

## **ORDINANCE NO. 1255**

**AN ORDINANCE DIRECTING THAT AN AMENDMENT TO ARTICLE III, SECTION 5, SUBSECTION (a) OF THE CITY OF FORT MORGAN CHARTER BE PRESENTED TO CITY VOTERS AT THE REGULAR CITY ELECTION TO BE HELD ON NOVEMBER 2, 2021**

**WHEREAS** the purpose and origin of the language in Article III, Section 5, Subsection (a), which requires that every City contract costing over \$10,000 be individually approved by the City Council, is unclear; and

**WHEREAS** the expenditures involved in such contracts have already been considered and approved by the City Council as part of the annual municipal budget process, which process is conducted in public after notice to the community; and

**WHEREAS** the present requirement that City Council thereafter approve individual contracts for which funds have already been appropriated is therefore redundant, cumbersome and serves no identifiable public purpose; and

**WHEREAS** the City Council of the City of Fort Morgan has determined that City voters should be given an opportunity to vote on whether repeal of this requirement is in the best interests the citizens of the City of Fort Morgan.

**WHEREAS** November 2, 2021, is the election date for the regularly scheduled election; and,

**WHEREAS** the County Clerk and Recorder in Morgan County (the "County Clerk") will conduct the election on November 2, 2021, as a coordinated election (the "election"); and,

**WHEREAS** pursuant to C.R.S. § 31-10-103, of the Municipal Election Code, the City has determined to coordinate such general election with Morgan County.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fort Morgan, Colorado:

**SECTION 1.** That the following ballot language is hereby referred to the voters of the City of Fort Morgan at the November 2, 2021 coordinated election:

**A BALLOT QUESTION AMENDING THE CITY OF FORT MORGAN CHARTER TO REMOVE A REQUIREMENT FOR COUNCIL APPROVAL OF CERTAIN CONTRACTS**

**SHALL SUBSECTION 5(a) OF ARTICLE III, SECTION 5 OF THE FORT MORGAN CHARTER BE AMENDED AS FOLLOWS:**

In all matters coming before it, the council shall act only by ordinance, resolution or motion. The ayes and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the council proceedings. Every member, when present, must vote, and every resolution and motion shall require for passage a majority vote of the council, and every ordinance shall require on final passage the affirmative vote of four members of the council. The enacting clause of all ordinances shall be in the words: "Be It Ordained by the Council of Fort Morgan." ~~All contracts involving in the aggregate an expenditure of ten thousand dollars or more, shall be authorized only by resolution.~~ Every proposed ordinance before its final passage shall be read in at least two regular meetings of the council, may be amended on its first and second readings, and shall be published in full once in a newspaper of the City at least ten days before its final passage.

YES \_\_\_\_\_

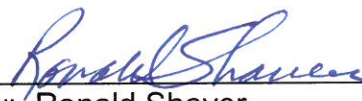
NO \_\_\_\_\_

**SECTION 2.** The City Clerk is hereby directed to certify the ballot content for the municipal election to the Morgan County Clerk not later than required.

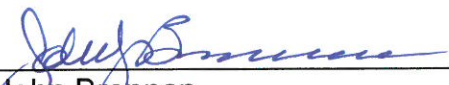
INTRODUCED, PASSED, APPROVED AND ADOPTED this 3<sup>rd</sup> day of August 2021.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

  
By: Ronald Shaver  
Mayor


Attest:

  
John Brennan  
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 17<sup>th</sup> day of August 2021.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

  
By: Ronald Shaver  
Mayor

Attest:

  
John Brennan  
City Clerk

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

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1255** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 3<sup>rd</sup> day of August 2021. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 6<sup>th</sup> day of August 2021, 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 17<sup>th</sup> day of August 2021. Within five (5) days after its final passage, said **Ordinance No. 1255** 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.

  
John Brennan  
City Clerk