

CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 13, 2025

1. The meeting was called to order in the City Council Chambers at 7:40 p.m., with the Pledge of Allegiance. Roll Call was taken and the following Councilmembers were present: Mayor Rachel Medina, Lydia DeHaven, Robert Dobry, Matthew Keefauver, April Randle, and Mayor Pro-tem Dennis Spruell. Councilmember Lewis was absent. Staff present included: Municipal Court Clerk Carla Odell, Payroll/Sales Tax Administrator Sara Coffey, Interim Chief of Police Andy Brock, Library Director Beth Edson, Director of General Services Casey Simpson, Director of Public Works Brian Peckins, Assistant Director of Parks and Recreation Jennifer Bandi, Director of Parks and Recreation Creighton Wright, Director of Community and Economic Development Rachael Marchbanks, Human Resources Director Matt Cashner, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were two members of the public present in the audience.

Councilmember Dobry moved that the agenda for May 13, 2025, be approved as amended. Councilmember Spruell seconded the motion and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	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 for April 22, 2025.
 - b. Approval of the Expenditure List for May 13, 2025.
 - c. Approval of a renewal application for a Fermented Malt Beverage and Wine Liquor License from Stokley Corporation, DBA Handy Mart South, located at 806 ½ South Broadway, Cortez.
 - d. Approval of a renewal application for a Hotel and Restaurant Liquor License for Fiesta Mexicana No. 3 Inc., DBA Fiesta Mexicana Family Restaurant, located at 430 North Highway 145, Cortez.
 - e. Approval of a renewal application for a Fermented Malt Beverage Off Premises Liquor License from Western Refining Retail, LLC, DBA Speedway #9492, located at 2320 East Main Street, Cortez.
 - f. Approval of a renewal application for a Fermented Malt Beverage Off Premises Liquor License from Western Refining Retail LLC, DBA Speedway #9496, located at 2021 East Main Street, Cortez.
 - g. Approval of a renewal application for a Hotel and Restaurant Liquor License with one optional premises for Rudosky Golf LLC, DBA Conquistador Golf Course, located at 2018 North Dolores

Road, Cortez.

h. Approval of two Special Event Permits for Fundamental Needs to host events on July 4 and 5, 2025, in the Parque de Vida Park, located at 400 North Mildred Avenue, Cortez

Councilmember Dobry moved that the Consent Agenda be approved as presented. Councilmember Spruell seconded the motion, and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

3. PUBLIC PARTICIPATION: None.

4. PRESENTATIONS: None.

5. PUBLIC HEARINGS: None.

6. UNFINISHED BUSINESS: None.

7. NEW BUSINESS

a. Ordinance No. 1336, Series 2025. Community and Economic Development Director Marchbanks stated that Ordinance No. 1336, Series 2025, is an ordinance repealing the City of Cortez Official Zoning Map and adopting a revised map. On March 11, 2025, the City Council adopted a new Land Use Code for the City of Cortez and the zoning map needs to be changed to incorporate the new zoning district names that have been designated in the new Land Use Code. Staff recommends approval of the ordinance on first reading and set for public hearing on May 27, 2025. Mayor Medina asked when the appropriate time would be to make changes to properties that have been zoned incorrectly and need to be aligned to their current use. Community and Economic Development Director Marchbanks stated that the process is different for rezoning than adopting the zoning map. Mayor Medina stated that she would provide the Community and Economic Development Department with a list that she has of properties that may need to be rezoned.

Councilmember Dobry moved that Council approve on first reading Ordinance No. 1336, Series 2025, an ordinance repealing the City of Cortez Official Zoning Map and adopting a revised map, and set the ordinance for public hearing and second reading on May 27, 2025. Councilmember Spruell seconded the motion and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

b. Ordinance No. 1337, Series 2025. Director of Parks and Recreation Wright stated that Ordinance No. 1337, Series 2025, is an ordinance amending Cortez City Code Chapter 19-6-h, regarding management of private carts at the Conquistador Golf Course. The proposed ordinance would remove the 80-cart cap and allow the Parks and Recreation Director, with advice from the Golf Advisory Committee, to determine whether a cap is necessary and, if so, what it is. Should a

cap be set, it will be reflected in the fee resolution annually. Last year, for the first time, the private cart fee permits reached the maximum allowed in the ordinance. While the private cart cap is at capacity, there are six requests for new permits for 2025. Three people on the waitlist expressed frustration, stating they had planned to purchase private carts over the winter, but the clubhouse staff didn't realize the permits were at capacity. In the meantime, the clubhouse is allowing private carts on the course without permits and charging a \$10 daily fee for using private carts. The issue of the private cart permits has been discussed extensively at the March and April Golf Advisory Committee meetings and the Director of Parks and Recreation and the Golf Pro have had follow-up discussion. While the details and specifics of the procedural and fee adjustments need more discussion, the Golf Advisory Committee has recommended that the ordinance be changed to remove the cap. Discussion was held about why a cap may be needed and Parks and Recreation Director Wright stated that a private cart fee increase may be a possibility in 2026 to temper down the use of private carts. Councilmember Randle asked about the daily use fee for the private carts which currently do not have a permit and Director of Parks and Recreation Wright stated that discussion is continuing with the Golf Advisory Board on how to handle the fee until the cap situation is handled. Councilmember Randle commented about the increase of private cart fees noting that other golf courses have paved paths and that continues to be a discussion item on how the money received from the private carts (past and present) was used towards cart path building and maintenance. Discussion was held on the liability issues of private carts at the golf course and Director of Parks and Recreation Wright stated that the Golf Advisory Board is continuing to review the issue and that information received from other courses shows that about half of the courses require liability insurance on private carts. Council made comment as to why the regulations for golf carts is in the City Code Book (through ordinance) and not regulated by the Golf Advisory Board instead. City Attorney Coleman stated that the information included in the City Code Book on golf carts and other golf regulations could be repealed and taken out of the code and be approved by resolution instead. Director of Parks and Recreation Wright stated that the City is looking at reviewing the City Code Book over the next year and that would be a good time to make changes in Chapter 19, Parks and Recreation, during the general review of the entire code. After discussion, it was suggested that Council move forward with the recommended changes and that the code could be reviewed in full as to changes that need to be made in the future.

Councilmember Dobry moved that the Council approve on first reading Ordinance No. 1337, Series 2025, an ordinance amending Cortez City Code Chapter 19-6-h, regarding management of private carts at the Conquistador Golf Course, and set the ordinance for public hearing and second reading on May 13, 2025. Councilmember Keefauver seconded the motion and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

c. Fireworks Display Permits. City Clerk Smith stated that City of Cortez Section 11-4 states that the chief of the fire department or his authorized agent shall have the power to grant permits within the City for supervised public displays of fireworks by the City, fair associations and other organizations and groups, and to adopt reasonable rules and regulations for the granting of such permits. In our current structure, our resident authority for issuance of fireworks permits is Fire Inspector Sean Canada. For many years, the Cortez Fire Protection District has conducted the outdoor fireworks for the 4th of July held in Parque de Vida and the Pinto Bean Golf Tournament

held at Conquistador Golf Course (this year on August 16, 2025). Staff recommends that Council authorize the City Fire Inspector to sign the Fireworks Display Permits for the 4th of July Fireworks Show and the August 16, 2025 Fireworks Show for the Pinto Bean Golf Tournament.

Councilmember Dobry moved that Council authorize the City Fire Inspector to sign the Fireworks Display Permits for the Fourth of July Fireworks Show and the August 16, 2025 Fireworks Show for the Pinto Bean Golf Tournament. Councilmember DeHaven seconded the motion and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

d. Election of Mayor Pro-tem. City Clerk Smith stated that Councilmember DeHaven has submitted an email to staff stating that she will be resigning from the Mayor Pro-tem position. She will retain her position as a regular Councilmember. Pursuant to Article III, Section 1 of the Cortez City Charter, the Council shall choose one of its members as Mayor Pro-tem who shall preside over the Council in the absence or disability of the mayor and serve as acting mayor with the same duties as the Mayor. The term of the appointment will be through April 14, 2026, which is the next City Council election period.

Councilmember DeHaven nominated Councilmember Keefauver as Mayor Pro-tem. Councilmember Keefauver declined the nomination noting that he has served as Mayor Pro-tem previously .

Councilmember Randle nominated Councilmember Spruell to serve as Mayor Pro-tem and made a motion accordingly. Councilmember Dobry seconded the nomination and motion. No other nominations were received. The vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

e. City Council Priorities. City Manager Sanders stated that City Council discussed updates to their strategic priorities at the Council retreat held on April 18, 2025. The priorities are based upon the current and projected needs of the City for the foreseeable future, shall serve as guidelines for how we approach future operations, and will be used to inform the budgeting process for the next fiscal year and beyond. Annual reviews will occur and appropriate alterations will be made under the direction of the City Council. The five areas that were highlighted were: Infrastructure and Facilities Improvements; Urban Renewal and Economic Development; Housing Initiatives; Update Guiding Documents; and Commitment to Workforce Investment. Councilmember Randle stated that included in the infrastructure and facilities improvements is the update of essential infrastructure master plans and that the water master plan is included as one of the plans being updated; however, she feels the number one priority of the City is our water treatment and delivery system, along with public safety. She asked that the water infrastructure be added to the priorities. Director of Public Works Peckins commented that the goal is to have a ten-year plan completed for the Water Master Plan which will include scopes, estimates, and priorities. He stated that the water treatment plant is separate from the Water Master Plan and there is discussion on how to outline the

needs for the water treatment plant into the future. The Water Master Plan is being completed on how to care for the existing water lines with an inventory, mapping, and GIS information on how to proceed with prioritizing future projects. Councilmember Randle stated that the plan is important but she wants a commitment that the City is moving forward with projects recommended in the plan. Councilmember Spruell commented that he agrees and that the City needs to meet citizen demands and do it safely. City Manager Sanders stated that the water treatment plant is not being replaced but the City is actively working on replacing the delivery lines. Councilmember Dobry stated that he would like the first line in the bullet points under Infrastructure and Facilities Improvements to state: address deferred maintenance in City-owned parks, facilities, **and infrastructure**. He stated that the entire Council agrees that maintaining infrastructure should be at the top of the list.

Councilmember Randle moved that Council approve the City Council Priorities as amended to include infrastructure in the first line. Councilmember Dobry seconded the motion and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

8. DRAFT RESOLUTION/ORDINANCES: None

9. CITY ATTORNEY'S REPORT: None.

10. CITY MANAGER'S REPORT: The following report was made by City Manager Sanders:

- The Highway 160/491 intersection west of town (Burger King intersection/West Y) has been updated as a priority and was moved to the ten (10) year list from the 2050 list at the last CDOT/Southwest Transportation Planning Region (SWTPR) meeting held on April 10, 2025
- I would like to congratulate Ms. Kelly Codner for her completion of the Master Public Information Officer Course through the FBI Law Enforcement Executive Development Association.
- A community "Meet and Greet" with the City Finance Director finalists is slated for Wednesday, May 14, 2025 from 5:30 – 6:30 p.m. in Council Chambers at Cortez City Hall, 123 Roger Smith Avenue, Cortez, CO.
- The Cortez Library held a farewell ceremony on Monday May 5, 2025, for our beloved willow tree that sits at the Library entrance on Montezuma Avenue. After ongoing health issues and consulting an arborist, the decision was made to remove the tree due to safety issues.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina stated that discussion during the worksession included information on regulating natural medicine in the City of Cortez. A sub-committee will be organized to review the regulations which may include time, place, and manner. Anyone interested in serving on the committee should contact City staff. A video was shared on the 7th Street property owned by the City showing the use that the property is receiving. Discussion was held on updating the City Charter and having questions on the April 2026 election ballot.

b. Cortez Historic Preservation Board. Councilmember Randle stated that on Tuesday, May 6, 2025, the Cortez Historic Preservation Board met with discussion held on the celebration of May as history month. A presentation will be made at the Montezuma County museum on the history of the CCC camp that was located in Cortez on Saturday, May 31, 2025.

c. Growing Water Smart Conference. Councilmember Randle stated that she attended the Growing Water Smart Conference April 28-30, 2025, in Montrose, with several City staff members. She stated that discussion included messaging for constituents regarding possible rate increases to finance aging infrastructure and the development of a McPhee Water Users Group which would include representatives from the City, tribe, and others entities that use water from McPhee Lake.

12. OTHER ITEMS OF BUSINESS:

a. Executive Session. Councilmember Dobry moved that Council convene into executive session at 8:32 p.m. to discuss a personnel matter pursuant to C.R.S. Section 24-6-402(4)(f)(I), and for a conference with special employment counsel Bill Kelly for the purpose of receiving legal advice on specific legal questions pursuant to C.R.S. Section 24-6-402(4)(b), all of which specifically relate to a personnel matter involving the City Attorney, who has not requested discussion of the matter in open session and for discussion of a personnel matter, and specifically to conduct annual performance review of the Cortez City Manager and to discuss possible amendments to Mr. Sanders' employment agreement as authorized by C.R.S. Section 24-6-402(4)(f)(I). The executive session will not involve any specific employee who has requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Mayor Pro-tem Spruell seconded the motion, and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

Council returned from executive session at 10:47 p.m. The participants in the Executive Session Part 1 included Mayor Medina, Councilmembers DeHaven, Dobry, Keefauver, Spruell, and Randle. Also present in person for a portion of Part 1 of this executive session were City Manager Sanders and City Attorney Coleman. Special Employment Attorney Bill Kelly appeared via Zoom. At the commencement of Part 1 of the executive session, City Manager Sanders and City Attorney Coleman were present and departed the executive session at 8:33 p.m., before substantive personnel discussions began and before the attorney-client privileged discussions began. City Attorney Coleman returned to the executive session at 9:04 p.m. and City Manager Sanders returned to the executive session at 9:14 p.m. The participants in the executive session part 2 were Mayor Medina, Councilmembers DeHaven, Dobry, Keefauver, Spruell, and Randle. Also present in person for a portion of part 2 of the executive session were City Manager Sanders and City Attorney Coleman. At the commencement of part 2 of the executive session, City Manager Sanders and City Attorney Coleman departed the executive session at 9:23 p.m. City Manager Sanders returned to the executive session at 10:30 p.m. and City Attorney Coleman returned to the executive session at 10:44 p.m. 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 10:50 p.m. Councilmember Keefauver seconded the motion, and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	Yes	absent	Yes	Yes	Yes	Yes

Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith, City Clerk