

February 4, 2020

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 Lyn Deal
Councilmember Allison Howe
Councilmember Kevin Lindell
Councilmember Brian Urdiales

Absent: Councilmember Doug Schossow (excused)

The meeting was also attended by Acting City Manager/Utilities Director Brent Nation, City Treasurer Jean Kinney, Interim Police Chief Jared Crone, Community Services Director Ty Hamer, Public Works Director Steve Glammeyer, Human Resources/Risk Management Director Susan Kurk, Economic Development Specialist Sarah Crosthwaite, Electric Superintendent Doug Linton, Gas Superintendent Tony Behrends, City Attorney Geoff Wilson, Deputy City Attorney Nina Williams, Municipal Court Judge Charles Peters, Municipal Court Prosecutor Matt Krob and Deputy City Manager/City Clerk/PIO John Brennan.

RECOGNITION OF THE BUSINESS OF THE MONTH FOR FEBRUARY

Economic Development Specialist Sarah Crosthwaite reminded the council of this program rolled out in 2019 as a partnership with the Fort Morgan Area Chamber of Commerce and the Fort Morgan Times. She announced that Rosita's Bakery had been selected as the Business of the Month for February, which earned them a free month of advertising in the Times as well as Media Logic Radio and the city's website and social media platforms. Crosthwaite presented bakery owners Alfredo and Cynthia Ojedo with a plaque and a sandwich board sign to place outside their business for the month.

BIDS FOR A BUCKET TRUCK FOR THE ELECTRIC DEPARTMENT

Electric Superintendent Doug Linton reviewed the bid process for this purchase, for which five bids were received but only two met the bid specifications. He said staff was recommending acceptance of the lower of the two qualifying bids, and also asking for additional appropriations for optional floor mats and to outfit the truck for city use.

Councilmember Allison Howe offered a resolution to accept the bid from Altec Industries Inc. of Creedmore, NC, in the amount of \$157,769, plus \$296 for floor mats for a total bid amount of \$158,065, and additional authorization to complete the truck for city use with the total expenditure not to exceed \$165,000. That resolution was seconded by Councilmember Kevin Lindell and approved on a unanimous vote of 6-0, with Councilmember Doug Schossow absent (excused).

FIRST READING OF AN ORDINANCE VACATING THE RIGHT OF WAY FOR LINCOLN STREET

Public Works Director Steve Glammeyer said this ordinance would correct what appeared to be an oversight when the local school district built a school over this right of way. He said the intent

was surely to vacate the right of way and convey the property to the school district, but the city still needed to maintain a utility easement through the property for water and gas lines. This ordinance, Glammeyer said, would vacate the right of way and a separate easement agreement would be drafted between the city and the school district.

Howe offered a resolution approving first reading of an ordinance vacating that portion of the right of way of Lincoln Street south of East Beaver Avenue and north of East Kiowa Avenue, and to schedule a public hearing on the ordinance for Feb. 18. That resolution was seconded by Lindell and approved unanimously (6-0, Schossow absent).

RESOLUTION DESIGNATING CITY REPRESENTATIVES TO VARIOUS BOARDS AND COMMITTEES OF MEAN AND NPGA

Acting City Manager Brent Nation said the city's wholesale energy suppliers, the Municipal Energy Agency of Nebraska and the National Public Gas Agency, had requested that the city enact this resolution as soon as possible in the wake of the termination of former city manager Jeff Wells, who had previously served on each of the boards and committees in question. Nation said he would serve as the primary rep for the city and Linton and Gas Superintendent Tony Behrends would be named as alternates.

Howe offered a resolution to approve the Resolution appointing Brent Nation as the city's designated representative and Doug Linton as the city's alternate representative to the board of directors and the management committee of the Municipal Energy Agency of Nebraska (MEAN) and appointing Brent Nation as the city's representative and Tony Behrends as the city's alternate representative to the board of directors of the National Public Gas Agency. That resolution was seconded by Councilmember Clint Anderson and approved unanimously (6-0, Schossow absent).

At this point in the meeting Mayor Shaver announced that he would be switching up the order of the next few agenda items. He said agenda item No. 9 would be moved up to this spot and then the remaining items would follow in order.

DISCUSSION AND POSSIBLE DIRECTION ON PROCESS AND TIMELINE FOR CITY MANAGER SEARCH

Shaver distributed to the council members a timeline he said was used for the same purpose by the city in 2004, which he said could be used as a model. He said the council had to first decide whether to go out and hire a headhunting firm to do an in-depth search or to have the city human resources department handle the search and recruiting process. He also suggested the council review the city manager job description and also have it reviewed by the city attorneys.

