of the Sunrise Creek neighborhood back in the early 2000s. The easement dedicated for a detention pond encompassed more property than was needed for the pond. Mr. Murphy said the homeowner asked for the City to vacate the obsolete areas of the pond to make the personal property more usable.

Mr. Murphy stated that in these situations, the property owner is asked to pay for surveying, and the City incurs no hard costs.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted. No comments were received.

Mayor Badagliacco closed the hearing.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2723 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2724 – FIRST READING

City Council considered Ordinance 2724 on first reading, an ordinance of the City of Montrose, Colorado, vacating portions of right of way within the City of Montrose. A hearing was held.

City Engineer Scott Murphy reported that Ordinance 2724 vacates obsolete right of way on Cirque Way and Stone Bridge Drive. Mr. Murphy stated that the right of way was originally dedicated as a connecting road to a nearby subdivision. As further development occurred, the connecting road was no longer necessary. Mr. Murphy said there is no current or anticipated need for the right of way.

If the vacation is approved, the property will be divided down the middle and given to adjoining property owners. No money is exchanged and the only cost to the City is the cost of a survey. Mr. Murphy stated that a sanitary sewer goes through the middle of the right of way and the sanitary sewer easement will be preserved. The three adjacent property owners have been contacted.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted. No comments were received.

Mayor Badagliacco closed the hearing.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to pass Ordinance 2724 on first reading as presented. All voted yes. Motion passed.

NORTH PARK AVENUE RECONSTRUCTION DESIGN CONTRACT

City Council considered a contract award to Del-Mont Consultants in the amount of \$76,400.00 for completion of civil design associated with the North Park Avenue Reconstruction Project.

City Engineer Scott Murphy reviewed the proposed reconstruction of North Park Avenue between Main Street and the San Juan Bypass and said a concept drawing is available on the City website. Mr. Murphy said the goals of the project are to repair pavement, repair drainage, replace curb ramps, install a fully ADA compliant pathway on both sides of the street, and replace AC waterlines and sewer lines. The school zones for Peak Academy and Northside Elementary will be updated with curb extension bulb outs and flashing beacons, and bike lanes and missing link sidewalks will be installed. Sidewalk connection on North 9th Street from Park Avenue to Townsend Avenue will also be completed as part of the project.

Mr. Murphy reviewed the bid process. Four bids were received with Del-Mont Consultants submitting the low bid. Design would begin immediately to allow for construction to begin in 2027. Outreach, including an open house, will begin in September. Mr. Murphy said the 2026 budget includes \$100,000.00 for the design.

Public comment was accepted.

Cynthia Harwood questioned the sidewalk on North 9th Street and if any councilors live on that block. Mayor Michael Badagliacco indicated that he resides on that block. Mr. Murphy said sidewalk connectivity was planned on North 9th Street because it is a bike route. The north side of the street was selected because there are fewer encroachments, and the new carwash at the end of the block already installed a section of the sidewalk. Mr. Murphy said sidewalks will eventually be installed on both sides of the street.

Leif Betancourt-Ege asked questions about crosswalks at San Juan and Park and Mr. Murphy reviewed the planned improvements.

Lorrie Martin asked for clarification on the definition of civic design. Mr. Murphy explained that what he presented is a conceptual overview to use as a starting point for bids. A survey will be conducted to establish property boundaries and the contractor will complete all horizontal and vertical design to be used during construction.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to award a contract to Del-Mont Consultants in the amount of \$76,400.00 for completion of civil design associated with the North Park Avenue Reconstruction Project as presented. All voted yes. Motion passed.

ORDINANCE 2726 – SECOND READING

City Council considered Ordinance 2726 on second reading, an Ordinance of the City of Montrose, Colorado, adding Title 9 Chapter 10 Section 3 (9-10-3), regarding Park speed limits, off trail riding prohibited, amending Title 10, Chapter 1, Section 4 (10-1-4) additions or modifications in adopted Model Traffic Code, and adding Title 10, Chapter 1, Section 15.5 (10-1-15.5), Electrical-assisted bicycles and classless electrical-assisted vehicles.

Assistant City Attorney Matt Magliaro provided an executive summary of the proposed changes to the Municipal Code. Mr. Magliaro stated that Ordinance 2726 sets a 15 mph speed limit on sidewalks, trails, and pathways in municipal parks and prohibits off-trail riding in all parks. Mr. Magliaro said the Ordinance adds a mechanism for enforcement and creates a definition of a classless electric-assisted vehicle to address a gap in the stat code. The penalty for infractions is a fine ranging from \$15.00 to \$100.00, and second or subsequent infractions can be deemed nuisances. Mr. Magliaro stated that Ordinance 2726 also amends the definitions of careless driving and reckless driving to incorporate classless electric-assisted vehicles.

