

March 16, 2010

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 5:07 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Terry L. McAlister  
Councilmember Scott Bryan  
Councilmember Sharol Lyn Deal  
Councilmember Debra J. Forstedt  
Councilmember Brent M. Nation  
Councilmember James A. Powers  
Councilmember Ronald Shaver

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### **EXECUTIVE SESSION**

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At approximately 5:07 p.m., Councilmember Forstedt moved to go into Executive Session for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), concerning a lawsuit filed regarding Open Meetings Law. Her motion was seconded by Councilmember Powers and duly carried.

Mayor McAlister announced, "The time is now 6:07 p.m.; we conclude the Executive Session and will return to the open meeting at approximately 7:00 p.m."

### **7:00 P.M. – REGULAR MEETING**

The regular 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 Development Director David Callahan, Director of Human Resources & Risk Management Jody Prentice and Deputy Clerk Cheryl Winberg.

Mayor McAlister announced, "The time is now 7:00 p.m., and the Executive Session has concluded. The participants in the Executive Session were Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver; City Attorney Jeffrey Wells and Assistant City Attorney Jerrae Swanson.

"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, the Executive Session is concluded. I will ask Councilmember Powers to report on the Executive Session."

Councilmember Powers reported that the Councilmembers received legal advice on specific legal questions concerning the lawsuit filed regarding the Open Meetings Law.

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**PUBLIC HEARING FOR THE SALUD BUSINESS PARK FINAL PLAT**

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**Public Hearing**

Mayor McAlister made opening comments and stated, "Let the record show that the Public Hearing before the City Council for the purpose of hearing written and oral comments from the public concerning the Salud Business Park Final Plat, is convened this 16<sup>th</sup> day of March, 2010, during the hour of 7:00 p.m."

Deputy Clerk Winberg stated that the notice of public hearing was published in *The Fort Morgan Times* on Friday, March 5, 2010, and that the same notice had been mailed to property owners within 300 feet of the addressed property on March 3, 2010.

Director Callahan presented a Council Communication; said memo being in words, letters and figures as follows, to-wit:

FROM: David Callahan, Director of Community Development

SUBJECT: Case SD-09-007: Salud Final Plat

DATE: March 11, 2010

MEETING DATE: March 16, 2010

**PUBLIC HEARING:****Case SD-09-007: Salud Final Plat**

Request: A Final Plat for the creation of three Lots and an Outlot  
Location: NW corner of East Railroad Avenue and Sherman Street; Section 5, Township 3 North, Range 57 West.  
Zoning: Business (B-1)  
Applicant: Salud Family Health Center, John Santistevan  
Architect: Thomas Beck, AIA  
Civil Engineer: Kenneth Clifford, PE

**SUMMARY:**

A Final Plat is an instrument for recording real estate interests. It serves to subdivide land in accordance with the City's adopted Subdivision Regulations. Once approved by the City, it is recorded in the office of the County Clerk and Recorder. Of the three lots and one outlot proposed in this plat, only Lot 2 and Outlot A are slated for immediate development as the Salud Family Health Center. The proposed plat meets all applicable regulations, and staff is recommending approval.

**BACKGROUND:**

The project is proposed to be developed in phases. The Salud Family Health Center is proposed to occupy a five acre parcel (proposed Lot 2). Initially, 24,250 square feet of medical and dental office space, along with the required parking, will be constructed on Lot 2. Outlot A, which serves as a stormwater retention pond for the entire development, will also be constructed in the first phase of development. Additional medical and dental office space and related parking spaces may be constructed in increments. The combined floor area for all initial and future development will not exceed 47,610 square feet on Lot 2. As of this writing, there is no current development slated for Lot 1, a two acre lot located on the corner of Sherman Street

and East Railroad Avenue. A 14,000 square foot mental health clinic may occupy Lot 3, but this use has not been confirmed as of this writing. Any future development of Lots 1 or 3 will trigger a site plan review by the City Planning Commission.

#### ANALYSIS:

Staff has reviewed the proposed plat for compliance with the subdivision requirements (listed below), and finds that the requirements are met.

##### (c) Contents of Final Plat.

- (1) The title of the subdivision.
- (2) Accurate dimensions for all lines, angles, and curves used to describe boundaries, streets, easements, areas to be reserved for public use, and other features. All curves shall be circular arcs and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field which must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved.
- (3) Names of all adjoining subdivisions with dotted lines of abutting lots. If the adjoining land is unplatted, it shall be so indicated.
- (4) An identification system for all lots and blocks and names for streets.
- (5) An identification of the streets, easements, parks, other public facilities as shown on the plat and a good and sufficient, duly executed, original conveyance and dedication thereof to the public use.
- (6) A statement of the total acreage and the surveyed legal description of the area containing a description of all monuments, both found and set, which mark the boundaries of the property, and a description of all control monuments used on conducting the survey.
- (7) A statement by the land surveyor that the survey was performed by him in accordance with the statutory minimum standards for land surveys and plats contained in the Colorado Revised Statutes (now Chapter 51, Article 51 CRS 1973), or under his direct responsibility, supervision and control.
- (8) A statement by the land surveyor explaining how bearings, if used, were determined.
- (9) Signature and seal of the registered land surveyor.
- (10) Planning Commission signature certifying acceptance.
- (11) Signature block for City Council with signature by the Mayor, attested and sealed by the City Clerk.

#### REFERRALS:

Two adjacent property owners responded with no conflict, and one responded in favor of the project. The city staff's comments are documented in the attachments, and have been resolved.

#### PLANNING COMMISSION REVIEW:

*For the sake of expediency, the site plan and final plat reviews were conducted concurrently. The City's zoning regulations give the Planning Commission authority to approve site plans, but final plats are approved by City Council.* The Planning Commission held a public hearing for this subdivision and the site plan review on February 22, 2010. There was some discussion concerning the alignment of future Linda Street, and Municipal Engineer Brad Curtis answered several questions from Members including storm drainage and another regarding the Linda Street dedication. Brad noted it being a straight shot from Railroad to Platte Avenue at least up to Beaver Avenue. To clarify, he gave a brief history going back to the pre-application process. He noted that at some point there would be another street to connect to, but not with this

development, as it is not warranted. When Lot 3 develops and the area grows, the City will put a road in for future development to the north. He noted there being a stipulation in the Salud Annexation that allows Lot 3 an access point off Railroad Avenue until Linda Street is developed, at which time the access point would be moved from Railroad to Linda. Brad stated that only the Right-of-Way (ROW) on this property is being platted. Any property to the north will be evaluated separately as the area grows.

Nick Ng made a motion to recommend that Council approve the Salud Final Plat, seconded by Mike Tibbetts; motion carried.

#### SUPPORTING DOCUMENTS:

Attached please find the Applicant's submittal materials and referral comments.

#### ACTION REQUESTED:

Staff recommends Approval of Case SD-09-007: Salud Final Plat

Director Callahan stated that the Planning Commission approved the recommendation as presented in their February 22, 2010, meeting.

Comments from the Applicant and the Public, written/oral. None were received.

Comments from Council: Councilmember Deal remarked how glad she is to see Salud expanding; they provide excellent care and are a very busy business and an asset to the community.

