

April 7, 2020

The City Council of the City of Fort Morgan, Colorado, met this day for a virtual meeting via computer link due to restrictions on public gatherings related to the Coronavirus (COVID-19) pandemic. 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 Doug Schossow
Councilmember Brian Urdiales

The meeting was also attended by Acting City Manager Brent Nation, Interim Police Chief Jared Crone, City Treasurer Jean Kinney, Public Works Director Steve Glammeyer, Community Services Director Ty Hamer, Human Resources/Risk Management Director Susan Kurk and Deputy City Manager/City Clerk/PIO John Brennan.

APPROVAL OF MINUTES OF THE MARCH 17, 2020 CITY COUNCIL REGULAR MEETING

Deputy City Manager/City Clerk/PIO John Brennan said a draft of the March 17, 2020 regular meeting minutes was included in the council meeting packets. Councilmember Allison Howe offered a resolution to approve the minutes as presented, which was seconded by Councilmember Clint Anderson and approved unanimously.

PROCLAMATION DESIGNATING APRIL AS SEXUAL ASSAULT AWARENESS MONTH

Mayor Ron Shaver read the proclamation and Brennan said a formal copy would be sent to SARA Inc.

PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT

Mayor Shaver outlined the format to be followed during the public hearing, and Brennan confirmed that proper legal notice of the hearing had been published. Public Works Director Steve Glammeyer reviewed the application, which was for a home-based photography business at 227 Apache St. Glammeyer said the Planning Commission had recommended approval and staff was recommending approval with conditions. Applicant Sheena Hayes said the business would be located in a back building on her property and all business would be by appointment only.

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

Deputy City Attorney Nina Williams advised the council of its options for action. Councilmember Doug Schossow offered a resolution to approve Case 20-005 SU, a Special Use Permit for a Home Business at 227 Apache St., as was recommended by the Planning Commission, with the conditions that the special use is personal to the applicants and may not be inherited, and that the owners meet the additional requirements for a Home Business as outlined in Article 5, Sec. 20-5-10 (b) from Chapter 20 of the Municipal Code of the City of Fort Morgan. That resolution was seconded by Lindell and approved unanimously.

SECOND READING AND PUBLIC HEARING ON ORDINANCE NO. 1243, REGARDING LEASE PURCHASE FINANCING FOR THE FIELDHOUSE PROJECT

Shaver reviewed the format for the public hearing, and Brennan confirmed publication of proper legal notice. City Treasurer Jean Kinney said the ordinance was the same as approved by the council on first reading, except an Appendix A with the terms and rates of the financing had been added. Brennan noted that this appendix had been added before first publication in full of the ordinance so the second publication could still be done by title only.

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

Williams advised the council of its options for action, and Howe offered a resolution to approve second and final reading of Ordinance No. 1243, an ordinance approving a lease purchase financing to provide funds for the construction and equipping of a community center/fieldhouse on city-owned property; authorizing and approving a site lease, a lease purchase agreement and other documentation relating to the lease purchase financing; and providing other details, parameters and authorization in connection with the lease purchase financing, and authorization to publish by title only. That resolution was seconded by Councilmember Brian Urdiales and approved unanimously.

APPROVAL OF EXPENDITURE FOR POLICE DEPARTMENT RECORDS SYSTEM COSTS

Interim Police Chief Jared Crone said the police department had been operating on this records management system for some time, which was managed by the county. In the past the county paid the costs of maintenance and software upgrades but now several participating agencies would be paying a percentage of the costs based on their share of the volume. The city's 2020 share exceeded \$10,000 so payment required council approval, he said.

Councilmember Lyn Deal offered a resolution to approve payment of the county invoice in the amount of \$10,918.85, which was seconded by Lindell and approved unanimously.

BIDS FOR POLICE VEHICLE UPFITS

Interim Police Chief Crone reviewed the bid process for the outfitting of several new police vehicles with light bars, sirens, cages and other law enforcement equipment. Crone said only one bid was received, and the department was asking for additional funding to prepare the vehicles for in-car computers, which would still be within the budget.