Deputy Police Chief Tim Cox reviewed education efforts underway by the Montrose Police Department. Deputy Chief Cox said that outreach was conducted at National Night Out and Youth Appreciation Day and via social media and local publications. The Police Department will also continue to work with the school district to provide information to students. Deputy Chief Cox said that an initial month long warning period will be instituted for minor violations.

Public comment was accepted.

John Brown spoke in support of the Ordinance.

Butch Zinsli asked to clarify that electric-assisted bicycles do not have throttles.

A motion was made by J. David Reed, seconded by Dave Frank, to adopt Ordinance 2726 on second reading as presented. All voted yes. Motion passed.

MONTROSE COUNTY ELECTIONS INTERGOVERNMENTAL AGREEMENT

City Council considered a Montrose County Elections Intergovernmental Agreement between the Montrose County Clerk and Recorder and the City of Montrose for City Charter amendment questions on the November 3, 2026, ballot.

City Attorney Chris Dowsey stated that the deadline to have an agreement in place for questions on the November 3 ballot is August 25.

Public comment was accepted.

Cliff Faurer questioned why the agreement is put in place before the ballot questions are set. Mr. Dowsey explained that August 25 is the deadline for the agreement to be finalized, and the deadline for the ballot language is September 4.

Alida Soileau questioned why the City would opt out of the logic and accuracy test and if that would be a City Council decision.

A motion was made by J. David Reed, seconded by Adam Woodden, to approve the Montrose County Elections Intergovernmental Agreement between the Montrose County Clerk and the City of Montrose as presented. Dave Frank voted no. All others voted yes. Motion passed.

AMENDMENTS TO THE CITY CHARTER

City Councilor J. David Reed, requested the opportunity to make preliminary comments. Mr. Reed requested that City Council listen, pause, reconsider, and change course on the charter amendments. Mr. Reed asked that City Councilors allow citizens more time and a greater voice before making lasting changes to the City Charter.

City Attorney Chris Dowsey reviewed the four potential changes to the current City Charter and the timeline associated with arriving at this point. One presentation was given reviewing redline changes for the four separate amendment ordinances, but Mr. Dowsey stated that four separate hearings are required.

Moving City elections to November of even numbered years: Mr. Dowsey stated that if the amendment passes in November, the terms of sitting City Councilors would be extended by seven months.

Lifetime term limits of eight years: Mr. Dowsey said that if approved by voters, this concept would be addressed in candidate eligibility requirements and would not apply to sitting City Councilors. Any combination of terms would be allowed but could not exceed eight years of elective service. The current waiting period after three two-year terms would be removed, and after six years, a candidate would only be eligible for a two-year seat. After eight years of elected service, a person would not be eligible to be appointed or elected.

Council approval rights of hiring and firing of police chief: Mr. Dowsey stated that the ordinance language regarding the police chief and city clerk was substantially drafted by City Councilor J. David Reed. If approved by voters, the city manager would be responsible for appointment and discharge of the police chief subject to approval of the City Council. Council authority is limited to approval or disapproval of the city manager's appointment or discharge only, and City Council will not manage day-to-day operations of the police department.

Council approval rights of hiring and firing of city clerk: Mr. Dowsey stated that the wording for this ordinance is similar to the previous item. City Council authority is expressly limited to the city manager's appointment or discharge of the city clerk, and the City Council would not be involved in the day-to-day operations of the city clerk.

BRIEF RECESS

A brief recess was taken at 8:11 p.m. The meeting resumed at 8:19 p.m.

ORDINANCE 2727 – FIRST READING

City Council considered Ordinance 2727 on first reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article I Section 8 and Article III Sections 1

and 2 to change the dates of general municipal elections from April of even-numbered years to November of even-numbered years; and setting the ballot question for the November 3, 2026, Coordinated Election. A hearing was held.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted.

Tom Cheney stated that he was on City Council in 1993 when Ordinance 1486 was adopted to move City elections from November to April. Mr. Cheney spoke in opposition to changing elections to November citing concerns about partisanship. Mr. Cheney also spoke in support of informing voters of the pros and cons of the charter amendments.

Cliff Faurer spoke in opposition to Ordinance 2727 and in support of maintaining a nonpartisan election with a focus on local issues.

Bob Nicholson spoke in opposition to Ordinance 2727 stating that adding seven additional months to City Council terms violates the City Charter.

Monty George spoke in support of Ordinance 2727 to increase voter involvement, in support of educating the voting public, and in favor of trusting the voters to decide.

John Brown spoke in support of Ordinance 2727 and in support of increasing voter involvement.

Carol McBride spoke in favor of letting voters decide on the amendments.

Lorrie Martin spoke in opposition to Ordinance 2727, stating that the city would revert back to 1993.

Mayor Badagliacco closed the hearing.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to pass Ordinance 2727 on first reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

ORDINANCE 2728 – FIRST READING

City Council considered Ordinance 2728 on first reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article I Sections 7, 8 and 11 and Article III Section 1 to amend term limits of the at-large council member; setting a lifetime eight-year limit for elected service for all members of Council; and setting the ballot question for the November 3, 2026, Coordinated Election. A hearing was held.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted.

Bob Nicholson spoke in opposition to Ordinance 2728 stating that a problem does not exist that needs solving.

Cliff Faurer spoke in opposition to Ordinance 2728 stating that no historical basis exists that would constitute a problem to justify this amendment to the charter.

John Brown spoke in support of Ordinance 2728 and in support of term limits in general.

City Councilor J. David Reed clarified that term limits currently exist for City Councilors that are consistent with the State of Colorado. If the proposed amendment fails, the current term limits continue.

Mayor Badagliacco closed the hearing.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to pass Ordinance 2728 on first reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

ORDINANCE 2729 – FIRST READING

City Council considered Ordinance 2729 on first reading, An Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article VIII Section 8 to allow for the City Council to approve the City Manager's decision to appoint or discharge the Police Chief of the

Montrose Police Department; and setting the ballot question for the November 3, 2026, Coordinated Election. A hearing was held.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted.

Dave Stockton spoke in opposition to Ordinance 2729 and questioned why City Council would want to be involved with employment decisions.

Cliff Faurer spoke in opposition to Ordinance 2729. Mr. Faurer questioned why the wording is slightly different for police chief and city clerk and asked if they can be the same. City Council and the City Attorney agreed to modify the wording of Ordinance 2730.

Kevin Dawson spoke in opposition to Ordinance 2729 citing concerns with conduct and cooperation with ICE (U.S. Immigration and Customs Enforcement).

Bob Nicholson spoke in opposition to Ordinance 2729. Mr. Nicholson said he was on City Council when the wording was removed in 2014. Mr. Nicholson cited concerns with unintended consequences.

Alida Soileau spoke in opposition to Ordinance 2729 stating that the police chief should be insulated from politics.

Mayor Badagliacco closed the hearing.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to pass Ordinance 2729 on first reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

ORDINANCE 2730 – FIRST READING

City Council considered Ordinance 2730 on first reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article VIII Section 6 to allow for the City

Council to approve the City Manager's decision to appoint or discharge the City Clerk; and setting the ballot question for the November 3, 2026, Coordinated Election. A hearing was held.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted.

Kate Rohr spoke in opposition to Ordinance 2730 citing concerns with bias and election control.

John Brown spoke in support of Ordinance 2730 stating that partisanship is the same as core values.

Dave Stockton spoke in opposition to Ordinance 2730 and requested that efforts are made to educate voters.

Cliff Faurer clarified that Montrose is a multi-party community with the majority of the active registered voters (48 percent) unaffiliated. Mr. Faurer said that this shows that people are tired of politics and partisanship.

Mayor Badagliacco closed the hearing.

City Attorney Chris Dowsey displayed the modified wording for Ordinance 2730.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to pass Ordinance 2730 on first reading as modified. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report

Sales Tax Manager Leeanne Whittaker provided a sales, use, and excise tax report for the month of June 2026. Ms. Whittaker reported that total General Fund collections were up 4.9 percent as compared to June of 2025 with a positive budget variance of 2.4 percent. Year-to-date General Fund collections were up 1.3 percent with a positive budget variance of 0.6 percent.

Second Quarter Budget Review

Finance Director Heather MacDougall provided a second quarter budget report. Ms. MacDougall stated that the complete report is included in the meeting packet. Ms. MacDougall reviewed revenues and expenditures for all major funds.

CITY COUNCIL COMMENTS

No City Council comments were made.

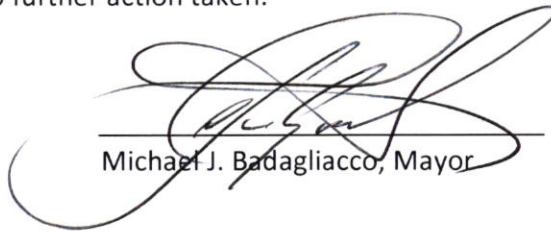
ADJOURNMENT

The meeting adjourned at 9:25 p.m. with no further action taken.

ATTEST:



Lisa DelPiccolo, City Clerk



Michael J. Badagliacco, Mayor

