

April 21, 2015

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 Christine Castoe
Councilmember Kevin Lindell
Councilmember Lisa Northrup
Councilmember Joe Segura Jr.
Councilmember Ronald Shaver

Absent: Councilmember Damon Mussman (excused)

The meeting was also attended by City Manager Jeff Wells, Police Chief Darin Sagel, Community Services Director Josh Miller, Engineering/Public Works Director Brad Curtis, City Treasurer Jean Kinney, Human Resources/Risk Management Director Michael Boyer, Assistant City Attorney Jason Meyers, Management Intern Chelsea Gondeck, Water Distribution/Wastewater Collection Superintendent Erik Sagel and City Clerk/PIO John Brennan.

BIDS FOR THE OUTPOST SEWER LIFT STATION CONVERSION - DOLA EIAF 07494

Engineering/Public Works Director Brad Curtis said this item had been in front of the council on several occasions over the past year in various forms, and was now ready for final consideration. The project had to be re-bid because costs were higher than the budget, and the city had obtained supplemental grant funding from the Department of Local Affairs. Staff was seeking approval to accept the low bid, to expend up to \$310,000 and to authorize the mayor to execute the related contracts. Curtis said no contracts could be signed until the finalization of the supplemental DOLA grant, which had not occurred yet.

After some council and staff discussion regarding timelines and obstacles, Councilmember Lisa Northrup offered a resolution to approve the expenditure of up to \$310,000 for the Outpost Sewer Lift Station Conversion Project (DOLA EIAF 07494), to accept the bid from RedPoint Contracting of Denver in the amount of \$279,700 including alternatives, and to authorize the mayor to execute an agreement upon receipt of the executed DOLA supplemental grant. That resolution was seconded by Councilmember Christine Castoe and approved on a unanimous vote of 6-0, with Councilmember Damon Mussman absent.

BIDS FOR A 35-FOOT FLATBED TRAILER FOR THE WATER DISTRIBUTION / WASTEWATER COLLECTION DEPARTMENT

Water Distribution/Wastewater Collection Superintendent Erik Sagel reviewed the bid process for this purchase, for which two bids were received. Staff was recommending the acceptance of the higher of the two bids because it was a Colorado dealer, and the other bidder would require that the trailer be returned to the dealer in Florida for warranty work.

Northrup offered a resolution to accept the bid from Jim Hawk Truck Trailers Inc. of Henderson, Colo., in the amount of \$14,990 including \$150 in freight costs. That resolution was seconded by Councilmember Ron Shaver and approved unanimously (6-0, Mussman absent).

RESOLUTION AUTHORIZING BUDGET CARRYOVER ADJUSTMENTS

City Manager Jeff Wells explained that this was a resolution outlining the capital projects that were not completed in 2014 and had to be carried over to the 2015 budget. Curtis explained the reasons for the need to carry over budgeted funding for each item.

Shaver offered a resolution to approve the Resolution allowing carryover of 2014 budget items for various capital projects, which was seconded by Councilmember Joe Segura Jr. and approved unanimously (6-0, Mussman absent).

2016 BUDGET CALENDAR – PRESENTATION ON STRATEGIC PLANNING

Wells said this represented the start of work on the 2016 budget, and he had asked Community Services Director Josh Miller and Management Intern Chelsea Gondeck to research the principles of strategic planning with the intent of modifying the council's approach to planning, goal-setting and budgeting starting in 2016.

Miller briefed the council on what he and Gondeck had learned, and said the city did a good job of strategic planning but fell short in the areas of documenting and reporting to the public all the things accomplished. Gondeck then reviewed the process of strategic planning that was proposed, emphasizing that this was not a final plan but an example of the format that would be used.

Wells said various staff would be involved in the teams assigned to elements of the strategic plan, and the end result would be better accountability and documentation.

Several council members expressed the feeling that the proposed format would help with long-term planning and would be useful. No action was taken.

2016 BUDGET CALENDAR – CITY COUNCIL GOALS FROM FEB. 24 RETREAT

Wells reviewed an example of the new proposed strategic plan format as it would appear with the specific goals discussed during the council visioning retreat earlier in 2015. Wells discussed a few examples and said the plan could be reviewed in more detail as the 2016 budget process unfolded, but he was looking for council feedback on whether the proposal made sense. The council consensus was to move forward, and discussion followed about how progress would be documented. Wells said everything from the visioning retreat would be incorporated into this format with much more detail. No action was taken.

