

CITY COUNCIL
REGULAR WORKSHOP
TUESDAY, OCTOBER 25, 2022
6:30 p.m.

1. The Workshop was called to order at 6:30 p.m., at the City Council Chambers. Councilmembers present included Mayor Pro-tem Arlina Yazzie, Robert Dobry, Matt Keefauver, David Rainey, and Dennis Spruell. Mayor Rachel Medina and Councilmember Lydia DeHaven were absent. Staff members present included Community and Economic Development Director Rachael Marchbanks, Chief of Police Vernon Knuckles, IT Technician Kyle Kuhn, IT Technician Aaron Holleman, IT Manager Shay Allred, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. Contract City Planner Dosdall was present by phone. There were two people present in the audience.
2. Discussion was held on the food truck (mobile vendors) ordinance. Community and Economic Development Director Marchbanks spoke about the recommendations that were reviewed by Council at the previous meeting and she commented that Council asked for further discussion, specifically on the time that a mobile vendor may remain on the property. She noted that a food truck (mobile vendor) would not be allowed on public right-of-way but would be allowed on public or private property in the CBD (Central Business District) for approved special events (such as Third Thursdays and Farmers Market); however, outside of special events a conditional use permit would be required and the time frame for how long the vendor may set up would be part of the approving criteria. Discussion was held on what requirements could be placed on a person wanting to set up a food court in the community and Contract City Planner Dosdall noted that the property owner would need to apply for a conditional use permit; however, there are only a few vacant lots in the CBD district that could accomodate a food court. It was noted that the ordinance would be prepared for first reading with the changes that were reviewed by Council.
3. Community and Economic Development Director Marchbanks spoke about the short term rental process which has been triggered by the discussion on accessory dwelling units (ADU) in the community. Councilmember Keefauver stated that he is concerned that neighbors may not be aware that the property next to them is being used as a short term rental; however, he does not want to regulate short term rentals but would like for the information on properties to be available should someone ask about it. Information on how other communities have handled short term rentals was reviewed and it was suggested that all short term rentals register with the City. Community and Economic Development Director Marchbanks stated that information she has received says that there are approximately 40 to 45 short term rentals in Cortez. Discussion was held on the lack of available housing in the community and it was noted that if ADU's are used for short term rentals, they are not available for long term use. It was noted that changes regarding short term rentals could be addressed in a more comprehensive approach.
4. George Cheney will make a presentation regarding affordable housing options at a later date.

5. General Discussion: Councilmember Keefauver congratulated Councilmember DeHaven on the birth of her new baby boy. The regular workshop was adjourned at 6:55 p.m.

CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 25, 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, Robert Dobry, Matthew Keefauver, David Rainey, and Dennis Spruell. Councilmember Lydia DeHaven was excused. Staff present included Chief of Police Vernon Knuckles, Director of Parks and Recreation Creighton Wright, IT Technician Aaron Holleman, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Director of General Services Rick Smith, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were two people present in the audience.

Councilmember Dobry moved that the agenda be approved. 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 Regular Council Meeting held on November 8, 2022.
- b. Approval of the Expenditure List for November 22, 2022.
- c. Approval of a renewal Fermented Malt Beverage Liquor License and Change of Manager application for Walmart Store No. 0966, located at 1835 East Main Street, Cortez.

Councilmember Dobry moved that the Consent 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

3. CITIZEN PARTICIPATION – None.

4. PRESENTATIONS

- a. Update by Municipal Judge Beth Padilla. Municipal Judge Padilla stated that she continues to work with the .

5. PUBLIC HEARINGS

- a. The Champion Xpress Car Wash has Requested to Withdraw their Application for a Conditional

Use Permit. Community and Economic Development Director Marchbanks stated that a letter was received from Tez Hawkins, Senior Planner for Baseline Engineering Corporation, stating that the Conditional Use Permit Application was withdrawn for the Champion Xpress Car Wash. She noted that no motion is required from City Council.

b. Ordinance No. 1303, Series 2022. Contract City Planner Dosdall stated that Ordinance No. 1303, Series 2022, amends the City of Cortez land Use Code, Section 3.05 – Use Regulations regarding dwelling, Accessory Unit – ADU. She reviewed the changes that would be made to Section 3.05 of the Land Use Code with the intent of providing a mechanism to help meet the need of affordable housing by allowing accessory residential dwelling units under certain circumstances in areas normally restricted to a single unit, while preserving existing single-family character. She noted that several worksessions have been held with the Planning and Zoning Commission which recommended approval of Ordinance No. 1303, Series 2022, to City Council. She stated that Council reviewed the ordinance on first reading on October 25, 2022, and recommended that additional time be allowed for public comments to be received prior to the ordinance being presented in public hearing and second reading. She noted one comment was received and was included in the Council packet. Mayor Medina opened the public hearing; however, no one spoke and the hearing was closed.

Councilmember Spruell moved that Council approve on second and final reading, Ordinance No. 1303, Series 2022, amending the City of Cortez land Use Code, Section 3.05 – Use Regulations regarding dwelling, Accessory Unit – ADU. 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

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. Bid Results and Lease of Four Refuse Trucks. Director of Public Works Peckins stated that staff is requesting that Council approve the lease of four new refuse trucks that would meet the needs of the department and will help the City adhere to industry best practices. He spoke about the issues that the current refuse and recycling fleet have had and that the circumstances was aggravated by a serious engine problem with one of the units on November 15, 2022. He stated that after analyzing costs, staff reached out for quotes from interested and prospective bidders for larger units with known reliable drivetrains. He stated that staff researched upgrading the fleet through Sourcewell Cooperative Bid Agent that the City subscribes to, which satisfies the competitive bidding requirements of the City of Cortez. He reviewed the quotes and commented that staff recommends awarding the bid to McNeilus (through Sourcewell) at \$280,682 each for three 25-yard rear-load units (\$842,046) and one 30-yard side-load unit to Kois Brothers at \$340,142.50. He stated that both companies have met City specification requirements for quotes and have the available chassis and work bodies required to meet the City's schedule. He stated that the monies for the lease have been budgeted in the 2023 Refuse Enterprise Fund and placeholder Lease-to-Own Agreement have been secured through Kansas State Bank.

Councilmember Dobry moved that Council award the bid to McNeilus (through Sourcewell) at \$280,682 each for three 25-yard rear-load units (\$842,046) and one 30-yard side-load unit to Kois Brothers at \$340,142.50. 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

b. Possible Cancellation of Council Meeting Scheduled for Tuesday, December 27, 2022. City Clerk Smith stated that traditionally Council has canceled the second Council meeting in December due to the holidays. She noted that the second meeting would fall on December 27, 2022.

Councilmember Dobry moved that Council approve the cancellation of the Council meeting scheduled for Tuesday, December 27, 2022, due to the holidays. 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

8. DRAFT RESOLUTION/ORDINANCES – None.

9. CITY ATTORNEY'S REPORT – None.

10. CITY MANAGER'S REPORT – None.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina noted that the Council workshop was cancelled.

12. OTHER ITEMS OF BUSINESS – None.

13. PUBLIC PARTICIPATION- None

14. ADJOURNMENT: Councilmember Dobry moved that the regular meeting be adjourned at 7:55 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


Rachel Medina, Mayor

ATTEST:



Linda L. Smith, City Clerk