

January 19, 2016

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Ron Shaver called the regular meeting to order at 6:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Ron Shaver  
Councilmember Clint Anderson  
Councilmember Christine Castoe  
Councilmember Kevin Lindell  
Councilmember Dan Marler  
Councilmember Lisa Northrup  
Councilmember Joe Segura Jr.

The meeting was also attended by City Manager Jeff Wells, Police Chief Darin Sagel, City Treasurer Jean Kinney, Human Resources/Risk Management Director Michael Boyer, Engineering/Public Works Director Brad Curtis, Water Resources/Utilities Director Brent Nation, City Attorney Jason Meyers, Management Intern Chelsea Gondeck, Fire Chief Mark Frasco, FMPD Lt. Jared Crone, Fire Marshal John Zink and City Clerk/PIO John Brennan.

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### **COUNCIL ELECTION OF MAYOR PRO TEM**

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Mayor Ron Shaver opened the floor for nominations for the position of mayor pro tem, and said if more than one nomination was received the council would vote by ballot. Councilmember Christine Castoe nominated Councilmember Lisa Northrup to be mayor pro tem, which was seconded by Councilmember Joe Segura Jr. There were no further nominations. City Manager Jeff Wells said the council could either vote or declare Northrup elected by acclamation since there were no other nominations. Shaver said Northrup would serve as mayor pro tem for the term of two years.

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### **PRESENTATION OF 2016 BUDGET BOOKS**

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City Treasurer Jean Kinney handed out printed and bound copies of the 2016 city budget to the council members, noting that the budget was as approved by council. Wells said the budget books represented a full year of work, and the process would start over again for the 2017 budget with a council planning retreat in March.

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### **PRESENTATION OF FORT MORGAN FIRE DEPARTMENT ANNUAL REPORT**

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Fire Chief Mark Frasco reviewed the highlights of the 2015 annual report, including the numbers and types of calls, the number of volunteers and the training and auxiliary hours completed during the year. Frasco said that overall it was a productive year for the department and he looked forward to continuing 2016 in the same way.

Fire Marshal John Zink reviewed the fire marshal annual report including fire inspections, alarm permits, building permit reviews, fire safety public education efforts and other activities for the year.

Mayor Shaver thanked both Frasco and Zink and asked them to extend gratitude to the other department personnel for all of their work on behalf of the mayor and council as well as all residents of the city.

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**PRESENTATION OF CITY MANAGER'S ANNUAL REPORT**

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Wells presented printed and bound copies of his annual report and reviewed highlights with the council. He praised the city's employees for their work and dedication to making the city a better place to live, and said the city's financial position was strong. He outlined financial highlights during 2015 including revenues, reserves, utility rates and debt. He also reviewed capital projects completed in 2015 and other projects under way, and past and future initiatives including community service projects and ongoing public outreach.

Shaver said the city was very fortunate to have a solid core of individuals that work for the city and keep things going in the right direction, and offered kudos to all. Northrup added that kudos should go to Wells for overseeing all of the city's employees and operations.

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**ORDINANCE RENEWING THE CABLE FRANCHISE**

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Wells said he was recommending that the council table this item to a future meeting because the representative of Charter Communications that was supposed to attend was ill and could not make it. Wells said he felt it was important that a Charter representative be present, but noted that some people may have come to this meeting to offer public comment on the renewal of the cable franchise and those people should be allowed to speak. Any comments would be recorded in the meeting minutes so Charter would be able to read them.

Jerry Wathen of 1100 Linda Street addressed the council about his experience with Charter's cable TV service since moving into the Hillcrest Apartments in July 2014. At that time the apartment complex was served by Optimum cable and he was pleased with the service and channel selections. Then in October 2014 he was notified that Charter would be replacing Optimum, and was disappointed that he never had initial contact from Charter. He described the problems he had seen in the intervening months with cable channels going off and on repeatedly and said he was thoroughly disgusted with Charter.

Wathen also said he had told other residents of Hillcrest to watch the City Council meeting on Jan. 5 when the new council was to be sworn in, but that day the channel went blank and remained off the air for quite some time. He said other Hillcrest residents were upset by this. Wathen noted that several other channels had no signal on them today. He said he believed Charter was not very customer-oriented.

Mayor Shaver stated that he had also received a note from Dorothy Taylor of Fort Morgan about Charter cable service, which he passed on to City Clerk John Brennan for the record. The note said Taylor was tired of her TV always turning on and off all of the time, and that all this time she had been blaming the problems on her TV set itself.

Segura said he had heard from many residents of the Gateway Apartments who had many of the same complaints. Segura said it was a good idea to table this matter because he had questions to ask Charter.

Wells said the item would be removed from the agenda, and City Attorney Jason Meyers noted that this would push back the whole ordinance process, including the required public hearing. No formal action was taken.

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**PUBLIC HEARING ON APPLICATION FOR FINAL PLAT OF THE PEIF SUBDIVISION**

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Mayor Shaver reviewed the format to be followed during the public hearing, and City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing had been published. Engineering/Public Works Director Brad Curtis said this same case had been presented to the council earlier in January for approval of the preliminary plat, and all of the information was the

same, and the city was again acting as the authorized representative for the applicant. Curtis said the Planning Commission and staff were both recommending approval.

No public comments were received either during the hearing or in advance, and no council comments were offered. Castoe made a motion to close the public hearing, which was seconded by Northrup and approved unanimously.

City Attorney Meyers reviewed the council options for action, and Northrup offered a resolution to approve Case 15-016 SD, Final Plat for a Major Subdivision, for a final plat of 2.5 acres (more or less) to replat the Peif Subdivision to include additional right of way and an easement vacation, as was recommended by the Planning Commission at a public hearing held on Jan. 11, 2016. That resolution was seconded by Castoe and approved unanimously.

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**BIDS FOR PURCHASE OF TWO POLICE PATROL VEHICLES AND ONE CODE ENFORCEMENT VEHICLE**

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Councilmember Segura said he was recusing himself from this item because the company he works for was among the bidders. Segura then left the meeting.

Fort Morgan Police Lt. Jared Crone reviewed the bid process for these purchases, and the reasons for the recommendations made by staff. Crone said staff was recommending accepting the bid from Spradley-Barr Ford of Greeley for the patrol vehicles and Spradley-Barr Ford of Fort Collins for the code enforcement vehicle.

Castoe offered a resolution to accept and approve the bid from Spradley-Barr Ford of Greeley for two Ford Police Interceptor Utility Vehicles for a total of \$54,058, and to accept and approve the bid from Spradley-Barr Ford of Fort Collins for one Ford F-150 pickup truck for a total of \$23,675, with all amounts within the budget. That resolution was seconded by Councilmember Kevin Lindell and approved on a vote of 6-0, with Segura having stepped down.

Segura then returned to the meeting.

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**CONSENT AGENDA BY RESOLUTION**

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City Clerk/PIO John Brennan presented the Consent Agenda for Council consideration as follows:

**CONSENT AGENDA**

A. Approval of the disbursements and payroll for December 2015

B. Approval of the minutes of the Jan. 12, 2016 City Council special meeting

All matters listed under the Consent Agenda are considered to be routine business by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

Castoe offered a resolution to approve the Consent Agenda as presented, which was seconded by Northrup and approved unanimously.

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**PUBLIC COMMENT / AUDIENCE PARTICIPATION**

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None.

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**REPORTS BY OFFICIALS AND STAFF**

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Wells said his usual monthly report was not included in the packet for this meeting because staff was working to revamp and reformat the report to be both concise and useful for the council. He

mentioned a number of projects under way in the city, and the fact that a large number of bids and RFPs were in process. He reminded the council of the all-employee meeting later that week.

Water Resources/Utilities Director Brent Nation informed the council of a small gas leak that had been called in by an alert citizen and thanked the gas department staff for its quick response to repair the leak. Nation also mentioned that the city was putting up for sale a 15-acre parcel and farm house that were included in the city's purchase of property near the water treatment plant the previous year for a future water storage reservoir.

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## **BIDS, MEETINGS AND ANNOUNCEMENTS**

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Brennan announced current bids and upcoming meetings.

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## **EXECUTIVE SESSION**

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The regular portion of the meeting ended at 7:09 p.m., and Mayor Shaver announced that the next item on the agenda was a scheduled executive session. Councilmember Castoe made a motion to convene this executive session, which was seconded by Councilmember Dan Marler and approved unanimously.

The executive session had been published as follows:

**EXECUTIVE SESSION** for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: Water purchases.

The executive session began at 7:24 p.m. and concluded at 7:43 p.m., and was attended by the mayor and council along with City Manager Jeff Wells, Water Resources/Utilities Director Brent Nation and City Attorney Jason Meyers. At the conclusion of the executive session the council returned to the regular open meeting, where Castoe reported that the council had met in executive session for the purpose stated on the agenda. Castoe made a motion directing staff to proceed with negotiations as discussed in executive session, which was seconded by Councilmember Kevin Lindell and approved unanimously.

Mayor Shaver adjourned the Jan. 19, 2016, regular meeting at 7:44 p.m.

*/s/ Ron Shaver*  
Mayor

*/s/ John Brennan*  
City Clerk