

November 4, 2008

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Jack L. Darnell called the regular meeting to order at 7:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Jack L. Darnell
Councilmember Sharol Lyn Deal
Councilmember Terry McAlister
Councilmember James A. Powers
Councilmember Terri P. Schafer
Councilmember Ron Shaver
Councilmember Alberta M. Simmons

The meeting was also attended by City Manager Pat Merrill, City Attorney Jeffrey Wells, Police Chief Keith Kuretich, City Treasurer Pixie Jones, Utility Directors Gary Dreessen and Bob Weimer, Community Services Director Don Shedd, Director of Human Resources & Risk Management Jody Prentice and City Clerk Andrea Strand.

PUBLIC HEARING – ZONING BOARD OF APPEALS (COUNCIL ACTING AS)

Clerk Strand announced that a Public Hearing was scheduled for this meeting but the applicant, Robert Pike, requested a continuance to November 18, 2008, at 7:00 p.m. She also stated that notices informing the property owners of the new hearing date had been mailed and the new date had been published in *The Fort Morgan Times*.

Councilmember Schafer offered a motion to continue the Public Hearing for the applicant Robert Pike to November 18, 2008, at 7:00 p.m. Her motion was seconded by Councilmember Simmons and duly carried.

PUBLIC HEARING – ZONING BOARD OF APPEALS (COUNCIL ACTING AS)

Zoning Application for a Special Use Permit related to the requirements of the Zoning and Land Use Code Adopted by the City of Fort Morgan, as Amended, for Rolando Bernado, Four Square Church, at 1010 East Burlington, Case No. ZA08-02.

Mayor Darnell made opening comments at 7:04 p.m. City Clerk Andrea Strand stated that a Notice of Public Hearing was published in *The Fort Morgan Times* and mailed to property owners on October 22, 2008.

City Manager Merrill presented the application for a Special Use Permit by Rolando Bernado, Four Square Church, at 1010 East Burlington Avenue. He stated that staff had reviewed the application and the Building Inspector had met with the applicant and completed a walk through inspection of the property/facility. The building does meet all building code requirements and the property meets the off-street parking requirements contained in the Zoning and Land Use Code. City Staff recommends that the Special Use Permit be approved and the applicant understands that it is project specific and the property would revert to an I-Industrial District Zoning classification, should the use change from the original application.

The applicant Rolando Bernado was present and read into the record.

Department of the City of Fort Morgan Co.

It gives me great pleasure to address you, first with the joy of greeting you, hoping that in the midst of all the fatigue of Elections, and Year and budgets that have to perform well. (We're Praying for you)

One more reason, it is to describe why we are interested in buying the property is located at 1010 E. Burlington Ave. We are a church, which in its projection, aims to get close to our community as closely as possible with the sole purpose of Serving.

We realize that as individuals and as a church, practicing the Christian faith, we have a great potential to contribute to our Community but at the same time we feel inadequate because of our Facilities, and that's why we've decided to build as you know we have also decided to buy the building at 1010 East Burlington Ave. This is the only option to dwell in terms of property is concerned, because the goal of the New Creation is to serve the Community with a nursery for children 0-3 years, and also with Facilities enough for a food bank for low income families. They also include facilities to serve the community in various Training, such as computer, translation,

and English classes, and so on....as we finish our major project, we will like to use the Building at 101 E. Burlington Ave., if the city allows us, for an expansion of a future pre-school and continue supporting our community.

The need for day care is necessary, because in our city the majority of families work around the clock.

And sometimes couples with young children face the problems of not having someone care for them.

Our community is growing and I believe we must prepare, here we are supporting our community, as pastor and congregation.

I want to thank you in advance for your attention to this letter and support that you can give us in all aspects, materials, moral and economic because we need it, I think if everyone put a bit We will build a better Morgan.

Atte. Pastors. Rolando Bernardo & Kathy.
And Congregation

Mayor Darnell asked for any public comments or oral/written comments regarding the application. There were none.

Councilmember McAlister offered a motion to close the Public Hearing. His motion was seconded by Councilmember Schafer and duly carried.

Action on the Application

Attorney Wells stated that the recommendation by City staff was to approve the Special Use Permit.

Councilmember Powers offered a motion to approve the Special Use Application of Four Square Church as presented. His motion was seconded by Councilmember McAlister and duly carried.

Mayor Darnell announced that he would like to change the order of the agenda to allow the Discussion of the Costs Related to a City Wide Job Audit to be next.

DISCUSSION OF COSTS RELATED TO A CITY WIDE JOB AUDIT

Director Prentice introduced Lorraine H. Trotter of Professional Management Solutions, Broomfield, Colorado, who could provide services for the City by conducting a manpower audit. She provided a brochure to Council which outlined her experience and other services offered by her company. She stated that the project would need to be made well known to the employees by way of a kickoff meeting with the employees. She would determine the job content of each job, review supervisory relationships and make recommendation for work capacity in positions. She would collect data through a formula and estimate the time it takes to complete duties. She would conduct on-sight interviews with one person in each job position. She completed a project for the City of Aurora related to development in that City and identified 13 positions that could be distributed to other departments. She felt it would take 90 days to complete this audit. She had conducted similar audits in Fort Collins, Estes Park, Commerce City, Silverthorne and Routt County.

Director Prentice stated that she felt smaller departments would not have to be audited and this could save the City money, she estimated \$22,000 for this audit. Manager Merrill stated that this could be found in the existing budget.

Discussion continued and Council felt if the dollars could be found in the budget, they agreed this manpower audit should be conducted.

PUBLIC HEARING ON THE PROPOSED 2009 BUDGET AND THE PROPOSED USE OF HIGHWAY USERS TRUST FUNDS

Opening comments were made by Mayor Darnell at 7:31 pm. City Clerk Strand stated that a Notice of the Public Hearing was published in *The Fort Morgan Times* on October 25, 2008.

City Manager Merrill explained that in 2009 there would be 27 weeks for payroll, which was reflected in the Budget presented tonight. Treasurer Jones explained that there were some changes in the Budget as previously presented, due to the Northern Integrated Supply Project.

There was no one present from the public and City Clerk Strand stated that she had not received any written comments from the public.

Comments by the Council were received. Councilmembers Simmons and Schafer felt uncomfortable receiving new information at the meeting without having time to review and compare to previous numbers. Councilmember Simmons wondered if the budget had been placed at the Library. Treasurer Jones stated that she had provided a copy to the Library and the City Clerk's Office, but she would distribute a corrected copy to each. It was also discussed to place a copy of the proposed budget on the City's web site for the public to view. Councilmember Powers had questions in the revenue areas and felt that Council may need two more meetings to discuss items. Discussion continued concerning the time requirements to approve the budget.

Attorney Wells offered that State law requires certification of the mill levy by Dec 15, 2008, and the budget approval is required by January 1, 2009.

Councilmember Schafer offered a motion to close the Public Hearing. Her motion was seconded by Councilmember McAlister and duly carried.

FIRST READING OF AN ORDINANCE ENTITLED "AN ORDINANCE LEVYING A TAX UPON THE TAXABLE PROPERTY IN THE CITY OF FORT MORGAN, COLORADO, AND APPROPRIATING MONIES TO THE SEVERAL FUNDS OF SAID CITY"

Treasurer Jones stated that there would be one correction to the Ordinance as presented. The total should be \$56,977,337. Discussion continued and Councilmembers stated that they had additional questions concerning the budget. Councilmembers are to provide their questions to City Manager Merrill and Treasurer Jones and they will provide answers to Council.

Councilmember Simmons offered a motion to hold the First Reading of the 2009 Budget on November 18, 2008, with the Second and Final Reading to be December, 2, 2008. Her motion was seconded by Councilmember Shaver and duly carried.

APPROVE THE REVISIONS TO THE CITY'S WELLNESS PROGRAM POLICY

Director Prentice stated that the revisions to the City's Wellness Program Policy were presented at the October 28, 2008, work session and that this policy would go into effect January 1, 2009.

Councilmember Schafer offered a motion to approve the revisions to the City Wellness Policy as presented. Her motion was seconded by Councilmember Powers, said Policy being in words, letters and figures as follows, to-wit:

**POLICY CONCERNING
CITY CONTRIBUTION TO GROUP HEALTH CARE PLAN**

1.0 PURPOSE

- 1.1 To set forth a general policy and procedure whereby an employee can maximize the City's contribution towards the group health care insurance premium for the employee or employee and family. Any reference herein to "employee" or "employee and family" shall include appointed officials and elected officials.
- 1.2 To establish a reasonable and standardized level of participation by employees, appointed officials and elected officials in recognized wellness activities in order for the employee to maximize the City's contribution towards the group health care insurance premiums for such persons.
- 1.3 To identify health needs and development of resources to meet those needs. To provide fitness and health care information and services. To help employees and their families maintain a healthier lifestyle. To decrease employee absenteeism and turnover, increase productivity, lower health insurance costs, reduce work related injuries and promote a healthier work environment.

2.0 SCOPE

- 2.1 This policy shall apply to all employees, appointed officials and elected officials who:
- (a) Meet the requirements as an “Eligible Employee” as set forth in the City of Fort Morgan Group Health Care Plan.
 - (b) Include the spouse of the covered employee for coverage by the City’s group health care insurance plan as a primary carrier. A spouse with secondary coverage provided by the City is exempt from participation.
 - (c) Wish to maximize the City’s contribution towards the group health care insurance premium for the employee or employee and family.
- 2.2 If it is unreasonably difficult due to a medical condition or religious objection for the covered employee or non-exempt spouse to achieve the standards for the rewards under this program, or if it is medically inadvisable for either or both to attempt to achieve the standards for the rewards under this program, he/she should contact the Human Resources Department, who will work with the employee or non-exempt spouse to develop another way to qualify for the rewards. A doctor’s verification of a medical condition may be required.
- 2.3 All information provided by any participant in the City of Fort Morgan Wellness Program shall be held in confidence in full compliance with all federal and state laws. Only the information necessary to establish participation requirements will be gathered.

3.0 POLICY

- 3.1 The City of Fort Morgan shall not require the employee to pay the additional percentage identified below of the group health care insurance premium for the employee or employee and family, as defined by the group health care plan, and as defined in Section 2.0 of this Policy if they participate in wellness activities as outlined by this Policy.

If a covered employee or non-exempt spouse chooses not to participate in the wellness activities as set forth in this Policy, the employee will be required to pay, as a payroll deduction, 20% of his/her elected group health care premium in addition to any other portion of the premium the employee may be required to pay, depending on the health care plan chosen by the employee. These rates are referred to herein as the non-participating employee contribution surcharge. At the end of each plan year employees will be given the opportunity to elect whether or not they want to participate in the wellness policy for the upcoming plan year.

If the employee or non-exempt spouse fails to meet the minimum participation requirements by the end of the plan year, the employee will be required to pay the non-participating employee contribution surcharge during the following plan year as a payroll deduction, in addition to any other portion of the premium the employee may be required to pay based on the plan chosen by the employee. An employee must enroll each year in the wellness program to maximize the City’s contribution for the following year, whether the employee was paying the non-participating employee contribution surcharge for the current year or not.

Employees hired during a plan year will have their group health care premium paid for by the City at the standard wellness program participant rates until the beginning of the next Group Health Insurance Plan Year, at which time they must elect whether or not to participate. Any decisions made by the Wellness Committee regarding this policy may be appealed in writing to City Council. The appeal must be submitted to the Wellness Committee within thirty days of their decision. The request for an appeal will then be given to the City Council for their review.

3.2 PARTICIPATION GUIDELINES

See Appendix I for the “ADMINISTRATIVE PROCESS” through which Participation will be monitored. (Revised 8/8/08)

4.0 PROCEDURES

4.1 Election to participate in wellness activities may be made once a year during the open enrollment period for the group health care insurance plan. All participation documents must be channeled through each department's Wellness Committee representative or to the Human Resources Department.

5.0 DISTRIBUTION

5.1 Holders of Employee Handbooks and Council Policy Books.

APPENDIX I – ADMINISTRATIVE PROCESS

Participation Guidelines as of January 1, 2009

Each employee and non-exempt spouse must earn a minimum of 100 points through participation in documented activities defined under:

- Health Diagnostic Choices
- Physical Activity Choices
- Health Education Choices
- Additional Wellness Choices

Points may be achieved in any or all of the above categories. Upon reaching certain point levels beyond the minimum 100 points, a participant may qualify for special incentives, as outlined in the “Incentives for Active Participation” portion of Appendix I.

Category 1: Health Diagnostic Choices

Note: No personally identifiable results of any such diagnostic activities will be received by the City of Fort Morgan.

<u>Activity</u>	<u>Points</u>
(a) CPMC Wellness CT Scans	10 each
(b) Complete an annual comprehensive blood draw (e.g. Complete metabolic profile and lipid panel).	20
(c) Complete a Personal Health Evaluation Survey, administered by a personal physician or other licensed or certified health care provider.	20
(d) Complete an annual routine office visit physical or Department of Transportation (DOT) physical, with a physician or certified health care provider.	20
(e) Have your blood pressure checked.	2 per check (Max of 20)
(f) Other preventive health diagnostic activities such as eye exams, dental exams, mammograms,	10 per (Max of 50)

colonoscopies, etc.....

- (g) Additional health diagnostic activities may be granted participation points. Requests must be submitted to the Wellness Committee for approval. Any program or activities must be able to be independently verified.

Category 2: Physical Activity Choices

<u>Activity</u>	<u>Points</u>
(a) Documented exercise session at a Health club, Recreation Center, or on an individual basis. (A participation print-out from a health club will satisfy as documentation. Otherwise, the Exercise Log Sheet must be completed).	1 per session (Max of 50)
(b) Participate in a community, City or other sponsored program or activity that includes physical activity, i.e. walks &/or runs, weight loss challenges.)	5 per event
(c) Involvement in an organized athletic league (i.e. softball, baseball, bowling, basketball, soccer, golf, or volunteering as a coach for any such sport. This list is not all inclusive but representative in nature.)	10
(d) Participation in department organized wellness activities in order to promote better health. All such programs must be approved by the Wellness Committee.	10
(e) Additional physical activities may be granted participation points. Requests must be submitted to the Wellness Committee for approval.	

Category 3: Health Education Choices

<u>Activity</u>	<u>Points</u>
(a) Documented attendance at an informative/ educational presentation on a health or wellness topic sponsored by the City or other organization i.e. wellness education talks. (Must submit a brief paragraph on content).	5 per (Max of 20)
(b) Viewing approved wellness videos checked out through the Fort Morgan Library. (Must submit a brief paragraph on content).	5 per (Max of 20)
(c) Reading a book on a Wellness topic (Must submit at least 2 paragraphs on content)	10 per (Max of 20)
(d) Online research or internet class on a health topic. (Must submit a brief paragraph on content).	5 per (Max of 20)
(e) Obtain CPR Certification or recertify in	10

- the group health care insurance year.
- (f) Obtain First Aid Certification or recertify **10**
in the group health care insurance year.
- (g) Documented participation in an individualized **10**
or structured wellness program **other**
than the City's program (e.g. smoking cessation,
weight loss, stress management, nutrition....).
Self-monitored programs may qualify.
- (h) Participate in a Health Fair sponsored by **10**
the City or other approved provider.
- (i) A yearly subscription to a health/fitness journal **10**
or magazine (e.g. *Men's Health, Prevention,*
Healthy Living, Weight Watchers Magazine,
Men's Fitness, Woman's Fitness, Self, Better Nutrition,
etc... (a photocopy of receipt or cover with address label
will serve as documentation).

Category 4: Additional Wellness Choices

<u>Activity</u>	<u>Points</u>
(a) Receive a flu shot or preventive vaccination	5 points per (Max of 15)
(b) Volunteerism: Assist an organization in a community event (document on volunteerism log).	5 point per (Max of 10)
(c) Social/Community Health: Regular membership and/or participation in a recognized community group or service organization (e.g. Optimist Club, Kiwanis, United Way, religious organization, community band or choir, etc.	10 points per (Max of 10)

INCENTIVES FOR ACTIVE PARTICIPATION

- (a) The minimum required point level to obtain group health insurance coverage paid at the maximum level is 100 points, which can be earned in any combination of points from the four categories (diagnostic, physical activity, health education, and additional wellness choices).
- (b) Participants who earn between 110-140 total points will be entered into a drawing to win \$40 in Chamber Bucks (1 chance for every 10 points earned over 100 up to the maximum of 4 entries per participant). 3 prizes will be awarded.
- (c) Each participant who earns 150 points will receive \$50 in Chamber Bucks.
- (d) For every 10 points over 150 that are earned, the participant's name will be entered into the GRAND PRIZE drawing. 1 prize will be awarded, and the winner may choose from the following options:
1. A one-year membership to the health club of choice
 2. Travel voucher in an equivalent dollar amount travel voucher
 3. Chamber Bucks in an equivalent dollar amount
- (e) Highest Point Award – The participant with the total highest valid points will receive a certificate of achievement and a traveling trophy for a year.

NOTE: All prizes/incentives are subject to yearly budget approval by City Council

Certified By: /s/ Andrea J. Strand
City Clerk

PASSED, APPROVED AND ADOPTED this 4th day of November, 2008, the vote upon roll call being as follows: Mayor Darnell; Councilmembers, Deal, McAlister, Powers, Schafer, Shaver and Simmons. Nays: none.

CONSENT AGENDA

Clerk Strand presented the Consent Agenda for Council consideration. Councilmember Simmons offered a Resolution to approve the Consent Agenda as presented, and moved for its adoption. Her motion was seconded by Councilmember Shaver; said Consent Agenda being in words, letters and figures as follows, to wit:

- A. Approve the corrected minutes from the October 7, 2008, regular meeting.
- B. Approve the minutes from the October 14, 2008, special meeting.
- C. Approve the minutes from the October 14, 2008, special meeting of the Board of Directors of the Riverview Commons General Improvement District.
- D. Approve the minutes from the October 21, 2008, regular meeting.
- E. Authorize the Mayor to sign a Resolution to Execute the Amendment to the City of Fort Morgan Police Department Restated Money Purchase Pension Plan.

RESOLUTION NO. 08 11 01

**AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT
TO THE CITY OF FORT MORGAN POLICE DEPARTMENT
RESTATED MONEY PURCHASE PENSION PLAN**

WHEREAS, the City of Fort Morgan, Colorado (the "Employer") has previously adopted and maintains the City of Fort Morgan Police Department Restated Money Purchase Pension Plan (the "Plan");

WHEREAS, Section 9.02 of the Plan provides that the Employer may amend the Plan at any time; and,

WHEREAS, the active Plan participants have approved this Amendment, by an affirmative vote of at least 65% of the active Plan participants.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SECTION 1: The Mayor is hereby authorized to execute the AMENDMENT TO THE CITY OF FORT MORGAN POLICE DEPARTMENT RESTATED MONEY PURCHASE PENSION PLAN, in the form attached hereto.

PASSED, APPROVED AND ADOPTED this 4th day of November, 2008.

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer, Shaver and Simmons.

Nays: None.

CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. CERTIFICATE
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 4th day of November, 2008.

/s/ Andrea Strand, City Clerk

- F. Approve the By-Laws to change the Airport Advisory Committee to the Airport Advisory Board.
- G. Approve the By-laws to change the Golf Course Advisory Committee the Golf Course Advisory Board.
- H. Approve the closing of City Buildings on December 24, 2008, as a Council approved day off for City Staff.
- I. Approve the appointment of Ken McCloud, to the Golf Course Advisory Board.

All matters listed under Item 9, 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.

PASSED, APPROVED AND ADOPTED this 4th day of November, 2008, the vote upon roll call being as follows: Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer, Shaver and Simmons. Nays: none.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS

The following Directors provided written reports to Council:

City Manager Merrill
Police Chief Kuretich
Utility Director Dreessen
Utility Director Weimer
Community Service Director Shedd
Community Development Director Merrill
Human Resources and Risk Management Director Prentice
Treasurer Jones

BIDS, MEETINGS AND ANNOUNCEMENTS

Clerk Strand announced one bid and upcoming meetings.

Mayor Darnell adjourned the November 4, 2008, regular meeting at 8:10 p.m.

Mayor

City Clerk