

January 10, 2012

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Terry L. McAlister called the Special Meeting to order at 6:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Terry L. McAlister  
Councilmember Scott Bryan  
Councilmember Sharol Lyn Deal  
Councilmember Debra J. Forstedt  
Councilmember Brent M. Nation  
Councilmember James A. Powers  
Councilmember Ronald Shaver

The meeting was also attended by Acting City Manager/City Attorney Jeffrey Wells, Police Chief Keith Kuretich, Community Development Director David Callahan, Human Resources/Risk Management Director Michael Boyer, Network Administrator Nelson McCoy, Fire Department Administrative Assistant Tanya Koch, Incoming Fire Chief Erik Christensen, Executive Assistant to the City Attorney Sharon Velder, Municipal Judge Stuart Crespin, Deputy Municipal Judge Dennis Brandenburg, Assistant City Attorney Jerrae Swanson and City Clerk John Brennan. Also attending were incoming Councilmembers-elect Lisa Northrup and Joe Segura Jr.

This special meeting was the biennial organizational meeting of the council, held according to the city charter on the second Tuesday in January following a municipal election for the swearing-in of new council members and other organizational and ceremonial functions.

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### **COMMENTS FROM OUTGOING COUNCILMEMBERS**

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Councilmember Sharol Lyn Deal, who had chosen not run for re-election in the 2011 municipal election, described her 40-plus years in Fort Morgan and her experience in working with various organizations and city departments, culminating in the last four years on the city council. She said it had been a wonderful learning experience and gave her a new perspective on the operation of city government, and she had grown more tolerant, more willing both to listen and change her mind, and still hold on to her core values. She said she would continue to be involved in the city through work on the historic preservation board and the fundraising effort for a band shell in City Park.

Councilmember James Powers, who also chose not to run for re-election, said he hoped he had not made any bad errors in judgment during his tenure. He thanked the citizens who put him in the position and gave him the opportunity to serve, and thanked all city employees, who he called the backbone of the city and the thing that makes the city work.

Wells then presented Deal and Powers with certificates of appreciation and small gift bags.

McAlister said he could not say enough in praise of Deal and Powers for their work and service to the city, and asked everyone in attendance to give them a round of applause. The audience of about 30 people gave the outgoing councilmembers a standing ovation.

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### **OATH OF OFFICE FOR MAYOR MCALISTER**

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Municipal Judge Stuart Crespin administered the oath of office to Mayor Terry McAlister, who began his second term as mayor at this meeting.

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**OATHS OF OFFICE FOR COUNCILMEMBERS RIN SHAVER, JOE SEGURA JR. AND LISA NORTHRUP**

McAlister administered the oaths of office for incoming Councilmembers Ron Shaver representing Ward 1, Joe Segura Jr. representing Ward 2 and Lisa Northrup representing Ward 3.

McAlister then asked that the roll be called again with the new councilmembers seated.

Roll Call: Present: Honorable Mayor Terry L. McAlister  
Councilmember Ronald Shaver  
Councilmember Brent M. Nation  
Councilmember Joe Segura Jr.  
Councilmember Debra J. Forstedt  
Councilmember Lisa Northrup  
Councilmember Scott Bryan

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**COMMENTS FROM MAYOR MCALISTER**

McAlister said he was eager to move forward and welcomed the new councilmembers. He reminded all of the councilmembers to stay united after voting on an issue, saying that even if they disagree the members need to remember to respect each other and the decisions the members make. He also said councilmembers should always address the chair in meetings, and should keep in mind that they were on the council to work for the citizens of Fort Morgan and not for themselves.

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**COMMENTS FROM INCOMING COUNCILMEMBERS**

Shaver said he was looking forward to the next four years, having been with the city for a long time as both an employee and councilmember, and agreed with McAlister that serving on the council has been a pleasure during the last two years.

Segura said it was a pleasure to be serving again, after having been on the city council in the past. He said things had changed since his last tenure on the council ended and that had been good to see. He said the people of Ward 2 were important to him and one of his main goals would be to work on getting more jobs for the city.

Northrup said it was an honor to be sworn in, and she had attended council meetings for the last five months to help prepare for the job. She said her goal would be to help continue to develop the city.

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**COUNCIL ELECTION OF MAYOR PRO TEM**

McAlister asked for nominations for the position of mayor pro tem, and Nation nominated Shaver. That motion was seconded by Bryan. Nation said he felt Shaver was the best choice because he had the seniority, experience and other factors that would allow him to do the job effectively.

The motion to approve the nomination of Ronald Shaver as mayor pro tem was approved unanimously.

## **APPOINTMENTS OF COUNCILMEMBERS TO VARIOUS CITY BOARDS AND COMMISSIONS**

McAlister made the following appointments as council liaisons to city boards and commissions and other organizations, which were accepted by the respective councilmembers:

Airport Advisory Board – Shaver  
CML Policy Review Committee – Wells  
Firemen’s Pension Board – McAlister  
Fort Morgan Ditch Company – Nation  
Fort Morgan Heritage Foundation – Forstedt  
Golf Course Advisory Board – Shaver  
Historic Preservation Board – Segura  
Library Advisory Board – Northrup  
Morgan County Economic Development Corporation – Nation  
Police Pension Board – McAlister  
Senior Center Advisory Board – Bryan  
Tree, Parks and Recreation Advisory Board – Bryan  
Water Advisory Board – Nation

## **PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION CONFIRMING THE APPOINTMENT OF THE CITY ATTORNEY**

Nation offered a resolution to approve this resolution, which confirmed the previous appointment of Jeffrey A. Wells as City Attorney. The resolution was seconded by Shaver and approved unanimously.

## **PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION CONFIRMING THE APPOINTMENT OF THE MUNICIPAL JUDGE**

Forstedt offered a resolution to approve this resolution, which confirmed the previous appointment of Stuart D. Crespin as Municipal Judge. The resolution was seconded by Segura. Bryan then said he believed the city should do a top-to-bottom review of the municipal court, noting that every other department in the city has had to make cuts. He said approval of this resolution would trigger a new two-year contract for Crespin as judge and he would like to see the council not get tied into another contract and instead take the opportunity to look at restructuring and cutting costs considerably in the city court.

McAlister asked Wells whether approving the re-appointment of Crespin at this time would tie the city’s hands for two years, and Wells responded that the judge has a two-year contract that is renewable on appointment. He also said state statutes dictate that once a judge is appointed he or she must sit for at least two years unless removed for cause, for which there are very specific requirements. If this resolution were approved, Wells said, Crespin would sit as judge for two years unless the council removed him for cause.

Nation said if the re-appointment would tie the city’s hands for a period of time he would not support it.

McAlister said he did not have a problem with seeking new requests for proposals from candidates for the municipal judge position, and the city’s due diligence is to cut expenses. He told Crespin this was not a reflection on anything he had done, but a desire to see how costs could be reduced in the municipal court, and that he hoped Crespin would submit a proposal if the city chooses to seek new proposals from judge candidates.

A roll call vote was then taken on Forstedt's resolution to approve the reappointment of Crespin, and the resolution failed on a vote of 5-2, with Forstedt and Segura voting in favor of reappointment.

Some discussion followed about who would officiate at the municipal court session scheduled for the following day, with the consensus being that the deputy municipal judge could serve as judge if he were affirmed on the next agenda item. If that reappointment was approved, Wells said, Dennis Brandenburg would also serve for an additional two years as deputy judge, which is on an as-needed basis and paid on a per diem basis.

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**PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION CONFIRMING THE APPOINTMENT OF THE DEPUTY MUNICIPAL JUDGE**

Nation offered a resolution to approve this resolution, which confirmed the previous appointment of Dennis Brandenburg as Deputy Municipal Judge. That resolution was seconded by Bryan and approved unanimously.

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**PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION CONFIRMING THE APPOINTMENT OF THE ACTING CITY MANAGER**

Nation offered a resolution to approve this resolution, which confirmed the appointment of Jeffrey A. Wells as Acting City Manager. That resolution was seconded by Forstedt and approved unanimously.

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**PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION AFFIRMING THE VOTE OF THE FIRE DEPARTMENT AND RATIFYING THE APPOINTMENT OF THE FIRE CHIEF**

Wells noted that this was the first time this new process had been used since the new city charter went into effect in January 2008, dictating that the members of the fire department vote on the chief and the council then affirms that vote and ratifies the appointment. He said Erik Christensen had been duly elected by the firefighters.

Bryan offered a resolution to approve the resolution affirming the vote of the fire department and ratifying the appointment of Erik Christensen as Fire Chief. That resolution was seconded by Shaver and approved unanimously.

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**SWEARING-IN OF THE FIRE CHIEF**

McAlister administered the oath of office to Erik Christensen as Fire Chief.

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**PRESENTATION OF COUNCIL COMMUNICATION MEMOS FROM APPOINTED OFFICIALS**

Wells reviewed the requirements of the charter and the council rules of procedure regarding council communication with city staff, and said in general he would like communication with staff to go through him, and council members could feel free to directly communicate with staff if they were unable to reach Wells. Christensen said his policy was the same.

**PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION DESIGNATING THE CITY'S OFFICIAL POSTING SITE FOR POSTING OF NOTICES OF MEETINGS AS REQUIRED UNDER THE COLORADO OPEN MEETINGS LAW**

City Clerk John Brennan explained that this was an annual resolution designating the lobby of Historic City Hall as the place for posting of public notices and other announcements, and the Fort Morgan Times as the newspaper for notices requiring publication. Nation offered a resolution to approve this resolution, which was seconded by Shaver and approved unanimously.

**PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION CONCERNING THE ESTABLISHMENT AND OPERATION OF CITY BANK ACCOUNTS**

Wells explained that this was another resolution done annually and as needed to designate the city officials and employees authorized to sign on city bank accounts. Forstedt offered a resolution to approve this resolution, which was seconded by Bryan and approved unanimously.

**PRESENTATION AND POSSIBLE ACTION ON A RESOLUTION CONCERNING THE ESTABLISHMENT AND OPERATION OF CITY HEALTH CARE BANK ACCOUNTS**

Wells said this was similar to the previous resolution but pertained to specific accounts for the city's self-insurance fund and health care accounts. Shaver offered a resolution to approve this resolution, which was seconded by Nation and approved unanimously.

Mayor McAlister adjourned the January 10, 2012 regular meeting at 7:23 p.m.

*/s/ Terry L. McAlister*  
Mayor

*/s/ John J. Brennan*  
City Clerk