

CITY COUNCIL
REGULAR WORKSHOP
TUESDAY, AUGUST 23, 2022
5:50 p.m.

1. The worksession was called to order at 5:50 p.m., at the City Council Chambers. Councilmembers present included Mayor Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matt Keefauver, David Rainey, and Dennis Spruell. Mayor Rachel Medina was absent. Staff members present included Director of Parks and Recreation Creighton Wright, Chief of Police Vern Knuckles, Director of Public Works Brian Peckins, Director of General Services Rick Smith, IT Technician Kyle Kuhn, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were eight people present in the audience.

2. Six presentations were made by the following Community Grant recipients: Chamber of Commerce; Cortez Farmers Market; Imagination Library; Hospice of Montezuma; Community Radio Project; and Communities That Care of MC. Each entity presented how they have spent funding received from the City, noting goals and programs they have developed through the funding, and thanked the City for their support. Council thanked the members of each of the boards for their presentations.

3. James Dietrich, Natural Resources Director, Montezuma County, gave an update on the Pathways to Mesa Verde. He spoke about the grant received from the Colorado Department of Transportation (CDOT) along with funding from the City of Cortez, Montezuma County, and Town of Mancos that was used to fund a Planning and Environmental Linkage Study and initial design for the Pathways to Mesa Verde. He spoke about the community outreach that has been completed and stated that most people have said they want trails that are out of the highway corridor. He stated that the Mancos side of the trail will be located 100% in the CDOT right-of-way. He spoke about access from the County Fairgrounds to the Mesa Verde entrance and access from the MCHS High School to the County Fairgrounds. He spoke about an underpass that would be needed for access near the County Fairgrounds and the continued search for grant funding to continue the process. Mr. Dietrich reviewed the key goals for completing Segments A and B by 2024 and spoke about the next round of Federal Lands Access Program funding. He asked that the City of Cortez budget \$15,000 in the 2023 Budget to cover the planning requirements and current match obligations to help with continuing the project forward. Mr. Dietrich spoke about the thriving recreational activities in the community and commented that the Pathways to Mesa Verde will be another trail added to the City's portfolio. In answer to a comment from Council, Director of Parks and Recreation Wright spoke about the need to update the trails plan for the City of Cortez in the near future.

4. Council General Discussion. City Manager Sanders stated that Council has asked that the Community Grant process be revamped and better streamlined. He asked if a couple of Councilmembers would like to review the Community Grants with a few staff members and that recommendations could then be made to Council on funding for the 2023 grants. Discussion was

held on the timeline for completing the process once all the requests are received by the City. Councilmembers Keefauver and Spruell stated they would be interested in serving on the committee. City Manager Sanders stated that the appointment could be added to the agenda for the regular Council meeting. It was noted that Mayor Medina has said she would serve as an alternate to other Councilmembers. Mayor Pro-tem Yazzie stated that Mayor Medina had asked that Council consider sending a letter of Support for the National Conservation Area (NCA) Legislation. It was noted that Council would need more information on the issues before they would discuss the item further.

The regular worksession was adjourned at 7:07 p.m.

CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 23, 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 Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matthew Keefauver, David Rainey, and Dennis Spruell. Mayor Rachel Medina was absent. Staff present included Chief of Police Vernon Knuckles, IT Technician Kyle Kuhn, Director of Parks and Recreation Creighton Wright, Director of General Services Rick Smith, Director of Public Works Brian Peckins, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were five people present in the audience.

Councilmember Dobry moved that the agenda be approved with the addition to agenda item 12. (Other Items of Business) for discussion on appointing Councilmembers to serve on the review committee for the Community Grants requested for 2023 funding. Councilmember DeHaven seconded the motion and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	absent	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 August 9, 2022.

b. Approval of the Expenditure List for August 23, 2022.

c. Approval of a renewal Fermented Malt Beverage Off Premises Liquor License for Dillon Companies, LLC, DBA City Market #8, located at 508 East Main Street, Cortez.

d. Approval of an amended application for a Special Event Permit from Cortez Retail Enhancement Association.

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

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

3. CITIZEN PARTICIPATION

Mayor Pro-tem Yazzie opened the Citizen Participation noting the time of 7:34 p.m.; however, there were no commenters.

