

CITY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 12, 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, and Gary Noyes. Councilmember Mike Lavey was absent. Staff members present were Chief of Police Roy Lane, Management Intern Peyton Heitzman, Director of General Services Rick Smith, Director of Parks and Recreation Dean Palmquist, Director of Planning and Building Sam Proffer, City Attorney Mike Green, City Clerk Linda Smith, and City Manager John Dougherty. There were six 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 February 26, 2019.
 - b. Approval of the payment of the Expenditure Vouchers of March 12, 2019.
 - c. Approval of a renewal Hotel and Restaurant Liquor License for Seven Meadows Farm LLC, DBA The Farm Bistro, located at 34 West Main Street, Cortez.
 - d. Approval of a Special Event Permit for the Cortez Area Chamber of Commerce to sponsor “Business After Hours” at SW Health System, located at 1311 North Mildred Road, Cortez, on Thursday, March 14, 2019, from 5:00 p.m. to 8:00 p.m.

Councilmember Keel moved that Council approve the Consent Agenda with the additional expenditure list totaling \$56,868.02. Mayor Pro-tem Lucero seconded the motion, and the vote was as follows:

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

3. PRESENTATIONS- None.
4. CITIZEN PARTICIPATION – None.
5. PUBLIC HEARINGS
 - a. QUASI-JUDICIAL – Public Hearing on a New Beer and Wine Liquor License for The Hampton Inn. Mayor Sheek noted that the item was a Quasi-Judicial item and asked if anyone had spoke about the request, to disclose that conversation for the record; however, no one spoke. Chief of Police Lane was sworn in and presented his report on the issuance of a new Beer and Wine Liquor License for A&A Enterprise of Cortez, Inc., DBA The Hampton Inn of Cortez, located at 2244 East Hawkins Street, Cortez. He stated that public notice was posted on the premises on February 19, 2019, and the notice was also placed in the newspaper on March 1, 2019. He stated that the poll of

the surrounding neighborhood showed 45 in favor of granting the license, zero against, and zero were neutral. He stated that the location complies with the Colorado Liquor Code rules and regulations and does not create any known public safety or endanger public health. He stated that the Police Department does not object to the issuance of the liquor license for the Hampton Inn. Chief of Police Lane submitted his report for the record. The representative for the applicant, Janice Christiansen, General Manager for the Hampton Inn, presented three petitions also in support of the issuance of the liquor license. She spoke about the standards that have been created by the Hampton Inn which requires the hotel to sell beer and wine in the treat shop which also includes the sale of chips, ice cream, cookies, and other items. She stated that guests would take their purchases from the treat shop to their rooms. The petitions from Ms. Christiansen were presented for the record. Mayor Sheek opened the public hearing; however, no one spoke and the hearing was closed.

Councilmember Keel moved that after considering the reasonable requirements of the neighborhood, the desires of the adult inhabitants, the necessity of any restrictions on the license, the good character of the applicants, and compliance with all the provisions of Article 3, Title 44, Colorado Revised Statutes, that Council approve a new Beer and Wine Liquor License for A&A Enterprise of Cortez, Inc., DBA the Hampton Inn, located at 2244 East Hawkins Street, Cortez. Councilmember Noyes seconded the motion, and the vote was as follows:

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

b. Ordinance No. 1265, Series 2019. City Attorney Green stated that Ordinance No. 1265, Series 2019, exchanges land between the City of Cortez and STR Custom Coatings LLC. He stated that the deeds for the exchange of the Texas Street property, owned by the City of Cortez, and the property owned by STR Custom Coatings LLC, for property located in the Industrial Park, would be completed following the publishing of the ordinance in the newspaper on Tuesday, March 19, 2019. Mayor Sheek opened the public hearing; however, no one spoke and the hearing was closed.

Mayor Pro-tem Lucero moved that Council approve Ordinance No. 1265, Series 2019, approving the land exchange between the City of Cortez and STR Custom Coatings LLC. Councilmember Keel seconded the motion, and the vote was as follows:

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

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. 2019 Rotary Park and South Softball Complex Infield Mix Bid. Director of Parks and Recreation Palmquist stated that the renovation projects for the South Softball Complex have been ranked as a priority through the Parks, Recreation, and Forestry Master Plan. He stated that the west ballfield at the South Softball Complex and the north ballfield at Rotary Park are slated for completion this year. He stated that two bids were received for 300 tons of red fortified/stabilized infield mix to be applied at the City ballfields. He stated that the Parks Maintenance Division is

requesting that the bid be awarded to the low bidder, Golf and Sports Solutions with the tonnage increased to 400 tons at the per unit price of \$99.60/ton. He stated that the additional tonnage would possibly allow for the completion of the last infield at the Parque de Vida intermediate field. He stated that the total bid amount of \$39,840 is \$160 under the budgeted amount of \$40,000. It was noted that the infield mix has helped with safety concerns and allows the playability of the fields to continue even after a big rain.

