

November 20, 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 Dan Marler  
Councilmember Lisa Northrup  
Councilmember Doug Schossow

Absent: Councilmember Kevin Lindell (excused)

The meeting was also attended by City Manager Jeff Wells, City Attorney Jason Meyers, City Treasurer Jean Kinney, Chief of Public Safety Paul Schultz, Community Services Director Ty Hamer, Assistant Golf Professional Matt Pickering, numerous officers and staff of the Fort Morgan Police Department and City Clerk/PIO John Brennan.

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#### **RECOGNITION OF MATT PICKERING AS THE EMPLOYEE OF THE QUARTER**

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City Manager Jeff Wells introduced Assistant Golf Professional Matt Pickering and described him as someone who is always friendly, always has the right answers and adheres to the city's four goals. Community Services Director Ty Hamer said Pickering was an inspiration to everyone at the golf course and in the city organization, and had taken over all of the operations at the golf course during the previous summer when Hamer moved up to his director post and had exceeded expectations.

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#### **PRESENTATION OF ACCREDITATION PLAQUE FROM THE COLORADO ASSOCIATION OF CHIEFS OF POLICE FOR THE FORT MORGAN POLICE DEPARTMENT**

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Chief of Public Safety Paul Schultz introduced John Camper, director of the Colorado Bureau of Investigation and president of the Colorado Association of Chiefs of Police, who described the accreditation process and how difficult it was to achieve. Camper said just 16 percent of Colorado's 239 law enforcement agencies are accredited in this way and it reflected on the professionalism and commitment of the FMPD.

Wells said the Fort Morgan community could rest assured that it has a top quality professional police department, and singled out Commander Jared Crone for his work as the accreditation manager seeing the department through the approximately year-long process.

Schultz said the recognition was a reflection of the hard work of every department employee.

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#### **PRESENTATION AND DISCUSSION OF ELECTRIC RATE STUDY**

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Wells introduced John Krajewski of JK Energy Consulting, the city's electric rate consultant for a number of years. Krajewski said the city's electric rates had last been reviewed about two years earlier, and he showed a PowerPoint presentation describing the structuring of the rates and the deficits and surpluses that can result from changes in the city's wholesale rates and power usage. He noted that Wells had worked extensively in recent years as a member or chair of

several committees with MEAN and NMPP, which supply about half of the city's electricity, and that work had resulted in savings to the city of approximately \$2 million a year in costs. Krajewski said the city had accumulated a surplus in its deferred energy account as a result of the rate decreases from MEAN in recent years so his proposal was to refund this overcollection of revenue to ratepayers through a rate reduction of 13.3 percent for the next four years. In answer to a council question, he said the average residential electric bill would go down by about \$9.62 a month.

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**COUNCIL ACTING AS THE BOARD OF THE ELECTRIC DEPARTMENT AND SYSTEM ENTERPRISE OF THE CITY OF FORT MORGAN – RESOLUTION ADJUSTING ELECTRIC RATES**

Wells said this Resolution would make the changes to electric rates recommended by Krajewski's study, to be effective Jan. 1, 2019. Councilmember Lisa Northrup offered a resolution to approve the Resolution adjusting the electric rates for the Electric Department and System Enterprise of the City of Fort Morgan, which was seconded by Councilmember Allison Howe and approved on a unanimous vote of 6-0, with Councilmember Kevin Lindell absent (excused).

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**BIDS FOR QUAIL DUNES GOLF COURSE HOLE SIGNS**

Hamer said savings on the installation of new storm shelters at the golf course the preceding year left \$20,000 in the golf course budget for general improvements, and he proposed using that to purchase new hole signs for each tee area fashioned after the sandstone monument-type signs at the course entrance and near the clubhouse. He said the \$20,000 would cover the sign for all 18 holes, and also asked for council input on a proposal to sell sponsorships of each hole as a way to provide continual funding for course improvements such as this. Council and staff discussion of both proposals followed with general support for both.

Howe offered a resolution to approve the bid from Cylex Signs of Phoenix, Ariz., in the amount of \$19,476.17 with the total project not to exceed \$20,000. That resolution was seconded by Northrup and approved unanimously (6-0, Lindell absent).

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**RESOLUTION AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE COLORADO DEPARTMENT OF CORRECTIONS**

Schultz said this was a routine renewal of an agreement for mutual aid with the state DOC, primarily for its Sterling Correctional Facility. Northrup offered a resolution to approve the Resolution authorizing the mayor to execute a memorandum of understanding with the Colorado Department of Corrections. That resolution was second by Howe and approved unanimously (6-0, Lindell absent).

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**CONSENT AGENDA BY RESOLUTION**

City Clerk/PIO John Brennan presented the Consent Agenda for Council consideration as follows:

**CONSENT AGENDA**

- A. Approval of the disbursements and payroll for October
- B. Approval of the minutes of the Nov. 6, 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 Schossow and approved unanimously (6-0, Lindell absent).

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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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Hamer noted that the annual Christmas Capital of the Plains campaign would be starting the following weekend, and several more of the city's bronze sculptures had been installed. Wells commended the Streets Department for its work on snow removal the previous weekend.

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**BIDS, MEETINGS AND ANNOUNCEMENTS**

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Brennan announced current bids and upcoming meetings.

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**EXECUTIVE SESSION**

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The regular portion of the meeting ended at 6:52 p.m., and Mayor Shaver announced that the next item on the agenda was a scheduled executive session. Northrup made a motion to convene this executive session, which was seconded by Councilmember Dan Marler and approved unanimously (6-0, Lindell absent).

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: Council interviews with two finalists for Municipal Judge position.

The executive session began at 7:04 p.m. and was initially attended by the mayor and five council members (Lindell absent) along with City Attorney Jason Meyers. Shortly after the start of the executive session Meyers left the session and the first judge candidate, Karen Walker, was called into the session. Walker left the session at about 7:30 p.m. At 7:40 p.m. the second candidate, Charles Peters, was called into the session and left at approximately 8 p.m. Meyers was called into the session again for a short time, and the council returned to the regular open meeting at 8:20 p.m. Northrup reported that the council had met in executive session for the purpose stated on the agenda, and no motion was made.

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**COUNCIL VOTE ON JUDGE CANDIDATES**

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Brennan provided each council member with a paper ballot containing the names of the two candidates and a space for the council member's name. The first round of voting resulted in a

tie with three votes for each candidate. Council discussion followed, with some council members stating their reasons for voting for the candidate they had chosen. A second round of balloting was conducted, which also resulted in a 3-3 tie vote.

Much council discussion followed about how to proceed, and the two judge candidates were then asked to leave the council chambers. Several council members commented on the basis for their choices, and asked Wells, Meyers and Brennan how they felt about the candidates since they had participated in the preliminary screening interviews with all of the candidates.

The candidates were then called back into the meeting and a third round of balloting was held, which was unanimous in favor of Charles Peters (6-0, Lindell absent).

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### **DIRECTION ON CONTRACT WITH MUNICIPAL JUDGE**

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The council offered direction to Meyers to negotiate a contract with Peters based on the contract for the previous judge.

Mayor Shaver adjourned the Nov. 20, 2018 regular meeting at 8:45 p.m.

/s/ Ronald Shaver  
Mayor

/s/ John Brennan  
City Clerk