

August 7, 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 Acting City Manager/City Clerk/PIO John Brennan, City Attorney Jason Meyers, Chief of Public Safety Paul Schultz, Public Works Director Steve Glammeyer, Water Resources/Utilities Director Brent Nation, Human Resources/Risk Management Director Susan Kurk, Economic Development Specialist Jeni Elrick, Management Intern Daniella Cabrera, Community Services Director Ty Hamer, Fire Marshal John Zink and Court Administrator Amanda Dunn.

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

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

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**COUNCIL ACTING AS THE LOCAL LICENSING AUTHORITY – PUBLIC HEARING ON AN APPLICATION FOR A NEW 3.2% BEER LICENSE**

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Mayor Ron Shaver reviewed the format for the public hearing, and Court Administrator Amanda Dunn confirmed that proper legal notice of the hearing had been published. City Clerk/PIO/Acting City Manager John Brennan reviewed the application and said the applicant had provided 184 petition signatures in support of the license, and six had been disqualified. Anita Gragg, representing the applicant, explained that the company had about 40 licenses in Colorado as well as others in three states. She reviewed the company's policies and training provided to employees to ensure compliance with liquor license laws and regulations. No public comment was 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 Councilmember Dan Marler and approved unanimously. City Attorney Jason Meyers advised the council of its options for action, and Northrup offered a resolution to approve the application for a new 3.2% Fermented Malt Beverage (beer) license (off premises) for Pester Marketing dba Alta #6145 at 825 Main St. That resolution was seconded by Councilmember Doug Schossow and approved unanimously.

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**COUNCIL ACTING AS THE ZONING BOARD OF APPEALS – PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE FROM SETBACK REQUIREMENTS FOR RIVERVIEW COMMONS**

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Shaver reviewed the format to be followed for the public hearing and Dunn confirmed proper legal notice had been published. Public Works Director Steve Glammeyer explained the reason

for the variance request, which was because a foundation had been placed too close to the property line of one lot due to an error in the plat caused by survey pins that had been moved out of position. He said redoing the foundation in the correct position would be extremely costly and time consuming and staff supported the granting of the variance. Some council and staff discussion followed.

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

Meyers advised the council of its options for action. Howe offered a resolution to approve Case 18-019 VA for 1507 Canal St. for a variance to the side setback specified in the approved development agreement with the condition that the variance would run with the land and lot in question in perpetuity. That resolution was seconded by Northrup and approved unanimously.

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### **BIDS FOR A POLICE PATROL VEHICLE**

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Fort Morgan Police Commander Jared Crone said this vehicle would replace one heavily damaged when it was struck by a semi-truck during a recent criminal incident. He said the only bid received for the replacement vehicle was \$29,833 and the city's insurance carrier had already determined the original car to be a total loss and would pay the city \$28,900 for that claim. Crone said most of the equipment from the original vehicle like lights, sirens, radio, etc., could be re-installed on the new one.

Howe offered a resolution to approve accepting the bid from Spradley Barr Ford of Greeley in the amount of \$29,833 for a Ford Police Interceptor Utility vehicle, which was seconded by Northrup and approved unanimously.

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### **RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH MORGAN COUNTY FOR THE NOVEMBER 2018 ELECTION**

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Brennan said this was a standard intergovernmental agreement that the city enacts for all city elections, and this year the city would be placing a ballot question about a proposed charter change so this agreement would detail the terms of the city's participation in the coordinated election to be conducted by the Morgan County Clerk and Recorder.

Northrup offered a resolution to approve the Resolution calling for a general municipal election to be held in conjunction with the November 6, 2018 Morgan County Coordinated Election. That resolution was seconded by Howe and approved unanimously.

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### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AND CLOSING DOCUMENTS FOR THE PURCHASE OF PROPERTY**

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Water Resources/Utilities Director Brent Nation apologized that this item was added to the agenda late and information provided in the council's table files, but that was because the opportunity presented itself very recently and needed council action before the next scheduled meeting. He explained that the property to be purchased was everything between the city-owned CentrePointe Plaza and the industrial park, and had been discussed by the council in several executive sessions in the past. Staff had been given negotiating parameters including a dollar amount the city would pay for the 135 acres, and the offer received recently was for \$3.325 million which fell within the council's parameters. He said the purchase would include two farmhouses and 34 shares in the Platte Avenue Lateral irrigation system.

