

CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 22, 2019

1. The meeting was called to order at 7:30 p.m., and was opened with the Pledge of Allegiance. Councilmembers present were Mayor Karen Sheek, Mayor Pro-tem Orly Lucero, Sue Betts, Jill Carlson, Ty Keel, Mike Lavey, and Gary Noyes. Staff members present were Chief of Police Roy Lane, Associate Planner Neva Connolly, Management Intern Peyton Heitzman, Director of Public Works Phil Johnson, Director of General Services Rick Smith, Airport Manager Russ Machen, City Attorney Mike Green, City Clerk Linda Smith, and City Manager John Dougherty. There were twelve people present in the audience.
2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Worksession and Regular Meeting Minutes of January 8, 2019.
 - b. Approval of the payment of the Expenditure Vouchers of January 22, 2019.
 - c. Approval of a renewal Hotel and Restaurant Liquor License for Rodgers Inc., DBA Shiloh Steakhouse, located at 5 Veach Street, Cortez.
 - d. Approval of a renewal Retail Marijuana Store License for The Medicine Man, LLC, located at 310 East Main Street, Cortez.

Mayor Pro-tem Lucero moved that Council approve the Consent Agenda with the additional expenditure list totaling \$84,052.79. Councilmember Keel seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

3. PRESENTATIONS – None.
4. CITIZEN PARTICIPATION – None.
5. PUBLIC HEARINGS – None.
6. UNFINISHED BUSINESS – None.
7. NEW BUSINESS
 - a. Ordinance No. 1261, Series 2019. Airport Manager Machen stated that Ordinance No. 1261, Series 2019, approves an Airport Land Lease with Waste Management of Colorado. He stated that two current land leases between the Cortez Municipal Airport and Waste Management of Colorado will expire June 29, 2019 and the purpose of the leases are twofold: to provide land area required

by the State of Colorado for a septic system and to provide access and storage area for the Waste Management operation. He stated that the leach field leasehold has been in effect since June 29, 1989, and the storage/access leasehold became effective January 1, 2003. He stated that the new land leases would be in effect through December 31, 2024, and can be extended in five-year increments, unless terminated sooner. He spoke about the lease rates and commented that the rates would be adjusted annually according to the Consumer Price Index as published by the Federal Government each January, for the prior year.

Councilmember Carlson moved that Council approve on first reading Ordinance No. 1261, Series 2019, approving an Airport Land Lease with Waste Management of Colorado, and set for public hearing on February 12, 2019. Councilmember Noyes seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Resolution No. 1, Series 2019. Associate Planner Connolly stated that Resolution No. 1, Series 2019, approves an Amended Plat of the Subdivision of Lot 4, The Cortez Industrial Park, as submitted by the City of Cortez. She stated that the City is requesting a plat amendment to adjust the boundary lines of Lot 4C in the Amended Plat of the Subdivision of Lot 4, Cortez Industrial Park (owned by STR Customer Coatings, LLC) and the City of Cortez Geer Natural Area (owned by the City of Cortez). She stated that the proposed plat amendment would reduce Lot 4C from 53,144 square feet to 39,454 square feet and would add 13,690 square feet to Geer Natural Area. She stated that the plat amendment will facilitate a property exchange between the City of Cortez and STR Custom Coatings, LLC, with the City exchanging property located at 519 North Texas Street for the property located at 1754 Sagebrush Circle Drive. She stated that the additional property near Geer Natural Area will be used as future public access to the natural area. She reviewed Section 6.09(a)(9) of the City's Land Use Code regarding Replats and Plat Amendments. She stated that one of the conditions would be that the City install a new water tap on the amended Lot 4C (1754 Sagebrush Circle).

Mayor Pro-tem Lucero moved that Council approve an Amended Plat of the Subdivision of Lot 4, The Cortez Industrial Park, as submitted by the City of Cortez, through Resolution No. 1, Series 2019, with three conditions. Councilmember Lavey seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

c. Ordinance No. 1262, Series 2019. Associate Planner Connolly stated that Ordinance No. 1262, Series 2019, approves the inclusion of the structure located within the "Original Townsite of Cortez" in the City of Cortez Register of Historic Structures, Sites, and Districts, specifically the structure at 109 West Main Street. She stated that the Court House building located at 109 West Main Street was included in the fifth survey that was completed on properties in the community and qualifies for historic designation. She stated that a portion of the Court House was built in 1936 and the second half was built in the 1960's which allows both buildings to be designated historic as

they are over 50 years old. Mayor Sheek commented that the original building constructed in 1936 was part of the Work Projects Administration (WPA).

