

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
September 1, 2020

The City Council of the City of Fort Lupton met in a regular session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, September 1, 2020. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToMeetings. Mayor Zo Stieber called the meeting to order at 7:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Stieber, Councilmembers Shannon Rhoda, Chris Ceretto, Michael Sanchez, Tommy Holton and Bruce Fitzgerald.

Also present was City Administrator, Chris Cross, City Clerk, Mari Pena, City Attorney, Andy Ausmus, HR Director, Laura Howe, Planning Director Todd Hodges, Planner, Maria Lancto and Chief John Fryar.

The following staff participated by electronic communication (GoToMeeting): Assistant City Administrator, Glenda Arextuloeta, and Finance Director, Leann Perino.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

It was moved by Bruce Fitzgerald and seconded Tommy Holton by to approve the Agenda as presented. Motion passed unanimously on roll call vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the September 1, 2020 payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Bruce Fitzgerald and seconded by Tommy Holton to approve the Consent Agenda with the following items: 08182020 City Council Meeting Minutes, 08252020 City Council Special Meeting Minutes, and Authorize Payment to the Northern Colorado Water Conservancy District for Southern Supply Water Project Operations and Maintenance for an Amount not to Exceed \$37,475.95 (AM 2020-156). Motion passed unanimously on roll call vote.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
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ACTION AGENDA

AM 2020-153 Adopt an Ordinance Annexing to Annex Land Legally Described in Exhibit "A" to the Proposed Ordinance, Known as the Smith Annexation and Approving the Annexation Agreement

Mayor Stieber opened the public hearing at 7:01 p.m. and asked for a description of the project. The City Planner, Maria Lancto, stated that Richard Allen Smith and Deborah L. Smith, the Applicants, have submitted a request for annexation of land totaling 1.21 acres, more or less, known as the Smith Annexation. The Property is located north and adjacent to County Road 24 an approximately 0.71 miles east of County Road 19. The property is adjacent to City Limits along its southern boundary. The proposed initial zoning is to the 'A' Agricultural Zone District, which is being presented to City Council for approval under a separate Action Memorandum and Ordinance following the hearing on this Annexation.

The proposed use of the property is for the storage of commercial vehicles and equipment associated with St Vrain Companies, Inc. (St. Vrain Paving). This use is being reviewed under a special use permit concurrently with this annexation, and will be considered by City Council at a separate hearing. Additionally, the property currently contains an existing residence, utility building, storage container, boxcar, shed and silo on site. These items are expected to remain. All notification requirements have been met including posting, publications and mailings.

Kelsey Bruxvoort with Ag Professionals, stated that she is representing Richard and Deborah Smith who are requesting annexation with initial zoning to 'A' Agriculture and a special use permit for storage of vehicles and equipment associated with St. Vrain Paving. Ms. Bruxvoort provided a presentation including recently annexed parcels, site layout, residence and utility buildings. The property is located in a joint planning area of Fort Lupton and Platteville and subject to an intergovernmental agreement. She stated that County Road 24 is the dividing line of the growth areas between Fort Lupton and Platteville. The Town of Platteville's consent was required to annex into Fort Lupton.

She stated that the proposed special use permit is for the storage of vehicles and equipment associated with St. Vrain Paving, owned by Richard Smith, and is an asphalt paving company operating out of Berthoud. The site won't be used as an office or retail space. The vehicles to be stored include tandem trucks, dump trucks, skid steer loaders, sealcoat machines, water trucks, tow trailers, pick-up trucks with five (5) employees who access the site on a busy day to pick up or drop off equipment.

The parking and storage will primarily be behind the residence, and the gravel stock pile area behind the utility building with two storage containers. Existing trees will remain and five additional trees are proposed for screening from the roadway. The application meets the special use permit approval criteria.

Mayor Stieber asked if anyone from the public would like to speak for or against the proposal. Hearing none, Mayor Stieber closed the public hearing at 7:08 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
September 1, 2020

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to adopt Ordinance 2020-1099 ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS THE SMITH ANNEXATION AND APPROVING THE ANNEXATION AGREEMENT. Motion passed unanimously on roll call vote.

AM 2020-154 Adopt an Ordinance Initially Zoning Land Legally Described in Exhibit A of the Proposed Ordinance and Known as the Smith Initial Zoning to the 'A' Agricultural Zone District

Mayor Stieber opened the public hearing at 7:09 p.m. and asked for a description. The City Planner, Maria Lancto, stated that Richard Allen Smith and Deborah L. Smith, the applicants, have submitted a request for initial zoning of certain land identified in Exhibit A of the Ordinance to the 'A' Agricultural Zone District. The initial zoning is situated north and adjacent to County Road 24 an approximately 0.71 miles east of County Road 29. City Council has previously reviewed and considered an Ordinance to approve the annexation known as the Smith Annexation at a hearing on September 1, 2020. This request is to initially zone the property included within that Annexation.

This proposed initial zoning to the 'A' Agricultural Zone District conforms with the Agricultural and Rural Residential land use designation on the Future Land Use Map. Furthermore, similar land uses can be found nearby. The proposed use of the property is for storage of vehicles and equipment associated with St Vrain Paving. This use is being reviewed for a special use permit concurrently with this annexation, and will be considered by City Council at a separate hearing. Additionally, the property currently contains an existing residence, utility building, storage container, boxcar, shed and silo on site. These items are expected to remain.

Mayor Stieber asked if anyone from the public wished to speak for or against the proposal. Hearing none, Mayor Stieber closed the public hearing at 7:11 p.m.

It was moved by Tommy Holton and seconded by Chris Ceretto to adopt Ordinance 2020-1100 INITIALLY ZONING LAND KNOWN AS THE SMITH INITIAL ZONING, LEGALLY DESCRIBED IN EXHIBIT A, TO THE 'A' AGRICULTURAL ZONE DISTRICT. Motion passed unanimously on roll call vote.

AM 2020-155 Approve a Resolution for an Application for a Special Use Permit for the Storage of Vehicles and Equipment Known as the Smith Special Use Permit

Mayor Stieber opened the public hearing at 7:12 p.m. and asked for a description of the proposal. The City Planner Maria Lancto, stated that Richard Allen Smith and Deborah L. Smith (the "Applicants") have submitted a request for a special use permit for the storage of vehicles and equipment for a property located north and adjacent to County Road 24 and approximately 0.71 miles east of County Road 29. The vehicles and equipment are associated with St. Vrain Companies, Inc. (St. Vrain Paving). The business operates out of Berthoud. An existing residence, utility building, storage container, boxcar, shed and silo are currently on site. These

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
September 1, 2020

items are expected to remain.

The Property is located within the 'A' Agricultural Zone District, after approval of an initial zoning by City Council at a concurrent hearing, which does not list outdoor storage as a use by right and therefore requires a special use permit. The area is designated as Agricultural and Rural Residential on the Future Land Use Map; the request is appropriate for this area. Additional information on this application is included in the materials attached to this Action Memorandum.

Ms. Lancto indicated a change on item 'j' of the proposed resolution. The additional wording was based on comments from the fire district, "Employee parking and equipment storage spots should be clearly distinguished on the special use permit map. A 20-foot minimum fire lane shall be maintained and kept clear for emergency vehicles per the approved Special use Permit map."

Mayor Stieber asked if anyone from the public wished to speak for or against the proposal. Hearing none, Mayor Stieber closed the public hearing at 7:13 p.m.

It was moved by Bruce Fitzgerald and seconded by Michael Sanchez to approve the amended Resolution 2020R065 A RESOLUTION FOR THE SPECIAL USE PERMIT FOR STORAGE OF VEHICLES AND EQUIPMENT, KNOWN AS THE SMITH SPECIAL USE PERMIT. Motion passed unanimously on roll call vote.

ACTION AGENDA

AM 2020-157 Approve Updated Employee Handbook, Employee Drug Policies and Remote Working Agreement for a Total Estimated Costs of \$10,031.94 Per Year

The City's Employee Handbook was issued on September 15, 2005. It has not been amended in a complete fashion since it was implemented. Many laws and employment practices have changed and an update has been warranted for some time.

Among the changes in the Employee Handbook, the City is changing leave accrual practices for Vacation and Sick Leave. These changes have cost associated with them, detailed in the Financial Considerations section.

A best employment practice is to have standalone policies and acknowledgements for drug and alcohol policies. There are separate policies for CDL and non-CDL holders. The City has also implemented Remote Working Guidelines in association with the policy in the Employee Handbook.

It was moved by Michael Sanchez and seconded by Bruce Fitzgerald to approve Resolution 2020-066 A RESOLUTION APPROVING THE AMENDMENT OF THE EMPLOYEE HANDBOOK PERSONNEL POLICIES CONTAINED IN THE EMPLOYEE HANDBOOK, THE DRUG AND ALCOHOL POLICY, THE DRUG AND ALCOHOL POLICY FOR CDL HOLDERS AND IMPLEMENT THE REMOTE WORKING GUIDELINES EFFECTIVE SEPTEMBER 19, 2020. Motion passed unanimously on roll call vote.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
September 1, 2020**

INFORMATION MEMORANDUM

IM 2020-003 A "Yes" Vote to the U.S. 85 Access Control Plan Amendment Request for Closure of Roadway Access Point WCR 78 and Modification of Hwy 85/O Street

The Colorado Department of Transportation (CDOT) has asked for a municipality vote on two separate amendments to the U.S. 85 Access Control Plan adopted in February 2000. The proposed amendments are for intersection improvements or closure of the following County or City roadway access points onto Highway 85: US85/O Street improvements and WCR 78 closure. There are maps and images attached to this Information Memorandum for your reference. The proposed amendment will align the U.S. 85 Access Control Plan with the visioning of the 85 PEL document (accepted by City Council on June 21, 2017), and ongoing Union Pacific corridor agreement.

A "no response" vote to these amendments is considered a "no" vote, and a 2/3rds majority is required for the amendment to pass. Fort Lupton's decision on the amendment must be submitted to CDOT by email within thirty days of the August 14, 2020.

STAFF

MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

FUTURE CITY EVENTS

September 8th	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
September 11-12th	Trapper Days – No Parade
September 15th	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
September 21st	Shred Day at City Hall, 130 S. McKinley Ave. 8:00 a.m. – 10 a.m.
September 29th	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.

ADJOURNMENT

Mayor Stieber adjourned the meeting at 7:15 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
September 1, 2020

Respectfully Submitted,

Maricela Peña
Maricela Peña, City Clerk

Approved by City Council

Zo Stieber
Zo Stieber, Mayor

