

CITY OF ROCKY FORD - CITY COUNCIL MEETING

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

March 10, 2026

REGULAR MEETING: 6:00pm

Rocky Ford City Council met in Council Chambers on Tuesday, March 10, 2026. Mayor Duane Gurulé called the meeting to order.

Those present at roll call were:

Mayor: Duane Gurulé

Councilmembers: Nicholas Martinez, Robert Barron, Nanette Mosby, and Nicole Roberts.

Councilmember Thomas Mullins was in attendance by Zoom.

Councilmembers absent: Johnny McMurray

City Staff: City Manager Stacey Milenski, City Clerk Michelle Grasmick, Police Chief Matthew Wallace.

City Attorney Dan Harvey was in attendance online by Zoom.

Public attendance: JR Thompson, Gary Reed, James Budnick, Nicholas Martinez II, Brad Roe, Jonathan Rodriguez, Brian Lovato, Jim Robinson.

Mayor Duane Gurulé led the Pledge of Allegiance.

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

5. PUBLIC COMMENT

5.1 None

6. APPROVAL OF CONSENT AGENDA

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

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

NO: None

ABSENT: McMurray

Motion carried: 6-0

Consent Agenda Items approved were:

6.1 Approval of Council meeting minutes from February 24, 2026 – Regular meeting at 6:00pm

7. APPROVAL OF AGENDA

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

Voting results were:

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

NO: None

ABSENT: McMurray

Motion carried: 6-0

8. PRESENTATIONS, AWARDS, PROCLAMATIONS

8.1 American Legion Post 8 - 2nd Annual Veteran Outreach Event

Jonathan Rodriguez, Brad Roe, and Jim Robinson provided information about the 2nd Annual Veteran Outreach Event on July 11, 2026. The intent of the event is to foster a relationship between communities and the Veterans who live among them. The outlined plans include a Mud Run, Cornhole Tournament, Nate Burnham concert, free lunch, and the 1st Annual Henry Friedenberger III Memorial Poker Run, emphasizing that all proceeds will remain in the valley to support local veterans' needs. They requested use of fairgrounds facilities and noted ongoing coordination with both the Fair Board and Council to ensure alignment. The group also highlighted strong local business support and their broader goal of building a sustainable fund to assist veterans with immediate needs and prevent crises.

9. PUBLIC HEARING

9.1 None

10. OLD BUSINESS

10.1 Approval of Ordinance No. 995 – An Ordinance of the City of Rocky Ford, Colorado approving a franchise fee for City Water, Sewer, and Garbage Enterprise, on first reading

Council reviewed the proposed franchise fee ordinance, which has been discussed extensively over multiple prior meetings. City Attorney Dan Harvey provided an overview of franchise fees, TABOR considerations, statutory authority, and associated risks, noting that while franchise fees are generally permitted, case law is limited and the statute does not clearly address fees imposed on a city-run enterprise. Councilmembers discussed the purpose of the fee, its long-term revenue implications, how the percentage was determined, and concerns regarding its relationship to right-of-way costs, impacts on enterprise funds, and overall transparency for residents.

Councilmember Roberts motioned to approve Ordinance No. 995 - An Ordinance of the City of Rocky Ford, Colorado approving a franchise fee for City Water, Sewer, and Garbage Enterprise, on first reading. The motion was seconded by Councilmember Mosby.

Voting results were:

YES: Mosby, Roberts, Barron, Gurulé

NO: Mullins, Martinez

ABSENT: McMurray

Motion carried: 4-2

11. NEW BUSINESS

11.1 Acceptance of Resignation of Councilmember Johnny McMurray, Ward II

Councilmember Roberts motioned to accept resignation of Councilmember Johnny McMurray, Ward II. The motion was seconded by Councilmember Barron.

Voting results were:

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

NO: None

Motion carried: 6-0

11.2 Declare Vacancy – Ward II

Councilmember Roberts motioned to declare a vacancy for council seat in Ward II with a deadline for letters of interest of Tuesday, March 24th at 3:00pm. The motion was seconded by Councilmember Mosby.

Voting results were:

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

NO: None

Motion carried: 6-0

11.3 Discussion/Action – Ordinance No. 997 – An Ordinance Amending Chapter 2, Article 4, Division 1 of the Rocky Ford Municipal Code by the Addition of a New Section 2-4-120 Entitled “Municipal Penalties”

Council discussed Ordinance No. 997, which amends the Municipal Code to add a section aligning municipal penalties with state statutory limits. City Attorney Dan Harvey explained that a recent Colorado Supreme Court ruling requires municipalities to ensure their criminal penalties do not exceed those allowed under state statute. The proposed ordinance serves as a catch-all provision to ensure compliance, allowing the municipal judge to adjust penalties on a case-by-case basis if needed.

Councilmember Barron motioned to approve Ordinance No. 997 – An Ordinance Amending Chapter 2, Article 4, Division 1 of the Rocky Ford Municipal Code by the Addition of a New Section 2-4-120 Entitled “Municipal Penalties” on first reading. The motion was seconded by Councilmember Roberts.

Voting results were:

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

NO: None

Motion carried: 6-0

11.4 Discussion/Action – Resolution No. 2 Series 2026 – A Resolution of the City Council of the City of Rocky Ford Expressing Opposition to Colorado Senate Bill 26-097 and Affirming Local Control and Community Standards

Council considered Resolution No. 2, Series 2026, expressing opposition to Colorado Senate Bill 26-097. Members noted that the bill had been pulled at the state level and appeared unlikely to advance, leading to discussion regarding the bill's status, constituent feedback, and the relevance of adopting a resolution for a bill no longer moving forward. Mayor Gurulé emphasized the importance of following established procedures to avoid unnecessary legal work and costs, noting that CML monitors legislation and provides guidance and opportunities for testimony when needed.

Councilmember Roberts motioned to table indefinitely as it has been pulled by the presenter at the State level. The motion was seconded by Councilmember Mosby.

Voting results were:

YES: Barron, Mullins, Mosby, Roberts, Gurulé

NO: Martinez

Motion carried: 5-1

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

Martinez – *Attended meeting for Library Board. The Library Board is working to rebuild its membership, update bylaws, and restore proper term limits, with potential positive changes ahead. Thanked attendees of the recent Fireside Chat featuring Otero County Sheriff candidate Brian Lovato and noted the event may move to the library. Announced resignation from the Tree Board. Shared that community game nights continue to see strong participation, with teens and adults engaging together.*

Barron – *Next Arts Commission meeting is scheduled for March 17 at 6pm. Hoppers will be showing for a second weekend. There will be a free movie during spring break sponsored by the Colorado Health Foundation – Crystal Lake Nature Area. Several suggestions were discussed regarding ways to support the theater. Donations are still needed to meet the matching-funds requirement for awarded grant.*

Mullins – *Reported that the Museum Board is experiencing membership shortages following three recent departures and is actively seeking new board members and volunteers. A public notice has been issued, and interested individuals may submit a resume or letter of intent to the museum during business hours. The board is encouraging members to contribute at least eight volunteer hours per month to expand services, increase open hours, and support facility upkeep. Mullins noted that volunteering at the museum is a meaningful way to engage with the community and plans to present candidate recommendations at the next Council meeting.*

Mosby – *No updates to report.*

Roberts – *Reported that the Pancake Supper last week was a great success. On March 4th, roughly 100 people were served at the Rocky Free Kitchen, and the next meal is scheduled April 1st. Upcoming events*

include Chamber Easter Brunch and Egg Hunt (April 4) which will be moved into town from Babcock in a combined effort with Police Department, Fire Department, Communication Center, and the Chamber of Commerce. Another concert is planned for the evening of April 4th and there will be a festival at Railroad Park on April 18th. Reminder that summer festival season will be starting soon for the area with Santa Fe Trail Days in Las Animas and Cruisin' into Summer here in Rocky Ford. The Chamber Board does have one seat available and meets on the third Thursday of every month at 6:30pm.

Gurulé – Summarized written Mayor's report provided to Council. Mayor Gurulé included updates that occurred after the report was written.

14. PUBLIC COMMENT

Resident JR Thompson announced that the Rocky Ford Rotary Club will celebrate its 100th anniversary on June 23rd. A community celebration is planned, though likely not on the exact anniversary date due to scheduling considerations.

James Budnick, a county resident living outside Rocky Ford, requested clarification regarding the costs and revenues associated with the fairgrounds. He expressed concern about the annual maintenance expenses covered by taxpayers and questioned how this aligns with the fairgrounds being leased to the Fair Board for one dollar per year. Budnick asked how Rocky Ford residents benefit from the arrangement, particularly during a period of budget constraints, and inquired about where revenues from vendor fees, ticket sales, and beer sales during Fair week are directed.

Council responded that the lease to the Fair Board covers only the arena, grandstands, and bucking chute system. The City continues to rent out the expo building, 4-H building, bingo hall, and other facilities throughout the year, generating separate revenue. Council further clarified that all Fair-week revenues, including vendor fees and ticket and concession sales, go directly to the Fair Board, not the City. The City's financial benefit comes indirectly through increased local sales tax generated by visitors patronizing Rocky Ford businesses during the Fair.

Police Chief Matthew Wallace thanked the American Legion, Rocky Ford Fire Department, the Probation Department, Mayor Gurulé, and Councilmember Barron for assisting with a military-honors send-off for a veteran whose cremated remains were found at the police department. Chief Wallace reported that the remains have been sent to Boston, Massachusetts, for burial and noted that no City funds were used; the effort was entirely privately funded.

Murisa Jackson, who is not a resident of Rocky Ford and participated via Zoom, addressed the Council and read two formal complaints she had submitted: a request for reconsideration and a new vote regarding the Council's December 9th action on a complaint involving Councilmember Nic Martinez, and a separate formal complaint concerning the social media page "Rocky Ford Citizen Voice," which she stated is operated by Councilmember Martinez.

Councilmember Robert Barron expressed appreciation to the Rocky Ford Police Department, Rocky Ford Fire Department, and the American Legion for providing an honorable military send-off for a veteran

whose cremated remains were recently discovered at the police department. Barron noted that the veteran's family had been located through the department's efforts and returned to his family in Boston to be laid to rest with his parents. Barron thanked all involved for ensuring the veteran received proper honors, including a 21-gun salute and presentation of a flag.

15. EXECUTIVE SESSION

15.1 None

16. UPCOMING MEETINGS

16.1 March 17, 2026, from 2:00pm – 4:00pm City Council Work Session

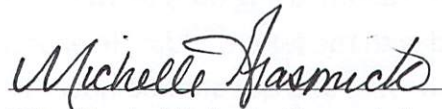
16.2 March 24, 2026, at 6:00pm - City Council Regular Meeting

ADJOURN

There being no further business, Mayor Gurulé adjourned the meeting at 7:42pm.



Mayor Duane Gurulé



City Clerk, Michelle Grasmick