Councilmember Betts moved that Council approve on first reading Ordinance No. 1262, Series 2019, approving the inclusion of the structure located within the “Original Townsite of Cortez” in the City of Cortez Register of Historic Structures, Sites, and Districts, specifically the structure at 109 West Main Street, and set for public hearing on February 12, 2019. Mayor Pro-tem Lucero seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

d. Bid on 12” DR-11 PE4710 HDPE Waterline Pipe. Director of Public Works Johnson stated that the City recently sent out a bid request for 2,920 LF of 12-inch DR-11 PE4710 HDPE waterline pipe to be used in the upcoming waterline replacement project. He stated that the pipe is a special order and can take up to eight weeks to receive; therefore, Public Works wanted to get the pipe ordered so the material is on hand when the waterline project is awarded. He stated that six bids were received for the pipe and staff recommends the bid be awarded to the low bidder, Grand Junction Pipe and Supply at a bid amount of \$78,664.80.

Councilmember Lavey moved that Council award the 12” DR-11 PE4710 HDPE Waterline Pipe Bid to Grand Junction Pipe and Supply in the amount of \$78,664.80 for 2,920 LF of 12” HDPE waterline pipe. Mayor Pro-tem Lucero seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

e. Resolution No. 2, Series 2019. Management Intern Heitzman stated that Resolution No. 2, Series 2019, establishes the Cortez Youth Commission Bylaws. She stated that a group of youth have been attending Youth Commission meetings regularly since August of 2018 and have been working on the creation of the bylaws, providing input on the design of the new park at the location of the old high school, and have been learning about the role of City Council and local government. She stated that the draft bylaws are ready for adoption and are being recommended to Council for approval. In answer to a question from Councilmember Noyes, Management Intern Heitzman stated there are currently eleven members on the Youth Commission.

Councilmember Noyes moved that Council approve Resolution No. 2, Series 2019, establishing the Cortez Youth Commission Bylaws. Councilmember Lavey seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

f. Appointments of the Cortez Youth Commission. Management Intern Heitzman welcomed the students in attendance and asked them to introduce themselves to Council: Christopher Matimba, Chairman of the Cortez Youth Commission, a Junior at Montezuma-Cortez High School (MCHS);

Annika Lewis, Vice-Chairperson of the Commission, a Junior at MCHS; Kailen Carlson, a Senior at MCHS; Clarissa Dukeminier, a Senior at MCHS, and also serves as the youth representative on the Parks, Recreation, and Forestry Advisory Board; and Ryan Lee, a Senior at the Southwest Open High School. Management Intern Heitzman stated that there are eleven students currently serving on the commission and they have been committing about three hours every month. She stated that the students are outstanding leaders interested in learning about local government and providing input to Council on issues that impact youth in the community.

Councilmember Keel moved that Council appoint Annika Lewis, Christopher Matimba, Clarissa Dukeminier, Dante Downey, Erin Brown, Jacob Schuster, Kailen Carlson, Nanabah Sam, Nizhoni Sam, Ryan Lee, and Samuel McAlister to the Cortez Youth Commission for the 2019 term. Councilmember Carlson seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

g. Recreation Center Natural Gas Contract Modification. Director of General Services Smith stated that for many years the Cortez Recreation Center has had a contract in place to purchase natural gas through CenterPoint Energy. He stated that the natural gas purchased is transported to the Recreation Center by Atmos Energy. He stated that the Recreation Center is the only City facility with enough natural gas demand to take advantage of the program. He explained that the current contract with CenterPoint is based on an individual monthly rate structure and is subject to monthly price adjustments. He stated that the contract has saved the City money on natural gas for many years. He stated that CenterPoint recently met with City staff and offered a chance to modify our current contract and lock-in rates through December 2021. He stated that the City paid an average of \$3.14 per M/btu in 2018 and \$3.24 per M/btu in 2017. He stated that the City could lock-in the pricing or stay with the current contract and utilize the monthly rate adjustment.

