

CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 12, 2020

1. The meeting was called to order at 7:30 p.m., by virtual contact through ZOOM, and was opened with the Pledge of Allegiance. Councilmembers present were Mayor Mike Lavey, Mayor Pro-tem Rachel Medina, Sue Betts, Amy Huckins, Orly Lucero, David Rainey, and Arlina Yazzie. Staff members present were Airport Manager Russ Machen, Interim Chief of Police Andy Brock, Director of Public Works Phil Johnson, IT Support Technician Bill Kuhn, City Clerk Linda Smith, City Manager John Dougherty, and City Attorney Mike Green. There were 15 people signed up as participants.
2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Worksession and Regular Meeting Minutes of April 28, 2020.
 - b. Approval of the payment of the Expenditure Vouchers of May 12, 2020.
 - c. Approval of a renewal Hotel and Restaurant Liquor License for Kashmien LLC, DBA Lotsa Pasta and Thatza Pizza, located at 439 East Main Street, Cortez.
 - d. Approval of a renewal Hotel and Restaurant Liquor License from La Casita de Cortez LLC, DBA La Casita de Cortez, located at 332 East Main Street, Cortez.

City Manager Dougherty asked that items c and d be removed from the Consent Agenda for further discussion. Councilmember Lucero moved that the Consent Agenda be approved less items c and d. Councilmember Rainey seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

City Manager Dougherty stated that the Finance Director had informed him prior to the meeting that Lotsa Pasta and La Casita had not paid their March sales tax which was due in April. He stated that both of the businesses have been current until the March filing and the City has noted that they would waive late charges due to the COVID-19 circumstances. He stated that it was unknown if either business was open during this period of time. He stated that staff recommends they both be approved but he wanted to inform Council about the circumstances on their payments. Councilmember Lucero moved that items c and d be approved. Councilmember Betts seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
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. Closure of Outdoor Pool for the 2020 Season. Director of Parks and Recreation Palmquist stated that the City of Cortez Parks and Recreation begins preparing the outdoor swimming pool for the Memorial Day weekend opening during the middle part of May. He stated that this year the City is at a crossroads with the COVID-19 pandemic and there does not seem to be a clear direction statewide on how to proceed. He stated that most agencies are waiting for the Colorado Governor to go to the next tier on allowing 50 or less people to gather in making their determination if swimming pools will open or not. He stated that the earliest the outdoor swimming pool could open would be Wednesday, May 27th, as the Governor’s safer-at-home executive order expires on Tuesday, May 26, 2020. He reviewed the average expenditures and revenues for the outdoor swimming pool and stated there would be approximately \$105,000 savings to the general fund if the pool remained closed for the 2020 season. Discussion was held on the use of the pool noting that June is the most popular month, with typically an average of 12,000 to 13,000 people per season. He stated that Great Outdoors Colorado gave the City grant funding in 2011 and they know of the possibility that the City may close the pool this season and they did not have an issue with that due to the pandemic situation. Several Councilmembers offered their comments that opening the pool is not a good decision for several reasons including social distancing requirements and costs. City Manager Dougherty stated that it is an issue for the children to have something to do this summer, but we know people would not wear masks at the pool and there will be an issue with social distance so he feels it is in the best interest of the City to not open this season.

Councilmember Betts moved that Council close the outdoor swimming pool for the 2020 season. Councilmember Huckins seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Layoff and Rehire of Part-time and Temporary Parks and Recreation Positions. Director of Parks and Recreation Palmquist stated that due to the COVID-19 pandemic, the Cortez Recreation Center closed its doors after Monday, March 16, in compliance with the Colorado Governor’s stay-at-home executive order. He stated that all the Recreation Center staff were given an option to continue working at the Recreation Center helping with maintenance projects or other areas that needed staffing, such as the animal shelter, graffiti removal, park maintenance, and golf course maintenance. He stated over half of the staff chose to work and continued to collect a paycheck and less than half chose not to work and did not collect a paycheck. He stated that a hiring freeze was initiated in March to reduce expenditures to help offset projected City revenue declines. As a result, the park maintenance divisions have been receiving assistance from the Recreation Center aquatic staff and the golf course maintenance division has been receiving assistance from the recreation division programming staff. Director of Parks and Recreation Palmquist spoke of the plan for re-

