

September 15, 2009

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Jack L. Darnell called the regular meeting to order at 7:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Jack L. Darnell
Councilmember Sharol Lyn Deal
Councilmember Debra J. Forstedt
Councilmember Terry McAlister
Councilmember James A. Powers
Councilmember Ron Shaver
Councilmember Alberta M. Simmons

The meeting was also attended by City Manager Pat Merrill, City Attorney Jeffrey Wells, Fire Chief Brad Parker, Police Chief Keith Kuretich, Director of Water Resources/Wastewater Treatment Gary Dreessen, Municipal Engineer Brad Curtis, Community Services Director Don Shedd, Community Development Director David Callahan, Treasurer Terri Schafer and City Clerk Andrea Strand.

MUNICIPAL JUDGE STUART D. CRESPIN

Mayor Darnell introduced Stuart D. Crespin and stated that Attorney Wells prepared the Agreement that Council would be voting on, which is based upon the terms agreed to in the Executive Session on August 27, 2009.

Councilmember McAlister offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Forstedt; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 02

AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN STUART D. CRESPIN AND THE CITY OF FORT MORGAN AND TO DEFINE THE DUTIES OF THE MUNICIPAL JUDGESHIP, COMPENSATION, AND BENEFITS.

WHEREAS, the City Council is charged with the appointment of a Judge as the Presiding Municipal Judge of the City of Fort Morgan Municipal Court pursuant to Article XI, Sec. 2 of the *Charter of the City of Fort Morgan* and Chapter 18A-19(a) of The Fort Morgan Municipal Code; and,

WHEREAS, the City Council has previously negotiated the duties, terms, and length of the appointment; and,

WHEREAS, the City Council is charged with establishing the compensation for the Judge; and

WHEREAS, Council Member Terry McAlister has been given authority to negotiate an Agreement for compensation and benefits on behalf of the Council with Mr. Crespin; and,

WHEREAS, Mr. Crespin desires to accept the appointment as Presiding Municipal Judge in accordance with terms of the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SEC. 1: Council selected Stuart D. Crespin to serve as the Municipal Court Judge under the terms set forth in the Agreement.

SEC. 2: The Mayor is hereby authorized to execute the Agreement between Stuart D. Crespin and the City of Fort Morgan.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers and Shaver.

Nays: Councilmember Simmons.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

/s/ Andrea Strand, City Clerk

Mayor Darnell administered the Oath of Office to Stuart Crespin, who then thanked the Council for the privilege of serving the People of Fort Morgan.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FORT MORGAN AND THE FORT MORGAN SCHOOL DISTRICT FOR THE SHARED COST OF A SCHOOL RESOURCE OFFICER

Chief Kuretich introduced Greg Wagers, Superintendent for the Fort Morgan School District, and School Resource Officer Tim Malone. He then presented the following memo for Council consideration:

ITEM FOR DISCUSSION: Renewal of an Intergovernmental Agreement and Contract having a joint fiscal impact for the years 2009 and 2010 for a School Resource Officer between the City of Fort Morgan and Fort Morgan School District RE-3 (School District).

BACKGROUND INFORMATION: In November 2001 the city entered into an Intergovernmental Agreement with the School District to provide a school resource officer. The funding for this program was partially funded by a \$125,000.00 COPS in Schools grant for a three year period. This allowed the hiring of one additional full-time officer and reimbursing the city for salaries and benefits. At the end of the three year grant period, the program had to be funded locally covering the cost of salary and benefits.

The future of the program was determined to be imperative to the well-being of our community. Thus it evolved into a partnership between School District and the City of Fort Morgan. As a result, an Intergovernmental Agreement and Contract was approved in splitting the officer's salary, benefits and incidentals as a result of the officer's assignment at the School District.

The duties of the SRO nine (9) months out of the year, when school is in session is to provide direct police services. This includes visible police patrol in and around the school, investigation of crimes that occur on school grounds, response to calls for police service on school grounds, removal or arrest of trespassers or other law breakers on school grounds, advising school officials on security and crime prevention matters, and assistance to other components of the Police Department investigating school-related crimes. Also, the officer is able to utilize his or her expertise to advise and assist school officials investigating infractions of school rules and regulations.

Education

The SRO may on occasion when requested by the appropriate school personnel, make classroom presentations or arrange for other police officers and subject-matter experts to do so in areas such as drug and alcohol abuse, personal safety, crime prevention, drinking and driving, criminal law and procedures, and law enforcement careers.

Advisement

The officer is available to advise students at their request and to meet with them in either a group or individual setting to discuss matters of concern. The officer is also available to meet with school staff and parents to advise them on law enforcement matters and student welfare matters. The officer directs individuals to other available services and agencies where appropriate. The officer participates in faculty and administrators meetings, and other school events.

Coordination

The officer works closely with and coordinates activities with officers from other Morgan County law enforcement agencies performing similar school-related functions in other police jurisdictions.

The proposed IGA and Contract has been revised due to changes in the process for City contracts and agreements and revisions of the City Charter.

FISCAL IMPACT/FUNDING SOURCE: The funds shared between the City and School District will be split 60% City and 40% School District (approximately \$35,000) from the remainder of the approved 2009 annual budget and proposed 2010 annual budget. The money is allocated in the expenditure line account # 001.421.3.3101

CITIZEN INPUT/BOARD REVIEW:

LEGAL REVIEW: Both the City Attorney and School District legal counsel have reviewed and accepted the modified documents.

