

CORTEZ CITY COUNCIL
REGULAR WORKSHOP/SPECIAL MEETING
TUESDAY, MARCH 8, 2022

1. The workshop was called to order at 6:00 p.m., in the City Council Chambers. Councilmembers present included Mayor Mike Lavey, Mayor Pro-tem Rachel Medina, Robert Dobry, Matthew Keefauver, Orly Lucero, David Rainey, and Arlina Yazzie. Staff members present included Fire Inspector Sean Canada, Code Enforcement Officer Thomas Anderson, Finance Director Kelly Koskie, Chief of Police Vern Knuckles, IT Manager Shay Allred, Director of General Services Rick Smith, Director of Community and Economic Development Rachael Marchbanks, Parks and Recreation Director Creighton Wright, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Mike Green. There were approximately 40 people present in the audience.

2. Laura Lewis Marchino, Executive Director for Region 9, gave a presentation titled "Southwest Colorado Economic Outlook". She stated that the aging population affects everything including economy, labor force, housing, and public finance. She spoke about employment by industry and reviewed how jobs have changed by industry from 2019 to 2020. She spoke about the local economy and commented that keeping jobs in the community creates local spending which then takes care of our local community. She spoke about personal income by County (Archuleta, Dolores, La Plata, Montezuma, and San Juan) and noted the housing shortage that is predicted for the next two years. She spoke about average wages versus livable wages and the income required for a person to buy a home in the area. She commented on the importance of attracting and retaining youth in the community and the need to allow for diversity. She noted that the largest age group for future growth in the area is 65+. She commented that people will move to rural areas if the community addresses broadband, housing, and affordability. She shared her contact information should anyone wish to reach out to her and Council thanked Ms. Lewis Marchino for her presentation.

3. Discussion was held on the guidelines for public comments received during City Council meetings. City Manager Sanders spoke about the 1st Amendment framework and shared suggested guidelines for Council to consider in regard to public comment. He spoke about the difference in receiving comments during public hearings and the regular public meeting section. He commented that public comment rules should be accessible, clear, and consistent. He shared information on how other communities on the western slope have handled citizen participation. Council spoke about requiring sign-up sheets for public commenters which would include their name, address, and the topic. Also, discussion was held on the time limit and if the number of speakers should be limited or left open. Councilmember Dobry commented that he would like to allow Email comments that are received by the City Clerk to be delivered to Council and summarized in the meeting minutes. Council agreed that they would like the time set at three minutes and that citizen participation be allowed for 30 minutes at the beginning of the meeting and unlimited citizen participation at the end of the meeting following Council completion of the regular City business items. City Manager Sanders stated that a resolution would be prepared for the next Council meeting with the suggestions made by Council; however, the next Council meeting would require Council to adhere to the current rules until the new regulations could be

adopted. He noted that the Mayor can allow additional speakers to comment should he wish. Council asked that the language also include that no member of the public shall comment more than once and no person shall cede their time to another commenter. Mayor Lavey asked that the rules include that the comments remain respectful and be courteous of City Councilmembers.

The worksession meeting was adjourned at 6:50 p.m.

CITY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 8, 2022

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, Mayor Pro-tem Rachel Medina, Robert Dobry, Matthew Keefauver, Orly Lucero, David Rainey, and Arlina Yazzie. Staff present included Chief of Police Vernon Knuckles, Director of Public Works Brian Peckins, Code Enforcement Officer Thomas Anderson, Director of General Services Rick Smith, IT Manager Shay Allred, Director of Finance Kelly Koskie, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and Attorney Mike Green. There were approximately 65 people present in the audience.
2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Special Worksession and Regular Meeting Minutes of February 22, 2022.
 - b. Approval of the Expenditure List for March 8, 2022.
 - c. Approval of a renewal Hotel and Restaurant Liquor License for Wigglin' Pig LLC, DBA The Wigglin' Pig, located at 44 West Main Street, Cortez.
 - d. Approval of a renewal Fermented Malt Beverage Liquor License for Esmeralda's Ranchito Mexican Store, located at 2501 East Main Street, Cortez.
 - e. December 2021 and January 2022 Financial Statements.

Councilmember Dobry moved that the Consent Agenda be approved with the removal of the December 2021 and January 2022 Financial Statements (item 2e.). Councilmember Yazzie seconded the motion, and the vote was as follows:

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

Director of Finance Koskie spoke about the highlights of the December 2021 Financial Statements noting that the Refuse Fund, Shop Fund, and the CNN Fund are showing a loss at the end of December 2021. She stated that each of the funds are Enterprise Funds and are required to stand on their own designated sources of revenue. She stated that the January 2022 Financial Statements show that 2022 is off to a good start. She noted that the 2018 audit work is completed and the audit company is now working on the 2019 audit.

City Manager Sanders introduced Brian Peckins as the new Public Works Director. He reviewed his background noting that he is a registered Civil Engineer with 40 years of experience with Public Works, Planning, environmental programs, facility engineering, and national security. City Manager Sanders spoke of Mr. Peckins experience and his deployments before coming to Cortez as

well as his awards that he has received. He stated that Mr. Peckins likes sports and traveling and commented that the City is grateful to have him as part of the management team.

3. CITIZEN PARTICIPATION

a. Judith Schuenemeyer, Sligo Street, thanked Council and the City employees for their work on behalf of the City. She commented that people can disagree without being disagreeable and noted that the City is beautiful thanks to the hard work of the City Council and City employees.

b. Holly Tatnall, Cochita Drive, thanked the City Mayor, City Councilmembers and City employees for their hard work in keeping the City running well. She spoke about the verbal abuse of Councilmembers at the February 22, 2022, and commented that it was not appropriate. She commented that we are a diverse community and everyone should be respectful.

c. Curtis Nelson, Road N, stated that he feels citizen participation should be an hour at the beginning of the meeting and unlimited at the end of the meeting so everyone's voice can be heard.

d. Jack Schuenemeyer, Sligo Street, thanked the City for the high quality of services offered and noted this is a great place to live. He thanked the workers that collect the trash and recyclables and noted they are appreciated. He stated that he would like to help instill civility so our local government can operate well.

e. Henk Huetink, Balsam Street, thanked the City for all the open space and especially the great asset of the recreation center. He thanked the staff at the recreation center for all they do and commented that Council has done a great job.

f. Jim Rogers, North Harrison Street, President of the Bridge Shelter Board of Directors, thanked the City of Cortez for supporting the Bridge Shelter, most notably the past Chief of Police Roy Lane who served on the first Board of Directors for the Bridge Shelter. He thanked City Council for their persistence and courage.

Mayor Lavey extended the speaking period for everyone to be able to speak should they wish.

g. Jim Skvorc, East Carpenter Street, asked for a moment of silence for what is happening in the world and specifically in Ukraine. He asked what 'citizens' actually means when Council says that citizens can speak.

h. Mindy Nelson, Road N, stated that she cares for Mike Lavey as a person but doesn't like what he stands for behind the BLM. She stated that she appreciates most of Council and thanked Council for their courage while serving on the bench.

i. M.B. McAfee, Road 20, commented how she watched what unfolded at the February 22, 2022, Council meeting and noted that public comments should include rules on how people can speak to Council. She stated that the rules should also include consistency and Council should stick to the rules. She noted that she is proud of Council and thanked them for supporting the Bridge Shelter.

j. Susan Kemnitz, South Cedar Street, thanked Council for what they do and noted that people at the last meeting were angry and said things that some people may not like, but it is their First Amendment right. She stated that she has seen despicable things in the City and that before someone speaks they should find out the truth.

k. Alan Klein, Lakeside Drive, stated that Council is doing a great job and he commended them on their patience. He commented that the parks are outstanding for a City our size and the roads are cleared of snow. He stated that a good process needs to be created for written comments to be received.

l. Bob Owher, County Road M, stated that he is grateful for the opportunity to speak and commented that there are a lot of people that own businesses in the City and this is the only way they can give input to the City through the citizen comment period. He stated that citizens are concerned and need time to talk to Council.

4. PRESENTATIONS – None.

5. PUBLIC HEARINGS

a. Ordinance No. 1296, Series 2022. City Attorney Green stated that Ordinance No. 1296, Series 2022, is an ordinance amending the 2021 Budget to show disbursement/loan to the Cortez Community Network from the General Fund. He stated that the ordinance amends the 2022 Budget showing that a \$300,000 loan has been made to the Cortez Community Network and is being advanced from the General Fund rather than the Equipment Fund. Mayor Lavey opened the public hearing; however, no one spoke and the hearing was closed.

Councilmember Dobry moved that Council approve on final reading, Ordinance No. 1296, Series 2022, an ordinance amending the 2021 Budget to show disbursement/loan to the Cortez Community Network from the General Fund. 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. 1297, Series 2022. City Attorney Green stated that Ordinance No. 1297, Series 2022, repeals Ordinance No. 1292, Series 2021, and replaces it with Ordinance No. 1297, Series 2022, approving a Master Services Agreement with AVAYA and High Country Workplace Technologies. He stated the issues with the three contracts have been completed and the agreements are ready for approval and signature. In answer to a question from Councilmember Lucero, IT Manager Allred stated that the three different companies require a contract for each and will coordinate together on the service provided to the City. IT Manager Allred stated that a success manager will be provided by High Country Workplace Technologies to be the lead on solving any issues that may come up. Mayor Lavey opened the public hearing; however, no one spoke and the hearing was closed.

Councilmember Keefauver moved that Council approve on final reading Ordinance No. 1297,

Series 2022, repealing Ordinance No. 1292, Series 2021, and replacing it with Ordinance No. 1297, Series 2022, approving a Master Services Agreement with AVAYA and High Country Workplace Technologies. Councilmember Lucero seconded the motion, and the vote was as follows:

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

c. Ordinance No. 1298, Series 2022. City Manager Sanders stated that Ordinance No. 1298, Series 2022, repeals Section 9-61 of the Code of the City of Colorado, and thereby removes authority from the City to collect tax dollars under this section. He noted that a presentation was delivered to Council on the use tax collected a few meetings prior and during that presentation it was noted that there was a tax on construction equipment that is not currently being applied. He stated that staff is recommending that the section on construction equipment being taxed through the use tax be removed. Mayor Lavey opened the public hearing; however, no one spoke and the hearing was closed.

Councilmember Dobry moved that Council approve on final reading Ordinance No. 1298, Series 2022, repealing Section 9-61 of the Code of the City of Cortez, Colorado, and thereby removing authority from the City to collect tax dollars under this section. Councilmember Yazzie seconded the motion, and the vote was as follows:

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

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. 2022 Mechanical Engineering Request Qualifications. Director of General Services Smith stated that the City’s 2022 Capital Projects budget provides \$470,000 for the Library HVAC replacement and roofing and \$240,000 for the Service Center HVAC replacement. Also included in the budget is the appraisal of the HVAC at the Police Department. Director of General Services Smith stated that Request for Qualifications (RFQ) were sent out to potential Mechanical Engineering firms and the first RFQ did not receive any responses. He stated that the City re-submitted the request and received one response to the bid. He stated that ME&E Engineering submitted a bid of \$11,500.00 to complete Phase 1 and will submit additional information for Phase II and Phase III if the project moves forward. In answer to a question from Councilmember Yazzie, Director of General Services Smith stated that ME&E Engineering, out of Durango, has completed work previously for the City with work on the HVAC systems at the Police Department, the Recreation Center, and the original HVAC system at the Library.

Mayor Pro-tem Medina moved that Council award the HVAC and Controls Project for the Cortez Public Library, City Service Center, and Server Rooms at the Cortez Police Department, Phase I to ME&E Engineering at the bid amount of \$11,500.00. Councilmember Lucero seconded the motion, and the vote was as follows:

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

b. Bid for Park Litter and Trash Service. Parks and Recreation Director Wright stated that the Parks and Recreation Department strives to develop a sense of community and encourage health and wellness. He stated that the three main areas that the department works towards are safe, clean, and green parks. He stated that the City has had an organization (Community Connections) that provided the trash clean-up for the parks for many years and this year they notified the City that they could no longer provide the service. He stated that City staff solicited bids for the service of picking up litter and trash removal in the parks which includes 11 city park sites, seven days per week, including holidays from April through October with service reduced to three days per week during the months of November through March. He stated that one bid was received from Bravo Cleaning and Restoration in the amount of \$35,648.00. In answer to a question from Mayor Pro-tem Parks and Recreation Director Wright stated that Community Connections charged \$19,000 for the service last year.

