

CITY COUNCIL
SPECIAL MEETING
WEDNESDAY, MARCH 18, 2020

1. The meeting was called to order at 6:05 p.m., and was opened with the Pledge of Allegiance. Councilmembers present were Mayor Karen Sheek, Mayor Pro-tem Orly Lucero, Ty Keel, Mike Lavey, and Gary Noyes. Councilmember Sue Betts was present by phone. Staff members present were Parks and Recreation Dean Palmquist, Interim Chief of Police Andy Brock, City Clerk Linda Smith, City Manager John Dougherty, and City Attorney Mike Green. There were four people present in the audience.

2. Cancel March 24, 2020, Council Meeting. Discussion was held on canceling the regular Council meeting of March 24, 2020. City Manager Dougherty stated that he has had ongoing discussion with the City Attorney and Mayor for a couple of weeks about the NuVue public hearing scheduled for March 24, 2020, and he is concerned about having the attorney's from the Denver area come as well as the Governor's edict of having no more than ten people in a room. He stated that there could be a lot of people in attendance at the hearing, which could cause some concern due to the Governor's requirements. He stated that staff is working on a solution to allow Council meetings to continue, but also follow the City Charter requirements for open meetings while not having people present. City Attorney Green stated that Quasi-Judicial hearings will need the capability to be transcribed verbatim should someone want that done per an appeals decision or other reason and noted it is difficult to complete a record by phone. Discussion was held on Emergency Ordinance No. 1237, Series 2018, which allows for staff to work on different solutions for issues that may come up. Mayor Sheek stated that the Southwest Colorado Council of Governments (SWCCOG) is looking into ways that communities can continue to hold meetings and be in compliance with the law. City Attorney Green stated that he doesn't have an issue with Council holding meetings; however, a Quasi-Judicial meeting needs to be able to allow all the parties to participate. Discussion was held on the Governor's requests which continue to come in daily and City Manager Dougherty read a statement from the San Juan Public Health Department dated March 17, 2020, at 1:18 p.m., regarding distance requirements for public events. It was noted that the City does not have any known case of Coronavirus at this time. Discussion was held on future meetings and whether they would need to be canceled depending upon the technology that may be available to allow the meetings to be held.

Councilmember Lavey moved that the March 24, 2020, Council meeting be canceled. Councilmember Noyes seconded the motion, and the vote was as follows:

Betts	Keel	Lavey	Lucero	Noyes	Sheek
*	Yes	Yes	Yes	Yes	Yes

*Councilmember Betts did not vote as she was not in attendance in person, but rather by phone.

3. COVID-19 Update. City Manager Dougherty gave Council an update on the COVID-19 virus and the steps which the City is taking to protect the citizens and staff as proclaimed by the Governor's requirements. He stated that the Library and Recreation Center are closed and he spoke about the

distancing that is being completed for the staff that continues to work at City Hall. He spoke about parking spaces that are being blocked off for the restaurants to deliver carry-out for their customers. He stated that the City will continue to pay employees during this period of time and those that are not working, unless they have specific health issues, will be required to come in when called to help as needed such as sanitizing City buildings, work at the kennel, cleaning up graffiti, or other needed duties. He stated employees will be on-call and noted the steps that would be taken if they chose not to come in when called. He stated that all temporary employees have been let go. He stated that most employees will mostly be working from home except for the few that need to be in the buildings that are open. He stated that all public meetings have been canceled for 30 days in City Hall and deep cleaning will begin in areas that are not being used. He stated that services from the Police Department as well as the water and trash services will continue as usual. Discussion was held on how the part-time (year-round) employees are being handled and City Manager Dougherty spoke about trying to keep the employees working as much as possible noting that people's schedules will be accommodated as much as possible should they have other jobs. Council agreed to continue paying employees as outlined.

- 4. Cancel Committee Meetings. City Manager Dougherty commented that the City would need to cancel all committee meetings for 30 days, or at least 15 days and reevaluate, to comply with the requirements of the Governor. Discussion was held on the items that are needed to be addressed by the Planning and Zoning Commission (two vacation requests) and the need to move them forward if at all possible. Discussion was held on how to hold meetings remotely; however, it was noted that public hearings require the community to offer comments and it was unsure how that could be done by a remote meeting. City Manager Dougherty stated that he did not know how the remote meeting could be held at this time, but they would work towards that for the Planning and Zoning meeting if possible.

