



CITY OF ROCKY FORD – CITY COUNCIL MEETING

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

July 14, 2026

REGULAR MEETING: 6:00pm

Rocky Ford City Council met in Council Chambers on Tuesday, July 14, 2026. Mayor Duane Gurulé called the meeting to order.

Those present at roll call were:

Mayor: Duane Gurulé

Councilmembers: Nicholas Martinez, Robert Barron, Joe Pentlicki and Nicole Roberts. Thomas Mullins and Nanette Mosby were in attendance by Zoom.

City Staff: City Manager Stacey Milenski, Police Chief Matthew Wallace, Public Works Director Rick Long. City Clerk Michelle Grasmick and City Attorney Dan Harvey were in attendance by Zoom.

Public attendance: JR Thompson, Gary Reed, Leon Ortega, Luli Ortega, Patrice McGowen, Cuco Ruiz, Brian Lovato, Tom Martin, Claudia Terrazas, Karen Encinias, Rocio Maestaa, Veronica Barela, Sawyer Menz, and multiple others who did not sign in.

Mayor Gurulé led the Pledge of Allegiance.

Mayor Gurulé read aloud the City of Rocky Ford's Mission Statement.

5. PUBLIC COMMENT

Tom Martin, resident, expressed concerns about inconsistent enforcement of zoning and permitting requirements, specifically questioning the approval of the sidewalk patio in front of The Main Lounge while other property owners have been cited or denied similar uses. He urged the City to apply permitting and code requirements consistently, stating that allowing unpermitted construction creates an unfair burden on those who follow the process. Martin also requested more detailed agenda descriptions for ordinances and public hearing items so residents can better understand matters under consideration.

6. APPROVAL OF CONSENT AGENDA

Councilmember Roberts motioned to approve the Consent Agenda as presented. The motion was seconded by Councilmember Pentlicki.

YES: Barron, Pentlicki, Mullins, Mosby, Roberts, Martinez, Gurulé

NO: None

Motion carried: 7-0

Consent Agenda Items approved were:

6.1 Approval of Council meeting minutes from June 23, 2026 – Regular meeting at 6:00pm

7. APPROVAL OF AGENDA

Councilmember Roberts motioned to approve the Agenda as presented. The motion was seconded by Councilmember Mosby.

Voting results were:

YES: Pentlicki, Mullins, Mosby, Roberts, Martinez, Barron, Gurulé

NO: None

Motion carried: 7-0

8. PRESENTATIONS, AWARDS, PROCLAMATIONS

8.1 None

9. PUBLIC HEARING

9.1 Application for Renewal of Retail Liquor License – The Main Lounge LLC, 301 S. Main Street, Rocky Ford, CO

Mayor Gurulé opened the public hearing at 6:07pm to consider comments for or against the renewal application for a Tavern License submitted by The Main Lounge.

City Clerk Michelle Grasmick reviewed the history of the application, explaining that it had previously been tabled to allow for gathering more information, then further delayed for proper public notice and a formal hearing. Prior to the meeting, Police Chief Matthew Wallace provided Council with a written report compiling comparative data on disturbance calls involving Rocky Ford liquor-licensed establishments. The information included all licensed establishments, with a focus on taverns and restaurants, and identified disturbances reported to law enforcement as well as incidents that were not reported in accordance with Rocky Ford Municipal Code requirements. City Attorney Dan Harvey advised that liquor license renewal applications may only be denied for “good cause” under the Colorado Liquor Code. He explained that good cause generally includes violations of liquor laws or license conditions, disciplinary issues, or operation of the establishment in a manner that adversely affects the public health, safety, or welfare of the surrounding neighborhood, such as a pattern of fights, violence, or disorderly conduct.

Claudia Terrazas, a Spanish Specialist with the Colorado State University Southeast Area Extension Office was present to interpret for the applicant, Rocio Maestas. Maestas responded to Council questions regarding reported disturbances, failures to notify law enforcement, and corrective actions implemented since the previous meeting. Maestas stated that security cameras had been installed, a panic alarm added, security personnel would be utilized for larger events, and procedures had been established to ensure law enforcement is contacted when incidents occur. Council discussed concerns about disturbances associated with the establishment, reporting requirements, staff awareness of activity outside the business, and the use of security measures to improve public safety.

