

November 17, 2020

The City Council of the City of Fort Morgan, Colorado, met this day for a virtual meeting via computer link due to circumstances related to the Coronavirus (COVID-19) pandemic. The Honorable Mayor Pro Tem Clint Anderson called the regular meeting to order at 6:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Mayor Pro Tem Clint Anderson  
Councilmember Lyn Deal  
Councilmember John Kaper  
Councilmember Kevin Lindell  
Councilmember Doug Schossow  
Councilmember Brian Urdiales

Absent: Honorable Mayor Ron Shaver (excused)

The meeting was also attended by City Manager Steve Glammeyer, City Treasurer Jean Kinney, Interim Police Chief Jared Crone, FMPD Commander Loren Sharp, Water Resources/Utilities/Public Works Director Brent Nation, Economic Development Specialist Sarah Crosthwaite and Deputy City Manager/City Clerk/PIO John Brennan.

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**PUBLIC COMMENT / AUDIENCE PARTICIPATION**

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None.

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**COUNCIL ACTING AS THE ZONING BOARD OF APPEALS – PUBLIC HEARING ON A VARIANCE REQUEST AT 130 DEXTER PLACE**

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Mayor Pro Tem Clint Anderson outlined the format to be followed during the public hearing, and Deputy City Manager/City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing had been published.

Water Resources/Utilities/Public Works Director Brent Nation presented the application, which was seeking a variance to operate a large family child care home in R-1 zoning. Nation said such a variance was not covered by the city codes and the request did not meet the criteria for approval of a variance. He reviewed those seven criteria and the applicant's response to each, and noted that two neighbors had called him directly to say they were adamantly opposed to the granting of the variance.

Applicant Sarah Neal described her experience in providing child care services and the reasons for wanting to expand to a large home, which included the ability to serve more preschool-age children. She noted the great need for child care in the area.

No public comments were received either during the public hearing or in advance, other than the callers to Nation.

Councilmember Kevin Lindell said he agreed with the need for more day care, but the council's job in this case was to determine whether the request met the required criteria for a variance, which it did not. Others echoed that, and Lindell added that this was not a commentary on how Neal operated her child care home, which he said appeared to be outstanding.

Lindell made a motion to close the public hearing, which was seconded by Schossow and approved unanimously.

City Attorney Geoff Wilson advised the council that it had heard the presentations by staff and the applicant, and could vote to approve, approve with conditions or deny the application. Applicant

Neal interjected that if the council was open to approval with conditions she would agree to keep the total number of children the same as currently but use the large home license to care for two more children younger than school age.

Lindell offered a resolution to deny Case 20-015 VA for a Variance to allow a large family child care home. That resolution was seconded by Schossow and approved on a vote of 5-1, with Councilmember Brian Urdiales voting against and Mayor Ron Shaver absent.

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### **PUBLIC HEARING ON A FINAL PLAT FOR A MAJOR SUBDIVISION OF THE CENTREPOINTE SQUARE PROPERTY**

Anderson reviewed the procedures to be followed during the hearing and Brennan confirmed proper legal notice. Nation said this was the final step in the process of preparing for construction of a 160-unit apartment complex on this site. The developer had fulfilled all of the requirements and was putting down financial security in lieu of completing the landscaping at this time of year, and Nation said staff was strongly recommending approval.

Developer Mark Foster was present to answer any questions and said he enjoyed working with the city and looked forward to potentially seeing the first units completed and occupied soon after the first of the year.

No public comments were received either during the hearing or in advance, and no council comments were offered. Lindell made a motion to close the public hearing, which was seconded by Schossow and approved unanimously (6-0, Shaver absent).

Wilson advised the council of its options for action, and Lindell offered a resolution to approve Case 20-008 SD, the CentrePointe Square final plat for a major subdivision, to divide the parcel into 40 lots, creating rights of way and various easements, as was recommended by the Planning Commission. That resolution was seconded by Urdiales and approved unanimously (6-0, Shaver absent).

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### **APPROVAL OF EXPENDITURE FOR SOFTWARE LICENSES FOR THE POLICE DEPARTMENT MDT PROJECT**

Interim Police Chief Jared Crone said this purchase would complete a project to update technology the department had been working on for several years. Commander Loren Sharp said it was exciting that the project would be completed earlier than expected, and described the advantages it would provide to officers by having computers and printers in their patrol cars.

Sharp explained that department had negotiated a deal to complete the project early for a discounted price rather than spreading the expense over multiple budget years, and had planned to use police forfeiture fund money to do it. However, he said City Treasurer Jean Kinney had suggested using COVID-19 CARES Act funding so no city money would actually be used for this final phase of the project.

Councilmember Lyn Deal offered a resolution to approve the purchase of DigiTicket software licenses for the police department at a cost not to exceed \$49,365 and to allow the mayor to sign the agreement. That resolution was seconded by Schossow and approved unanimously (6-0, Shaver absent).

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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 October
- B. Approval of the minutes of the Nov. 3, 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.

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

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### **REPORTS BY OFFICIALS AND STAFF**

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City Manager Steve Glammeyer told the council that the state health department had announced that Morgan County was being moved to a stricter level of restrictions in response to rising cases in the COVID-19 pandemic. He explained some of the changes and said the city was developing its plans.

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### **BIDS, MEETINGS AND ANNOUNCEMENTS**

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Brennan announced current bids and upcoming meetings.

Mayor Pro Tem Anderson adjourned the Nov. 17, 2020 regular meeting at 6:47 p.m.

/s/ Ronald Shaver  
Mayor

/s/ John Brennan  
City Clerk