



**AGENDA
CITY OF FORT MORGAN
110 MAIN STREET
CITY COUNCIL REGULAR MEETING
NOVEMBER 18, 2008
7:00 P.M.**

1. Pledge of Allegiance
2. Roll Call
3. **Petition for Annexation by Matt Underwood and the City of Fort Morgan, Colorado**
Concerning a parcel of land in the NE1/4 of Section 12, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado

A. Public Hearing

- (1) Opening comments – Mayor Darnell
- (2) Legal notice – Clerk Strand
- (3) Presentation of the Petition and Evidence – Attorney Wells
- (4) Comments by the applicant, Matt Underwood
- (5) Comments from the public, written/oral
- (6) Comments by City Council
- (7) Motion to (close/continue) the Public Hearing

B. Action on the Petition for Annexation – Attorney Wells

- (1) Presentation of A Resolution Setting Forth Findings of Fact and Conclusions of Law Based thereon and Determining the Status of the Territory Sometimes Known as the Underwood Property, hereinafter more specifically described below, Proposed for Annexation into the City of Fort Morgan.
- (2) First Reading of an Ordinance entitled, “An Ordinance Annexing to the City of Fort Morgan, Colorado, that Area known as the Underwood Annexation as Described Herein.”
- (3) First Reading of an Ordinance entitled, “An Ordinance Establishing a Zoning District in and Upon Lands Annexed to the City of Fort Morgan, Colorado, and for said Purpose Revising and Supplementing the Zoning District Map of said City.

4. **Public Hearing – Zoning Board of Appeals (Council Acting As)**

Concerning a Zoning Application for a Variance to allow a Dimensional Variance for a new accessory building related to the requirements of the Zoning and Land Use Code Adopted by the City of Fort Morgan, as Amended, for Robert Pike, 720 Lake Street, Fort Morgan, Case No. ZA08-13.

A. Public Hearing

- (1) Opening comments – Mayor Darnell
- (2) Legal notice – Clerk Strand
- (3) Presentation of the Application – City Manager Merrill
- (4) Comments by the applicant, Robert Pike
- (5) Comments from the public, written/oral
- (6) Comments by the Council
- (7) Motion to (close/continue) the Public Hearing

B. Action on the Application – Attorney Wells

Motion to approve/deny the Variance Application by Robert Pike, 720 Lake Street, Fort Morgan, to allow a Dimensional Variance for a new accessory building.

5. 2009 Budget – First Reading of an Ordinance entitled “An Ordinance Levying a Tax Upon the Taxable Property in the City of Fort Morgan, Colorado, and Appropriating Monies to the Several Funds of Said City,” and request to publish in full – Treasurer Jones
6. Update on a contract for Low Energy Assistance Program (LEAP) – Manager Merrill
7. **COUNCIL ACTING AS THE BOARD OF DIRECTORS FOR THE RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT**
 - A. Call to Order – Chairman Darnell
 - B. Roll Call – Secretary Strand
 - C. Resolution Setting a Public Hearing on the Proposed Apportionment of Costs on the Real Property within Riverview Commons Special Improvement District No. 1 (Phase 2) In the Riverview Commons General Improvement District, Fort Morgan, Colorado – Attorney Wells
 - D. Resolution Authorizing the Chairman of the General Improvement District (GID) to Modify Development Agreements with any Developer regarding the Construction of a Fence Along Canal Street in the Riverview Commons Development – Attorney Wells
 - E. Adjourn

CONTINUE WITH THE REGULAR CITY COUNCIL MEETING

8. First Reading of an Ordinance entitled, “An Ordinance Amending Ordinance No. 971 entitled, “An Ordinance Changing the Zoning Designation of Lands in the City of Fort Morgan, Colorado, from “B-2: Business District” To “Planned Unit Development,”” and for said Purpose Amending the Zoning Code and the Official Zoning District Map of the City of Fort Morgan, Colorado.”
9. Consent Agenda (By Resolution, Council Acting as the Local Liquor Licensing Authority) – Clerk Strand
 - A. Approve the minutes from the November 4, 2008, regular meeting.
 - B. Approve the disbursements and payroll for October 2008.
 - C. Approve the application for renewal and Report of Changes for the Beer and Wine Liquor License of Park Terrace Inc., dba Memories Restaurant, located at 725 Main Street, with a clear police investigation report.
 - D. Approve the application for renewal of a Club Liquor License for VFW Fort Morgan Post 2551, located at 208 W. Beaver Avenue, with a clear police investigation report.
 - E. Approve the application for renewal of a Retail Liquor License for Midcap LLC, dba North Main Liquor, located at 716 Main Street, with a clear police investigation report.
 - F. Approve the application for renewal of a 3.2% Beer Retail Liquor License for Safeway Store No. 2341, located at 620 West Platte Avenue #234, with a clear police investigation report.

- G. Approve the application for renewal of a Retail Liquor Store License for Village Liquor Store Inc., located at 631 West Platte Avenue, with a clear police investigation report
- H. Approve the application for renewal of a Hotel and Restaurant Liquor License for Cables Café Inc, dba Cables Pub & Grill, located at 431 Main Street, with a clear police investigation report.

All matters listed under Item 9, Consent Agenda, are considered 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.

- 10. Public Comment / Audience Participation – for items not on the agenda
- 11. Reports by Officials and Staff
- 12. Bids, Meetings and Announcements – Clerk Strand
 - A. Bids – see enclosed (also available on the City’s website – www.cityoffortmorgan.com)
 - B. Meetings – see enclosed (also available on the City’s website – www.cityoffortmorgan.com)
 - Discuss dates for a City Council Retreat in 2009 - possible dates February 7th, 21st or 28th
 - C. Announcements
- 13. Adjourn

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Andrea Strand, City Clerk, 110 Main Street, Fort Morgan, Colorado, at (970) 542-3963 or by fax at (970) 542-3968. We would appreciate it if you would contact us at least 48 hours in advance of the scheduled event so arrangements can be made to locate the requested auxiliary aid(s).

Posted on Friday, November 14, 2008, by Andrea Strand, City Clerk