

A regular meeting of the Montrose City Council was held on Tuesday, March 1, 2022 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. Public participation for this meeting was held in person and via Zoom. The meeting agenda included a Zoom link and phone numbers for public participation.

PRESENT: Doug Glaspell, Dave Frank, Barbara Bynum, J. David Reed, Anthony Russo, Grace Hotsenpiller, Bill Bell, Ann Morgenthaler, Greg Story, Lisa DelPiccolo, Chris Dowsey, Matthew Magliaro, David Bries, Scott Murphy, Jim Scheid, Blaine Hall, Amy Sharp, William Reis, Ross Valdez, Christine Aslakson, Shani Wittenberg

GUESTS: Rich Dana, Lana Kinsey, Mike Surak, Calvin Mier, Bob Thompson, Benjamin Figa, Cindy Allen

CALL TO ORDER

Mayor Doug Glaspell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Youth City Council Representative Grace Hotsenpiller.

CHANGES TO THE AGENDA

Mayor Pro Tem Dave Frank removed Item 8, Youth City Council Applicant Interview, from the agenda.

CALL FOR PUBLIC COMMENT

No comments were received.

MOBILE HOME PARK REHABILITATION PROJECT PRESENTATION

Deputy City Manager Ann Morgenthaler provided an overview of a project to upgrade three mobile home parks within the City. In August of 2021, the City agreed to contribute \$500,000 toward the project including \$200,000 for the removal of asbestos and uninhabitable mobile homes and \$300,000 from ARPA funds for new water and sewer infrastructure.

Owner Rich Dana reported on the progress at Cottonwood, Green Acres and San Juan Mobile Home Parks. Mr. Dana stated that at Cottonwood, asbestos has been abated, 21 abandoned mobile homes were removed, a dump was removed, 80 percent of tree trimming is completed, a vacant house was remodeled and rented, a new fence was installed, the office and workshop were updated, and roads were added for enhanced emergency access.

Mr. Dana said the Green Acres and San Juan parks were combined into one facility. All asbestos has been abated, 25 mobile homes, 9 apartments and 2 cottages were removed, a dump was

removed, old steel gas lines were replaced, 25 percent of tree trimming is complete, dangerous playground equipment was removed, and problematic residents were evicted.

Mr. Dana said that the next steps in the project include the installation of new water, sewer, and fire lines, street lights, improved emergency access, new playgrounds and parks, new community entrances, improved off-street parking, and road paving.

Mr. Dana thanked staff members involved in the project, and City Councilors thanked Mr. Dana for participating in the public/private partnership to eliminate blighted properties.

APPROVAL OF MINUTES

City Council considered the minutes of the February 15, 2022 regular City Council meeting.

A motion was made by Dave Frank, seconded by Barbara Bynum, to approve the minutes of the February 15, 2022 regular City Council meeting as presented. All voted yes. Motion passed.

ORDINANCE 2563 - SECOND READING

City Council considered Ordinance 2563 on second reading, an Ordinance of the City of Montrose, Colorado, extending the temporary moratorium to prohibit the establishment of any new or relocation of existing adult gaming arcade uses within the City limits of the City of Montrose; providing that the moratorium shall be in effect for a period which shall terminate at the earliest of the City's adoption of an amendment to Title 4, Chapter 14 Adult Business Regulations, or the expiration of three hundred sixty-five (365) days from date of passage of Emergency Ordinance 2560; providing for legislative findings, intent, and purpose; providing for a revised definition of the use of adult gaming arcades for the purposes of this Ordinance; providing repealing clauses; and providing an effective date.

Assistant City Attorney Matthew Magliaro reported that Ordinance 2563 extends the existing moratorium on adult gaming arcade uses until September 21, 2022, and updates definitions. Mr. Magliaro stated that clean and redline version of the ordinance are included in the meeting packet, and he reported no changes since first reading. Mr. Magliaro said staff is requesting authority from City Council to request a formal attorney general opinion regarding the legality of the gaming machines and whether a home rule municipality can ban these establishments.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David reed, to adopt Ordinance 2563 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2577 - SECOND READING

City Council considered Ordinance 2577 on second reading, An Ordinance of the City of Montrose, Colorado, updating Title 6 Chapter 1, Miscellaneous Offenses: repealing and recodifying Title 6 Chapter 1 Section 27 (6-1-27) only regarding underage possession of tobacco/cannabis and paraphernalia, adding Title 6 Chapter 1 Section 26 (6-1-26) regarding

underage possession of tobacco and tobacco paraphernalia; repealing and replacing Title 6 Chapter 1 Section 27 (6-1-27) regarding underage possession of cannabis and cannabis paraphernalia.