CONSENT AGENDA BY RESOLUTION

City Clerk/PIO John Brennan presented the Consent Agenda for Council consideration as follows:

CONSENT AGENDA

- A. Second reading and final approval of Ordinance No. 1169, annexing to the City of Fort Morgan the property known as the FM Southridge I Annexation, and authorization to publish by title only
- B. Second reading and final approval of Ordinance No. 1170, annexing to the City of Fort Morgan the property known as the FM Southridge II Annexation, and authorization to publish by title only
- C. Second reading and final approval of Ordinance No. 1171, annexing to the City of Fort Morgan the property known as the FM Acoma I Annexation, and authorization to publish by title only

- D. Second reading and final approval of Ordinance No. 1172, annexing to the City of Fort Morgan the property known as the FM Acoma II Annexation, and authorization to publish by title only
- E. Second reading and final approval of Ordinance No. 1173, annexing to the City of Fort Morgan the property known as the FM Acoma III Annexation, and authorization to publish by title only
- F. Approval of the disbursements and payroll for March
- G. Approval of the minutes of the April 7, 2015 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.

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

PUBLIC COMMENT / AUDIENCE PARTICIPATION

Jerry Wathen of Fort Morgan reminded the council that only 15 days remained in the state legislative session and important bills were still to be discussed. Wathen then spoke of several entertainment events coming up.

REPORTS BY OFFICIALS AND STAFF

Wells noted that his monthly written report was in the council meeting packets. He reported that city had been doing very well in the area of safety and claims. He also told the council about several complaints received recently regarding issues like flooding on South Sherman Street, base fees charged on unused water taps and cemetery fees, and staff was working to resolve these issues.

Councilmember Northrup thanked Miller for setting up a recent training session on scenic byways, which she said was well attended and very useful.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings. Brennan also stated that from personal experience he knew that the South Sherman Street drainage project was a hugely successful infrastructure project, which had greatly alleviated the flooding that had occurred for years in that area. This was evidenced by recent heavy rainstorms when the ponding that had always happened there did not occur, he said.

Mayor McAlister spoke about an event he had attended earlier that day that highlighted a new partnership between Viaero Wireless and Denver Channel 7 to place cameras on cell phone towers on the Eastern Plains. He said this would enhance public safety in severe weather. He also said city residents should be thankful that Viaero had its corporate offices in Fort Morgan, which employed many people and was a great asset to the city.

EXECUTIVE SESSION

The regular portion of the meeting concluded at 7:19 p.m., and Mayor McAlister said the next item on the agenda was the first of three scheduled executive sessions. Castoe made a motion

to convene the first scheduled executive session, which was seconded by Lindell and approved unanimously (6-0, Mussman absent).

This executive session had been published as follows:

EXECUTIVE SESSION for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: Legion Field.

This executive session began at 7:36 p.m. and concluded at 8:30 p.m., and was attended by the mayor and five council members (Mussman absent) along with Wells, Miller, Assistant City Attorney Jason Meyers and John Underwood.

At the end of the executive session the council returned to the regular open meeting, where Castoe reported that the council had met in executive session for the purpose stated on the agenda. Castoe then made a motion to direct the city attorney's office to take action including legal action if necessary to resolve issues with the Legion Trust, as discussed in executive session. That motion was seconded by Shaver and approved unanimously (6-0, Mussman absent).

Northrup then made a motion to proceed to the second scheduled executive session, which was seconded by Lindell and approved unanimously (6-0, Mussman absent). This 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: Conflict waiver.

This executive session began at 8:37 p.m. and concluded at 8:43 p.m., and was attended by the mayor and five council members (Mussman absent) along with Wells and Meyers. On the advice of the city attorney the recording of this executive session was turned off at 8:39 p.m. because the discussion constituted an attorney-client privileged communication. The recording was turned back on at 8:42 p.m.

At the conclusion of this executive session the council returned to the regular open meeting, where Castoe reported that the council had met in executive session for the purpose stated on the agenda. Castoe then made a motion authorizing a waiver of potential conflict with Sherman & Howard as it relates to the city's water bond refinancing. That motion was seconded by Shaver and approved unanimously (6-0, Mussman absent).

Castoe then made a motion to convene the third scheduled executive session, which was seconded by Northrup and approved unanimously (6-0, Mussman absent). This executive session had been published as follows:

EXECUTIVE SESSION for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: Discussion of City Attorney position.

This executive session started at 8:45 p.m. and concluded at 9:27 p.m., and was attended by the mayor and five council members (Mussman absent) along with Wells and Meyers. After some discussion Wells left the session.

At the conclusion of the executive session the council returned to the regular open meeting, where Castoe reported that the council had met in executive session for the purpose stated on the agenda, and would reconvene this discussion in executive session at the May 5 council meeting.

Mayor McAlister adjourned the April 21, 2015 regular meeting at 9:28 p.m.

/s/ Terry McAlister
Mayor

/s/ John Brennan
City Clerk