

May 1, 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 6:00 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 Dan Marler  
Councilmember Lisa Northrup  
Councilmember Doug Schossow

The meeting was also attended by City Manager Jeff Wells, City Attorney Jason Meyers, City Treasurer Jean Kinney, Public Works Director Steve Glammeyer, Community Services Director Ty Hamer, Economic Development Specialist Jeni Elrick, Management Intern Danielle Cabrera, Chief of Public Safety Paul Schultz, Light & Power Superintendent Doug Linton, Recreation Superintendent Steve Samson, Fire Marshal John Zink and City Clerk/PIO John Brennan.

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**APPROVAL OF MINUTES – APRIL 17, 2018 CITY COUNCIL REGULAR MEETING**

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Councilmember Lisa Northrup offered a resolution to approve the minutes of the April 17, 2018 city council regular meeting as presented, which was seconded by Councilmember Kevin Lindell and approved unanimously.

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**PROCLAMATION DECLARING MAY TO BE FOSTER CARE MONTH IN THE CITY**

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Mayor Shaver read the proclamation and presented a signed and sealed copy to Sheri Armstrong, resource unit manager for the Morgan County Department of Human Services. Armstrong spoke briefly about foster care in Morgan County and said the agency was recruiting for more foster parents and families.

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**COUNCIL ACTING AS THE LOCAL LICENSING AUTHORITY – PUBLIC HEARING ON AN APPLICATION FOR A NEW 3.2% BEER LICENSE AT 207 S. SHERMAN ST.**

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Mayor Ron Shaver outlined the format for the public hearing, and City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing had been published and posted.

Brennan reviewed the background on the application and its review by city staff, and noted that the applicants had provided approximately 100 valid signatures in support of the issuance of the license. Brennan explained to the council that normally the background check report based on fingerprinting of the applicants would be in hand at this point in the process, but because of some glitches in the system the reports had not been completed and the applicants had been fingerprinted again that day. Brennan asked that the council consider approval of the application pending the fingerprint report from the Colorado Bureau of Investigation, and said the report would likely be completed well before the state Liquor Enforcement Division had completed its review of the application.

Attorney Ray Laws, representing the applicants Jaswant Singh and Harvinder Kaur, said one of the elements the council would consider was whether the applicants were of good moral character. He said they had no criminal records of any kind, and had previously owned three

gas stations in Fort Morgan with 3.2 beer licenses and never had any violations. He noted they also owned a full liquor license in Denver.

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

City Attorney Jason Meyers told the council they were acting in a quasi-judicial capacity in this matter and explained the criteria for consideration of the application and their options for action.

Northrup offered a resolution to approve the application for a new 3.2% beer license for Jassar Corporation, dba Sherman Food & Gas, at 207 S. Sherman St. pending the CBI background reports. That resolution was seconded by Councilmember Doug Schossow and approved unanimously.

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### **BIDS FOR FIBER OPTIC MATERIALS**

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Light & Power Superintendent Doug Linton said the materials for the city's fiber optic broadband system continue to be identified as the design and buildout proceeds. He reviewed the bid process for this phase and recommended accepting the unit bid prices from Graybar of Aurora, Colo., with the expenditure not to exceed \$240,000.

Howe offered a resolution to accept the unit prices from Graybar with the total expenditure not to exceed \$240,000, which was seconded by Lindell and approved unanimously.

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### **UPDATE, DISCUSSION AND DIRECTION ON FORT MORGAN YOUTH COMMISSION**

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Community Services Director Ty Hamer first introduced new Recreation Superintendent Steve Samson. City Manager Jeff Wells told the council that staff had looked a number of different models for youth commissions or boards in other communities to determine what might work for Fort Morgan.

Hamer said that since the initial discussion of this initiative with council he and Wells had met with Fort Morgan High School officials and developed the outlines of a plan for a youth commission that would consist of two separate elements: a public service group of five students that would take a government class and work on a project for the city, and another sports and leadership group that would train to become sports officials and volunteer in that capacity for the city Recreation Department. Hamer asked the council if this sounded like the process was moving in the right direction.

Extensive council and staff discussion followed about a number of subjects including the provision of a stipend to school staff involved in the program, specifics of the projects to be performed and especially inclusivity of the program for all youth in the city and not only those who attend Fort Morgan High School, as well as ethnic minorities to ensure the group was truly representative of the entire community.

Wells said the concerns about inclusivity were valid and suggested moving forward as proposed by staff but ensuring that outreach was made to all youth including those in other schools and non-traditional education settings as well as ethnic minorities. He said staff would report back as the process moved ahead, about outreach efforts, numbers of applicants and who has applied. The council consensus was to proceed as discussed but no formal action was taken.

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### **SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1209, ANNEXING THE FORT MORGAN FARMS V PROPERTY**

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Mayor Shaver outlined the format to be followed for the public hearing, and Brennan confirmed that proper legal notice had been published. Public Works Director Steve Glammeyer reviewed

this proposed annexation, which had been approved by the council on first reading and recommended for final approval by the city Planning Commission.

No public comments were received 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 Lindell and approved unanimously. Meyers advised the council of its options for action.

Howe offered a resolution to approve the second and final reading of Ordinance No. 1209, annexing to the City of Fort Morgan that area known as the Fort Morgan Farms V Annexation, and authorization to publish by title only. That resolution was seconded by Northrup and approved unanimously.

### **SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1210, ESTABLISHING ZONING FOR THE FORT MORGAN FARMS V ANNEXATION**

Mayor Shaver outlined the format to be followed for the public hearing, and Brennan confirmed that proper legal notice had been published. Glammeyer reviewed the proposed R-2 zoning (Medium Density Residential) for this annexation, which had been approved by the council on first reading and recommended for final approval by the city Planning Commission.

No public comments were received 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 Schossow and approved unanimously. Meyers advised the council of its options for action.

Schossow offered a resolution to approve the second and final reading of Ordinance No. 1210, establishing a zoning district in and upon lands annexed to the City of Fort Morgan and for said purpose revising and supplementing the zoning district map of said city for the Fort Morgan Farms V Annexation, and authorization to publish by title only. That resolution was seconded by Howe and approved unanimously.

### **SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1211, ANNEXING THE BATH ANNEXATION I PROPERTY**

Shaver outlined the format to be followed for the public hearing, and Brennan confirmed that proper legal notice had been published. Glammeyer reviewed this proposed annexation, which he said was more complicated than most because it involved three parcels that were being annexed in two separate annexations to accomplish the required contiguity with city limits. He said the annexation had been approved by the council on first reading and recommended for final approval by the city Planning Commission.

Wells informed the council that city staff was involved in negotiations for a development agreement with Keith Bath, owner of one of the parcels involved in this annexation, and he believed they had worked through the issues involved.

No public comments were received, either during the hearing or in advance. Meyers answered a question about the development agreement and grandfathered uses on a property to be annexed. Northrup made a motion to close the public hearing, which was seconded by Lindell and approved unanimously. Meyers advised the council of its options for action.

Northrup offered a resolution to approve the second and final reading of Ordinance No. 1211, annexing to the City of Fort Morgan that area known as the Bath Annexation I, and authorization to publish in full. That resolution was seconded by Howe and approved unanimously.

### **SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1212, ANNEXING THE BATH ANNEXATION II PROPERTY**

Shaver outlined the format to be followed for the public hearing, and Brennan confirmed that proper legal notice had been published. Glammeyer reviewed this proposed annexation, which

was the remainder of the lands for which the preceding annexation had established contiguity with city limits. He said the annexation had been approved by the council on first reading and recommended for final approval by the city Planning Commission.

No public comments were received 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 Schossow and approved unanimously. Meyers advised the council of its options for action.

Northrup offered a resolution to approve the second and final reading of Ordinance No. 1212, annexing to the City of Fort Morgan that area known as the Bath Annexation II, and authorization to publish in full. That resolution was seconded by Lindell and approved unanimously.

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### **SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1213, ESTABLISHING ZONING FOR THE BATH ANNEXATION I AND II PROPERTIES**

Shaver outlined the format to be followed for the public hearing, and Brennan confirmed that proper legal notice had been published. Glammeyer reviewed the proposed zoning for this annexation, which would be UA (Urban Agricultural) for the parcel owned by Keith Bath and I (Industrial) for the property owned by Robert Graves. He said the proposed zoning had been approved by the council on first reading and recommended for final approval by the city Planning Commission.

No public comments were received 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 Lindell and approved unanimously. Meyers advised the council of its options for action.

Howe offered a resolution to approve the second and final reading of Ordinance No. 1213, establishing a zoning district in and upon lands annexed to the City of Fort Morgan and for said purpose revising and supplementing the zoning district map of said city for the K. Bath Annexation, and authorization to publish in full. That resolution was seconded by Schossow and approved unanimously.

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### **SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1214, AMENDING THE CITY OF FORT MORGAN ZONING CODE REGARDING URBAN AGRICULTURAL USES**

Mayor Shaver outlined the format to be followed for the public hearing, and Brennan confirmed that proper legal notice had been published. Glammeyer explained what was being changed in the municipal code through this measure, pertaining to height restrictions and permitted uses.

Glammeyer said the city wanted to be agriculture-friendly, and if there was to be an Urban Agricultural zoning designation it should allow the traditional uses for such properties.

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 Lindell and approved unanimously. Meyers advised the council of its options for action.

Schossow offered a resolution to approve the second and final reading of Ordinance No. 1214, amending Chapter 20 Article 6 of the City of Fort Morgan Municipal Code concerning height restrictions, and authorization to publish by title only. That resolution was seconded by Howe and approved unanimously.

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### **PUBLIC COMMENT / AUDIENCE PARTICIPATION**

Jerry Wathen of 1100 Linda St. spoke to the council about some proposed charter amendments for the November election as well as the many statewide measures that may be on the ballot.

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**REPORTS BY OFFICIALS AND STAFF**

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Wells noted that many of the year's infrastructure projects had begun and some streets would be torn up for a while now. Chief of Public Safety Paul Schultz said the Fort Morgan Police Department had received a grant for crime scene equipment. Wells thanked the FMPD for its work in an incident involving a stolen semi-truck pursuit the previous weekend.

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**BIDS, MEETINGS AND ANNOUNCEMENTS**

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Brennan announced current bids and upcoming meetings.

Mayor Shaver adjourned the May 1, 2018 regular meeting at 7:46 p.m.

*/s/ Ronald Shaver*  
Mayor

*/s/ John Brennan*  
City Clerk