

CITY COUNCIL
REGULAR WORKSHOP
TUESDAY, DECEMBER 13, 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 Rachel Medina, Mayor Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matt Keefauver, David Rainey, and Dennis Spruell. Staff members present included General Services Director Rick Smith, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Police Chief Vern Knuckles, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were 11 people present in the audience. Mayor Medina and City Council presented Councilmember Lydia DeHaven with a special gift for her new baby.

2. A presentation was given by George Cheney and members of the Animas View Mobile Home Park Co-Op Board. Mr. Cheney began the presentation with an introduction of board members and spoke about the housing crisis in Colorado and across the Country. He spoke about exciting things happening in Colorado that provided protections for people living in mobile home parks, including the right to purchase a park when it comes up for sale. Co-Op member Karen Pontius spoke about the Animas View MHP story and history. She spoke about how the residents were given short notice that their park was going up for sale. Fortunately, many of them had already spoken to a group called Thistle ROC (Resident Owned Communities) and contacted them again about forming a Co-Op to purchase the park. She spoke about the process they had to complete. She stated the park has 120 households, 80% are low income based on area median income (AMI) and one half of those were below 50% AMI, and 25% were in extremely low-income AMI. She spoke of prior lot rents and the increases that would happen frequently. She spoke about buying the water and sewer lines for the park and stated that most will need to be replaced in the future. The goal of the Board is to seek grants to help with the costs. She stated that 90% of residents have joined the Co-Op and committees, such as landscaping, bylaws, newsletters, and others have been formed within the Co-Op. She stated that preserving affordable housing is valuable to park residents. Co-Op member Dan Hunt gave an overview on how mobile home parks are converted in Colorado and spoke about key organizations that are involved in funding, facilitating, and developing conversions which Thistle ROC is one such organization. He also spoke about the governance of the Co-Ops. Co-Op member Lindie Hunt gave an overview of the many lessons they have learned when forming the Co-Op, gave suggestions for MHP conversions, spoke of funding issues and how municipalities could help residents with MHP conversions. A sign-up sheet was passed around the room for those who want more information. An extensive question and answer session followed the presentation.

3. City Manager Drew Sanders presented Council with an update to the floating holiday policy, stating that in 2023 the floating holiday will be replaced with 4 hours on Christmas Eve and 4 hours on New Year's Eve, making these holidays an 8-hour day.

4. General Discussion: None

The regular workshop was adjourned at 7:19 p.m.

CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 13, 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 Director of Public Works Brian Peckins, Refuse Foreman Colby Earley, Police Chief Vern Knuckles, Parks and Recreation Director Creighton Wright, IT Technician Kyle Kuhn, Director of General Services Rick Smith, Director of Finance Kelly Koskie, Community and Economic Director Rachael Marchbanks, Human Resources Director Matt Cashner, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were 21 people present in the audience.

Councilmember Keefauver moved that the agenda be approved as presented. 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

2. The Consent Agenda items acted upon by Council were as follows:

a. Approval of the Council Agenda Minutes for on November 22, 2022.

b. Approval of the Expenditure List for December 13, 2022.

c. Approval of a renewal Fermented Malt Beverage off Premise Liquor License for Safeway Stores 46, Inc., located at 1580 East Main Street, Cortez.

d. Approval of a renewal Hotel and Restaurant Liquor License for El Pancho Burro, LLC, DBA Gustavo's Authentic Mexican Restaurant, located at 125 East Main Street #A, Cortez.

e. Approval of a Modification of Premises, Tasting Permit and Renewal Liquor License for West Slope Liquors Inc., DBA West Slope Liquors, located at 2212 East Main Street, Suite #1, Cortez.

f. Approval of a renewal Tavern Liquor License for Cortez Veteran's Inc., located at 320 North Harrison Street, Cortez.

