CORTEZ CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 9, 2026

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 Dennis Spruell, Mayor Pro Tem Bill Lewis, April Randle, Carly Wolf, Kathleen Swope, Claire West, and Clarisa Osborn. Staff present included: Chief of Police Vernon Knuckles, Parks and Recreation Director Creighton Wright, Parks and Recreation Assistant Director Jenny Bandi, Finance Director Randy Bailey, Interim Community and Economic Development Director/City Planner Jason Armstrong, Airport Director Kyle Sloan, General Services and Public Works Director Casey Simpson, Public Works Project Engineer Noah Peterson, Chief Building Official Sean Canada, Library Director LeRoy Harris, IT Director Jay Roher, Court Clerk/Administrator Carla Odell, City Clerk Danielle Wells, City Manager Drew Sanders and City Attorney Patrick Coleman. There were 13 members of the public present in the audience.

   Councilmember Lewis moved that Council approve the Agenda as presented for June 9, 2026. Councilmember Randle seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

2. CONSENT AGENDA

   a. Approval of the meeting minutes from May 26, 2026

   b. Approval of the Expenditure List for June 9, 2026

   c. Approval of a Renewal Application for a Hotel and Restaurant Liquor License for Rosita Inc., DBA Tequila’s, 1740 East Main Street, Cortez

   d. Approval of a Renewal Application for a Hotel and Restaurant Liquor License for Ocean Pearl Cortez LLC, DBA Ocean Pearl Chinese Restaurant, located at 300 East Main Street, Cortez

   e. Approval of a Renewal Application for a Retail Liquor Store Liquor License for Robert E Domagata West Slope Liquors LLC, DBA West Slope Liquors, located at 2212 East Main Street, Suite #1,Cortez

   f. ~~Approval of the Special Event Permits to Fundamental Needs Inc. to host two special events on July 3, 2026 from 5:00 p.m. to 9:00 p.m. and July 4, 2026 from 12:00 p.m. to 9:00 p.m. in Parque de Vida, Cortez~~

   g. Approval of an application for a Colorado Liquor Permanent Sales Room for DuWest Wines LLC located at 413 N. Linden St, Cortez

   h. Approval of the Change in Premises Application for El Campestre Mexican Restaurant LLC located at 1430 East Main Street Suite #6, Cortez

   Mayor Spruell requested that Item f be removed from the Consent Agenda to have further discussion on the item. Councilmember Randle moved that Council approve the Consent Agenda as amended. Councilmember Lewis seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

   <u>Consent Agenda “Item f”</u> presented by Director of Parks and Recreation Creighton Wright

   A special event permit request for the City's 4th of July Celebration at Parque de Vida, coordinated in partnership with Fundamental Needs. Council action is limited to approval of the liquor license portion of the event. Planned activities include live music, volleyball and kickball tournaments, a car show, children's activities, cornhole, and a pie eating contest, with a requested sound curfew extension to 10:00 p.m. and alcohol sales concluding at 8:00 p.m. on the 3rd and 9:00 p.m. on the 4th.

Mayor Pro Tem Lewis moved that Council approve the Special Event Permits to Fundamental Needs Inc. to host two special events on July 3, 2026 from 5:00 p.m. to 8:00 p.m. and July 4, 2026 from 12:00 p.m. to 9:00 p.m. in Parque de Vida, Cortez. Councilmember Swope seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

3. PUBLIC PARTICIPATION: None

4. PRESENTATIONS

a. <u>Sri Chimnoy Oneness-Home Peace Run Certificate of Appreciation</u> presented by Mayor Dennis Spruell

The Mayor noted the recent visit of an international relay running team traversing the United States, representing participants from around the world. The team passed through Cortez and presented the City with a certificate of appreciation. The Mayor read an accompanying poem on behalf of the group, and expressed enthusiasm for the recognition bestowed upon the City of Cortez

5. PUBLIC HEARINGS

a. <u>City Council Resolution No. 9, Series 2026</u> presented by Jason Armstrong, Interim Director of Community & Economic Development

Councilmember Osborn recused herself due to a conflict of interest.

Interim Director of Community and Economic Development presented the continued application for a Conditional Use Permit for a permanent accessory structure exceeding the maximum square footage allowed under the Land Use Code for property located at 1626 Rolling Road, zoned Residential Single Family (R-1). The item was continued from the May 12 hearing, at which time Council requested the applicant submit a revised site plan. The applicant responded by relocating the proposed structure to the southern portion of the property, started the consolidation process of the four lots into one, and provided architectural renderings of the structure. Staff noted that approval of a home occupation permit would be required, prohibiting commercial use of the structure, and that a building permit would be required separately from the Conditional Use Permit.

