



**REGULAR CITY COUNCIL MEETING AGENDA**  
**Tuesday, July 5, 2011**  
**7:00 P.M. CITY COUNCIL CHAMBERS**  
**Located in the Elks Civic Building at 107 South Cascade**

**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 Kathy Ellis.
- 2) The Pledge of Allegiance.
- 3) Roll Call by City Clerk.
- 4) Changes to the Agenda, including additions and deletions.
- 5) Recognition of the audience by Mayor Kathy Ellis.
- 6) 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, address, and whether they reside within the City Limits, and will be allowed three minutes to speak. 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.*



7) CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the City Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

- (a) City Council consideration of the minutes from the regular City Council meeting held on June 20, 2011. Action: Consider making a motion to approve the minutes as prepared. Staff: City Clerk Lisa DelPiccolo. **5-9**
- (b) City Council consideration of a Sole Source Waiver for International Surveillance Technology for the purchase of a dedicated surveillance vehicle for the Seventh Judicial District Drug Task Force at a cost of \$137,472.00. This item is funded entirely by an existing grant. Action: Consider making a motion to approve a Sole Source Waiver for International Surveillance Technology for the purchase of a dedicated surveillance vehicle. Staff: Police Commander Keith Caddy. **10-12**
- (c) City Council consideration of Resolution 2011-19 authorizing the City of Montrose Police Department to enter into and accept a 2011 U.S. Department of Justice Bulletproof Vest Partnership Grant for up to \$7,727.00 for the purchase of 22 bullet resistant body armor (Bulletproof Vests) and ratifying the Acting City Manager's signature on the grant contract. This grant requires a match of \$7,727.00. Action: Consider making a motion to adopt Resolution 2011-19 as presented. Staff: Police commander Keith Caddy. **13**

8) DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEMBER APPOINTMENTS  
(5 minutes)

City Council consideration of the Downtown Development Authority Board applicants.

Action: Council members will select two members for the Downtown Development Authority Board.

9) AMENDED ORDINANCE 2276 – SECOND READING (10 minutes)

City Council consideration of amended Ordinance 2276, an ordinance of the City of Montrose, Colorado, amending the City Council district boundaries by the adoption of a new Council District Map, and by its insertion into the Official Code of the City of Montrose, and by repeal of the old Council District Map. **14-18**

Action: Consider making a motion to adopt amended Ordinance 2276.

Staff: GIS Coordinator Eric Svensen.



10) ORDINANCE 2277 – SECOND READING (10 minutes)

City Council consideration of Ordinance 2277 on second reading, an ordinance of the City of Montrose, Colorado, assessing the costs of the Block 51 Selig’s Alley Improvement District to the property included within the District. **19-20**

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2277 on second reading.

Staff: City Attorney Russ Duree and Municipal Services Director Jim Hougnon.

11) STAFF REPORTS

(a) \_\_\_\_\_

(b) \_\_\_\_\_

12) CITY COUNCIL REPORTS

(a) \_\_\_\_\_

(b) \_\_\_\_\_

13) CITY COUNCIL DISCUSSION

(a) City Council Retreat

(b) William Bell CML Conference Reimbursement

(c) \_\_\_\_\_

(d) \_\_\_\_\_

14) EXECUTIVE SESSION

An executive session for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b); to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a); for the purpose of determining positions relative to matters that may be subject to negotiations, under C.R.S. Section 24-6-402(4)(e); for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f); and the following additional details are provided for identification purposes: property discussion, possible litigation with contractor, Municipal Court Judge evaluation discussion



15) ADJOURNMENT

\*\*FUTURE TOPICS\*\*

The following is a list of items City Council may consider in the near future. Please keep in mind these items may change and are not necessarily scheduled for the next City Council meeting. If there is a particular item that you are interested in we recommend reviewing the City Council meeting agendas and packets on-line at the City of Montrose website, [www.cityofmontrose.org](http://www.cityofmontrose.org).