ALTERNATIVES: Accept or Refuse the proposed IGA and Contract

SUPPORTING DOCUMENTS:

- School Resource Officer Contract and the Intergovernmental Agreement between the School District and the City of Fort Morgan.
- 2009-2010 Projected Benefits for SRO

STAFF RECOMMENDATION:

That the City Council:

1. Approve at the next regular meeting the Intergovernmental Agreement and Contract between the City of Fort Morgan and Fort Morgan School District RE-3 for the school year 2009 & 2010.

Councilmember Powers offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember McAlister; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 03

AUTHORIZING THE MAYOR TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FORT MORGAN AND THE FORT MORGAN SCHOOL DISTRICT FOR THE SHARED COST OF A SCHOOL RESOURCE OFFICER.

WHEREAS, intergovernmental agreements to provide functions or services including the sharing of costs of such services or functions, by political subdivisions of the State of Colorado are specifically authorized by C.R.S. §29-1-203; and,

WHEREAS, the City is a unit of local government and a political subdivision, and the District is a public school district and political subdivision; and,

WHEREAS, through a federal grant from the Department of Justice, the District had previously partnered with the City to obtain services of the Fort Morgan Police Department to provide a School Resource Officer (“SRO”) for schools in the District; and,

WHEREAS, due to insufficient federal funding the monies necessary to cover the salary of the SRO is unavailable during the upcoming 2009-2010 school year; and,

WHEREAS, despite the lack of funding of this program, the Parties wish to continue this program through a joint effort by sharing the cost of the SRO Program through this Intergovernmental Agreement between the parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SEC. 1: The Mayor is hereby authorized to execute the Intergovernmental Agreement between the City of Fort Morgan and the Fort Morgan School District for the shared cost of a school resource officer.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

By: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

/s/ Andrea Strand, City Clerk

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO THE RAINBOW BRIDGE ENHANCEMENT PROJECT

Attorney Wells and Engineer Curtis spoke of the necessity to sign documents in a timely manner. Colorado Department of Transportation will review the documents and, in about a week after they approve them, the City can prepare the Notice to Proceed with the project.

Councilmember Shaver offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Deal; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 04

**AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS
RELATING TO THE RAINBOW BRIDGE ENHANCEMENT PROJECT**

WHEREAS, City Council has previously authorized the Mayor to execute the contract documents with the State concerning the Rainbow Bridge Enhancement Project; and,

WHEREAS, the State is responsible for the general administration of the Project and is requiring that the City to follow the State’s procurement and bid policies; and,

WHEREAS, the City must accept the lowest qualified bidder per State policy; and,

WHEREAS, the City has budgeted \$35,000.00 in leveraging funds to obtain Federal and State Grant funds for the project; and,

WHEREAS, Art. III, Sec. 4(a) of the *Charter of the City of Fort Morgan, Colorado (2008)* requires that “[A]ll contracts involving in the aggregate an expenditure of ten thousand or more, shall be authorized only by resolution.”

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SEC. 1: City Council authorizes the City Manager to spend the \$35,000.00 allocated to the Rainbow Bridge Project to obtain the State and Federal funding.

SEC. 2: The Mayor and the City Clerk shall be and are hereby authorized to enter into and execute all documents related to the Rainbow Bridge Enhancement Project on behalf of the City of Fort Morgan, Colorado.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

ss.

CERTIFICATE

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

/s/ Andrea Strand, City Clerk

DISCUSSION REGARDING ENERGY EFFICIENCY PROGRAMS

Director Callahan provided the following communication memo to City Council:

Staff has continued to research Energysmart, the Conservation program offered by Municipal Energy Agency of Nebraska (MEAN) to all Schedule M participants, which includes the City of Fort Morgan. Beginning in April 2009, MEAN funded \$75,000 toward this incentive-based program for lighting upgrades in commercial and industrial applications (which includes municipalities). As of August 1st, the program has distributed \$18,765 of the funds in twelve communities. Most of the projects have been to convert T12 florescent lighting to T8 fixtures, and to convert metal halide high bay lights to high output fluorescent lights. The funds are distributed on a first-come, first-served basis, and will last until April 1, 2010, or until program funds have been depleted. MEAN staff expects additional funding will be made available to extend the program into FY 2010-2011.

The Energysmart program allows the City to receive up to \$2,500 (in one calendar year) as an incentive for replacing certain light bulbs/ballasts with more efficient bulbs/ballasts. Based on the attached Excel Spreadsheets, the shortest payback, and consequently the most logical starting point for the City's participation is to replace all of certain 4-foot and 2-foot fluorescent bulbs and ballasts. This amounts to a total of 162 fixtures that are located mostly in the City Complex, but can be found in various other city offices, as well. Replacing these lights is the most cost-effective investment not only because of the low front-end cost (approximately \$2,938) and the \$2,430 incentive provided by MEAN, but also because of the efficiency of the T8 replacement bulbs, which are as much as 40% more efficient than the T12 bulbs they replace. Once all of the bulbs are replaced, our attached estimates show an average annual savings of about \$403 a year. This savings will make it possible to pay for the \$508 difference between the initial cost of \$2,938 and the \$2,430 incentive provided by MEAN within about one year and three months; the shortest payback of all of the bulbs analyzed. Moreover, every year thereafter results in a \$403 savings (based on the life expectancy average of 10 years per bulb).

The City staff is moving forward with this program using normal operating and budgeting procedures. The front-end costs will be paid for out of the Electric funds Maintenance and General Property budget (Account #012-270-3-3320).

Since the Energysmart program is also available to all of the city's commercial customers, staff is publicizing it by way of the City's WEB page, cable TV, and by direct contact.

Director Callahan added that he will be speaking at civic groups to explain the program. He added that the Governor's Energy Office will be introducing a \$10 million rebate program.

The program may offer insulation for historic structures that would be funded in whole.

Mayor Darnell asked that City Staff update Council monthly on this matter.

PROPOSED REVISIONS TO THE CITY TRUCK ROUTES

Manager Merrill provided the following communication memo to Council:

Item for Consideration: Staff is proposing a change in the City Truck Routes for 2009-2010, in order to protect our schoolchildren and the integrity of our local streets. If approved, this issue will be revisited for effectiveness next year. Local traffic (i.e. hospital) will still be allowed.

Financial Considerations: There will be minimal cost for signage, but in the long term, the rerouting of trucks will save wear and tear on City streets that were not constructed to take heavy semi traffic on a daily basis.

Citizen Input/Board Review: The Fort Morgan School District fully supports the change in routes, as it will direct traffic away from three schools. Additionally, our Chief of Police Keith Kuretich has been in touch with the Colorado State Patrol at the Port of Entry and they have no issue(s) with the proposed routes.

I have also spoken with Carl Schoenfelder at Western Sugar and made him aware of the proposal, as well Kevin Faulk of Aulick Leasing, which is the major (contract) hauler for Western Sugar. Mr. Aulick has no problem with the proposed routes and will be advising his drivers of same.

Legal Review: City Attorney Jeff Wells has been involved in the process of redefining the proposed routes.

Alternatives: Leave the current truck routes in place.

Supporting Documents: A map of the revised routes has been included in your packet.

Staff Recommendations: Approve the proposed truck routes on a one year trial basis, after which time the issue can be revisited and the changes made permanent if the results have been positive for the community.

Councilmember McAlister asked if signage could be added to prohibit the use of jake brakes on Alco Road. Staff will contact Morgan County and change the signage if possible.

A motion was offered by Councilmember Power to accept the City Truck Routes as presented. His motion was seconded by Councilmember Simmons and duly carried.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE HANGAR LEASE AGREEMENT BETWEEN THE CITY OF FORT MORGAN AND MERLE BRISTOL

Director Callahan presented the Lease which was prepared by Attorney Wells and stated that the Airport Advisory Board recommended this be presented to City Council for consideration. The terms of this lease represent changes of the terms of the approved lease adopted by City Council on November 5, 2002.

Councilmember Simmons offered the following Resolution and moved for its adoption. Her motion was seconded by Councilmember McAlister; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 05

AUTHORIZING THE MAYOR TO EXECUTE THE HANGAR LEASE AGREEMENT BETWEEN THE CITY OF FORT MORGAN AND MERLE BRISTOL

WHEREAS, pursuant the *Charter of the City of Fort Morgan*, Art. I, Sec. 2(b), the City Council, in the name of the City, has the power to lease any real estate, together with any facilities thereon; and,

WHEREAS, the provisions regarding the cost of the lease are in contravention of the City's policy for lease prices at the Airport and requires Council approval; and,

WHEREAS, the Airport Advisory Board has recommended that City Council approve Mr. Bristol's lease with its provisions; and,

WHEREAS, on behalf of the City, desires to lease to Mr. Bristol a freestanding hangar located at the Fort Morgan Municipal Airport for the remainder of Mr. Bristol's natural life; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SEC. 1: The Mayor is hereby authorized to execute the HANGAR LEASE effective November 1, 2009, to remain in effect for the natural life of Mr. Merle Bristol, a copy of which is attached hereto and incorporated herein by this reference.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

/s/ Andrea Strand, City Clerk

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO THE ACCEPTANCE OF THE BID FOR THE PARKS DEPARTMENT SHOP ROOF REPLACEMENT AND BRICK TUCK POINTING PROJECT

Director Shedd presented the following memo to Council:

Discussion Item: Replacement of the roof membrane on the Parks Shop and doing the necessary tuck pointing of the brick.

Background Information: A notice of bid was placed in *The Fort Morgan Times* and on the City web page to replace the roof membrane and tuck pointing of the brick.

Financial Considerations: The following bids were submitted for the roof replacement:

D&D Roofing	\$86,214
Weather Sure Systems	\$48,476
Roof Check Inc.	\$53,414
Bob Behrends Roofing	\$59,250.54

Options:

D&D Roofing	\$0
Weather Sure Systems	\$2,860 (exterior access ladder)
Roof Check Inc.	\$0
Bob Behrends Roofing	\$0

The following bids were submitted for the brick tuck pointing:

Colburn Masonry	\$18,500
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Options:

Colburn Masonry	\$11,250 (repair top cap)
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Citizen Input/Board Review: None

Legal Review: Legal has reviewed the bid packet and will be responsible for the final contract.

Alternatives: Approve or not approve the award of the bid.

Supporting Documents: Bid documents

Staff Recommendations: Staff recommends City Council award the Parks Shop Roof Replacement to Weather Sure Systems in the amount of \$51,336 (roof \$48,476 and access

ladder option \$2,860) and Colburn Masonry for the brick tuck pointing and top cap repair in the amount of \$29,750 (brick tuck pointing \$18,500 and top cap \$11,250). The total project cost would be \$81,086. These bids are under the budgeted amount of \$105,000 in the Capital Improvement Fund budget line item 007.900.4.4110.45208.

Councilmember Powers offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Simmons; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 06

AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO THE ACCEPTANCE OF THE BID FOR THE PARKS DEPARTMENT SHOP ROOF REPLACEMENT AND BRICK TUCKPOINTING PROJECT.

WHEREAS, the City of Fort Morgan has budgeted monies for maintenance and improvements at the Parks Department Facility; and,

WHEREAS, City Staff has bid the project and made recommendations regarding the lowest qualified bidder; and,

WHEREAS, City Staff has used the standard bid packet approved by the Office of the City Attorney; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

Section 1. Council hereby approves the bid for Weather Sure Systems and to Colburn Masonry in the amount not to exceed \$81,086.

Section 2. The Mayor is hereby authorized to execute any documents related to the approved bid to the extent that said documents conform with the standard forms as approved by the Office of the City Attorney.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FULL AND FINAL RELEASE AND SETTLEMENT AGREEMENT BETWEEN THE CITY OF FORT MORGAN AND BARBARA AND GARY FRIHAUF

Attorney Wells presented a settlement agreement between the City of Fort Morgan and Barbara and Gary Frihauf, which resulted from a sewer backup. The issue was investigated by CIRSA and through discovery the parties have come to the agreement to settle the matter. This agreement releases the City of all liability for a total \$12,000.

Councilmember McAlister offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Shaver; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 07

AUTHORIZING THE MAYOR TO EXECUTE THE FULL AND FINAL RELEASE AND SETTLEMENT AGREEMENT BETWEEN THE CITY OF FORT MORGAN AND BARBARA AND GARY FRIHAUF.

WHEREAS, Article I, Sec. 2(b) of the *Charter of the City of Fort Morgan* empowers the City to sue, defend, and plead matters within the City; and

WHEREAS, Barbara and Gary Frihauf, Plaintiffs, by and through their attorney of record, John A. Meininger, filed a Complaint in Case No. 08 CV 163, against the City of Fort Morgan for damages sustained to the Plaintiffs' property that occurred on September 28, 2007; and,

WHEREAS, the parties, by and through attorney of record John A. Meininger on behalf of the Plaintiffs' and CIRSA on behalf of the City, had previously entered into settlement discussions regarding the claim and a disposition of the suit; and,

WHEREAS, due to these discussions, the parties have reached a desirable agreement as set forth in the Full and Final Release and Settlement Agreement; and,

WHEREAS, CIRSA has recommended that the City execute the Agreement to dispose of this matter in its entirety; and,

WHEREAS, pursuant to Article IV, Section 2(d) of the *Charter of the City of Fort Morgan*, the signature of the Mayor is required on all warrants, contracts, bonds or other instruments of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SECTION 1: The City Council hereby authorized the Mayor to execute the Full and Final Release and Settlement Agreement related to Case No. 08 CV 163 in the form attached hereto and incorporated herein by this reference.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

/s/ Andrea Strand, City Clerk

RESOLUTION AMENDING THE RESOLUTION PREVIOUSLY ADOPTED ON MARCH 17, 2009, REGARDING THE BYLAWS FOR CERTAIN BOARDS APPOINTED BY THE CITY COUNCIL FOR THE CITY OF FORT MORGAN, BUT NOT FOR BOARDS GOVERNED BY STATE LAW

Attorney Wells presented the Resolution for Council consideration and stated it was necessary to remove the Planning Commission from the previous Resolution adopted by Council, as it is subject to State control.

Councilmember Simmons offered the following Resolution and moved for its adoption. Her motion was seconded by Councilmember Forstedt; said Resolution being in words, letters and figures as follows, to-wit:

RESOLUTION NO. 09 09 08

AMENDING THE RESOLUTION PREVIOUSLY ADOPTED ON MARCH 17, 2009, REGARDING THE BYLAWS FOR CERTAIN BOARDS APPOINTED BY THE CITY COUNCIL FOR THE CITY OF FORT MORGAN, BUT NOT FOR BOARDS GOVERNED BY STATE LAW.

WHEREAS, the City Clerk previously drafted a Resolution entitled "Authorizing Amendment of the Bylaws for Certain Boards Appointed by the City Council for the City of Fort Morgan, but not for Boards Governed by State Law;" and,

WHEREAS, this resolution as adopted by the City Council on March 17, 2009, amended the Rules of Procedures for Boards appointed by the City Council but not for Boards Governed by State Law; and,

WHEREAS, the Planning Commission is governed by State law; and,

WHEREAS, Section 2 of the Resolution erroneously includes the Planning Commission; and,

WHEREAS, the City Attorney has deemed it necessary to amend the Resolution as adopted on March 17, 2009, for the removal of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

Section 1. The Resolution as adopted on March 17, 2009, shall be amended as follows:

Sec. 2. The Board or Commission that shall have their bylaws amended shall be:

1. Golf Course Advisory Board.
2. Water Advisory Board.
3. Tree, Parks, and Recreation Board.
4. Senior Center Advisory Board.

- 5. Airport Advisory Board.
- 6. Library Advisory Board.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

Nays: None.

Absent / Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell, Mayor

ATTEST:

/s/ Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 16th day of September, 2009.

/s/ Andrea Strand, City Clerk

**COUNCIL ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY
PRESENTATION OF AN APPLICATION FOR A NEW WINE AND BEER LIQUOR LICENSE
FOR LITTLE BAMBOO RESTAURANT INC., DBA LITTLE BAMBOO, LOCATED AT 613 W.
PLATTE AVENUE**

Clerk Strand stated that her office had received an application filed on behalf of Little Bamboo Restaurant Inc., dba Little Bamboo, located at 613 West Platte Avenue, for a Beer and Wine Liquor License. She explained the action needed to proceed with the license application was to formally accept the application, define the neighborhood as the City Limits of Fort Morgan and schedule a Public Hearing. She also stated that the appropriate fees had been submitted with the application. The applicant was not present at this meeting, but would be present at the public hearing.

Councilmember Powers offered a motion to accept the application for a new Beer and Wine Liquor License for Little Bamboo Restaurant Inc., dba Little Bamboo, located at 613 W. Platte Avenue, define the neighborhood as the City Limits of Fort Morgan and schedule a Public Hearing for October 20, 2009. His motion was seconded by Councilmember McAlister and carried unanimously.

Clerk Strand stated that applicant will now circulate the petition and the City Clerk's office will publish the Notice of Public Hearing and the Police Department will post the property.

**COUNCIL ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY
APPROVE THE SPECIAL EVENT PERMIT SUBMITTED BY BENEVOLENT PROTECTIVE
ORDER OF ELKS, LODGE NO. 1143, LOCATED AT 430 STATE STREET, FOR EVENTS
SCHEDULED FOR OCTOBER 10 AND OCTOBER 24**

Clerk Strand presented the Application for a Special Events Permit by Fort Morgan Elks Lodge #1143. Chief Kuretich verified the Affidavit of Posting of the Property. There were no objections from the public.

Councilmember Powers moved to approve the Special Events Permit for Fort Morgan Elks Lodge #1143 on October 10 and October 24, 2009, to sell malt, vinous and spirituous liquor at 430 State Street. His motion was seconded by Councilmember Forstedt and duly carried.

**COUNCIL ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY
APPROVE THE APPLICATION FOR RENEWAL OF THE HOTEL AND RESTAURANT
LIQUOR LICENSE FOR ACAPULCO BAY CORP., DBA ACAPULCO BAY, LOCATED AT
204 MAIN STREET**

Clerk Strand reported that her office had received a complete application for renewal of a Hotel and Restaurant Liquor License for Acapulco Bay Corp., dba Acapulco Bay, located at 204 Main Street. The appropriate fees had been paid for the renewal.

Chief Kuretich reported that a violation occurred involving the sale of alcohol to a minor on February 21, 2009. He reported that the Colorado Department of Revenue and Acapulco Bay Corp., have entered into a Stipulation, Agreement and Order. He introduced Francisco Flores, Applicant, who stated that he is meeting with staff every two weeks to review identification processes to ensure that underage sales do not occur.

Councilmember McAlister offered a motion to approve the application for renewal of the Hotel and Restaurant Liquor License for Acapulco Bay Corp., dba Acapulco Bay, located at 204 Main Street. His motion was seconded by Councilmember Shaver and duly carried.

CONSENT AGENDA

Clerk Strand presented the Consent Agenda for Council consideration. Councilmember Simmons offered a Resolution to approve the Consent Agenda as presented and moved for its adoption. Her motion was seconded by Councilmember McAlister; said Consent Agenda being in words, letters and figures as follows, to wit:

- A. Approve the minutes from the August 25, 2009, special meeting.
- B. Approve the minutes from the August 27, 2009, special meeting.
- C. Approve the minutes from the September 1, 2009, regular meeting.
- D. Approve the disbursements and payroll for August, 2009.

CITY OF FORT MORGAN – PUBLICATION REPORT – AUGUST 2009

Accurint, Services	\$510.25
Aerial Equipment Specialists, Annual Inspt.	\$787.50
Affiliated Credit Service, Services	\$188.85
AFLAC, add. Insurance	\$2,139.56
Altec Industries Inc, Repairs	\$137.87
American Public Works Assoc., Membership	\$452.00
American Red Cross, Life Guard Training	\$628.00
American Transportation & Equipment Co, Supplies	\$652.39
American Water Works Assoc., Handbooks	\$398.00
AmWest Control Inc, Contract Fees	\$1,310.00
Anaya, Stacey, Refund	\$90.00
Aqua Home Entertainment, Supplies	\$144.99
Aquatics Associates, Inc., Supplies	\$625.00
Armstrong Service Center, Services	\$122.02
Atwood, Coleen, Refund	\$20.00
Baker & Taylor Inc, Supplies	\$376.73
Bank of New York, Annual Fee	\$1,050.00
Batteries Plus #86, Supplies	\$98.66

Bauer & Furman, P.C., Legal Fees	\$2,988.40
Bauer, Barbara, Refund	\$20.00
Bellendir Tire & Auto, Repairs	\$956.07
Big O Tires, Supplies	\$70.27
Bike Peddler Cycling & Fitness, Repairs	\$14.25
Blackjack Pizza, FPPA Meeting	\$34.00
Bloedorn Lumber-Fort Morgan, Supplies	\$603.81
Boyle Equipment Company, Supplies	\$1,037.26
Brandenburg & McGuire P.C, Legal Services	\$314.00
Brennan, Julie, Refund	\$40.00
Bresnan Communications, Utilities	\$59.95
Bruce Hogan, TKD Instructor	\$311.25
Bruntz Electric Inc, Repairs	\$62.91
Buchanan Welding & Const., Supplies	\$218.59
Buckingham Manufacturing, Supplies	\$204.02
Bud Clemons, ARA, Appraisal Services	\$3,500.00
Builders Aggregate Co, Supplies	\$173.00
Business Mart, Supplies	\$255.66
C & M Air Cooled Engine, Supplies	\$96.24
C.E.M. Sales & Service, Supplies	\$106.54
Canfield Drilling Co, Services	\$8,151.92
Cargill Meat Solutions Co, Supplies	\$166.05
Central Auto Parts, Supplies	\$1,736.28
CGFOA, Registration	\$45.00
CIRSA, Insurance and Deductible	\$1,237.00
City of Fort Morgan, Employee Share Health Care	\$1,390.00
City of Fort Morgan, Funds Transfer	\$301.26
City of Fort Morgan, Health Care Cost	\$168,584.00
City of Fort Morgan, Petty Cash	\$5,525.19
City of Ft Morgan, Utility Bills	\$70,059.81
Claudia Nickell, Reimbursement	\$38.92
Cleveland Golf, Supplies	\$273.86
CNH CAPITAL, Supplies	\$1,282.64
Co City & County Mgmt Assoc., Membership dues	\$75.00
Co Dept of Revenue, Payroll Taxes	\$28,198.00
Co Family Support Registration, Misc Deductions	\$4,348.72
CO Pera, Pension	\$52,076.16
Colo Dept of Agriculture, Certify Laser	\$31.00
Colo Dept of Public Hlth, Services	\$50.00
Colonial Life & Accident, Add Insurance	\$211.72
Colorado Dept of Revenue, Sales Tax	\$39,731.00
Colorado Golf & Turf, Supplies	\$1,213.45
Colorado Mosquito Control, Services	\$15,725.00
Colorado Plains Medical Center, Services	\$3.00
Colorado State Treasurer, Unemployment Ins.	\$2,552.00
Commercial Printers & Signs, Supplies	\$130.00
Complete Mailing Solution, Supplies	\$159.97
Computer Solutions, Supplies	\$19.90
ConocoPhillips, Fuel	\$3,110.96
Continental Industries, Supplies	\$807.71
Country Hardware & Farm Store, Supplies	\$19.18
Country Steak Out, Meals	\$50.77
Culligan, Supplies	\$346.70
Dahl of Ft Morgan, Supplies	\$118.80
Dana Kepner Company, Supplies	\$15,285.67
Dardanes Tree Service, Services	\$1,200.00
DBC Irrigation Supply, Supplies	\$2,790.66
DBE Manufacturing & Supply, Supplies	\$1,521.72
Dell Marketing L.P., Supplies	\$302.48
Dennys W Edmondson dba/Denny's Small Engine, Repairs	\$336.60
Denver Water Department, Meter Tests	\$804.00
Diamond Vogel Paint Center, Supplies	\$1,556.08
Digital Retirement Solutions, Police Pension	\$44,381.88
Discount Tire of Ft. Morgan, Supplies	\$1,706.60
Dish Network, Utilities	\$22.00
Division of Fire Safety, Renewal Fees	\$120.00

Don Jones Excavating, Services	\$960.00
Don's Body & Paint Inc, Repairs	\$1,083.67
Don's Diesel & Auto Services, Repairs	\$4,223.66
Dorn Ready Mix Corporation, Repairs	\$300.00
Doug Schossow, Reimbursement	\$75.95
Dreiling Drilling Co., Inc, Services	\$2,797.10
Duane L Menken, Supplies	\$284.84
Duncan, Ostrander & Dingess, Legal Services	\$275.00
Dunker's Garden Center, Supplies	\$52.33
Dutton-Lainson Company, Supplies	\$3,198.00
DW Inspection Systems, Supplies	\$53,364.80
Earth Engineering Consultant, Services	\$4,090.00
Ebsco Subscription Services, Subscriptions	\$2,670.00
ECI Site Construction Mgmt, Services	\$1,048,429.38
Edwards Flowerland & Grocery, Supplies	\$749.96
Elaine's Place, Meals	\$300.00
Elan Financial Services, Credit Card Charges	\$10,180.98
Empire, Inc., Supplies	\$1,709.71
Eric Knox, Supplies	\$500.00
Ermar Golf Cars, Rentals	\$1,215.00
Exponential Engineering Company, Test Services	\$2,477.50
Fall Harvest Car Show. 3rd Party Cont.	\$4,000.00
Faris Machinery Company, Supplies	\$50.87
Farm Plan, Supplies	\$313.93
Fastenal Company, Supplies	\$216.03
First Class Security Systems, Services	\$484.00
Fleet Services, Fuel	\$347.20
Foot-Joy, Supplies	\$114.30
Fort Morgan Area Chamber, New Teacher Breakfast	\$78.00
Fort Morgan Auto Center, Supplies	\$45.70
Fort Morgan Municipal Court, Fee Reimbursement	\$4.00
Fort Morgan Paint Bucket, Supplies	\$43.98
Fort Morgan Printing, Supplies	\$25.00
Fort Morgan Veterinary Clinic, Services	\$561.96
Fox Valley Systems Inc, Supplies	\$423.74
FPPA, Old Hire Contribution	\$6,106.67
FPPA, Police death/dismemberment policy	\$2,284.34
Ft.Morgan Ladies Golf Assoc., Dues	\$395.00
Ft.Morgan Mens Golf Assn., Fees	\$1,800.00
Fuller & Associates, Supplies	\$202.33
G & K Services, Uniform Services	\$7,033.61
Gallarza, Jose, Refund	\$600.00
Garretsons Sport Center, Supplies	\$639.05
Gemplers Inc, Supplies	\$423.15
General Chemical Performance, Supplies	\$5,389.58
Global Machinery Inv. Ltd, Supplies	\$79.79
Golf Enviro Systems Inc, Supplies	\$1,553.90
Graff, Jennifer, Refund	\$27.00
Graffs Turf Farms Inc, Supplies	\$84.40
Grainger, Supplies	\$1,180.45
Great Copier Service Inc, Services	\$139.03
Greyhound Bus Lines, Shipping	\$13.87
Guardian, Add Insurance	\$4,060.64
Gunnison County Sheriff's, Registration Fees	\$50.00
Hach Company, Supplies	\$37.56
Hergenreter, Rochelle, Refund	\$50.00
Hernandez, Nohemi, Refund	\$200.00
High Plains Powerwash, Services	\$412.50
Hill Petroleum, Fuel	\$2,124.52
Hillyard - Denver, Supplies	\$106.20
HR Specialist, Subscription	\$158.00
Humana Insurance Co. Inc., Add Insurance	\$168.83
HVH Transportation, Inc, Shipping	\$166.38
Hydra-Stop, Repairs	\$4,091.40
Ikars A. Cakarnis, Services	\$1,250.00
Impressions By Bird, LLC, Supplies	\$2,877.50
In Compliance Products, Annual Renewal	\$315.00

Ingram Book Company, Supplies	\$1,567.92
J & A Traffic Products, Supplies	\$731.50
JMI Turf LLC, Supplies	\$594.67
J-W Measurement Company, Supplies	\$767.00
Kauffman Pest Control, Pest Control	\$255.00
Kembel,Ed, Services	\$50.00
Kentec Communications Inc, Services	\$229.55
Knight Pest Control LLC, Pest Control	\$50.00
Kriz Davis Company, Supplies	\$3,505.45
L L Johnson Distributing, Supplies	\$470.10
Lamp Rynearson & Assoc, Legal Services	\$1,625.10
Language Line Services, Translation Services	\$155.04
Larry's Auto Body, Repairs	\$2,161.00
Larson, Angela, Reimbursement	\$90.94
Lawson Products, Inc., Supplies	\$124.93
Lebsock Repair Service, Repairs	\$834.00
Light, Harrington & Dawes, Legal Services	\$1,647.93
Linda F Howell, TKD Instructor	\$121.25
Lyle Signs, Inc, Supplies	\$138.53
M E A N, Purchase Power	\$870,455.15
M&S Electric Motor Repair, Repairs	\$499.84
Matthew Bender & Co. Inc., Supplies	\$37.70
Maxi-Sweep Inc., Supplies	\$171.08
McCandless Intl Trucks, Repairs	\$367.48
Midwest Gas & Grocery, Fuel	\$9,957.93
Midwest Laboratories, Inc, Services	\$2,524.70
Midwestern Millwright, Supplies	\$13.24
Millipore Corporation, Supplies	\$268.85
Model Cleaners Inc, Services	\$212.94
Morgan County Central Services, Fuel	\$3,053.73
Morgan County Clerk & Recorder, Copy Charges	\$6.25
Morgan County Comm Center, Services	\$76.88
Morgan County Dept Solid Waste, Services	\$27,979.48
Morgan County Fair, 3rd Party Contribution	\$1,000.00
Morgan County Government, Video Arraignment Fees	\$320.00
Morgan County Rural Electric, Utilities	\$4,788.61
Morgan Cty Quality Water, Utilities	\$226.65
Mr. D's Ace Home Center, Supplies	\$1,081.17
Municipal Emergency Services, Supplies	\$71.39
Murdoch's Farm/Ranch Supply, Supplies	\$328.91
Nation Engineering Services, Services	\$172.50
National Meter & Automation, Supplies	\$9,021.88
National Public Gas Agency, Purchases	\$211,630.68
National Rifle Association, Registration Fees	\$525.00
Neopost Leasing, Lease Payment	\$472.74
Neve's Uniforms Inc, Supplies	\$962.31
Newco Incorporated, Supplies	\$40.65
Northeast Fire Safety, Services	\$38.00
Northern Co Water Conservation, Water Purchase	\$600.00
Northern Colo Traffic Control, Supplies	\$410.00
Northern Colorado Paper, Supplies	\$1,420.73
Northern Safety Co Inc., Supplies	\$280.67
O C P O, Test Fees	\$420.00
Office Depot Card Plan, Supplies	\$312.47
Oriental Trading Co Inc, Supplies	\$173.45
Part Smart Carquest, Supplies	\$225.52
Pavement Repair & Supplies, Repairs	\$1,620.00
PayFlex Systems USA, Inc., Admin Fees	\$208.00
PayFlex Systems USA, Inc., Sect 125 Plan	\$5,663.50
Peak Communication, Supplies	\$608.00
PERA 401K , Contributions	\$13,280.90
PERA, Pension	\$96,074.43
Permagreen, Supplies	\$477.50
Pets R People Too, Shipping	\$28.28
Ping Inc, Supplies	\$170.72
Pinnacol Assurance, WC Deductible	\$29,756.03
Pre-Paid Legal Services, Misc Deductions	\$290.95

QC Supply, Supplies	\$106.96
Quad County, Repairs	\$113.46
Quest Diagnostics, Testing Services	\$49.04
Quest Inc., Services	\$126.95
Qwest, Utilities	\$3,660.52
Railroad Management Company. Rent Fee	\$590.75
Redwood Toxicology Lab, Services	\$64.00
Research Technology, Supplies	\$259.95
Riveria, Thomas, Refund	\$27.00
Riverside Co - Dept of Child Services, Misc. Deductions	\$585.00
Robert C. James, Legal Fees	\$752.40
Rocco's Grotto, Meals	\$80.00
Rodeway Inn - Fort Morgan, Stay & Play Rooms	\$672.00
Rodriquez, Reymundo, Services	\$2,375.00
Ruhl Distributing Company, Supplies	\$21.67
Ruppel's Auto & Truck Repair, Repairs	\$622.08
Ruppels Plumbing & Heating, Supplies	\$200.00
Ryan Elrick, Reimbursement	\$70.00
Safety Systems, Inspections	\$400.00
Sagel, Darin, Reimbursement	\$26.97
Sailsbery Supply Company, Supplies	\$517.77
Scott Aviation, FBO Fees	\$4,000.00
Service Master, Janitorial Services	\$3,285.00
Sheila Bass, Reimbursement	\$11.39
Sherwin-Williams, Supplies	\$578.05
Sheryl Groves, TKD Instructor	\$311.25
Short Elliott Hendrickson, Services	\$5,993.75
Simplot Partners, Supplies	\$10,612.45
Skyhawk Technologies LLC, Supplies	\$38.53
Sleek's Rent-To-Own, Rental	\$26.04
Smith, Eric, Reimbursement	\$179.30
Society for Human Resources. Membership dues	\$160.00
SOS Staffing, Temp Services	\$4,362.33
Star Athletic Club, Memberships	\$429.84
State of Colorado/OIT, ATM Services	\$1,076.89
Stuart C Irby Co, Supplies	\$203.60
Summit Emergency Equipment, Supplies	\$3,254.00
Sunrise Environmental Scientific, Supplies	\$450.09
Suzanne Lindell, Refund	\$8.00
Suzanne M. Wales, Instructor	\$21.00
Taylor Made, Supplies	\$158.45
Thatcher Company, Supplies	\$13,012.56
The Flower Petaler, Supplies	\$56.05
The Fort Morgan Times, Advertising	\$6,914.26
TITLEIST, Supp	\$3,819.03
TMA Construction Supply, Supplies	\$969.00
Tomky, Connie, Refund	\$20.00
Top Door, Inc., Supplies	\$2,057.00
Transwest Trucks, Inc., Supplies	\$648.18
TST, Inc. Consulting Engineering, Professional Services	\$2,966.25
Turner, John	\$45.93
Unique Embroidery & Engraving, Supplies	\$191.50
United Parcel Service, Shipping	\$47.90
United Tree Service, Services	\$3,060.00
United Way of Morgan County, Contributions	\$202.00
UNUM Provident, Life Insurance Premium	\$2,755.87
USABlueBook, Supplies	\$2,030.16
Utility Notification, Services	\$281.82
Viaero Wireless, Phone Charges	\$2,397.32
Vision Service Plan (CO), Add Insurance	\$1,561.08
VWR International, Inc., Supplies	\$1,906.15
W B Supply Company, Supplies	\$88.46
Wagner Equipment Co, Supplies	\$234.43
Wal-Mart, Supplies	\$869.36
Warehouse Supply, Supplies	\$10.75
Waste Management of N E C, Services	\$613.82
Water Treatment Chemicals, Supplies	\$14,085.50

Weld County Bar Association, Registration	\$30.00
Wells Fargo, Federal withholding	\$548.73
Wells Fargo, Payroll Taxes	\$85,888.17
Wesco Distribution Inc, Supplies	\$137.90
West Group Payment Center, Supplies	\$703.60
WesTech, Supplies	\$251.28
Western Area Power Admin., Meter Maintenance	\$293,769.66
Western United Electric, Supplies	\$1,143.48
Wiggins Telephone Association, Utilities	\$147.31
Xerox Corporation, Services	\$440.45
Total Disbursements - August 2009	\$3,492,097.23
Total Payroll – August 2009	\$423,212.34
Total Publication Report – August 2009	\$3,915,309.57

- E. Approve the application for renewal of Tavern Liquor License for The Club Tap LLC, dba Club Tap, located at 212 Main Street with a clear police investigation report.

All matters listed under Item 15, 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.

PASSED, APPROVED AND ADOPTED this 15th day of September, 2009, the vote upon roll call being as follows: Ayes: Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons. Nays: none.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS

The following Directors provided written reports to Council:

City Manager Merrill
Police Chief Kuretich
Water Resources/Wastewater Treatment Director Dreessen
Municipal Engineer Curtis
Human Resources and Risk Management Director Prentice
Community Services Director Shedd
Community Development Director Callahan
Fort Morgan Volunteer Fire Department Chief Parker
Municipal Court Administrator Tadolini

City Attorney Wells stated that he had received a compliment from a Rotary Club member who comes occasionally to Fort Morgan. They were very impressed with the downtown project.

Mayor Darnell asked for clarification of removal of snow downtown. Engineer Curtis stated that City Staff is working with the Parks and Street Departments to establish a system to remove the snow. Mayor asked for Staff to notify the downtown businesses to inform them, as they were not sure if the City would be removing the snow from the bulb-outs as well as all of the sidewalks downtown.

BIDS, MEETINGS AND ANNOUNCEMENTS

Clerk Strand announced upcoming meetings.

Mayor Darnell adjourned the September 15, 2009, regular meeting at 7:55 p.m.

/s/ Jack L. Darnell
Mayor

/s/ Andrea J. Strand
City Clerk