

April 1, 2014

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The regular meeting was preceded by a tour of city departments as part of the budget preparation process for 2015. The Honorable Mayor Terry L. McAlister called the regular meeting to order at 6:08 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Terry L. McAlister
Councilmember Christine Castoe
Councilmember Kevin Lindell
Councilmember Damon Mussman
Councilmember Lisa Northrup
Councilmember Joe Segura Jr.
Councilmember Ronald Shaver

The meeting was also attended by City Manager Jeff Wells, City Treasurer Jean Kinney, Engineering/Public Works Director Brad Curtis, Human Resources/Risk Management Director Michael Boyer, Police Chief Darin Sagel, FMPD Lt. Brian Cantin, FMPD Sgts. Jim Parks and Doug Schossow and numerous FMPD officers, Community Services Director Josh Miller, Assistant City Attorney Jason Meyers, Fire Chief Erik Christensen, FMVFD First Captain Eric Smith, Firefighter Tony Cecil, Water Treatment Plant Superintendent John Turner and City Clerk/PIO John Brennan.

APPROVAL OF THE MINUTES OF THE MARCH 18, 2014 CITY COUNCIL REGULAR MEETING

Councilmember Damon Mussman offered a resolution to approve the minutes as presented, which was seconded by Councilmember Ron Shaver and approved unanimously.

SWEARING IN OF NEW FORT MORGAN POLICE DEPARTMENT OFFICER MICHAEL YOWELL

Police Chief Darin Sagel provided some biographical background information about Yowell, and Mayor Terry McAlister administered the oath of office to him. Yowell said he was excited to a part of such a competent and qualified department.

READING OF A PROCLAMATION DECLARING APRIL TO BE SEXUAL ASSAULT AWARENESS MONTH

McAlister read the proclamation and presented a signed and sealed formal copy to representatives of SARA Inc., who thanked the council for helping to raise awareness of this issue.

READING OF A PROCLAMATION DECLARING APRIL 1 TO BE THE MAYOR'S DAY OF RECOGNITION FOR NATIONAL SERVICE

McAlister read this proclamation and presented a signed and sealed formal copy to Betsy Porter of Morgan County United Way, who introduced the VISTA volunteer assigned to Fort Morgan and thanked the council for its support.

DISCUSSION AND POSSIBLE ACTION ON A PROCLAMATION SUBMITTED BY THE HUMAN RELATIONS COMMISSION WORK GROUP AFFIRMING COMMON VALUES FOR A DIVERSE COMMUNITY

McAlister explained that because this proclamation was one that had never been approved by the council in the past and had been the subject of extensive discussion in the past, it was being brought to the council for discussion and a possible vote. The mayor said the council could approve the reading of the proclamation as presented, send it back to city staff for possible revisions or decline to approve it.

Councilmember Lisa Northrup said she had some concerns about parts of the proclamation that seemed to imply that the community was not doing well at striving for a blended community, which she said Fort Morgan had a long history of doing. She said much of what the proclamation proposed were things that were already done by the community and many entities within it. Northrup also expressed concern about portions of the proclamation that seemed to call on the city to create or act as some sort of entity for facilitation of communication and resolution of disputes, which she said was a potentially dangerous direction to go.

Discussion of the language and intent of the proclamation followed, with several council members saying they shared Northrup's view and others saying they did not believe the proclamation committed the city to any sort of action or formation of an entity. The council also discussed previous meetings at which this issue had been discussed and some of the implications in the initial proposal of the work group.

Two members of the HRC Work Group, Brenda Zion and Selena Wright, spoke to the council and said they believed the proclamation was a first step that did not call on the city to create a commission or other functioning group. That was a possible next step that would continue to be reviewed separately, they said.

More council discussion followed, with a consensus emerging that the proclamation should be sent to city staff for revisions and a revised proclamation brought back for council consideration. This direction was provided to staff, and no formal action was taken.

APPOINTMENTS TO THE PLANNING COMMISSION

Engineering/Public Works Director Brad Curtis said the terms of current Planning Commission members Ron Sand and Mike Tibbetts were expiring as of April 1, 2014. The resulting vacancies had been advertised and Sand and Tibbetts were the only candidates to apply, so staff was recommending their re-appointment, Curtis said.

Councilmember Kevin Lindell made a motion to approve the re-appointment of Ron Sand and Mike Tibbetts to the Planning Commission for new six-year terms expiring April 1, 2020. That motion was seconded by councilmember Christine Castoe and approved unanimously.

APPOINTMENTS TO THE GOLF COURSE ADVISORY BOARD

Councilmember Lindell said the Golf Course Advisory Board had met and reviewed the two applications from Michael Wales and Chris Lambert and unanimously recommended their appointment to the board. Lindell made a motion to appoint Michael Wales and Chris Lambert to the Golf Course Advisory Board, which was seconded by Shaver and approved unanimously.

APPOINTMENT TO THE HISTORIC PRESERVATION BOARD

Councilmember Joe Segura Jr. said the board had a long-standing vacancy and Vicki Foy had applied for that position, and Segura recommended that she be accepted to the board. Segura

made a motion to appoint Vicki Foy to the Historic Preservation Board, which was seconded by Mussman and approved unanimously.

BIDS FOR A FIRE PUMPER TRUCK

Fire Chief Erik Christensen introduced First Captain Eric Smith and Firefighter Tony Cecil, saying they had been on the committee tasked with developing specifications for a new fire truck for several years. Christensen explained that the new truck would become the main line truck for the department, with a 1989 model moved to replace a 1971 model. Staff was requesting approval to accept the highest of three bids, in the amount of \$558,204 from Front Range Fire of Frederick, Colo., and additional equipment to fully outfit the truck.

Councilmember Castoe questioned the difference in price among the three bids, which ranged from \$423,487 to \$558,204. Cecil explained that the recommended bid was for a Pierce truck, which was the same make as the others owned by the department, and firefighters were familiar with the way the truck was laid out and how the equipment and systems operate. Cecil said. He said this was important for effective response under pressure. He also noted a prepayment option available that would reduce the cost by more than \$21,000.

Sharon Sells of Mile High Fire, another of the bidders, then addressed the council, saying her bid was \$135,000 lower than that being recommended by the fire department. She said the specifications provided by the city were vague, and she believed she had met the specifications and that all of the bidders would build the truck using the same components.

Castoe then offered a resolution to purchase the pumper truck requested by the fire department along with the prepayment discount from Front Range Fire, and the additional equipment requested by the department with the total cost not to exceed \$720,000. That resolution was seconded by Northrup and approved unanimously.

BIDS FOR A POWDERED ACTIVATED CARBON FEEDER SYSTEM FOR THE WATER TREATMENT PLANT

Water Treatment Superintendent John Turner reviewed the bid process for this purchase, and said the staff was recommending the acceptance of the second-lowest bid in this instance. Turner said that was because the equipment proposed in the lowest bid required a higher water flow than currently in place at the plant, which could require additional construction to accommodate that system.

Shaver offered a resolution to approve the bid from IPM Systems/Municipal Treatment of Golden, Colo., in the amount of \$109,500, which was seconded by Castoe and approved unanimously.

SECOND READING AND PUBLIC HEARING ON ORDINANCE 1150, ANNEXING THE AREA KNOWN AS THE RAINBOW BRIDGE ANNEXATION

Mayor McAlister reviewed the format to be followed for the public hearing, and City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing and the proposed ordinance had been published. City Manager Jeff Wells said the ordinance was the same as presented at the previous meeting. No public comments were received at the hearing or in advance through the City Clerk's Office, and no council comments were made. Shaver made a motion to close the public hearing, which was seconded by Mussman and approved unanimously.

Wells advised the council of its options for action on the proposed ordinance, which included approval, denial or continuance of the hearing to a later date.

Northrup offered a resolution to approve the second and final reading of Ordinance No. 1150, annexing to the City of Fort Morgan that area known as the Rainbow Bridge Annexation, and to

authorize final legal publication of the ordinance by title only. That resolution was seconded by Segura and approved unanimously.

PRESENTATION AND DISCUSSION REGARDING PAID TIME OFF POLICY FOR CITY EMPLOYEES

Wells reviewed the proposed policy, which would convert the city's policy from separate sick leave and vacation time to a combined system of Paid Time Off (PTO). He said personnel policies such as these are approved and implemented by the city manager, but he was bringing this matter to the council because of the financial impacts of the change.

Council discussion of the plan followed, with several council members stating that they believed the policy was a good idea. Wells said he would bring back a resolution for council approval that would specify the budgetary implications of the change. No formal action was taken.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS BY OFFICIALS AND STAFF

Wells reported that the city was gearing up for a busy summer construction season. Curtis reported on the electronics recycling program available through Goodwill Industries and the new donation containers placed at several locations in the city to receive these items.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids, upcoming meetings and events.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:42 p.m., and Mayor McAlister announced that the next item on the agenda was a scheduled executive session. Castoe made a motion to convene this executive session, which was seconded by Northrup and approved unanimously. This scheduled executive session had been published as follows:

EXECUTIVE SESSION for a conference with the City attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: Airport litigation.

The executive session began at 8:00 p.m. and ended at 8:22 p.m., and was attended by the mayor and council members along with City Manager Jeff Wells and Assistant City Attorney Jason Meyers. On the advice of the city attorney the recording of the executive session was turned off at 8:04 p.m. due to discussion that involved attorney-client privileged information. The recording was turned back on at 8:21 p.m.

At the conclusion of the executive session, the council returned to the regular open meeting, where Castoe reported that the council met in executive session for the purpose stated on the agenda. Castoe then made a motion directing the city attorney to proceed as discussed in the executive session, which was seconded by Northrup and approved unanimously.

Mayor McAlister adjourned the April 1, 2014 regular meeting at 8:23 p.m.

Mayor

City Clerk