

February 1, 2011

The City Council of the City of Fort Morgan, Colorado, met this day in City Hall. The Honorable Mayor Terry L. McAlister called the meeting to order at 6:00 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

6:03 P.M. – EXECUTIVE SESSION

The council convened a scheduled Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: Discussion with the City Attorney.

The session was attended by the seven council members and City Attorney and Acting City Manager Jeffrey Wells, and concluded at 6:39 p.m.

7:00 P.M. – REGULAR MEETING

Upon returning to open session and convening the regular meeting, Councilmember Debra Forstedt reported that the council had met in Executive Session for the stated purpose and made a motion that Wells continue as acting city manager, that he receive a stipend of \$2,000 per month, and that the position be reviewed again no later than May 15. The motion was seconded by Councilmember Bryan and approved unanimously.

The regular meeting was also attended by Wells, Director of Water Resources Gary Dreessen, Municipal Engineer Brad Curtis, Community Development Director David Callahan, Community Services Director Patti Evans, Treasurer Terri Schafer, Electric Superintendent Doug Linton, Marketing and Economic Development Director Kevin Wilkins, Municipal Judge Stuart Crespin, Municipal Court Administrator Christina Tadolini, Fire Chief Brad Parker, Police Lieutenant Darin Sagel and City Clerk John Brennan.

PROCLAMATION REGOGNIZING LINCOLN'S BIRTHDAY

Mayor McAlister read a proclamation recognizing the birthday of President Abraham Lincoln and declaring February 12, 2011, to be president Abraham Lincoln Day in Fort Morgan. McAlister then presented a signed and sealed formal copy of the proclamation to city resident Lucile Nitzel, who had prepared it and asked that council approve it.

DISCUSSION OF SALARY ADJUSTMENTS AND POLICY

Wells told the council that the matter of salary philosophies and policies called for a broader discussion in the future, but that the city staff was seeking council direction on a couple of specific salary issues now. Wells said the new performance evaluation and merit pay increase system implemented by the city was not compatible with the city's payroll system, which presents problems for issuing salary increases to city employees. He said rumors that there would be no salary increases this year were not true, and that the city had budgeted for pay increases in 2011.

One city department had already conducted evaluations using the new system, he said, but because of the payroll system problem it could not implement the raises called for as a result of that process. To go back and modify those evaluations or raises might mean that some employees who had been promised pay increases would not get them. Wells proposed that the city evaluate all employees under the new system by March 1, and any merit increases that result be paid out as bonuses instead of salary increases for this year, until the payroll complications could be resolved.

After some discussion, Councilmember Shaver offered a motion to use available funds for employee bonuses based on performance. That motion was seconded by Powers and passed unanimously.

Wells then brought up a second employee compensation issue, which he said was raised at a recent all-city meeting and was causing frustration among employees. This was the issue of how overtime pay was calculated. The city had changed its policy to pay overtime only after an employee had worked 40 hours in a given week, rather than the past practice of paying overtime when the employee had been paid for 40 hours in a week, even if that included vacation or holiday pay.

The council discussed the need for fairness and to keep employees content while staying within the city budgetary capabilities, and also asked for copies of the city's written policy regarding overtime. Wells said he would supply that as soon as possible, but would like council approval to count paid holidays as time worked for overtime purposes, regardless of whether the employee actually did work on the day. Several department heads said that was the primary concern of employees.

Powers then made a motion to alter the overtime policy to count holidays as time worked and to monitor this policy change for the rest of the year. The motion was seconded by Forstedt. Councilmember Bryan stated that he would vote against the measure because he felt the city should follow the Fair Labor Standards Act policies. The motion was approved on a 6-1 vote with Bryan dissenting.

RECOMMENDATIONS FOR CITY BOARDS AND COMMISSIONS

Several department directors made recommendations for the structuring of city boards and commissions for which they are responsible, and how these boards should operate.

Director Dreessen said he believes the city Water Advisory Board has the best water minds in the county and did not recommend any changes in the structure or operation of that board, and the council agreed by consensus to leave the water board as it is.