Northrup offered a resolution to approve the Resolution authorizing the mayor to execute the contract to buy and sell real estate between the City of Fort Morgan and Fort Morgan Farms LLC. That resolution was seconded by Marler and approved unanimously.

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**UPDATE AND POSSIBLE ACTION ON SALARY AND BENEFIT SURVEYS**

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Human Resources/Risk Management Director Susan Kurk reviewed the salary survey that had been conducted and an updated salary grade plan for city employees that had been developed based on the survey results. Kurk noted that the city's proposed salary plan was based on 90 percent of the market range for all of Colorado, to account for the lower wages and living costs in rural areas compared to metropolitan areas.

Kurk reviewed many details of the plan and the anticipated cost to implement it effective Jan. 1, 2019, and council and staff discussion followed about specifics of the plan. Brennan commended Kurk for the great amount of work she had put into development of the plan, and Kurk said if approved the HR staff would begin conducting meetings with employees between now and the end of the year to communicate the details of the plan to employees.

The consensus of the council was to move forward with the plan as presented and discussed. No formal action was taken.

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**2019 BUDGET CALENDAR – 2019 BUDGET EXPENDITURES FOR THE CAPITAL IMPROVEMENT FUND AND THE CONSERVATION TRUST FUND**

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Brennan first reviewed the proposed budget for the Conservation Trust Fund, which proposed to spend about half of the reserve that had built up over the past few years in this fund to complete a number of outdoor-related projects, the required use for this fund. The council consensus was to move forward with this proposal as presented. No formal action was taken.

Brennan then explained the two scenarios included in the council's meeting packets for the Capital Improvement Fund, one of which would complete everything on the staff "wish list" of projects and equipment, much of which was directly related to the budget priorities set by council for 2019. The other scenario included cuts to the list of projects to bring the expenditures closer to balancing with revenues, with only about \$158,000 taken from reserve in the capital fund.

Extensive council and staff discussion followed about levels of reserve funds, or cash balances, in the city's various funds, the wisdom of spending out of reserves, and the fact that reserves were continually being replenished due to the city's conservative budgeting approach.

Meyers suggested that staff could produce a report showing how much money was left over at the end of each of the last 10 years when annual revenues and expenditures were recorded, which would demonstrate how much money went back into reserves each year. Marler said that would be useful information to have, and Brennan said it could be brought back to the next council meeting. No formal action was taken.

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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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Brennan said signage had been received and would soon be installed and the city would then begin enforcing closure of parks at night. He also mentioned a very positive report on sales tax revenue for June that had been released that week.

Nation announced that the city's 2019 contribution to the Northern Integrated Supply Project would be reduced due to a deliberate slowdown in the timeline. He said NISP had received a final environmental impact statement and this was an important milestone and a positive sign.

Gammeyer said the paving portion of the city's Strictly for Streets improvement plan had been completed and the chip sealing phase would begin the following week.

Chief of Public Safety Paul Schultz outlined several programs at the police department including establishment of a "Safe Deal Zone" and a "Tip a Cop" fundraising event for Special Olympics. Schultz also mentioned that all positions at the PD were filled and the department had received inquiries from two officers who had left the department asking if there were any job openings so they could come back.

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## **BIDS, MEETINGS AND ANNOUNCEMENTS**

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Dunn announced current bids and upcoming meetings.

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## **EXECUTIVE SESSION**

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The regular portion of the meeting ended at 9:27 p.m., and Mayor Shaver announced that the next item on the agenda was a scheduled executive session. That 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 position.

Northrup made a motion to proceed to the scheduled executive session, which was seconded by Howe and approved unanimously. The executive session began at 9:40 p.m. and concluded at 11:20 p.m., and was attended by the mayor and council along with Meyers. After a few minutes Meyers left the session.

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 to discuss the city manager position, and this time the council would like to receive legal advice from its CIRSA attorney. No motion was made.

Shaver said the council would schedule a time to meet with the CIRSA attorney, either during a regular meeting or a special meeting.

Mayor Shaver adjourned the Aug. 7, 2018 regular meeting at 11:23 p.m.

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Mayor

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City Clerk