



**CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, May 16, 2023
6:00 PM
130 South McKinley Avenue**

Zo Hubbard, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespin, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

**You may join in person or join remotely by clicking on:
<https://global.gotomeeting.com/join/851983253>**

Call to Order

Pledge of Allegiance

Roll Call

Persons to Address Council - This portion of the Agenda is provided to allow members of the audience to present comments to the City Council. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up. Please limit the time of your comments to three (3) minutes - Mayor Hubbard

Approval of Agenda

Review of Accounts Payables

- a. May 16, 2023 Accounts Payable

Consent Agenda - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

- a. May 2, 2023 City Council Meeting Minutes
- b. AM 2023-082 Adopting an Ordinance Approving a Franchise Agreement Renewal with Comcast of Colorado IX, LLC
- c. AM 2023-083 Approving the Annual Renewal of Incode Court and Incode VX from Tyler Technologies for an Amount Not to Exceed \$48,900.72, Allocated from the General Fund

Public Hearings - Public Hearings allow members of the audience to present comments and questions to the City Council on the item being presented. Comments and questions may be limited to three (3) minutes- Mayor Hubbard

- a. AM 2023-081 Seeking Consideration by the Fort Lupton City Council Acting as the Local Licensing Authority for an Application Submitted by Taqueria Los Cazos LLC dba Taqueria Los Cazos for a Hotel and Restaurant License at 123 1st Street

Action Memorandum

- a. AM 2023-084 Awarding Contract to Filmtec Corporation for Purchase of the Water Treatment Plant's MEMCOR Filtration Skids and Parts for Existing Skids for an Amount Not to Exceed \$2,409,959.00 from the Utility Fund - Water Treatment Plant
- b. AM 2023-085 Adopting an Ordinance to Amend the Fort Lupton Municipal Code, Chapter 10, Section 10-1.2(c) and Re-Enact Section 10-243, Prohibiting Minors to Possess Cigarettes or Tobacco Products
- c. AM 2023-086 Authorizing the Disposal of Unusable Vehicles and Equipment through Auction

Staff Reports

Mayor/Council Reports

Future City Events

a. May 16, 2023 Upcoming Events

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
May 16, 2023**

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, May 16, 2023. Mayor Zo Hubbard called the meeting to order at 6:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Kaela Friedlan, Deputy City Clerk, called the roll. Those present were Mayor Zo Hubbard, Councilmembers, Bruce Fitzgerald, Valerie Blackston, David Crespín, Chris Cerretto, Carlos Barron and Claud Hanes.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus, Public Works Director, Roy Vestal, Planning Director, Todd Hodges and Fort Lupton Middle School National Junior Honor Society Students.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to approve the agenda as presented. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the May 16, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to approve the Consent Agenda as presented with the following items:

- May 2, 2023 City Council Meeting Minutes
- Adopting Ordinance 2023-1155 APPROVING A FRANCHISE AGREEMENT RENEWAL WITH COMCAST OF COLORADO IX, LLC (AM 2023-082)
- Approving the Annual Renewal of Incode Court and Incode VX from Tyler Technologies for an Amount Not to Exceed \$48,900.72, Allocated from the General Fund (AM 2023-083)

Motion passed unanimously on roll call vote.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
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PUBLIC HEARING

AM 2023-081 Seeking Consideration by the Fort Lupton City Council Acting as the Local Licensing Authority for an Application Submitted by Taqueria Los Cazos LLC dba Taqueria Los Cazos for a Hotel and Restaurant License at 123 1st Street

Mayor Hubbard opened the public hearing at 6:03 p.m.

City Clerk, Mari Peña, provided an overview of the application. She stated Taqueria Los Cazos is applying for a Hotel and Restaurant license. The applicant, Ruben Delgado Guzman, Fern O'Brien, with O'Brien Law and Patrick Maroney with Alcohol Petitioning Services, LLC were all in attendance. Mrs. Peña stated the application is under concurrent review which means the Colorado Department of Revenue, Liquor Enforcement Division, will review the application while it is under review with the City. All fees have been paid by the applicant. All notifications have been met and this type of license does not have any distance restrictions. Mrs. Peña, stated Alcohol Petitioning Services, LLC was hired by the applicant to obtain signatures from residents to produce evidence supporting the "needs and desires" of the neighborhood.

Patrick Maroney, with Alcohol Petitioning Services LLC presented the results of the petition. They conducted a total of 230 knocks on doors and obtained 58 signatures. 119 doors did not answer, 27 individuals were ineligible, and 26 people declined to sign the petition. Of the 58 signatures obtained, 55 were in favor and 3 were in opposition. With 98.4% in favor, Mr. Maroney believes the needs and desires of the neighborhood have been met.

Fern O'Brien, with O'Brien Law, called upon the applicant, Ruben Delgado Guzman, to answer a few questions regarding his business. He was sworn in by City Attorney, Andy Ausmus. Mr. Delgado Guzman described his experience running a business, his staff requirements for alcohol server training, his past criminal history and the reasons for why he wants to obtain a liquor license. City Attorney Ausmus and Mayor Hubbard had a few questions for Mr. Delgado Guzman regarding alcohol training. He replied stating his staff has had TIPS training and new employees will also be trained before they will be allowed to serve alcohol. There were no more questions.

