



**REGULAR CITY COUNCIL MEETING**  
**Tuesday, February 17, 2015**  
**6:00 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 Bob Nicholson
- 2) The Pledge of Allegiance
- 3) Roll call by City Clerk
- 4) Changes to the agenda, including additions and deletions
- 5) Youth Council Proclamation in Support of the Paths to Parks Project
- 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 and address 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 (5 minutes)

- A. City Council consideration of the Waste Water Treatment Plant Oxidation Ditch #3 Rotor Replacement Project Construction Contract. Action: Consider making a motion to award the construction contract to RN Civil for the replacement of three rotors in Oxidation Ditch #3 at the Waste Water Treatment Plant for the total bid price of \$671,400.00. This item was discussed at the February 2, 2015, work session. Staff: Public Works Director John Harris
- B. City Council consideration of Resolution 2015-05, setting April 7, 2015, as the hearing date for the J & M Addition Annexation. Action: Consider making a motion to adopt Resolution 2015-05 as presented. This item was discussed at the February 2, 2015, work session. Staff: Planning Services Manager Kerwin Jensen

8) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the February 3, 2015, special City Council meeting and the minutes of the February 3, 2015, regular City Council meeting.

Action: Consider making a motion to approve the minutes of the February 3, 2015, special City Council meeting and the minutes of the February 3, 2015, regular City Council meeting as presented.

Staff: City Clerk Lisa DelPiccolo

9) GREAT OUTDOORS COLORADO GRANT APPLICATION (15 minutes)

Resolution 2015-06: City Council consideration of Resolution 2015-06, a resolution supporting the grant application for a Paths to Parks Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Montrose Underpass: Connecting the people and Recreation Center to the River Trail and Baldrige Regional Park.

Action: Consider making a motion to adopt Resolution 2015-06 as presented.

Intergovernmental Agreement: City Council consideration of an Intergovernmental Agreement between the City of Montrose and the Montrose Recreation District Regarding the Montrose Underpass: Connecting the People and Recreation Center to the River Trail and Baldrige Regional Park Agreement.

Action: Consider making a motion to approve the Intergovernmental Agreement between the City of Montrose and Montrose Recreation District Regarding the Montrose Underpass: Connecting the People and Recreation Center to the River Trail and Baldrige Regional Park Agreement as presented.

Staff: Planning Services Manager Kerwin Jensen, Grant Coordinator Janet Freed, Montrose Recreation District Executive Director Ken Sherbenou



10) SECOND REVISED RESOLUTION 2015-03 (10 minutes)

City Council consideration of Second Revised Resolution 2015-03, authorizing the filing of an application requesting up to \$600,000 in Community Development Block Grant (CDBG) funds through the Colorado Department of Local Affairs to construct a food bank at 49 North First Street; authorizing the City of Montrose to provide \$48,000 in cash out of undesignated fund balance; water tap (\$2,635) and sewer tap (\$6,172) (for a City contribution of \$8,807 in tap fees), building permit and plan check fees (estimated at \$9,857), and grant administration to the project; authorizing the City Manager to act in connection with the application and to provide such additional information as may be required; and authorizing the Mayor to sign the application documents.

Action: Consider making a motion to adopt Second Revised Resolution 2015-03 as presented. This item was discussed at the February 2, 2015, work session.

Staff: Grant Coordinator Janet Freed

11) RETAIL LIQUOR STORE LIQUOR LICENSE TRANSFER (15 minutes)

City Council consideration of the transfer of a Retail Liquor Store liquor license at 1840 E. Main Street from Discount Cigarettes and Wine LLC, d.b.a. Discount Cigarettes and Wine, to Mangum Enterprises, Inc., d.b.a. Bear Creek Liquor, for consumption off premises.

Action: Accept public comment. Consider making a motion to approve the transfer of a Retail Liquor Store liquor license at 1840 E. Main Street from Discount Cigarettes and Wine LLC, d.b.a. Discount Cigarettes and Wine, to Mangum Enterprises, Inc., d.b.a. Bear Creek Liquor, for consumption off premises.

Staff: City Attorney Stephen Alcorn

12) HOTEL AND RESTAURANT LIQUOR LICENSE TRANSFER (15 minutes)

City Council consideration of the transfer of a Hotel and Restaurant liquor license at 235 N. First Street from Luz Munoz, d.b.a. Ah Chihuahua, to Ay Jalisco LLC, d.b.a. Ay Jalisco, for consumption on premises.

Action: Accept public comment. Consider making a motion to approve the transfer of a Hotel and Restaurant liquor license at 235 N. First Street from Luz Munoz, d.b.a. Ah Chihuahua, to Ay Jalisco LLC, d.b.a. Ay Jalisco, for consumption on premises.

Staff: City Attorney Stephen Alcorn

13) ORDINANCE 2350 – SECOND READING (15 minutes)

City Council consideration of Ordinance 2350 on second reading, an ordinance of the City of Montrose, Colorado, pertaining to the amendment of consumption in parks.

Action: Accept public comment. Consider making a motion to adopt Ordinance 2350 on second reading.

Staff: City Attorney Stephen Alcorn



14) ORDINANCE 2351 – SECOND READING (15 minutes)

City Council consideration of Ordinance 2351 on second reading, an ordinance of the City of Montrose, Colorado, pertaining to the amendment of the Municipal Code Chapter 1-2, General Provisions, and Chapter 1-14, Municipal Court.

Action: Accept public comment. Consider making a motion to adopt Ordinance 2351 on second reading.

Staff: City Attorney Stephen Alcorn

15) ORDINANCE 2352 – SECOND READING (15 minutes)

City Council consideration of Ordinance 2352 on second reading, an ordinance of the City of Montrose, Colorado, pertaining to the amendment of the Municipal Code Chapter 3-1, Trash and Recycling Collection.

Action: Accept public comment. Consider making a motion to adopt Ordinance 2352 on second reading.

Staff: City Attorney Stephen Alcorn

16) ORDINANCE 2353 – SECOND READING (15 minutes)

City Council consideration of Ordinance 2353 on second reading, an ordinance of the City of Montrose, Colorado, pertaining to the amendment of the City's Municipal Code Chapter 3-5, City Distributed Water and Sanitary Sewer Collection Systems.

Action: Accept public comment. Consider making a motion to adopt Ordinance 2353 on second reading.

Staff: City Attorney Stephen Alcorn

17) STAFF REPORTS

- A. Sales, Use, and Excise Tax Report (10 minutes)  
(Finance Director Shani Wittenberg and Office Business and Tourism Director Rob Joseph)
- B. Fourth Quarter Budget Review (5 minutes)  
(Finance Director Shani Wittenberg)
- C. Public Information Officer Report (5 minutes)  
(City Manager Bill Bell)

18) ADJOURNMENT