

CITY COUNCIL  
REGULAR WORKSHOP/SPECIAL MEETING  
TUESDAY SEPTEMBER 12, 2023  
7:00 p.m.

1. The Workshop was called to order at 7:00 p.m., at the City Council Chambers. Councilmembers present included, Mayor Rachel Medina, Mayor Pro-tem Arlina Yazzie, Robert Dobry, Matt Keefauver, David Rainey, Dennis Spruell, and Lydia DeHaven. Staff members present included: Assistant Chief of Police Andy Brock, Finance Director Kelly Koskie, Grants Administrator Scott Baker, Director of Parks and Recreation Creighton Wright, Director of Public Works Brian Peckins, Director of General Services Rick Smith, IT Technician Aaron Holleman, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were four people present in the audience.

2. Grants Administrator Baker presented Council with an update on grants administration for 2022-2023 stating that he has worked on about 20 discrete funding projects over the last year and currently sustains or oversees about 10 awards from either Federal or State programs. The leading receivers of the grants have been Public Works, Community and Economic Development, and the Police Department. Specifically, funds have been secured for road infrastructure, housing development, the South Neighborhood Project, and mobile computers for Police vehicles. Additional departments furnished with major servicing or assistance with funders included the Historic Preservation Board and Parks and Recreation. A list of potential grants that are in process or under development for submission was given.

3. General Discussion: None

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



CITY COUNCIL  
REGULAR MEETING  
TUESDAY, SEPTEMBER 12, 2023

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: Assistant Chief of Police Andy Brock, Director of Finance Kelly Koskie, Airport Manager Jeremy Patton, Director of Parks and Recreation Creighton Wright, Court Clerk/Administrator Carla Odell, Director of Public Works Brian Peckins, Director of General Services Rick Smith, Parks Superintendent Lyle Bair, Human Resources Director Matt Cashner, IT Technician Aaron Holleman, 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.

Mayor Pro-tem Yazzie moved that the 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

2. The Consent Agenda items acted upon by Council were as follows:
  - a. Approval of the Council Worksession/Special Meeting and Agenda Minutes of August 22, 2023.
  - b. Approval of the Expenditure List for September 12, 2023.
  - c. Approval of a renewal Brew Pub Liquor License and Outdoor Dining Agreement for WildEdge Brewing Collective, LLC, DBA WildEdge Brewing Collective, located at 111 North Market Street, Cortez.
  - d. Approval of a renewal Hotel and Restaurant Liquor License for Loungin' Lizard Inc., DBA Loungin' Lizard, located at 2 West Main Street, Cortez.
  - e. Approval of a renewal Brew Pub Liquor License for L&D Development, Inc., DBA J Fargos, located at 1209 East Main Street, Cortez.
  - f. Approval of an Outdoor Dining Agreement for Jodi Jahrling, DBA Zu Gallery, located at 48 West Main Street, Cortez.

Councilmember Dobry moved that the Consent Agenda be approved as amended. 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. PUBLIC PARTICIPATION:

- Jim Mischke, Cortez- Spoke about noise pollution and the health effects and sleep disruption caused by excess noise exposure.

4. PRESENTATIONS:

a. Thank you to Mr. Lance McDaniel for his service to the City of Cortez. City Manager Sanders spoke about the service that Mr. McDaniel has provided to the City of Cortez listing the multiple years and different Boards in which he has served. Mr. McDaniel spoke about his time on the City boards and thanked Council for the gift he was presented.

5. PUBLIC HEARINGS: None

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS

a. New Application for a Hotel and Restaurant Liquor License. Deputy City Clerk Murphy presented Council with an application for a New Hotel and Restaurant Liquor License for El Campestre Mexican Restaurant, LLC to be located at 1430 East Main Street, Suite 6. She stated that per statute Council is directed to determine the needs of the neighborhood, the desires of the residents of the neighborhood and verify that the applicant is of good character. Fingerprints for the applicants were sent to CBI and an individual history record have been completed. State regulations require that the local licensing authority schedule a public hearing not less than thirty days from the application date and to set the neighborhood boundaries. Public notice has been given by posting the premises and advertising in the Cortez Journal. Staff is requesting a public hearing date of Tuesday, September 26, 2023 and the neighborhood boundaries set as the Cortez City limits.