Assistant City Attorney Matthew Magliaro reported that Ordinance 2577 repeals one discreet provision regarding underage possession, separates the existing ordinance into two sections, and updates definitions. Mr. Magliaro stated that redline and clean versions of the Ordinance are included in the meeting packet along with a summary memo. Mr. Magliaro reported no changes since the first reading of the Ordinance.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to adopt Ordinance 2577 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2581 - FIRST READING

City Council considered ordinance 2581 on first reading, an Ordinance of the City of Montrose, Colorado, updating Title 4 Chapter 4, Section 2, 10, 14, 17, and 18 Zoning Regulations of the City of Montrose: amending Title 4 Chapter 4 Sections 2, 10, 14, 17, and 18 (4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18) regarding zoning regulations to add a definition of supportive housing, barrier(s) to employment and housing stability, on-site supportive service, skilled nursing facility, and assisted living facility and specify where supportive housing is allowed. A hearing was held.

Community Engagement Specialist Ross Valdez provided an overview of proposed changes to the Municipal Code that would increase options for individuals and families experiencing homelessness or at risk of homelessness. The Ordinance would allow supportive housing as a conditional use in the OR, Office Residential District, B-3, General Commercial District, I-1, Light Industrial District, and I-2, General Commercial District. Mr. Valdez stated that the proposed definition of supportive housing specifies that this use is not on an emergency or nightly basis and therefore does not include homeless shelters.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Dave Frank, seconded by J. David Reed, to pass Ordinance 2581 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2578 - SECOND READING

City Council consideration of Ordinance 2578 on second reading, an Ordinance of the City of Montrose, Colorado, updating Title 4, Chapter 15, Historic Preservation Regulations of the City

of Montrose: Amending Title 4 Chapter 15 Section 2 (4-15-2) regarding the composition of the Historic Preservation Commission.

Planner I William Reis reported that Ordinance 2578 codifies the process of appointment of an alternate member to the Historic Preservation Commission. Mr. Reis reported no changes since first reading of the Ordinance.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to adopt Ordinance 2578 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2579 - SECOND READING

City Council considered Ordinance 2579 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of the Yocum Addition from "R-2" Low Density District to "R-3A" Medium High Density District. A hearing was held.

City Councilor J. David recused himself from this agenda item stating that he represents the represent owner/applicant. Mr. Reed left the meeting at 6:33 p.m.

Senior Planner Amy Sharp reviewed the location of the 7.3 acres south of Ogden Road and east of the Community Recreation Center and said the request to change the zoning designation to R-3A is for future development of multi-family housing.

Ms. Sharp recommended approval stating that the proposal meets rezone criteria, meets the intent of the R-3A Medium High Density District, is in compliance with the Comprehensive plan, and is compatible with existing uses in the surrounding area. The Planning Commission recommended approval on January 26.

Public comment was accepted.

A motion was made by Dave Frank, seconded by Barbara Bynum, to adopt Ordinance 2579 on second reading as presented. All present voted yes. Motion passed.

Mr. Reed rejoined the meeting at 6:37 p.m.

ORDINANCE 2580 - SECOND READING

City Council considered Ordinance 2580 on second reading, an Ordinance of the City of Montrose, Colorado, designating the S.H. Nye Building, 428 E Main Street, Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 4-15 of the Official Code of the City of Montrose.

Planner I William Reis reported that the S.H. Nye building is eligible for inclusion on the City's historic register due to its association with significant historical events, its association with

prominent businessman, rancher, and community leader Samuel H. Nye, and its distinctive architecture. Mr. Reis reported no changes since first reading of the Ordinance.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by J. David Reed, to adopt Ordinance 2580 on second reading as presented. All voted yes. Motion passed.

NIAGARA ROAD ADDITION ANNEXATION

A hearing was held on the annexation of the Niagara Road Addition.

Planner I William Reis reviewed the annexation schedule and the location of the .456 acres along the northern half of Niagara Road at intersection with St. Mary's Drive. Mr. Reis stated that the property is within the City's Urban Grown Boundary, meets contiguity requirements, and is located within the City of Montrose water and sewer services areas. The City is the applicant, and an annexation agreement is not required. Mr. Reis reviewed the zoning of the surrounding area and the intent of the B-2, Highway Commercial District.

