

January 2, 2013

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Terry L. McAlister called the regular meeting to order at 6:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Terry L. McAlister
Councilmember Scott Bryan
Councilmember Debra J. Forstedt
Councilmember Lisa Northrup
Councilmember Ronald Shaver

Councilmember Joe Segura Jr. was not present but arrived at 6:05 p.m., after the first agenda item was approved.

The meeting was also attended by City Manager Jeff Wells, Police Chief Keith Kuretich, City Treasurer Jean Kinney, Water Resources/Utilities Director Brent Nation, Human Resources/Risk Management Director Michael Boyer, Executive Assistant Sharon Velder, Legal Intern Jason Meyers and City Clerk/PIO John Brennan.

APPROVAL OF THE MINUTES OF THE DEC. 18, 2012 CITY COUNCIL REGULAR MEETING

City Clerk/PIO John Brennan told the council a draft of these meeting minutes was provided in the council packets and was presented for approval by resolution. Councilmember Debra Forstedt offered a resolution to approve the Dec. 18, 2012 city council regular meeting minutes as presented, which was seconded by Councilmember Scott Bryan and approved on a vote of 5-0, with Councilmember Joe Segura Jr. yet to arrive.

APPLICATION FOR WARD 1 VACANCY ON THE FORT MORGAN CITY COUNCIL

City Manager Jeff Wells said the city had received an application from Christine Castoe for the vacant seat on the city council, and asked that the council discuss the procedure that should be followed. Wells said the council could accept the application and take some time to review it, or move forward with action on the application at this meeting. Wells said the council could ask the applicant to offer some comments and answer council questions, and possibly vote on the appointment of Castoe immediately afterward. He said the city charter required that vote to be done by ballot, and ballots had been prepared, Wells said.

If the vote was affirmative, Wells said, the council could also decide to swear in Castoe immediately.

McAlister asked the council members if they had had time to review the application, and all answered affirmatively. The council consensus was to move forward with a vote on the application.

Castoe spoke briefly about her background and her reasons for applying to serve on the council, and answered several questions from council members. McAlister then asked for a motion to accept the application. Forstedt made a motion to accept the application from Christine Castoe to fill the Ward 1 vacancy on the city council, which was seconded by Bryan and approved unanimously on a vote of 6-0, with Segura having arrived at the meeting.

Brennan distributed paper ballots to each council member, on which they could write their name and indicate a yes or no vote on the appointment of Castoe, and then collected the ballots.

Brennan announced that the vote was unanimous, with six affirmative votes on the appointment of Castoe. McAlister then administered the oath of office to Castoe, and she took her seat on the council dais and began her service as a councilmember for Ward 1.

RESOLUTION DESIGNATING THE CITY'S OFFICIAL POSTING SITE FOR PUBLIC NOTICES AS REQUIRED UNDER THE COLORADO OPEN MEETINGS LAW

Brennan explained that this was a resolution adopted by the council each year, and would designate the bulletin board in the lobby of Historic City Hall as the public posting place, and the Fort Morgan Times as the newspaper that would be used for publication of legal notices when required.

Councilmember Lisa Northrup offered a resolution to approve that resolution as presented, which was seconded by Councilmember Ron Shaver and approved on a unanimous vote of 7-0.

RESOLUTION DESIGNATING BRENT NATION AND JEFF WELLS AS CITY REPRESENTATIVES TO VOTE ON MATTERS RELATED TO WATER SHARES

Wells said this was another routine housekeeping measure, which specified the city officials who would vote on matters related to shares in various reservoir and ditch companies in which the city held interests. Wells said Nation had fulfilled this duty when he was a member of the city council and would continue now that he had been hired as the water resources/utilities director for the city, with Wells also authorized to vote under the resolution.

Shaver offered a resolution to approve the resolution as presented, which was seconded by Forstedt and approved unanimously.

RESOLUTION AMENDING THE FORT MORGAN POLICE DEPARTMENT MONEY PURCHASE PLAN

Wells explained that this was a resolution that would make adjustments to the police department's pension plan, which is done periodically to ensure that the plan is complying with legal requirements as well as the needs of its members. He said the police pension board had voted to recommend approval of the amendments. In answer to a council question Wells outlined the specifics of the amendments to the plan.

Northrup offered a resolution to approve the resolution amending the police department Money Purchase Plan, which was seconded by Bryan and approved unanimously.

COUNCIL ACTING AS THE LOCAL LICENSING AUTHORITY – ACCEPTANCE OF AN APPLICATION FOR A HOTEL AND RESTAURANT LIQUOR LICENSE FROM LITTLE BAMBOO

Brennan reviewed the application, which he said was a new application from an established business. The applicant had previously held a beer and wine license and was now applying for a license that would allow the sale of malt, vinous and spirituous liquors. Brennan said the City Clerk's Office, City Attorney's Office and Police Department had reviewed the application and found it to be complete, and staff was recommending that the council formally accept the application and schedule a public hearing on the application for Feb. 5.

Bryan made a motion to accept the application for a Hotel and Restaurant Liquor License from Little Bamboo, and to schedule a public hearing on the application for Feb. 5, 2013. That motion was seconded by Forstedt and approved unanimously.

RESOLUTION APPROVING A NEW SERVICE CONTRACT WITH THE FORT MORGAN HUMANE SOCIETY

Wells provided some background on the city animal shelter and the existing lease and service agreements for its operation by the Fort Morgan Humane Society. He said the city staff, police department and humane society board had worked for some time on the new agreement, and he provided the rationale for the proposed payment to the society for operating the shelter.

De Fowler of the humane society board told the council that she enjoyed the new and more healthy relationship between the society and the city, and that the society believed the terms of the agreement were fair. She noted that the \$18,100 to be provided by the city to the society was only a portion of the actual costs of operating the shelter, and said this payment was often referred to as a donation but was actually a service contract.

Forstedt offered a resolution to approve the new service contract and the resolution authorizing funding for the Fort Morgan Humane Society as presented, which was seconded by Northrup and approved unanimously.

RFP FOR FINANCIAL AUDITOR

City Treasurer Jean Kinney reviewed the process of soliciting bids for the financial audit of the city's books. She said four bids were received, and she felt the quality of the proposal from one of them was superior to the others and recommended accepting that bid. Although the recommended bid was not the lowest bid, she said it was still within the budgeted amount of \$25,000.

In answer to council questions, Kinney and Wells reviewed the positive input they had received in checking the references of the recommended bidder with other municipalities.

Shaver offered a resolution to accept the bid from ACM of Greeley in the amount of \$23,500, which was seconded by Northrup and approved unanimously.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

Clarence Devries of 409 Euclid St., the owner of Pick of the Litter Recycling, spoke to the council about his efforts to clean up the property of the business in response to notification by the city under the new nuisance ordinance. He said he had been given 60 days' notice to clean up the property and would do the best he could, but that it was a large and difficult job and he hoped to be able to work with the city in complying.

McAlister thanked Devries for coming to the meeting to let the council know what was going on with the property.

REPORTS BY OFFICIALS AND STAFF

Wells reported on several state and federal issues that could impact city finances, including an increase in the minimum wage, new health care requirements and Social Security issues. He said he would keep the council informed as these issues evolved and impacts were more clear. He also informed the council of a proposed rate increase from the Municipal Energy Agency of Nebraska, one of the city's electric power suppliers, and said he and other city staff and officials would be attending a MEAN meeting the following week and he would ask MEAN staff to send a representative to explain the basis for the increase to the council.

Nation told the council of several recent water main breaks and asked the public to call the city right away if they notice water running in streets.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings, and noted that Sharon Velder and Chris Bostron had been recognized as the city employee and manager of the year, respectively, at the city's annual holiday banquet on Dec. 14.

Mayor McAlister adjourned the January 2, 2013 regular meeting at 7:11 p.m.

/s/ Terry L. McAlister
Mayor

/s/ John J. Brennan
City Clerk