Council and staff discussion followed about low-cost job boards and recruiting platforms in Colorado, the process of reviewing applicants and selecting a candidate, how a recruiting firm would be chosen and would operate, and the time frame for retaining such a firm.

Shaver said the timeline would call for the city manager to be on board by late April or May, and the consulting firm should be chosen within about two weeks. Human Resources/Risk Management Director Susan Kurk said it would likely take longer, and Nation agreed but said staff would work to accomplish it as quickly as possible.

Lindell then reminded the mayor that he had asked for an executive session to discuss the reasons for Wells' termination and made a motion that the item currently under discussion be tabled until the end of the meeting and the council would then go into executive session to discuss these matters, including the reasons behind the dismissal of the previous city manager. Council and attorney discussion followed, with City Attorney Geoff Wilson saying that an executive session such as the one Lindell desired would probably be better if scheduled at the next meeting and proper public notice of it given. After discussion it was determined by consensus to schedule

the executive session requested by Lindell for Feb. 18, and Lindell withdrew his motion to table the current agenda item pertaining to the new city manager search. Shaver seemed to indicate that the direction to staff was to move as quickly as possible to prepare an RFP for a recruiting firm and get that process moving as quickly as possible. No formal action was taken.

DISCUSSION OF CITY FINANCIAL RESERVES AND GRANTS

City Treasurer Jean Kinney reviewed a spreadsheet showing the reserves in each of the city's major funds, such as the General Fund/Capital Improvement Fund, the separate enterprise funds for each of the city's utilities and other miscellaneous funds. The spreadsheet compared the level of these reserve funds to the annual operating expenses for each fund to give the council a sense of the level of reserves and how long the city could operate if revenues were cut off. Shaver reminded the council of past emergencies such as blown electrical transformers and the Riverside Park flood where reserves allowed the city to pay for repairs and restoration before insurance coverage was even resolved, so there was a benefit to having strong reserves as the city does. Kinney then reviewed a list of current and pending grants the city had received or applied for, and the dollar amounts and status of each. No action was taken.

COUNCIL ORIENTATION / TRAINING ON RULES, PROCEDURES, PROTOCOLS AND OTHER ISSUES

Wilson and Deputy City Attorney Nina Williams reviewed a PowerPoint presentation outlining rules, procedures, ethical guidelines and other information for council members, and answered council questions. No action was taken.

CONSENT AGENDA BY RESOLUTION

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

CONSENT AGENDA

- A. Approval of the minutes of the Jan. 16, 2020 City Council special meeting
- B. Approval of the minutes of the Jan. 21, 2020 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 Councilmember Brian Urdiales and approved unanimously.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

Derek Murkins of 413 E. 7th Ave. spoke to the council about his concerns regarding vacancies in the historic downtown area and other matters, and challenges facing the city. He also issued challenges to the council to think of ways to make the city better.

REPORTS BY OFFICIALS AND STAFF

Nation said the new Gene Doty Senior Center was coming along well and was expected to be sufficiently complete to have a ribbon cutting on March 31.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:30 p.m., and Mayor Shaver announced that the next items on the agenda were two scheduled executive sessions. Howe made a motion to convene these executive sessions, which was seconded by Lindell and approved unanimously (6-0, Schossow absent).

The council held the executive session listed second on the agenda as the first session. This executive 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. **(TENTATIVE)**

This executive session began at 7:42 p.m. and ended at 8:11 p.m., and was attended by the mayor and five council members (Schossow absent) along with Nation, Crosthwaite, Geoff Wilson and Nina Williams. At the conclusion of the executive session, the council returned to the regular open meeting, where Howe reported that the council had met in executive session for the purpose stated on the agenda. No motion was made.

The council then convened the second scheduled executive session, which had been listed first on the agenda. This 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: Check-in with Municipal Judge

This executive session began at 8:13 p.m. and ended at 9:17 p.m. and was attended by the mayor and five council members (Schossow absent) along with Wilson, Williams, Charlie Peters and Matt Krob.

At the conclusion of the executive session the council returned to the regular open meeting, where Howe reported that the council had met in executive session for the purpose stated on the agenda. No motion was made.

Mayor Shaver adjourned the Feb. 4, 2020 regular meeting at 9:18 p.m.

/s/ Ronald Shaver
Mayor

/s/ John Brennan
City Clerk