

CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 13, 2021

1. The meeting was called to order in the City Council Chambers at 7:30 p.m., with the Pledge of Allegiance. Councilmembers present included Mayor Mike Lavey, Robert Dobry, Matthew Keefauver, Orly Lucero, Mayor Pro-tem Rachel Medina, David Rainey, and Arlina Yazzie. Staff present included Director of Finance Kelly Koskie, Chief of Police Vern Knuckles, Director of Public Works Phil Johnson, Associate Planner Neva Connolly, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Mike Green. There were five people present in the audience.
2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Worksession and Regular Meeting Minutes of June 22, 2021.
 - b. Approval of the payment of the Expenditure Vouchers of July 13, 2021.
 - c. Approval of a renewal Tavern Liquor License for A&S LLC, DBA Angel’s End Zone, located at 309 North Broadway, Cortez.
 - d. Approval of a renewal Liquor Store License for Seven Eighteen Cortez Inc., DBA Liquid Assets, located at 718 East Main Street, Cortez.
 - e. Approval of a renewal Hotel and Restaurant Liquor License for Once Upon LLC, DBA Once Upon A Sandwich, located at 7 West Main Street, Cortez.
 - f. Approval of a renewal Retail Marijuana Store for Green Kiwi 4, LLC, DBA LivWell, located at 1819 East Main Street, Cortez.

Councilmember Dobry moved that the Consent Agenda be approved as presented. Councilmember Rainey seconded the motion, and the vote was as follows:

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

3. CITIZEN PARTICIPATION – None.
4. PRESENTATIONS
 - a. National Day of the Cowboy Proclamation. Mayor Lavey read the proclamation for the record proclaiming July 24, 2021 as the National Day of the Cowboy. He noted that the County Fair will be held July 23-31, 2021 and the LJ Barrel Races will be held on July 24, 2021, both at the Montezuma County Fairgrounds.

5. PUBLIC HEARING

a. Ordinance No. 1289, Series 2021. Mayor Pro-tem Medina recused herself from the discussion and vote due to a possible conflict-of-interest. Associate Planner Connolly stated that Ordinance No. 1289, Series 2021, approves the inclusion of the structures located within the “Cortez Original Townsite” to be included in the City of Cortez Register of Historic Structures, Sites, and Districts, specifically the structures located on 21 East Second Street, 411 East First Street and 123 South Market Street. She noted that the properties were part of the survey that was completed on properties located on 1st and 2nd Streets. She stated that the survey determined that 13 properties are eligible for listing locally, 5 properties are eligible for the State register and one property is eligible for listing on the National Register. Discussion was held on what the local designation would mean for the property owners and what would happen should someone wish to have their property designated at a later date. She noted that the Cortez Historic Preservation Board reviewed the applications on June 3, 2021, and recommended to City Council that the three properties be approved for local designation. Discussion was held on the requirements for the the local historic designation. Mayor Lavey opened the public hearing. Justin Vasterling, 2527 Trinity Avenue, asked what the benefits would be for the property owners to be included on the local register. Associate Planner Connolly noted that for some property owners it is a matter of pride but also they could be eligible for funding to help restore their property. She noted that the restrictions are different for State and Federal historic designation as the City’s regulations are less restrictive. No one else spoke and the hearing was closed.

Councilmember Dobry moved that Council approve on final reading Ordinance No. 1289, Series 2021, approving the inclusion of the structures located within the “Cortez Original Townsite” to be included in the City of Cortez Register of Historic Structures, Sites, and Districts, specifically the structures located on 21 East Second Street, 411 East First Street and 123 South Market Street. Councilmember Yazzie seconded the motion, and the vote was as follows:

Dobry	Keefauver	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	*	Yes	Yes

*Mayor Pro-tem Medina recused herself from the discussion and vote due to a possible conflict-of-interest.

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. Quotes for NACE-Certified Inspection Services on the Water Tank Rehabilitation Project. Director of Public Works Johnson stated that the Water Tank Rehabilitation Project was recently awarded to Riley Industrial Services to rehabilitate two 2-MG above-ground welded steel drinking water storage tanks. He stated that according to the contract documents, NACE Institute Certified Inspections are required and quotes were received for the work with two quotes received, one from APEX Inspections Services, LLC (Clifton, CO) and one from KLM Engineering Inc. (Woodbury, MN). He noted that one quote (S&S Coating Services LLC) was rejected as it was received after the time period for receiving the quotes. He stated that APEX Inspection and Consulting is the low

quote and is very qualified and a reputable company that can start immediately on the project. He stated that funding for the project is included in the Water Capital Improvement Fund.

Councilmember Yazzie moved that Council award the NACE Inspection Services for the 2021 Water Storage Tanks #1 and #2 Rehabilitation Project to APEX Inspection and Consulting LLC in the amount of \$44,800.00. Councilmember Rainey seconded the motion, and the vote was as follows:

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

b. Ordinance No. 1290, Series 2021. Director of Finance Koskie stated that Ordinance No. 1290, Series 2021, amends the 2021 Budget adopted in Ordinance No. 1280, Series 2020. She stated that discussion has been held on the 2021 budget in previous Council worksessions and she commented that when the 2021 budget was passed there were several budget cuts that were made based on the feeling that the revenue to the City would decrease; however, that has not happened and instead the City’s revenue has increased and there is plenty of funding to cover the cuts that were made. She stated that the request is to add the funding for the cuts that were made back into the 2021 budget.

Councilmember Dobry moved that Council approve on first reading Ordinance No. 1290, Series 2021, amending the 2021 Budget adopted in Ordinance No. 1280, Series 2020, and set for public hearing on July 27, 2021. Councilmember Keefauver seconded the motion, and the vote was as follows:

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

c. Appointment of New Board Members for the Public Arts Advisory Committee. Council reviewed the appointment of the new board members for the Public Arts Advisory Committee and the terms that would be set for each.

Mayor Pro-tem Medina moved that Council appoint Tai Rogers (1 year term), Samantha Combs (3 year term), Skylee Lindsey (1 year term), and David Ross (2 year term) to the Public Arts Advisory Committee. Councilmember Rainey seconded the motion, and the vote was as follows:

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

8. DRAFT RESOLUTION/ORDINANCES - None

9. CITIZEN PARTICIPATION – None.

10. OTHER ITEMS OF BUSINESS

a. Council adjourned to Executive Session 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).

Discussion was held regarding the City Manager's contract. Included in the discussion with the seven Councilmembers were City Attorney Green and City Manager Saunders. Council returned from Executive Session at 8:58 p.m.

11. CITY ATTORNEY'S REPORT – None.

12. CITY MANAGER'S REPORT

a. Drought Planning/Library Director/5-Year Capital Plan/Audits. City Manager Sanders spoke about the drought planning and water carriage agreement. He stated that staff continues to work with the Montezuma Valley Irrigation Board on the water conveyance agreement which would allow the City their 4.2 cfs senior ditch rights and the City would give up temporarily, 179 irrigation water shares which allows for other users in the agricultural community. He noted this agreement would take place in 2022. He stated that the applicants for the Library Director position will be available for a community meet and greet at the Library from 1:00 to 2:30 p.m. on Thursday, July 15, 2021. He noted that the 5-year Capital Plan has been completed by staff and will be included in the 2022 budget discussion. He commented that the goal is to hold the public hearing and pass the 2022 budget by the second Council meeting in October. He stated that the 2017 financial audit is in the final phase and it is hoped that it will be ready for publication within the next week. He stated that the 2018 audit is approximately 75% complete and the audit process continues to move forward.

b. Department Head Meeting Attendance. In answer to a question from Mayor Pro-tem Medina, City Manager Sanders stated that Mayor Lavey has been attending the Department Head meetings regularly and that Council could discuss who would like to attend should other Councilmembers wish to participate; however, the Councilmembers in attendance would be kept at two. He stated that Council would find the meetings rewarding and enlightening. He spoke about a leadership segment that is held in the meetings every two weeks.

13. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Lavey reported that Council took their group picture during the worksession at Parque de Vida. Also, introductions were made of the County Clerk's (Kim Percell, Lynn Dorenkamp, and Miranda Warren) who have worked with the City on the municipal election. He noted that discussion was held on the quotes for NACE Inspection Request For Quotes (RFQ) which was reviewed in the regular meeting (item 7a.).

b. Opioid Settlement Meeting. Councilmember Yazzie stated that on July 3, 2021, she and Mayor Lavey, Councilmember Dobry, and Councilmember Rainey attended the Opioid Settlement meeting (in Parque de Vida) with the Attorney General. She stated that discussion was held on how to join together as a region to receive funding from the settlement. She stated that several individuals shared their life experiences regarding substance use.

c. Economic Development Meeting. Councilmember Dobry noted that he, Mayor Pro-Tem Medina and City Manager Sanders attended an Economic Development meeting on June 30, 2021, with staff from Montezuma County, Dolores, Mancos, and utility providers to discuss the

coordination of working together on economic development as a collective unit.

d. Mesa Verde Country Meeting. Councilmember Keefauver stated that he would be attending the Mesa Verde Country meeting on July 14, 2021 and is available should anyone else need him to attend a meeting on Council's behalf. Councilmember Yazzie asked if Councilmember Keefauver could attend the Parks, Recreation, and Forestry Advisory Board for her, which he agreed to do.

e. Southwest Colorado Council of Governments (SWCCOG) Special Meeting. Mayor Lavey stated that he attended the SWCCOG Special Meeting on-line July 13, 2021, with Mayor Pro-tem Medina, City Manager Sanders, and Director of General Services Rick Smith. He stated that discussion was held on the RFI regarding the Middle Mile Broadband Public/Private Partnership. He stated that eight responses were received and discussion continues with scoring of each of the vendors prior to a decision being made on the award.

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

ATTEST:

Linda L. Smith, City Clerk

Michael J. Lavey, Mayor