Howe offered a resolution to accept the bid from L.A.W.S. of Englewood, Colo., in the amount of \$43,949.97, with the total expenditure not to exceed \$54,000, to upfit three marked police vehicles and one unmarked vehicle. That resolution was seconded by Lindell and approved unanimously.

CHANGE ORDER FOR ADDITIONAL HBP PAVING PROJECTS

Glammeyer reminded the council that he had planned to have part of the 2020 paving projects completed by a company that used a new "hot in place" paving process, but that company had been impacted by the coronavirus pandemic and could no longer do the work. So Glammeyer proposed a change order to allow the awarded HBP paving contractor, Martin Marietta, to perform additional segments of the planned projects that would fit within the budget. He pointed out that the adjustment would mean that Riverview Avenue rebuilding would have to be pushed back a year.

Howe offered a resolution to approve a change order for the contract with Martin Marietta in the amount of \$960,000 to complete additional 2020 paving projects. That resolution was seconded by Urdiales and approved unanimously.

BIDS FOR COLUMBARIUM EXPANSION AT THE CEMETERY

Community Services Director Ty Hamer said this project would expand the area containing the cemetery's columbariums with a new concrete slab and fencing, which would allow for more columbarium units to be added in the future. Hamer said the 2020 budget would cover both this expansion project and an additional 64-niche columbarium unit to be purchased separately. He said staff recommended accepting the low bid for the expansion.

Deal offered a resolution to accept the bid from Elrick Construction, Inc., in the amount of \$68,500 for the cemetery columbarium expansion, which was seconded by Lindell and approved unanimously.

BIDS FOR RESTROOMS AT BRENDA JOY AND OPTIMIST PARKS

Hamer said the installation of new flush restrooms at these two parks had been budgeted for 2020, and only one bid was received for the project. Some council and staff discussion followed about issues such as parking and drinking fountains at these locations.

Lindell offered a resolution to accept the bid from UBC Precast Concrete Products in the amount of \$114,900 for two pre-cast concrete, men's & women's single user flush restrooms for Brenda Joy and Optimist parks, and additional funding for concrete work and utility hookups, with total expenditure not to exceed \$120,000. That resolution was seconded by Anderson and approved unanimously.

BIDS FOR 2020 WATER AND SEWER UNDERGROUND INFRASTRUCTURE PROJECTS

Acting City Manager Brent Nation said this was work that had to be done in advance of the 2020 street paving program, and because the work must be completed quickly he was proposing to split the work into a number of different projects and utilize all three of the local bidders.

Howe offered a resolution to accept the bid from Ransom Boone Excavating to complete the water portion of the 2020 Infrastructure Projects A and E in an amount not to exceed \$252,000, and to accept the bid from Darin Neb Excavating to complete the water projects B, C and D and sewer portion of the 2020 Infrastructure Projects G & H in an amount not to exceed \$315,000, and to accept the bid from Jess Backhoe to complete the sewer portion of the 2020 Infrastructure Project F in an amount not to exceed \$46,000. That resolution was seconded by Urdiales and approved unanimously.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS BY OFFICIALS AND STAFF

Nation updated the council on city operations and initiatives during the coronavirus outbreak.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:12 p.m., and Mayor Shaver announced that the next item on the agenda was a scheduled executive session. Lindell made a motion to convene this executive session, which was seconded by Deal and approved unanimously.

The regular online virtual meeting was then ended, and the executive session was convened as a separate virtual meeting with the mayor and council members participating, along with Nation, Williams and Economic Development Specialist Sarah Crosthwaite. 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.

The executive session began at 7:26 p.m. and ended at 7:53 p.m. At the conclusion of the executive session, Councilmember Allison Howe reported that the council met in executive session to receive updates about a proposed housing development and potential contracts, and instructed negotiators regarding the same. No motion was made and no formal action or vote was taken.

Mayor Shaver adjourned the April 7, 2020 regular meeting at 7:55 p.m.

/s/ Ronald Shaver
Mayor

/s/ John Brennan
City Clerk