**Councilmember Forstedt offered a motion to close the public hearing. Her motion was seconded by Councilmember Powers and carried unanimously.**

#### **Action on the Final Plat**

Attorney Wells presented for Council consideration a Resolution concerning the Petition for Annexation. Councilmember Shaver offered the following Resolution and moved for its adoption. His motion was seconded by Councilmember Bryan; said Resolution being in words, letters and figures as follows, to-wit:

### **RESOLUTION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, that the foregoing Ordinance entitled above; and the same is hereby ordered published in the City of Fort Morgan, Colorado, not less than ten days before further consideration; and that said Ordinance again be presented to this Council at the expiration of said period of publication for final action thereof.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of March, 2010, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: None. Absent/Abstain: None.

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**COUNCIL ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY**  
**Presentation of an application for a new Retail Liquor Store License for Reata Liquors, Inc., Located at 1305 N. Barlow Road**

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Deputy Clerk Winberg stated that her office had received an application for a Retail Liquor Store License for Reata Liquors, Inc., located at 1305 N. Barlow Road. 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.

**Councilmember Powers offered a motion to accept the application for a new Retail Liquor Store License for Reata Liquors, Inc., located at 1305 N. Barlow Road, define the neighborhood as the City limits of Fort Morgan and schedule a Public Haring for April 20, 2010. His motion was seconded by Councilmember Forstedt and carried unanimously.**

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**DISCUSSION AND/OR ACTION ON THE INCENTIVE REIMBURSEMENT REQUEST FOR VIAERO WIRELESS**

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Manager Merrill reviewed discussion from the work session on March 9, 2010, on the subject of Viaero's Request for Reimbursement in the amount of \$13,866.55. He contacted Viaero about the possibility of the City budgeting funds in fiscal year 2011 to pay for Viaero's request and Viaero agreed; however, they asked for a letter addressed to the State of Colorado with the Mayor's signature verifying it will be budgeted in fiscal year 2011.

Manager Merrill presented a Council Communication; said memo being in words, letters and figures as follows, to-wit:

FROM: Pat Merrill, City Manager

SUBJECT: Viaero Incentives

DATE: March 11, 2010

MEETING DATE: March 16, 2010

Item for Consideration: An update on agenda item #1 from the March 9, 2010 City Council Work Session; Viaero Incentive Reimbursement Request.

Financial Considerations: The amount of the refund could be budgeted in the fiscal year 2011 budget. This was agreed upon in an e-mail from Jon Becker of Viaero dated March 10, 2011. The company would require a letter from the City of Fort Morgan stating this to provide to the State of Colorado.

Citizen Input/Board Review: N/A

Legal Review: City Attorney Jeff Wells has reviewed the item.

Alternatives: N/A

Supporting Documents: Ordinance Number 1004 was previously provided to the Mayor and City Council.

Staff Recommendations: Staff was directed to contact Viaero representatives to inquire if the money could be refunded during fiscal year 2011. This was requested so that it could be included in the budget, rather than making a supplemental appropriation during fiscal year 2010. As this is fine with Viaero, we will make the budget allocation next year if you so choose.

**Councilmember Powers offered a motion to prepare a letter for the Mayor's signature to the State on behalf of Viaero's request for reimbursement and to authorize the Mayor to sign it. His motion was seconded by Councilmember Shaver and carried unanimously.**

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#### **DISCUSSION AND/OR ACTION ON THE FORT MORGAN PUBLIC LIBRARY INVOLVEMENT IN THE BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM**

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Director Bosley presented more information to Council regarding the application to partner with the Colorado State Library for the grant program. She noted parts of the City's Mission Statement that directly connect to this grant program opportunity. She also noted the Library's Mission Statement and its intent to help citizens succeed. She addressed the question from last week's work session about sustainability by noting they will be applying for e-rate funds that will provide a sustainable source of funds to pay for broadband connectivity. She introduced area representatives to speak about the grant program.

Kirk Woerner, from the Colorado WorkForce Center in Fort Morgan, stated he believes this is a great project because the access to the Library's training computers offer more availability to their clients outside of their normal business hours. In addition, the Center's rooms are often quite busy and this program would offer more availability. In general, the computers made available from this grant will offer more workshops and other general help to their clients.

Shirley Penn, Cargill Workplace Education, stated that they have had a great, long-time working relationship with the Library with online programs. Classroom time at their business location only allows four hours a week with their students, access to more computers in the Public Library would help create a higher/faster rate of growth for those learning English. She also discussed ongoing upkeep and care of computers with MCC computer lab employees, who share laptops; they feel the laptop computers today last a lot longer than they used to; they would be glad to work with the City in any way to help make the new laptops last longer. She believes the benefit that could come from this program would far outweigh any challenges that may come up, and they encourage the program to go forward.

Brenda Zion, OneMorgan County, who presented a letter of support at last week's meeting, spoke of her entity's strong support for the Library's grant program. Because she is unable to offer financial support at this time for the 10% required match, she approached James Horan, Division Director of Lutheran Family Services of Colorado for Refugees and Asylees, to see if they have any resources or ideas for support. Mr. Horan proposed funds he has available at the end of a current grant to the City to pay the entire 10% match required for the application. There was not sufficient time to put the offer in writing before tonight's meeting, but he sees the Library's benefits to the community and Brenda will be happy to facilitate the funds transfer from Mr. Horan's company to the City, once it is confirmed.

There was general discussion and Mayor McAlister asked Mr. Woerner, of the Colorado WorkForce Center, if their use of the City's laptops by their clients would be commercially, thereby charging them for the use. Mr. Woerner confirmed they would not do so.

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

### **RESOLUTION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, that the City participate with the Fort Morgan Public Library in the Broadband Technology Opportunities Program in partnership with the Colorado State Library and authorize the Mayor to sign all required documents associated with the grant process.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of March, 2010, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: None. Absent/Abstain: None.

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### **FIRST READING OF AN ORDINANCE ENTITLED, "AN ORDINANCE EXTENDING A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES IN THE CITY OF FORT MORGAN"**

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Attorney Wells reviewed discussion from last week's work session regarding current the City's current moratorium on medical marijuana dispensaries. There was information brought by staff as well as testimony about current actions in the State legislature. It was suggested that we extend our current moratorium until there is final word from the State so that what we may choose to do will not conflict with State law.

