

CITY COUNCIL
REGULAR WORKSHOP/SPECIAL MEETING
TUESDAY OCTOBER 10, 2023
6:00 p.m.

1. The Workshop was called to order at 6:03 p.m., in 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: Chief of Police Vern Knuckles, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dosedall, Community and Economic Development Specialist Helen West, Director of Parks and Recreation Creighton Wright, Director of Public Works Brian Peckins, City Engineer Kevin Kissler, 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. Community and Economic Development Director Marchbanks and Community and Economic Development Specialist West gave a presentation to Council on Proposition 123: Affordable Housing Opt-In. Ms. West gave the definitions and purpose of Prop 123, explaining the difference between AMI "Area Median Income" and MFI "Median Family Income" and how the two are related in Montezuma County. She explained that the City needs to Opt-in to the program and what it means to do so. She made clear the definition of affordable housing and how it pertains to Proposition 123, also noting the opt-in process and the commitments of local government in the program. A brief overview of the housing needs within the City of Cortez was given based on the data from the Housing Needs Assessment that was conducted earlier in 2023.

3. Jim Spratlen, Montezuma County Emergency Manager addressed Council regarding Everbridge, the new emergency alert and warning system that will be adopted in Montezuma County. He gave the specifics of the new system and stated that training has been conducted over the last several months. Nixle, which is currently in use, will be replaced with the Everbridge system on October 15, 2023. Alerts based on the wants and needs of an individual will be chosen during the sign-up process. Local alerts, such as, road closures, gas leaks, etc., will also be sent through the system if the person elects the option during sign up. Sign up information is posted on both the City's website and Montezuma County's website as well as posters through-out Cortez.

4. Director of Public Works Peckins gave a presentation to Council regarding a Proposed Water Rate increase in 2024. He stated that the last water rate study was conducted in 1986. The proposed increases are based on data received from the August 2023 SEH Water Rate Study, but modified to phase in rate increases and to ensure that higher users pay more. The proposal included a 20% increase in the base rate for residential users. The increase in revenue allows the department to address long neglected water treatment plant and water distribution line maintenance and replacement. Increased revenue will also allow for the development of an in-

house dedicated water distribution line replacement team. The proposed chart for monthly water rates based on usage was reviewed and it was noted that the increase would be minimal.

5. General Discussion: Councilmember Keefauver clarified to the public that a newspaper article written regarding an incident at the Montezuma County Fairgrounds mentioning the City Manager and Attorney's involvement was incorrect as it was the County Manager and Attorney who were involved. Councilmember Dobry also made the comment that the article in The Journal regarding the logging company named City Attorney Coleman as a Councilmember. Mayor Medina asked Council if they would consider the discussion of term limits for Advisory Boards. Staff was directed to complete research on the topic.

The regular workshop was adjourned at 7:25 p.m.

CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 10, 2023

1. The meeting was called to order in the City Council Chambers at 7:32 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: Chief of Police Vern Knuckles, Director of Finance Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dossall, Community and Economic Development Specialist Helen West, 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, Library Director Isabella Sharpsteen, IT Technician Aaron Holleman, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were 16 people present in the audience.

Councilmember Dobry moved that the agenda be approved. 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

2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Council Worksession and Agenda Minutes of September 26, 2023.
 - b. Approval of the Expenditure List for October 10, 2023.
 - c. Approval of a renewal application for a Retail Marijuana Center/Retail Marijuana Cultivation Facility License for THA Corporation, DBA The Herbal Alternative, located at 1531 Lebanon Road/10194 Highway 491, Cortez
 - d. Approval of a renewal Beer and Wine Liquor License for Jodi Jahrling., DBA Zu Gallery, located at 48 West Main Street, Cortez.

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

- Charles Jeter, Cortez. Spoke regarding the denial of a rezoning for Independent Log Company and providing firewood to the Navajo Nation. He spoke about the Freedom of Information Act

and the Colorado Open Records Act and transparency of government.

- Elise Goggin, Cortez. Spoke regarding the promotion of a sustainability community and electrification in Cortez.
- Paul Beckler, Cortez. Thanked Council for the work they do.

4. PRESENTATIONS:

a. Youth Substance Abuse Prevention Month. A presentation was made by Communities that Care Coalition of Montezuma County (CTC), on Youth Substance Use Prevention. The presentation provided information on CTC and the model they use in providing a positive change in the community. A statistical overview was given providing data on youth substance abuse in Montezuma County, why we see youth substance abuse and prevention methods to prevent it. They spoke about a safe storage campaign that was implemented and that safety posters have been placed in all the local marijuana dispensaries. Lockboxes are available at the Montezuma County Public Health Department should someone from the public want one. Information was given on how people can make a difference by joining the CTC coalition or by considering local policies that could decrease access to marijuana and other substances. Mayor Medina read a proclamation proclaiming October 2023 as Youth substance Abuse Prevention Month.

5. PUBLIC HEARINGS: None

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS

a. Resolution No. 25, Series 2023. Contract City Planner Dossdall presented Council with Resolution No. 25, Series 2023. She stated that the Owner/Applicant, Matthew Reynolds is proposing a three-lot minor subdivision on a parcel of land located at 1111 East Carpenter Street. The parcel currently includes a single-family home, which will be removed. The intent of this minor subdivision is to divide the parcel into three smaller parcels, on which the Owner/ Applicant intends to construct one duplex each. The parcel is zoned Residential Multi-Family (R-2). She stated that an issue staff has identified with this proposed subdivision is the Applicant/Owner has expressed a desire to build 1,500 sq. ft. duplexes (750 sq. ft. per unit) on each of the lots. While the LUC would allow a duplex on a 7,000 sq. ft. lot in the R-2 district, each unit needs to be a minimum of 800 sq. ft., which the Owner/Applicant agreed to the requirement. An agency review was conducted with no issues identified. Staff recommends approval of Resolution No. 25, Series 2023, approving a Minor Subdivision Plat for Cornetts Subdivision Amended, submitted by Matthew Reynolds, located at 1111 E Carpenter St., with the condition that all requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Council comments included whether this would be considered for affordable housing. Paul Beckler, on behalf of the Owner/ Applicant said they planned to sell the dwellings at market rate.

Councilmember Dobry moved that Council approve Resolution No. 25, Series 2023, a resolution

approving a Minor subdivision Plat for the Cornetts Subdivision Amended submitted by Matthew Reynolds, located at 1111 East Carpenter St., Cortez, with one condition, as stated in the Resolution. 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. Award of Recreation Center Domestic Water Heater Bid. Director of Parks and Recreation Wright stated that hot water at the Cortez Recreation Center is fed from a large commercial water heater and it is one of the oldest pieces of infrastructure in the building and the one system planned for replacement this year. The water heater failed this year because of an electrical issue that shorted out the control board, a relay, and one of the two circulation pumps. The ingenuity of our facilities staff, with guidance from a local plumber, got the unit minimally functioning. This project was planned in the 2023 Budget. Bid documents were prepared and advertised and bids were received by (3) three firms. The bids were opened on September 20, 2023. He stated that the Cortez Recreation Center Water Heater Replacement was budgeted for \$25,000; however, the low bid amount is \$29,787.35, which is slightly above the budget. He stated that there are savings in the Recreation Center Enterprise Fund due to challenges in hiring several positions early in the year and The Enterprise Fund can absorb the small overage. Staff recommends that Council award the Recreation Center Domestic Water Heater bid to Sparks Plumbing in the amount not to exceed \$29,787.35. Council Comments included the equipment delivery and completion timeline and appreciation for using a local company.

Councilmember DeHaven moved that Council award the Recreation Center Domestic Water Heater bid to Sparks Plumbing, in the amount, not to exceed \$29,787.35. 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. Council Chamber AV Bid Award. Finance Director Koskie stated that after further discussion at the July 25, 2023 City Council meeting regarding the AV equipment in Council chambers, options were narrowed down to two options, option #2 and option #3, with minor adjustments. Option #3 was chosen after removing interactive tablets from the Council dais. She stated that 3 (three) vendors responded to the RFP and attended the required walk-through. A selection committee reviewed the bids and the bid from NextLevel out of Farmington, NM was chosen. The total bid amount of \$86,734.00 will be divided in two payments. The first payment will be made in 2023 for \$43,467.00 and the second payment in the same amount will be made in 2024. Both of these payments are included in the respective budgets. Council comments included the timeline of receiving the equipment and the completion of the project. Councilmember Keefauver thanked Director Koskie for working so diligently on the project and keeping it affordable but still maintaining the needs of the City.

Mayor Pro-tem Yazzie moved that Council award the City Council Chamber AV Equipment Bid to NextLevel for \$86,734.00. 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

d. Appointment to the Community Support Grant Selection Committee. City Manager Sanders stated that each year, the Cortez City Council budgets money from the General Fund to support community organizations that preserve or enrich the health, education, welfare, and fitness of the community. Community support organizations may receive grants up to \$5,000 to support activities and programs that are accessible to the City of Cortez community and encourage the development of healthy community organizations that provide programs for citizen welfare and education in the region. The deadline for grant submission is Friday October 13, 2023 at 5 p.m. Two members of City Council will need to be appointed to the community support grant selection committee. This committee will meet after the November 14, 2023 City Council meeting to review the submitted grant applications and will make recommendations to Council regarding award and funding for each grant submitted. Council discussed who would like to fill the two appointments. It was determined that Councilmember Spruell and Councilmember Rainey would sit on the Committee.

