

CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 11, 2021

1. The meeting was called to order at 7:30 p.m., with the Pledge of Allegiance. The meeting was held with a Hybrid/in-person and virtual contact through ZOOM format. Councilmembers present in the Council Chambers included Mayor Mike Lavey, Robert Dobry, Mayor Pro-tem Rachel Medina, David Rainey, and Arlina Yazzie. Councilmember Orly Lucero participated by ZOOM. Director of Finance Kelly Koskie, Chief of Police Vernon Knuckles, Director of Public Works Phil Johnson, Director of General Services Rick Smith, IT Support Kyle Kuhn, System Analyst Shay Allred, IT Support Jason Gray, City Clerk Linda Smith, Interim City Manager Chris Burkett, and City Attorney Mike Green were present in the Council Chambers. There were six people present in the Council Chambers. Three people were signed up as participants on ZOOM.

2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Special Meeting Minutes for April 23, 2021, and Worksession and Regular Meeting Minutes of April 27, 2021.

 - b. Approval of the payment of the Expenditure Vouchers of May 11, 2021.

 - c. Approval of a renewal Hotel and Restaurant Liquor License for BMCJ Inc., DBA Stonefish Sushi and More, located at 16 West Main Street, Cortez.

 - d. Approval of a Modification of Premises for Rinnie Rulez LLC, DBA Doobie Sisters Botanics, located at 695 North Broadway, Unit 2, Cortez.

 - e. Approval of a renewal Fermented Malt Beverage Off Premises Liquor License and Change in Corporate Structure for Western Refining Retail, LLC, DBA Speedway #9496, located at 2021 East Main Street, Cortez.

 - f. Approval of a renewal Fermented Malt Beverage Off Premises Liquor License and Change in Corporate Structure for Western Refining Retail, LLC, DBA Speedway #9492, located at 2320 East Main Street, Cortez.

 - g. Approval of a Special Event Permit for The Denver Post Ride the Rockies to hold an event in Parque de Vida located next to the Cortez Recreation Center, 425 Roger Smith Avenue, Cortez, on Monday, June 14, 2021, from 10:00 a.m. to 9:00 p.m.

 - h. Approval of a Special Event Permit for the Four Corners Child Advocacy Center to host the Celtic Fair in Parque de Vida located next to the Cortez Recreation Center, 425 Roger Smith Avenue, Cortez, on Saturday, June 26, 2021, from 7:00 a.m. to 8:00 p.m.

 - i. Approval of an Agreement with Armstrong Consultants, Inc. for the “emergency” replacement of Runway 03 Precision Approach Path Indicators at the Airport.

j. Approval of a renewal Retail Marijuana Store License application for Rinnie Rulez LLC, DBA Doobie Sisters, located at 694 North Broadway, Cortez.

Councilmember Dobry moved that the consent agenda be approved as presented. Councilmember Yazzie seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

3. CITIZEN PARTICIPATION – None.

4. PRESENTATIONS

a. Historic Preservation Day Proclamation. Councilmember Dobry, Council representative on the Historic Preservation Board, read the proclamation proclaiming Historic Preservation Day as May 22, 2021.

Councilmember Dobry moved that Council proclaim Historic Preservation Day as May 22, 2021. Mayor Pro-tem Medina seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

5. PUBLIC HEARING – None.

6. NEW BUSINESS

a. Out-of-City Water Tap Request and Pre-Annexation Agreement for Property Located at 11741 Highway 145. Director of Public Works Johnson stated that an application has been received from Veronica Kellams-Oldland for an out-of-City water tap to be installed on her property located at 11741 Highway 145. He stated that Ms. Oldland plans to build a small home on her property. He stated that the property directly to the east has an out-of-City water tap (Charlie Sirman) as well. He stated that Ms. Oldland has signed the contract for the out-of-City water service and has completed the Pre-Annexation Agreement.

Mayor Pro-tem Medina moved that Council approve a ¾-inch out-of-City water tap request and Pre-Annexation Agreement for property located at 11741 Highway 145, as submitted by Veronica Kellams-Oldland, with the stipulation that the applicant install an approved backflow prevention device. Councilmember Rainey seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

b. Out-of-City Water Tap Request and Pre-Annexation Agreement for Property Located at 11187 Highway 145. Director of Public Works Johnson stated that an application has been received for seven out-of-City water taps on property located at 11187 Highway 145. He stated that there is an

additional charge of 50% added to the cost of water service connections outside the City limits. He commented that the cost of a 3/4-inch water tap inside the City limits is \$5,844.30, and outside the City limits is \$8,766.45. He noted that the development is located across the street from the Go-Fer Store at the Fairway Drive intersection.

Mayor Pro-tem Medina moved that Council approve seven (7) 3/4-inch out-of-City water taps and Pre-Annexation Agreement for the Weyand Proposed PUD on property located at 11187 Highway 145, as submitted by Jason Carruth, Agent for Paul and Dana Weyand, with the stipulation that the applicant install approved backflow prevent devices for each water tap. Councilmember Rainey seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

c. Ride of the Ancients Gravel Grinder Sponsorship Request. Susan Thomas, Byway Coordinator, presented information on the Ride of the Ancients Gravel Grinder (ROTA) ride that will be held on June 26, 2021. She spoke about growing tourism and attracting attention to the community by events such as this. She spoke about creating operating funds for the first time event and commented that the ROTA will be a ride, not a race, and will offer two routes, 30-mile and 100-mile, departing and returning to Dolores via Boggy Draw, Groundhog, and Dunton. Diane McBride, Associate Director for Southwest Colorado Canyons Alliance, spoke about collaborating with various groups to bring tourism to the area to view the natural and cultural landscape. She spoke about the archeological sites in the area and noted that people travel from all around the world to see them. She spoke about the ROTA becoming a fundraiser for the Southwest Canyons Alliance and invited Council to attend the event which will host family/kid friendly activities at Flanders Park in Dolores. Ashley Carelock spoke about the opportunity of bringing the ride to the community. She spoke about how biking has changed and commented that people will come from across the country to ride in the ROTA event. Discussion was held on how biking has grown in the area with Phil’s World and the 12 Hours of Mesa Verde ride held each year. In answer to a question from Councilmember Yazzie, Ms. Thomas spoke about the sponsors for the event (local business, restaurants, lodgers, etc.) and it was noted that both Mesa Verde Country and Cortez Retail Enhancement Association (CREA) have offered support for the event. Ms. Thomas stated that they will be meeting with the County Commissioners in the next week and noted that the Town of Dolores is helping through their cooperation of being the start/finish place. Director of Finance Koskie spoke about the remaining grant funding available (\$21,000) in the 2021 Budget. Discussion was held on what other sources of support could be received for the event and Council asked that an update be given at the next Council meeting before a decision is made by Council on giving additional funding. Discussion was held on the short notice of the event and Ms. Carelock spoke about fitting the race in between other events being held in the area this summer. Councilmember Dobry spoke about what he feels the grant funding should be used for.

Councilmember Yazzie moved that Council table discussion on contributing to the Ride of the Ancients Gravel Grinder event until May 25, 2021, to allow for more information to be received in regard to funding of the event. Councilmember Lucero seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

d. City Representative for the Dispatch User Group. Chief of Police Knuckles stated that the Cortez Dispatch Center acts as a consolidated 911 Public Safety Answering Point providing emergency communication for 11 entities. He stated that the dispatch center operations are under the control of the Cortez Chief of Police; however, an advisory committee comprised of representatives from the 11 users (Dispatch User Group) meet quarterly to discuss services and make recommendations for service improvements to the Chief of Police. He stated that past City Manager John Dougherty and himself had been meeting with the group to review a new Intergovernmental Agreement (IGA) which is being developed for future use. He asked that Council appoint the City's full-time representative to the Dispatch Users Group due to Mr. Dougherty's retirement. Discussion was held on appointing Director of Finance Koskie as there are many financial questions that are asked in the meeting and she would be an asset to the group. Director of Finance Koskie commented that she would be happy to serve on the committee if Council would like. It was noted that Chief of Police Knuckles would also be a member of the Dispatch Users Group.

Councilmember Dobry moved that Council appoint the Chief of Police (Vern Knuckles) and Director of Finance (Kelly Koskie) to the Dispatch Users Group to represent the City of Cortez during the continued development and negotiations of the new IGA and to attend quarterly Dispatch User Group (Accountability Committee) meetings and that the Mayor be authorized to sign a resolution noting the appointments. Councilmember Yazzie seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	No	Yes	Yes	Yes

e. 2021 Vehicle Bid Award. Director of General Services Smith stated the 2021 Equipment Fund budget provides \$156,000 for the purchase of one Patrol pickup, one Patrol mid-size SUV; one pickup for Animal Control, and one pickup with utility bed for Building Maintenance. He noted that the bid also includes one pickup for the Airport which is budgeted through the Airport Fund. He stated that two dealers responded to the bids and staff recommends that the bid be awarded as follows: Bid Item 1 to the low-bidder Morehart Murphy (from Durango) for the Dodge at \$32,221.00; Bid Item 2 to the low-bidder Morehart Murphy for the Dodge at \$31,832.95; Bid Item 3 to the low-bidder Morehart Murphy for the Chevrolet at \$42,237.64; and bid Item 4 to the low-bidder Keesee Motors (from Cortez) for two Ford units at \$31,077.00. He noted that \$31,077 will be funded from the Airport Fund for one of the Ford units and \$136,540.59 would be funded from the Equipment Fund for the other four vehicles. He stated that the bid totals are under the budgeted amount. Discussion was held on when the 2022 vehicles would be available and Director of General Services Smith noted that due to the chip shortage, the vehicles are not expected to be delivered until October/November. In answer to a question from Mayor Lavey, Director of General Services Smith stated that that the specialized bed for the Animal Control vehicle will be ordered once it is known which vehicle model will be purchased.