Councilmember Noyes moved that Council allow City Manager Dougherty to sign a contract with CenterPoint Energy to lock-in natural gas pricing through December 2021 at a rate of \$3.14 per M/btu or lower. Mayor Pro-tem Lucero seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

h. Letter of Support for Statewide Hydrocarbon Emissions Reduction (SHER) Task Force and the Colorado Air Quality Control Commission. Mayor Sheek stated that, after discussion on the item during Council worksession, Council decided to table the issue to receive more information before approving the letter of support.

Councilmember Keel moved that Council table the motion authorizing the Mayor to sign a letter of support for Statewide Hydrocarbon Emissions Reduction (SHER) Task Force and the Colorado Air Quality Control Commission supporting strong, State-wide controls on air quality, to allow time for more information to be gathered on the request. Mayor Pro-tem Lucero seconded the motion, and the vote was as follows:

Betts	Carlson	Keel	Lavey	Lucero	Noyes	Sheek
Yes	Yes	Yes	Yes	Yes	Yes	Yes

8. DRAFT ORDINANCES/RESOLUTIONS – None.
9. OTHER ITEMS OF BUSINESS – None.
10. ADDITIONAL CITIZEN PARTICIPATION – None.
11. CITY ATTORNEY’S REPORT – None.
12. CITY MANAGER’S REPORT

a. Federal Government Shutdown/Mancos Meeting. City Manager Dougherty stated that due to the Federal Government Shutdown he has authorized late payment fees for water/trash bills for Cortez Federal Government workers to be waived until the shutdown has ended and the employees receive their paychecks. He stated that he and the Mayor attended a breakfast meeting in Mancos (Tuesday, January 22, 2019), and the Town of Mancos is also offering the same relief to Federal employees. He stated that TSA workers at the Airport received lunch today from the City and were told how much they are appreciated by keeping the Airport open. In answer to a question from Mayor Sheek, City Manager Dougherty stated that he encouraged Federal employees that live in Dolores to share the letter that the City of Cortez and Town of Mancos are offering regarding the fee waiver and hopefully the Town of Dolores will authorize the same offer.

b. Employee Appreciation Party. City Manager Dougherty reminded Council that the City Employee Appreciation Party will be held on Sunday, February 17, 2019, at the Cortez Elks Club. He stated that Council is invited to attend and to RSVP to Vickie Haddix or Cheryl Lindquist by Friday, January 25, 2019.

13. CITY COUNCIL COMMITTEE REPORTS

a. Mayor’s Report on Workshop. Mayor Sheek stated that during the worksession discussion was held on the joint County Commissioner/City Council meeting which has been scheduled for March 5, 2019. Discussion was also held on rezoning Montezuma Park to Open zone instead of current Neighborhood Business zone and the Recreation Center Natural Gas Contract modification was reviewed. She stated that preliminary discussion was held on a new daycare program and Council reviewed the request for a letter of support from the Colorado Air Quality Control Commission. She stated that split year projects and water capital allocation was reviewed for the Public Works budget and an Executive Session was held for discussion with the City Attorney for the purpose of receiving legal advice on specific legal questions regarding settlement of litigation, as per C.R.S. Section 24-6-402(4)(b).

b. Cortez Cultural Center Board Meeting. Councilmember Lavey reviewed the upcoming events for the Cortez Cultural Center in 2019 which include fundraisers, new speakers, and the Pueblo to Pueblo Race. He stated that the Native American dancers will begin in June and run through August.

c. Mesa Verde Country Board Meeting. Mayor Sheek stated that she and Councilmember Noyes attended the Mesa Verde Country Board meeting which is held every two months. She stated that Justin Vasterling, from Destination Grill, has been appointed to the Mesa Verde Country Board as the Cortez Lodger's representative. She stated that the 2019 budget was reviewed and approved. Councilmember Noyes spoke about two trips that will be sponsored this year to familiarize people with what the area has to offer. He spoke about the Jeep Safari that will be detouring through Cortez and noted that the group will be in the area for two days.

d. Parks, Recreation, and Forestry Advisory Board. Councilmember Lavey stated that the Parks, Recreation, and Forestry Advisory Board meeting was held on Friday, January 18, 2019, and discussion included the south neighborhood park status, the Montezuma Park bandshell proposal, and the 2016 Master Plan.

The regular meeting was adjourned at 8:10 p.m.

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk