

CITY COUNCIL  
REGULAR WORKSHOP/SPECIAL MEETING  
TUESDAY JANUARY 9, 2024  
7:00 p.m.

1. The Workshop was called to order at 7:00 p.m., at the City Council Chambers. Councilmembers present: 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, HR Director Matt Cashner, City Engineer Kevin Kissler, Payroll/Sales Tax Administrator Sara Coffey, Account Clerk II/AR/Payroll Lynette Reece, Director of Parks and Recreation Creighton Wright, Court Clerk/Administrator Carla Odell, IT Manager Shea Allred, 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. Recognition to Chris Burkett: City Manager Sanders recognized the career and accomplishments of Chris Burkett and presented him with a certificate of appreciation for his 45 years with the City. Mr. Burkett spoke about his time with the City and the support he received from City Council over the years.

3. Celebration of Delinquent Audit Completion: City Manager Sanders introduced the Finance team: Kelly Koskie, Sara Coffey, and Lynette Reece. He stated that the delinquent audits have been completed as of December 2023, noting the many years of hard work and dedication that has made the completion possible.

4. General Discussion: None

The regular workshop was adjourned at 7:08 p.m.



CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JANUARY 9, 2024

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: Chief of Police Vernon Knuckles, Finance Director Kelly Koskie, City Engineer Kevin Kissler, Director of Parks and Recreation Creighton Wright, Court Clerk/Administrator Carla Odell, Human Resources Director Matt Cashner, IT Manager Shea Allred, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were approximately 3 (three) people present in the audience.

Councilmember DeHaven moved that the agenda of January 9, 2024 be approved. 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

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

- a. Approval of the Council Worksession and Agenda Minutes for December 12, 2023.
- b. Approval of the Expenditure List for January 9, 2024.
- c. Approval of a renewal Fermented Malt Beverage and Wine Liquor License for Safeway Stores 46, Inc., DBA Safeway Store #1892, located at 1580 East Main Street, Cortez.
- d. Approval of a renewal Hotel and Restaurant Liquor License for Lakeside Lanes, Inc., DBA Lakeside Lanes, located at 410 Lakeside Drive, Cortez.
- e. Approval of a renewal Hotel and Restaurant Liquor License for El Burro Pancho LLC, DBA Gustavo's Authentic Mexican Restaurant and Bar, located at 125 East Main Street #A, 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. PUBLIC PARTICIPATION: None
4. PRESENTATIONS: None

5. PUBLIC HEARINGS: None

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS

a. Resolution No. 01, Series 2024. City Clerk Smith presented Council with Resolution No. 01, Series 2024, and stated that as set forth in the City Charter, the Municipal Election shall be held on the first Tuesday after the first Monday in April in even numbered years; therefore, the date for the election shall be set for Tuesday, April 2, 2024. As per Colorado Revised Statutes § 31-10-908, staff is requesting that the regular Municipal Election for the City of Cortez be held as a mail ballot election. The Municipal Election will be held as outlined in the City Charter and the State of Colorado statutes and regulations, and the City Clerk shall be appointed as the designated election official of the City for the purposes of performing acts required or permitted by law in connection with the election.

Councilmember DeHaven moved that Council approve Resolution No. 01, Series 2024, a resolution authorizing a Mail Ballot election to be held on April 2, 2024. 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

b. Intergovernmental Agreement with Montezuma County Clerk and Recorder. City Clerk Smith stated the Montezuma County Clerk and Recorder has worked with the City for many years in performing various duties for the Municipal Election. The Intergovernmental Agreement notes that the Montezuma County Clerk and Recorder will be responsible for the ballot printing and mailing, the appointment and training of the election judges, counting and tallying the ballots, and certification of the election. The City Clerk's office will be responsible for the election notices, ballot content and layout, as well as participating in the testing and canvass. The 2024 election ballot will contain the names of the candidates running for the four open City Council seats. All the Council candidate process will be completed through the City Clerk's office. The collaboration between the City Clerk's office and the County Clerk was praised.

