

A regular City Council meeting of the Montrose City Council was held on Thursday, February 2, 2006 at 7:00 p.m. in the Council Chambers of City Hall. Said meeting posted in accordance with the Sunshine Law.

PRESENT: Erica Lewis Kennedy, Bill Brougham, David White, Ed Ulibarri, Mary Watt, Ben Morris, Kerwin Jensen, Shani Wittenberg, Sharleen Walker, Alisa Babler, Bob Hurford, Mark Edwards.

ABSENT: Noelle Hagan.

GUESTS: Matt Hildner, Jose Abeyta, Randy Hawks, Jim Riddell, Andrew Reed, Steve Annis, Gary Hendrix, Lance Michaels, Sandi Cipolloni, Sheila Elliott.

MINUTES

The City Council considered the Minutes of the Regular City Council Meeting held on January 19, 2006. A motion was made by Bill Brougham, seconded by David White to approve the minutes of the regular City Council meeting held on January 19, 2006 as written. All voted yes. Motion passed.

RESOLUTION 2006-3

The City Council considered Resolution 2006-3 authorizing the City of Montrose to submit three Federal Hazard Elimination Grants to the Colorado Department of Transportation (CDOT) requesting federal funds to improve the traffic signals at the intersection of South 12th / Townsend Avenue (Highway 550) and Niagara Road / Townsend Avenue; and improve the road segment of South Townsend Avenue south of the intersection of Niagara Road / Townsend Avenue. A motion was made by Bill Brougham, seconded by David White to adopt Resolution 2006-3 authorizing the City of Montrose to submit three Federal Hazard Elimination Grants. All voted yes. Motion passed.

BLACK CANYON SURGICAL CENTER CONDOMINIUMS FINAL PLAT

The City Council considered the final plat of Black Canyon Surgical Center Condominiums. This is the final plat proposal of 3 condominium units, the total square footage subdivided is approximately 15,000 square feet and the property is zoned "OR", Office Residential and is located at 611 East Star Court, just east of the Star Drive-In theater. A motion was made by Bill Brougham, seconded by David White to approve the final plat of Black Canyon Surgical Center Condominiums expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the final plat and its recoding. The City staff is not authorized by this approval to execute and record the final plat prior to all conditions being satisfied. All voted yes. Motion passed.

THE PRESERVE FILING NO. 4 FINAL PLAT

The City Council considered the final plat of The Preserve Final Plat Filing No. 4. This property is zoned "R-2", Low Density District, with the condition of a minimum lot size of 9,000 square feet, this final plat proposes 32 single-family lots, open spaces and street dedications totaling 25.187 acres and is located west of 67.00 Road and Outlook Road. A motion was made by Bill Brougham, seconded by David White to approve the final plat of The Preserve Final Plat Filing No. 4 expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the final plat and its recoding. The City staff is not authorized by this approval to execute and record the final plat prior to all conditions being satisfied. All voted yes. Motion passed.

ORDINANCE 2103, SECOND READING

The City Council considered Ordinance 2103 on second reading zoning the North San Juan Addition as "R-3A, Medium High Density Residential. This property is located along a portion of North San Juan Avenue, including North San Juan Avenue Right of Way, west of 65.30 Road and generally north of the Montrose County Fairgrounds and is 13.92 acres in size. A motion was made by David White, seconded by Bill Brougham to adopt Ordinance 2103 on second reading zoning the North San Juan Addition as "R-3A", Medium High Density Residential District. All voted yes. Motion passed.

ORDINANCE 2104, FIRST READING

The City Council considered Ordinance 2104 on first reading rezoning a portion of Brown Ranch from "R-2", Low Density Residential District to "B-4", Neighborhood Shopping District. The property is 4.6 acres in size and is centrally located in the Brown Ranch Subdivision; it will front on the future extension of Otter Road. (The combined size of the Brown Ranch Subdivision Additions is approximately 500 acres). Kerwin Jensen, Community Development Director, informed the Council that the Planning Commission and Staff are recommending approval of Ordinance 2104 on first reading rezoning a portion of Brown Ranch from "R-2" to "B-4. A motion was made by Bill Brougham, seconded by Ed Ulibarri to pass Ordinance 2104 on first reading rezoning a portion of Brown Ranch from "R-2", Low Density Residential District to "B-4", Neighborhood Shopping District. All voted yes. Motion passed.

STAFF REPORTS

Swearing in of Newly Elected Council Members After the April 4, 2006 Election: Ben Morris, Assistant City Attorney, and Sharleen Walker, City Clerk discussed issues regarding the timing of the newly elected City Council members taking office and the Election abstract of votes and canvass. Mr. Morris stated that this discussion was for the Council and newly elected candidate's information. Mr. Morris stated that in the past the canvass was completed sooner, now with changes in the election laws the canvass may not be completed by April 6, 2006, which is the first Council meeting after election day, therefore the election may not be final until the 2nd Council Meeting in April. The City Staff will inform the candidates that they will be sworn in at the City Council meeting on April 20, 2006. The Council thanked the staff for the information.

MAMA Equipment Renewal Lease: Ben Morris, Assistant City Attorney, informed the Council that the MAMA Equipment Lease has expired. Mr. Morris requested direction from City Council regarding renewing the lease and the term of the lease. Mr. Morris stated that the MAMA Service agreement was recently renewed for a three-year term and that it makes sense to have the equipment lease for the same terms. The Council agreed that the lease should be renewed and that the term of the lease for the equipment should be the same as the service agreement. The legal department will prepare the lease for the Mayor's signature.

Uncompahgre River Habitat Improvement Bid: Mark Edwards, Project Manager, informed the Council that the City had received nine very qualified bids for the Uncompahgre River Habitat Improvement project. Mr. Edwards stated that the bid review committee is recommending awarding the bid to Ecological Resource Consultants. Mr. Edwards informed the Council that this bid was different in that the City told the potential bidders what the budget was and the City asked the potential bidders to bid what they could do for that amount of money. A motion was made by Bill Brougham, seconded by David White to award the bid for the Uncompahgre River Habitat Improvement project to Ecological Resource Consultants. All voted yes. Motion passed.

State Vehicle Bid Process: A motion was made by David White, seconded by Ed Ulibarri to use the State of Colorado Bid for the purchase of seventeen vehicles. All voted yes. Motion passed.

CITY COUNCIL REPORTS

The City Council considered an the Art Loan Agreement between the City of Montrose and the Montrose Chamber of Commerce regarding placing art on City owned property. A motion was made by Bill Brougham, seconded by Ed Ulibarri to approve the Art Loan Agreement between the City of Montrose and the Montrose Chamber of Commerce. All voted yes. Motion passed.

EXECUTIVE SESSION

A motion was made by Bill Brougham, seconded by Ed Ulibarri to go into executive session for a conference with the City attorney for the purpose of receiving legal advise pursuant to C.R.S. Section 24-6-402(4)(b); and 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: development issues and negotiations with another governmental entity. All voted yes. Motion passed.

ADJOURNMENT

The City Council reconvened into the regular City Council meeting at 9:15 p.m. and the meeting was adjourned with no further action.

Erica Lewis Kennedy, Mayor

ATTEST:

Sharleen R. Walker, City Clerk