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

Resolution 2022-05: City Council considered Resolution 2022-05, Findings of Fact for the Niagara Road Addition.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Barbara Bynum, to adopt Resolution 2022-05 as presented. All present voted yes. Motion passed.

Ordinance 2582 - First Reading: City Council considered Ordinance 2582 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Niagara Road Addition. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Barbara Bynum, seconded by J. David Reed, to pass Ordinance 2582 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2583 - FIRST READING

City Council considered Ordinance 2583 on first reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the Niagara Road Addition as "B-2" Highway Commercial District. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2583 on first reading as presented. All voted yes. Motion passed.

MIER ADDITION ANNEXATION

A hearing was held on the annexation of the Mier Addition.

Senior Planner Amy Sharp reviewed the annexation schedule and the location of the 14.67 acres north of Locust Road and west of N. Hillcrest Drive. Ms. Sharp stated that an annexation agreement is required, and the annexation will allow for future housing development. Ms. Sharp said the area is urbanizing, meets contiguity requirements and is located within City's Urban Growth Boundary, Tri-County Water service area, and City sewer service area. The zoning of the surrounding area was reviewed. Ms. Sharp stated that the initial proposed zoning of R-4 was changed to R-3, Medium Density District, and was subsequently approved by the Planning Commission on February 23. Ms. Sharp stated that the developer can proceed with multi-family housing with a conditional use permit.

Ms. Sharp recommended approval of the annexation and R-3 zoning designation stating that the request is consistent with public health, safety, and welfare, City annexation policies and the Comprehensive Plan.

Resolution 2022-06: City Council considered Resolution 2022-06, Findings of Fact for the Mier Addition.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to adopt Resolution 2022-06 as presented. All voted yes. Motion passed.

Ordinance 2584 - First Reading: City Council considered Ordinance 2584 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Mier Addition. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2584 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2585 - FIRST READING

City Council considered Ordinance 2585 on first reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the Mier Addition as "R-3" Medium Density District. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Barbara Bynum, seconded by Dave Frank, to pass Ordinance 2585 on first reading as presented. All voted yes. Motion passed.

HOME OF THE BRAVE PRELIMINARY PLAT

City Council considered the Home of the Brave Preliminary Plat.

Senior Planner Amy Sharp reviewed the location of the 39.4 acres north of Highway 50 along N. Mesa Road. Ms. Sharp said the residential subdivision includes 148 residential lots and 180 dwelling units, as well as a clubhouse and park. The property is zoned R-3, Medium Density District and was annexed in 2000.

Ms. Sharp recommended approval of the Preliminary Plat with the standard condition stating that the request is in compliance with subdivision regulations and the Comprehensive Plan and meets intent of the R-3 zoning designation. The Planning Commission recommended approval on February 9.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the Home of the Brave Preliminary Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and municipal code provisions are met and that the applicant adequately addresses all of staff's concerns prior to 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.

RIVERBEND RV PARK TRAVEL HOME PARK PERMIT

City Council considered a revised travel home park permit for Riverbend RV Park located at 65120 Old Chipeta Trail.

Senior Planner Amy Sharp reported that Riverbend RV Park, located by Chipeta Lake, is requesting to revise the original site plan for the existing travel home park permit to add five more RV sites. Ms. Sharp stated that additional conditional use permits and variances are not required for the added sites.

Ms. Sharp recommended approval stating that the site plan for the travel home park permit meets the requirements of the Municipal Code. The Planning Commission recommended approval of the request on February 9.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Barbara Bynum, to approve the Travel Home Park Permit for Riverbend RV Park as detailed in the staff report. The request meets the Code criteria and standards based on the evidence and testimony presented at this hearing and in the staff report. All voted yes. Motion passed.

LOT A, REPLAT OF MCKINLEY SUBDIVISION, AMENDMENT NO. 1

City Council considered the Lot A, Replat of McKinley Subdivision, Amendment No. 1 plat.

City Engineer Scott Murphy reported that before the Woodgate realignment project began, the City purchased an adjacent house to minimize construction impacts and secure right of way for a future roundabout. Mr. Murphy stated that the plat amendment dedicates the right of way for that future use.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to approve the Lot A, Replat of McKinley Subdivision, Amendment No. 1 plat to include dedication of rights of way and easements for the future construction of a roundabout at the intersection of East Oak Grove and Woodgate Roads. All voted yes. Motion passed.

NIARAGA-HILLCREST ROUNDABOUT DESIGN CONTRACT

City Council considered a contract award to Felsburg, Holt, and Ullevig in the amount of \$183,422.50 for completion of design studies and civil design associated with the Niagara-Hillcrest Roundabout Project.

City Engineer Scott Murphy reported that a traffic study identified roundabouts as long-term traffic solutions for the major intersections on Hillcrest Drive, and the Niagara roundabout is the last to be completed. Mr. Murphy said that recent studies project that within 3 to 5 years the

intersection will experience a lower level of service due to larger volumes and queues from traffic growth in the area.

Mr. Murphy reviewed the RFP process for the design, and said that because of the specialized nature it was conducted as a qualifications-based selection. Mr. Murphy recommended awarding a contract to Felsburg, Holt, and Ullevig which designed the Miami Hillcrest roundabout with favorable results. Mr. Murphy said the design will be completed this year, with the footprint finalized by the end of the year, followed by property acquisitions, and then construction within 3 to 5 years.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Barbara Bynum, to award a contract to Felsburg, Holt, and Ullevig in the amount of \$183,422.50 for completion of design studies and civil design associated with the Niagara-Hillcrest Roundabout Project as presented. All voted yes. Motion passed.

PAVEMENT MARKING CONTRACT EXTENSION

City Council considered of the extension of a pavement marking contract with Stripe A Lot, Inc., of Montrose, Colorado, for the not-to-exceed amount of \$175,000.00.

Public Works Manager Jim Scheid requested the extension of an existing contract with Stripe A Lot, Inc. for annual striping of City streets. Mr. Scheid stated that this expenditure is included in the 2022 budget.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to approve the extension of a pavement marking contract with Stripe a Lot, Inc. for the not-to-exceed amount of \$175,000.00 as presented. All voted yes. Motion passed.

STAFF REPORTS

Acknowledgement of Senior Planner Amy Sharp: Deputy City Manager Ann Morgenthaler reported that this is the last City Council meeting for Senior Planner Amy Sharp. Ms. Sharp was acknowledged as a great leader and excellent colleague.

Project Updates: City Engineer Scott Murphy reported that the mainline portion of the Townsend Avenue water line project is complete. The road will receive a temporary patch and then will be milled and repaved as part of the upcoming CDOT project.

The Southeast Water Transmission Main project is ahead of schedule and will likely proceed through Fox Park this spring.

The utility cabinets are in place for the Woodgate Realignment Project and splicing is underway. A date has not been set for the City to resume the project.

Public Works Update: Public Works Manager Jim Scheid reported that the City is focused on pothole repair and recommended using the Better Montrose app to report pothole locations. Deputy City Manager Ann Morgenthaler reported an issue with the app on Android phones and said that pothole locations can be reported on the City website.

Mr. Scheid reported that a new traffic signal is being installed at the Main and Nevada intersection along with ADA ramps and sidewalks.

Police Department Update: Police Chief Blaine Hall reported that 18 community members have signed up for the Citizens Police Academy that begins March 2 and meets Wednesdays through May 11. A Latinx academy will be conducted in Spanish on April 12, 19 and 26, from 6:30 until 9:00 p.m. at MADA.

The summer police academy will begin in May, and recruitment is underway.

Chief Hall and Mayor Doug Glaspell met with 25 youth participating in the Trailblazers organization. Questions were asked about the airport, the Colorado Outdoors project, and street improvements.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Representative Grace Hotsenpiller reported that the Youth City Council is working with counselors at Montrose High School to develop additional college planning resources for students. Ms. Hotsenpiller also reported that Columbine Middle School has started a youth council and a partnership is planned to feed students into the City's Youth City Council program.

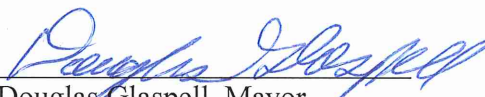
CITY COUNCIL COMMENTS

Mayor Pro Tem Dave Frank reported that he was appointed to represent Western Colorado on the State Opioid Abatement Council.

MOTION TO ADJOURN

At 7:30 p.m., a motion was made by J. David Reed to adjourn the meeting with no further action taken.

ATTEST:


Douglas Glaspell, Mayor


Lisa DelPiccolo, City Clerk

