

August 18, 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 Ronald Shaver

Absent: Councilmember Joe Segura Jr. (Segura arrived at 6:42 p.m.)

The meeting was also attended by City Manager Jeff Wells, Police Chief Darin Sagel, City Treasurer Jean Kinney, Engineering/Public Works Director Brad Curtis, Community Services Director Josh Miller, Human Resources/Risk Management Director Michael Boyer, City Attorney Jason Meyers, Management Intern Chelsea Gondeck, Wastewater Treatment Plant Superintendent Mike Hecker, Administrative Assistant Beverly Morford, General Accountant Chris Bostron and City Clerk/PIO John Brennan.

SWEARING-IN OF NEW FORT MORGAN POLICE DEPARTMENT OFFICER KEVIN CAMPBELL

Police Chief Darin Sagel introduced Campbell and provided some biographical information about him. Mayor Terry McAlister administered the oath of office and Campbell's wife pinned his badge on his uniform.

RECOGNITION OF BEVERLY MORFORD AS THE EMPLOYEE OF THE QUARTER

City Manager Jeff Wells said it was a privilege to present Beverly Morford, administrative assistant in the police department, as the Employee of the Quarter for the second quarter of 2015. He reviewed some of the reasons for her selection, and Sagel described her energy, positive attitude and helpful nature as among the reasons for her nomination. Wells presented Morford with a certificate of appreciation and a \$100 gift card, and Sagel gave her a token of the police department's appreciation.

REQUEST FOR IN-KIND SERVICES AND FEE WAIVERS FOR THE FALL HARVEST CAR SHOW

Community Services Director Josh Miller reviewed the request, which included services like facility and equipment rentals, street closures and police patrol totaling \$2,060.05, and said staff was recommending approval. Car Show Committee members Brad Parker, Dave Cornwell and Oneida Petrino thanked the city for its support and cooperation with the event, and Mayor McAlister praised the car show and its broad appeal to the community.

Councilmember Lisa Northrup offered a resolution to approve the in-kind services and fee waivers totaling \$2,060.05 for the Fall Harvest Car Show, which was seconded by Councilmember Ron Shaver and approved on a unanimous vote of 5-0, with Councilmember Joe Segura Jr. absent.

PRESENTATIONS BY DIRECT SERVICE PROVIDERS TO THE CITY

Wells explained that the city in the past had made charitable contributions to a host of community organizations and events, and although the city still supported community groups with in-kind services and other accommodations, the city had been moving for several years toward formalizing agreements with organizations that provide services to the city. One example was the humane society, Wells said, which provided its services through a contract with the city. Wells said he had asked representatives of four entities to present to the council at this meeting about the services they provide in exchange for the financial support offered by the city, noting that the council would discuss this financial support in relation to the budget at a later time.

Kari Linker-Nation, executive director of the Morgan County Economic Development Corp., reviewed the services provided by her organization, which were outlined in a letter submitted to the council. Linker-Nation said MCEDC's funding request of \$17,000 was based on \$1.50 per person in the city population. Wells noted that Morgan County also provided funding to MCEDC based on population, and asked whether this could be seen as the two governments paying twice for the same people. Linker-Nation said she had not considered that question and it was something that could be brought to the MCEDC board.

Dick Pickett of the Small Business Development Center reviewed the services provided by SBDC, and said the organization received about \$135,000 in state grant funding and had to make up the rest of its estimated \$450,000 budget through funding from communities and other partners.

Councilmember Segura arrived at the meeting at 6:42 p.m.

Pickett told the council that SBDC would like to see the City of Fort Morgan as a partner, and hoped the city would help the organization offset some of its costs of providing services in Fort Morgan.

Jade Spatz and HJ Greenwood of the Northeast Colorado Association of Local Governments explained the services provided by NECALG's County Express in Fort Morgan, and the amounts contributed by various communities served across a six-county area, including Fort Morgan. Wells asked the same question about double payment by the city and county, and Greenwood said he had not heard that question before and felt it was something the NECALG board should address.

Council discussion followed about ridership and statistics on which government agencies pay for certain County Express trips, including federal programs like Medicaid, and the amount paid into the program by Fort Morgan as compared to other cities such as Sterling. Wells also noted federal regulations that restrict the ability of County Express to provide buses for trips to the Front Range for the Fort Morgan Senior Center, and said Spatz was working on a policy that might make that possible.

