CORTEZ CITY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 23, 2025

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 Dennis Spruell, Matthew Keefauver, Lydia DeHaven, Robert Dobry, Bill Lewis and April Randle. Staff present included: Municipal Court Clerk Carla Odell, Interim Chief of Police Andy Brock, Director of General Services/Interim Director of Public Works Casey Simpson, Director of Parks and Recreation Creighton Wright, Interim Community Economic Development Director/City Planner Jason Armstrong, Human Resources Director Matt Cashner, Library Director Beth Edson, IT Director Jay Rohrer, Project Engineer Noah Peterson, City Clerk Danielle Wells, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were three members of the public present in the audience.

   Councilmember Dobry moved that the agenda for September 23, 2025 be approved. Councilmember Lewis seconded the motion and the vote was as follows:

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

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

   a. Approval of City Council Meeting Minutes for September 9, 2025

   b. Approval of the Expenditure List for September 23, 2025

   c. Approval of a Renewal Application of a Hotel and Restaurant Liquor License for Loungin' Lizard, Inc., DBA Loungin' Lizard, located at 2 West Main Street, Cortez

   d. Approval of Applications for Special Event Permits for The Cortez Area Chamber Of Commerce for events on October 9th and October 23, 2025

   Councilmember Dobry moved that Council approve the Consent Agenda. Councilmember Lewis seconded the motion and the vote was as follows:

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

3. PUBLIC PARTICIPATION

   James McGinley spoke to Council about the homeless community and wanting to find ways to offer safe places and areas to stay. He presented a packet for Council to review.

4. PRESENTATIONS: None

5. PUBLIC HEARINGS

   a. Ordinance No. 1346, Series 2025 presented by Patrick Coleman, City Attorney

      Council held the second and final reading of Ordinance No. 1346, Series 2025, which proposes amending City code to allow Councilmembers to participate in meetings remotely via videoconferencing or other electronic means. The ordinance would permit up to six remote appearances per Councilmember each calendar year, with no more than two members attending virtually at any given meeting, and members would be required to notify the Clerk’s office on a first-come, first-served basis. Councilmembers expressed a range of views.

Councilmember Dobry opened by questioning whether such a change could be implemented without a formal charter amendment. In his view, while the idea had merit, the Council should be cautious not to exceed its authority, even for a well-intentioned cause. City Attorney Coleman responded by stating that in his opinion the ordinance does not require a charter change, but he is recommending that even if the Council passes this ordinance, the charter language should be clarified to explicitly state that virtual attendance satisfies the requirement for members to appear at City Hall. He argued that if the measure were to pass, the charter should still be updated to clearly reflect that virtual participation counts as fulfilling the attendance obligation.

Councilmember Lewis spoke in favor of the proposal, highlighting the flexibility it would provide for working parents, professionals, and future Council members. He argued that embracing technology aligns with modern workplace practices and that the City should lead by example, ensuring that council members can continue to serve effectively regardless of location.

Councilmember Randle, however, voiced strong reservations. While she acknowledged the intent to make Council service more inclusive, she stressed that the City Charter is very specific in requiring members to attend meetings at City Hall. She argued that bypassing this requirement through an ordinance rather than a charter amendment would undermine the integrity of the governing document. Councilmember Randle warned that granting Council members an exception to the Charter could be perceived as those in power giving themselves special privileges, which she described as unfair and contrary to the spirit of the law. She referenced the City Council's Code of Conduct, which emphasizes avoiding conflicts of interest and putting the public first, and noted that leaders have a moral duty to abide by the same rules as the residents they serve. Drawing on historical precedent, she recalled that in 1957 the Council had chosen not to allow attendance by telephone, and while video technology has since changed circumstances, she maintained that only a vote of the people could legitimately alter the Charter. Councilmember Randle concluded by urging her colleagues to resist the temptation to pass the measure for their own convenience, expressing her trust that voters would ultimately decide what best serves the community.

Councilmember DeHaven offered a contrasting perspective, describing the Charter as a living document that has been updated in the past to reflect changing times. She argued that virtual attendance does not contradict the Charter's intent and, in fact, demonstrates greater commitment by enabling members to participate even when unable to be physically present. Councilmember DeHaven noted that many other communities have adopted more flexible policies and suggested that Cortez should follow best practices to modernize its governance.

Mayor Medina opened the discussion for public comment. Public comments expressed concern about the reliability of technology for virtual meetings and emphasized that leaders' physical presence sends an important message of commitment to the community. Mayor Medina closed the public comment section of the hearing. A total of twelve written comments were submitted—seven from residents within city limits, two from county residents, and three from individuals who did not disclose their address. All expressed support for the ordinance, highlighting advantages such as sustained board member engagement and improved compliance with the Americans with Disabilities Act (ADA). Mayor Medina emphasized this as a first step in ensuring broader community engagement in local government.

Councilmember DeHaven moved that Council approve on second and final reading Ordinance No. 1346, Series 2025, an ordinance amending the code, ordinances, resolutions, guidelines, and protocols of the City of Cortez to allow City Councilmembers to participate in Council Meetings remotely via videoconferencing or other electronic means. Councilmember Lewis seconded the motion and the vote was as follows:

DeHaven	Dobry	Lewis	Keefauver	Medina	Randle	Spruell
Yes	No	Yes	Yes	Yes	No	No

b. Ordinance No. 1347, Series 2025 presented by Patrick Coleman, City Attorney

Council held the second and final reading of Ordinance No. 1347, Series 2025, an ordinance amending the Code of the City of Cortez to include regulations regarding natural medicine. Two amendments were made in the ordinance. The first was to clarify language by changing the list of terms from "healing centers" to "natural medicine businesses" so that regulations apply to all natural medicine businesses. The second edit was to add "Administrators" to the section on confectionaries to ensure that candy products will not be legally allowed within the City. The public comment period was opened; no input was received, and this portion of the hearing was closed.

Councilmember Dobry moved that Council approve on second and final reading Ordinance No. 1347, Series 2025, an ordinance which amends the Code of the City of Cortez to include the regulation of natural medicine healing centers, cultivation facilities, product manufacturers, testing facilities, and any other related license or permit involving Natural Medicine, which includes, without limitation, psilocybin or psilocin, with two amendments to include all natural medicine businesses. Councilmember Keefauver seconded the motion and the vote was as follows:

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

c. Ordinance No. 1348, Series 2025 presented by Patrick Coleman, City Attorney

Council held the second and final reading of Ordinance No. 1348, Series 2025, with additional changes, an ordinance amending the Code of the City of Cortez regarding distance measurements and signage for medical and retail marijuana establishments.

Council reviewed amendments changing measurement standards from public path distances to GIS 'as the crow flies' measurements of 1,000 feet. Additional updates addressed marijuana business signage, adding eight new restrictions under Sections 4-11h and 4-20j, and clarified separation requirements for medical and retail facilities. Red-line changes to the proposed ordinance confirmed that existing facilities would remain legal non-conforming uses under grandfathering provisions. The public comment period was opened; no input was received, and this portion of the hearing was closed.

Councilmember Lewis moved that Council approve on second and final reading Ordinance No. 1348, Series 2025, as presented, an ordinance amending the Code of the City of Cortez regarding distance measurements and signage for medical and retail marijuana establishments and including amendments adding Section 4-114 non-conforming uses and Section 4-221 non-conforming uses. Councilmember Dobry seconded the motion and the vote was as follows:

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

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS

a. Purchase of Vacuum Trailer (Vac Trailer for Cortez Public Works Streets Division) presented by Casey Simpson, Interim Director of Public Works

Staff presented quotes and requested Council approval to purchase an additional vac trailer to meet growing operational needs, noting the current trailer is shared by three divisions, causing heavy wear and maintenance. The equipment is vital for utility work, storm drain cleaning, and site cleanup, and staff recommended purchasing the same model for consistency and efficiency.

Councilmember DeHaven moved that City Council approve the acquisition of the Vermeer VX50 Vacuum Trailer from Vermeer Sales and Service of Colorado, Inc., for the Cortez Public Works Department in the amount of $95,757.12. Councilmember Lewis seconded the motion and the vote was as follows:

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

b. Service Center Water Dock Replacement presented by Casey Simpson, Interim Director of Public Works

Staff reported on longstanding issues with the City water dock, noting declining revenues, aging components, and difficulties for the public in using the current system. A turnkey replacement project is proposed to allow for staff installation, improve usability, and restore revenues to 2018 levels. The new system would include a cashless payment option to address lost revenue from tourism traffic, reduce security risks, and align with practices used in surrounding communities.

Councilmember Lewis moved that Council select the quote from Flowpoint Environmental Systems Inc. at its quoted price of $75,427.97 for the Service Center water dock replacement, and that the City Manager be authorized to negotiate and sign a contract on behalf of the City for this purpose. Councilmember Dobry seconded the motion and the vote was as follows:

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

c. Application for Department of Local Affairs (DOLA) Predevelopment grant funding for Park Village Housing Project presented by Drew Sanders, City Manager

City staff initially determined that this grant aligned with the needs of the Park Village Housing Project; however, the project is not yet at a stage to proceed. Staff recommended tabling consideration of the grant

Councilmember Dobry moved to table this item. Councilmember Lewis seconded the motion and the vote was as follows:

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

d. Authorize the Mayor to sign a letter from the Colorado Department of Transportation regarding the enhancement of Denny Lake Park presented by Creighton Wright, Director of Parks and Recreation

Councilmember Dobry recused himself from the discussion due to his previous work at Montezuma County with this grant. Director Wright presented a letter concurring with CDOT's finding that the Paths to Mesa Verde project provides enhancements to Denny Lake Park and does not create impacts requiring mitigation, qualifying for a Section 4(f) exception. Discussion noted the project's long history and statewide significance, its eligibility for a waiver, and that enhancements are being added to mitigate potential impacts. A proposed change reviewed by staff was added to the letter. It was clarified that the City is not relinquishing rights to CDOT or the federal government, and that portions of the trail within City property will remain under City regulation. Current plans were determined not to negatively impact Denny Lake Park, but instead to enhance it.

Councilmember Lewis moved that City Council authorize the Mayor to sign the edited letter from the Colorado Department of Transportation dated July 29, 2025, regarding CDOT Project SA# 25236: Section

4(f) Enhancement of Denny Lake Park. Councilmember Randle seconded the motion and the vote was as follows:

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

e. Appointment to the Planning & Zoning Commission presented by Danielle Wells, City Clerk

An advertisement has been placed on the City's web page and in the newspaper regarding the open seat on the Planning & Zoning Commission. There is an opening due to Emily Waldron resigning from the board. The term for the open seat ends in November 2026. Charles Borchini Jr. was interviewed during the Council Work session.

Councilmember DeHaven moved that Charles Borchini Jr be appointed to the Planning & Zoning Commission for the remainder of the term of departing Commissioner Emily Waldron. Councilmember Keefauver seconded the motion and the vote was as follows:

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

f. Appointment to the Historic Preservation Board presented by Danielle Wells, City Clerk

An advertisement has been placed on the City's web page regarding the open seat on the Historic Preservation Board. There is an opening due to Member and Realtor Rachel Weaver resigning from the board. This is a three-year term. Diane McBride was interviewed during the Council Work Session.

Councilmember Lewis moved that Diane McBride be appointed to the Historic Preservation Board for a three-year term. Councilmember Keefauver seconded the motion and the vote was as follows:

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

8. DRAFT RESOLUTION/ORDINANCES: None

9. CITY ATTORNEY'S REPORT: None

10. CITY MANAGER'S REPORT

a. Ms. Helen West with Cortez Community and Economic Development is working with the Small Business Development Center (SBDC) and Cortez Retail Enhancement Association (CREA) to present a workshop on how to start a small business. The workshop will take place Tuesday, October 14, 2025 from 9 a.m. – noon at City Hall. Following the workshop, Region 9 will give a presentation from noon – 1 p.m. on Enterprise Zone Business Tax Credits. Registration information can be found on the Cortez City Calendar on the City of Cortez Website.

b. The Lazy River at the Cortez Recreation Center has been reopened. The Lazy River was closed earlier this summer due to structural issues with the slide tower to ensure public safety. The slide tower is still closed and has been wrapped in construction netting until it can be fixed to avoid causing injury.

c. All City departments are working hard on the FY2026 budget for presentation at the Council Budget Workshop this Friday, September 26, 2025 from 8:30 a.m. – 4:30 p.m.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop: Council interviewed candidates for the Planning & Zoning Commission and Historic Preservation Board. A presentation was given by Tri City Soccer President Ben Burkett

b. Other Board Reports

i. Library Advisory Board: Councilmember DeHaven attended the recent meeting. The library will transition to the AspenCat system tomorrow, offering a more user-friendly platform and expanded interlibrary loan access. Staff are developing a safe 'Teen Up' space, budgeting for additional user resources such as magazines, and planning upcoming events including the Library Libation fundraiser in March and a book sale in October. Community members may also support the library by joining the Friends of the Library online for $10 annually, even without needing to volunteering their time.

ii. Mesa Verde Country Board Meeting: Councilmember Dobry attended. Discussion was held on the preliminary budget and direction for 2026.

iii. Mayor Medina attended the Rise Walk Event last weekend for suicide awareness along with many community members. She also attended the Municipal Court staff regional training. Thank you to Municipal Court Clerk Carla Odell and Judge Padilla for organizing the event.

12. PUBLIC PARTICIPATION: None

13. OTHER ITEMS OF BUSINESS: None

14. The meeting was adjourned at 8:51 p.m.

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Rachel B. Medina, Mayor

ATTEST:

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Danielle Wells, City Clerk