Councilmember Dobry moved that Council set a Public Hearing date of Tuesday, September 26, 2023, for review of a New Hotel and Restaurant Liquor License for El Campestre Mexican Restaurant, LLC, and that the neighborhood boundaries be set as the Cortez City limits. 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

b. 2023 Equipment Fund Purchase of Used Truck for Parks Department. Director of General Service Smith stated that the 2023 Equipment Fund budget provides \$45,000.00 for the purchase of a good used 4wd pickup for the Parks Department. The City reached out to two local dealers and Morehart in Durango for comparative quotes. Mechanic evaluations and test drives were conducted on two of the vehicles, the other was excluded due to higher mileage. The purchase bid is \$1,500.00 lower than the budgeted amount.

Councilmember DeHaven moved that Council award the used pickup purchase for the Parks Department to Keese Motors at the quoted amount of \$43,500.00. 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

c. Letter of Support for Clearnetworx/Montezuma County Priority 1 &2 Project. Councilmember Dobry recused himself on the discussion noting a conflict of interest. Director of General Service Smith presented Council with a Letter of Support request for Clearnetworx and Montezuma County Priority 1 & 2 Project. He stated that the Colorado Broadband Office has the Advance Colorado Capital Project Fund (CPF) grant program. The purpose of the grant is to bring broadband to the unserved and underserved areas of the State and this is a last mile grant program. He stated that Montezuma County conducted an Invitation to Negotiate (ITN) process and awarded Clearnetworx to partner with them to bring broadband service to the rural areas of Montezuma County. The CPF is the first of two grant rounds for the buildout of the County. Clearnetworx and the County have identified two areas that meet the criteria of the CPF grant; this includes the rural areas between the Town of Mancos and Dolores along Highway 184, and between Mancos and Cortez.

Mayor Pro-tem Yazzie moved that Council authorize the Mayor to sign a Letter of Support for Clearnetworx/Montezuma County Priority 1 and 2 CPF Project. Councilmember DeHaven seconded the motion, and the vote was as follows:

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

\* Councilmember Dobry recused himself on the discussion and vote noting a conflict of interest.

d. Award of 2023 South Pocket Park Playground Project. Director of Parks and Recreation Wright stated the City of Cortez Parks and Recreation Department planned to begin construction on the South Side Park this year; however, many things changed regarding that site, and with dialogue between Department Staff, the Parks, Recreation and Forestry Advisory Board, and City Administration, it was determined that it would be better to install playgrounds in the two pocket parks at Market Street and Harrison Street. This project was included in the 2023 budget. Bid documents were prepared and advertised and bids were received from five (5) firms with a total of eight (8) different options. Each firm was allowed to submit two (2) playground options per location and one (1) fitness option instead of a playground at Market Street. The Request for Proposal (RFP) specified that playgrounds are to be designed for youth 5-12 years of age and were not to include swings but should include climbing structures, spiral slides, monkey bars, individual play features, and an engineered wood fiber fall surface. Integrated shade was also to be attached to the play structure. The proposals must be ADA-accessible and meet current playground safety standards. Option 1 was for playgrounds at both Market and Harrison with various elements, and Option 2 was for playgrounds at both Market and Harrison with different features. The selection and award process were in two parts: 1.) an Evaluation Committee consisting of one Parks, Recreation, and Forestry Advisory Board (PARFAB) Member, the assigned PARFAB Council Member, the Special Projects Manager and Former Parks and Recreation Director, the Parks

Superintendent, and the current Parks and Recreation Director. The committee reviewed and scored the proposals based on several criteria identified in the RFP to select a preferred vendor and 2.) a final design was chosen from the options proposed and neighborhood feedback. The RFP requested the submission of a Fitness Station option for the Market Street Pocket Park, possibly in lieu of a playground. The evaluation committee strongly felt that a playground should be a priority for both sites and while the Fitness Station option was scored, it was not seriously contemplated. The Evaluation Committee considered color, elements provided, proprietary maintenance equipment required, value for the dollar, and price as the primary items to evaluate. Manufacturers are required to install playgrounds and engineered wood fiber fall surfaces. The South Pocket Park Playground Enhancement Project was budgeted at \$200,000. The concrete necessary for the playgrounds will be completed separately through the Concrete Share Project but is included in this budget. Upon review by the Evaluation Committee, A to Z Recreation Product is the top-ranked proposal when all aspects were considered.

Councilmember Keefauver moved that Council award the 2023 South Pocket Park Playground Enhancement Project to A to Z Recreation Products in the amount of \$166,601.00. 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

e. Award of Outdoor Pool Heater. Director of Parks and Recreation Wright stated the City of Cortez Parks and Recreation Department has been experiencing issues with the outdoor pool boiler for several years; it is over 35 years old. Due to the anticipated cost of replacement and the ability to make repairs, the Department limped along with temporary repairs so that it could be put into the 2023 budget. Bid documents were prepared and advertised, and bids were received from two (2) firms. After evaluating the cost vs. value and considering that pool heaters operate for only four months per year, staff has selected the least expensive unit to award. It was noted that this is the same brand used in the Recreation Center, and staff is very familiar with their operation and maintenance. The two vendors provided references and came back as very professional, top quality work, dependable, and have been in business for many years in the four corners area. The replacement pool heater was budgeted at \$155,000 in the Outdoor Pool Budget. Staff recommends the bid be awarded to the low bidder, Farmington Heating and Metal, Co., at the bid amount of \$126,923.00.

Councilmember DeHaven moved that Council award the Outdoor Pool Heater bid to Farmington Heating and Metal, Co., not to exceed \$126,923.00. 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

f. Award of Outdoor Pool Domestic Water Heater Bid. Director of Parks and Recreation Wright stated each locker room in the Outdoor Pool is designed to be fed hot water by a dedicated water heater. Two years ago, one of the units failed, and a band-aid repair was made to plumb one water heater into both locker rooms. While this works, it causes a limited supply of hot water. The

current water heaters are 20 years old and the plan is to replace both hot water heaters. This project was approved for replacement in the 2023 budget. Bid documents were prepared and advertised and bids were received from five (5) firms. A Lochinvar SIT080 or equal was determined to be the best fit for the City’s application. The Outdoor Pool Water Heater Replacement project was budgeted at \$20,000. Staff recommends that the bid be awarded to the low bidder, Montezuma Valley Plumbing at the low bid amount for two units of \$9,809.80.

Mayor Pro-tem Yazzie moved that Council award the Outdoor Pool Domestic Water Heater bid to Montezuma Valley Plumbing for two water heaters, not exceeding a total for both water heaters of \$9,809.80. 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

8. DRAFT RESOLUTION/ORDINANCES: None

9. CITY ATTORNEY’S REPORT: None

10. CITY MANAGER’S REPORT: City Manager Sanders gave a report on the following items:

- Airport Manager Jeremy Patton is the president of the local chapter of the Experimental Aircraft Association, EAA. EAA hosts the Young Eagles program which is dedicated to giving youth ages 8–17, an opportunity to go flying in a general aviation airplane. These flights are offered free of charge and are made possible by local EAA members and pilots. The program inspires and introduces children to the world of aviation. Four rallies have been held during the past year, and in conjunction with the aviation themed summer reading program through the Cortez Library. As a result many of our local youth now see aviation as a career opportunity available to them.
- Staff is working on budget preparations and the City Manager and Finance Director Koskie are currently meeting with all departments and working to solidify requests.
- The 2023 Council budget meeting will be held at 8:00 a.m., Saturday, September 23, 2023 at City Hall. The public is invited.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor’s Report on Workshop. Mayor Medina stated that during the workshop, Grants Administrator Scott Baker gave an update on grant administration in 2022-2023 noting that he worked on about 20 discrete funding projects over the last year and currently oversees 10 awards from state and federal programs. The Mayor spoke about attending the CML Fall District Meeting in Bayfield with Councilmember DeHaven and several staff members and how good it is to connect with other municipalities in the area.

b. Public Arts Committee. Councilmember Rainey stated there is a vacancy on the Public Arts Committee.

c. Historic Preservation Board. Councilmember Dobry stated there are two vacancies on the Board and there has been outreach to eligible historic properties in the City.

d. Golf Advisory Committee. Councilmember Spruell stated that revenue at the golf course is up and the course is in excellent shape.

e. Southwest Memorial Walk. Mayor Pro-tem Yazzie said she participated in the 2<sup>nd</sup> annual Southwest Memorial walk and it was a successful event noting there were many more participants than anticipated. She thanked the City Police Department for their help keeping everyone safe during the event.

12. OTHER ITEMS OF BUSINESS: None


13. PUBLIC PARTICIPATION: None

14. ADJOURNMENT: Councilmember DeHaven moved that the regular meeting be adjourned at 8:34 p.m. 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

  
 Rachel B. Medina, Mayor

ATTEST:

  
 Donna Murphy, Deputy City Clerk