

January 3, 2012

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 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

The meeting was also attended by Acting City Manager/City Attorney Jeffrey Wells, Police Chief Keith Kuretich, Municipal Engineer Brad Curtis, Community Development Director David Callahan, Human Resources/Risk Management Director Michael Boyer, Interim City Treasurer Chris Bostron, Utility Billing Manager Connie Musgrave, Assistant City Attorney Jerrae Swanson, Executive Assistant to the City Attorney Sharon Velder and City Clerk John Brennan.

PRESENTATION AND POSSIBLE ACTION ON A SALE AND PURCHASE AGREEMENT FOR PROPERTY NEXT TO QUAIL DUNES AT FORT MORGAN GOLF COURSE

City Attorney/Acting City Manager Jeff Wells said the city had negotiated with the Fort Morgan Country Club to purchase the club's last remaining piece of property surrounding the city golf course for \$80,000. He said the club had denied the city access to this property in the past, preventing city access to its golf course maintenance shop, and this purchase would resolve those issues and preclude the need for the city to build a new maintenance shed. Wells said the city would first do a Phase 1 environmental study on the property before closing on the purchase.

Councilmember Debra Forstedt offered a resolution to authorize the mayor to sign the agreement to purchase the property for \$80,000, provided the property passes the environmental study. That resolution was approved by Councilmember James Powers and approved unanimously.

PRESENTATION AND POSSIBLE ACTION ON ADDITIONAL EXPENDITURE FOR THE TAXILANE PROJECT AT THE FORT MORGAN MUNICIPAL AIRPORT

Community Development Director David Callahan said the city airport consultant had contacted the city about the ongoing taxilane concrete replacement project, saying that concrete in hangar apron areas adjacent to the project area was in worse shape than expected and recommending that the city also replace that concrete. He said the Colorado Department of Transportation, which was paying for 90 percent of the taxilane project, would not pay for that portion of the work and hangar owners had declined to pay for it.

Discussion followed about the city using public money to pay for repairs that would normally be the responsibility of the hangar owners, and why the condition of the adjacent concrete was not made known to the city earlier by Armstrong Consultants. Several council members said they were not comfortable with that use of public money and the precedent it might establish for

similar practices in the future. No motion or resolution was made, so the proposal to pay the additional expenses died.

PRESENTATION AND POSSIBLE ACTION ON AN APPOINTMENT TO FILL A VACANCY ON THE LIBRARY ADVISORY BOARD

Councilmember Brent Nation said the library board had been trying to fill several vacancies for some time, and the applicant, Alida Patino, was an active member of the Friends of the Library. Nation made a motion to accept Patino's application and appoint her to the Library Advisory Board for a four-year term. That motion was seconded by Forstedt and approved unanimously.

PRESENTATION AND POSSIBLE ACTION ON PROPOSED REVISIONS TO THE BYLAWS OF THE LIBRARY ADVISORY BOARD

Nation said the library board had asked for these revisions to help the board's ability to function and fill vacancies. The primary changes were to allow for some flexibility in the time and date of board meetings, which were currently spelled out specifically in the bylaws, and to make a quorum of the board a simple majority of the current board members, rather than a specific number. Under the revisions the date and time of monthly meetings would be at the discretion of the board and a quorum would be a simple majority of the total number of members on the board.

Councilmember Ron Shaver made a motion to approve the revisions to the bylaws as presented, which was seconded by Nation and approved unanimously.

PRESENTATION OF A PROPOSED IMPLEMENTATION PLAN FOR THE CITY EMPLOYEE COMPENSATION SURVEYS

Wells reviewed the salary and benefits surveys completed for the city by the Mountain States Employers Council, and did a PowerPoint presentation on the plan proposed by the city staff to bring city employee salaries and benefits closer to the market averages determined by the study. He noted that the goal of this project was not to get raises for all employees, but to ensure that the city's compensation was competitive in order to attract and retain the best talent possible. Overall, Wells said, the city compensation and benefits were found to be very competitive, and only about a third of employees were outside the market ranges according to the study.

Wells showed how employee costs had risen about twice as much as city revenues over the last 10 years, and said the implementation of the plan to bring workers whose salaries were below the market ranges up to the market levels would take some time and be done according to what the city could afford. The plan included equity adjustments in salary for employees under the market salary ranges, and performance pay raises for all employees who qualify based on their job performance.

Some council members questioned the assumptions of the study and the fact that it compared Fort Morgan to statewide averages that included many employers in areas with a much higher cost of living. Others thought there should be a factor to equalize the disparity in the cost of living. Others said the employees were the most important asset of the city and should be a priority in budgeting.

No formal direction was given, and no motion was made or action taken. Wells said he would keep in mind all of the council input received as the implementation plan was adjusted for the 2013 budget and beyond.

DISCUSSION OF CITY MANAGER POSITION

Mayor Terry McAlister said the city had been without a city manager for about a year, and Wells had been filling that role as the acting city manager and done a good job. The mayor said the council waited so long to take formal action to fill the city manager position because it saw a chance to have a calming period for turnover in that position, but now the time had come to discuss what the council should do to fill the position formally.

Nation said he was one of the proponents of making Wells the permanent city manager, and asked Wells to find out if there were other municipalities that had one person filling the roles of city attorney and city manager, and also to find out the Colorado Municipal League's opinion of that scenario.

Shaver asked whether there was a requirement to post or advertise the position, and Wells said there was nothing in the charter that required this, only that the council must appoint a qualified person to do the job.

McAlister asked Wells if he was interested in the job, and whether he felt he was qualified, and Wells answered affirmatively to both questions. He reviewed his education and work experience, and noted that he is currently working on a 12-month University of Colorado program for certified municipal managers.

Bryan said he thought the city had been well served by Wells as both manager and attorney, and that everyone respects him. Bryan said he did not think Wells should be in both positions as manager and attorney.

Powers said he felt Wells had the capabilities to do both jobs and direct an assistant city manager and assistant city attorney, and he would not hesitate to approve Wells doing both jobs.

The council gave direction to Wells to bring back information on other municipalities that have one person in the dual roles, and an opinion from CML, and no action was taken.

CONSENT AGENDA BY RESOLUTION

City Clerk John Brennan presented the Consent Agenda for Council consideration, said Consent Agenda being in words, letters and figures as follows, to wit:

CONSENT AGENDA

- A. Approval of the minutes of the Dec. 13, 2011 City Council special meeting.
- B. Approval of the minutes of the Dec. 20, 2011 City Council regular meeting

All matters listed under the 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.

Councilmember Forstedt offered a resolution to approve the Consent Agenda as presented, which was seconded by Bryan and approved unanimously.

PASSED, APPROVED AND ADOPTED this 3rd day of January 2012, 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 BY OFFICIALS AND STAFF

Wells noted that written monthly reports had been provided in the council packets by city directors.

Police Chief Keith Kuretich announced that an armed robbery had taken place at the 7-Eleven store on West Platte Avenue that evening, just before the start of the council meeting, and asked the public to call police with any information on the perpetrator.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced that there were no current bids and reviewed upcoming meetings.

EXECUTIVE SESSION

The regular session concluded at 8:29 p.m., and Forstedt then made a motion to convene a scheduled executive session. That motion was seconded by Shaver and approved unanimously. The executive session had been published as follows:

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: Financial software.

The executive session convened at 8:44 p.m. and concluded at 9:27 p.m., and was attended by the council members and mayor along with Wells, Network Administrator Nelson McCoy, Utility Billing Manager Connie Musgrave, Interim City Treasurer Chris Bostron, Municipal Engineer Brad Curtis and Assistant City Attorney Jerrae Swanson.

Following the session the council returned to the open regular meeting, where Forstedt reported on the executive session as follows: The council met in executive session to instruct negotiators on financial software, and will wait for a report from the negotiators on the results of the negotiations.

No motion was made.

Mayor McAlister adjourned the January 3, 2012 regular meeting at 9:30 p.m.

/s/ Terry L. McAlister
Mayor

/s/ John J. Brennan
City Clerk