Councilmember DeHaven moved that Council approve the Intergovernmental Agreement by and between the City of Cortez and the Montezuma County Clerk and Recorder for the conduct and administration of the 2024 Coordinated Election to be held on April 2, 2024. 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

c. Ordinance No. 1324, Series 2024. City Engineer Kissler presented Council with Ordinance No. 1324, Series 2024 stating that the City of Cortez and Empire Electric Association ("EEA") have been collaborating in a combined effort to adjust, update, and approve a new Franchise Agreement that grants EEA the right to construct and operate an electrical transmission and distribution system

within City rights of way. The existing Franchise Agreement has been altered and revised to include corrections, amendments and clarifications that will benefit the understanding of both parties involved. The term length of the Franchise Agreement has been reduced from ten years to five years with an extension option to provide the City with flexibility due to the rapidly changing technology in the electric transmission industry. Other changes include a requirement that EEA furnish the City with electronic files compatible with the City’s Geographic Information System (GIS) pertaining to the locations of the infrastructure, the elimination of a requirement that EEA provide hard copy (paper) maps of EEA’s fixtures, the elimination of a requirement that EEA replace incandescent light bulbs in the street lights, as LED lighting has become the industry standard, and an update to the streetlight replacement requirements as nearly all streetlights use LED bulbs and EEA’s Dark Sky Program is essentially complete. Mr. Kissler stated adoption of a new Franchise Agreement is necessary because the current Franchise Agreement, which was adopted by Ordinance No. 1002, Series 2003, effective January 1, 2004, had a ten-year term with a ten-year extension, which expired on January 1, 2024.

Councilmember Dobry moved that Council approve on first reading Ordinance No. 1324, Series 2024, an ordinance containing a revised Franchise Agreement between the City of Cortez and Empire Electric Association, Inc., and set a public hearing and second reading of the Ordinance for January 23, 2024. 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

d. Resolution No. 02, Series 2024. Director of Finance Koskie stated that each year, the City of Cortez certifies to the Montezuma County Board of Commissioners the mill levy to be collected for property taxes on behalf of the City. Each year the City has the option of choosing a 5.5% increase or a TABOR limitation for the total amount of mill levy to be imposed. The most restrictive of these two options must be used. For 2024, the 5.5% limitation was the most restrictive for the total calculation. For the calendar year 2024, the City is requesting a total of \$122,258 be collected. That is an increase over 2023 by \$6,582.00. Staff recommends that Council approve Resolution No. 02, Series 2024. A question was raised by Council as how the 5.5 % limitation is factored. Director Koskie stated there is a calculation sheet and the inflation rate is set by DOLA as part of the mill levy certification calculation, an inflation factor of 8.011% was used.

Mayor Pro-tem Yazzie moved that Council adopt Resolution No. 02, Series 2024, a resolution certifying the mill levy for the 2024 budget year to the Board of County Commissioners of Montezuma County, Colorado. 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

e. Application for Peace Officers Behavioral Health Support and Community Partnerships Grant Program. Chief of Police Knuckles requested Council approval to apply for the Peace Officers Behavioral Health Support and Community Partnerships Grant. He stated that if the Police Department was to receive the grant it would help provide for significant mental health resources

that are needed for officers. The grant is multiyear starting in June 2024 and ending June 2026. The Department is seeking \$133,954.00. The grant would fund payment to a community resource that is being used for counseling services at the Police Department at this time. This resource currently volunteers their time. Grant funding would provide mandatory wellness checks for every employee, telehealth counseling for employees as needed, family support programs for employees and their families, teambuilding events, assist in the development of policies and support for officers who are involved in shootings and aide in creating a line of duty death policy. A survey will be conducted to determine the statistical benefits of the services that were provided. Staff recommends that Council approve the application to DOLA for the Peace Officers Behavioral Health Support and Community Partnerships Grant Program. Council comments included: the award date, who is eligible, and if matching funds are required.

Councilmember DeHaven moved that Council approve the application to DOLA for the Peace Officers Behavioral Health Support and Community Partnerships Grant Program. 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 stated that the 2022 audits have been completed and sales tax for 2023 is up 2.44 % bringing approximately \$312,000 back to the City; however, the Lodgers Tax for 2023 was 2.5% lower than last year.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina stated that during the workshop there was a celebration for Chris Burkett who has worked for the City for the last 45 years. Also celebrated was the completion of the delinquent audits and the finance team was introduced and congratulated for their hard work.

b. Historic Preservation. Councilmember Dobry attended the Historic Preservation Board meeting last week. The Board is planning for Historic Preservation Day and is finalizing the grant application to History Colorado.

c. Public Arts Advisory Committee. Councilmember Rainey stated there is a potential student member candidate who will hopefully join the Committee. He stated both the Historic Preservation Board and the Arts Advisory Committee have joined together to design a coloring book that showcases the historic sites in and around Cortez by supporting a competition for local artists to submit drawings to go into the coloring book. Prizes will be awarded.

12. OTHER ITEMS OF BUSINESS: None


13. PUBLIC PARTICIPATION: None

14. ADJOURNMENT: Mayor Pro-tem Yazzie moved that the regular meeting be adjourned at 8:02 p.m. 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

  
Rachel B. Medina, Mayor

ATTEST:

  
Donna L. Murphy, Deputy City Clerk

