CITY OF ROCKY FORD – CITY COUNCIL MEETING

City Council Chambers | 203 S. Main Street, Rocky Ford, CO

October 13, 2026

REGULAR MEETING: 6:00pm
Rocky Ford City Council met in Council Chambers on Tuesday, October 13, 2026. Mayor Joe Pentlicki called the meeting to order.

Those present at roll call were:

Mayor: Joe Pentlicki

Councilmembers: Nicholas Martinez, Robert Barron, Thomas Mullins, and Nicole Roberts

Councilmembers absent: Nanette Mosby

City Staff: City Manager Stacey Milenski, City Clerk Michelle Grasmick, Police Chief Matthew Wallace, Finance Director Kyle Crosswhite, Fire Chief Ray Gonzales, Fire Captain Brandon Dickinson, Public Works Director Rick Long. City Attorney Dan Harvey was in attendance by Zoom.

Public attendance: JR Thompson, Gary Reed, Lonye Buck, Brandy Sanders, Cody Baylor.

Mayor Pentlicki led the Pledge of Allegiance.

Councilmember Martinez read aloud the City of Rocky Ford's Mission Statement.

5. PUBLIC COMMENT
Gary Reed, county resident, commented regarding the ongoing discussion of councilmember terms and questioned the need for continued consideration of the issue in executive session. Reed expressed concerns about alleged changes made to Councilmember term information on the City's website by a former mayor and stated his view that those actions should receive greater attention. Reed further stated his opinion that Councilmembers should be permitted to complete their current terms and that any future appointment decisions could be addressed at that time.

6. APPROVAL OF CONSENT AGENDA
City Attorney Dan Harvey advised that approval of the agreement with Fire Recovery USA would occur automatically upon adoption of Ordinance No. 1000 on second reading. Harvey recommended removing the item from the consent agenda.

Councilmember Roberts motioned to strike approval of agreement with Fire Recovery USA from the consent agenda. The motion was seconded by Councilmember Martinez.
Voting results were:

YES: Barron, Mullins, Roberts, Martinez, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

Councilmember Roberts motioned to approve the Consent Agenda as amended. The motion was seconded by Councilmember Martinez.
Voting results were:
YES: Mullins, Roberts, Martinez, Barron, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

Consent Agenda Items approved were:
6.1 **Approval of Council meeting minutes from September 22, 2026** – Regular meeting at 6:00pm

7. APPROVAL OF AGENDA
Councilmember Mullins motioned to approve the Agenda, striking "and purchase of graphics for new ambulance" under item 11.5. The motion was seconded by Councilmember Martinez.
Voting results were:
YES: Mullins, Roberts, Martinez, Barron, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

8. PRESENTATIONS, AWARDS, PROCLAMATIONS
8.1 None

9. PUBLIC HEARING
9.1 None

10. OLD BUSINESS
10.1 None

11. NEW BUSINESS
11.1 Discussion/Action – Request to Use Public Right-of-Way - Shatterproof Walk to End Addiction

Brandy Sanders, founder of Addiction 2 Recovery, requested approval for use of a public right-of-way in connection with the Shatterproof Walk to End Addiction fundraiser scheduled for October 24th at Meloneer Park. Sanders requested a street closure of South 11th Street between Pine Avenue and Burrell Avenue near the former Washington and Jefferson Schools site to accommodate the event, including a car show and vendors, and also requested City assistance with trash disposal. It was advised that Sanders still needed to obtain liability insurance.

Council discussed the proposed event layout, potential impacts to nearby residents, traffic control needs, and event logistics. Following discussion with Police Chief Matthew Wallace and Public Works

Director Rick Long, Council considered a modified closure area extending from the bus loop south to Burell Avenue to minimize impacts on residents while providing adequate space for the event. City Clerk Michelle Grasmick estimated the value of requested city services, including labor, barricades, cones, and trash toters. Council discussed the City's recent practice regarding waiving fees for community events. During discussion, Councilmembers Mullins and Martinez, and Mayor Pentlicki volunteered personal contributions to offset event costs. City Attorney Dan Harvey advised that any approval should be contingent upon receipt of proof of liability insurance prior to the event.

Councilmember Roberts motioned to approve the request to use Public Right-of-Way for the Shatterproof Walk to End Addiction with the modified closure of South 11th Street from the bus loop south to Burrell Ave pending providing liability insurance prior to the event. The motion was seconded by Councilmember Martinez.
Voting results were:
YES: Martinez, Barron, Mullins, Roberts, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.2 Discussion/Action – Appointment of Mayor Pro-Tem

Council discussed the appointment of Mayor Pro-Tem following Mayor Joe Pentlicki's appointment to fill the mayoral vacancy. Councilmembers Nicholas Martinez, Robert Barron, and Thomas Mullins each expressed interest in serving in the position. Councilmembers emphasized the importance of appointing an individual who could work effectively with both the Mayor and the full Council, and one member stated he would defer to Mayor Pentlicki's judgment given the close working relationship the role requires. Resident JR Thompson addressed the Council and recommended Councilmember Barron based on his personal experience working with him.

Councilmember Roberts motioned to seat Councilmember Robert Barron as Mayor Pro-Tem. The motion was seconded by Councilmember Barron.
Voting results were:
YES: Roberts, Martinez, Barron, Mullins, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.3 Discussion/Action – Declare Vacancy – Ward II

Council discussed declaring a vacancy in Ward II following the appointment of Joe Pentlicki to the mayoral vacancy at the previous meeting. City Clerk Michelle Grasmick advised that the vacancy must be filled within 60 days of its declaration and reviewed the eligibility requirements for applicants, including being at least 18 years of age, a registered voter, and a resident of Ward II for at least one year. Council discussed the submission timeline and agreed that letters of interest would be due by November 5th to allow adequate time for review before the November 10th meeting. Council also noted that the deadline could be extended if an insufficient number of qualified applicants were received. For the benefit of the public, Council reviewed the Ward II boundaries, generally located between 7th Street and 10th Street.

Councilmember Martinez motioned to declare a vacancy for Ward II, setting the deadline to submit letters of intent by November 5th. The motion was seconded by Councilmember Roberts.
Voting results were:
YES: Martinez, Barron, Mullins, Roberts, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.4 Discussion/Action – Offer on 4th Street Lot

City Manager Stacey Milenski reported that the 4th Street lot, identified on the City's list of vacant properties, had been advertised for sale for at least 30 days in accordance with Council direction. The property was listed for $5,000, and the City received an offer at the full asking price of $5,000. Council discussed the property and noted that it is a nonconforming lot that would require Planning Commission approval for future development.

Councilmember Mullins motioned to accept the presented offer and approve sale of the 4th Street lot. The motion was seconded by Councilmember Roberts.
Voting results were:
YES: Barron, Mullins, Roberts, Martinez, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.5 Discussion/Action – Sale/Auction of 2015 Ambulance

Fire Chief Ray Gonzales clarified that the surplus ambulance under consideration was a 2013 ambulance, correcting the year listed on the agenda. Council noted that the matter had been discussed during the work session.

Councilmember Mullins motioned to approve the sale of the 2013 ambulance. The motion was seconded by Councilmember Martinez.
Voting results were:
YES: Mullins, Roberts, Martinez, Barron, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.6 Discussion/Action – Sale/Auction of Surplus Fire Equipment

Council noted that the matter had been discussed during the work session. No additional discussion occurred.

Councilmember Martinez motioned to approve the sale or auction of surplus fire equipment. The motion was seconded by Councilmember Roberts.

Voting results were:
YES: Mullins, Roberts, Martinez, Barron, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.7 Discussion/Action – Job Description – Deputy Fire Chief

Council noted that the matter had been discussed during the work session. No additional discussion occurred. Councilmember Roberts stepped out to take a call during this item.

Councilmember Barron motioned to approve the job description for Deputy Fire Chief. The motion was seconded by Councilmember Mullins.
Voting results were:
YES: Roberts, Martinez, Barron, Mullins, Pentlicki
NO: None
ABSENT: Mosby, Roberts
Motion carried: 4-0

11.8 Discussion/Action – **Ordinance No. 1000** – An Ordinance of the City of Rocky Ford, Colorado Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-emergency Services by the Rocky Ford Fire Department – **on first reading**

Fire Chief Ray Gonzales answered Council questions regarding the proposed mitigation billing program. Council discussed the monthly minimum fee of $250 if fewer than six claims are submitted per month, with Fire Recovery USA retaining 20% of collected revenues. Gonzales explained the program would allow the City to recover costs for emergency and non-emergency responses, including motor vehicle accidents, hazardous materials incidents, and other eligible calls where services are currently not billable unless a patient is transported. He noted the department averages approximately three hazmat incidents annually and responds to roughly 30 motor vehicle accidents within city limits each year. Gonzales stated the program is also utilized by Trinidad and La Junta and has been approved by the Rocky Ford Rural Fire Protection District. Council discussed budgeting for the minimum annual cost of approximately $3,000 and the potential revenue generated through eligible responses. City Attorney Dan Harvey advised that the agreement has an initial one-year term with automatic renewals and may be terminated by the City with 30 days' advance notice. Council expressed support for evaluating the program's effectiveness during its first year.

Councilmember Martinez motioned to approve Ordinance No. 1000, An Ordinance of the City of Rocky Ford, Colorado Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-emergency Services by the Rocky Ford Fire Department, on first reading. The motion was seconded by Councilmember Roberts.
Voting results were:
YES: Roberts, Martinez, Barron, Mullins, Pentlicki
NO: None
ABSENT: Mosby
Motion carried: 5-0

11.9 Discussion – 2027 Budget

Council noted that the matter had been discussed during the work session. Council acknowledged the budget remains a work in progress and noted the City continues to operate with a deficit while efforts are made to improve its financial position. Councilmembers expressed appreciation to City staff, department heads, and employees for their work in developing the budget and maintaining services despite reduced staffing and limited resources. No further discussion was offered.

12. EXECUTIVE SESSION

12.1 Executive Session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice on specific legal questions concerning elections and council terms

Councilmember Roberts moved to go into Executive Session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice on specific legal questions concerning elections and council terms. The motion was seconded by Councilmember Martinez. Voting results were:

YES: Martinez, Barron, Roberts, Pentlicki
NO: Mullins
ABSENT: Mosby
Motion carried: 4-1

Mayor Pentlicki recessed the regular meeting at 6:50pm to go into Executive Session.

Those going into Executive Session were Mayor Joe Pentlicki, Councilmember Nicholas Martinez, Councilmember Robert Barone, Councilmember Thomas Mullins, Councilmember Nicole Roberts, City Manager Stacey Milenski, City Clerk Michelle Grasmick, and City Attorney Dan Harvey.

Executive Session 12.1 started at 6:56pm and ended at 7:47pm.

The regular meeting reconvened at 7:49pm.

Mayor Pentlicki reported, for the record, that if any person who participated in the executive session believed that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meeting Law, that they should please state their concerns for the record.

Councilmember Mullins stated that he does not believe the cited Colorado Revised Statute covers discussion election material, noting that elections are not among the specific topics identified in the statute.

City Attorney Dan Harvey clarified that the executive session was called under the attorney-client privilege provision of the applicable statute. Harvey explained that the law requires the agenda to provide sufficient detail about the purpose of the executive session without disclosing privileged information and stated that he was satisfied with the description included on the agenda.

13. STAFF REPORTS

13.1 Public Work Director, Rick Long - Arkansas Valley River sewer contamination update

Public Works Director Rick Long provided an update on the August 26th sewage spill in Pueblo, during which approximately 4.2 million gallons of untreated sewage were discharged into the Arkansas River. He reported that CDPHE's water contact advisory for John Martin Reservoir has been lifted following sampling results showing E. coli levels consistent with state recreational standards. However, the advisory remains in effect for the Arkansas River, including areas near Rocky Ford, due to elevated bacteria levels. Long advised residents to continue avoiding direct contact with river water and noted that ongoing monitoring and sampling will continue. He further reported that there is no evidence the spill affected the City's public water supply, and testing has shown no impact to the City's well water system.

13.2 City Manager – Stacey Milenski summarized written City Manager's report to Council. Milenski included updates that occurred after the report was written.

13.3 Museum Curator, Rob Marshall - written only

14. COUNCIL REPORTS

Councilmembers provided updates and reports on their respective boards and community events.

15. PUBLIC COMMENT

15.1 None

16. UPCOMING MEETINGS

16.1 October 27, 2026 – 4:30pm Work Session, 6:00pm City Council Regular Meeting
16.1 November 10, 2026 – 4:30pm Work Session, 6:00pm City Council Regular Meeting

ADJOURN

There being no further business, Mayor Pentlicki adjourned the meeting at 8:09pm.

Mayor Joe Pentlicki

City Clerk, Michelle Grasmick