

August 18, 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 (attending via computer link)  
Councilmember Lyn Deal  
Councilmember Allison Howe  
Councilmember Kevin Lindell (attending via computer link)  
Councilmember Doug Schossow  
Councilmember Brian Urdiales

The meeting was also attended by City Manager Steve Glammeyer, Interim Police Chief Jared Crone, City Treasurer Jean Kinney, Water Resources/Utilities/Interim Public Works Director Brent Nation, Human Resources/Risk Management Director Susan Kurk, Recreation Superintendent Steve Samson, Streets Superintendent Jim Willis, Director of Information Technology Nelson McCoy, Chief Building Official Mike Kirkendall, General Accountant Chris Bostron, Fire Marshal John Zink and Deputy City Manager/City Clerk/PIO John Brennan.

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#### **APPOINTMENT OF TWO MEMBERS TO THE PLANNING COMMISSION**

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Interim Public Works Director Brent Nation said the Planning Commission had been short two members for some time but recently received two applications, which were recommended by the commission for appointment by the council. Councilmember Allison Howe made a motion to appoint Kaden Shuttleworth and Dolores del Campo to fill vacancies on the Planning Commission, which was seconded by Councilmember Doug Schossow and approved unanimously.

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#### **REQUEST FOR IN-KIND SERVICES AND FEE WAIVERS FOR THE BREAK THE SILENCE / UNITED WE RACE EVENT**

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Recreation Superintendent Steve Samson introduced this special event application, which was requesting waiver of fees for a variety of city services and equipment as well as street closures and other considerations. Samson introduced the event organizers, and extensive council, staff and organizer discussion followed about the plans for the event, with some council members questioning the wisdom of an event of this size and scope during the COVID-19 pandemic, and the need for the closure of so many streets. The organizers said they had scaled back their expectation for attendance and the scope of the event, but still needed the street closures for the United We Race element of the event, to protect the people participating in the race along Main Street and some side streets. They said they had petitions signed by 75 percent of downtown businesses supporting the street closures.

Discussion then turned to the next agenda item, an application for a Special Event Permit for a beer garden, which was a separate matter but related to the event. Deputy City Manager/City Clerk/PIO John Brennan explained that the SEP application had been received later than usually required but the city was trying to work with the organizers to make it possible. He said because the application asked to locate the beer garden on Beaver Avenue, a public street, council approval was required.

More discussion of the beer garden ensued, with Mel Bustos of the Northeast Colorado Health Department stating that the size of the proposed beer garden would accommodate only 80 people

under COVID-19 guidelines, and not the 175 people listed in the application. More discussion followed about various aspects of the event and plans.

Councilmember Lyn Deal offered a resolution to approve the request for fee waivers and in-kind services for the Break the Silence/United We Race event, which was seconded by Schossow and approved unanimously.

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### **AUTHORIZATION FOR THE CITY CLERK TO GRANT ADMINISTRATIVE APPROVAL OF A SPECIAL EVENT PERMIT FOR A BEER GARDEN ON PUBLIC PROPERTY**

Brennan explained that he would usually bring a request like this to the council for full approval of the permit, but because of the tight time frame he was asking the council to approve only the request to have the beer garden on a public street, and then his office would complete the process of due diligence and approval of the permit including posting of notice on the property.

Howe offered a resolution to authorize the City Clerk to grant administrative approval of a special event permit for a beer garden on public property for the Break the Silence event, with the capacity of the beer garden limited to 80 people and approval from the Northeast Colorado Health Department required. That resolution was seconded by Schossow and approved unanimously.

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### **BIDS FOR FINANCIAL AUDITING SERVICES**

City Treasurer Jean Kinney explained that the city's auditing services had been put out for bids twice in recent weeks because of poor references on the only qualified firm in the first round. She said the second RFP drew three bids and she was recommending the bid from the firm the city had used for the past eight years, which had recently been bought out by a large national firm.

Mayor Ron Shaver questioned why the first round of bids was rejected and said he would like to see the city retain a new auditing firm to get a fresh perspective on the city's finances. Shaver said the city gets in a rut when it uses the same auditing firm over and over for years, and Kinney agreed and said a new firm would be her preference as well. Council and staff discussion followed about the best course of action going forward. City Manager Steve Glammeyer said staff could probably do another bid request and reach out to specific firms in relatively short order.

Deal offered a resolution to deny the auditing services bids as presented and do a search for a new auditing firm, which was seconded by Howe and approved unanimously.

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### **BIDS FOR A 3-YARD LOADER FOR THE STREETS DEPARTMENT**

Streets Superintendent Jim Willis reviewed the bid process for this purchase, for which three bids were received and he was recommending acceptance of the highest bid because the equipment was compatible with other machines in the department and had provided long and reliable service. Even with the higher price and options the preferred model was well below the budgeted \$275,000, Willis said.

Howe offered a resolution to accept the bid for a 938M Cat Wheel Loader from Wagner Equipment for \$169,855.43 with trade-in, and to approve the purchase of options and additional safety options, along with costs associated with a mobile radio and miscellaneous items, for a total amount not to exceed \$200,000. That resolution was seconded by Schossow and approved unanimously.