4. PRESENTATIONS

a. Update by Municipal Judge Beth Padilla. Municipal Judge Padilla gave an update to Council on the latest happenings in Municipal Court. She spoke about training that she has recently attended as well as a future Fall conference she plans to attend with the Court Clerk. She spoke about how she is handling juvenile offenses and commented that she continues to work on new ideas for adult offenders in offering sentences that include substance evaluations. She spoke about the possibility of having useful public (community) service offered as a possible sentencing alternative; however, that is being reviewed by the City Attorney/City Manager in regard to insurance and City Code requirements. She spoke about dealing with offenders of graffiti and the idea of holding them more accountable. She stated that she would like to have a clean-up day that graffiti offenders would have to participate to help in cleaning up other graffiti. She spoke about the need to have a sign placed in the court room in various languages so that people that need an interpreter will know that they need to make the request to the Court Clerk. Council asked a variety of questions in regard to juvenile offenses, substance evaluations, and community service possibilities. Discussion was held on the homelessness issues. Municipal Judge Padilla stated that WebX program has been very helpful in the court process and she appreciates the court staff and IT working together to keep everything running.

5. PUBLIC HEARINGS – None.

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. Professional Services Contract with Independent Contractor Doug Roth for GIS Services. Director of Public Works Peckins stated that Doug Roth has been with the City since 2014, and currently works at the Service Center on Tuesday and Thursday afternoons and also works full-time in the GIS Department for Montezuma County. He stated that for the first time since 2017, Mr. Roth is asking for an increase in his hourly wage to \$50/hour. In answer to a question from Councilmember Dobry, City Attorney Coleman stated that the Professional Services Contract includes a non-appropriation clause and the contract is technically an annual contract that is renewed automatically each year. Councilmember DeHaven stated that she feels the rate is below the normal rate for GIS work.

Councilmember Dobry moved that Council approve a three-year Professional Services Contract with Doug Roth for GIS Services at an hourly rate of \$50/hour. Councilmember Spruell seconded the motion, and the vote was as follows:

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

b. 2022 Mechanical Engineering Phase 2 and 3 – Cortez Public Library and Service Center. Director of General Services Smith stated that on March 8, 2022 City Council awarded the Request for Qualifications (RFQ) for the Cortez Library, Service Center, and Police Department Phase 1 to ME&E. He stated that Phase 1 is completed and the professional services contract needs to be

amended to authorize ME&E to complete Phases 2 and 3 which will include programming/schematic design, design development, construction documents, bidding, and construction administration for both the Library and Service Center. He reviewed the costs for both the buildings work. He commented that due to the long lead time for HVAC units and equipment, the City is planning to order the units in 2022 from the manufacturers so they can get them into the build schedule. He stated that both projects are currently budgeted in the 2022 City Capital Projects budget and that the 2023 budget would be adjusted for the project continuation. He noted that the Contract Amendment contains a non-appropriate clause to comply with the Local Government Budget Law and Tabor, and allow for the multi-year financial obligation. Director of General Services Smith thanked City Attorney Coleman for his work on the contract. In answer to a question from Councilmember Dobry, Director of General Services Smith stated that the budgeted amount for the project is still on target at this time. Discussion was held on the amount of bids that are received for City projects.

Councilmember Keefauver moved that Council approve Phases 2 and 3 for the Cortez Public Library and Service Center remodel project, approving the Contract Amendment with ME&E Engineering for engineering services in the total amount of \$49,913.00, and authorize the City Manager to sign the Contract Amendment. Councilmember DeHaven seconded the motion, and the vote was as follows:

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

c. 2022 Library Re-Roof Project Bid Results. Director of General Services Smith stated that bids were received for the replacement of the membrane roof on the Cortez Public Library with three bidders participating in the walk-through. He stated that the City Code Enforcement employee was present during the walk-through with the bidders and it was recommended that a new membrane roof (white TPO) will be placed on the Library. In answer to a question from Councilmember Keefauver, Director of General Services Smith stated that the roof will have a 25-year warranty. He stated that staff recommends the bid be awarded to Top Line Installers at a bid amount of \$169,994.00.

Councilmember Rainey moved that Council award the 2022 Library Re-Roof Project to Top Line Installers at the bid amount of \$169,994.00. Councilmember Dobry seconded the motion, and the vote was as follows:

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

8. DRAFT RESOLUTION/ORDINANCES – None.

9. CITY ATTORNEY'S REPORT

a. Contracts Update. City Attorney Coleman stated that he has been reviewing contracts and looking at various options for refinancing City debt. He stated that he is reviewing several ordinances, one that will include information on handling graffiti. He stated that if any

Councilmember has any concerns or questions, he is happy to meet with them.