Councilmember Dobry 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	Yes	Yes	Yes	Yes

3. CITIZEN PARTICIPATION- None

4. PRESENTATIONS

a. Proclamation of Gratitude and Appreciation for Terry McCabe. Mayor Medina read the Proclamation, presented flowers and thanked Ms. McCabe for her service. Ms. McCabe thanked the City and its departments that make this event possible. She stated the parade would not happen without the Board of Realtors.

b. 2022 Years of Service Awards. Human Resources Director Matt Cashner presented years of service milestone awards to employees. The following employees were recognized for their years of service to the City of Cortez: **5 years** (2017) Brenda Cunningham, Cheryl Lindquist, Lynette Reece, Valerie Rendon, Diane Roberts, LaDonna Robinson, Carl Scharnhorst, Isabella Sharpensteen, Ivan Kibel; **10 years** (2012) Michael Moran, Sean Canada; **15 years** (2007) Laura McHenry, Shay Allred, Josh Gritz, Mary Jane Rieke, Lyle Bair, Bradley Harrison; **20 years** (2002) Andrew Condon, Jason Higgins; **25 years** (1997) Martha Robinson; **30 years** (1992) Linda Smith. Employees present were invited to come forward to shake hands with Council and receive an award based on their years of service. Mayor Medina stated that she would like to commemorate these employees for the vital role they play in the community. She stated that we are incredibly grateful and proud of these employees and that they deserve this honor.

c. 2022 October Financial Statements. Finance Director Kelly Koskie presented Council with the October 2023 Financial Statements. She stated that the Airport Enterprise net revenue is 110% over projected amount through October and the Recreation Center has a net revenue 216% over projections. She stated that these are two outstanding departments that have excellent leadership and congratulated both of the department heads with the hard work they have done to make this happen. Council discussion included property taxes, budget items where revenue was received that are not budgeted for, and conservation trust funds that are being withheld by the State.

5. PUBLIC HEARINGS - None

6. UNFINISHED BUSINESS- None

7. NEW BUSINESS

a. Hope's Kitchen Request for Donation. City Manager Sanders stated that he was approached by Hope's Kitchen for a donation for the annual Community Christmas dinner. He stated that normally this request would go through the regular grant process; however, this is a worthy undertaking and he asked Council if they would like to donate up to the amount of \$1,000 which would come from the City Council contingency fund. Council discussion included the grant process and whether the contingency fund has been expended.

Councilmember Keefauver made the motion to donate in support of the Cortez Community Dinner via Hope's Kitchen in the amount of \$1,000.00. 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. 2023 Cortez Community Support Grant. City Manager Sanders presented information to Council on the 2023 Cortez Community Support Grants. He stated that in years past the amount given has been decided by grant request applications. This year a committee had been formed at the suggestion of Council to review the applications and come to Council with recommendations. He stated the Committee was comprised of Councilmember Keefauver, Councilmember Spruell, Director of Finance Kelly Koskie, Executive Assistant Wendy Mimiaga and himself. He stated that a spreadsheet was provided to Council that showed the applicants. He stated the amount budgeted was \$37,380.00 and the amount disbursed was \$29,380.00. He stated all ten applicants have met the criteria to receive the grants and the staff and committee members are recommending Council disburse these funds as recommended. Council discussion included the dollar amounts awarded, if all ten applicants received funds, and the new process of determining the support grant awards.

Mayor Pro-tem Yazzie made the motion to approve the 2023 Cortez Community Support Grant awards as determined by the selection committee. 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

c. Councilmembers Participation in the RFP Selection Process for the Land Use Code Update. City Manager Sanders stated that a Request for Proposal had been prepared and went out over a week ago. Applications should be received by mid-January. He stated that a similar process to the Community Grants Selection Committee would like to be used for review of the RFP's. He stated that staff recommends that two Councilmembers sit on the committee. He stated that the time commitment will be at least one full day for interviews, and additional hours at a later date to go over and screen the applicants depending on the number received. Council discussed who would participate in the committee and it was decided that Mayor Pro-tem Yazzie and Councilmember Dobry would be primary representatives and Councilmember Spruell and Councilmember DeHaven would serve as back-up representatives.

