

December 21, 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 9:00 a.m.

The Pledge of Allegiance was recited.

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 Manager Pat Merrill, City Attorney Jeffrey Wells, Police Chief Keith Kuretich, Municipal Engineer Brad Curtis, Community Development Director David Callahan, Community Services Director Patti Evans, Director of Human Resources & Risk Management Mark Cicotello, Director of Marketing and Economic Development Kevin Wilkins, Treasurer Terri Schafer, Streets Superintendent Kenneth Breneman and City Clerk John Brennan.

APPROVAL OF RETIREMENT INCENTIVES

Manager Merrill outlined a proposal to offer retirement incentives to nine city employees who have at least 28 years of service with the city. The program is completely voluntary and the employees would have a two-week period in early January during which they could accept the offer if they choose. The city would offer three months each of salary, PERA contributions and health insurance coverage as an incentive for these employees to retire.

The one-time cost if all nine employees accepted the offer would be \$136,694.41, Merrill said, while the overall savings to the city in the first year would be approximately \$410,000. That savings would increase to approximately \$547,000 in the second year and continue in perpetuity. Merrill asked for council approval to open the two-week window in January to offer the program to the qualified employees, noting that some interest had been expressed so far. Councilmember Forstedt voiced some concern about a loss of city services and asked which city departments might be affected. Merrill said many of the qualified personnel were in the community services departments, particularly parks, but the level of service would not be affected.

Councilmember Powers asked if all of the positions would be left vacant after the retirements, or whether staff might come back later and say that some positions were essential and needed to be filled. Merrill replied that he was comfortable leaving all of the positions vacant.

Councilmember Nation asked if three months' pay was an appropriate offer for employees who had worked for the city for nearly three decades, and Mayor McAlister asked if the program could be delayed if the council was not comfortable with the program. Merrill reiterated that the program was completely voluntary, and that it could be done at any time or not at all.

Director Cicotello said employees would actually have much more than the two weeks in January to commit to the program or change their minds, and would be able to change their minds or make a final decision well into March.

Councilmember Deal offered a resolution to extend the offer to the qualified employees, with the understanding that the timeline would be flexible. The resolution was seconded by Powers and approved unanimously.

DIRECTION REGARDING PUBLICATION OF PAYMENTS

Attorney Wells told the council there is no legal requirement to publish monthly bills in the local newspaper, and asked the council whether it wanted to continue to pay to publish this information or find another venue such as the city Web site in which to publish the information. Wells noted that the city would still provide the information to the newspaper but not pay for legal publication, and leave it up to the newspaper to decide whether to print the information. Treasurer Schafer noted that the cost of publishing this information monthly had been running about \$5,000 a year for the past few years.

Mayor McAlister said that is a significant amount of money, and noted that while he realizes the importance of getting this information to the public, when the city began the practice many years ago alternative means like the Internet were not available. If the city can save money by doing something relatively simple it should do so, the mayor said.

Wells said this change would not affect legal requirements for publication of other notices, ordinances and the like, and copies of the information would always be available at City Hall.

Councilmember Nation said he understood the logic of the proposal, but said there are many people who do not have the technology yet to be able to seek this information on the Internet so he was not comfortable with changing the policy at this time. Nation also noted that the newspaper did not have a story about this proposal in advance of this meeting because staff had not provided supporting documents for the agenda packet.

The council decided by consensus to table the proposal until feedback from the public could be solicited and received.

PRESENTATION OF THE NISP SIXTH INTERIM AGREEMENT

Manager Merrill reviewed a letter from the Northern Colorado Water Conservancy District regarding the city's \$135,000 share of expected costs for continuing work on the water supply project for 2011. The funds would be used to complete the Draft Supplemental Environmental Impact Statement and the public information efforts related to the project.

A resolution to approve the expenditure was offered by Councilmember Shaver, seconded by Forstedt and approved unanimously.

COUNCIL ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY

The council considered an application for renewal of a Beer and Wine License – Malt and Vinous, for Park Terrace Inc. dba Memories Restaurant, located at 725 Main Street, with a clear police investigation report and an expired license with the corresponding \$500 late fee paid. Clerk Brennan reviewed the case and Forstedt made a motion to approve the application, which was seconded by Councilmember Bryan and passed unanimously.

The council considered an application for Renewal of a Retail Liquor Store License – Malt Vinous and Spirituous, for Midcap LLC dba North Main Liquor, located at 716 Main Street, with a previous violation and an additional permit for wine tastings. Clerk Brennan reviewed the case, and Powers asked business owner Sharon Midcap about the process for training employees about alcohol sales to minors.

Midcap said this was the first thing taught to new hires and the policy is reviewed every two weeks if not more often. The business has warning signs on the cash registers and employees also take training offered by the Fort Morgan Police Department.

Chief Kuretich said he had spoken with Midcap about the violation and that she was very concerned about it, and the chief also noted it had been more than 10 years since any violation at this business.

A motion to approve the application was made by Forstedt, seconded by Shaver and carried unanimously.

CONSENT AGENDA

On a resolution offered by Powers and seconded by Bryan, the council unanimously approved the consent agenda that included:

- a. Approval of the minutes of the Dec. 7, 2010 regular meeting.
- b. Approval of the minutes of the Dec. 14, 2010 special meeting.
- c. Approval of the disbursements and payroll for November.

All matters listed under Item 8, 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.

PUBLIC COMMENT/AUDIENCE PARTICIPATION

None.

BIDS, MEETINGS AND ANNOUNCEMENTS

Clerk Brennan noted there were no open bids, and reviewed scheduled meetings for the rest of 2010.

Councilwoman Deal presented a painting of Historic City Hall by local artist Sally Davidson, which Deal purchased as a gift for the City Hall building and the council. She said it should be dedicated in memory of all of the city forefathers who came before and established the foundation the city still follows today.

Manager Merrill noted that the city is publicizing the Jan. 12 meeting with residents of Eighth Avenue and the northwest quadrant of the city regarding storm water and flooding issues.

Mayor McAlister adjourned the December 21, 2010 regular meeting at 9:55 a.m.

/s/ Terry L. McAlister

Mayor

/s/ John J. Brennan

City Clerk