- 2010 Audit Approval
- Engineering Regulations Revisions
- Montrose Pavilion Senior Center Advisory Committee Appointment

A regular meeting of the Montrose City Council was held on Monday, June 20, 2011, at 12:00 p.m., in the City Council Chambers located in the Elks Civic Building at 107 South Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Kathy Ellis, Carol McDermott, Thomas Smits, Gail Marvel, Bill Patterson, Scott Sellers, Russ Duree, Ben Morris, Elsa Anderson, Shani Wittenberg, Virgil Turner, Jim Hougnon, John Harris, Kerwin Jensen, Tom Chinn, Lisa DelPiccolo

GUESTS: Elaine Pigford, Cheryl Young, Dee Laird, L.J. Anderson, Wally Smith.

#### CALL FOR PUBLIC COMMENT

No comments were received.

#### APPROVAL OF MINUTES

City Council considered the minutes from the regular City Council meeting held on June 7, 2011. A motion was made by Carol McDermott, seconded by Gail Marvel, to approve the minutes of the June 7, 2011, meeting as presented. All voted yes. Motion passed.

#### SAFE ROUTES TO SCHOOL PROJECT BID APPROVAL

City Council considered a bid for a Safe Routes to School Project including the construction of sidewalk, curb and gutter along the south side of Miami Road and north side of South Fifth Street and two bulb-outs at South Fifth Street and Pythian Avenue. The total construction cost for this project, including ten percent for contingencies is \$186,754.60. The City was awarded a Safe Routes to School grant for this project. A motion was made by Carol McDermott, seconded by Gail Marvel, to award the bid for the Safe Routes to School Project to Skip Huston Construction for a total bid price of \$186,754.60. All voted yes. Motion passed.

#### ARBITRATOR CAMERA SYSTEMS BID APPROVAL

City Council considered a bid for six new Arbitrator Camera Systems with installation and software, reinstallation of one unit, transfer and integration to new software for 13 units, configuration and trainings costs. A motion was made by Carol McDermott, seconded by Gail Marvel, to award the bid for Arbitrator Camera Systems, installation and training to PCS Mobile of Denver for a total bid price of \$39,715.86. All voted yes. Motion passed.

#### DEED OF EASEMENT APPROVAL

City Council considered a Deed of Easement between the City of Montrose and the Hiltman Family Trust. A motion was made by Carol McDermott, seconded by Gail Marvel, to approve the Deed of Easement as presented. All voted yes. Motion passed.

CELL PHONE TEXT MESSAGING DURING COUNCIL MEETINGS

Council Member Gail Marvel requested that text messaging by Council members during City Council meetings be prohibited or entered into the public record of the meeting.

Council agreed that any text messages received from the public will be made part of the official record of the meeting.

ORDINANCE 2274 – SECOND READING

City Council considered Ordinance 2274 on second reading, an ordinance of the City of Montrose, Colorado, for the annexation of the Scott Williams Addition. A hearing was held.

Mayor Kathy Ellis opened the hearing.

Community Development Director Kerwin indicated that no changes had been made to the ordinance since it was passed on first reading and recommended adoption on second reading.

No comments were received. Mayor Ellis closed the hearing.

A motion was made by Carol McDermott, seconded by Gail Marvel, to adopt Ordinance 2274 on second reading. All voted yes. Motion passed.

ORDINANCE 2275 – SECOND READING

City Council considered Ordinance 2275 on second reading, an ordinance of the City of Montrose, Colorado, providing for the zoning of the Scott Williams Addition as an "RL," Rural Living District, with a one (1) acre minimum lot size. A hearing was held.

Mayor Kathy Ellis opened the hearing.

Community Development Director Kerwin Jensen stated that no changes had been made to the ordinance since it was passed on first reading and recommended adoption on second reading.

No comments were received. Mayor Ellis closed the hearing.

A motion was made by Carol McDermott, seconded by Bill Patterson, to adopt Ordinance 2275 on second reading. All voted yes. Motion passed.

ORDINANCE 2276 – SECOND READING

City Council considered Ordinance 2276 on second reading, an ordinance of the City of Montrose, Colorado, amending the City Council district boundaries by the adoption of a new Council District Map, and by its insertion into the Official Code of the City of Montrose, and by repeal of the old Council District Map. A hearing was held.

Mayor Kathy Ellis opened the hearing.

Administrative Services Director Virgil Turner gave a brief overview of the redistricting and stated that no changes had been made to the ordinance since it was passed on first reading.

Council Member Bill Patterson inquired about district boundaries on Hillcrest Avenue along Altrusa Park. Council requested verbal descriptions of each district included in the ordinance.

Council agreed to table the item and consider an amended ordinance at the next meeting.

Comments were taken from members of the audience.

Jim Anderson questioned whether the Council members would still reside in their corresponding districts after redistricting. Council members indicated that they will all still reside in the districts they were elected to represent.

Mayor Ellis closed the hearing.

ORDINANCE 2277 – FIRST READING

City Council considered Ordinance 2277 on first reading, an ordinance of the City of Montrose, Colorado, assessing the costs of the Block 51 Selig's Alley Improvement District to the property included within the District.

City Attorney Russ Duree reported that initially, the City assured the individuals affected by the improvement district that cost of the paving project would not exceed \$16,000.00. The final cost amounted to \$15,462.20, including mailing, publishing and recording costs.

A motion was made by Carol McDermott, seconded by Gail Marvel, to pass Ordinance 2277 on first reading. All voted yes. Motion passed. A hearing on this ordinance will be held on July 5, 2011.

### ORDINANCE 2278 – FIRST READING

City Council considered Ordinance 2278 on first reading, an ordinance of the City of Montrose, Colorado, for the purpose of complying with the mandatory requirements set by the State of Colorado Department of Public Health and Environment in its 2010 Storm Water Quality Audit of the City of Montrose.

City Attorney Russ Duree reviewed the changes outlined in the Ordinance, which he described as an unfunded mandate imposed on local governments. The second reading of Ordinance 2278 will coincide with changes to City's engineering specifications.

Project Manager John Harris explained the City's current permitting process, the changes required by the state and the impacts on local businesses. Mr. Harris stated that if the City does not comply with the State mandate, consequences could include large fines and revocation of the City's permit with the State.

Comments were received from members of the audience.

Wally Smith commented on the impact of the changes on local businesses.

Jim Anderson commented on the cost of the permits and the burden on home owners, and requested that the City retain control of the process if possible.

A motion was made by Carol McDermott, seconded by Gail Marvel, to pass Ordinance 2278 on first reading. All voted yes. Motion passed. A hearing on this ordinance is scheduled for July 5, 2011.

### STAFF REPORTS

Downtown Traffic Improvements Project Change Order: Project Manager John Harris explained a request for a change order to the City contract with Skip Huston Construction for the Downtown Traffic Improvements Project. An additional \$69,064.86 is needed to cover unanticipated construction costs.

A motion was made by Carol McDermott, seconded by Gail Marvel, to approve the change order as presented. All voted yes. Motion passed.

### CITY COUNCIL DISCUSSION

Response to Letters to the Editor, Call for Public Comment and Media Reports: Council Member Gail Marvel addressed issues raised in articles and letters to the editors of the local newspapers. Council discussed the issues raised by Ms. Marvel, the need to move forward, and options to reduce the length of Council meetings while maintaining transparency.



EXECUTIVE SESSION

At 1:18 p.m. a motion was made by Gail Marvel, seconded by Kathy Ellis, to go into an executive session for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b); to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a); for the purpose of determining positions relative to matters that may be subject to negotiations, under C.R.S. Section 24-6-402(4)(e); and the following additional details are provided for identification purposes: property discussion, possible litigation with contractor.

RECONVENEMENT AND ADJOURNMENT

The meeting reconvened into regular session at 2:32 p.m.

At 2:32 p.m., a motion was made by Bill Patterson, seconded by Thomas Smits, to adjourn with no further action taken. All voted yes. Motion passed.

<b>CITY OF MONTROSE</b>
<b>SOLE SOURCE WAIVER REQUEST</b>

REQUESTING DEPARTMENT: Montrose Police Dept.      DATE: 6-13-2011

REQUESTED BY: Drea Cole      BID NO.

