

September 5, 2023

The City Council of the City of Fort Morgan, Colorado, met this day in the Council Chambers of City Hall. The Honorable Mayor Lyn Deal called the regular meeting to order at 6:00 p.m.

The Pledge of Allegiance was given.

Roll Call: Present: Honorable Mayor Lyn Deal
Councilmember Clint Anderson
Councilmember Bill Garcia
Councilmember Jon Kaper
Councilmember James Parks
Councilmember Doug Schossow
Councilmember Brian Urdiales

The meeting was also attended by City Manager Brent Nation, Police Chief Loren Sharp, City Attorney Nina Williams, Economic Development Specialist Sandy Schneider-Engle, Community Services Director Ty Hamer, Parks/Cemetery/Golf Maintenance Superintendent Matt Underwood, Utilities Director Doug Linton, City Treasurer Kasie Edson and Deputy City Manager/City Clerk/PIO John Brennan.

PUBLIC COMMENT / AUDIENCE PARTICIPATION

None.

APPROVAL OF MINUTES – AUGUST 15, 2023 CITY COUNCIL REGULAR MEETING

Councilmember James Parks offered a resolution to approve the minutes of the Aug. 15, 2023 regular meeting as presented, which was seconded by Councilmember Doug Schossow and approved unanimously.

RECOGNITION OF THE BUSINESS OF THE MONTH FOR SEPTEMBER

Economic Development Specialist Sandy Schneider-Engle announced that Bun Appetit had been selected as the Business of the Month for September, and described the brief history of this catering and restaurant business. Owner Jordann Chappell thanked the council for the recognition and said it was so cool to be honored by the community.

APPOINTMENTS OF THREE MEMBERS TO THE HISTORIC PRESERVATION BOARD

Schneider-Engle said that terms of three members of the Historic Preservation Board had expired, and two members applied for an additional term. She said the board wanted to appoint those two members as well as a new applicant to fill the three vacancies.

Councilmember Jon Kaper made a motion to appoint current members Barbara Keenan and Korinne Williamson and new applicant Patty Kuretich to three-year terms on the Historic Preservation Board. That motion was seconded by Parks and approved unanimously.

APPOINTMENT OF MEMBERS TO THE NEW AQUATICS FACILITY AD HOC COMMITTEE

Community Services Director Ty Hamer said that at the council's direction staff had put together and ad hoc committee to look into the possibility of creating an indoor swimming facility.

After receiving 10 applications, a kickoff meeting was held with the applicants to get acquainted and briefly discuss goals and expectations. Now Hamer was asking the council to formally create this committee and appoint the members. One applicant had decided her schedule was too busy to participate so there would be nine members, Hamer said, plus two members of the city council. Councilmember Brian Urdiales and Schossow volunteered, and Parks made a motion to create the Aquatics Facility Ad Hoc Committee and to appoint Alan Quiram, Isabella Heepke-Laws, Cynthia Bucholz, Lisa Conte, Luanne Albert, Lori Rodarte, Robert Larson, Robert Daum and Rena Frasco to the committee along with Schossow and Urdiales. That motion was seconded by Councilmember Clint Anderson and approved unanimously.

PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT FOR A HOME BUSINESS IN R-2 ZONING

Mayor Lyn Deal outlined the format to be followed during the hearing, and Deputy City Manager/City Clerk/PIO John Brennan confirmed that proper legal notice of the hearing had been published. City Manager Brent Nation reviewed the application and noted that staff felt it met all the criteria for a Special Use Permit and the Planning Commission recommended approval.

Applicant Shirley Padilla-Martinez described her plans for the home business, which would be hosting gatherings and events in her historic home.

Under public comment, Deborah Reyman of 719 Murchy Place said she lived across the street from the home in question and had concerns about noise, the number of events and the number of people attending them, how often there would be gatherings and during what hours. Nation explained that most of the answers were in the special use permit application, and the city has ordinances in place regarding noise and other issues. He added that staff felt there would be adequate off-street parking on the house's large lot. No other public comments were received either in advance or during the hearing. Kaper made a motion to close the public hearing, which was seconded by Parks and approved unanimously.