Councilmember Carlson moved that Council award the Parks Maintenance Division's Softball and Baseball Infield Projects bid to Golf and Sports Solutions for a total cost of \$39,840.00, purchasing 400 tons of delivered, red, infield mix. Councilmember Betts seconded the motion, and the vote was as follows:

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

b. 2019 Vehicle Bid. Director of General Services Smith stated that the 2019 Equipment Fund provides \$269,000 for the purchase of two (2) Police Patrol SUV, one (1) patrol pickup, one (1) SUV for the detectives, and one (1) SUV for a trip car for the Cortez Police Department; one (1) pickup for Planning and Building; two (2) pickups for Parks and Recreation; and one (1) pickup for Public Works. He stated that the 2019 Water Fund provides \$105,000 for the purchase of one (1) $\frac{3}{4}$ ton pickup and one (1) two-ton pickup for Public Works. He stated that two local responses and one out-of-town bid were compared to the Colorado State bid process which includes the local vendor preference amount. He reviewed the low bidders for each of the eight bids and stated that the bid amount was \$9,824.77 over budget. He stated that staff is recommending that the two (2) SUV's (Bid Item 1) be exchanged for two (2) pickups (Bid Item 2) which would bring the total Vehicle Bid from the Equipment Fund to \$270,374.33, which is \$1,374.33 over the budgeted amount. He stated that the Water Fund purchases total \$84,513.54, which is \$20,486.46 under budget. In answer to a question from Mayor Sheek, Police Chief Lane stated that the pickups would work fine for the Police Department noting that the backseat in the pickup is larger than in the SUV's.

Mayor Pro-tem Lucero moved that Council award the 2019 Vehicle Bid as follows: Bid Item 2 - four units to the low-bidder Morehart/Murphy at the bid amount of \$28,367.78 each; Bid Item 3 - one unit to the low-bidder New Country at the bid amount of \$33,087.45; Bid Item 4 - one unit to the low-bidder Colorado State Bid at the bid amount of \$27,309.48; Bid Item 5 - two units to the low-bidder Colorado State Bid at the bid amount of \$26,639.34 each; Bid Item 6 - one unit to the low-bidder Colorado State Bid at the bid amount of \$33,759.36; Bid Item 7 - one unit to the low-bidder Colorado Sate Bid at the bid amount of \$43,227.60; and Bid Item 8 - to the low-bidder Colorado State Bid at the bid amount of \$50,754.18; for a grand total of \$354,887.87 (from Equipment Fund and Water Fund). Councilmember Keel seconded the motion, and the vote was as follows:

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

c. QUASI-JUDICIAL - Public Hearing on a Transfer of Ownership for The Medicine Man, LLC

to Mountain Annie’s LLC. City Attorney Green stated that the applicants for Mountain Annie’s LLC (Clifton Randall Knipe and Ann Marie Whiteley) have requested a public hearing date be set for review of their application for the Transfer of Ownership of a Retail Marijuana Store, Medical Marijuana Center/On Site Optional Premises Cultivation, and Medical Marijuana-Infused Product Manufacturer License from Medicine Man, LLC.

Councilmember Carlson moved that Council set a public hearing date of March 26, 2019, for review of a Transfer of Ownership of a Retail Marijuana Store, Medical Marijuana Center/On Site Optional Premises Cultivation, and Medical Marijuana-Infused Product Manufacturer License from Medicine Man, LLC, to Mountain Annie’s LLC. Councilmember Noyes seconded the motion, and the vote was as follows:

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

d. Letter of Endorsement for American Family Act – Universal Child Allowance Bill. City Manager Dougherty stated that Senator Bennet’s office recently sent an email requesting local support for a bill he has introduced in the Senate to reform the Federal Child Tax Credit so that families can take the tax reduction through the year, instead of only when their taxes are filed each year. He stated that the concept is to feel immediate tax relief for families which would trickle into the local economy throughout the year rather than just once a year. Discussion was held on the amount that would be received for each child and Councilmember Carlson stated that she would like to review the Bill in full, rather than go by the Facts Sheet produced by the sponsors, before endorsing a letter of endorsement.

Councilmember Carlson moved to table approval of the letter of endorsement supporting the American Family Act – Universal Child Allowance Bill to allow Council time to review the Bill. Councilmember Betts seconded the motion, and the vote was as follows:

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

8. DRAFT ORDINANCES/RESOLUTIONS – None.

9. OTHER ITEMS OF BUSINESS

a. Letters of Approval for Montezuma Heritage Museum. Mayor Sheek stated that the Montezuma County Historical Society has just become aware of several grants from the El Pomar Foundation and Gates Family Foundation which they would like to apply for and are asking for letters of support to be included in their grant applications. She stated that the funding would be used toward the completion of a museum in the community which would be located on South Chestnut Street on property owned by Montezuma County. She stated that artifacts for the museum have been housed in many locations in the community and it would be nice to have them all in one location.

Councilmember Keel moved that the Mayor sign letters in support of the Montezuma County Historical Society to pursue grants from the El Pomar Foundation and Gates Family Foundation. Councilmember Carlson seconded the motion, and the vote was as follows:

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

10. ADDITIONAL CITIZEN PARTICIPATION – None.

11. CITY ATTORNEY’S REPORT – None.

12. CITY MANAGER’S REPORT

a. Business After Hours. City Manager Dougherty stated that he had forwarded the invitation to City Council for the next “Business After Hours” sponsored by the Chamber of Commerce which will be held at the SW Health Systems building on Thursday, March 14, 2019, from 5:00 p.m. to 8:00 p.m.

13. CITY COUNCIL COMMITTEE REPORTS

a. Mayor’s Report on Workshop. Mayor Sheek stated that during the worksession information was shared on part 1 of 3 on the draft Land Use Code. She stated that the code is in the final phases before the approval process begins. She stated that discussion was also held with Kelly Kirkpatrick of Mesa Verde Country on possible management of the Welcome Center.

b. Southwest Council of Governments (SWCOG). Mayor Sheek stated that she and City Manager Dougherty attended the SWCOG meeting in Durango on Thursday, March 7, 2019, and discussion included USDA grants that are available for broadband, recycling, and affordable housing.

c. Art and Agriculture Open House. Mayor Sheek noted that an Art and Agriculture Open House will be held at the Sky Art Studio on 105 North Sligo Street on Sunday, March 17, 2019, if anyone is interested in attending.

The regular meeting was adjourned at 8:50 p.m.

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk