

December 15, 2020

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. 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 (via computer link)
Councilmember Kevin Lindell (via computer link)
Councilmember Doug Schossow
Councilmember Brian Urdiales
Absent: Honorable Mayor Ron Shaver (excused)

The meeting was also attended by City Manager Steve Glammeyer, Water Resources/Utilities/Public Works Director Brent Nation, Fort Morgan Police Commander Loren Sharp, City Attorney Geoff Wilson, numerous personnel from the Fort Morgan Police Department and Deputy City Manager/City Clerk/PIO John Brennan.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

RESOLUTION APPOINTING LOREN SHARP AS CHIEF OF POLICE AND APPROVING EMPLOYMENT AGREEMENT

Deputy City Manager/City Clerk/PIO John Brennan said the council had undertaken an extensive search for a new police chief and had ultimately chosen FMPD Commander Loren Sharp for that position. This resolution would appoint Sharp and approve the employment agreement the council had negotiated with him. Councilmember Brian Urdiales offered a resolution to approve the Resolution appointing Loren G. Sharp as Chief of Police and approving an employment agreement in connection therewith. That resolution was seconded by Councilmember Doug Schossow and approved on a unanimous vote of 6-0, with Mayor Ron Shaver absent (excused).

SWEARING-IN OF LOREN SHARP AS CHIEF OF POLICE

Mayor Pro Tem Clint Anderson administered the oath of office to Sharp, who thanked his family and FMPD staff for their support which made it possible for him to do his best for the community.

DRAWING FOR WINNERS OF THE ELF ON THE SHELF CAMPAIGN

City Manager Steve Glammeyer explained that this promotional campaign was aimed at drawing people to shop in downtown Fort Morgan, by encouraging them to search for an elf that was hidden in stores and moved from business to business during the campaign.

COUNCIL ACTING AS THE LOCAL LICENSING AUTHORITY – PUBLIC HEARING ON A NEW LIQUOR LICENSE APPLICATION FOR ZAZZY CAFE

Anderson outlined the procedure to be followed during the public hearing and Brennan confirmed that proper legal notice of the hearing had been published. Brennan reviewed the application process and the purpose of the hearing, which was to establish community support for the issuance of the license and for which purpose the applicant had submitted petitions containing 30 valid signatures in support.

No comments were made by the applicant or the public, and no council comments were offered. Schossow made a motion to close the public hearing, which was seconded by Councilmember Lyn Deal and approved unanimously (6-0, Shaver absent).

City Attorney Geoff Wilson advised the council of its options for action, and Schossow offered a resolution to approve the application for a new Beer and Wine liquor license for Zazzy Café at 119 W. Kiowa Ave., which was seconded by Urdiales and approved unanimously (6-0, Shaver absent).

COUNCIL ACTING AS THE ZONING BOARD OF APPEALS – PUBLIC HEARING ON A REQUEST FOR A PARKING VARIANCE AT 300 DEUEL ST.

Mayor Pro Tem Anderson reviewed the format to be followed during the hearing and Brennan confirmed proper legal notice. Utilities/Public Works Director Brent Nation reviewed the case, which was similar to a parking variance granted for this property previously. Since then, however, the property had been sold in two pieces to two different owners, and only one owner was requesting this parking variance which could affect the other owner's property. Nation outlined the seven criteria for approval of a variance and said if the council approved the variance it should impose conditions recommended by staff.

Council and staff discussion followed about the history of the property and the implications of the variance. Edward Shih, representing applicant World Olivet Assembly, said the variance was crucial to the organization's plans for the building, which included a mission center, school and housing units. More discussion followed.

No public comment was received during the hearing but Brennan read into the record a letter received that afternoon from Jesus Estrada and Jesus J. Estrada, the owners of the other half of the original property, who said they opposed the variance unless certain areas were excluded.

Councilmember Kevin 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 Deal offered a resolution to approve the parking variance with the three conditions recommended by staff. That resolution was seconded by Lindell and approved unanimously (6-0, Shaver absent). The three conditions were:

1. That the variance would expire if World Olivet Assembly should decide to sell the property or cease use of the property as a mission center.
2. That the diagonal and parallel parking spaces meet all Code requirements from Chapter 20, Article 6, Sec. 20-6-70, including Table 6-2 for Parking Space Design based on the parking angle, along with having the required number of ADA parking spaces if not already.
3. That World Olivet Assembly is responsible to delineate the parking stalls with materials and in a manner acceptable to the City.

In addition, per Sec. 20-3-150(a)(3), unless otherwise stated in the Board minutes, all variances must be implemented within six (6) months from the date such variance is granted.

BIDS FOR FBO SERVICES AT THE FORT MORGAN MUNICIPAL AIRPORT

Nation said this contract was up for renewal and only one bid was received, from current FBO Scott Aviation. Nation said the cost had gone up since the previous contract but recommended the city enter into a new five-year agreement with the company.

Schossow offered a resolution to enter into a new five-year agreement with Scott Aviation for FBO service at the Fort Morgan Municipal Airport, which was seconded by Urdiales and approved unanimously (6-0, Shaver absent).

BIDS FOR JANITORIAL SERVICES FOR CITY FACILITIES

Nation said this contract was also expiring at the end of the year and two bids were received, including one from the longtime local vendor whose prices were lowest for all facilities except one, so Nation recommended renewing with that company.

Deal offered a resolution to enter into a new three-year agreement with ServiceMaster of the Platte Valley for janitorial services for city facilities, which was seconded by Schossow and approved unanimously (6-0, Shaver absent).

BIDS FOR A POLICE PATROL VEHICLE

Police Chief Loren Sharp reviewed the bid process for this purchase and recommended accepting the only one of two bids received that met the bid specifications.

Schossow offered a resolution to accept the bid from Ehrlich Chrysler Dodge Jeep Ram in the amount of \$33,149 for a 2021 Dodge Durango police patrol vehicle, which was seconded by Urdiales and approved unanimously (6-0, Shaver absent).

RESOLUTION CONSENTING TO A TRANSFER OF CONTROL IN THE FRANCHISE HELD BY ALLO COMMUNICATIONS INC.

Nation said this Resolution was needed to demonstrate the city's acceptance of a change in the management structure of the city's fiber optic service provider, which had recently joined with another equity partner. Schossow offered a resolution to approve the Resolution consenting to a transfer of control in the franchise held by Allo Communications Inc., which was seconded by Deal and approved unanimously (6-0, Shaver absent).

RESOLUTION AUTHORIZING ADDITIONAL FUNDING FOR THE OLD HIRE POLICE PENSION PLAN

Glammeier explained that this Resolution authorized a cost of living increase for the few remaining members of the Old Hire Police Pension Plan, and the total cost to the city would be \$188,078 which had been budgeted for 2021.

Deal offered a resolution to approve the Resolution authorizing additional funding for the Old Hire Police Pension Plan, which was seconded by Schossow and approved unanimously (6-0, Shaver absent).

RESOLUTION APPROVING THE CITY OF FORT MORGAN GRANT GUIDELINES AND PROCEDURES POLICY

Glammeyer said the city had recently been informed by the Federal Emergency Management Agency and the Department of Homeland Security that it would have to adopt a formal grant procedure policy in order to obtain and retain grant funding from those and possibly other agencies.

Deal offered a resolution to approve the Resolution approving and adopting the City of Fort Morgan Grant Guidelines and Procedures Policy, which was seconded by Schossow and approved unanimously (6-0, Shaver absent).

RESOLUTION APPROVING THE 17TH INTERIM AGREEMENT FOR THE NORTHERN INTEGRATED SUPPLY PROJECT

Nation said this was the latest annual agreement with the Northern Colorado Water Conservancy District for the city's participation in the NISP water storage and supply project. He said the city's financial contribution for 2021 would be \$1.413 million.

Schossow offered a resolution to approve the Resolution authorizing the mayor to execute the 17th interim agreement with Northern Colorado Water Conservancy District, Northern Integrated Supply Project Water Activity Enterprise, for participation in the Northern Integrated Supply Project. That resolution was seconded by Deal and approved unanimously (6-0, Shaver absent).

RESOLUTION APPROVING A COMMON INTEREST AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT

Nation said this was another agreement related to NISP and would allow the 15 participants in the project to work together and share information in the process of defending expected lawsuits from opponents of the project.

Schossow offered a resolution approving the Resolution approving a Common Interest, Joint Defense and Confidentiality Agreement with the Northern Integrated Supply Project Water Activity Enterprise, which was seconded by Deal and approved unanimously (6-0, Shaver absent).

CONSENT AGENDA BY RESOLUTION

Brennan presented the Consent Agenda for Council consideration as follows:

CONSENT AGENDA

- A. Approval of the disbursements and payroll for November
- B. Approval of the minutes of the Nov. 21, 2020 City Council regular meeting
- C. Approval of the minutes of the Nov. 30, 2020 City Council regular meeting
- D. Approval of the minutes of the Dec. 1, 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.

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

REPORTS BY OFFICIALS AND STAFF

Glammeyer updated the council on projects including the Twamore Trails and the fieldhouse, and Sharp updated the council on the in-car computer project and staffing developments at the police department.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings.

Mayor Pro Tem Anderson adjourned the Dec. 15, 2020 regular meeting at 7:05 p.m.

/s/ Ronald Shaver
Mayor

/s/ John Brennan
City Clerk