Councilmember Lavey moved that Council cancel committee meetings, except for April 7, 2020 Planning and Zoning Commission (if possible to hold), for 30 days. Councilmember Keel seconded the motion, and the vote was as follows:

Betts	Keel	Lavey	Lucero	Noyes	Sheek
*	Yes	Yes	Yes	Yes	Yes

*Councilmember Betts did not vote as she was not in attendance in person, but rather by phone.

- 5. Budget Discussion. Council held discussion on cutbacks on spending. City Manager Dougherty stated that he is concerned about revenues that were projected for 2020 and suggested that unnecessary spending be delayed at this time. He stated that all department heads have been informed not to spend money that is not required to be spent at this time. He spoke about City positions that will not be filled and Council spoke about freezing spending rather than changing anything in the Budget at this time. Council asked for an update on the items that would be cut/delayed so they have an idea of what the items may include. It was noted that infrastructure is important to continue working on as budgeted.
- 6. Election Update. City Clerk Smith stated that the water drop box is open in the back of City Hall for receiving ballots and a box is also available inside the front door at City Hall for those that want

to drop-off their ballots. She stated that ballots will also continue to be received daily from the Post Office and the election is continuing as planned through April 7, 2020. She stated that notice has been posted on the website to let residents know of the various places to deliver/mail their ballot. Councilmember Keel thanked City Clerk Smith for her work on the election. City Clerk Smith thanked Council for allowing the front door to remain open during the election. She noted that the mail ballots were delivered to the Cortez Post Office on March 17, 2020, for mailing to all registered voters. It was noted that further information will be shared as the time comes closer to swearing the newly elected Councilmembers.

- 7. Declaration of Local Health Disaster Emergency. Montezuma County Commissioner Jim Candelaria gave an update to Council on what the County is doing to comply with the COVID-19 regulations and stated that Montezuma County has also signed a State of Emergency which allows businesses to apply for SBA loans during this disastrous time. He stated that non-essential services have been slowed down but everything in the County is still moving forward. He commented that the Health Department is working diligently and the County is following all the regulations that are sent down from the State. He spoke about the good communication that continues with everyone working together and thanked the Police Department and others that are working through this situation. County Administrator Shak Powers gave an update on the various County Departments and which offices are open. He stated that any changes would be posted on the County’s website. Councilmember Keel thanked the County for the update and stated that the more collaboration that is conducted between the City and the County, the more it will instill confidence in the greater community. It was noted that everyone is trying to do the best they can. City Manager Dougherty read a new order from the Governor’s office that he had just received via text regarding mass gatherings which shall be limited to no more than 10 persons and which events the regulation would be subject to. City Attorney Green spoke about the Emergency Declaration which would allow staff to work towards figuring out how the Council would proceed with meetings in the future and what technology could be used to allow meetings to continue. Discussion was held on staff continuing to pay bills until Council meets again. It was agreed that the bills should continue to be paid and if anything is over budget, it should be discussed with Council.

Mayor Pro-tem Lucero moved that Council approve the Declaration of Local Health Disaster Emergency. Councilmember Keel seconded the motion, and the vote was as follows:

Betts	Keel	Lavey	Lucero	Noyes	Sheek
*	Yes	Yes	Yes	Yes**	Yes

*Councilmember Betts did not vote as she was not in attendance in person, but rather by phone.

**Councilmember Noyes stated that he does not agree with all of the information included in the Declaration of Local Health Disaster Emergency and the reason for it; however, he feels that businesses do need to be taken care of as well as the people that are affected by this issue that have no choice or say in it. He stated that he feels the issues have been blow out of proportion but the City needs to support their citizens.

Councilmember Keel thanked the City and County staff and emergency and essential service employees for all the work they are doing during this trying time. He encouraged everyone to not

forget their neighbors. Mayor Sheek stated that Council will try their best to keep everyone informed as much as possible and encouraged everyone to support local businesses. Councilmember Lavey reminded people to donate to the Share House and Good Samaritan Center to help the residents that need food or help. He stated that a lot of good can come out of this by helping others.

The regular meeting was adjourned at 7:50 p.m.

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk