

CORTEZ CITY COUNCIL  
REGULAR WORKSHOP/SPECIAL MEETING  
TUESDAY, JUNE 28, 2022  
5:30 p.m.

1. The workshop was called to order at 5:30 p.m., at the City Council Chambers. City Council pictures were taken. Councilmembers present included Mayor Rachel Medina, Mayor Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matt Keefauver, David Rainey, and Dennis Spruell. Staff members present included Director of Community and Economic Development Rachael Marchbanks, Chief of Police Vern Knuckles, IT Manager Shay Allred, Director of Parks and Recreation Creighton Wright, Finance Director Kelly Koskie, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, City Attorney Mike Green and Patrick Coleman. There were five people present in the audience.
2. Teri Paul was interviewed for the open seat on Parks, Recreation, and Forestry Advisory Board. Ms. Paul spoke about her interest in serving and the experience she would bring from her previous work/volunteer/service rolls to the Parks, Recreation, and Forestry Advisory Board. She stated that she works at Mesa Verde National Park museum and that her background is in archeology. She stated that she feels she would be a great board member and would enjoy the opportunity to serve. The other applicant for the open seat, Michael Frazier, was not present and asked that his letter of interest be withdrawn. Mayor Medina stated that appointment of the new boardmember will be made at the next Council meeting.
3. Brian Bartlett, Marketing and Communications Manager of Mesa Verde Country, spoke to Council about Mesa Verde Country noting that they work everyday to promote the community. He spoke about the Denver Travel Adventure Show that he recently attended and the connections made at the show. He also spoke about working with Montezuma County to receive money locally from companies such as Airbnb which collect Lodgers Tax money and is paid to the State General Fund. He spoke about working with various community members in helping to promote events that are associated with tourism and shared stories of accomplishment that Mesa Verde Country has done to support the local lodgers. He spoke of the Travel Planner and how it has been improved and is being kept current. He stated that discussion is being held on Mesa Verde Country taking over the Trail of the Ancients program and also the Grand Circle Association, which includes members from Colorado, Utah, Arizona and New Mexico. He noted that Mesa Verde Country runs the Welcome Center with the help of passionate volunteers who are happy to help tourists explore the community. Discussion was held on working with the tribal nations and promoting events such as the Fly In that will be held at the Airport in September. Mr. Bartlett stated that Mesa Verde Country is here to serve people that come to our area and send a message that is consistent and bring them back to visit again/or possibly move to the area should they have an interest.
4. IT Manager Allred spoke to Council about the purchase of a new AV system for City Council Chambers. He commented that the current equipment is outdated and needs to be replaced. He stated that the new system will allow for more robust video/audio and streaming capabilities. He reviewed the cost of the hardware, installation, captioning/translation software,

and annual support. He spoke about the issues that the current AV system has and the issues that would arise should Council need to have hybrid meetings in the future. He spoke about the options that Council has in regard to fixing/replacing the current system and reviewed the process that staff has taken to offer improvements. It was noted that the AV replacement project could be added to the mid-year budget adjustment or reviewed during the regular budget process. In answer to a question from Mayor Pro-tem Yazzie, IT Director Allred noted that the hybrid program would be through Microsoft Teams. Discussion was held on the life span of the equipment which IT Director Allred stated that the equipment would be put on a cycle of 7 to 10 year renew schedule like all the other electronic equipment is done in the City. Councilmember Keefauver commented that he feels the timing is not right for the amount of money being spent and that the expenditure should not be a mid-year expense, but rather reviewed through the normal annual budget process. He noted his concerns with sales tax/marijuana tax being down and the possibility that the country may enter into a recession. City Manager Sanders stated that delivery of the new equipment could take up to six to eight months and discussion has been held on having a hybrid situation where the equipment is ordered in 2022 and paid for in 2023. Discussion was held on paying the project over stages (four payments). Discussion was held on the cost changing should the project be delayed. In answer to a question from Mayor Medina, Finance Director Koskie stated that ARPA funding cannot be used for this project as it would be considered a new project. Finance Director Koskie stated that grants could be searched for that maybe could be used for this project and commented there is a sizeable surplus of funds in the general fund that could pay for the project because of the increase of revenue that was received in 2021. Discussion was held on paying off some of the debts that the City has and Director of Finance Koskie stated that the debt will be discussed during the 2023 budget review. Councilmember Dobry asked about leasing options and warranty of the equipment. IT Director Allred stated that the annual yearly support will cover the software and hardware equipment in regard to warranty. Councilmember Spruell noted that the yearly support statement notes that the cost may go up and is ambiguous. He also stated that it is a lot of money, it is a need and a want, but can we afford it. It was noted that the item would be included in the mid-year review and Council could decide on whether they want to purchase the equipment or not. The mid-year budget adjustment proposal will be given to Council for their review at the July 12, 2022, meeting and each individual item could be decided upon for inclusion or not for the ordinance that would be prepared for first reading on July 26, 2022.

5. General Council Discussion. Arlina Yazzie shared a flyer with Council from Team Up Southwest Colorado in regards to childcare issues in the community. She stated that in Fall of 2023, four-year old children may attend preschool through a program called Universal Pre-K. She noted that there is a concern for enough childcare facilities in the community and commented that if anyone is interested in becoming a childcare professional to call the Montelores Early Childhood Council to find out more information. Discussion was held on how the City could better recruit and retain employees due to all the shortages happening. Director of Parks and Recreation Wright stated that he is working on a proposal that will be presented to the City Manager on ways in which the City could help encourage people to apply for jobs with the City and how the City can keep them.

The worksession was adjourned at 7:25 p.m.

CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JUNE 28, 2022

1. The meeting was called to order in the City Council Chambers at 7:30 p.m., with the Pledge of Allegiance. Roll Call was taken and the following Councilmembers were present: Mayor Rachel Medina, Mayor Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matthew Keefauver, David Rainey, and Dennis Spruell. Staff present included Water Superintendent Rich Landreth, Chief of Police Vernon Knuckles, IT Supervisor Shay Allred, Director of Parks and Recreation Creighton Wright, Community and Economic Development Director Rachael Marchbanks, Finance Director Kelly Koskie, Airport Manager Jeremy Patton, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, City Attorney Mike Green and Patrick Coleman. There were 18 people present in the audience.

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

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

2. The Consent Agenda items acted upon by Council were as follows:
  - a. Approval of the Minutes of the Worksession and Regular Council Meeting held on June 14, 2022.
  - b. Approval of the Expenditure List for June 28, 2022.
  - c. Approval of a renewal application for a Retail Marijuana Store License/Retail Marijuana Cultivation Facility for Rinnie Rulez LLC, DBA Doobie Sisters/Doobie Sisters Botanics, located at 695 North Broadway, Unit 1 and 2, Cortez.
  - d. Approval of a renewal application for a Retail Marijuana Center/Retail Marijuana Cultivation Facility License for THA Corporation, DBA The Herbal Alternative, 1531 Lebanon Road, Cortez.
  - e. Approval of a renewal application for a Retail Marijuana Center License for NuVue Pharma LLC, to be located at 503 Patton Street, Cortez.
  - f. Approval of a Special Events Permit to Cortez Rotary Foundation to host an event on Monday, July 4, 2022. at Centennial Park, located at 802 East Montezuma Avenue, Cortez.
  - g. Approval of a renewal Fermented Malt Beverage Liquor License for Stokley Corporation, DBA Handy Mart South, located at 806 ½ South Broadway, Cortez.
  - h. Approval of a renewal Fermented Malt Beverage Liquor License for Maverick, Inc., DBA Maverick Inc. #497, located at 455 State Street, Cortez.

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

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

### 3. CITIZEN PARTICIPATION

Mayor Medina opened the Citizen Participation noting the time of 7:36 p.m.

a. Jadon Halsey, P.O. Box 862, Dolores, spoke about her recent visit to Centennial Park on Thursday, June 23, 2022, and noted that she was followed into the public bathroom by a man in the park. She stated that the situation was extremely frightening and could have turned out very differently had the man not left after he heard her on the phone calling for help. She stated that she feels something needs to be done to keep the public safe and commented that people should not be afraid to be in the City parks. She stated that the Police were called after the incident but she stated that something needs to change before someone gets hurt. She asked that the Police patrol the parks either on bicycle or on foot and commented that our parks are really nice and should be available for the public that is paying for them. City Manager Sanders stated that staff will follow up on the situation.

b. Jody Halsey, 601 Kansas, Cortez, commented that we live in a great community with great outdoor activities and is one of the reasons she chose to raise her family here and her children are raising their families here. She stated that it was her daughter that was threatened in the bathroom and she commented that cameras need to be placed at the public bathrooms so they can be monitored and/or Police should be on foot patrol around the parks. She stated that she understands the homeless situation but commented that they do have facilities that can help them (Bridge Shelter/Axis Health). She commented that something is going to happen if something isn't done. Mayor Medina stated that everyone wants the community to be safe and she thanked both speakers for sharing their story.

No other citizens spoke and Citizen Participation ended at 7:44 p.m.

4. PRESENTATIONS – None.

5. PUBLIC HEARINGS – None.

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. Application for an Out-of-City Water Tap and Pre-Annexation Agreement at 1521 North Mildred, Cortez, as Requested by Chris Snyder for Snyder Mama Holdings. Water Superintendent Landreth stated that an application for an Out-of-City water tap request was made by Snyder Mama Holdings, LLC, for property located at 1521 North Mildred. He stated that an Out-of-City water service agreement and a Pre-Annexation Agreement are required for consideration of water service

outside the City limits and has been signed by the applicant. The application explained that the property is located adjacent to City limits on the south and east and City-owned open space on the north and west and the property is eligible for annexation to the City of Cortez. The application also noted that a High Impact Permit was granted by Montezuma County for the property as Mr. Snyder plans to build a catering kitchen on the property as well as build additional storage units. In answer to a question from Mayor Medina, Chris Snyder agent for the applicant, stated that the applicant is not in favor of annexing the property due to the cost and requirements that would come with annexation. Mr. Snyder stated that a Pre-Annexation Agreement has been signed as required with other similar water tap requests that are located outside the City limits. He explained that the idea is to offer homemade meals that can be purchased for take-home and also to offer fundraising items (such as popcorn) that can keep the money locally. Discussion was held on the motion regarding pre-annexation and it was noted that the matter before Council is for the out-of-City water tap and annexation could be pursued at a later date should the City wish to do that..

Mayor Pro-tem Yazzie moved that Council approve an Out-of-City Water Tap and Pre-Annexation Agreement, as submitted by Chris Snyder for Snyder Mama Holdings, for property located at 1521 North Mildred, Cortez. Councilmember Spruell seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Letter of Support for Montezuma County. Community and Economic Development Director Marchbanks stated that a draft letter was included in the packet that would support Montezuma County's grant application for the EDA's State Outdoor Recreation Grant to perform an Outdoor Recreation and Heritage Asset Impact Study and Strategic Project Plan. She stated that Montezuma County has had many outdoor recreation requests such as enhancing the breakwater for McPhee, connections to Rim Rocker, and Paths to Mesa Verde. She stated that Montezuma County would like to have an impact analysis performed that will give direction regarding investments in the outdoor recreation economy that will provide the most benefit to the economically stressed area.

Councilmember Keefauver moved that Council approve the Letter of Support for Montezuma County Economic Development Team's EDA State Outdoor Recreation Grant request to perform an Outdoor Recreation and Heritage Asset Impact Study and Strategic Plan. Councilmember Rainey seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

c. Letter of Support for Potential Business Expansion and Upgrade. Community and Economic Development Director Marchbanks stated that a Letter of Support is being requested to support a proposed expansion and upgrade of the hotel property located at 2121 East Main Street (Holiday Inn Express). She stated that the upgrade is consistent with the recently updated Comprehensive Economic Development Strategy (CEDS) developed in conjunction with Region 9 Economic Development District. She stated that the upgrade request is consistent with the recently updated CEDS plan which is to support strategies that focus on improving the competitiveness of current businesses and helping them to capture new markets.



Councilmember Dobry moved that Council approve a Letter of Support for the proposed expansion and upgrade of the Holiday Inn Express located at 2121 East Main Street. Councilmember DeHaven seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

d. Ordinance No. 1304, Series 2022. City Attorney Green stated that Ordinance No. 1304, Series 2022, would allow for the sale of marijuana between the hours of 8:00 a.m. to 11:00 p.m. He stated that Council held discussion at a previous worksession on possibly extending the hours from 9:00 p.m. to 11:00 p.m. for the sale of marijuana and asked for staff to move the item forward. He stated that the ordinance is being presented on first reading and staff would request approval and a public hearing be set for July 12, 2022. In answer to a question from Councilmember Keefauver, City Clerk Smith stated that the current marijuana owners have been informed of the ordinance and some have said they would like stay open to 11:00 p.m. should the option be available. In answer to a question from Councilmember Dobry, Chief of Police Knuckles stated that the extended time would not create any issues for the Police Department.

Mayor Pro-tem Yazzie moved that Council approve on first reading Ordinance No. 1304, Series 2022, allowing for the sale of marijuana between the hours of 8:00 a.m. to 11:00 p.m., and set for a public hearing on July 12, 2022. Councilmember DeHaven seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

e. Ordinance No. 1306, Series 2022. City Attorney Green stated that Ordinance No. 1306, Series 2022, amends City Code Section 17-14(a)(2) allocating a portion of court costs collected to the Cortez Police Department budget. He stated that the DARE program has been discontinued and therefore the ordinance would eliminate the funding that was being received in court costs and allocated for the DARE Program and would instead just be placed in the City's General Fund. Discussion was held a possible other designation for the money; however, it was felt that the amount was very minimal and Council could allocate money for the Community Intervention Program or for the Police Department bicycle program through the regular budget process. City Attorney Green stated that staff recommends approval of the ordinance on first reading and set for public hearing on July 12, 2022.

Councilmember Dobry moved that Council approve on first reading, Ordinance No. 1306, Series 2022, amending Section 17-14(a)(2), allocating a portion of courts costs collected to the Cortez Police Department budget, and set for public hearing on July 12, 2022. Councilmember Keefauver seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

f. Ordinance No. 1307, Series 2022. City Attorney Green stated that Ordinance No. 1307, Series

2022, authorizes and approves a Ground Lease with Jared and Karen Hansen for construction of an aircraft hangar at the Cortez Municipal Airport. He stated that the agreement is for forty years which requires a City ordinance for approval. He stated that an Airport Land Lease and hangar Development Agreement is also attached to the ordinance. He stated that staff recommends approval of the ordinance and that it be set for public hearing on July 12, 2022.

Councilmember Keefauver moved that Council approve on first reading Ordinance No. 1307, Series 2022, authorizing and approving a Ground Lease with Jared and Karen Hansen for construction of an aircraft hangar at the Cortez Municipal Airport, and set for public hearing on July 12, 2022. Councilmember DeHaven seconded the motion, and the vote as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

8. DRAFT RESOLUTION/ORDINANCES – None.

9. CITY ATTORNEY'S REPORT – None.

10. CITY MANAGER'S REPORT

a. Road Construction Project/Recreation Center/Aquatics/Parks/Traffic Plan for 4<sup>th</sup> July. City Manager Sanders stated that major road construction projects are in progress and are proceeding as planned. He spoke about staffing issues for the Recreation Center/Aquatics/Parks Department noting that they are struggling to keep up. He encouraged anyone interested in a job with the Parks and Recreation Department to contact Human Resources. He spoke about the traffic plan that will be implemented for the July 4<sup>th</sup> fireworks display that will be held at Parque de Vida and noted that the plan has been posted on the City's website. City Manager Sanders thanked City Attorney Mike Green for his service to the City and wished him well. He also welcomed new City Attorney Patrick Coleman commenting that he looks forward to working with him. Employee Highlight: All the Parks and Recreation Department Employees. He noted how hard all the employees of the Parks and Recreation Department are working to keep up with the demand and to ensure the people of the community are served. He stated that many of the employees are putting in many extra hours and are dedicated to go the extra mile. Hang in there team and keep up the good work!

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina stated that Council had pictures taken and interviewed one candidate for the Parks, Recreation, and Forestry Advisory Board open seat. She stated that Brian Bartlett, Marketing and Communications Manager of Mesa Verde Country, made a presentation on the happenings of Mesa Verde Country. Also, a presentation was made on upgrading the AV System in the Council Chambers. She stated that more discussion will be held on the AV System during the mid-year budget adjustments review. Mayor Pro-tem Yazzie spoke about childcare in the community and discussion was held on staffing issues at Recreation Center.

b. Library Advisory Board. Councilmember DeHaven met on June 16, 2022, and discussion included the Drag Show event cancellation and a petition was reviewed about some of the books in

the Library. Discussion was also held on hosting an event focused on human trafficking.

c. Parks, Recreation, and Forestry Advisory Board. Councilmember Keefauver stated that the Parks, Recreation, and Forestry Advisory Board met on June 17, 2022, and discussion included plans for the South Park (which may include workforce housing) and the 4<sup>th</sup> of July event to be held in the park. Also, discussion was held on vandalism that has happened recently at the pickleball courts.

d. Colorado Municipal League (CML) Conference. Mayor Medina stated that she, City Manager Sanders, Community and Economic Development Director Marchbanks, and Public Works Director Peckins attend the Colorado Municipal League (CML) Conference. She stated that there were a lot of good take a ways that she received from the conference. She commented that she is thankful for City Council, City staff, and all the Cortez community members noting that we are headed in a good direction.

e. Missing and Murdered Indigenous Movement. Mayor Medina stated that she and Mayor Pro-tem Yazzie met with members of the Missing and Murdered Indigenous group and discussion was held on how we can better support each other including our neighboring tribes.

## 12. OTHER ITEMS OF BUSINESS

a. Councilmember Keefauver moved to adjourn at 8:16 p.m. to Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I) and not involving: any specific employees who requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Councilmember Rainey seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

Council returned from Executive Session at 8:35 p.m. with no decisions made.

## 13. PUBLIC PARTICIPATION

a. John Kennedy, 620 East Empire, stated that Council should consider having community watch-dogs to help first responders with numerous emergency events.

Councilmember DeHaven moved that the regular meeting be adjourned at 8:45 p.m. Councilmember Keefauver seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes






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Rachel B. Medina, Mayor

ATTEST:



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Linda L. Smith, City Clerk