



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, June 20, 2023
6:00 PM
130 South McKinley Avenue

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

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. June 20, 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. June 6, 2023 City Council Meeting Minutes**
- b. June 6, 2023 Marijuana Licensing Authority Meeting Minutes**
- c. AM 2023-093 Accepting an Application and Approving a Resolution Establishing All of the City of Fort Lupton as the Neighborhood for the Application Submitted by Everyday Stores LLC dba Everyday 5722 for a Fermented Malt Beverage and Wine License at 104 Denver Ave. and Setting a Public Hearing for July 18, 2023, for Consideration of the Application**
- d. AM 2023-094 Adopting an Ordinance to Accept Public Right of Way from Sphere Renewables LLC**
- e. AM 2023-095 Accepting a Public Improvements Agreement with Sphere Renewables Manufacturing for the Extension of Water, Sewer, Storm, and Roadway**
- f. AM 2023-096 Approve Crossing Agreement for Force Main from The Wastewater Treatment Plant with Sakata Farms for The Ditch Crossings**
- g. AM 2023-099 Approve Structure Agreement for Well (W-125) at the Perry Pit with Holcim-WCR, Inc. for the Wattenburg Lakes Mine**
- h. AM 2023-103 Accepting the Revitalizing Main Streets Opportunity 2 Program Grant from Colorado Department of Transportation (CDOT) to Reconstruct the Sidewalks on Harrison Avenue for a Maximum Grant Amount of \$250,000.00 with a 10 Percent Matching Funds**
- i. AM 2023-104 Accepting a Proposal from A to Z Recreation for the Community Center Park Renovation Project Playground Equipment / Installation for an amount not to exceed \$471,846.50 to be paid from the GOCO Grant Account (\$300,000) and Weld Trust Grant Account (\$171,846.50)**

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 2023-097 Approving a Resolution for Vista Meadows Preliminary Plat and PUD Plan
- b. AM 2023-101 Approving a Resolution for Vista Meadows Final Plat and PUD Plan

Action Memorandum

- a. AM 2023-098 Award of Contract to Burns and McDonnell for Engineering Services for Phase 1 of the Elevated Water Storage Tank Design for an Amount Not to Exceed \$249,260.00 from the Utility Fund - Water Line Repairs
- b. AM 2023-100 Approval of the Revised Subdivision Improvements Agreement between the City of Fort Lupton and GAO Holdings, LLC, for the Vista Meadows Filing No. 1 Final Plat
- c. AM 2023-102 Approval of Addendum to Joint City and Weld Re8 IGA for Outlining Library Services

Staff Reports

Mayor/Council Reports

Future City Events

- a. June 20, 2023 Upcoming Events

Upcoming Meetings

- a. June 27, 2023- Town Hall Meeting (CANCELED)
July 5, 2023 - City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
July 11, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
June 20, 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, June 20, 2023. Mayor Zo Hubbard called the meeting to order at 6:02 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 Hubbard, Councilmembers, David Crespin, Chris Ceretto, Carlos Barron and Claud Hanes. Valerie Blackston appeared remotely and Bruce Fitzgerald was absent.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus, Public Works Director, Roy Vestal, Planning Director, Todd Hodges, Chief of Police, John Fryar and Finance Director, Leann Perino.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

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

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the June 20, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Carlos Barron and seconded by Valerie Blackston remove item to approve the Consent Agenda as presented with the following items:

- June 6, 2023 City Council Meeting Minutes
- June 6, 2023 Marijuana Licensing Authority Meeting Minutes
- Accepting an Application and Approving Resolution 2023R019 ESTABLISHING ALL OF THE CITY OF FORT LUPTON AS THE NEIGHBORHOOD FOR THE APPLICATION SUBMITTED BY EVERYDAY STORES LLC DBA EVERYDAY 5722 FOR A FERMENTED MALT BEVERAGE AND WINE LICENSE AT 104 DENVER AVE. AND SETTING A PUBLIC HEARING FOR JULY 18, 2023, FOR CONSIDERATION OF THE APPLICATION (AM 2023-093)
- Adopting Ordinance 2023-1157 TO ACCEPT PUBLIC RIGHT OF WAY FROM SPHERE

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RENEWABLES LLC (AM 2023-094)

- Accepting a Public Improvements Agreement with Sphere Renewables Manufacturing for the Extension of Water, Sewer, Storm, and Roadway (AM 2023-095)
- Approve Crossing Agreement for Force Main from The Wastewater Treatment Plant with Sakata Farms for The Ditch Crossings (AM 2023-096)
- Approve Structure Agreement for Well (W-125) at the Perry Pit with Holcim-WCR, Inc. for the Wattenburg Lakes Mine (AM 2023-099)
- Accepting the Revitalizing Main Streets Opportunity 2 Program Grant from Colorado Department of Transportation (CDOT) to Reconstruct the Sidewalks on Harrison Avenue for a Maximum Grant Amount of \$250,000.00 with a 10 Percent Matching Funds (AM 2023-103)
- Accepting a Proposal from A to Z Recreation for the Community Center Park Renovation Project Playground Equipment / Installation for an amount not to exceed \$471,846.50 to be paid from the GOCO Grant Account (\$300,000) and Weld Trust Grant Account (\$171,846.50) (AM 2023-104)

It was moved by Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

AM 2023-097 Approving a Resolution for Vista Meadows Preliminary Plat and PUD Plan

Mayor Hubbard opened the public hearing at 6:07 p.m. and asked for an overview of the proposal.

City Planner, Clay Hartley, stated John Fitzsimmons and C3 Construction Management CO, LLC have submitted a request for a preliminary plat and PUD plan. This project is to be a residential subdivision that will include 23 residential estate lots, 333 single-family residential detached lots, and 56 single-family residential attached lots. The overall project density is to be 2.6 dwelling units per acre. The development will include pocket parks, open space, and interconnecting trails. A public hearing for this application was held on June 8, 2023, and Planning Commission recommended approval to City Council of the Vista Meadows Preliminary Plat.

The project is zoned as PUD, which is consistent with the property north of CR 12. Residential development, similar in scale, is currently under construction on the north side of CR 12. Property to the east, west and south are currently within Weld County. There are limited residences surrounding this property with the majority of the land being used for agriculture. A large landscape buffer has been proposed along the property boundary for this community.

The site is located south and adjacent to County Road 12, and between County Road 29, and

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County Road 29 ½.

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site, and publishing notice of the hearing at least 15 days prior to the hearing.

JR Osborne, representative for the development, provided a presentation to the Council. Mr. Osborne's presentation included the PUD Sketch Plat, Phasing Plan, and Landscape Plan.

Melissa Rickman, owner of Wholly Stromboli, stated she was in favor of the development. She is excited for the growth the development brings not only to the City but to her restaurant business.

There being no further comments from the public, Mayor Hubbard closed the public hearing at 6:24 p.m.

It was moved by Carlos Barron and seconded by David Crespín to approve Resolution 2023-020 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE VISTA MEADOWS PRELIMINARY PLAT AND PUD PLAN, FILING NOS. 1 – 5 FOR A RESIDENTIAL SUBDIVISION. Motion passed unanimously on roll call vote.

AM 2023-101 Approving a Resolution for Vista Meadows Final Plat and PUD Plan

Mayor Hubbard opened the public hearing at 6:25 p.m.

Since the project was previously introduced in the first hearing, there was no presentation and no further information or comments.

Mayor Hubbard asked if anyone from the public wished to speak for or against the proposal. Hearing none, Mayor Hubbard closed the public hearing at 6:27.

There were no questions or comments from the Council.

It was moved by Carlos Barron and seconded by Claud Hanes to Approve Resolution 2023R021 APPROVING VISTA MEADOWS FINAL PLAT AND PUD PLAN. Motion passed unanimously on roll call vote.

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ACTION MEMORANDUM

AM 2023-098 Award of Contract to Burns and McDonnell for Engineering Services for Phase 1 of the Elevated Water Storage Tank Design for an Amount Not to Exceed \$249,260.00 from the Utility Fund Water Line Repairs

A Request for Qualifications (RFQ) for Elevated Water Tank - Engineering Services was issued January 5, 2023 with two firms submitting (Burns & McDonnell and Kimley Horn). Both firms were interviewed by a panel of City staff, with Burns and McDonnell scoring the highest in Statement of Qualifications (SOQ) and interview.

Burns and McDonnell is providing engineering services for the Elevated Water Storage project. The purpose of the Phase 1 work involves analyzing the City's existing potable water distribution system. The ultimate goal of the project is the elimination of the existing pump house at the tank farm and optimizing a plan for the ultimate distribution system.

We are pursuing an SRF loan with some principle forgiveness. The pre-qualification application has been submitted. This Phase 1 work will evaluate the existing water transmission and distribution system, complete field testing, perform demand forecast, and update WaterGEMS hydraulic model. The results of the Phase I would be used to assist the City in identification of capital improvement projects that should be considered to meet demand forecasts and/or alleviate the mechanical challenges currently experienced in the water distribution system.

It was moved by Chris Ceretto and seconded by Carlos Barron to Award Contract to Burns and McDonnell for Engineering Services for Phase 1 of the Elevated Water Storage Tank Design for an Amount Not to Exceed \$249,260.00 from the Utility Fund Water Line Repairs. Motion passed unanimously on roll call vote.

AM 2023-100 Approval of the Subdivision Improvements Agreement between the City of Fort Lupton and GAO Holdings, LLC, for the Vista Meadows Filing No. 1 Final Plat

This Subdivision Improvement Agreement was drafted for the Vista Meadows - Filing No. 1 (LUP2022-0022) approved by City Council on March 15, 2022, which is located south of CR 12, immediately west of CR 29.5.

Improvements are for the construction of water, non-potable water and sanitary sewer main extensions, roadway construction, landscape and storm drainage system improvements, as well as offsite improvements. Approximate cost of this agreement for construction is \$21,440,100.00 in eight phases of development.

This agreement includes payments for the reimbursement agreement with Mountain Sky for extension of the water mains and S. College Avenue roadway improvements.

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Resolution 2022R025, approved by Council on March 15, 2022 requires the applicant to enter into a Subdivision Improvements Agreement. This version of the agreement has been coordinated between the developer and City staff.

Mayor Hubbard questioned if twenty-one million would be adequate, given the rate of inflation and suggested making a provision. Roy Vestal, Public Works Director, stated in order to make a provision they would need to re-write the standard agreement and bring it back before council for approval. He also stated that technically, the build out is four years, they can't complete the final phase of the construction build out until the improvements are done with each phase which will be about a three-year timeframe.

Councilmember Chris Ceretto, questioned if the other half of the road on 29th would be paved. Mr. Vestal responded, stating there will be two lanes that will be paved, half of the ultimate roadway section which is an arterial. There is only 30 feet of right of way. Once it is paved, it will be wider than the current gravel width.

It was moved by David Crespín and seconded by Claud Hanes to Approve the Subdivision Improvements Agreement between the City of Fort Lupton and GAO Holdings, LLC, for the Vista Meadows Filing No. 1 Final Plat. Motion passed unanimously on roll call vote.

AM 2023-102 Approval of Addendum to Joint City and Weld Re8 IGA for Outlining Library Services

The IGA between the City of Fort Lupton and the Weld Re8 School District needs to be modified to outline responsibilities of services to each location since there is a new public facility.

This change primarily outlines the responsibility of the City which is maintaining the facility, janitorial, and groundskeeping services for the public facility. Additionally, this revision allows for the Library to employ a full-time staff member at the school facility.

It was moved by Carlos Barron and seconded by Chris Ceretto to Approve the Addendum for Joint City and Weld Re8 IGA for Outlining Library Services. Motion passed unanimously on roll call vote.

STAFF

Thomas Samblanet, Library Director, stated construction of the Library has been pushed back due to an electrical switch issue. He stated the library is expected to open on September 9, 2023. However, it is contingent on the supplier shipping the electrical switch. Councilmember Valerie Blackston asked is the school library would be open until September. Mr. Samblanet stated they are expecting the school library to be closed for three weeks to move. Which would

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probably put the closure right at back to school time. If plans don't shift, the school library will not re-open as a public library and they are looking into solutions to provide library services for the students during the closure.

Roy Vestal, Public Works Director, stated on Friday, June 30th he will be presenting to DOLA for a grant from the energy mineral impact assistance fund.

Todd Hodges, Planning Director, stated the new office location for the planning, building and economic development department had its ribbon cutting on June 13th. He thanked everyone who stopped by and stated that if you missed the event, to reach out if you would like a tour of the new office. He said they have been conducting meetings in the front conference room and it has been working well. The accessibility of the new location has made a big difference. The public has expressed enjoying the ability to walk in and ask questions when needed.

John Fryer, Chief of Police, gave praise to Lieutenant Carnes for completing Northwestern's Staff and Command College. He ranked in the top 90% and did very well.

Chris Cross, City Administrator, stated the sale of the golf bonds occurred today and they will be finalizing the closing on June 29th. Mayor Hubbard asked for an update regarding the construction on 4th St. and Denver Ave. Mr. Cross stated bumps out are being constructed as part of the Corridor Business Plan Update that was crafted in 2018. 3rd St. and Denver Ave. will also be under construction to get bump outs.

MAYOR/COUNCIL REPORTS

Councilmember, Claud Hanes, stated Mayor Hubbard and himself went to the Yoder Chevrolet grand opening and ribbon cutting. He stated it was a good turnout.

Councilmember, Chris Ceretto, expressed excitement for the planning, building, and economic department and their new office location.

FUTURE CITY EVENTS

July 1, 2023	Independence Day Celebration, 203 S. Harrison Ave. 12:00 p.m. – 4:00 p.m.
July 7 & 8, 2023	City Wide Yard Sales

UPCOMING MEETINGS

June 27, 2023- Town Hall Meeting (CANCELED)
July 5, 2023 - City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
July 11, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.

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ADJOURNMENT

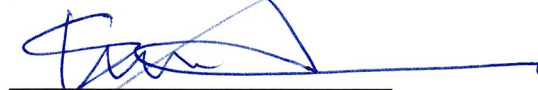
The meeting adjourned at 6:50 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor