

January 2, 2008

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 Anita Baltazar
Councilmember Terry McAlister
Councilmember James A. Powers
Councilmember Terri P. Schafer
Councilmember Ron Shaver
Councilmember Alberta M. Simmons

The meeting was also attended by City Manager Michael Nagy, City Attorney Jeffrey Wells, Police Lieutenant Darin Sagel, City Treasurer Pixie Jones, Utility Directors Gary Dreessen and Bob Weimer and City Clerk Andrea Strand.

AWARD OF POLICE CAR BIDS

Lieutenant Jared Crone provided Council with communication concerning the purchase of one Police Pursuit Vehicle and three Administrative/Investigation Vehicles. He informed Council that the bid was advertised in *The Fort Morgan Times* and on the City of Fort Morgan's website. On December 28, 2007, at 1:00 p.m., five bids were received from three companies and were opened for consideration. He explained the vehicle replacement program and stated the funding source would be from the 2008 Capital Improvement Plan and \$106,080 was budgeted. He requested Council approve the bids from Spradley Barr of Greeley, Colorado, for one Ford Crown Victoria for patrol in the amount of \$23,243.50; and to accept the bid from Colorado Springs Dodge of Colorado Springs, Colorado, for three Dodge Magnum investigation vehicles in the amount of \$63,582.00. The total amount of both bids is \$86,822.50.

Councilmember Powers offered a resolution to accept the staff recommendation for bids from Spradley Barr of Greeley, Colorado, for \$23,243.50 and from Colorado Springs Dodge of Colorado Springs, Colorado, for \$63,582.00. His motion was seconded by Councilmember Schafer. The vote by roll call being: Ayes: Mayor Darnell; Councilmembers Baltazar, Powers, Schafer, Shaver and Simmons. Nays: Councilmember McAlister.

CONSENT AGENDA

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

CONSENT AGENDA

- A. Approve the minutes from the December 11, 2007, Special Meeting.
- B. Approve the minutes from the December 18, 2007, Regular Meeting.
- C. Approve the minutes from the December 21, 2007, meeting of the Board of Directors of Riverview Commons General Improvement District.

All matters listed under Item 4 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 2nd day of January, 2008, the vote upon roll call being as follows: Ayes: Mayor Darnell; Councilmembers Baltazar, McAlister, Powers, Schafer, Shaver and Simmons. Nays: none.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS

City Manager

City Manager Michael Nagy informed Council that he has been working with Staff and an environmental consultant on the project to demolish the Jack’s Bean building. He is also meeting with officials from U.S. Bio Gen. He stated he is staying within the parameters outlined by Council and will work with Attorney Wells on this issue.

Police Department

Lt. Sagel provided a report for the Police Department.

DECEMBER 13–DECEMBER 19, 2007		DECEMBER 20–DECEMBER 26, 2007		TOTALS
Calls For Service	785	Calls For Service	562	1347
Case Reports	45	Case Reports	34	79
Traffic Summons	12	Traffic Summons	14	26
Penal/Ordinance Summons	7	Penal/Ordinance Summons	6	13
Parking Summons	4	Parking Summons	0	4
Impounds	3	Impounds	0	3
Adult Arrests	25	Adult Arrests	15	40
Juvenile Arrests	0	Juvenile Arrests	1	1

ANNOUNCEMENTS

- The City of Fort Morgan has adopted a new ordinance regarding the placement of roll out trash containers and the time frame in which they must be set out and removed from the street. If you have a roll out trash container, the Fort Morgan Police Department urges you to familiarize yourself with the ordinance. A copy of the ordinance is available on the Fort Morgan Police Department’s website www.fortmorganpolicedept.com. If anyone has questions regarding the ordinance they can contact the Fort Morgan Police Department at (970)867-5678.
- The Fort Morgan Police Department has hired Lisa Lebsock as a part-time Animal Shelter Assistant. She will begin employment on January 2nd, 2008.

COMMUNITY RESOURCE

- Lt. Crone was a guest on the KFTM Radio Show on New Year's Eve. He shared information regarding the following safety concerns: Winter Driving, Winter Weather, and Drinking & Driving.
- CRO Roger Doll assisted S.A.R.A. with the first of several planned R.A.D. classes for students at the Fort Morgan High School.
- The Hillcrest Friendship Club donated \$200 to the Blue Santa Annual Drive. Officer Tim Malone and Detective Steve Vosburg of the Christmas Senior Assistance committee were in attendance.
- Volunteers from the Police Department organized the collection of donations as part of our annual Blue Santa Program. We collected food, hygiene items, and monetary donations at Wal-Mart and Safeway. The deliveries were made on December 15th by the Fort Morgan Police Department's Blue Santa. Thirty-five area citizens were helped this year with gift certificates for food from a local supermarket, a box of non-perishable food items, a package of hygiene items, and some "surprises" tucked in their packages.
- The Fort Morgan Police Department held a reception in honor of two of our Police Chaplains, Tom Wheeler, who is moving out of state, and Ben Baughman, who has retired from the Police Chaplain force.

ADMINISTRATIVE STAFF MEETINGS

- Staff attended the following meetings and events: Awards Board Committee, L.E.A.F. Grant, Annual Report Committee, and One Morgan County.

Report from Utility Directors

Utility Director Bob Weimer:

1. Gary and I met with Steve Enfante with the Morgan County Emergency Management Office and put together a list of required training needed for City personnel and City Council to meet the NIMS requirement.

Utility Director Gary Dreessen:

1. Met with Ron Greene, Brent Nation and Doug Linton to look at moving utilities at Riverview Commons to allow moving ditch.
2. Attended meeting concerning church sewer tap on Barlow Road.
3. Cargill water bill resolved.
4. Completed NIMS 100, 200, and 700.
5. Received signed easement agreement for fire hydrant at Delta Oil.
6. Working on various personnel issues.

Light and Power (Electric) Department:

1. Batteries and charger is completed at the Excel substation.
2. Replaced pole damaged in car accident on Hwy 34.
3. Working on generator for emergency use.
4. Installed new service at 19433 Road Q.

Gas Department:

1. Checked 33 meters on the zero read report and found and changed one dead meter.
2. Installed new meter set at 17723 County Road 20.
3. Gathering department data in preparation for annual report.

Wastewater Treatment Plant:

1. DFA violated permit by exceeding ammonia and BOD limits.
2. Pumped septic tank again at City farm
3. Routine plant maintenance and operation.

Water Treatment Plant:

1. Completed interviews for vacant operator position.
2. Completed grandfather application for past cryptosporidium and giardia sampling data for the LTE2ESWTR.
3. Received fall protection for reservoir ladder and roof access ladder.
4. Preparing for EPA Risk Management Plan compliance inspection.
5. Painting flocculation basin #1 drive equipment.

Utility Billing Department:

1. Mailed 1,239 reminder notices totaling \$422,280.58 resulting in 258 arrangements and 176 shut-offs.
2. Updated Finance and HR test side so that year end PTF can be installed.
3. Covering department during vacation days.
4. Installed MVRS meter reading software upgrade.
5. Installed Endpoint Link on Utility Billing FC200.

Inventory Control/Building Maintenance Department:

1. Performing routine maintenance on City buildings.
2. Aided Street Department with snow removal.
3. Started opening wall up to install a reception window at the Recreation Department.
4. Preparing for year end.

Water Distribution and Wastewater Collection:

1. Painting the insides of well houses and the well line pipes.
2. Working on the zero reads for Utility Billing.
3. Fixed water service leak at 501 Industry Drive.
4. Removed snow at City Complex during the different snowstorms.
5. Continuing meter change outs for the meter program.

Streets Department:

1. Held meeting with environmental consultant regarding Jack's Bean building.
2. Completed excavation operations at the City augmentation pond. Forty hours was spent using a D7 dozer excavating dirt out of the pond.
3. Crews continue cleanup efforts after several snowstorms.
4. Placed order for new pickup.
5. Continued preparing documents for annual weed/snow and concrete service contracts.

Sanitation Department:

1. Received new sanitation truck and preparing it for service.
2. Catching up on trash collection from the holidays.
3. Performing routine maintenance.

REMINDERS AND ANNOUNCEMENTS

Clerk Strand announced that there were no bids to report and that the Tree, Park and Recreation Advisory Board will meet on January 3, 2008, at 5:00 p.m., at City Hall. She also stated that there would be a Council and Organizational Meeting on Tuesday, January 8, 2008, at 6:00 p.m. and a dinner for City Officials would be held following the meeting at Rocco's Grotto. She asked for a count of those attending. She stated a Retreat for City Council and Appointed Officials would be held on Saturday, January 12, 2008, at 8:30 a.m., at the Fire Department's new training center at 1320 E. Burlington; and a Retreat is scheduled for City Council and Appointed Officials on Saturday, March 8, 2008, 8:30 a.m., at a location to be determined.

Mayor Darnell presented a clock to Geoff Baumgartner who has been reporting the City Council meetings on KFTM Radio for six years. He thanked him for his years of service to the citizens of Fort Morgan.

EXECUTIVE SESSION

Councilmember Schafer offered a motion to go into 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: Open records request from *The Fort Morgan Times*. Her motion was seconded by Councilmember Powers and duly carried.

Upon returning to the open meeting, Mayor Darnell announced: "The time is now 8:30 p.m., and the Executive Session has concluded. The participants in the Executive Session were Mayor Darnell; Councilmembers Baltazar, McAlister, Powers, Schafer, Shaver and Simmons; and City Attorney Wells. "For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Hearing none, I would ask Councilmember Schafer to report on the Executive Session."

Councilmember Schafer offered a motion that Council direct the City Attorney work with *The Fort Morgan Times* to resolve any issues related to *The Fort Morgan Times'* open records request and authorized the City Attorney to take any action appropriate to resolve the dispute. Her motion was seconded by Councilmember Shaver and duly carried.

There was a request by City Attorney Wells to allow the use of a memo to Council to resolve the issues with the Fort Morgan Times recent request. After discussion Councilmember Powers offered a motion to waive privilege, if any, that relate to a December 7, 2007, memo from the City Manager to Council regarding personnel reviews. His motion was seconded by Councilmember Baltazar and duly carried.

Mayor Darnell adjourned the January 2, 2008, regular meeting at 8:34 p.m.

Mayor

City Clerk