Council discussed an ongoing investigation related to an alleged liquor license violation, noting that the matter remains unresolved and that the applicant is presumed innocent unless and until a violation is established. It was clarified that the previous tabling of the renewal application was intended to allow time to gather additional information and review law enforcement reports, rather than to await the conclusion of the investigation. City Attorney Harvey advised that any future liquor code violations could be addressed through separate proceedings and are not necessarily dependent on action regarding the current renewal.

Councilmembers expressed continued concern regarding reports of disturbances associated with the establishment, particularly incidents that were not reported to law enforcement, and discussed conflicting accounts between police records and the applicant's understanding of those events. Maestas stated that she had generally been unaware of disturbances occurring outside the bar, acknowledged the need for increased vigilance, and outlined efforts to improve reporting procedures, including instructing staff to contact police immediately when issues arise and barring individuals involved in prior altercations from returning to the establishment. Maestas also indicated that staff had received or would receive additional training on responsible alcohol service and recognizing when service should be refused.

Chief Wallace clarified that the disturbance information previously provided was based on CAD reports through Dispatch. He explained that when officers respond to a reported or observed disturbance, they address the situation as appropriate, but formal notification to a business owner is not routinely made. As a result, the bar owner may not have been aware of some incidents, particularly those occurring outside the establishment. Wallace noted that officers handling disturbances may not enter the business to contact staff if they are occupied with the immediate situation or responding to other calls. With the bar owner now installing exterior cameras, police will be more likely to coordinate with the business and request video footage when investigating future incidents.

Several members of the public provided testimony regarding the liquor license renewal application. Veronica Barela, a bartender at the establishment, spoke in support of the renewal and described efforts by staff to monitor patrons, refuse service when necessary, and maintain order. Tom Martin spoke in opposition, citing his experience as a former liquor establishment owner and emphasizing the importance of security measures, regulatory compliance, and public safety. Leon Ortega, Ricky Aragon, and Patrice McGowen spoke in support of the renewal, highlighting the owners' investment in revitalizing a vacant downtown building, the business's economic and community benefits, and the belief that the owners should be given the opportunity to address concerns and continue operating.

City Attorney Dan Harvey recommended that the applicant be given an opportunity to respond to comments made in opposition before the public hearing was closed and Mayor Gurulé invited the applicant to address any concerns raised. Maestas briefly thanked everyone who attended and participated in the hearing.

With no additional comments, Mayor Gurulé closed the public hearing at 6:52pm and reopened the regular meeting.

10. OLD BUSINESS

10.1 Discussion/Action – Application for Renewal of Retail Liquor License – The Main Lounge LLC, 301 S. Main Street, Rocky Ford, CO

Councilmembers discussed the testimonies provided and noted the strong public support expressed at the hearing and characterized the situation as a learning opportunity for a new business.

Councilmembers emphasized that their primary concern was timely reporting of incidents to law enforcement and ensuring the establishment takes an active role in monitoring and policing its premises, particularly at closing time. While recognizing the owners' significant investment in renovating the property and contributing to Main Street revitalization, Councilmembers stressed that businesses serving alcohol have a responsibility to help manage and prevent problems associated with intoxicated patrons.

Council also discussed that no liquor license violation had yet been substantiated, as an open investigation remained under review and no findings had been made by the State Liquor Board. Members noted that many reported disturbances occurred outside the establishment and that the owners had begun implementing proactive measures, including security cameras, to improve oversight. Several Councilmembers expressed appreciation for the owners' willingness to address concerns and stated that future accountability would depend on their continued commitment to taking corrective action and working cooperatively with law enforcement. Council further indicated a desire to receive incident reports more regularly so liquor license renewals can receive appropriate review rather than automatically remaining on the consent agenda.

Councilmember Roberts motioned to approve the Application for Renewal of Retail Liquor License – The Main Lounge LLC, 301 S. Main Street, Rocky Ford, CO. The motion was seconded by Councilmember Mosby.

Voting results were:

YES: Mullins, Mosby, Roberts, Martinez, Barron, Pentlicki, Gurulé

NO: None

Motion carries: 7-0

10.2 Discussion/Action – Application for Addition of Sidewalk Service Area – The Main Lounge LLC, 301 S. Main Street, Rocky Ford, CO

Council previously tabled this item to allow it to be considered with the related liquor license renewal application. Council considered the Main Lounge application for a sidewalk service area and discussed concerns regarding visibility, patron supervision, and the potential for alcohol to leave the licensed area. Applicant Rocio Maestas stated the patio fencing was installed after obtaining zoning permit approval and was intended to provide an outdoor space for customers.

During review, City Attorney Dan Harvey and City Clerk Michelle Grasmick clarified that the application combined a sidewalk service area request with an enclosed rear patio, which would require a separate

modification-of-premises approval. Following discussion, Maestas amended the application on the record to remove the sidewalk service area request and instead seek approval only for the enclosed rear patio as a modification of premises. Staff outlined the necessary application revisions and fee adjustments, and Council proceeded with consideration of the amended rear patio request.

Councilmember Martinez motioned to approve the amended Application for Modification of Premises (back patio) of The Main Lounge LLC, 301 S. Main Street, Rocky Ford, CO. The motion was seconded by Councilmember Barron.

Voting results were:

YES: Mosby, Roberts, Martinez, Barron, Pentlicki, Mullins, Gurulé

NO: None

Motion carried: 7-0

10.3 Action – **Ordinance No. 998** – An Ordinance Vacating an Access and Utility Easement Recorded with the Otero county Clerk and Recorder on December 17, 1971 at book No. 642 and Page No. 229, **on final reading**

Ordinance No. 998 was considered on second and final reading. The ordinance would vacate an access and utility easement located in the alley between Elm Avenue and Swink Avenue at the High Chaparral property. City Manager Stacey Milenski explained that the request is associated with the proposed Circle K development and is necessary to facilitate the project. No significant discussion followed before Council proceeded with consideration of the ordinance.

Councilmember Roberts motioned to approve Ordinance 998 – An Ordinance Vacating an Access and Utility Easement Recorded with the Otero County Clerk and Recorder on December 17, 1971 at Book No. 642 and Page No. 229 on final reading. The motion was seconded by Councilmember Pentlicki.

Voting results were:

YES: Roberts, Martinez, Barron, Pentlicki, Mullins, Mosby, Gurulé

NO: None

Motion carried: 7-0

11. NEW BUSINESS

11.1 Discussion/Action – Recommendation from Planning Commission to approve zoning variance at 405 N. 12th Street, Rocky Ford, CO

Council considered the Planning Commission's recommendation to approve a zoning variance for the property at 405 N. 12th Street, Rocky Ford. During discussion, it was noted that the building previously operated as a Valley-Wide clinic and is located in a mixed-use area. The property location was clarified, and it was explained that the applicants currently reside in the building and are seeking to designate it for residential use. No additional concerns were raised, and council proceeded to consider action on the Planning Commission's recommendation.

Councilmember Roberts motioned to approve zoning variance at 405 N. 12th Street, Rocky Ford, CO. The motion was seconded by Councilmember Martinez.

Voting results were:

YES: Martinez, Pentlicki, Barron, Mullins, Mosby, Roberts, Gurulé

NO: None

Motion carried: 7-0

11.2 Discussion/Action – Recommendation from Planning Commission to deny zoning variance at 404 S. 7th Street, Rocky Ford, CO

Council considered the Planning Commission's recommendation to deny a zoning variance request for the property at 404 S. 7th Street, Rocky Ford. Discussion focused on a structure that had been constructed without meeting required setback requirements. Denial of the variance would require the property owner to either modify or remove the structure to bring it into compliance and obtain the necessary zoning and building permits. It was noted that failure to comply could ultimately become a code enforcement matter. Council also discussed the recommendation to obtain a property survey, particularly given the potential sale of the adjacent property, before proceeding with action on the variance request.

Councilmember Roberts motioned to deny zoning variance at 404 S. 7th Street, Rocky Ford, CO. The motion was seconded by Councilmember Martinez.

Voting results were:

YES: Barron, Pentlicki, Mullins, Mosby, Roberts, Martinez, Gurulé

NO: None

Motion carried: 7-0

11.3 Discussion/Action – Public Safety Sales Tax Initiative – discussion and direction regarding next steps

Council discussed placing a public safety sales tax measure on the November ballot, including the proposed tax rate, duration, election requirements, and potential impacts. City Manager Stacey Milenski reviewed coordination with Otero County and the State regarding election deadlines and noted that a letter of intent and updated intergovernmental agreement would be required to participate in the general election. Council discussed a proposed 1.5% sales tax increase dedicated to police, fire, and EMS services, which would serve as a temporary funding measure to maintain current public safety operations and address staffing needs, and expressed support for a three-year sunset period. Council emphasized the importance of transparency with voters regarding the use of funds and directed the City Attorney to prepare a resolution and ballot language for a 1.5% public safety sales tax with a three-year sunset provision, including consideration of renewal language consistent with legal requirements.

11.4 Acknowledgment of receipt of complaint against Council Member Nic Martinez; discussion of next steps

Council acknowledged receipt of a complaint filed against Councilmember Nic Martinez in accordance with the adopted Code of Conduct complaint process and discussed potential next steps. During discussion, it was noted the incident referenced in the complaint involved a heated disagreement over policy but did not include threats or conduct they believed rose to the level of a Code of Conduct violation. Council also discussed accountability mechanisms available to address complaints against elected officials, including recall by the voters, and noted that Councilmember Martinez had already stepped down from the Tree Board following the incident. After acknowledging the complaint and discussing the established complaint process, Council took no further action.

11.5 Discussion/Action - Garage Door Replacement, Water Treatment Plant

Council considered replacement of the original roll-up garage door at the Water Treatment Plant docking bay, which is used to access and store chlorine and bisulfite delivery materials and is no longer operable due to age and corrosion. Public Works Director Rick Long reported receiving four quotes and recommended awarding the project to Overhead Door for \$7,552, citing it as the lowest-cost proposal and noting it included a three-year warranty with a 24-month limited warranty. Installation would be assisted by City-owned equipment as an in-kind contribution, reducing project costs. It was noted that replacement was necessary to accommodate upcoming deliveries, and funding would be split between the applicable enterprise funds.

Councilmember Roberts motioned to approve the bid from Overhead Door to replace the garage door at the Water Treatment Plant. The motion was seconded by Councilmember Martinez.

Voting results were:

YES: Mosby, Roberts, Martinez, Barron, Pentlicki, Mullins, Gurulé

NO: None

Motion carried: 7-0

12. STAFF REPORTS

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

12.2 Museum Curator – Rob Marshall, written only

13. COUNCIL REPORTS

Councilmembers provided updates and reports on their respective boards and community events. Mayor Gurulé summarized his written Mayor's report provided to Council, including updates that occurred after the report was written.

14. PUBLIC COMMENT

During public comment, JR Thompson noted that while the Arts Commission regularly tracks member term expirations and reappointments, other City boards and commissions do not appear to have a consistent process for monitoring terms. He observed that some members have continued serving for years without formal reappointment and suggested that staff maintain a current list of board appointments and term expiration dates. Thompson encouraged Council to implement a system to ensure board and commission members are reappointed in accordance with their established terms.

15. EXECUTIVE SESSION

15.1 None

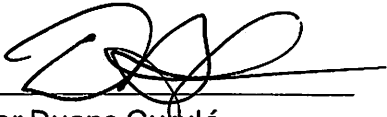
16. UPCOMING MEETINGS

16.1 July 21, 2026, from 2:00pm – 4:00pm City Council Work Session

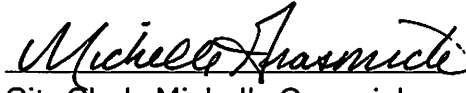
16.2 July 28, 2026, at 6:00pm - City Council Regular Meeting

ADJOURN

There being no further business, Mayor Gurulé adjourned the meeting at 8:50pm.

A handwritten signature in black ink, appearing to be 'DG', written over a horizontal line.

Mayor Duane Gurulé

A handwritten signature in black ink, appearing to be 'Michelle Grasmick', written over a horizontal line.

City Clerk, Michelle Grasmick