The applicant addressed Council, confirming the lot consolidation application had been submitted and that the structure was repositioned as far south as practicable while retaining driveway access. The Mayor opened the public comment period. Mr. Austin Thompson, residing at 1702 Rolling Road, expressed concern regarding the scale of the proposed structure, characterizing it as more consistent with an agricultural barn than a residential garage. Mr. Clint Watson, a neighboring property owner, addressed Council in support of the application, noting the historic nature of the property and the oversized lot as justification for the request. Mr. Greg Hile spoke in opposition, citing the importance of upholding R-1 zoning standards for the protection of all property owners and expressing concern regarding the precedent the approval may set citywide. Ms. Emma Thompson, residing at 1702 Rolling Road, acknowledged the applicant's efforts to accommodate neighbor concerns through relocation and renderings, while requesting confirmation that the structure would be built on Lot 4 as shown, and encouraging Council to consider reducing the overall size. The Mayor closed the public comment period. Council deliberated on the application. Mayor Pro Tem Lewis noted that the applicant could construct two separate 800-square-foot structures without requiring a Conditional Use Permit, and expressed the view that approving one consolidated structure of equivalent combined area represented a practical and reasonable outcome given the accommodations made by the applicant. Councilmember West emphasized Council's quasi-judicial role in weighing expert testimony, public input, and applicable code, and noted that public comment was largely in opposition to the permit. Councilmember Randle acknowledged the unique nature of the property, its historical significance to the family, and the applicant's cooperative approach, expressing support for approval while noting that views are not a protected interest under the code and that the proposed structure is consistent with the character of the oversized lot.

Mayor Pro Tem Lewis moved that City Council approve Resolution No. 9, Series 2026, a resolution approving the conditional use permit for a permanent accessory structure exceeding 800 sq. ft. on property located at 1626 Rolling Road, zoned Residential Single Family (R-1), with the conditions as stated in the resolution. Councilmember Randle seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Recused	Yes	Yes	Yes	No	Yes

b. Ordinance No. 1368, Series 2026 presented by Creighton Wright, Director of Parks and Recreation

Council was presented with a proposed budget amendment appropriating $294,000 in restricted General Fund reserves to cover the cost of irrigating City parks and the golf course with potable city water for the remainder of the 2026 summer season. The amendment was necessitated by a drought year resulting in low snowfall and limited runoff, prompting the Montezuma Valley Irrigation system to cut off irrigation water allocations in late June or early July, leaving approximately three months of the irrigation season without a primary water source. Affected areas include Parque de Vida, Centennial Park, the eastern Montezuma Ave median islands, Kiwanis Park, the golf course, and the South Softball Complex. Staff proposed conservation measures including a 40% reduction in inner park irrigation focusing on functional turf, and a 20% reduction at the golf course and softball complex. Estimated costs are $122,000 for parks and $172,000 for the golf course, neither of which can absorb the expense within existing budgets. Staff noted that any unused funds would be returned to reserves, and confirmed the water treatment plant has sufficient capacity to accommodate the increased demand. Mayor Spruell opened and closed the public comment period with no public comment received. Council discussed the long-term consequences of allowing turf and trees to die, noting that recovery could take years and that maintaining existing assets is more cost-effective than restoration. The revenue-generating significance of the golf course and softball tournaments were cited in support of the expenditure.

Mayor Pro Tem Lewis moved for Council to approve on Second and Final Reading, Ordinance 1368, Series 2026, an ordinance approving a Budget Amendment and appropriating $294,000 for City (potable) water to irrigate the Park Areas and the golf course. Councilmember Swope seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

c. Ordinance No. 1367, Series 2026 presented by Jason Armstrong, Interim Director of Community & Economic Development

