

CORTEZ CITY COUNCIL  
REGULAR WORKSHOP  
TUESDAY, JULY 14, 2020, 5:30 p.m.  
Virtual Contact Through Zoom

1. The workshop was called to order at 5:30 p.m., by virtual contact through ZOOM. Attendance at the workshop included Mayor Mike Lavey, Mayor Pro-tem Rachel Medina, Sue Betts, Amy Huckins, Orly Lucero, David Rainey, and Arlina Yazzie. Staff members present were Director of Public Works Phil Johnson, IT Support Technician Bill Kuhn, Police Chief Vernon Knuckles, Director of Finance Ben Burkett, City Manager John Dougherty, City Clerk Linda Smith, and City Attorney Mike Green. There were 34 people signed up as participants.
2. Brenda VanKeuren, acting Vice-Chairperson from the Public Arts Committee, gave an update on the latest happenings of the committee highlighting the events that have been achieved including the downtown gallery window project. She stated that there are currently three members of the committee that allows for seven members. She spoke of the vision and mission statement for the group and the budget for the committee. She encouraged Council to continue to support the arts program and noted that this is a rebuilding time for the board. Mayor Lavey commented that Councilmember Rainey is the representative from Council to serve on the board and it was noted that the members and Councilmember Rainey will connect soon.
3. Director of Finance Burkett reviewed the information which was included in the packet including the update on the budget impacts of COVID-19 as well as the June Financial Report. He commented that the May sales tax receipts saw a 9% increase from the 2020 approved budget and he noted that the sales tax amount for the remaining of the year was revised down. He noted there is still concern on what will happen in 2020 and staff continues to monitor the issues. Discussion was held on the tourism season and it was noted that the Lodger's Tax is unofficially down 66% from the 2020 approved budget. Director of Finance Burkett stated that Council will need to decide how they would like to address the Lodgers Tax deficit. He noted that the money received from the Lodgers Tax is dispersed mostly to Mesa Verde Country, and 15% is used towards beautification (through the General Fund) and 5% is for administration (through the General Fund). He stated that discussion has been held with Mesa Verde Country on the issues and he stated that Council will need to address how they would like to manage the fund deficit that is being forecasted. Discussion was held on the sales tax year to date compared to last year.
4. A report by Cortez Retail Enhancement Association Executive Director Mark Drudge will be given at a future Council worksession as he would prefer to give his presentation in person rather than through ZOOM.
5. Police Chief Knuckles spoke about training that is completed by the Police Department noting that the required training is being completed by all the officers; however, training is down from last year. He stated that training offered by the internet has increased; however, online training is not the optimal forum. Discussion was held on the Red Flag and suicide prevention training. Council welcomed Chief Knuckles to City staff.

6. Discussion was held on Council proceeding with ZOOM meetings versus having in-person meetings in the Council Chambers. City Manager Dougherty spoke about the cleaning process that would be completed prior to and following a Council meeting. Councilmember Yazzie and Mayor Pro-tem Medina stated that they would like to go back to live meetings and Mayor Lavey stated he is ready to go back to live meetings when everyone is agreeable. Councilmembers Rainey, Lucero, Huckins, and Betts stated that they would prefer the meetings continue in ZOOM. Discussion was held on having hybrid meetings allowing Council to be present in the chambers and others can be present through ZOOM. City Attorney Green stated that he would recommend that the meetings be held the same, whether everyone is in attendance by ZOOM or in-person. He stated that everything will change when the emergency goes away. He stated that the meetings are built on an in-person process and it is unknown what may happen legally should a decision be challenged. Discussion was held on how the County holds their meetings and it was noted that the IT Department has been working on gathering the equipment to allow for a possible hybrid meeting. Council encouraged staff to report on how a hybrid meeting could be held at the next meeting. Discussion was held on wearing masks in City Hall should a Council meeting be held and how many people could attend as well as how long the meeting could be held. It was suggested that the Library offer a way for people to connect to the internet in their parking lot so they could participate in the meeting and City Manager Dougherty commented that the City is working on a possible solution. Mayor Pro-tem Medina suggested that Council meet weekly so the meetings could be shorter.

7. Mayor Lavey noted that discussion is being held on requiring face masks to be worn in public places and that no vote would be taken during the worksession. He asked that anyone that would like to offer their opinion to send their comments to Council and City staff. City Manager Dougherty stated that he advises that the City does not approve an ordinance that requires face masks be worn as there isn't enough man power to enforce it. Chief Knuckles commented that the officers would have a hard time enforcing a mask ordinance. Chief Knuckles stated that with the passage of Senate Bill 20-217 (C.R.S. 13-21-131) regarding 'use of force' has changed due to recent issues throughout the country. He stated that he feels the City needs to lean towards education rather than enforcement. Discussion was held on what other cities have done in regard to face mask requirements and Councilmember Rainey noted that he feels safer with people wearing masks. Councilmember Betts stated that people with breathing issues cannot wear masks because they are already starving for oxygen. She stated that people should doctor themselves. Councilmember Lucero stated that he feels it is up the businesses to require whether they want people to wear masks or not. Councilmember Yazzie stated that she feels there would be a huge burden on the Police Department to enforce mask wearing and asked if the City even has the ability to enforce such a requirement. City Attorney Green stated that the City is in an emergency situation but he is not sure about enforcement and issuing tickets for not complying. Councilmember Huckins and Mayor Pro-tem Medina suggested ideas for how to handle the mask requirement in public places and commented that patrons need to respect requirements that businesses may have. Discussion was held on stores that offer delivery to citizens in the parking lot and the possibility of having citizens shop for others that can't get out. It was questioned if there is justifiable data to require masks in the community and Mayor Lavey spoke about encouraging everyone to wear masks and social distance as much as possible. It was noted that Council will continue to receive input on the subject.

8. Council adjourned at 7:03 p.m., to Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding legal advice concerning City of Cortez audits and financial matters.

No decisions were made in Executive Session. The virtual meeting was adjourned at 7:30 p.m.