Councilmember Dobry moved that Council appoint Councilmember Spruell and Councilmember Rainey to the community support grant selection committee. 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

8. DRAFT RESOLUTION/ORDINANCES: None

9. CITY ATTORNEY’S REPORT: City Attorney Coleman spoke about the Colorado Open Records Act, (CORA), and what items can be released. He stated that each document is reviewed by either himself or his legal assistant for attorney-client privileged information, which is not open to public review. He spoke about the fees that the City is allowed to charge for documents and time spent that are stipulated in Colorado Statute.

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

- A comment card was submitted by a resident of Cortez commending two employees. M.J. Rieke and Thomas Anderson. The resident said one of the neighbors in their neighborhood had let the weeds get out of control and that while paying their water bill, M.J Rieke recommended they speak to Thomas Anderson in Code Enforcement. Mr. Anderson looked at the property that day and explained to the resident what the City process was and that the end result is that the weeds are now gone. The resident wished to give praise to the front-line staff.
- Finance Director Koskie has notified the City Manager that Montezuma County has now released \$309, 871.85 in property taxes due to the 2021 audit completion.
- Field work has been completed for the traffic study on Broadway; we are waiting for the report. Once the report is completed, CDOT will review the findings and meet with the City on

recommendations.

- The Council budget meeting held on September 23, 2023 offered a good review of the proposed FY2024 budget for the City of Cortez. There were many good questions, discussion and direction from Council to fine tune the budget. The FY2024 budget is now published on the City website for public input and comments which will be accepted until the first reading October 24, 2023.
- The annual Four Corners Fall Fly In will be held Saturday October 14, 2023 at the Cortez Airport from 10 a.m. to 5 p.m. There will be activities, exhibits, vendors, a car show and lots of airplanes. Solar eclipse glasses will be provided to safely view the astronomical event.
- Employee Spotlight – Officer Kristin Cannon- In times of crisis, true heroes emerge; and Officer Kristin Cannon is one such hero within our organization. Her quick thinking, courage, an unwavering commitment to the safety and well-being of all recently made the difference in a life-or-death situation. On September 15, 2023, Officer Cannon responded to a 'shots fired' call. Upon arrival, she was met with a highly agitated crowd and a chaotic scene. As Officer Cannon was assessing the scene, her attention was directed to a vehicle that was parked on the street with bullet holes down the driver's side. She opened the rear driver's door and observed a female sitting in the backseat; then noticed a very large injury to the female's left thigh and a wound that was bleeding profusely. Without hesitation, Kristin applied a tourniquet to the injured female. Her swift response, even in the face of such a harrowing incident, played a pivotal role in ensuring the victim's survival. Emergency medical personnel later confirmed that Kristin's actions significantly contributed to saving the victim's life. Kristin's attention to detail and composure under pressure are nothing short of remarkable. Her diligence and willingness to act decisively proved to be an invaluable asset in this critical situation. Her actions reflect not only her dedication to the profession but also her unwavering commitment to our community.

11. CITY COUNCIL COMMITTEE REPORTS

- a. Mayor's Report on Workshop. Mayor Medina stated that during the workshop, a presentation was made by Community and Economic Development Director Marchbanks and Community and Economic Development Specialist West on the Proposition 123 Affordable Housing Opt-In. Jim Spratlen, Emergency Manager for Montezuma County gave a presentation on the new emergency alert and warning system that we will put into effect on October 15, 2023. Public Works Director Peckins spoke to Council about a proposed water rate increase in 2024. Mayor Medina asked if Council would like to entertain a discussion regarding term limits on City advisory boards.
- b. Public Arts Committee. Councilmember Rainey stated the Committee has engaged with the local high school students on future art activities.
- c. Golf Advisory Committee. Councilmember Spruell attended the Golf Advisory Committee meeting and stated that the golf course is scheduled to close for the season on November 19, 2023.
- d. Mesa Verde Country. Councilmember Dobry attended the meeting with Mesas Verde Country and stated they are working on providing financial data for the City.

12. OTHER ITEMS OF BUSINESS: None

13. PUBLIC PARTICIPATION:

- Charles Jeter, Cortez. Spoke about the subdivision of County land off of Mildred Road, businesses in Cortez, and the problem of job creation.

14. ADJOURNMENT: Mayor Pro-tem Yazzie 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


 Rachel B. Medina, Mayor

ATTEST:


 Donna Murphy, Deputy City Clerk