

September 18, 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 Lisa Northrup
Councilmember Doug Schossow

Absent: Councilmember Dan Marler (excused)

The meeting was also attended by Acting City Manager/City Clerk/PIO John Brennan, City Attorney Jason Meyers, City Treasurer Jean Kinney, Water Resources/Utilities Director Brent Nation, Public Works Director Steve Glammeyer, Human Resources/Risk Management Director Susan Kurk, Chief of Public Safety Paul Schultz, Management Intern Daniella Cabrera, Economic Development Specialist Jeni Elrick, Community Services Director Ty Hamer, Rec Superintendent Steve Samson, Golf Pro Matt Pickering and Court Administrator Amanda Dunn.

COMMUNITY EVENT APPLICATION FROM FORT MORGAN HIGH SCHOOL REGARDING HOMECOMING ACTIVITIES

Acting City Manager/City Clerk/PIO John Brennan outlined the application from Fort Morgan High School regarding homecoming activities, specifically the use of Legion Field for the homecoming carnival and bonfire. The application was similar to one submitted last year after Legion Field was annexed, with the exception of fireworks, which the high school was not requesting this year. Brennan said the Fire Department would be present during the bonfire and would have authority to call off the bonfire in adverse conditions.

Councilmember Lisa Northrup inquired as to the late filing of the application and said it would be nice to have these items available for review earlier than the day before the event. Councilmember Doug Schossow stated that he worked the homecoming carnival in 2017 and thought that it was run very well. Councilmember Allison Howe offered a resolution to approve the application from Fort Morgan High School regarding homecoming activities, which was seconded by Schossow and approved on a unanimous vote of 6-0, with Councilmember Dan Marler absent (excused).

FIRST READING AND PUBLIC HEARING OF AN ORDINANCE ENACTING REZONING OF THREE LOTS ON THE SAME BLOCK OF DEUEL STREET

Mayor Ron Shaver reviewed the format to be followed for the public hearing, and Court Administrator Amanda Dunn confirmed that proper legal notice of the hearing had been published. Public Works Director Steve Glammeyer said these three lots were currently zoned B1 (Mixed Use Business) and should be rezoned B2 (General Business). This would resolve the issue of storage units on the property being non-conforming. Glammeyer said this rezoning issue was unanimously approved by the Planning Commission and recommended for council approval. Some council and staff discussion followed regarding a house on the property and how this rezoning would affect that use.

Attorney Raymond Laws spoke on behalf of the applicants, Les Linker and Butch Speicher, and said he believed his clients had met the burden of proof of the requirements for rezoning the property.

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

Meyers advised the council of its options for action, and Northrup offered a resolution to approve the first reading of an Ordinance establishing zoning for three lots in the same block of Deuel Street. That resolution was seconded by Lindell and approved unanimously (6-0, Marler absent).

FIRST READING AND PUBLIC HEARING OF AN ORDINANCE REZONING AN ENTIRE BLOCK IN THE DOWNTOWN AREA

Shaver reviewed the format for the hearing and Dunn confirmed proper legal notice. Glammeyer said these applicants wanted an entire block of Main Street rezoned from B2 to B1, so there would be no need for special use permits to allow residences above businesses. Glammeyer said the Planning Commission had approved this unanimously and recommended council approval.

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

Meyers advised the council of its options for action, and Northrup offered a resolution to approve the first reading of an Ordinance rezoning an entire block in the downtown area. That resolution was seconded by Schossow and approved unanimously (6-0, Marler absent).

REQUEST FOR AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONTRACT WITH ALLO COMMUNICATIONS FOR SPLICING OF FIBER

Water Resources/Utilities Director Brent Nation stated that the long-term agreement with Allo Communications included splicing fiber but at the time the agreement was signed the design was not complete and the cost was unknown. He noted that the expense requested was Allo's cost with no mark-up. Howe offered a resolution to authorize the mayor to execute a contract with Allo Communications for splicing of fiber at a cost of \$167,000, which was seconded by Lindell and approved unanimously (6-0, Marler absent).

PRESENTATION APPROVING A CHANGE ORDER IN THE CONTRACT FOR FIBER INSTALLATION WITH BAUER UNDERGROUND

Nation stated that the general bid package put together when this project first started was done with the expectation that cost changes would occur as the design was completed. Nation said he knew this change order would be significant, but Bauer Underground was confident that these numbers will carry them through the end of the build. He was requesting approval for a change order amount not to exceed \$450,000.

Howe offered a resolution to approve a change order in the contract for fiber installation with Bauer Underground in an amount not to exceed \$450,000, which is seconded by Lindell and approved unanimously (6-0, Marler absent).