Mayor Hubbard asked if anyone from the public wished to speak for or against the application. Hearing none, Mayor Hubbard closed the public hearing at 6:23 p.m.

There was no further discussion.

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It was moved by Carlos Barron and seconded by Valerie Blackston approving the application submitted by Taqueria Los Cazos LLC dba Taqueria Los Cazos for a Hotel and Restaurant License at 123 1st Street, by the Fort Lupton City Council, acting as the Local Licensing Authority. Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2023-084 Awarding Contract to Filmtec Corporation for Purchase of the Water Treatment Plant's MEMCOR Filtration Skids and Parts for Existing Skids for an Amount Not to Exceed \$2,409,959.00 from the Utility Fund - Water Treatment Plant

CH2M is providing upgrade/expansion engineering services for the Water Treatment Plant Expansion project. Long lead items purchased separately from General Construction contracting will prevent delays for a timely delivery for the project.

The MEMCOR filtration skids will be delivered in November for installation by the beginning of 2024. These items are sole sourced because the filtration skids need to be the same as what we are currently using at the plant. This order includes 2 new filtration skids for \$1,629,959 and replacement parts for the existing 5 skids for \$780,000.

Payment schedule is 10% upon order, 25% with submittal documents, 60% on delivery and 5% at Start-up.

Project Budget	Construction	Budget
Engineering CH2M	\$ 425,292	WTP Expansion \$3,000,000
PLC	\$ 294,769	pretreatment \$5,000,000
Filtration Skids	\$2,409,959	
Remaining Constr Est	\$4,269,980	
Total	\$7,400,000	\$8,000,000

Councilmember, Valerie Blackston asked if a warranty will be provided. Mr. Vestal responded stating the initial installation comes with a 2-year warranty and then there will be ongoing maintenance and care of the system.

It was moved by David Crespin and seconded by Valerie Blackston to Award Contract to Filmtec Corporation for Purchase of the Water Treatment Plant's MEMCOR Filtration Skids and Parts for Existing Skids for an Amount Not to Exceed \$2,409,959.00 from the Utility Fund - Water Treatment Plant. Motion passed unanimously on roll call vote.

AM 2023-085 Adopting an Ordinance to Amend the Fort Lupton Municipal Code, Chapter 10, Section 10-1.2(c) and Re-Enact Section 10-243, Prohibiting Minors to Possess Cigarettes or Tobacco Products.

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Colorado Revised Statute 25-14-301(4) allows municipalities to adopt an ordinance prohibiting the possession of cigarettes or tobacco products by minors. The Court Administrator, Jeanelle Andersen, presented why there is a need to add a local ordinance prohibiting minors to possess cigarettes or tobacco products. She stated since Fort Lupton does not currently have a local ordinance, Officers have to write juvenile tobacco tickets into Weld County Court. Fort Lupton staff have expressed the desire to add such an ordinance in an effort to protect the health and safety of our minor citizens without having to write them into a higher-level Court.

It was moved by Bruce Fitzgerald and seconded by Valerie Blackston to adopt an Ordinance to Amend the Fort Lupton Municipal Code, Chapter 10, Section 10-1.2(c) and Re-Enact Section 10-243, Prohibiting Minors to Possess Cigarettes or Tobacco Products. Motion passed unanimously on roll call vote.

AM 2023-086 Authorizing the Disposal of Unusable Vehicles and Equipment through Auction.

The City has vehicles and equipment that are deemed unusable by the departments and selling them at auction will generate revenue for the City.

It was moved by Claud Hanes and seconded by Carlos Barron to Authorize the Disposal of Unusable Vehicles and Equipment through Auction. Motion passed unanimously on roll call vote.

STAFF

Roy Vestal, Public Works Director, stated he was thankful public works didn't have to deploy the Arc alternative last week due to all the rain Fort Lupton received. The City's core area did very well with the storm drainage. However, there is still a lot of clean-up to be completed. He showed appreciation to the crews that are cleaning everything up and thanked the County for their assistance last week.

Jeanelle Andersen, Court Administrator, stated juvenile work crews will begin soon.

John Fryer, Chief of Police, stated his department will be fully staffed beginning June 5, 2023.

Staff recognized the National Junior Honor Society and expressed appreciation for their participation in Youth in Government Day.

MAYOR/COUNCIL REPORTS

All Councilmembers showed support, gratitude, and encouragement to the National Junior

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Honor Society for their future and participation in Youth in Government Day.

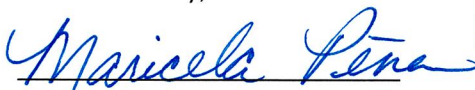
FUTURE CITY EVENTS

May 29, 2023	Memorial Day Services, Hillside Cemetery 9:00 a.m.
May 30, 2023	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
June 6, 2023	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
June 13, 2023	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
June 20, 2023	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
June 27, 2023	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:51 p.m.

Submitted by,



Maricela Peña, City Clerk



Approved by City Council,



Zo Hubbard, Mayor