VENDOR NAME: International Surveillance Technology      COST: 137,472.00

**JUSTIFICATION**

(INITIAL ALL ENTRIES THAT APPLY TO REQUEST)

PRODUCT OR SERVICE DESCRIPTION:

1.   X   Vendor is the original equipment manufacturer and there are no regional distributors.
2.   X   The product, equipment or service requested is clearly superior functionally to all other similar products, equipment or service from another manufacturer or vendor.
3. \_\_\_\_\_ The over-riding consideration for purchase is compatibility or conformity with City-owned equipment in which non-conformance would require the expenditure of additional funds.
4.   X   No other equipment is available that shall meet the specialized needs of the department or perform the intended function.
5. \_\_\_\_\_ Detailed justification is available which establishes beyond doubt that the vendor is the only source available to provide the item or service required.
6.   X   Detailed justification is available which proves it is economically advantageous to use the product, equipment or service.

*I recommend that competitive procurement procedures be waived and the product or service described herein be purchased as a sole source.*

DEPARTMENT AUTHORIZATION: Tom Chin Chief 6-13-11  
Authorized Signature Title Date

PURCHASING APPROVAL: Sue Hamelt Budget Analyst 6/23/11  
Authorized Signature Title Date

FINAL AUTHORIZATION: City Council Approval Required (\$20,000 +)      YES    NO  
City Manager Approval Required (\$10-\$20,000)      YES    NO

MANAGER/COUNCIL AUTHORIZATION: \_\_\_\_\_  
Authorized Signature Title Date

*Attach detailed justification documentation and forward to Purchasing Agent*

**JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT**

**(SOLE SOURCE CONTRACTING)**

**City of Montrose, Montrose Police Department**

**2009-CKWX-0336**

**DESCRIPTION OF THE PROGRAM AND WHAT IS BEING CONTRACTED FOR**

The Seventh Judicial District Drug Task Force is purchasing a dedicated surveillance vehicle. The acquisition of the surveillance vehicle would provide a clandestine platform enabling the task force officers to initiate protracted, multi-jurisdictional surveillance operations surrounding methamphetamine trafficking organizations. The platform and the technology would secure the critical evidence needed for the successful arrest and prosecution of offenders involved in the wholesale importation and distribution of methamphetamine.

***EXPLANATION WHY IT IS NECESSARY TO CONTRACT NONCOMPETITIVELY***

**1. EXPERTISE OF THE CONTRACT**

International Surveillance Technology is a known provider of excellent surveillance equipment for use in collecting evidence.

With very few dedicated surveillance vehicle vendors to choose from (possibly three in the nation), the Seventh Judicial District Drug Task Force desires to follow other known agencies such as the, Bureau of Alcohol, Tobacco, Firearms & Explosives, Drug Enforcement Administration, Greeley Police Department, Aurora Police Department and North Metro Drug Task Force in the purchase of a dedicated surveillance vehicle. These law enforcement agencies have purchased similar dedicated vehicle/equipment from International Surveillance Technology and have already discovered International Surveillance Technology to be a reliable, cost effective vendor.

The Colorado agencies already using the International Surveillance Technology equipment and systems will provide additional benefit, resources and expertise for the Seventh Judicial Drug Task Force dedicated surveillance vehicle when needed.

Unique features solely offered by International Surveillance Technology are officer safety audio and video streams that can be recorded, use of sophisticated audio processors and the ability for full use remote control of the surveillance systems. Other manufacturers only allow viewing or control by the operator in the vehicle.

International Surveillance Technology has other proprietary industry options unique to International Surveillance Technology's surveillance vehicle that are not offered by other vendors.

With the continued influx of significant and sophisticated trafficking groups into the Seventh Judicial District, the Task Force is seeking to adopt more expansive and long-term strategies to impact and disrupt these methamphetamine trafficking networks. These strategies demand additional, equipment and intelligence gathering and the equipment from International Surveillance Technology has assisted other Colorado agencies with a proven product.

**2. MANAGEMENT:**

International Surveillance Technology employs a management team with law enforcement intelligence backgrounds and engineers with profound knowledge and experience with design and manufacturing of covert law enforcement surveillance equipment.

**3. TIME CONSTRAINTS:**

The Seventh Judicial Drug Task Force would like to select International Surveillance Technology as the sole source vendor for the dedicated surveillance vehicle.