-No vote taken

d. 2023 Joint Chemical Bid. Director of General Services Rick Smith presented Council with the 2023 Joint Chemical Bid. He stated the joint bid included the municipalities of Cortez, Mancos, Dolores and Montezuma Water. He stated by combining the quantities of chemicals needed it gives each municipality an overall savings for each of the plants. The bid opening was held on November 16, 2022, with 10 responses. He stated, as per tradition, these are awarded on an individual basis by vendor and type of chemical. He stated that a tabulation sheet was submitted to Council showing the responsible bidder for each item and the total amount that will be paid by the City. He stated that the City's amount is \$345,319.43. He stated all the other entities are responsible for ordering their own chemicals and paying their own invoices. Council discussion included why the Sanitation District does not participate, financial responsibility, how this is considered a joint chemical bid, and the great partnership that Cortez has with the other municipalities involved.

Councilmember Dobry made the motion to award the 2023 Joint Chemical bid to the highlighted vendors for a total bid of \$345,319.43. Mayor Pro-tem Yazzie seconded the motion, and the vote

was as follows:

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

e. 2023 Welcome Center Janitorial Bid. Director of General Services Rick Smith presented Council with the 2023 Welcome Center Janitorial Bid. He stated that the City was approached by the staff at the Welcome Center to re-bid the janitorial services in the building. The City bid out the project and received two responses, Red Fin Janitorial and Sparkle. The current provider, Monica's did not submit a bid. The low responsible bidder on the project was Red Fin Janitorial at \$21,500. He stated that janitorial services are a budgeted item for the Welcome Center. A question was asked by Council if the City has used Red Fin Janitorial in the past and Director of General Services Smith stated that Red Fin was the previous janitor at the Welcome Center before Monica's.

Councilmember Keefauver made the motion to award the 2023 Welcome Center Janitorial Bid contract to Red Fin Janitorial in the bid amount of \$21,500. 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

f. Resolution No. 26, Series 2022. City Clerk Linda Smith presented Council with Resolution 26, Series 2022, a resolution adopting the 2023 City of Cortez Fee Schedule. She stated that each of the recommended changes have been discussed within each individual department. She stated that Council received a side-by-side document of the proposed changes, with current and proposed changes. She stated that the one change to the open records fee for the City Clerk is based on State Statue. City Clerk Smith thanked Deputy City Clerk Murphy for her work on completing the resolution for Council. Mayor Medina thanked Deputy City Clerk Murphy for the great work on the resolution, commenting that it helped Council to have the side-by-side comparisons. A question was asked about the promotional fee change in the Parks and Recreation department and Parks and Recreation Director Wright stated that the promotional fee change was made with the intent to bring back instructors to the Recreation Center in 2023. He stated that the recreation center has added 3 new instructors and 7 new classes. He said the intent is to add onto that number and then re-evaluate near the end of 2023 and consider going back to the typical instructor class fee split of 70% to the instructor and 30% to the City. Public Works Director Brian Peckins and Refuse Foreman Colby Earley spoke on the proposed fee changes for the refuse department noting that the 22% increase in refuse rates will mostly be used to upgrade the fleet, solid waste disposal and operating supplies. Council discussion was on current refuse rates around the area, how the proposed rate was determined, and tap fees.

Councilmember DeHaven made the motion to approve Resolution 26, Series 2022, adopting the 2023 Fee Schedule for the City of Cortez, effective January 1, 2023. 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

g. Resolution No. 32, Series 2022. Director of Finance Director Kelly Koskie presented Council with Resolution No. 32, Series 2022, certifying the annual Mill Levy for 2023. She stated this is a certification that is done annually and the completed form will be sent to the Montezuma County Administrator. She stated the process is initiated by the County sending the City the gross assessed valuation and the numbers get plugged into the TABOR limit worksheet to make sure the City is in compliance with regulations. She stated the final mill levy that the City will be certifying to the County is 1,234 mills and the total collected is estimated at \$115,676. Council asked if the amount collected is different from last year and she stated that the amount will be an increase of approximately \$5,000 and does include an inflation factor based on the CPI index. She spoke about the process in which inflation is calculated.

Councilmember Rainey made the motion to approve Resolution No. 32, Series 2022, certifying the annual Mill Levy for 2023. Councilmember Dobry seconded the motion and the vote was as follows:

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

h. 2023 Independent Contract Addendum for Burkett Company, LLC. City Manager Sanders stated that Chris Burkett, of Burkett Company LLC, has contracted with the City of Cortez since June, 2012 and it is time for a contract renewal. He stated that Mr. Burkett assists in grant preparation, correspondence, change orders, parks and recreation, and economic development. He stated that his knowledge in these areas are invaluable to the City. He noted that Mr. Burkett works for the City part-time and recommends that his contract be renewed through 2023.

Mayor Pro-tem Yazzie made the motion to approve the addendum to the independent contract agreement between the City of Cortez and Burkett Company, LLC, continuing the agreement through the 2023 calendar year. Councilmember Dobry 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- City Attorney Coleman stated he had nothing to report at this time but wished everyone a Merry Christmas and a Happy Holiday.

10. CITY MANAGER'S REPORT

a. New Website Launch City Manager Sanders stated the long-anticipated launch of the new website will occur on Wednesday, December 14, 2022, and the launch will take the bulk of the day with limited access to the website to the public during this timeframe. He stated once launched, a quality control process will occur and since this is a soft launch, there will be a few pages that will not yet be visible, but for the most part the new website will be fully functional.

b. Airport Master Plan City Manager Sanders stated that a public open house to roll out the proposed new Airport Master Plan will occur from 3:00-6:00 pm on December 14, 2022, in the Council Chambers located in City Hall. He stated this is an opportunity to not only see the proposed plan, but also to offer input and suggestions. He stated that all are invited and light refreshments will be served.

c. Release of Impounded Property Tax Dollars City Manager Sanders stated that the State Auditor's Office has impounded the City's property tax dollars at the County Treasurer's office for the past several years due to the delinquent audit situation. He stated that the high-risk audits are completed, culminating with the 2019 fiscal year, and the City's Finance Director approached the State Auditor's office to request release of property tax dollars through FY2019. He stated the auditor's office agreed and is drafting a letter to that effect and he would like to recognize the City's Finance team for their accomplishments.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina stated during the worksession a presentation was given by George Cheney and Animas View MHP Co-Op on resident owned Co-Ops as an option for purchasing mobile home parks.

b. Historic Preservation Board. Councilmember Dobry stated the meeting in December was canceled and that the meeting for January has been moved to Monday, January 9, 2023.

c. Golf Course Advisory Board. Councilmember Spruell stated there was not a meeting however he has been out to the golf course and saw the new covers that have been put over the greens and it looks good.

d. Parks and Recreation Board. Councilmember Keefauver stated that there will be no meeting in December but will have one in January.

12. OTHER ITEMS OF BUSINESS- EXECUTIVE SESSION

a. Councilmember Dobry moved to adjourn at 8:28 p.m. into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. Section 24-6-402 (4)(e)(I). The topic of the Executive Session will be an update on the negotiations for the possible sale or lease of the Cortez Community Fiber Network. Mayor Pro-tem Yazzie 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 9:28 p.m. Participants in the Executive Session included City Manager Sanders, City Attorney Coleman, Mayor Medina, Mayor Pro-tem Yazzie, Councilmember DeHaven, Councilmember Dobry, Councilmember Keefauver, Councilmember

Rainey, Councilmember Spruell, General Services Director Rick Smith and Director of Finance Kelly Koskie. No adoption of any policy, position, resolution, rule, regulations, or other formal action occurred during Executive Session.

13. PUBLIC PARTICIPATION- None

14. ADJOURNMENT: Councilmember Dobry moved that the regular meeting be adjourned at 9:30 p.m. Council Member DeHaven seconded the motion, and the vote was as follows:

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



Rachel B. Medina, Mayor

ATTEST:



Donna Murphy, Deputy City Clerk