REGULAR CITY COUNCIL MEETING AGENDA

Tuesday, May 21, 2013

7:00 P.M. CITY COUNCIL CHAMBERS

Located in the Elks Civic Building at 107 South Cascade Avenue

The Montrose City Council is pleased to have residents of the community take time to attend City Council Meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time.

The 11:00 p.m. rule will be enforced. All agenda items scheduled and noticed to be heard today must begin prior to 11:00 p.m. or they will be rescheduled. At 11:00 p.m., if the meeting has not already been adjourned, further proceedings shall be conducted as follows: 1) If the City Council is discussing an agenda item, but has not voted on the item before 11:00 p.m., the City Council may take a vote to decide whether to continue the item to the next meeting. 2) The City Council may also consider additional agenda items that require action in a specified time period due to legal requirements. 3) All other agenda items not previously opened shall be placed first on the next City Council Agenda.

1) City Council meeting called to order by Mayor Judy Ann Files.

2) The Pledge of Allegiance.

3) Roll Call by City Clerk.

4) Changes to the Agenda, including additions and deletions.

5) CALL FOR PUBLIC COMMENT

The "Call for Public Comment" agenda item is a time when concerned members of the community may publicly voice their concerns and discuss items of interest. Please note that no formal action will be taken on the matters raised during this time.

Individuals wishing to speak will be recognized by the Chair, invited to the podium, asked to state their name and address and will be allowed three minutes to speak. Please state if you are a City resident. Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please be aware that neither City Council nor City staff are expected to respond or engage in discussion or debate. Personal attacks and the use of profanity or ethnic, racial or gender-oriented slurs is prohibited, as is any "disorderly conduct" which violates state or local law and shall not be permitted.

**Please note that the times listed are estimates of approximately how long each item may take. This time is intended to serve as a guide for the Mayor in an effort to help keep the meeting moving.*

**Hearing assistance devices are available for public use. Please let us know if you need accommodation.*

6) CONSENT AGENDA

A. City Council consideration of the minutes of the regular City Council meeting held on May 7, 2013. Action: Consider making a motion to approve the minutes of the May 7, 2013, regular City Council meeting as presented. Staff: City Clerk Lisa DelPiccolo

B. City Council consideration of changes to the bylaws for the Public Art eXperience (PAX) program, establishing PAX as a committee of the Downtown Development Authority (DDA). Action: Consider making a motion to approve the changes to the PAX bylaws as presented. Staff: DDA Executive Director Scott Shine

C. City Council consideration of a bid for gravel materials. Action: Consider making a motion to award the bid for the ½" gravel materials for a total not to exceed $36,250. It is also recommended that United Companies be awarded the bid for the ¾", 3/8", and 3" gravel materials for a total not to exceed $157,750. The gravel purchase is a 2013 Street Division budgeted item. Staff: Public Works Director John Harris

D. City Council consideration of a design services change order for the Montrose Water Sports Park design. Action: Consider making a motion to approve the engineering design services change order to Recreation Engineering and Planning for additional design and permitting necessary to mitigate project impacts to fish habitat constructed in 2006 with a Fishing Is Fun grant. Total cost for this change order is not to exceed $8,460. Staff: Public Works Director John Harris

7) NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION

City Council consideration of an application for a new hotel and restaurant liquor license at 235 N. First Street for Luz M. Munoz, d.b.a. Ah Chihuahua, for consumption on premises.

Action: Hold a hearing. Consider making a motion to approve a new hotel and restaurant liquor license at 235 N. First Street for Luz M. Munoz, d.b.a. Ah Chihuahua, for consumption on premises.

Staff: City Attorney Stephen Alcorn and City Clerk Lisa DelPiccolo

8) ORDINANCE 2319 – SECOND READING (15 minutes)

City Council consideration of Ordinance 2319 on second reading, an ordinance of the City of Montrose, Colorado, disconnecting property at 64641 Kentucky Road from the City.

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2319 on second reading.

Staff: Community Development Director Kerwin Jensen

9) ORDINANCE 2320 – FIRST READING (15 minutes)

City Council consideration of Ordinance 2320 on first reading, an ordinance amending a certain section in Chapter 4-4-20 of the Official Code of the City of Montrose, to adjust provisions to the off-street parking.

Action: Consider making a motion to pass Ordinance 2320 on first reading.

Staff: Community Development Director Kerwin Jensen

10) ORDINANCE 2321 – FIRST READING (15 minutes)

City Council consideration of Ordinance 2321 on first reading, an ordinance of the City of Montrose, Colorado, enacting a prohibition on the retail sales of marijuana as authorized by the Colorado Constitution and adds a new Chapter Four to Title VIII of the Official Code of the City of Montrose.

Action: Consider making a motion to pass Ordinance 2321 on first reading.

Staff: City Attorney Stephen Alcorn

11) STAFF REPORTS

A. Sales, Use and Excise Tax Report (5 minutes)
(Finance Director Shani Wittenberg)

B. Montrose Regional Airport Advisory Board Report (3 minutes)
(Public Works Director John Harris)

C. Public Information Officer Report (5 minutes)
(City Manager Bill Bell)

D. Montrose Economic Development Corporation (MEDC) Report (3 minutes)
(City Manager Bill Bell)

12) COUNCIL REPORTS

A. Downtown Development Authority Report (3 minutes)
(Mayor Judy Ann Files)

B. Youth Council Report (3 minutes)
(Mayor Pro Tem Carol McDermott)

C. Montrose Senior Pavilion Advisory Committee Report (3 minutes)
(Mayor Pro Tem Carol McDermott)

13) ADJOURNMENT