Director Callahan said the city Planning Commission is unique in that it is required by statute and must stay active, but recent resignations had made it impossible to have a quorum so the commission can meet and conduct business. Callahan said the council may want to consider reducing the board from seven members to five to make a quorum easier to achieve, but for now he was requesting that the council approve three applications to bring the commission membership to six and allow it to act on several pending subdivision requests.

Powers made a motion to accept the applications and appoint Ron Sand, Walter (Bob) Everett and Anita Baltazar to the planning commission. The motion was seconded by Shaver and approved unanimously.

Callahan then said the city's Airport Advisory Board was in a similar situation, with three members whose terms had expired at the end of 2010. Two of those members had re-applied for the board, and Callahan asked that the council approve the re-appointment of Alan Dahms and Phil Tarman to the airport board. Councilmember Nation made a motion to that effect, which was seconded by Forstedt and approved unanimously.

Callahan also noted that the airport board's bylaws now call for the board to make recommendations to the city manager rather than the council, which he said was something the council may want to consider changing. He also said the council may want to consider directing the staff to research the potential benefits of creating an airport authority.

Callahan then said he recommended that the city disband the Construction Board of Appeals, which had not met for more than two years and also has trouble attracting members, and have the city council take on that role as it does in acting as the Zoning Board of Adjustment.

Forstedt made a motion to disband the construction board, which was seconded by several council members and passed unanimously.

Director Patti Evans then reviewed her proposal to consolidate the four advisory boards that fall under her various departments, and create a 15-member community advisory board that would replace the four existing seven-member boards. The boards affected would be the Golf Course Advisory Board, the Library Advisory Board, the Senior Center Advisory Board and the Tree, Parks and Recreation Advisory Board.

Evans said these boards also had problems with attendance and participation, and the larger board would have a better chance at achieving a quorum and meeting monthly. She proposed seeking members with a variety of backgrounds and areas of expertise, including representatives of the youth and special abilities communities, and forming special subcommittees to deal with specific issues such as golf course capital improvements. She also suggested having three members who are not residents of the city, because city facilities like parks, the golf course, the senior center and the library/museum serve a wider area than just the city.

Councilmember Nation asked whether Evans had reviewed this idea with members of the current boards, and Evans said she had not done so specifically but had mentioned the general concept at board meetings and encountered no resistance. She said the proposal had come up after a review of bylaws for the boards, which she said went beyond advisory in nature, and no matter what the council decided she would want to review and revise those bylaws.

Several council members said they were in favor of the change but wanted to get public input and feedback from members of the current boards. Evans said that would take some time and she would do so as the boards meet over the next month, and bring the matter back to the council in March.

REAPPOINTMENT OF MEMBER TO PUBLIC HOUSING AUTHORITY

McAlister announced that he was reappointing Sue Schaefer to the city Public Housing Authority, after her term had expired at the end of 2010.

RESOLUTION DESIGNATING REPRESENTATIVES TO VOTE CITY SHARES IN LOCAL WATER COMPANIES

Wells said the city owns an interest in each of the companies covered by the resolution, which included the Southside Lateral Company, the Fort Morgan Reservoir & Irrigation Company, the Fort Morgan Water Company Ltd., the Jackson Lake Reservoir & Irrigation Company and Fort Morgan Water Asset Management Inc. The companies meet annually to manage the water represented by these shares, and Councilmember Nation has been the city's representative based on his knowledge and experience as a water engineer. The resolution reappointed Nation to continue in this role. Powers made a motion to that effect, which was seconded by Shaver and approved unanimously.

RESOLUTION DESIGNATING REPRESENTATIVES TO VOTE ON BEHALF OF THE CITY ON MATTERS PERTAINING TO NISP

Wells told the council that as a participating member in the Northern Integrated Supply Project, the city has a vote on issues pertaining to that proposed water supply project. The resolution proposed would appoint Wells as the city's representative, with Dreessen as an alternate. Powers made a motion to approve the resolution as presented, which was seconded by Forstedt and unanimously approved.

DISCUSSION OF SPACE PLANNING AT CITY COMPLEX

Wells told the council that staff wants to move some employees out of City Hall to the City Complex, for the sake of efficiency and space considerations. The concept is to make the complex a center for services that the public uses, such as the clerk's office and finance departments, while City Hall would become the home to services for employees, such as human resources.

