

CITY COUNCIL  
REGULAR MEETING  
TUESDAY, OCTOBER 27, 2020

1. The meeting was called to order at 7:30 p.m., through ZOOM. The meeting was opened with the Pledge of Allegiance. Councilmembers present were Mayor Mike Lavey, Amy Huckins, Orly Lucero, Mayor Pro-tem Rachel Medina, David Rainey, and Arlina Yazzie. Also present was new Councilmember Robert Dobry. Staff members present were Manager of Marketing Jon Brooks, Finance Director Ben Burkett, Director of General Services Rick Smith, Director of Public Works Phil Johnson, Chief of Police Vern Knuckles, City Planner Tracie Hughes, Human Resources Director Matt Cashner, Airport Manager Russ Machen, Library Director Alicia Gomori-Lusker, Network Administrator Bill Kuhn, City Clerk Linda Smith, City Manager John Dougherty, and City Attorney Mike Green. There were nine people signed up as participants on ZOOM.
2. The Consent Agenda items acted upon by Council were as follows:
  - a. Approval of the Worksession and Regular Meeting Minutes of October 13, 2020.
  - b. Approval of the payment of the Expenditure Vouchers of October 27, 2020.
  - c. Approval of a renewal Brew Pub Liquor License for Four Corners Brewing LLC, DBA Main Street Brewery and Restaurant, located at 21 East Main Street, Cortez.
  - d. Approval of a renewal Tavern Liquor License for Cortez Veterans, Inc., DBA Cortez Veterans Inc., located at 320 North Harrison, Cortez.

Councilmember Huckins moved that the Consent Agenda be approved as presented. Councilmember Yazzie seconded the motion, and the vote was as follows:

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

3. PRESENTATIONS
  - a. Swear in New Councilmember Robert Dobry. Councilmember Dobry took his oath of office as Councilmember for the City of Cortez.
  - b. Greenlight a Vet Proclamation. Mayor Lavey read the **Greenlight a Vet** proclamation honoring America's Veterans specifically by lighting a green light on your porch, your home, or in your office and keep it glowing every day as a symbol of appreciation and support. He noted that America's Veterans are some of our nation's bravest, hardest-working men and women.
4. PUBLIC HEARINGS – None.
5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. Montezuma Historic Museum Request. City Manager Dougherty stated that the Montezuma Historic Museum requested \$5,000 from City Council at the past City Council Worksession (October 13, 2020). He stated that a letter from the Montezuma Historic Museum group was included in the Council packet regarding the request and what the funding would be used for. He stated that Council has \$5,000 left in their budget that could be given for this request should Council want to do that. Ann Brown, representing the Montezuma County Historical Society, stated that the \$5,000 would be matched 100% by a grant from the Colorado Housing Finance Authority and would be used towards an audio-visual theater that would be located in the museum. She stated that a sign would be placed by the audio-visual theater noting that the City of Cortez sponsored the theater. Joe Keck spoke about the value of the museum in downtown Cortez noting it would be a great addition for tourism and economic development reasons. Ms. Brown spoke about the contributions that have been received to fund the museum and the work that has been done on the building which is hoped to be completed by Christmas. In answer to a question from Mayor Lavey, Ms. Brown spoke of the Community Support Grants that have been requested in the past from the City and what those funds have been used for. Ms. Brown spoke of the groups that the museum has been partnering with Mesa Verde Country, Ute Mountain Ute Tribe, and Mesa Verde National Park, among others. Discussion was held on the admission fees and Ms. Brown noted that members (\$30/family) would be admitted without a cost and it is hoped that the first year can be free to everyone. Ms. Brown stated that the admission fee for future years would be based on the cost of upkeep for the building. She spoke of the community room that would be available for meetings and other gatherings and noted that staff would mostly be volunteers. She spoke of funding for the museum and noted that a recent endowment was received that will help into the future.

Mayor Pro-tem Medina moved that Council approve the donation of \$5,000 to the Montezuma Historic Museum to be used towards the audio visual room. Councilmember Huckins seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Ordinance No. 1279, Series 2020. Director of Finance Burkett stated that Ordinance No. 1279, Series 2020, summarizes expenditures and revenues for each fund and adopts a budget for the City of Cortez, Colorado, for the calendar year beginning on the first day of January 2021 and ending on the last day of December 2021. He spoke about the reason for the three different ordinances that would complete the adoption of the budget and setting the mill levy noting that the ordinances better align with the State of Colorado requirements. He spoke about the process that has been held on reviewing the budget over the past few months and, if there are no changes requested by Council, the budget would be approved on first reading and set for public hearing on November 10, 2020. He stated that the mill levy is set at 1.21 mills as per Tabor limitations and noted that the mill levy cannot be raised without going back to the voters. In answer to a question from Councilmember Yazzie, Director of Finance Burkett stated that the property tax from the mill levy from previous years is being held by Montezuma County until the City’s audits are completed. Director of Finance Burkett spoke of the capital projects (water tanks/Parks and Recreation mower)

which were reviewed by Council and have been included in the current budget. Discussion was held on including funding for re-paving County Road F towards the Airport (\$140,000); however, Council agreed that should not be funded by the City. Also, discussion was held on the Southwest Colorado Council of Governments (SWCCOG) dues which Council agreed should be left in the budget. Discussion was held on working with the County on future projects. It was noted that the 2021 budget is based on fully staffed positions in the City.

Mayor Pro-tem Medina moved that Council approve on first reading Ordinance No. 1279, Series 2020, an ordinance summarizing expenditures and revenues for each fund and adopting a budget for the City of Cortez, Colorado, for the calendar year beginning on the first day of January 2021 and ending on the last day of December 2021, and set for public hearing on November 10, 2020. Councilmember Dobry seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

c. Ordinance No. 1280, Series 2020. Director of Finance Burkett stated that Ordinance No 1280, Series 2020, is being presented on first reading and is an ordinance appropriating sums of money to the various funds and spending agencies for the 2021 Budget year.

Councilmember Huckins moved that Council approve on first reading Ordinance No. 1280, Series 2020, an ordinance appropriating sums of money to the various funds and spending agencies, in the amount and for the purpose as set forth below, for the City of Cortez, Colorado, for the 2021 Budget year, and set for public hearing on November 10, 2020. Councilmember Lucero seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

d. Ordinance No. 1281, Series 2020. Director of Finance Burkett stated that Ordinance No. 1281, Series 2020, an ordinance levying property taxes for the year 2021, to help defray the costs of government for the City of Cortez, Colorado, for the 2021 Budget year, is being presented on first reading.

Councilmember Yazzie moved that Council approve on first reading Ordinance No. 1281, Series 2020, an ordinance levying property taxes for the year 2021, to help defray the costs of government for the City of Cortez, Colorado, for the 2021 Budget year, and set for public hearing on November 10, 2020. Councilmember Lucero seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

e. Resolution No. 22, Series 2020. City Planner Hughes stated that Resolution No. 22, Series 2020, approves the Minor Subdivision of Lot 2, Garner Subdivision. She stated that Casey and Morgan Lynn, agents for Becky Lynn, have applied for a two-lot minor subdivision on property located at 903 South Oak Street. She stated that the lot would be divided into two parcels (1.65 and

.28 acres) and both lots will front Jarret Avenue and South Oak Street. She noted that a new home is being built on Lot 2A and the other lot (Lot 2B) will be used for other purposes. She commented that the lots would meet the requirements of the Land Use Code and noted that the right-of-way for Oak Street would be included on the minor subdivision plat. Discussion was held on the right-of-way (easement) for Oak Street and what portion is dedicated from other properties located in the area.

Mayor Pro-tem Medina moved that Council approve Resolution No. 22, Series 2020 approving the Minor Subdivision of Lot 2, Garner Subdivision, as submitted by owner Becky Lynn, with two conditions. Councilmember Yazzie seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

f. Services Agreement Modification with Region 9 Economic Development District of Southwest Colorado. City Attorney Green stated that the services agreement for the Town of Mancos, Town of Dolores, and Montezuma County was obtained and it shows the various duties that would be performed by Region 9 to distribute funding left from the Coronavirus Relief (CARES) funding. Laura Lewis Marchino, Executive Director of Region 9 Economic Development District of Southwest Colorado, Inc., spoke about the process that has been completed for the Town of Mancos, Town of Dolores, and Montezuma County in distributing the funding left from the CARES Act. She spoke about the documentation (including receipts) that is required for the funding request and noted that non-profits and for-profit entities may apply. City Manager Dougherty stated that he feels Region 9 has experience in handling this type of situation and the process will help get the money out to the local businesses. Ms. Lewis Marchino spoke about the money that has been distributed to the County applicants noting that round one has been completed. She stated that the City could complete two rounds prior to the money needing to be distributed by December 31, 2020. She also spoke about the application that is being used by the other groups and the time needed by the Selection Committee to review the applications. Council spoke about the members that would serve on the Selection Committee and Councilmember Dobry stated that he would be interested in serving on the committee since he does not have a committee he is serving on at this time.

Councilmember Dobry moved that Council approve the Services Agreement Modification by and between the Region 9 Economic Development District of Southwest Colorado, Inc. and the City of Cortez to distribute the remaining CARES Act Funding to local for-profit and non-profit businesses. Councilmember Medina seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	No	Yes	Yes	Yes

Councilmember Yazzie moved that Councilmember Dobry be appointed to serve on the Selection Committee for distribution of the City’s CARES Fund. Councilmember Rainey seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
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Yes Yes Yes Yes Yes Yes Yes  
 Councilmember Dobry moved that Region 9 (Laura Lewis Marchino) be appointed to the Selection Committee for distribution of the City's CARES Fund. Councilmember Rainey seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

Councilmember Dobry moved that the City Manager be authorized to appoint a staff member to serve on the Section Committee to distribute the City's CARES Fund. Councilmember Rainey seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

Mayor Pro-tem Medina moved that the Selection Committee be authorized to act on the City's behalf to distribute the remaining CARES Fund with the City Manager's oversight and final approval on the distribution amount. Councilmember Huckins seconded the motion, and the vote was as follows:

Dobry	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

7. DRAFT RESOLUTION/ORDINANCES – None.

8. OTHER ITEMS OF BUSINESS – None.

9. CITIZEN PARTICIPATION

a. Business Leaders Forum. Terry Hinds stated that he had spoke with Mayor Pro-tem Medina a few months ago about setting up a business leaders forum so the community could address issues that they may have with City Council. He stated that he has set up a meeting in the County Commissioner's meeting room for Thursday, November 5, 2020, beginning at 6:30 p.m. He commented that he has 33 to 35 businesses signed up and asked that all of Council attend. Councilmember Rainey pointed out that the gathering of more than ten people is not in line with the Governors' (Health Department) order at this time. Discussion was held on adding a ZOOM component for City Council to be able to attend. City Attorney Green stated that the meeting would be considered a worksession and would be required to be noticed. Mayor Pro-tem Medina stated that she would like to attend as she would like to hear from the community businesses on how to build better relationships. Mr. Hinds noted that the meeting would allow Council to hear how they could better serve the community and the meeting would be recorded by the County. Discussion was held on how the meeting would be controlled and City Attorney Green commented that Council could disconnect should the meeting become disrespectful. He asked that the ZOOM connection be given to the City Clerk so it could sent out to Council.

b. City Council Residency Requirement. Houston Frizzell congratulated Mr. Dobry on his

appointment to the City Council. He commented that the requirement to live in the City for one year prior to serving on City Council should be changed to require that a candidate be a resident of the County for three to five years so there is a more local representative serving on the Council.

10. CITY ATTORNEY'S REPORT – None.

11. CITY MANAGER'S REPORT – None.

12. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Lavey stated that a presentation was made by Chief of Police Knuckles and Haley Leonard Saunders, Director of Public Relations and Development with Axis Health System, regarding a community policing program. Also, presentations were made by Laura Lewis Marchino, Executive Director of Region 9 on the Rural Jump Start Program Monique DiGiorgio, Director of Southwest Health Alliance Program. Director of Public Works Phil Johnson, Water Superintendent Rich Landreth, Senior Water Operator Randy Hunt, and City Engineer Chad Hill gave a presentation on water issues which included information on drought restrictions, source water protection plan, risk/resilience assessment and emergency response plan, and preliminary engineering report.

The regular meeting was adjourned at 9:30 p.m.

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Michael J. Lavey, Mayor

ATTEST:

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Linda L. Smith, City Clerk