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ON-CALL CONSULTING AGREEMENT WITH CWA CONSULTING SERVICES LLC

Nation stated that Curt McCormick previously worked for the EPA and Nation wanted to have him available on a standard service agreement to assist the city with assessing potential new

industrial customers for the city's wastewater treatment system. The funding for this would come out of the engineering consulting budget. Several council members said they felt this was a wise idea.

Northrup offered a resolution authorizing the mayor to execute an on-call consulting agreement with CWA Consulting Services LLC related to the City's pretreatment program for industrial users of the wastewater treatment system, which was seconded by Howe and approved unanimously (6-0, Marler absent).

RESOLUTION AUTHORIZING ADDITIONAL FUNDING FOR THE OLD HIRE POLICE PENSION PLAN IN 2018 AND 2019

Brennan said the city's Old Hire Police Pension Plan had three members and the city currently pays about \$100,000 a year. Every two years a new actuarial report is done which outlines the costs for a 1, 2, and 3% cost of living adjustment. Because of the timing of the actuarial study, these COLAs are provided to members retroactively for one year and then on Jan. 1 of the second year. The members of the Old Hire plan requested a 3% COLA and members of the board voted in favor of a 2% COLA, which was approved by members. This would increase the city's total contribution by approximately \$6,000 a year.

Northrup offered a resolution approving the Resolution authorizing additional funding for the Old Hire Police Pension Plan in 2018 and 2019, which was seconded by Howe and approved unanimously (6-0, Marler absent).

RESOLUTION EXPRESSING THE CITY OF FORT MORGAN'S SUPPORT FOR THE NORTHERN INTEGRATED SUPPLY PROJECT

Nation stated that Northern Water had asked Northern Integrated Supply Project participants to approve resolutions showing support for the project.

Northrup offered a resolution expressing the City of Fort Morgan's support for the Northern Integrated Supply Project, which was seconded by Schossow and approved unanimously (6-0, Marler absent).

2019 BUDGET CALENDAR

Economic Development Specialist Jeni Elrick, Recreation Superintendent Steve Samson and Community Services Director Ty Hamer presented the budgets for their respective departments, and City Treasurer Jean Kinney reviewed the police forfeiture and Riverview GID budgets. Each department also highlighted their innovations in the past year and presented their ideas for future innovations within their departments

Brennan then briefly reviewed changes in the city's Schedule of Fees proposed for 2019, and asked council to review them and bring any questions or suggestions to staff's attention. No formal action was taken.

CONSENT AGENDA BY RESOLUTION

Dunn presented the Consent Agenda for Council consideration as follows:

CONSENT AGENDA

- A. Approval of the disbursements and payroll for August
- B. Approval of the minutes of the September 4, 2018 City Council regular 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.

Howe offered a resolution to approve the Consent Agenda as presented, which was seconded by Lindell and approved unanimously (6-0, Marler absent).

PUBLIC COMMENT / AUDIENCE PARTICIPATION

Tes Mann of 210 Walnut St read a statement to the council urging them to remember they are elected by the people and must strive to learn what the community wants through any means, including letters to the editor, social media and public events, and not listen only to those who attend council meetings.

REPORTS BY OFFICIALS AND STAFF

Nation reported that a water leak at Main Street and Platte Avenue would need emergency repairs and would cause traffic issues.

Chief of Public Safety Paul Schultz reported that he attended a meeting of the school board for the Morgan County School District regarding the addition of a second School Resource Officer. No action was taken at this meeting and the superintendent asked Schultz to meet with him on this matter in the next 30 days. Schultz also stated that the Georgia State Campus Police had reached out to him for permission to utilize one of the Fort Morgan Police Department's operational manuals on improving services.

BIDS, MEETINGS AND ANNOUNCEMENTS

Dunn announced current bids and upcoming meetings.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:31 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 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: Economic incentives.

Councilmember Northrup made a motion to proceed to the scheduled executive session, which was seconded by Lindell and approved unanimously.

This executive session began at 7:34 p.m. and concluded at 9:12 p.m., and was attended by the mayor and five council members (Marler absent) along with Brennan, Nation, Meyers, Elrick, Glammeyer, City Treasurer Jean Kinney, Greg Thomason and Michael Lengen.

At approximately 8:28 p.m. Thomason and Lengen left the executive 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 for the purpose stated on the agenda. Northrup made a motion directing the city staff to conduct some exploratory work

related to the requested incentives. That motion was seconded by Howe and approved unanimously (6-0, Marler absent).

Mayor Shaver adjourned the Sept. 18, 2018 regular meeting at 9:13 p.m.

/s/ Ronald Shaver
Mayor

/s/ John Brennan
City Clerk