Colorado agencies currently using the International Surveillance Technology have already proven the reliability of the product. The Seventh Judicial District Drug Task Force would like to reduce the superfluous time and effort spent trying to reinvent what these other agencies have already concluded. The Seventh Judicial Drug Task Force is in need of the equipment as soon as possible for current, pending drug investigations. This equipment will prove to be a valuable tool for the evidence tracking and surveillance of these cases.

**4. FUNDING SOURCE:**

The surveillance vehicle will be purchased through a \$350,000 Methamphetamine Grant received from the US Department of Justice, Fund 206.

**RESOLUTION NO. 2011-19**

BE IT RESOLVED BY THE CITY OF MONTROSE, COLORADO, as follows:

WHEREAS, officers of the Montrose Police Department are subjected to deadly encounters through the use of firearms by offenders who wish to harm said officers, and;

WHEREAS, bullet resistant body armor (Bulletproof Vest) is designed to protect the wearer from projectiles fired from firearms, and;

WHEREAS, the City of Montrose Police Department has established policies mandating that uniformed officers of the department wear bullet resistant body armor, and;

WHEREAS, the City of Montrose Police Department needs funding to supplement the purchase of bullet resistant body armor for the officers.

NOW, THEREFORE, the City Council of the City of Montrose:

- Authorizes the City of Montrose Police Department to enter into and accept the 2011 U.S. Department of Justice Bulletproof Vest Partnership Grant in the amount up to \$7,727 for the purchase of 22 bullet resistant body armor (Bulletproof Vests). The grant requires a match of \$7,727.
- Consider making a motion to ratify the City Manager’s signature on the grant contract, accepting the grant award and grant contract.

ADOPTED this \_\_\_\_\_ of \_\_\_\_\_, 2011, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

By: \_\_\_\_\_  
Kathy Ellis, Mayor

ATTEST:

\_\_\_\_\_  
Lisa DelPiccolo, City Clerk

**AMENDED ORDINANCE NO. 2276**

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE CITY COUNCIL DISTRICT BOUNDARIES BY THE ADOPTION OF A NEW COUNCIL DISTRICT MAP, AND BY ITS INSERTION INTO THE OFFICIAL CODE OF THE CITY OF MONTROSE, AND BY REPEAL OF THE OLD COUNCIL DISTRICT MAP.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

**SECTION 1:**

**Section 1-9-4 (A) of the Official Code of the City of Montrose is hereby amended as follows:**

The City of Montrose hereby adopts a new Council District Map along with descriptive text, attached to this Ordinance as "**Exhibit "A"**", and incorporated herein by reference; the existing Council District Map, located in § 1-9-4 (A) of the Official Code of the City of Montrose is hereby repealed in its entirety, and the existing Council District Map shall be removed from said Code.

INTRODUCED, READ and PASSED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Kathy Ellis, Mayor

ATTEST:

\_\_\_\_\_  
Lisa DelPiccolo, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance, and on the question of its adoption on second reading on Tuesday, the \_\_\_\_ day of \_\_\_\_\_, 2011, at the hour of 7:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

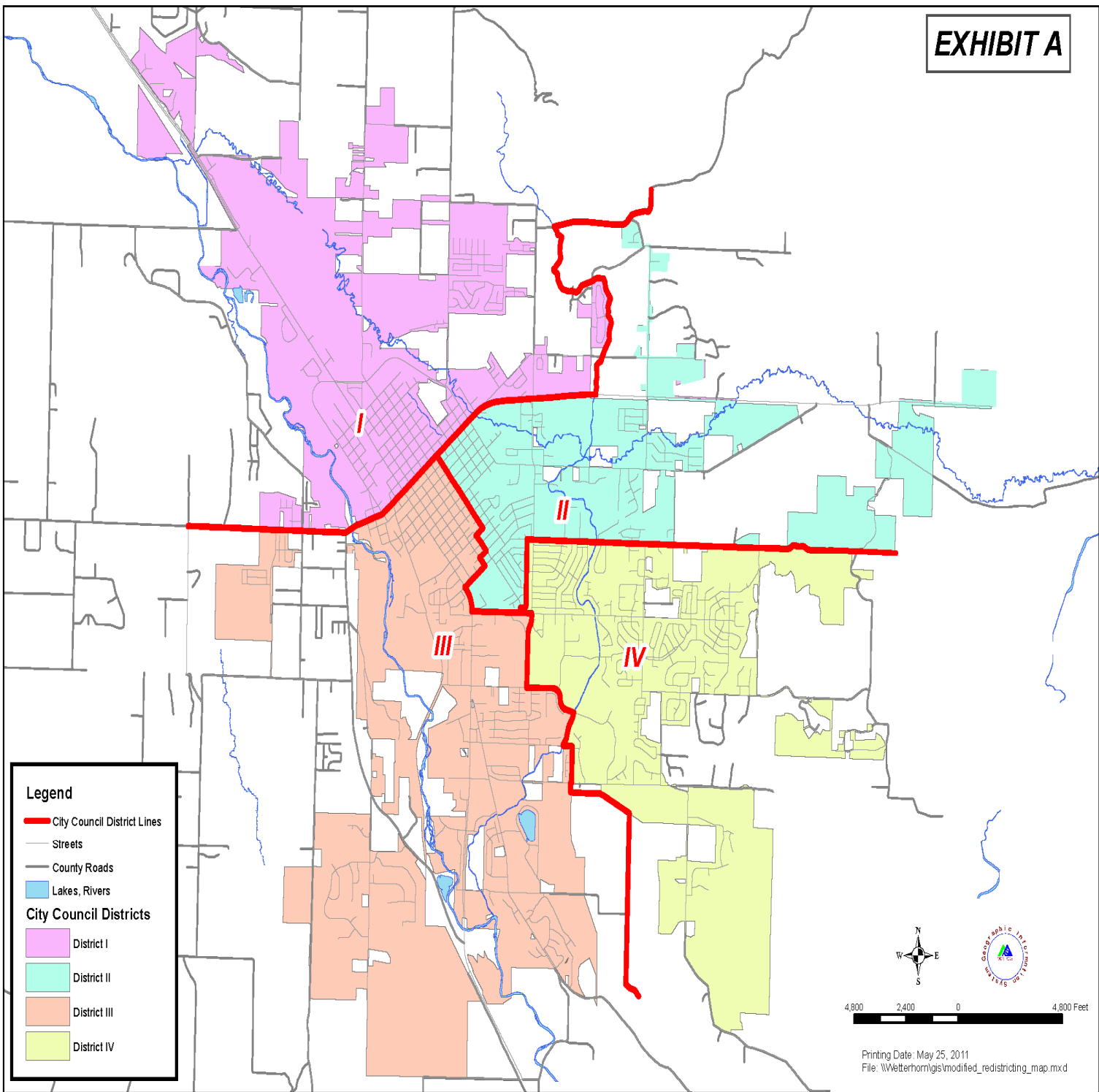
Introduced, read, and passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Kathy Ellis, Mayor

ATTEST:

\_\_\_\_\_  
Lisa DelPiccolo, City Clerk

# EXHIBIT A



### ***Text Descriptions of Council District Boundaries***

\*To be used in conjunction with the Council District map generated for the purpose of this re-districting in 2011. [While the Map is controlling, the descriptions below may be used for explanatory purposes.]

#### **District I**

Being generally north and west of the line described as beginning at the intersection of Spring Creek Road/Highway 90 where it intersects the western edge of the current City of Montrose, Montrose County, Colorado, USA limits;  
thence continuing east along Spring Creek Rd./Highway 90/W. Main St./Main St. to the intersection with Nevada Ave.; north side of road being in District I, south side of road being in District III;  
thence continuing on Main St./E. Main St./Highway 50 to the point where that centerline meets the Loutsenhizer Canal; north side of road being in District I and the south side of road being in District II;  
thence north along the centerline of the Loutsenhizer Canal to the junction with Landfill Rd. with the west side being in District I and the east side being in District II;  
thence continuing in an easterly direction along Landfill Rd. past the juncture with 6700 Rd. with the north side being in District I and the south side being in District II.

#### **District II**

Being generally east and north of the line described as beginning at a point on Landfill Road northeast of the current City of Montrose, Montrose County, Colorado, USA limits;  
thence south and west along Landfill Rd. to it's intersection with Loutsenhizer Canal, with the north side being in District I and the south side being in District II;  
thence southerly along the centerline of the Loutsenhizer Canal to its intersection with Highway 50/E. Main St.; west side being in District I and the east side being in District II;  
thence westerly along the centerline of Highway 50/E. Main St./Main St. to Nevada Ave.; north side being in District I and south side being in District II;  
thence southerly along S. Nevada Ave. to S. 9<sup>th</sup> St.; west side being in District III and east side being in District II;  
thence westerly along the centerline of S. 9<sup>th</sup> St. to S. Mesa Ave.; north side being in District III and south side being in District II;  
thence southerly along the centerline of S. Mesa Ave. to S. 11<sup>th</sup> St.; west side being in District III and east side being in District II;  
thence westerly along S. 11<sup>th</sup> St. to S. Park Ave.; north side being in District III and south side being in District II;  
thence southerly along S. Park Ave. to S. 12<sup>th</sup> St.; west side being in District III and east side being in District II;  
thence westerly along S. 12<sup>th</sup> St. to S. Townsend Ave./Highway 550; north side being in District III and south side being in District II;  
thence southerly along S. Townsend Ave./Highway 550 to Niagara Rd.; west side being in District III and east side being in District II;  
thence easterly along Niagara Rd. to S. Mesa Ave.; north side being in District II and south side being in District III;  
thence north along S. Mesa Ave. to Dover Rd.; west side being in District II and east side being in District IV;  
thence east then north along Dover Rd. to Sunnyside Rd.; west side being in District II and east side being in District IV;  
thence east along Sunnyside Rd. to it's end; north side being in District II and south side being in District IV;



thence continuing east along the south line of Section 29 Township 49 Range 9 to the easterly city limits; north side being in District II and south side being in District IV;

### District III

Being generally west and south of the line described as beginning at the intersection of Spring Creek Road/Highway 90 where it intersects the western edge of the current City of Montrose, Montrose County, Colorado, USA limits;

thence continuing east along Spring Creek Rd./Highway 90/W. Main St./Main St. to Nevada Ave.; north side being in District I and south side being in District III;

thence southerly along S. Nevada Ave. to S. 9<sup>th</sup> St.; east side being in District II and west side being in District III;

thence westerly along the centerline of S. 9<sup>th</sup> St. to S. Mesa Ave.; north side being in District III and south side being in District II;

thence southerly along the centerline of S. Mesa Ave. to S. 11<sup>th</sup> St.; east side being in District II and west side being in District III;

thence westerly along S. 11<sup>th</sup> St. to S. Park Ave.; north side being in District III and south side being in District II;

thence southerly along S. Park Ave. to S. 12<sup>th</sup> St. east side being in District II and west side being in District III;

thence westerly along S. 12<sup>th</sup> St. to S. Townsend Ave./Highway 550; north side being in District III and south side being in District II;

thence southerly along S. Townsend Ave./Highway 550 to Niagara Rd.; east side being in District II and west side being in District III;

thence easterly along Niagara Rd. to Mesa Ave.; north side being in District II and south side being in District III;

thence easterly along Niagara Rd. to Hillcrest Ave.; north side being in District IV and south side being in District III;

thence south along Hillcrest Ave./proposed Hillcrest Ave. to the intersection with E. Oak Grove Rd.; east side being in District IV and west side being in District III;

thence east along E. Oak Grove Rd. to the intersection with Loutsenhizer Canal; north side being in District IV and south side being in District III;

thence south along the Loutsenhizer Canal to Odelle Rd.; east side being in District IV and west side being in District III;

thence east and south along Odelle Rd. to the intersection with Ogden Rd.; north/east sides being in District IV and south/west sides being in District III;

thence west along Ogden Rd. to the intersection with the C Drain; north side being in District III and south side being in District IV;

thence south and east along centerline of C Drain to the east boundary of Township 48 Range 9 Section 30 Lot 15; east/north sides being in District IV and west/ south sides being in District III;

thence due south along said line to the centerline of Dry Cedar Creek; east side being in District IV and west side being in District III;

thence southeast along centerline of Dry Cedar Creek to the southerly city limits; northeast side being in District IV and southwest side being in District III.