Chief Building Official Mr. Sean Canada joined staff in presenting the second reading of Ordinance No. 1367, proposing adoption of updated building, fire, and energy codes. Staff noted that while Colorado does not mandate a specific update schedule, best practice is to adopt codes within two to three cycles, and that the City's 2022 adoption of the electrical energy code triggered a requirement to also adopt the 2021 International Energy Code equivalent and the Solar Ready Code. Stated benefits of adoption include improved safety standards, energy efficiency, ADA compliance, reduced legal liability, lower ISO insurance ratings for residents, and retention of local code enforcement authority. Staff cautioned that failure to adopt the codes could result in the State assuming enforcement jurisdiction and potentially stripping the City of its local plumbing authority, thereby losing associated revenue. The Mayor opened the public comment period. Commissioner Kent Lindsay, Vice President of Empire Electric Board, addressed Council regarding potential impacts to the electrical grid, including costs associated with new infrastructure such as substations and transformers, noting those costs are passed on to ratepayers. The Mayor closed the public comment period. Council discussed the waiver provision allowing property owners to apply for exemption from Solar Ready Code requirements if compliance costs exceed 1% of total electrical, plumbing, and mechanical costs. Staff recommended that waiver determinations be handled administratively, with the ability to appeal to Council. Councilmember Randle expressed opposition to the Solar Ready Code, citing concerns about added construction costs inconsistent with the City's affordable housing goals and noting the absence of a direct safety benefit. Other members noted that builders are largely already meeting these standards, that waivers are expected to be minimal, and that solar-ready features may increase resale value for interested buyers.

Mayor Pro Tem Lewis moved that City Council approve on second reading Ordinance No. 1367, Series 2026, an ordinance adopting the 2024 ICC codes, the 2023 NFPA 70 Code and the 2023 Colorado Model Electric Ready and Solar Ready Code. Add waiver process. Councilmember Swope seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	No	No	Yes	Yes	Yes	Yes

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS

a. <u>Ordinance No. 1369, Series 2026</u> presented by Patrick Coleman, City Attorney

City Attorney Patrick Coleman presented the first reading of an ordinance amending the City Code to align with Charter changes approved by voters in the April 7, 2026 Municipal Election. Two provisions require Council action. First, the previous Charter specified fixed dollar amounts for Mayor and Council compensation. The proposed ordinance removes the fixed amounts and allows compensation to be set by ordinance, preserving current pay levels unless a future Council brings forward a new ordinance to amend them. Staff noted that adoption of the ordinance is necessary for Council to continue receiving compensation. Second, the previous Charter required Council meetings to be held at City Hall, with limited flexibility for location changes. The ordinance incorporates language permitting Council to change the meeting location in the event of an emergency, consistent with the Charter amendment approved by voters. The definition of what constitutes an emergency remains subject to Council's determination.

Councilmember Randle moved that City Council approve on first reading Ordinance No. 1369, Series 2026, an ordinance amending the Cortez City Code to implement certain Charter amendments approved by the voters on April 7, 2026, and set the ordinance for second reading and public hearing on July 14, 2026. Councilmember Swope seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. <u>Memorandum of Understanding (MOU) between the City of Cortez and Evergreen Redevelopment West LLC</u> presented by Jason Armstrong, Interim Director of Community & Economic Development

Interim Director of Community & Economic Development Jason Armstrong presented a Memorandum of Understanding between the City of Cortez and Evergreen Redevelopment West LLC for the development of affordable multifamily rental housing on City-owned property located on West 7th Street, between South Oak Street and South Chestnut Street.

Mr. Armstrong noted the MOU was reviewed by the City Attorney, the City's low-income tax credit attorney, and legal counsel for Evergreen, and that Council had the opportunity to review the agreement during a prior executive session. He clarified that the MOU is a predevelopment agreement, not a binding sale or construction authorization, and that the City retains approval authority at each subsequent stage of the process. Approximately seven acres of the site are designated for a future City park, which will be addressed through a separate action by the Parks and Recreation Department. Evergreen was selected as the preferred developer following a competitive Request for Qualifications process conducted in September 2025. The selection committee included representatives from across City departments and Council. The process included background checks, reference checks, and interviews of the top two proposals, with Evergreen determined to be the highest-scoring candidate.

Mayor Pro Tem Lewis moved that Council select Evergreen Redevelopment West LLC as the developer of affordable multifamily rental housing on City-owned property located on West 7th Street, approve the Memorandum of Understanding between the City and Evergreen, authorize the Mayor to sign the MOU, and authorize the City Manager to negotiate a Purchase and Sale Agreement for the 7th Street property with the final purchase price to be approved by City Council. Councilmember Wolf seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

c. <u>Resolution No. 12, Series 2026</u> presented by Danielle Wells, City Clerk

Staff presented an amendment to the 2026 Fee Schedule, originally adopted by Resolution No. 15, Series 2025, to correct errors and adjust rates identified following adoption. Staff recommended incorporating the changes immediately rather than waiting until the 2027 fee schedule cycle in order to support cost recovery for City operations. Adjustments include corrections to Library Department card and printer fees, the Parks and Recreation Lifeguard Cadet Program fees, Criminal Justice fees to align with the City's CORA policy, and an adjustment to the cash-in-lieu requirement.

Councilmember Randle moved that Council approve Resolution 12, Series 2026, a resolution amending the 2026 Fee Schedule for the City of Cortez. Councilmember Wolf seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

d. <u>New Application for a Hotel & Restaurant Liquor License</u> presented by Danielle Wells, City Clerk

The City Clerk's Office received an application on May 18, 2026, from Pitchers on Main LLC for a new Hotel & Restaurant Liquor License at 9 W. Main Street, the former location of Once Upon a Sandwich. The previous liquor license expired and was not eligible for transfer, necessitating a new application. State regulations require the local licensing authority to schedule a public hearing no less than thirty days from the date of application and establish neighborhood boundaries. Public notice will be provided through posting on the premises and publication in the Cortez Journal.

Mayor Pro Tem Lewis moved that City Council set a Public Hearing date of Tuesday, July 14, 2026, for review of a new Hotel & Restaurant Liquor License for Pitchers on Main, LLC, and set the neighborhood boundaries as the Cortez City limits. Councilmember West seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

e. Appointments to Various Boards and Commissions presented by Danielle Wells, City Clerk

Council had two interviews during the earlier work session. Mr. Bruce Burkett interviewed for the Planning & Zoning Commission and Mr. Neco Escoe interviewed for the Parks, Recreation, and Forestry Advisory Board. During the May 26, 2026 Worksession, Council interviewed Steven Moore, Steven Etter, Alan Klein, and Dave Stamm. Council noted that Mr. Stamm said that he would have some potential conflicts with attending the regularly scheduled meetings, and suggested appointing the other applicants.

Councilmember Randle moved to appoint Bruce Burkett to the Planning & Zoning Commission to complete a term ending May 2027; and Steven Moore, Neco Escoe, Steven Etter and Alan Klein to the Parks, Recreation and Forestry Advisory Board for two-year terms. Councilmember West seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

f. Proposed Draft Policy for Agendizing City Council Proclamations

Due to the lateness of the evening, Mayor Spruell continued this item to the next Council Meeting on July 14, 2026.

8. DRAFT RESOLUTION/ORDINANCES: None

9. CITY ATTORNEY'S REPORT: None

10. CITY MANAGER'S REPORT: Will be posted on the City website.

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop

Council interviewed board applicants, had official photos taken, discussed lodger’s tax, and had some general discussions.

b.Other Board Reports

i. Parks, Recreation, and Forestry Advisory Board – did not have a quorum on the regular scheduled meeting, and it was moved to June 11, 2026.

ii. Golf Advisory Board – Golf rounds are higher in May 2026 comparted to last year. The board reviewed the survey responses and 2027 budget.

12. PUBLIC PARTICIPATION: None

13. OTHER ITEMS OF BUSINESS

a. Executive Session - Negotiation of a new Treated Water Agreement with the Ute Mountain Ute Tribe

At 9:52 p.m., Mayor Pro Tem Lewis moved that Council go into executive session pursuant to C.R.S.

Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators concerning the negotiation of a new Treated Water Agreement with the Ute Mountain Ute Tribe. Councilmember Osborn seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

Close of Executive Session: The open meeting resumed at 10:07 p.m. Those persons participating in the executive session were Mayor Dennis Spruell, Mayor Pro Tem Bill Lewis, Councilmembers April Randle, Kathleen Swope, Carly Wolf, Clarisa Osborn, and Claire West. Also participating were City Manager Drew Sanders, City Attorney Patrick Coleman. No adoption of any proposed policy, position, resolution, rule, regulation or formal action occurred during the executive session.

Mayor Pro Tem Lewis moved that Council approve City Manager Drew Sanders as the Chief Negotiator of a new treated water agreement with the Ute Mountain Ute Tribe. Councilmember Randle seconded the motion and the vote was as follows:

Lewis	Osborn	Randle	Spruell	Swope	West	Wolf
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Councilmember Randle requested to appear remotely at the July 14, 2026 meeting.

14. The meeting was adjourned at 10:08 p.m.

____

Dennis Spruell, Mayor

ATTEST:

____

Danielle Wells, City Clerk