10. CITY MANAGER'S REPORT

a. CIRSA Audit/Tree Maintenance/EAA Young Eagles Events/Graffiti Abatement/Promotions. City Manager Sanders stated that the 2021 CIRSA Loss Control Audit was completed and the City received a score of 103 out of a possible 100 points, due to the fact that the City earned credit for the Human Resources (HR) Department having attending CIRSA training. He thanked the HR Department for their hard work and skill in keeping the City in compliance with best practices and saving money in the process. He also spoke about tree maintenance of City trees. He stated that Parks and Recreation and Public Works Departments are working together to re-establish the City tree maintenance program and the goal is to transition to a proactive stance so the City can develop and maintain a coherent tree management plan that best fits the needs of the community. City Manager Sanders spoke about the EAA Young Eagles Event which will be held this Saturday, August 27, 2022, at the Cortez Airport. He spoke about the program which is currently chaired by Airport Manager Jeremy Patton and gives youth ages 8-17 to take their first free ride in a small aircraft and introduce them to the aviation industry. He also spoke about graffiti abatement and asked that property owners and City residents work with the City to keep the community beautiful. He stated that Lyle Bair has been promoted as Parks Superintendent and Ryan Thetga has been promoted as Golf Course Superintendent. He spoke about both employees who have served in interim positions since both superintendents left the City and noted that Mr. Bair and Mr. Thetga have both demonstrated skill and exceptional dedication during the past several months in their interim position. He congratulated both employees for their promotion. Discussion was held on the graffiti abatement program and Council asked that educational information be shared with the schools on the consequences of graffiti and what it looks like. City Manager Sanders stated that the re-painting of the skate park has begun and Councilmember DeHaven asked if there would be art murals replaced on the newly painted surface. City Manager Sanders stated that Council can talk about how they would like to add art to the skate board park in 2023. Mayor Pro-tem Yazzie asked that staff touch base with the skateboarding community as a metal strip around the edge (coping) was painted that has made the skateboarding park slippery and dangerous. The information will be passed along to the Parks and Recreation Director.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Pro-tem Yazzie stated that six presentations were made from the Community Grant recipients (Chamber of Commerce; Cortez Farmers Market; Imagination Library; Hospice of Montezuma; Community Radio Project; and Communities That Care of MC) regarding the use of the City funds that they received in 2022. James Dietrich, Natural Resources Director, also gave an update on the work that continues on the Pathways to Mesa Verde. Councilmembers discussed the appointment of Councilmembers to serve on the committee to review the Community Grants requests for 2023 and more information will be obtained on the National Conservation Area (NCA) for future discussion.

b. Parks, Recreation, and Forestry Advisory Board. Councilmember Keefauver stated that discussion during the Parks, Recreation, and Forestry Advisory Board included information on the development of nine lots by Sedona Estates (southeast end) and the possibility of a small park in

the area. He stated that discussion also included the youth football playing on the baseball park, skate park update, and information on the 2023 Budget.

c. Library Advisory Board. Councilmember DeHaven stated that the Library Advisory Board meeting was canceled.

d. Youth Commission/Rise Southwest Suicide Awareness Walk. Mayor Pro-tem Yazzie stated the Youth Commission has not begun meetings yet. She did announce on September 10, 2022, from 9:00 a.m. to 11:00 .m., a walk would take place from Montezuma Park to the Library and back for people that have lost loved ones to suicide. She stated that two presenters and information/resources would be available for anyone that would be interested in the event. She stated that it is hoped to make the walk an annual event.

12. OTHER ITEMS OF BUSINESS

a. Community Grant Selection Committee. Mayor Pro-tem Yazzie stated that discussion was held during the Council worksession regarding the appointment of two Councilmembers to serve on the Community Grant Section Committee. She noted that Councilmember Keefauver and Councilmember Spruell had stated that they would serve and Mayor Medina has stated that she would serve as an alternate if needed.

Councilmember Dobry moved that Councilmember Keefauver and Councilmember Spruell be appointed to the Community Grants Selection Committee and Mayor Medina be appointed as an alternate. Councilmember DeHaven seconded the motion, and the vote was as follows:

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

13. PUBLIC PARTICIPATION – None.

Councilmember DeHaven moved that the regular meeting be adjourned at 8:20 p.m. Councilmember Rainey seconded the motion, and the vote was as follows:

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

ATTEST:



Linda L. Smith, City Clerk



Arlina Yazzie, Mayor Pro-Tem