Mayor Pro-tem Medina moved that Council award the 2021 Vehicle Bid as follows: Bid Item 1 to

the low-bidder Morehart Murphy for the Dodge at \$32,221.00; Bid Item 2 to the low-bidder Morehart Murphy for the Dodge at \$31,832.95; Bid Item 3 to the low-bidder Morehart Murphy for the Chevrolet at \$42,237.64; and bid Item 4 to the low-bidder Keesee Motors for two Ford units at \$31,077.00, for a total award of \$167,617.59. Councilmember Dobry seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

7. DRAFT RESOLUTION/ORDINANCES - None

8. OTHER ITEMS OF BUSINESS

a. Executive Session. Council adjourned to Executive Session at 8:20 p.m., for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under 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, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) to discuss the new City Manager contract. Council returned to the regular meeting at 8:41 p.m.

b. New City Manager Appointment. Councilmember Dobry moved that the Mayor be authorized to sign the City Manager contract (with a change to Section 2) and that Drew C. Sanders be announced as the new City Manager for the City of Cortez. Councilmember Yazzie seconded the motion, and the vote was as follows:

Dobry	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes

9. CITIZEN PARTICIPATION

a. Rehabilitation/Detox Center in Cortez. Jessie Stieglmeyer commented that she has been an addict for most of her life and she spoke to Council about the need to have a rehabilitation/detox center in Cortez. She spoke about helping people with their addiction and commented that it would help if people had a place to go to and work, such as a farm. She shared information on a property that she knows of that is available and she has been working with others to see if the property could be funded. Council thanked Ms. Stieglmeyer for speaking about her experience and for helping others with their addiction. Discussion was held on developing an in-patient facility in the community and it was noted that there may be funding through the Opioid and/or ARPA bill. Mayor Pro-tem Medina asked that a joint meeting be scheduled with the County Commissioners for discussion on the possibility of a center in the community.

b. Discussion at May 25, 2021, Council Meeting. Discussion was held on continuing with temperature checks as it was noted that Marc Meyers, Physician at Southwest Memorial Hospital, has commented that temperature checks no longer are effective. Discussion was held on having the temperature checks continue at the Council meetings as well as other City buildings (Recreation Center, etc.). Discussion will continue on the requirements of masks/temperature checks/etc. at the

May 25, 2021, Council meeting.

10. CITY ATTORNEY'S REPORT – None.

11. CITY MANAGER'S REPORT – None.

12. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Lavey stated that during the worksession a presentation was made by Recyclable Material Coordinator Colby Earley regarding the material management information website and James Dietrich, Natural Resources Planning and Public Lands Coordinator, gave an update on the Paths to Mesa Verde Trail. Director of General Services Smith spoke about the Local Vendor Preference and Director of Parks and Recreation Palmquist gave an update on why the Tree Commission was combined with the Parks and Recreation Board. Director of Public Works Johnson spoke on the Colorado Department of Transportation Multimodal Options Fund Grant and Karen Sheek gave an update on the Imagination Library Grant.

b. Economic Development Meeting. Councilmember Dobry stated that he attended an Economic Development Meeting with the County and Region 9 and discussion was held on what everyone is looking for collectively to attract businesses to the area and how to best support Region 9 and economic development in general.

c. Emergency Management Training. Councilmember Dobry stated that he is attending an Emergency Management Training on Wednesday, May 12, 2021. He thanked all the firefighters and emergency management team that worked together on the fire that happened over the weekend by the ballfields/canyon area.

d. Cortez Cultural Center/Public Arts Committee. Councilmember Rainey stated that there is a transition at the Cortez Cultural Center with turning the gift shop into a coop art gallery. He stated that the Public Arts Committee is providing funding to help with the transition. He noted that the Public Arts Committee is also sponsoring, in conjunction with the Parks and Recreation Department, the re-painting of the skate park.

e. Wildedge Brewery Wall. Councilmember Yazzie stated that she participated in the "Montezuma County Support Each Other" program which helps family and children in the community. She stated that a mural was completed on the north wall of the WildEdge Brewery by the Child Abuse Prevention Society (a high school youth organization). She invited everyone to stop by and view the new wall painting and commented on the youth being great future leaders.

f. Southwest Colorado Council of Governments (SWCCOG) Meeting. Mayor Lavey gave an update on the SWCCOG ZOOM meeting held with Senator Hickenlooper. He stated that discussion was held on broadband access in the southwest portion of the United States and the problems with broadband access for the rural areas.

g. Demonstration from the Police Department. Mayor Lavey stated that he attended a six-hour training with the Police Department on the use of the new tasers that the officers have just received.

He spoke about the instruction/demonstrations that were given to the officers and commented that the Police officers deserve our admiration and support for the work they do.

h. Bridge Shelter Board Meeting/12 Hours of Mesa Verde Bike Race. Mayor Pro-tem Medina stated that she attended the Bridge Shelter Board meeting as the City Council representative and noted that discussion was held on Laurie Knutson retiring from the shelter and interviews being held for her replacement. She stated that she volunteered for the 12 Hours of Mesa Verde Bike Race which had a great turn-out for the event.

The regular meeting was adjourned at 9:10 p.m.

Michael J. Lavey, Mayor

ATTEST:

Linda L. Smith, City Clerk