City Attorney Nina Williams briefed the council on the requirements to be considered and their options for action.

Schossow offered a resolution to approve Case 23-010 SU, a Special Use Permit for a Home Business at 100 S. Sherman St., as was recommended by the Planning Commission, subject to the conditions that the special use is personal to the applicant and may not be inherited, and that the owner meets the additional requirements for a Home Business as outlined in Article 5, Sec. 20-5-10 (b) from Chapter 20 of the Municipal Code of the City of Fort Morgan. That resolution was seconded by Anderson and approved unanimously.

PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT TO ALLOW RESIDENTIAL USE IN B-2 ZONING

Mayor Deal reviewed the format for the hearing and Brennan confirmed proper legal notice. Nation reviewed the application and its adherence to the required criteria and said it had been unanimously recommended for approval by the Planning Commission. No public comments were received either during the hearing or in advance, and no council comments were offered. Kaper made a motion to close the public hearing, which was seconded by Urdiales and approved unanimously.

Williams advised the council of the criteria and its options for action, and Kaper offered a resolution to approve Case 23-011 SU, a Special Use Permit for Residential Use in B-2 Zoning to construct an upstairs apartment to allow the property/business owner to reside in the same building in which his business is located at 113 Sherman St., as was recommended by the Planning Commission, subject to the conditions that the special use is personal to the applicant and may not be inherited, and that all required building and fire codes are met; all required building

permits (including electrical, plumbing & mechanical/HVAC) are issued to registered/licensed contractors; and all inspections are conducted and passed, with a Certificate of Occupancy issued, prior to being occupied. That resolution was seconded by Anderson and approved unanimously.

LOCAL HISTORIC LANDMARK DESIGNATION FOR THE CLUB BLOCK BUILDING

Mayor Deal said this building at 224 Main St. had housed a men's club in the early days of Fort Morgan and multiple businesses since then. She noted it had just been sold. Schossow offered a resolution approving local landmark designation for the Club Block building at 224 Main St., which was seconded by Urdiales and approved unanimously.

2024 BUDGET CALENDAR – REVIEW OF THE SCHEDULE OF FEES

Brennan went through the pages of the fee schedule that had proposed changes on them and briefly explained the reasoning for the changes. He said these changes were only proposals at this point and the council was not being asked to approve anything at this meeting. Brennan said the council members could ask staff about any areas of concern and they would be considered before the Schedule of Fees was brought for formal adoption in October. No action was taken.

REPORTS BY OFFICIALS AND STAFF

Police Chief Loren Sharp said the department had received its new canine officer and it was already on the job. He also said the department's Citizens' Academy was coming up. Nation said the city was still trying to get the summer's paving work done, which had been delayed by weather. Deal said she had attended the fire department's 9/11 Remembrance Stair Climb the preceding weekend and it was well attended and meaningful for the community.

BIDS, MEETINGS AND ANNOUNCEMENTS

Brennan announced current bids and upcoming meetings. He also said the petitioning period for the November municipal election had ended and the slate of candidates for mayor and city council was finalized.

EXECUTIVE SESSION

The regular portion of the meeting ended at 7:08 p.m., and Mayor Deal announced that the next item on the agenda was a scheduled executive session. Kaper made a motion to convene this executive session, which was seconded by Anderson 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: Economic incentives

The executive session began at 7:23 p.m. and ended at 7:50 p.m., and was attended by the mayor and council along with Nation, Brennan, Schneider-Engle, Williams, Utilities Director Doug Linton, Travis Bain, John Harris and Adam Duer. Bain, Harris and Duer left the session at approximately 7:42 p.m.

At the conclusion of the executive session the council returned to the regular open meeting, where Kaper reported that the council had met in executive session for the purpose stated on the agenda, and provided guidance and direction to staff regarding ongoing negotiations.

Mayor Deal adjourned the Sept. 5, 2023 regular meeting at 7:52 p.m.

/s/ Lyn Deal
Mayor

/s/ John Brennan
City Clerk