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### **BIDS FOR UPGRADES TO THE AUDIO-VISUAL / BROADCAST SYSTEM FOR THE CITY COUNCIL CHAMBERS**

Information Technology Director Nelson McCoy said he had requested bids for upgrades to the audio-visual and broadcasting equipment in the city council chambers in order to provide better

opportunities for citizens to view, attend and participate remotely in council meetings in light of the coronavirus pandemic. He said the cost of this project would be paid by CARES Act funding. McCoy reviewed the three bids received and recommended accepting the bid from Kinnon Entertainment of Fort Morgan, both because it was the low bid and because being a local company it would be more accessible and responsive during the process.

Deal offered a resolution to accept the bid from Kinnon Entertainment of Fort Morgan and use CARES Act funding for the upgrades to the council chambers, which was seconded by Howe and approved unanimously.

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### **PUBLIC HEARING ON A PRELIMINARY PLAT FOR POINTE VILLAGE COMMERCIAL PARK**

Mayor Shaver outlined the format to be followed during this public hearing, and Brennan confirmed that proper legal notice had been published. Nation described the purpose of the plat, to subdivide a portion of the city's CentrePointe Plaza property into 38 lots of approximately a half-acre in size, which staff had found were of interest to small business owners and developers. No public comments were received either during the hearing or in advance, and no council comments were offered. Howe made a motion to close the public hearing, which was seconded by Schossow and approved unanimously. City Attorney Geoff Wilson advised the council of its options for action, and Howe offered a resolution to approve Case 20-009 SD, Pointe Village Commercial Park Preliminary Plat for a Major Subdivision, to divide the parcel into 38 lots, creating rights of way and various easements, as was recommended by the Planning Commission. That resolution was seconded by Deal and approved unanimously.

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### **FIRST READING OF AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL CODE BY REFERENCE**

Chief Building Official Mike Kirkendall explained the reason for this ordinance, which would adopt the 2015 version of the residential building code and make local amendments, as the city has done with most building codes. The primary amendment was to allow a choice between installing a fire sprinkler system in townhomes or building two-hour fire walls between units in that type of dwelling, an exception the city made for single-family homes and duplexes several years before. Howe offered a resolution to approve the first reading of an Ordinance adopting the 2015 International Residential Code by reference and making conforming amendments to the Fort Morgan Municipal Code, and to schedule a public hearing on the ordinance for Sept. 1. That resolution was seconded by Councilmember Brian Urdiales and approved unanimously.

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### **2021 BUDGET CALENDAR – START OF PRESENTATION ON 2021 BUDGETS FOR GENERAL FUND DEPARTMENTS**

Glammeier, General Accountant Chris Bostron, Brennan, Nation and Human Resources/Risk Management Director Susan Kurk reviewed highlights of the proposed budgets for the Mayor & Council, City Manager, Finance, City Clerk, City Attorney, Airport, Human Resources, General Government and Perpetual Care accounts and answered council questions. No action was taken.

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### **CONSENT AGENDA BY RESOLUTION**

Brennan presented the Consent Agenda for Council consideration as follows:

#### **CONSENT AGENDA**

- A. Approval of the disbursements and payroll for July
- B. Approval of the minutes of the Aug. 4, 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 Schossow and approved on a unanimous vote of 6-0, with Councilmember Kevin Lindell having left the meeting due to illness.

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## **PUBLIC COMMENT / AUDIENCE PARTICIPATION**

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Ryan Stroh and Christine Castoe of The Club Tap spoke to the council about the governor's order that bars stop serving alcohol at 10 p.m. each night, and asked if the city would consider applying for or cooperating with an effort to request a variance from the state from that order that would allow service until the usual 2 a.m. Shaver said the council could not take any action on that request at this meeting and Stroh said he just wanted to bring the issue to the council's attention in case the governor extended the order.

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## **REPORTS BY OFFICIALS AND STAFF**

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Glammeyer updated the council on the status of making COVID-9 improvements to the lobby of the utility billing office that would allow that facility to reopen. He also said he and Economic Development Specialist Sarah Crosthwaite had begun a series of "business walks" visiting several local businesses on one day periodically to introduce themselves and talk about the city and issues. He said the first such effort was productive and well received. He also mentioned some recent and upcoming groundbreaking ceremonies and provided an update on construction activities at CentrePointe Plaza.

Shaver said he had been approached by several people about "defunding" the police department and reallocating the money for other purposes, and stated emphatically that there was no way he would ever support removing funding from the Fort Morgan Police Department or reallocating it to something else. Several council members expressed the same position on that matter.

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## **BIDS, MEETINGS AND ANNOUNCEMENTS**

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Brennan announced current bids and upcoming meetings.

Mayor Shaver adjourned the Aug. 18, 2020 regular meeting at 8:14 p.m.

*/s/ Ronald Shaver*  
Mayor

*/s/ John Brennan*  
City Clerk