

May 23, 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 special meeting to order at 7:00 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 Human Resources/Risk Management Director Susan Kurk, Executive Assistant to the City Manager Sharon Velder, City Manager Jeff Wells and City Clerk/PIO/Acting City Manager John Brennan.

EXECUTIVE SESSION

After the meeting was called to order, Mayor Ron Shaver said the sole item on the agenda was a scheduled executive session. Councilmember Lisa Northrup made a motion to convene this executive session, which was seconded by Councilmember Kevin Lindell and approved unanimously.

The executive session had been published as follows:

EXECUTIVE SESSION for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: City Manager.

The executive session began at 7:08 p.m. and ended at 8:12 p.m., and was attended by the mayor and council along with City Attorney Jason Meyers and City Manager Jeff Wells. After five minutes Wells left the executive session at 7:13 p.m.

On the advice of the city attorney the recording of the executive session was turned off at 7:19 p.m. because the subject of the discussion involved a privileged attorney-client communication. The recording was turned back on at 7:30 p.m.

At the conclusion of the executive session the council returned to the regular open meeting, where Mayor Shaver asked Northrup to report on the executive session. Northrup said the council had met in executive session to discuss a personnel matter as specified on the agenda and had also received legal advice.

Shaver said the council had met to discuss possible administrative leave for Wells, and had received legal advice from Meyers. The mayor noted that he had had a conversation with Wells on Tuesday morning, the day before this meeting, and on the advice of legal counsel from CIRSA and other sources he had placed Wells on paid administrative leave until further notice. So the decision before the council at this time was whether to maintain that paid leave status as recommended by legal counsel.

Councilmember Doug Schossow made a motion to approve the placement of the city manager on paid administrative leave until further notice, with no duties to be performed during the period of administrative leave other than as specified by the mayor. That motion was seconded by Councilmember Clint Anderson and approved on a vote of 4-3, with Councilmembers Northrup, Dan Marler and Kevin Lindell voting against the motion.

Mayor Shaver then said the council had discussed a request from Wells and his attorney to schedule a future executive session to discuss Wells' pending criminal case. Although Shaver said he normally made such decisions himself about whether to place items on council meeting agendas, he wanted the council to vote on it in this instance. Northrup made a motion that the council not entertain the idea of scheduling an executive session for that purpose, which was seconded by Councilmember Allison Howe and approved unanimously.

Mayor Shaver adjourned the May 23, 2018 special meeting at 8:22 p.m.

/s/ Ronald Shaver
Mayor

/s/ John Brennan
City Clerk