To make sure the space is used as efficiently as possible, the staff asked for informal quotes from architectural firms to look at the City complex building and propose plans for remodeling.

Director Callahan reviewed the quotes, which ranged from about \$4,000 to \$6,000. He noted that the building had been remodeled at least twice in the past without a professional plan and that had led to some inefficiencies. Callahan said the city could get what it wanted for about \$5,600.

Councilmember Bryan said this agenda item had raised red flags for him, and he was against it at first, but after a visit to the building and seeing the problems there, he came to believe that the city should do this and it would be money well spent.

Councilmember Nation said the city staff has the ability to do such an examination of the building and development of a plan in house. Callahan said this would not be an efficient use of staff time, as the staff does not have direct or recent experience with space planning. Shaver agreed with Nation that the city staff could do the planning, while Powers and Deal said the planning needs to be done no matter who does it.

McAlister asked for a motion, but none was offered. Wells then pointed out that the city had not budgeted for construction to implement whatever plan may emerge from the space planning effort at the complex, so it might be best to table the issue for now, move the staff that urgently needs to be moved to the complex as soon as possible, and put the planning and remodeling of the complex into next year's budget as a capital project if possible.

The council agreed by consensus and also endorsed the plan to move most public services to the complex and make City Hall the center for employee support services.

REVIEW OF 2011 BUDGET

Several department directors then continued the ongoing review of the 2011 budget, including staffing levels, revenues and expenses, planned capital projects and equipment purchases and other matters. The directors reviewed the budgets for the Fire Department, Municipal Court, Community Development, Marketing and Economic Development, City Clerk, City Manager, City Attorney, Human Resources, Self-Insurance Fund and General Improvement District, and answered council questions about their various departments, operations and budgets.

Municipal Judge Crespin proposed a number of increases in fees for the municipal court, saying that the taxpayers of Fort Morgan were subsidizing the defendants who appear in the court because the fees are too low and don't cover the city's actual costs. Crespin said he wanted feedback from the council on what they wanted him to do with the court in terms of budget and staffing. Wells said any changes in fees would have to be done by ordinance, and could possibly be addressed with any midterm budget adjustments.

Wells said the evening's presentations concluded the 2011 budget review, and the staff would next begin presentations highlighting the work of city departments during work sessions to be held at various city facilities.

REVIEW OF 2011 BUDGET

Clerk Brennan presented the Consent Agenda for consideration by the council acting as the Local Liquor Licensing Authority. Councilmember Nation offered a Resolution to approve the Consent Agenda as presented, and moved for its adoption. His motion was seconded by Councilmember Shaver, said Consent Agenda being in words, letters and figures as follows, to wit:

CONSENT AGENDA

- A. Application for renewal of a hotel and restaurant liquor license for O'Sole Mio Trattoria Italiana.
- B. Approval of the minutes of the January 18, 2011 regular meeting.

All matters listed under Item 12, 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 1st day of February, 2011, the vote upon roll call being as follows: Ayes: Mayor McAlister; Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver. Nays: none.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

REPORTS

Wells thanked the city management staff and employees for keeping things moving forward with the many recent staffing changes, and recognized the long service to the community of Julie Harden, who had recently resigned as chairwoman of the city planning commission. Brennan announced upcoming bids and meetings.

10:30 P.M. EXECUTIVE SESSION

Powers then made a motion to convene another scheduled executive session, 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: Airport land acquisition. The motion was seconded by Forstedt and approved unanimously.

The executive session was attended by the members of the council, Wells, Callahan, and Justin Peetz and Dennis Corsi of Armstrong Consultants. It concluded at 11:50 p.m. Following the session, Forstedt reported on the session and made a motion directing city staff and representatives to openly communicate with all interested parties concerning the city's plans with the airport. The motion was seconded by Powers and passed unanimously.

Mayor McAlister adjourned the February 1, 2011, regular meeting at 11:52 p.m.

/s/ Terry L. McAlister
Mayor

/s/ John J. Brennan
City Clerk