### District IV

Being generally east and south of the line described as beginning at the intersection of the south line of Section 29 Township 49 Range 9 and the east City of Montrose, Montrose County, Colorado, USA limits; thence west along said section line to Sunnyside Rd.; north side being in District II and south side being in District IV;

thence west along Sunnyside Rd. to the intersection of Dover Rd.; north side being in District II and south side being in District IV;  
thence south and west to the intersection of S. Mesa Ave.; east side being in District IV and west side being in District II;  
thence south along S. Mesa Ave. to the intersection of Niagara Rd.; east side being in District IV and west side being in District II;  
thence easterly along Niagara Rd. to Hillcrest Ave.; north side being in District IV and south side being in District III;  
thence south along Hillcrest Ave./proposed Hillcrest Ave. to the intersection with E. Oak Grove Rd.; east side being in District IV and west side being in District III;  
thence east along E. Oak Grove Rd. to the intersection with Loutsenhizer Canal; north side being in District IV and south side being in District III;  
thence south along the Loutsenhizer Canal to Odelle Rd.; east side being in District IV and west side being in District III;  
thence east and south along Odelle Rd. to the intersection with Ogden Rd.; north/east side being in District IV and south/west side being in District III;  
thence west along Ogden Rd. to the intersection with the C Drain; north side being in District III and south side being in District IV;  
thence south and east along centerline of C Drain to the east boundary of Township 48 Range 9 Section 30 Lot 15; east/north side being in District IV and west/south side being in District III;  
thence due south along said line to the centerline of Dry Cedar Creek; east side being in District IV and west side being in District III;  
thence southeast along centerline of Dry Cedar Creek to the southerly city limits; northeast side being in District IV and southwest side being in District III.

**ORDINANCE NO. 2277**

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ASSESSING THE COSTS OF THE **Block 51 Selig’s Alley Improvement District** to the property included within the District.

WHEREAS, the costs of the **Block 51 Selig’s Alley Improvement District** have been sufficiently determined in order to make the assessments, and

WHEREAS, the City Council has held a hearing concerning any complaints or objections to the assessments, made adjustments as equitable and the assessment herein are lawful and equitable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO.

**SECTION 1:**

The costs of the improvements to be assessed against each of the parcels of property in the District are as follows:

<b><u>LEGAL DESCRIPTION</u></b>	<b><u>ASSESSMENT</u></b>
Lots 6, 7, 8, 9, 10 and 11 Except that part of Lot 11 conveyed to the City of Montrose in deed recorded April 3, 1923 in Book 268 at Page 301, Block 51 Selig’s Addition to the Town of Montrose, now a part of the City of Montrose	\$ 3695.47
Lots 1-5, Block 51 Selig’s Addition to the Town of Montrose, now a part of the City of Montrose	\$ 3169.75
Lots 22, 23, and 24, Block 51, Selig’s Addition to the Town of Montrose, now a part of the City of Montrose, Colorado, EXCEPT the Southerly 66 feet of Lots 22, 23, and 24, Block 51, Selig’s Addition to the Town of Montrose, now a part of the City of Montrose, Colorado	\$1901.85
Lot 1 Mehas/Hedrick Minor Subdivision	\$1654.45
Lot 2 Mehas/Hedrick Minor Subdivision	\$1654.45
Lot 3 Mehas/Hedrick Minor Subdivision	\$ 1654.45
City of Montrose	\$1731.78
<b>TOTAL</b>	<b>\$15462.20</b>

All lots in the Town of Montrose, now a part of the City of Montrose, Colorado.

**SECTION 2:**

Assessments may be paid immediately or in 10 annual installments with interest at 4.75% per annum on the unpaid principal. If such assessments are paid within 30 days after publication of this ordinance, a 2% discount shall be allowed. The due date of the first annual installment shall be April 30, 2012, and each subsequent installment shall be due on April 1st each year thereafter until paid in full.

INTRODUCED, READ and PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Kathy Ellis, Mayor

ATTEST:

\_\_\_\_\_  
Lisa DelPiccolo, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Tuesday, the \_\_\_\_\_ day of \_\_\_\_\_, 2011, at the hour of 7:00 p.m. at Council Chamber at Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Kathy Ellis, Mayor

ATTEST:

\_\_\_\_\_  
Lisa DelPiccolo, City Clerk