

November 17, 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 Clint Anderson
Councilmember Kevin Lindell
Councilmember Lisa Northrup
Councilmember Joe Segura Jr.
Councilmember Ronald Shaver
Absent: Councilmember Christine Castoe (excused)

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, Water Resources/Utilities Director Brent Nation, Human Resources/Risk Management Director Michael Boyer, Fire Chief Erik Christensen, City Attorney Jason Meyers, Management Intern Chelsea Gondeck and City Clerk/PIO John Brennan.

RECOGNITION OF SAM SCHANTZ AS EMPLOYEE OF THE QUARTER FOR THE THIRD QUARTER OF 2015

City Manager Jeff Wells said that Building Maintenance Technician Sam Schantz had not been with the city for very long but had proven himself to be a valuable employee who does a lot to help all departments in the city. Comments about Schantz in his nomination for this recognition spoke of him as reliable, positive, useful and good at using tools and creating solutions to problems.

Wells presented Schantz with a photo of him like the one that would hang in the lobby of City Hall, a certificate of appreciation and a \$100 gift card, and mentioned that he and Schantz had gone to lunch together as part of the recognition.

Public Works Director Brad Curtis said Schantz does a great job and saves the city and the taxpayers a lot of money by finding creative solutions to building maintenance issues, and presented Schantz with an additional personal gift. Schantz thanked everyone for the recognition.

REQUEST FOR IN-KIND SERVICES FOR CHRISTMAS CAPITAL OF THE PLAINS EVENTS

Wells said this would be the fourth year of the Christmas Capital of the Plains campaign, which had grown from a “shop local” promotion into a community celebration of the holidays. He said the city was very involved in all of the related events so there were some in-kind services being provided to the promotional effort.

Community Services Director Josh Miller reviewed some of the services the city would be providing, and council and staff discussion followed about the planned events. Wayne Johnson of Media Logic Radio, one of the primary organizers of the Christmas Capital campaign, thanked the city for its participation and help. No formal action was taken.

PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT FOR A LARGE FAMILY CHILD CARE HOME AT 1037 VICKIE STREET

Mayor Terry McAlister reviewed the format to be followed during the public hearing, and City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing had been published. Curtis reviewed the application and the criteria to be met for approval, and said staff's analysis showed the proposed use was compatible with the zoning and the other uses in the area. He said staff and the Planning Commission recommended approval of the application with conditions as outlined in his memo included in the meeting packets.

Applicant Patty Lancaster said she appreciated the council's consideration of the application and thanked Curtis and his assistant Brenda Guggenmos for their help in guiding her through the application process. Some discussion followed about the complicated rules governing the numbers of children permitted under this use.

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

Councilmember Lisa Northrup noted the shortage of quality day care facilities in the community and applauded Lancaster for providing these services. Councilmember Joe Segura Jr. noted that there had been opposition to such applications in the past but Lancaster had the support of her neighbors. Mayor McAlister mentioned a concern about the proximity of a canal in the area of the home that could pose a liability issue.

Northrup made a motion to close the public hearing, which was seconded by Councilmember Ron Shaver and approved on a unanimous vote of 6-0, with Councilmember Christine Castoe absent.

City Attorney Jason Meyers explained that the council was acting in a quasi-judicial capacity on this item and should apply the proper legal standard to its decision.

Councilmember Lisa Northrup offered a resolution for conditional approval of case 15-017 SU, a special use permit for a large family child care home, with the recommendation of the Planning Commission and subject to the three condition outlined during the hearing (those conditions being that the child care home shall be maintained and operated in accordance with all applicable provisions of the Colorado Revised Statutes 26-6-101 et seq; that the child care home is limited to 12 or fewer children, including children living in the home and the children of close relatives cared for in the home; and that the special use is personal to the applicant and may not be inherited). That resolution was seconded by Segura and approved unanimously (6-0, Castoe absent).

BIDS FOR REPLACEMENT OF THE FIRE DEPARTMENT ROOF

Fire Chief Erik Christensen explained that a very wet spring season had revealed leaks in the roof over the fire department building, which was an expense not included in the 2015 budget. He reviewed the four bids received, which varied in price and also in the scope of the work proposed. Some bidders had presented prices for only the roof over the truck bay while others bid on that roof as well as the roof over the living quarters building, Christensen said, and that may have been due to unclear bid specifications that resulted from his inexperience with the procurement process. Because of this, Christensen said he was proposing to replace only the roof over the truck bay at this time, for which all bidders had submitted prices, and recommended acceptance of the lowest bid from Weathercraft.

Some discussion followed about whether to do the truck bay roof now or wait until the spring, and other issues related to the roof and the RFP. Shaver offered a resolution to accept the bid from Weathercraft Roofing of Brush in the amount of \$71,221, which was seconded by Northrup and approved unanimously (6-0, Castoe absent).

PRESENTATION ON PROPOSED REVISION TO THE BYLAWS OF THE FORT MORGAN VOLUNTEER FIRE DEPARTMENT

Christensen explained the process for making changes to the fire department bylaws, and said this proposal would change the age threshold for mandatory retirement from age 55 to age 60. Christensen reviewed the reasons for the proposal, and council and staff discussion followed about the potential risks and legalities involved. Wells suggested that if the council was uneasy about the proposal it could be scheduled for a future executive session to receive legal advice and discuss the issues. Mayor McAlister asked the council members about their preference, and the consensus was to schedule the matter for an executive session to receive specific legal advice. No formal action was taken.

PROPOSAL TO PURCHASE BENCHES AND BIKE RACKS FOR THE DOWNTOWN AREA WITH COSTS TO BE REIMBURSED BY THE DOWNTOWN BUSINESS ASSOCIATION

Wells said the Downtown Business Association was only exploring the possibility of paying for more benches and bike racks in the downtown area, but he wanted to be sure the council was OK with the idea in case the organization decided to move forward. Council and staff discussion followed about what the amenities would look like and where they would be placed, with several council members stating they were not against the idea but would like more details on what exactly was being proposed. The consensus was to bring the item back to the next meeting with more specifics on the proposal, and no formal action was taken at this meeting.

CONSENT AGENDA BY RESOLUTION

Brennan presented the Consent Agenda for Council consideration as follows:

CONSENT AGENDA

- A. Approval of the disbursements and payroll for October
- B. Approval of the minutes of the November 3, 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 Segura and approved unanimously.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

Jerry Wathen on 1100 Linda St. congratulated the people who won office in the recent City Council election, and reminded everyone that Thanksgiving was coming the following week and the community had much to be thankful for.

REPORTS BY OFFICIALS AND STAFF

Wells noted that his monthly written report was in the council meeting packets. He said the upward trend in sales tax revenues had slowed but that had been expected and the city was still doing well.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings. Segura noted that the state's governor had decided to accept refugees from Syria, something that Segura personally opposed, and asked residents to give him input on their views of this issue and that the council should consider sending a letter to the governor to let him know what the community thinks.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:06 p.m., and Mayor McAlister announced that the next item on the agenda was a scheduled executive session.

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: Employment issue.

City Manager Jeff Wells then asked that the motion to convene this executive session include receiving legal advice as another purpose for the executive session. Councilmember Northrup made a motion to convene the executive session with Legal Advice as another reason for the session, which was seconded by Councilmember Shaver and approved unanimously. The executive session began at 7:35 p.m. and concluded at 7:50 p.m., and was attended by the mayor and council members along with City Manager Jeff Wells and City Attorney Jason Meyers. At the conclusion of the executive session the council returned to the regular open meeting, where Northrup reported that the council had met in executive session for the purpose stated on the agenda and discussed employment issues with Municipal Judge Brandenburg. No action was taken at this time.

Mayor McAlister adjourned the Nov. 17, 2015 regular meeting at 7:50 p.m.

/s/ Terry McAlister
Mayor

/s/ John Brennan
City Clerk