

February 6, 2018

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 6:03 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Ron Shaver
Councilmember Clint Anderson
Councilmember Allison Howe
Councilmember Kevin Lindell
Councilmember Lisa Northrup
Councilmember Doug Schossow

Absent: Councilmember Dan Marler (excused)

The meeting was also attended by City Manager Jeff Wells, Chief of Public Safety Paul Schultz, City Treasurer Jean Kinney, City Attorney Jason Meyers, Public Works Director Steve Glammeyer, Water Resources/Utilities Director Brent Nation, Community Services Director Ty Hamer, Fire Chief Mark Frasco, Water Distribution/Wastewater Collection Superintendent Erik Sagel, Fire Marshal John Zink, numerous FMVFD volunteer firefighters and City Clerk/PIO John Brennan.

APPROVAL OF MINUTES – JANUARY 16, 2018 CITY COUNCIL REGULAR MEETING

Councilmember Allison Howe offered a resolution to approve the minutes of the Jan. 16, 2018 city council regular meeting as presented, which was seconded by Councilmember Doug Schossow and approved on a unanimous vote of 6-0, with Councilmember Dan Marler absent (excused).

READING OF A PROCLAMATION DECLARING FEBRUARY TO BE GENERAL AVIATION APPRECIATION MONTH

Mayor Ron Shaver read the proclamation and said a formal copy would be presented to the city's Airport Advisory Board.

BIDS FOR A SEWER INSPECTION CAMERA SYSTEM AND TRANSPORT VAN

Water Distribution/Wastewater Collection Superintendent Erik Sagel explained the need for this equipment and reviewed the bid process, saying that staff had concluded that the higher of the two bids received would be the best system for the department's needs.

Mayor Ron Shaver questioned the cost difference between the two bids and whether the more expensive system was worth the substantial additional cost. Extensive council and staff discussion followed about the relative costs and merits of the two systems, whether a comparison taking only cost into account was valid and other factors. After discussion of tabling this item until the next meeting so the council could review the specifications, bids and costs in more detail, Councilmember Lisa Northrup made a motion to table the item until the next regular council meeting on Feb. 20, which was seconded by Councilmember Kevin Lindell and approved unanimously (6-0, Marler absent).

BIDS FOR A FIRE DEPARTMENT RESCUE TRUCK

Fire Chief Mark Frasco reviewed the bid process for this purchase, noting that the fire department had been saving up funds for it for the past four years. He said a committee of firefighters had reviewed the bids and agreed that the best proposal was the vehicle from SVI Inc. of Loveland, which fell in the middle of the price range among the five bids after a prepayment discount was applied. He explained the reasons for this choice and said the department was asking for approval up to \$500,000 total for extra equipment and options. He said \$600,000 had been saved for the truck, and some council and staff discussion followed about the choice. Northrup offered a resolution to approve the bid from SVI Inc. for a fire rescue truck with the total cost not to exceed \$500,000, which was seconded by Councilmember Clint Anderson and approved unanimously (6-0, Marler absent).

BIDS FOR THE STREETS BUILDING WALL AND ROOF REPAIR PROJECT

Public Works Director Steve Glammeyer said this building had been damaged several years ago and the city's insurance carrier had paid out on a claim, and he was following through on the actual repairs which had never been done. He said only one bid was received and it was considered a qualified bid and he recommended accepting it. Northrup offered a resolution to accept the bid from Brasby Construction Corp. of Fort Morgan in the amount of \$67,185 for the Streets Building wall and roof repair project, which was seconded by Schossow and approved unanimously (6-0, Marler absent).

BIDS FOR ENGINEERING SERVICES FOR ROAD DESIGN OF NORTH STATE STREET

Glammeyer explained the reasons for this project, which would design improvements for State Street north of Riverview Avenue to city standards in anticipation of the construction of a new hotel in the area. Glammeyer recommended the lowest qualified bidder and accepting that company's proposal for construction bidding and management in the event it was needed. Howe offered a resolution to accept the bid from Bohannan Huston in an amount not to exceed \$41,350 for engineering services for road design of North State Street, which was seconded by Northrup and approved unanimously (6-0, Marler absent).

MEMORANDUM OF UNDERSTANDING AND REQUEST FOR IN-KIND SERVICES FOR MUSTANG BASEBALL

Community Services Director Ty Hamer described the proposed MOU, which was essentially the same as the preceding year except for a change in fees. Mustang Baseball had previously paid a flat fee of \$500 but would now pay \$35 per player in keeping with the city fees for other recreation programs, he said, which was projected to total \$1,680. Hamer also reviewed other fee that the city would waive under the agreement, including an estimated \$945 for a tournament, \$1,815 for practices and play on city fields and \$200 for the cost of using field lights.

Mayor Shaver noted that the address for Mustang baseball in the MOU was outdated and should be changed. Northrup offered a resolution to approve the Memorandum of Understanding with Mustang Baseball with the condition that the address in the agreement be changed, which was seconded by Howe and approved unanimously (6-0, Marler absent).

PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT TO ALLOW A COLLEGE IN THE OLD MIDDLE SCHOOL BUILDING AT 300 DEUEL STREET

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. Glammeyer reviewed the application and said staff's review concluded that it met the criteria for a special use permit and approval was recommended, noting that the city Planning Commission had also recommended approval with the condition that the special use would run in perpetuity with the property as long as it was operated as a college.

Jeff Campa of Calvary University, the applicant, introduced himself and several other Calvary staff and outlined the university's plans and vision for the property.

Mark Kincaid of 321 Maple St, neighboring the property, told the council he was happy to see someone taking the opportunity to put something nice in the old middle school building.

Another neighbor of the property said there had been problems with parking in the area of the school for years and said the applicant should do something to make a parking facility for the school. Shaver said he believed the applicant's plans included creating parking in the adjacent grass field.

No other public comments were received in advance of the hearing.

Lindell said it was wonderful to see the old school building being used for education and great to see Calvary University coming to Fort Morgan.

Howe made a motion to close the public hearing, which was seconded by Northrup and approved unanimously (6-0, Marler absent).

City Attorney Jason Meyers said the council should base its decision of the criteria for approval of a special use permit which were included in the meeting packet.

Northrup offered a resolution granting conditional approval of the Special Use Permit for a college at 300 Deuel St. subject to the condition that the use run in perpetuity with the land as long as it is operated as a college. That resolution was seconded by Howe and approved unanimously (6-0, Marler absent)

PUBLIC HEARING ON AN APPLICATION FOR A PRELIMINARY PLAT FOR THE CENTREPOINTE PLAZA PROPERTY

Shaver said the same protocols used in the preceding public hearing would apply to this one, and Brennan confirmed proper legal notice. Glammeyer said this was a preliminary plat to subdivide a city-owned property of about 100 acres into lots, easements and rights of way so the land could be developed. He said the Planning Commission had recommended approval of the preliminary plat.

City Manager Jeff Wells, speaking on behalf of the city as the applicant, said this property would be a place for future city facilities as well as other business development and would be a great thing for the community.

No public comments were received either during the hearing or in advance, and no council comments were offered. Northrup made a motion to close the public hearing, which was seconded by Anderson and approved unanimously (6-0, Marler absent).

Meyers explained that the council should follow the criteria for approving a plat, which were included in the packet materials. Howe offered a resolution to approve the preliminary plat to further subdivide the Fort Morgan Farms II Annexation into seven lots, creating rights of way for new public roads and creating various utility easements. That resolution was seconded by Northrup and approved unanimously (6-0, Marler absent).

FIRST READING OF AN ORDINANCE ANNEXING THE KULA PROPERTY

Glammeyer said this ordinance would annex about eight acres of land across US 34 from the city's industrial park, which was in keeping with the city comprehensive plan. He said much more detail was included in the meeting packet, but there would be discussion of those materials at the public hearing that would take place on second reading of the ordinance.

Northrup offered a resolution to approve the first reading of an Ordinance annexing to the City of Fort Morgan that area known as the Kula Annexation and scheduling second reading and a public hearing on the ordinance for Feb. 20. That resolution was seconded by Schossow and approved unanimously (6-0, Marler absent).

FIRST READING OF AN ORDINANCE ESTABLISHING ZONING FOR THE KULA ANNEXATION

Glammeyer said this was an ordinance that would designate the property covered by the preceding annexation ordinance for Industrial use, and it would be discussed in more detail on second reading.

Northrup offered a resolution to approve the first reading of an Ordinance establishing a zoning district in and upon lands annexed to the City of Fort Morgan, Colorado and for said purpose revising and supplementing the zoning district map of said city for the Kula Annexation, and scheduling second reading and a public hearing on the ordinance for Feb. 20. That resolution was seconded by Howe and approved unanimously (6-0, Marler absent).

FIRST READING OF AN ORDINANCE AMENDING THE MUNICIPAL CODE CONCERNING FLOODPLAIN HAZARD MITIGATION

Glammeyer said this ordinance was needed to update the city code with new floodplain maps created by the Federal Emergency Management Agency.

Howe offered a resolution to approve the first reading of an Ordinance amending Chapter 14 of the City of Fort Morgan Municipal Code concerning floodplain hazard mitigation, and scheduling second reading and a public hearing on the ordinance for Feb. 20. That resolution was seconded by Northrup and approved unanimously (6-0, Marler absent).

RESOLUTION RATIFYING AN EMERGENCY EXPENDITURE FOR BEAVER AVENUE WATER LINE REPAIRS

Water Resources/Utilities Director Brent Nation explained that these repairs were needed when a water line valve broke during extremely cold weather and the only way to isolate the leaking line was through special services provided by a Nebraska company. These expenses of \$22,000 were approved by the mayor under his emergency powers and now had to be ratified by the council, Nation said.

Howe offered a resolution to approve the Resolution ratifying the emergency expenditures for repairs to the water distribution system in Beaver Avenue, which was seconded by Northrup and approved unanimously (6-0, Marler absent).

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS BY OFFICIALS AND STAFF

Wells introduced Daniella Cabrera, the city's new intern through the state Department of Local Affairs' Best & Brightest internship program. He also said the council tours of city facilities and departments would begin with the next regular meeting on Feb. 20, and the council would have a budget retreat on Feb. 13.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:34 p.m., and Mayor Shaver announced that the next item on the agenda was a scheduled executive session. Howe made a motion to convene this executive session, which was seconded by Northrup and approved unanimously (6-0, Marler absent).

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: Purchase of property.

The executive session began at 7:47 p.m. and ended at 8:27 p.m., and was attended by the mayor and five councilmembers (Marler absent) along with Wells, Meyers, Glammeyer, Nation, City Treasurer Jean Kinney, Economic Development Specialist Jeni Elrick and Intern Daniella Cabrera.

At the conclusion of the executive session the council returned to the regular open meeting, where Northrup reported that the council had met in executive session for the purpose stated on the meeting agenda. Northrup then made a motion to direct staff to negotiate according to the parameters discussed in executive session. That motion was seconded by Lindell and approved unanimously.

Mayor Shaver adjourned the Dec. 16, 2016 regular meeting at 8:28 p.m.

/s/ Ronald Shaver
Mayor

/s/ John Brennan
City Clerk