Attorney Wells noted for Council consideration on first reading, an Ordinance regarding the extension of a moratorium on medical marijuana dispensaries in the City to September 2010; said Ordinance being in words, letters and figures as follows, to-wit:

### **ORDINANCE NO. \_\_\_\_\_**

#### **AN ORDINANCE EXTENDING A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES IN THE CITY OF FORT MORGAN**

WHEREAS, the City of Fort Morgan is a legally and regularly created, established, organized and existing municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado and the home rule charter of the City (the "Charter"); and,

WHEREAS, Article IV, Section 4(d)(2) of the *Charter* authorizes City Council to pass ordinances for the protection of the public health, safety, and welfare, and provide penalties for the violation thereof; and,

WHEREAS, over the past several months many communities in Colorado have been faced with the issue of how to regulate the new business of medical marijuana dispensaries, and City Council wishes to address this issue before an application is made within the City limits; and,

WHEREAS, City Council has been made aware that Staff has received an inquiry from an individual who may be interested in opening and operating a business within the City which would offer medical marijuana for sale and such activities related to such business; and

WHEREAS, Article 18, Section 14 of the Colorado Constitution, adopted by the voters of the State of Colorado on November 7, 2000, created a limited exception from criminal liability under Colorado law for seriously ill persons who are in need of marijuana for specified medical purposes and who obtain and use medical marijuana under the limited, specified circumstances described in Amendment 20; and,

WHEREAS, Article 18, Section 14 of the Colorado Constitution authorized the sale of medical marijuana for use in the treatment of debilitating medical conditions; and,

WHEREAS, On October 20, 2009, City Council imposed a one-hundred and eighty day (180) moratorium for the submission, acceptance, processing, and approval of all applications for City permits, licenses, and land use approvals relating to the operation of a person that grows, produces or sells medical marijuana to allow the City to investigate the City's ability to regulate such uses, and to develop and implement any appropriate regulations deemed necessary by the City Council; and

WHEREAS, City Council has determined that the imposition of an additional one-hundred and eighty (180) day moratorium on the submission, acceptance, processing, and approval of all applications for City permits, licenses, and land use approvals relating to the operation of a person that grows, produces or sells medical marijuana will be necessary to allow the City to fully investigate the City's ability to regulate such uses, and to develop and implement any appropriate regulations deemed necessary by the City Council; and,

WHEREAS, the City does not have any current regulations pertaining to persons that grow, produce or sell medical marijuana, the City will suffer irreparable harm if a moratorium on the submission, acceptance, processing, and approval of City permits, licenses, and land use applications related to the operation of such facilities is not imposed; and,

WHEREAS, the duration of the moratorium imposed by this ordinance is reasonable in length, and is no longer than is required for the City to properly investigate, develop, and if appropriate, adopt and implement any regulations deemed necessary with respect to persons that grow, produce or sell marijuana; and,

WHEREAS, the State legislature is currently working on legislation that could impact regulations adopted by the City, and the process is better served if the City understands the State's regulatory scheme before adopting the local regulatory scheme.

WHEREAS, proprietors and other persons desiring to open a business that grows, produces or sells medical marijuana or persons that wish to grow or produce marijuana will not be unfairly prejudiced by the imposition of the temporary moratorium imposed by this ordinance.

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

Section 1. Upon the adoption of this ordinance, a moratorium is imposed upon the submission, acceptance, processing, and approval of all applications for permits, licenses, and land use approvals by the City of Fort Morgan related to a person that grows, produces or sells, or proposes to grow, produce or sell medical marijuana and pursuant to the authority granted by Article 18, Section 14 of the Colorado Constitution, City Staff is directed to refuse to accept for filing and shall not to process or review any such new applications during the moratorium period.

Section 2. The moratorium imposed by this ordinance shall commence at the end of the current moratorium which will expire on April 9, 2010, and shall expire one-hundred and eighty (180) days thereafter, unless sooner repealed. The period of effectiveness of this Ordinance is referred to herein as the "Effective Period".

Section 3. As the growing, production and sale of marijuana is not currently addressed in the *Code of the City of Fort Morgan*. The growing, production and sale of marijuana shall not be permitted within the City of Fort Morgan during the duration of the moratorium. Any notice of intent received prior to the date of this moratorium may proceed on a temporary basis dependent upon the outcome of the proposed regulations.

Section 4. Before the expiration of the moratorium imposed by this ordinance, Staff will work with the City Attorney to review the legal authority of the City to regulate persons growing, producing and selling medical marijuana pursuant to Article 18, Section 14 of the Colorado Constitution. Such investigations shall be completed promptly and with due diligence. The City Attorney shall prepare appropriate regulations with respect to such persons for consideration by the City Council.

Section 5. The Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401 C.R.S. (concerning municipal police powers); (v) Section 31-15-501 (concerning municipal power to regulate businesses); (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vii) the powers granted by the *Charter* of the City of Fort Morgan.

Section 6. The City Council of the City of Fort Morgan hereby finds, determines, and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety. The adoption of this ordinance on an emergency basis is necessary in order to prevent a person from filing an application for a permit, license, or land use approvals relating to the operation of a person that grows, produces or sells medical marijuana until the City has had a reasonable opportunity to determine: (i) the extent of the city's regulatory authority over persons that grow, sell, or produce medical marijuana; and (ii) what regulations, if any, should be imposed by the City upon such persons. Failure to immediately impose the moratorium provided for in this ordinance will potentially allow a person to submit an application for a permit, license, or land use approval from the City (including but not limited to an application for a development permit; an application for a business license; an application for sales tax license; or a land use application), and to possibly acquire certain rights with respect to the processing of such applications before the City has the reasonable opportunity to evaluate the possible community impacts that might be associated with the operation of facilities farming, producing, or selling medical marijuana and to implement appropriate regulations with respect to such facilities. This could lead to the City being forced to allow the operation of a facility that sells medical marijuana in a location or in such a manner that would be out of character with the community and which would negatively affect the cultural, environmental, and neighborhood areas of the City, and potentially present issues related to crime. The City Council further determines that the adoption of this ordinance as an emergency ordinance is in the best interest of the citizens of the City of Fort Morgan.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions thereof.

INTRODUCED, READ AND PASSED UPON FIRST READING this 16<sup>th</sup> day of March, 2010, for publication once in a newspaper of the City of Fort Morgan, Colorado, at least ten days before its final passage.

[ SEAL ]

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY: /s/ Terry L. McAlister, Mayor

ATTEST:

/s/ Cheryl Winberg, Deputy City Clerk

FINALLY PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2010, for publication once in the newspaper of the City of Fort Morgan, Colorado, within five days of the final passage, to take effect upon its passage.

[ SEAL ]

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk  
STATE OF COLORADO        )  
COUNTY OF MORGAN        ) ss.  
CITY OF FORT MORGAN        )

**CERTIFICATE**

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing Ordinance No. \_\_\_\_ was, as a proposed Ordinance duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a Regular Meeting on the 16<sup>th</sup> day of March, 2010. Said Ordinance, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 19<sup>th</sup> day of March, 2010 published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed Ordinance was again taken up and read a second time, duly and legally passed, approved and adopted at a Regular Meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2010. Within five (5) days after its final passage, said Ordinance was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

\_\_\_\_\_  
City Clerk

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

### RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, that the foregoing Ordinance entitled above; and the same is hereby ordered published in the City of Fort Morgan, Colorado, not less than ten days before further consideration; and that said Ordinance again be presented to this Council at the expiration of said period of publication for final action thereof.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of March, 2010, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: None. Absent/Abstain: None.

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### **DISCUSSION AND/OR ACTION ON THE BID FOR A SERVICE/UTILITY TRUCK FOR THE WATER DISTRIBUTION/ WASTEWATER COLLECTION DEPARTMENT – ENGINEER CURTIS**

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Director Curtis noted that the math figures in last week's memo for the service/utility truck bid were incorrect. He presented a Council Communication correcting the figures for their consideration; said memo being in words, letters and figures as follows, to-wit:

FROM: Mitch Church, Water Distribution Department Superintendent  
SUBJECT: Service Utility Truck Bid Clarification  
DATE: March 10, 2010  
MEETING DATE: March 16, 2010  
PROJECT: Service utility truck to be utilized by the Water Distribution Department

In the action requested in the March 9, 2010 Council Memo, a line amount was inadvertently transposed in the additional options.