c. FAA CARES Act Grant to be used Towards Taxilane Repair. Airport Manager Machen stated that with the CARES Act legislation passed in early April, the Cortez Airport has received \$633,102 in match free funding to be used for any operating and maintenance expenses incurred by the Airport from January 20, onward, for the next four years, or until funding is exhausted. He stated that funding may also be used for Capital purchases or improvements under a separate grant application. He stated that most of the funding will be used for ordinary expenses due to the shortfall of Airport revenue from the COVID-19 shelter in place effects. He stated that in consultation with the City Manager and Finance Director, a plan has been outlined to use the funds primarily to fund Airport expenses and ordinary revenue to slowly rebuild the Airport Fund balance for future grant match capability and provide a fund balance of one year’s expenses for future unforeseen events. However, there is a need to rehabilitate a taxilane adjacent to the T-Hangar and staff would like to expend a small portion of the funding for that repair as it is eligible expense under the grant guidelines. He stated that the taxilane repairs are not a budgeted maintenance activity, but it seems appropriate to address it now, in light of the additional funding made available to the Airport. Mayor Lavey spoke about his visit to the site and noted the condition of the taxilane which is in great disrepair and needs to be redone for the safety of planes that are using the taxilane. Discussion was held on the project which would be a 1 and ½ inch overlay and Airport Manager Machen stated should last approximately ten years.

Councilmember Lucero moved that Council authorize the taxilane repair bidding process. Councilmember Betts seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

d. City Council Board Appointments. Mayor Lavey stated that after speaking with each of the Councilmembers about their interests to serve on the various City Boards, he made the following recommendations for the next two year term:

- Parks, Recreation, and Forestry Advisory Board – Arlina Yazzie
- Library Advisory Board – Mike Lavey
- Youth Commission – David Rainey
- Golf Advisory Board – Arlina Yazzie
- Mesa Verde Country – Orly Lucero, Rachel Medina, and Amy Huckins
- Cortez Cultural Center – Rachel Medina
- Historic Preservation Board – Sue Betts
- Southwest Colorado Council of Governments (SWCCOG) – Mike Lavey
- SWCCOG Alternate – John Dougherty
- Region 9 Economic Development – John Dougherty
- Region 9 Economic Development Alternate – Ben Burkett
- Public Arts Committee – David Rainey

It was noted that the Mayor is an Ex-Officio member of Planning and Zoning and Mayor Pro-tem Medina commented that she would like to also attend the Planning and Zoning meetings. In answer to a question from Councilmember Betts, City Clerk Smith read the by-laws of Mesa Verde County

regarding the membership which allows for five members (one representative of the Cortez City Lodgers, one representative of the Montezuma County Lodgers, two representatives of the current City Council, and one representative appointed by the City of Cortez).

Councilmember Rainey moved that Council approve the appointments of the Councilmembers to the various City Boards as listed above. Councilmember Yazzie seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

8. DRAFT RESOLUTION/ORDINANCES – None.

9. OTHER ITEMS OF BUSINESS – None.

10. ADDITIONAL CITIZEN PARTICIPATION

11. CITY ATTORNEY’S REPORT – None.

12. CITY MANAGER’S REPORT

a. Interviews for Police Chief and Library Director. City Manager Dougherty stated that he had hoped the candidates for the Police Chief and Library Director could be introduced to the public through a ‘meet and greet’ and interviews could then be held; however, due to the COVID-19 pandemic that process has not been possible and he would like to have the appointments made prior to him being gone for a few weeks. He stated that interviews with the candidates will be held tomorrow (Wednesday, May 13th) and a decision will be made for the two positions by Friday, May 15, 2020.

13. CITY COUNCIL COMMITTEE REPORTS

a. Mayor’s Report on Workshop. Mayor Lavey stated that the national perspectives of COVID-19 impacts were reviewed by Finance Director Burkett and City Manager Dougherty and a Public Works update was given on the Street Improvement Fund Project. Also, discussion was held on Parks and Recreation personnel which was reviewed in the Council regular meeting (Item 7b). Mayor Lavey stated that Director of Finance Burkett and City Manager Dougherty reviewed the proposal for the 2021 Budget planning and Council was updated that the tennis and pickle ball courts will be opened for single play on Wednesday, May 13, 2020, with special precautions. Mayor Lavey stated that Council adjourned to Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under Section 24-6-402(4)(b).

b. Census 2020. Mayor Pro-tem Medina encouraged everyone to participate in the Census 2020 noting the importance of the information being received. She stated that people may participate by logging into 2020 Census.gov and the process takes no more than ten minutes to complete.

Mayor Lavey thanked everyone for participating in the Council meeting and welcoming the new Councilmembers for their first full meeting. He reminded everyone to remain safe, wear your masks when appropriate, wash your hands, and watch out for each other. The regular meeting was adjourned at 8:40 p.m.

Michael J. Lavey, Mayor

ATTEST:

Linda L. Smith, City Clerk