

January 11, 2011

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 special meeting to order at 7:00 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

The meeting was also attended by City Attorney and Acting City Manager Jeffrey Wells, Police Chief Keith Kuretich, Director of Water Resources/Wastewater Treatment Gary Dreessen, Municipal Engineer Brad Curtis, Treasurer Terri Schafer and City Clerk John Brennan.

Mayor McAlister asked the council if it would like to move agenda items Nos. 3 and 4, pertaining to an executive session regarding a separation agreement with Pat Merrill and discussion and/or action on the exit strategy for Merrill, to the end of the agenda, and the council agreed to do so by consensus.

DISCUSSION AND APPROVAL OF A RESOLUTION REGARDING THE ANNUAL WATER ALLOCATION WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT

Director Dreessen told the council this was an annual measure that converts the city's temporary permits for Colorado-Big Thompson water to permanent beneficial use. Councilmember Shaver offered a resolution to approve the annual water allocation resolution, which was seconded by Forstedt and approved unanimously.

APPROVAL OF A RESOLUTION APPOINTING A CITY REPRESENTATIVE TO THE MANAGEMENT COMMITTEE AND THE BOARD OF DIRECTORS OF THE MUNICIPAL ENERGY AGENCY OF NEBRASKA

Wells noted that Merrill had been the city's representative to vote on behalf of the city for these two MEAN entities and a new representative must be designated. The resolution named Wells as the city's representative on both the MEAN committee and board.

Powers offered a resolution to approve the resolution as presented and it was seconded by Shaver and approved unanimously.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

BIDS, MEETINGS AND ANNOUNCEMENTS

Clerk Brennan announced upcoming bids and meetings.

Wells announced that the streets department and city contractors had been out working for many hours after the recent snowstorm and did an excellent job, and he thanked them for their efforts.

Bryan asked about public input in a poll on the city Web site about alternative methods of publishing monthly bills and payments, and said he would like to see more public opinion on the question. Brennan said the Fort Morgan Times had done a front-page story on the issue, and the city poll had about 26 responses with all but one favoring exploring alternative means of publication.

Director Dreessen told the council that he was interested in buying more CBT water for the city.

Councilwoman Deal distributed a series of photographs of the downtown area after the snowstorm and told the council of a woman who had stepped on a snow-covered storm drain grate, posing a possible liability risk for the city. Mayor McAlister said if downtown business owners would clear the snow in front of their stores it would alleviate this problem and also invite people into their businesses.

Engineer Curtis said it is the responsibility of property owners to keep sidewalks and gutters clear of snow, leaves and other debris, and most downtown merchants were doing a very good job of this. Curtis also said he would inform the streets department of the problem and instruct workers to keep an eye out for such issues.

Mayor McAlister then asked for a motion to proceed to the scheduled executive session that had been moved down on the agenda. Forstedt made a motion to go into executive session, which was seconded by Bryan and approved unanimously

EXECUTIVE SESSION

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For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and the following additional details are provided for identification purposes: Separation agreement with Pat Merrill.

The Executive Session began at 7:25 p.m. and concluded at 8:37 p.m. Following the session, Forstedt reported that the City Council met in executive session for the purpose of determining positions relative to matters subject to negotiations regarding the separation agreement for Pat Merrill. She made a motion directing the City Attorney to negotiate and prepare the appropriate documents as discussed in the executive session, and that motion carried unanimously. Accordingly, the item listed on the agenda as No. 4, Discussion and/or action regarding the exit strategy with Pat Merrill, was not addressed.

The council then proceeded to a second scheduled executive session.

EXECUTIVE SESSION

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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: Level of service and budget issues.

1. This session began at 8:45 p.m. and concluded at 9:46 p.m. Following the executive session, Forstedt reported that the City Council met in executive session for the purpose of receiving legal advice on specific legal questions and was advised regarding questions regarding level of service and budget issues. No motion was made.

Mayor McAlister adjourned the January 11, 2011 special meeting at 9:50 p.m.

/s/ Terry L. McAlister
Mayor

/s/ John J. Brennan
City Clerk