Mayor Pro-tem Medina moved that Council approve the bid amount of \$35,648.00 to Bravo Cleaning and Restoration for park litter and trash removal services. 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

c. Bid for Outside Restroom Janitorial Service. Parks and Recreation Director Wright stated that the City received four bids for cleaning of the outside restroom janitorial services. He stated that Monica’s Cleaning Service provided the low bid in the amount of \$15,750.00 which is slightly higher than last year’s bid. He stated that an alternate to contracting the service out is to have City staff complete the work; however, this would either re-prioritize a senior maintenance worker’s tasks, sacrificing other duties planned, or, at a minimum, require the City to hire an additional seasonal worker to complete the task. He stated that staff would like to recommend the award of the bid to Monica’s Cleaning Service in the amount of \$15,750.00.

Councilmember Yazzie moved that Council approve the bid amount of \$15,750.00 to Monica’s Cleaning Service for outside restroom janitorial services. 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

Parks and Recreation Director Wright thanked the public for the positive comments made on the staff at the Recreation Center. He stated that the comments will be relayed to them.

8. DRAFT RESOLUTION/ORDINANCES – None.

9. CITY ATTORNEY’S REPORT – None.

10. CITY MANAGER'S REPORT

a. Audit/Water/New Public Works Director/4-Day School/Cortez Chamber of Commerce. City Manager Sanders stated that he is sorry for the blank screen that is being viewed by the audience of the Council meeting; however, the City's streaming system is having difficulties. He stated that the City is working on fixing the issues. He noted that, as previously mentioned by the Finance Director, the 2018 audit is complete and the Finance team is now working on the 2019 audit. He stated that the storms from this past weekend have put the City back up to 99% of snowfall average; however, it has done very little to move us out of the drought which remains a great concern. He stated that the City of Cortez, Towns of Mancos and Dolores, and Montezuma County, are working together on water conservation efforts. He noted that Brian Peckins, new Director of Public Works, was introduced at the beginning of the meeting. He commented that the City is having discussions on child care for City employees with the announcement of the four-day school schedule for 2022/2023. He stated that a survey will be sent to City employees on this issue and work schedules may be discussed in the future. He stated that he attended the soft opening of the new Cortez Chamber of Commerce facility, located at 20 West Main Street. He stated that the facility looks really nice. He stated that the City looks forward to working with the Chamber in the future.

Employee Highlight: Thomas Anderson, Code Enforcement Officer, has been employed by the City of Cortez for almost one year. Thomas has worked in law enforcement and retail and is now conducting inspections and code compliance. He has great people skills and is approachable, helpful, and knowledgeable. Thomas takes initiative when he sees a need and is always willing to lend a helping hand. Thomas is a great asset to planning, building, and economic development and we are grateful to have him with the City.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Lavey stated that during the worksession a presentation was made by Executive Director of Region 9, Laura Lewis Marchino, regarding the Southwest Colorado Economic Outlook. He stated that discussion was also held on public comment guidelines for future Council meetings.

b. Historic Preservation Board Meeting. Councilmember Dobry stated that he was absent from the Historic Preservation Board meeting; however, discussion was held on the recent grant that was received from History Colorado that will be used toward inventory of 17 properties in the City from the post World War 2 auto and tourism trades. He noted no match is required for the grant.

c. Team UP. Councilmember Yazzie stated that she attended a four hour planning session with Team Up that is being organized to help the youth in the community bridge the gap that was created through the COVID time. She invited anyone interested in helping with the program, they can find information on the organization through the Team UP Southwest Colorado website.

12. OTHER ITEMS OF BUSINESS – None.

The regular meeting was adjourned at 8:35 p.m.



Michael J. Lavey, Mayor

ATTEST:



Linda L. Smith, City Clerk

