

A regular City Council meeting of the Montrose City Council was held on Thursday, October 2, 2008, at 7:00 p.m., in the City Council Chambers located in the Elks Civic Building at 107 South Cascade Avenue. Said meeting posted in accordance with the Sunshine Law.

PRESENT: Erica Lewis Kennedy, Kathy Ellis, Jose Abeyta, Ed Ulibarri, Gail Marvel, Mary Watt, Elsa Anderson, Teri Colvin, Jason Ullmann, Russ Duree, Jim Hougnon, Kerwin Jensen, Veronica Lingo, Jeff Scheetz, Sue Hamilton, Ken Norris, Fernie Rendon.

GUESTS: Janine Mayfield, Ekaine Gannan, Gary MacDonell, Linda Corrum, Arliss and Leah Brash, Jim Westerfelt, Al Garin, Francine Smiles, Randy Havens, Annelie Chaney, Bonnie Kuchte, Harlin and Bev Dow, Cindy Youngstrom, Jill Holyfield, River Brooke Hansen, Tom Swanger, Janyne Yehling, Loulie Boehme, Sara Darling, Kurt Kubik.

BREAST CANCER AWARENESS PROCLAMATION

Mayor Erica Lewis Kennedy signed a proclamation proclaiming October 2008 as Breast Cancer Awareness Month.

ENERGY AWARENESS PROCLAMATION

Mayor Erica Lewis Kennedy signed a proclamation proclaiming October 2008 as Energy Awareness Month.

EXCELLENCE AWARDS PRESENTATION

Assistant City Manager J. Scott Sellers reviewed two recent awards the City of Montrose received.

MINUTES

City Council considered the minutes from the regular City Council meeting held on September 18, 2008. A motion was made by Jose Abeyta, seconded by Ed Ulibarri, to approve the minutes of the regular City Council meeting held on September 18, 2008. All voted yes. Motion passed.

MESA SEWER PROJECT CHANGE ORDER REQUEST

City Council considered a change order request to the existing construction contract for the Mesa Sewer Project with Mendez, Inc. Contractors. The subject change order request is for \$26,100.68, increasing the total contract amount from \$2,677,702.85 to \$2,703,803.53. A motion was made by Jose Abeyta, seconded by Ed Ulibarri, to approve the Mesa Sewer Project change order with Mendez, Inc. Contractors for \$26,100.68, increasing the total contract amount from \$2,677,702.85 to \$2,703,803.53. All voted yes. Motion passed.

HAYNES EXCAVATION CHANGE ORDER REQUEST

City Council considered a change order request to the existing contract with Haynes Excavation for the construction of a new retaining wall at S. 1st St. and the Montrose Arroyo. This change order is necessary because of an increase in asphalt removal and patching quantities as directed by staff. In addition, this change order includes additional work to replace a previously damaged storm drain inlet and regrade a small portion of Junction Ave to drain correctly. A motion was made by Jose Abeyta, seconded by Ed Ulibarri, to approve a \$16,200 change order to the contract, bringing the total amount of the contract for this project to \$75,191.00. All voted yes. Motion passed.

WEST MEADOWS SUBDIVISION TOWNHOME CONDOMINIUMS, LOT 41–FINAL PLAT

City Council considered West Meadows Subdivision Townhome Condominiums, Lot 41 – Final Plat. Lot 41, a 10,176 square foot lot (one of 48 lots created by the West Meadows Subdivision – Filing 1). This final plat creates two separately saleable condominium units of the duplex constructed on the lot, plus associated general and limited common elements. The location is on Indian Grass Loop, south of Spring Creek Road between 63.75 and 6400 Roads. The zoning is R-3 (Medium Density District).

A motion was made by Jose Abeyta, seconded by Ed Ulibarri, to approve the final plat 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 its execution. 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.

BOTANICAL SOCIETY YEARLY UPDATE/MASTERPLAN UPDATE

Members of the Botanical Society gave Council members a yearly update and reviewed the Botanical Society Master Plan.

THE MOVING WALL FUNDING REQUEST

Timberline Bank President and Vietnam veteran Randy Havens asked City Council to consider a funding request for \$1000 to help bring the Moving Wall to Montrose in 2009.

A Motion was made by Jose Abeyta, seconded by Ed Ulibarri to approve \$1000 out of council initiatives to help bring the Moving Wall to Montrose in 2009.

ORDINANCE 2206 – SECOND READING

City Council considered Ordinance 2206 on second reading assessing the costs of the East Niagara Road Street Improvement District 2007 to the property included within the district. A hearing was held opened by the Mayor.

City Attorney Russ Duree reviewed the history of the East Niagara Road Street Improvement District. Mr. Duree requested that the official file be made part of the permanent record.

Residents Jim Houghness, Tom Swanger, River Brook Hansen, Elaine Gannan, Jim Westerfelt, JanyneYehling, Leane Husky expressed their concerns and disagreements regarding the East Niagara Road Street Improvement District 2007.

The Mayor closed the hearing.

A motion was made by Ed Ulibarri, seconded by Jose Abeyta, to pass Ordinance 2206 on second reading assessing the costs of the East Niagara Road Street Improvement District 2007 to the property included within the district. All voted yes. Motion passed.

ORDINANCE 2208 – FIRST READING

City Council considered Ordinance 2208 on first reading appropriating funds for defraying the expenses and liabilities of the City of Montrose, Colorado, during the fiscal year beginning January 1, 2009.

A motion was made by Ed Ulibarri, seconded by Jose Abeyta, to pass Ordinance 2208 on first reading. All voted yes. Motion passed.

HOTEL & RESTAURANT LIQUOR LICENSE RENEWAL

City Council considered the renewal of the Hotel and Restaurant Liquor License for Amelia's Hacienda Restaurant, d.b.a Amelia's Hacienda Restaurant, at 44 South Grand Avenue, for consumption on premise. An employee of Amelia's Hacienda Restaurant was cited for selling alcohol to an underage person in June of 2008.

City Attorney Russ Duree stated that the file was in order and fees have been paid.

Council asked questions of owner/licensee Mr. Garcia.

A motion was made by Jose Abeyta, seconded by Ed Ulibarri, to renew the Hotel and Restaurant Liquor License for Amelia's Hacienda Restaurant, d.b.a Amelia's Hacienda Restaurant, at 44 South Grand Avenue, for consumption on premise. All voted yes. Motion passed.

STAFF REPORTS

Household Hazardous Waste and Recycling Update: Human Resource Manager Elsa Anderson provided Council members with details from the Household Hazardous Waste and Recycling event on September 27, 2008.

South Townsend Access Control Plan Update: Community Development Director Kerwin Jensen updated Council on the South Townsend Access Control Plan Open House held on September 23, 2008.

Comprehensive Financial Plan Discussion: Assistant City Manager J. Scott Sellers presented a proposal to examine the need for a comprehensive financial plan to address revenue stabilization in the City of Montrose.

Council asked questions about the proposed plan and thanked Mr. Sellers for the presentation.

CITY COUNCIL REPORTS

Community Support Funding Discussion: Council considered the requests for Community Support Funding for the 2009 Budget year. A motion was made by Erica Lewis Kennedy, seconded by Kathy Ellis, to approve the Community Support Funding as presented on the spreadsheet.

Resolution 2008-35, Distribution and Disbursement of Excess School Tax: A motion was made by Erica Lewis Kennedy, seconded by Ed Ulibarri, to adopt Resolution 2008-35. All voted yes. Motion passed.

ADJOURNMENT

A motion was made by Kathy Ellis, seconded by Gail Marvel to adjourn the City Council meeting at 9:26 p.m. with no further action taken. All voted yes. Motion passed.

Erica Lewis Kennedy, Mayor

ATTEST:

Teri Colvin, City Clerk