The dual alternators were not chosen as Staff-recommended options and, therefore, were not listed on the memo presented at the March 9, 2010, Council Work Session. However the \$380.00 cost was inadvertently listed for item #4 (Extra H.D. Suspension) instead of \$125, which made a \$255.00 difference in the total price. The correct action requested by staff is as follows:

ACTION REQUESTED: Staff is requesting City Council approval to accept the bid from Spradley Barr Commercial Sales in the amount of \$39,235.38 for a 2011 one-ton Ford F350 utility truck to be utilized by the Water Distribution Department.

Staff is also requesting Council approval to purchase the following options:

1. Integrated trailer brake controller - \$230
2. Spare tire and wheel - \$350
3. Skid plates 4x4 application - \$100
4. Extra H.D. suspension - **\$125**

The final purchase price including bid options would be \$40,040.38.

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

### **RESOLUTION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, to accept the bid submitted by Spradley Barr Commercial Sales of Fort Collins, Colorado, for a service/utility truck for the Water Distribution Department in the amount of \$40,040.38.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of March, 2010, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: None. Absent/Abstain: None.

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### **DISCUSSION AND/OR ACTION ON THE DISBURSEMENTS AND PAYROLL FOR FEBRUARY 2010.**

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Councilmember Merrill noted that an error was found on the original disbursements and payroll report sent out in tonight's meeting packet, so the revised report is in the Table File for your consideration. The only difference is that an entry to the Colorado Department of Revenue for December 2009 Sales Taxes was in the first report, but that entry was a duplicate; it has been removed.

Said disbursements and payroll report being in words, letters and figures as follows, to-wit:

#### **PUBLICATION REPORT – FEBRUARY 2010**

A I C P A-Membership Dues	\$150.00
Active Lock Service-Key Service	\$8.00
Advanced Medical Imaging-Wellness CT Scan	\$60.00
Affiliated Credit Service-Misc Deductions	\$770.52
AFLAC-Additional Insurance	\$2,065.40
All Truck & Trailer Parts-Supplies	\$532.72
AllData-Repair Services	\$600.00
American Glass-Cut Mirrors	\$20.00
American Legion Post 19-Third Party Contribution	\$5,000.00
American Planning Association-Membership Dues	\$387.00
APWA - Colorado Chapter-Table Registration	\$300.00
Aramark-Supplies	\$379.51
ARMA International Inc.-Membership Dues	\$200.00
Armstrong Service Center-Unit Repairs	\$209.53
Arthur J Gallagher Risk-Airport Liability Insurance Renewal	\$4,715.00
Baker & Taylor Inc-Supplies	\$266.36

Bank Supplies-Teller Unit	\$936.38
Batteries Plus #86-Supplies	\$89.12
Battery Warehouse Direct-Supplies	\$118.23
Behrends, Tony-Reimbursement	\$15.47
Bellendir Tire & Auto-Tire Repair	\$38.00
Bijou T Quest-Supplies	\$982.50
Blake Snyder-Overpayment VSP Premium	\$11.84
Bloedorn Lumber-Fort Morgan-Supplies	\$1,610.74
BNSF Railway Company-Rent Sewer Line Encroachment	\$819.55
Bob's Upholstery Tent & Awning-Services	\$125.00
Boyle Equipment Company-Supplies	\$278.35
Brad Weese-Reimbursement	\$9.52
Brandenburg & McGuire P.C-Associate Judge Fees	\$95.00
Brazelton Realty-Earnest Money CBT	\$5,000.00
Bresnan Communications-Internet, TV & Phone Services	\$220.07
Brodart Co.-Supplies	\$175.28
Brost, Collette-Refund Overpayment	\$62.36
Bruce Hogan-TKD Instructor	\$246.25
Buchanan Welding & Const.-Supplies	\$45.00
Business Mart-Supplies	\$115.01
California Contractors-Supplies	\$89.75
CAMCA-Membership Dues	\$100.00
Capital One Bank, USA, N.-Misc Deductions	\$679.85
Carboline Company-Supplies	\$146.64
CeleritasWorks, LLC-Right of Way Mailing Program	\$3,405.38
Centennial Mental Health-Emergency Evaluation	\$142.00
Central Auto Parts-Supplies	\$2,640.37
Central Programs, Inc.-Books	\$159.50
Cerlic Environmental Controls-Supplies	\$286.23
CH Diagnostic & Consulting-Consulting	\$175.00
Christopher C. Edwards-Haz Mat Instructor	\$425.00
Christina Tadolini-Refund Overpayment	\$51.15
Church, Mitchell-Reimbursement	\$18.22
Cindy Frye-Reimbursement	\$73.92
CIRSA- Property & Casualty Installments 2010	\$267,709.25
City of Fort Morgan-Reimbursement to Cover Property & Casualty Installments 2010	\$267,704.75
City of Fort Morgan-Replenish Petty Cash-Utility Billing	\$9,437.36
City of Fort Morgan-February Health Care Cost	\$152,879.20
City of Fort Morgan-Utilities	\$47,199.27
Citibank South Dakota N.A-Misc Deductions	\$721.48
Claudia Nickell-Reimbursement	\$328.46
Clerk, Supreme Court of U.S.-Admission Fees	\$200.00

Cleveland Golf-Supplies	\$230.47
CMC Services-Software Maintenance	\$634.00
CMCA-Membership Dues	\$120.00
CNH CAPITAL-Supplies	\$328.68
Co Family Support Registry-Misc Deduction	\$4,348.72
Colo State Fire Chief's Association-Annual Membership	\$75.00
Colonial Life-Additional Insurance	\$105.86
Colorado Bar Association-Dues & Subscriptions	\$79.74
Colorado Dept of Public Health & Environment-January Toxicology	\$25.00
Colorado Dept of Revenue-January Sales Tax	\$50,509.00
Colorado Dept. of Revenue-Payroll Taxes	\$17,723.00
Colorado Golf & Turf-Supplies	\$878.09
Colorado Golf Association-CGA Membership Dues	\$200.00
Colorado Law Enforcement Officers Association-Membership Dues	\$15.00
Colorado Library Consortium-Spring Workshop Registration	\$60.00
Colorado Municipal Judges Association-Membership Dues	\$40.00
Colorado Plains Medical Center-Blood Draws & First Aid Training	\$148.00
Colorado Plains Medical Center-Health Fair	\$5,625.00
Colorado PUC-Safety Seminar	\$300.00
Colorado State Patrol-Certified VIN Inspection Training	\$75.00
Colorado State University-Meter School	\$275.00
Community Resource Center-Online Access Colo Grants Guide	\$150.00
CompUSA-Supplies	\$69.96
Computer Solutions-Supplies	\$148.95
Conserve-A-Watt-Supplies	\$595.24
Country Hardware & Farm-Supplies	\$28.40
Country Steak Out-Council Meal	\$119.92
Crowne Plaza Hotel-Hotel Rooms PUC Safety Seminar	\$352.00
Curtis 1000 Inc -Supplies	\$1,943.63
Curtis, Brad-Reimbursement	\$72.55
Dana Kepner Company-Supplies	\$1,074.25
Daniel Meeks-Refund Overpayment	\$18.95
Demco Inc-Supplies	\$371.31
Dennys W Edmondson dba/Denny's Small Engine & Saw Shop-Services	\$1,178.69
Denver Water Department-Meter Test Charges	\$330.00
Devlin Electric-Supplies	\$428.41
Diamond Vogel Paint Center-Supplies	\$40.59
Diener, Polly Ann-Reimbursement	\$10.82
Digital Retirement Solutions-Police Pension	\$32,149.11
Dillinger, Michael D.-Refund Overpayment	\$11.84
Discount Tire of Ft. Morgan-Tires	\$610.00
Dive Rescue International-Training	\$350.00
Diverse Media, Inc.-Supplies	\$27.15

DJ Micromark & iDiscjockey-DJ Services	\$185.00
Doll, Roger-Refund Overpayment	\$75.22
Dreessen, Gary-Reimbursement	\$88.90
Dyna Systems-Supplies	\$628.67
Edwards Flowerland & Grocery-Supplies	\$607.13
Elan Financial Services-Credit Cards	\$211.74
Endress + Hauser Inc.-On Site Calibration	\$893.80
Express Toll-Toll Charges	\$2.50
Farm Plan-Supplies	\$3,246.61
Fastenal Company-Supplies	\$17.16
Ferguson Enterprises Inc.-Supplies	\$480.97
Fire & Police Pension Association-Death & Dismemberment Policy	\$1,547.30
Fire & Police Pension Association-Jan & Feb Old Hire Contribution	\$12,213.34
First Aid 2000-Supplies	\$62.75
First Class Security Systems-System Monitoring	\$193.45
Flat River Agri Inc-Supplies	\$11.88
Fleet Services-Fuel	\$109.10
Fort Morgan Auto Body-Replace Decals	\$735.00
Fort Morgan Chamber of Commerce-Wellness Chamber Bucks	\$3,430.00
Fort Morgan Chamber of Commerce-Annual Meeting	\$135.00
Fort Morgan Chamber of Commerce-2010 Third Party Request	\$3,000.00
Fort Morgan Humane Society-2009 Funds for Animal Shelter	\$2,113.42
Fort Morgan Humane Society-2010 1st Quarter Installment	\$2,500.00
Fort Morgan Municipal Court-Chargeback Fees NSF Check	\$8.00
Fort Morgan Paint Bucket-Supplies	\$515.39
Fort Morgan Volunteer Fire Department-Fire Calls January	\$280.00
Freedom Lifts, Inc.-Service Contracts	\$385.50
Front Range Fire Apparatus-Supplies	\$183.14
G & K Services-Uniform & Janitorial Supplies	\$2,722.83
Garcia, Carlos-Reimbursement	\$9.79
Gas Equipment Co of Denver-Supplies	\$152.99
GeminiComputers.com-Microwave Detectors	\$185.92
General Chemical Performance-Supplies	\$4,322.47
Glen Dahl-Services	\$155.00
Goble Sampson Associates-Supplies	\$437.45
GOVConnection, Inc.-Supplies	\$462.00
Grainger-Supplies	\$721.11
Granit Bronz-Name Plaques	\$351.00
Great Copier Service Inc-Copier Charges	\$1,809.56
Greeley Police Dept-Basic SWAT Training	\$200.00
Guardian-Additional Insurance	\$4,225.26
Guled Miraad-Translation Fee	\$60.00
Hach Company-Supplies	\$235.60

Hajoca Corporation-Supplies	\$235.38
Hamilton, Ben-Reimbursement	\$66.17
HD Supply Waterworks, LTD-Supplies	\$318.30
Health Consultants, Inc.-Repair & Calibrated Equipment	\$118.16
Hill Petroleum-Fuel	\$1,773.26
Hillyard - Denver-Supplies	\$60.94
Hilton Fort Collins-Hotel Room Meter School	\$348.00
Hofman, Doug-Reimbursement	\$15.55
HUB International Ins Svc-Broker Consulting Fee	\$6,833.32
Humana-Additional Insurance	\$178.82
I M S A-Membership Dues	\$60.00
IIMC-Membership Dues	\$125.00
Impressions By Bird, LLC-Supplies	\$339.00
Ingram Book Company-Books	\$1,395.58
Intermountain Sales of Denver-Supplies	\$112.00
International Code Council- Book	\$53.25
Interstate Battery-Supplies	\$665.65
J G's Mobile Glass-Windshield Replacement	\$185.85
J-M Manufacturing Co., Inc-Supplies	\$65.15
Johnstone supply-Supplies	\$128.58
Kallsen Chiropractic Clinic-DOT Physical	\$75.00
Kauffman Pest Control Co-Pest Control	\$190.00
Kentec Communications Inc-Domain Hosting	\$203.75
Kinetic Leasing-Lease Payment	\$8,412.00
Knight Pest Control LLC-Pest Control	\$50.00
Kriz Davis Company-Supplies	\$1,515.22
KSIR-AM/KPRB-FM Radio-Advertising	\$1,200.00
Kustom Signals, Inc.-Supplies	\$69.00
L L Johnson Distributing-Supplies	\$73,968.00
L. N. Curtis & Sons-Supplies	\$466.00
Language Line Services-Over the Phone Interpretation	\$215.29
Laser Technology Inc-Supplies	\$121.00
Light, Harrington & Dawes-Professional Services	\$245.00
Linda F Howell-TKD Instructor	\$246.25
Lyle Signs, Inc-Supplies	\$1,111.21
M & M Cooperative-Propane	\$975.59
M E A N-Purchase Power	\$834,489.73
Mac Tools-Supplies	\$258.30
Mark R. Black-Refund Overpayment	\$145.84
Marriott DTC-Hotel Rooms ICE Training	\$695.00
Matrix Consulting Group-Organizational Staffing Analysis	\$16,563.00
McAtee Construction Company-Supplies	\$154.00
McCandless Intl Trucks-Supplies	\$125.83

Merrill, Patrick-Reimbursement	\$27.32
Midwest Gas & Grocery, LLC-Fuel	\$7,494.73
Midwest Laboratories, Inc-Monthly Testing	\$505.86
Midwestern Millwright-Services	\$1,033.41
MINITEX-Supplies	\$827.00
Model Cleaners Inc-Dry Cleaning	\$270.07
Morgan Community College-2010 Third Party Contribution	\$3,300.00
Morgan County Central-Fuel	\$3,253.57
Morgan County Dept Solid Waste Management-Landfill Charges	\$15,644.21
Morgan County Economic Development-2010 Third Party Contribution	\$4,500.00
Morgan County General Fund-Phone Charges	\$78.74
Morgan County Government-Court Room Video Arraignment	\$320.00
Morgan County Rural Electric-Utility Charges	\$4,623.55
Morgan Cty Quality Water-Water	\$135.65
Morgan Sand & Gravel Inc-Supplies	\$890.58
Mountain States Lighting-Supplies	\$750.00
Mr. D's Ace Home Center-Supplies	\$1,500.87
Municipal Emergency Services-Supplies	\$218.99
Murdoch's Farm/Ranch Supply-Supplies	\$829.86
N A D A Appraisal Guides-Blue Book	\$90.00
Nation Engineering Services-Water Accounting Services	\$660.00
National Meter & Automation-Supplies	\$5,729.50
National Public Gas Agency-Purchase Gas	\$579,254.85
NECALG-Annual Lunch Meeting	\$15.00
NECALG-2010 Third Party Contribution	\$10,000.00
NECFFA-Membership Dues	\$56.00
NEECCO Small Business Development Center-2010 Third Party Contributions	\$1,500.00
Neve's Uniforms Inc-Uniforms	\$156.89
Northeast Fire Safety-Extinguisher Service & Recharge	\$107.00
Northern Co Water Conservation-Transfer Fee	\$200.00
Office Depot Card Plan-Supplies	\$498.74
OneMorgan County-2010 Third Party Contribution	\$250.00
Oriental Trading Co Inc-Supplies	\$102.83
Parker, W. Brad-Reimbursement	\$34.25
Part Smart Carquest-Supplies	\$233.44
Parts Marketing Inc.-Supplies	\$841.65
PayFlex Systems USA, Inc.-Renewal Fee	\$810.00
PayFlex Systems USA, Inc.-Sect 125 Plan	\$5,687.53
PayFlex Systems USA, Inc.-February Admin Fee	\$196.00
PERA 401K Investment Plan-Contributions	\$10,295.15
Peter Pluskwa-Travel Expense Reimbursement	\$308.04
Pets R People Too-Shipping	\$82.96

Phelps-Atkinson Golf Course Design-Golf Course Design Services	\$9,048.21
Pinnacol Assurance-Installment & WC Deductable	\$19,042.66
Plan Tools, LLC-Consultation Services	\$5,895.00
Platte Valley Festival Band-2010 Third Party Contribution	\$500.00
Postmaster-First Class Presort Permit	\$185.00
Pre-Paid Legal-Misc Deductions	\$300.90
Public Employees Retirement Association-Pension	\$94,030.12
Quill Corporation-Supplies	\$1,419.17
Qwest-Phone Charges	\$3,211.64
Reed Elsevier Inc.-Web Name Search	\$299.62
Rhonda Hamann-Recover Weight Machine Cushions	\$269.00
Riverside Co Dept of Child Services-Misc Deductions	\$390.00
Riverside Irrigation District-Annual CBT Lease & Assessment	\$135,206.31
Robert C. James-Court Appointed Counsel Fees	\$832.00
Rocky Mountain Reagents-Supplies	\$186.22
Rocky Mountain Sharp Shop-Sharpening Services	\$400.00
Rocky Mtn Information Network-2010 Membership Fee	\$150.00
Rodale-Book	\$39.94
Ruders HVAC+-Repair Services	\$289.56
Ruppel's Auto & Truck-Unit Repairs	\$189.89
Ruppels Plumbing & Heating-Services	\$122.19
Safariland, LLC-Training	\$895.00
Safety Systems-Fire System Inspection	\$185.00
Sailsbery Supply Company-Supplies	\$851.31
Schafer, Terri-Reimbursement	\$103.40
School for the Performing Arts-2010 Third Party Contribution	\$500.00
Scott Aviation-FBO Fees	\$2,000.00
Scott Bryan-Reimbursement	\$150.45
SeaCrestGroup-Testing	\$895.00
Service Master-Janitorial Services	\$3,050.00
Sew What?-Zipper Repair	\$25.00
Sharol Lyn Deal-Reimbursement	\$88.64
Sheila Bass-Refund Overpayment	\$75.22
Sherwin-Williams-Supplies	\$147.52
Sheryl Groves-TKD Instructor	\$246.25
Shooters Emporium-Supplies	\$19.75
Simplot Grower Solutions-Supplies	\$348.90
Skarshaug Testing Laboratories-Testing	\$202.55
Sleek's Rent-To-Own-Shipping	\$36.51
Smart Parts Auto Glass Warehouse-Repair Hail Damage	\$400.00
Society for Human Resource Management-Membership Dues	\$160.00
SOS Staffing-Temporary Staffing	\$1,192.63
Sports Boosters-Advertising	\$99.00

Staples-Supplies	\$2,333.83
Star Athletic Club-Memberships	\$332.84
Sunrise Environmental Scientific-Supplies	\$479.82
Tamiami International Equipment-supplies	\$8,100.00
Team Laboratory Chemical Corp.-Supplies	\$1,520.00
Terex Utilities-Supplies	\$34.06
The Fort Morgan Times- 1 yr Subscription	\$120.00
The Fort Morgan Times-Advertising	\$916.67
ThyssenKrupp Elevator-Elevator Maintenance	\$3,651.13
Top Door, Inc.-Repairs	\$979.00
TORO NSN-My Turf Service	\$590.00
Turner, John-Reimbursement	\$43.59
Underwriters Laboratories-Supplies	\$607.00
Union Colony Protective-Court Room Security	\$466.13
Unique Embroidery & Engraving-Services	\$517.11
United Group Inc.-Supplies	\$1,775.34
United Parcel Service-Shipping	\$57.01
United Way of Morgan County-2010 Third Party Contribution	\$1,000.00
United Way of Morgan County-Contributions	\$193.00
UNUM Provident-March Life Insurance Premium	\$3,165.93
Upstart-Storytime Supplies	\$81.51
USABlueBook-Supplies	\$184.13
Utility Notification Center-Utility Locates	\$61.60
Vaisala Inc.-Aviation Maintenance	\$5,304.00
Vermeer Sales and Service-Supplies	\$362.80
Viaero Wireless-Cell Phone Service	\$2,382.97
Vibco, Inc.-Supplies	\$286.16
Victim Services Program-Victim Services	\$150.00
Vision Service Plan-Additional Insurance	\$1,575.30
Walker, Tina-Prescription Reimbursement Program	\$24.00
Wal-Mart-Supplies	\$2,147.95
Warehouse Supply-Supplies	\$161.77
Waste Management of N E C-Trash Service	\$258.16
Water Environment Fed.-Membership Dues	\$140.00
Wayne Wendell-Jury Bailiff Salary	\$46.16
WeatherSure Systems, Inc.-Contract Billing Parks Shop Replacement	\$40,543.00
Wells Fargo-Payroll Taxes	\$55,995.28
Wesco Distribution Inc-Supplies	\$618.56
Western Area Power Administration-Purchase Power	\$297,698.23
Western United Electric Supply-Supplies	\$1,130.28
Westview Printing-Supplies	\$1,227.41
Wiggins Telephone Association-Phone Charges	\$147.75
Williams Equipment-Supplies	\$1,160.00

Winberg, Cheryl-Reimbursement	\$14.58
Wireless Advanced Communications-Equipment Maintenance Contract	\$5,525.25
Wolf Auto Center Sterling-Warranty Paint Job & Repairs	\$228.99
Xerox Corporation-Base and Usage Charges	\$2,147.87
Yamaha Motor Corp., USA-Annual Lease Golf Carts	<u>\$13,980.00</u>
Total Disbursements - February 2010	\$3,315,052.71
Total Payroll - February 2010	<u>\$393,523.22</u>
Total Publication Report - February 2010	\$3,708,575.93

Councilmember Powers offered a 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**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, to approve the disbursements and payroll for February 2010, as presented.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of March, 2010, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: None. Absent/Abstain: None.

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### **CONSENT AGENDA**

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

- A. Approve the minutes from the March 2, 2010, regular meeting.
- B. Second and Final Reading of Ordinance No. 1097 entitled, "An Ordinance Annexing to the City of Fort Morgan that Area Known as the Riverside Park North Annexation as Described Herein," and request to publish by title only.

### **ORDINANCE NO. 1097**

#### **AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN THAT AREA KNOWN AS THE RIVERSIDE PARK NORTH ANNEXATION AS DESCRIBED HEREIN.**

WHEREAS, the City Council of the City of Fort Morgan on January 5, 2010, adopted a resolution finding that the Riverside Park North petition for annexation was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of February 16, 2010, for the Fort Morgan City Council to consider the annexation of the area set forth below; and

WHEREAS, pursuant to the notice required under C.R.S. §31-12-108, the Municipal Annexation Act of 1965 as amended, hereinafter referred to as the Annexation Act, the City Council of Fort Morgan held on February 16, 2010 a hearing pertaining to said annexation; and

WHEREAS, owners of one hundred percent (100%) of the area have petitioned for such annexation; and

WHEREAS, the City Council of the City of Fort Morgan has by resolution made findings of fact and conclusions of law based thereon and determinations pertaining to said annexation, and has determined said area should be annexed forthwith as part of the City of Fort Morgan.

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

SECTION 1. The following described territory is hereby annexed to and made a part of the City of Fort Morgan, Colorado:

PARCEL A

PART OF THE NORTHEAST QUARTER OF SECTION 31 AND PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31, MONUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 01°22'28" WEST FOR 647.83 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE SOUTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 81°27'19" EAST FOR 72.06 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A 5/8" REBAR WITH 1 ¾" RED PLASTIC CAP STAMPED PLS 7735 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 81°27'19" EAST FOR 1438.80 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED LS 11399;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 11574.16 FEET AND A LONG CHORD BEARING SOUTH 84°15'43" EAST FOR 1120.57 FEET) FOR AN ARC LENGTH OF 1121.01 FEET CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 31;

THENCE NORTH 01°05'10" EAST FOR 150.06 FEET ALONG THE SAID EAST LINE OF SECTION 31 TO THE NORTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD MONUMENTED WITH A ½" REBAR;

THENCE SOUTH 87°34'37" EAST FOR 5318.30 FEET ALONG THE SAID NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 32;

THENCE SOUTH 00°13'11" WEST FOR 1578.95 FEET ALONG THE EAST LINE OF SAID SECTION 32 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER THEREOF MOMUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 89°59'27" WEST FOR 7914.84 FEET ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 32 AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE EAST RIGHT OF WAY OF COLORADO STATE HIGHWAY 52;

THENCE NORTH 01°55'45 EAST FOR 1981.95 FEET ALONG SAID EAST RIGHT OF WAY TO THE POINT OF BEGINNING.

CONTAINS 305.969 ACRES.

EXCEPTING THEREFROM PARCEL B AND PARCEL C DESCRIBED AS FOLLOWS:

PARCEL B

PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE SOUTH 01°05'10" WEST FOR 821.07 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32 TO A ½" REBAR ON THE NORTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 87°34'37" EAST FOR 692.12 FEET ALONG SAID NORTH RIGHT OF WAY LINE;

THENCE SOUTH 02°59'13" WEST FOR 78.55 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399 IN THE POINT OF BEGINNING;

THENCE SOUTH 87°54'10" EAST FOR 2963.03 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE 07°48'59" WEST FOR 101.47 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 87°34'01" WEST FOR 2954.27 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 02°59'13" EAST FOR 83.67 FEET TO THE POINT OF BEGINNING.

CONTAINS 6.271 ACRES.

PARCEL C

PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31, MONUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 01°22'28" WEST FOR 647.83 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO TH SOUTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 81°27'19" EAST FOR 1510.86 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 11574.16 FEET AND A LONG CHORD BEARING SOUTH 84°15'43" EAST FOR 1120.57 FEET) FOR AN ARC LENGTH OF 1121.01 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF THE NORTHEAST QUARTER SAID SECTION 31;

THENCE SOUTH 01°05'10" WEST FOR 298.90 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01°05'10" WEST FOR 75.49 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 80°10' 30" WEST FOR 237.49 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED PLS 11399;

THENCE NORTH 01°05'10" EAST FOR 75.49 FEET PARALLEL WITH AND 234.73 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE SOUTH 80°10'30" EAST FOR 237.49 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.407 ACRES

BASIS OF BEARINGS:

THE WEST LINE OF THE EAST HALF OF SECTION 31 IS ASSUMED TO BEAR SOUTH 01°22'28" WEST.

TOGETHER with all water and water rights appurtenant thereto;

SECTION 2. When this annexation is complete, said area shall become a part of the City of Fort Morgan for all intents and purposes on the effective date of this ordinance, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

SECTION 3. The City Clerk shall be, and she is hereby authorized and directed to file an original copy of this Ordinance and one copy of the Map of Annexation in the office of the City Clerk of the City of Fort Morgan, Colorado, and two certified copies of said Ordinance and Map of Annexation in the office of the Clerk and Recorder of Morgan County, Colorado.

SECTION 4. The ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 2<sup>nd</sup> day of March, 2010.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[SEAL]

/s/ Terry L. McAlister  
Mayor

ATTEST:

/s/ Cheryl Winberg  
Deputy City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED  
PUBLISHED the 16<sup>th</sup> day of March, 2010.

THE CITY COUNCIL OF THE CITY  
OF FORT MORGAN, COLORADO

[ SEAL ]

/s/ Terry L. McAlister  
Mayor

ATTEST:

/s/ Cheryl Winberg  
Deputy City Clerk

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

I, Cheryl Winberg, the duly appointed, qualified and acting Deputy City Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing Ordinance No. 1097 was, as a proposed Ordinance duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 2<sup>nd</sup> day of March, 2010. Said Ordinance, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 5<sup>th</sup> day of March, 2010 published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed Ordinance was again taken up and read a second time, duly and legally passed, approved and adopted at a regular meeting of the City Council held on the 16<sup>th</sup> day of March, 2010. Within five (5) days after its final passage, said Ordinance was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ Cheryl Winberg  
Deputy City Clerk

- C. Second and Final Reading of Ordinance No. 1098 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," and request to publish by title only.

**ORDINANCE NO. 1098**

**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**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

WHEREAS, a petition for annexation of certain property described in Exhibit A, attached hereto and made a part hereof, and known as the Riverside Park North Annexation, was filed with the City Council of the City of Fort Morgan; and,

WHEREAS, said property was annexed to the City by Ordinance; and,

WHEREAS, the City Council must provide for the zoning of said property; and,

WHEREAS, the City Council provided notice of the public hearing on said zoning by publication as provided by law; and,

WHEREAS, no protests were received by the City pursuant to C.R.S. §31-23-305; and,

WHEREAS, the landowners of said property have requested the same to be zoned E-1: Very Low Density Residential; and,

WHEREAS, a E-1 zoning classification for residential uses is consistent with the City's plan for the area; and,

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

SECTION 1. That certain property known as the Riverside Park North Annexation, the legal description of which is set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned E1: Very Low Density Residential District as permitted and that the Zoning District Map of the City of Fort Morgan, Colorado, be amended accordingly.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 2<sup>nd</sup> day of March, 2010.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Terry L. McAlister  
Mayor

ATTEST:

/s/ Cheryl Winberg  
Deputy City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED  
PUBLISHED by title only the 16<sup>th</sup> day of March, 2010.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Terry L. McAlister  
Mayor

ATTEST:

/s/ Cheryl Winberg  
Deputy City Clerk

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

CERTIFICATE

I, Cheryl Winberg, the duly appointed, qualified and acting Deputy City Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing Ordinance No. 1098 was, as a proposed Ordinance duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 2<sup>nd</sup> day of March, 2010. Said Ordinance, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 5<sup>th</sup> day of March, 2010, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed Ordinance was again taken up and read a second time, duly and legally passed, approved and adopted at a regular meeting of the City Council held on the 16<sup>th</sup> day of March, 2010. Within five (5) days after its final passage, said Ordinance was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ Cheryl Winberg  
Deputy City Clerk

**EXHIBIT "A"**

**PARCEL A**

PART OF THE NORTHEAST QUARTER OF SECTION 31 AND PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31, MONUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 01°22'28" WEST FOR 647.83 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE SOUTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;  
THENCE SOUTH 81°27'19" EAST FOR 72.06 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A 5/8" REBAR WITH 1 3/4" RED PLASTIC CAP STAMPED PLS 7735 AND THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 81°27'19" EAST FOR 1438.80 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A 1/2" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED LS 11399;  
THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 11574.16 FEET AND A LONG CHORD BEARING SOUTH 84°15'43" EAST FOR 1120.57 FEET) FOR AN ARC LENGTH OF 1121.01 FEET CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 31;  
THENCE NORTH 01°05'10" EAST FOR 150.06 FEET ALONG THE SAID EAST LINE OF SECTION 31 TO THE NORTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD MONUMENTED WITH A 1/2" REBAR;  
THENCE SOUTH 87°34'37" EAST FOR 5318.30 FEET ALONG THE SAID NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 32;  
THENCE SOUTH 00°13'11" WEST FOR 1578.95 FEET ALONG THE EAST LINE OF SAID SECTION 32 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER THEREOF MOMUMENTED WITH A 3 1/4", BUREAU OF LAND MANAGEMENT BRASS CAP;  
THENCE SOUTH 89°59'27" WEST FOR 7914.84 FEET ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 32 AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE EAST RIGHT OF WAY OF COLORADO STATE HIGHWAY 52;  
THENCE NORTH 01°55'45 EAST FOR 1981.95 FEET ALONG SAID EAST RIGHT OF WAY TO THE POINT OF BEGINNING.

CONTAINS 305.969 ACRES.

EXCEPTING THEREFROM PARCEL B AND PARCEL C DESCRIBED AS FOLLOWS:

PARCEL B

PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE SOUTH 01°05'10" WEST FOR 821.07 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32 TO A 1/2" REBAR ON THE NORTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 87°34'37" EAST FOR 692.12 FEET ALONG SAID NORTH RIGHT OF WAY LINE;

THENCE SOUTH 02°59'13" WEST FOR 78.55 FEET TO A 1/2" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399 IN THE POINT OF BEGINNING;

THENCE SOUTH 87°54'10" EAST FOR 2963.03 FEET TO A 1/2" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE 07°48'59" WEST FOR 101.47 FEET TO A 1/2" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 87°34'01" WEST FOR 2954.27 FEET TO A 1/2" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 02°59'13" EAST FOR 83.67 FEET TO THE POINT OF BEGINNING.

CONTAINS 6.271 ACRES.

PARCEL C

PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31, MONUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 01°22'28" WEST FOR 647.83 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE SOUTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 81°27'19" EAST FOR 1510.86 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 11574.16 FEET AND A LONG CHORD BEARING SOUTH 84°15'43" EAST FOR 1120.57 FEET) FOR AN ARC LENGTH OF 1121.01 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF THE NORTHEAST QUARTER SAID SECTION 31;

THENCE SOUTH 01°05'10" WEST FOR 298.90 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01°05'10" WEST FOR 75.49 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 80°10' 30" WEST FOR 237.49 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED PLS 11399;

THENCE NORTH 01°05'10" EAST FOR 75.49 FEET PARALLEL WITH AND 234.73 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE SOUTH 80°10'30" EAST FOR 237.49 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.407 ACRES

BASIS OF BEARINGS:

THE WEST LINE OF THE EAST HALF OF SECTION 31 IS ASSUMED TO BEAR SOUTH 01°22'28" WEST.

- D. Authorize the Mayor to sign a letter to the U.S. Department of Agriculture on behalf of Viaero Wireless in support of their BIP Funding Application.
- E. Approve the application for renewal of a 3.2 Percent Beer Retail Liquor License for 7-Eleven Inc., dba Seven Eleven Store No. 15431, located at 603 West Platte Avenue, with a clear police investigation report.
- F. Approve the application for renewal of a Hotel and Restaurant Liquor License for O' Sole Mio Inc., dba O' Sole Mio Trattoria Italiana, located at 322 Ensign Street, with a clear police investigation report.
- G. Approve the bid from GE Analytical Instruments, Inc., of Boulder, Colorado, for a 5310 C Total Organic Carbon Analyzer for the Water Treatment Plant, in the amount of \$21,740.

All matters listed under Item 11, 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 16<sup>th</sup> day of March, 2009, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: None. Absent/Abstain: None.

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#### **PUBLIC COMMENT / AUDIENCE PARTICIPATION**

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None.

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## REPORTS

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The following Directors provided written reports to Council:

City Manager Merrill – He thanked Brenda Zion of OneMorgan County for the potential for the matching funds for Library’s grant application; he also pointed out more to the public than to Council, that his duties as City manager under the City *Charter*, Article V, Sec. 4(h), is to participate with the City Council in discussions in an advisory role, which means sometimes he must point out the opposing sides of issues, even though those side may not be popular. New City employees starting work soon will be Community Services Director Patty Evans on April 12<sup>th</sup>; Golf Professional Tyler Tarpley also on April 12<sup>th</sup>; Chad Corp will be in town on March 25<sup>th</sup>; and Marketing Director Kevin Wilkins will be starting on April 1<sup>st</sup>.

Also, after reading a recent editorial in *The Fort Morgan Times* about the City Manager and his “magic,” City Manager Merrill performed a quick magic trick for Editor John Brennan – he pulled a rabbit (stuffed) out of a black hat, stating that he will autograph it later for John and that we still have magic in the City of Fort Morgan.

Police Chief Kuretich

Water Resources/Wastewater Treatment Director Dreessen – Added that Northern Water will not shut off the water pipe line – the leak was not their line, so there will be no need to turn off water.

Municipal Engineer Curtis  
Community Development Director Callahan  
Human Resources and Risk Management Director Prentice  
Fort Morgan Volunteer Fire Department Chief Parker

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## BIDS, MEETINGS AND ANNOUNCEMENTS

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Deputy Clerk Winberg announced open bids and upcoming meetings.

Mayor McAlister adjourned the March 16, 2009, regular meeting at 7:45 p.m.

*/s/ Terry L. McAlister*  
Mayor

*/s/ Cheryl Winberg*  
Deputy City Clerk