Alicia Fierro of SHARE Inc. presented on the organization's services as victim advocate for the Fort Morgan Municipal Court, including many domestic violence cases. She said the money received from the city went to operate and maintain SHARE's shelter, and for emergency food and other services for victims.

Wells noted that SHARE was unique in that the organization did not ask for a specific funding amount but based its request on the volume of cases.

McAlister thanked all of the representatives for coming to explain what they do, and Wells noted it was also important for the public to know what services were provided by these groups which the city supports with taxpayer money.

BIDS FOR A DEWATERING SCREW PRESS FOR THE WASTEWATER TREATMENT PLANT

Wastewater Treatment Plant Superintendent Mike Hecker reviewed the bid process for this purchase, which had been discussed at a previous meeting as a solution to avoid paying an outside company to process and haul sludge from the plant after that company quadrupled its prices. Five bids were received and Hecker recommended accepting one of the slightly higher bids because that company could install the equipment much more quickly, which would allow the city to avoid another servicing by the outside sludge company at a cost of more than \$80,000. Hecker also requested approval to purchase double-capacity equipment at an additional cost.

Northrup offered a resolution to accept the bid from Ambient H2O in the amount of \$171,000 and authorize an additional \$39,000 for double capacity for a total expenditure of \$210,000. That resolution was seconded by Shaver and approved on a unanimous vote of 6-0, with Segura having arrived at the meeting.

PUBLIC HEARING ON FINAL PLAT FOR THE MIDDLE SCHOOL MAJOR SUBDIVISION

Mayor McAlister outlined the format to be followed for this hearing, and City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing had been published.

Engineering/Public Works Director Brad Curtis explained that this hearing was the next step in a process that began with the annexation of the property, where a new middle school would be built. Curtis said concerns noted when the council approved the preliminary plat had been resolved, with the only remaining issue being the naming of a street within the subdivision.

Wells asked if the applicant, the Morgan County Re-3 School District, was aware of the risk in developing over city easements which were noted on the plat, and Curtis said the school district had acknowledged the city's concerns about this and knew that the city would not be responsible for replacing any improvements disturbed if the city had to access its utilities in an easement on the property.

Wells informed the council that he had spoken with former council member and retired educator James Powers about the suggestion that a new street on the middle school property be named for him, and said Powers would be flattered if that were done but would not be offended if another name was chosen.

Jason Frasco, principal of Fort Morgan Middle School representing the applicant, spoke to reiterate the school district's desire to name the street Education Avenue and asked for the council's consideration of that preference.

No public comments were received, either during the hearing or in advance.

Shaver said he understood the school district's position on the street name but felt Powers was worthy of recognition for his long service on the council and in the schools, and for championing the extension of Acoma Avenue that would provide access to the school property from the city's east side. Segura said the school district's preferred name was fine in the vicinity of the new school, but if the street were ever extended it would not make sense.

Council and staff discussion followed about street naming conventions and the deadline for making a decision on the street name, as well as council preferences for the name. Wells said if the council approved the final plat as presented, that would make the name Education Avenue as described on the plat, and if the council wanted a different name that would have to be specifically made a part of the resolution for approval of the plat.

Shaver made a motion to close the public hearing, which was seconded by Castoe and approved unanimously.

City Attorney Jason Meyers explained the council's options for action, and Northrup offered a resolution to approve the final plat for a subdivision for Morgan County School District Re-3 to subdivide 69.24 acres (more or less) into lots, rights of way and the establishment of easements as through the major subdivision process. That resolution was seconded by Shaver and approved unanimously.

COUNCIL ACTING AS THE BOARD OF ADJUSTMENT - PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE FROM THE SIGN CODE FOR O'REILLY AUTO PARTS AT 615 LINDA STREET

Mayor McAlister reviewed the format to be used for this hearing, and Brennan confirmed that proper legal notice of the hearing had been published. Curtis outlined the request, which would allow a pole sign to be placed in a location that did not meet the required setback, and staff was recommending approval. Discussion followed about whether the sign as proposed would block the view of other signs at adjacent businesses.

Terry Watt, district manager of O'Reilly's, asked for council consideration of the request for the variance, saying the company did not want to impinge on anyone else's signs. No public comments were received during the hearing. Brennan noted two calls documented by the planning and zoning department regarding the variance, one from Zach Deal of Edwards Right Price Market, who had questions about the height and size of the proposed sign and the potential impacts to the visibility of Edwards' sign. Deal ultimately had no major issues with the variance. The other call was from Bernie Watson of Fort Morgan, who had asked whether the variance had anything to do with drainage in the area, which it did not.

Castoe made a motion to close the public hearing, which was seconded by Shaver and approved unanimously.

Meyers outlined the council's options for action, and reviewed the criteria for granting a variance. Northrup offered a resolution to approve the O'Reilly Auto Parts Variance, a variance from Chapter 20 Article 9 of the Fort Morgan Municipal Code to allow a pole sign to be placed as proposed in the application. That resolution was seconded by Castoe and approved unanimously.

COUNCIL ACTING AS THE BOARD OF ADJUSTMENT - PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE FROM THE SIGN CODE FOR RIVERVIEW FARM/COLORADO LAND CO.

McAlister outlined the format for the hearing and Brennan confirmed proper legal notice. Curtis reviewed the application, noting that an existing nonconforming real estate sign had been replaced without knowledge that it was noncompliant and was brought to the city's attention, triggering this application. He said staff was recommending approval of the variance to allow the current sign to remain in place until the property is sold, and then requiring it to be removed.

Applicant Kent Lindell said his company had received responses and inquiries since the new sign had been placed, and he would appreciate a positive vote from the council.

No public comments were received during the hearing, and Brennan noted one documented call to the planning and zoning department from Mary Vasquez of Colorado Springs, who also owns property on east Riverview Avenue. Vasquez inquired about the reasons for the variance and the public notice she received, and had no opposition to the variance.

No council comments were offered, and Shaver made a motion to close the public hearing, which was seconded by Castoe and approved unanimously.

Meyers reviewed the council's options for action, noting that removal of the sign upon sale of the property would be a condition of the variance. Northrup offered a resolution to approve the Riverview Farm/Colorado Land Co. Variance, a variance from Chapter 20, Article 9 of the Fort

Morgan Municipal Code to allow a real estate sign to remain in its current size, height and location until such time as the property is sold, to allow for the unique nature of being adjacent to a high-speed travel along Interstate 76 and not within the immediate location and adjacency to city streets, at which time the sign shall be removed within seven days after the real estate closing or lease transaction per Section 20-9-10(30)(d). That resolution was seconded by Castoe and approved unanimously.

FIRST READING OF AN ORDINANCE CREATING AN ECONOMIC DEVELOPMENT AND MARKETING DEPARTMENT FOR THE CITY OF FORT MORGAN

Wells said this ordinance was being brought to the council after several earlier discussions about the value of a dedicated economic development and marketing position within the city, and the benefits seen by other communities that have such positions. He said the creation of a new department in the city organization required an ordinance.

Northrup offered a resolution to approve the first reading of an Ordinance establishing a new city department called the Economic Development and Marketing Department, and scheduling a public hearing on the ordinance for Sept. 1, which was seconded by Castoe and approved unanimously.

2016 BUDGET CALENDAR – START OF PRESENTATIONS FOR THE GENERAL FUND

Wells, General Accountant Chris Bostron, City Treasurer Chris Bostron, Brennan, Meyers, Curtis, Human Resources/Risk Management Director Michael Boyer and Chief Sagel presented their proposed expenditures for 2016 for the Mayor & Council, City Manager, Finance, City Clerk, City Attorney, Airport and Police Departments and the Police Asset Forfeiture and Cemetery Perpetual Care funds, and answered council questions.

Wells noted that some items discussed earlier in this meeting, including funding for MCEDC and SBDC, would be moved from the Mayor & Council budget to the new Economic Development and Marketing department, and that budget would be discussed in mid-September. Council and staff discussion was held regarding the levels of funding for these and other agencies including County Express, but no formal action was taken.

CONSENT AGENDA BY RESOLUTION

Brennan presented the Consent Agenda for Council consideration as follows:

CONSENT AGENDA

- A. Approval of the disbursements and payroll for July
- B. Approval of the minutes of the Aug. 4, 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.

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

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS BY OFFICIALS AND STAFF

Wells noted that his monthly written report was in the council meeting packets. He said that in the wake of the recent storm he had been asked what the city was doing about storm drainage, and explained that ordinances establishing a stormwater utility would be coming to council in the next month or two for discussion.

Wells also spoke about a DOLA conference he had attended the previous week and some promising prospects for grants that could result.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings, and highlighted some recent news releases.

Mayor McAlister adjourned the Aug. 18, 2015 regular meeting at 9:14 p.m.

/s/ Terry McAlister

Mayor

/s/ John Brennan

City Clerk