



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, August 15, 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

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

Pledge of Allegiance

Call to Order

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

- a. Aaron Richardson, Project Manager, Jacobs/OMI

Approval of Agenda

Review of Accounts Payables

- a. August 15, 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. August 1, 2023 City Council Meeting Minutes
- b. AM 2023-124 Approving the Intergovernmental Agreement with Board of County Commissioners of the County of Weld and the Weld County Clerk and Recorder Concerning the Administration of the November 7, 2023, Coordinated Election with the City of Fort Lupton and designating Maricela Peña as the Election Official for the City
- c. AM 2023-126 Approving the Renewal of Proofpoint Software for an Amount Not to Exceed \$24,139.40 from the General Fund IT Budget

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 2023-125 Approve a Resolution Approving Service Plan for Sunrise Metropolitan District and Approve Intergovernmental Agreement with District
- b. AM 2023-127 Adopting an Ordinance of The City of Fort Lupton, Colorado, Repealing and Re-Enacting Chapter 16, Article X, Section 16-10.01 Floodplain Regulations of The City of Fort Lupton Municipal Code for the Flood Insurance Study, Weld County, Colorado and Incorporated Areas Effective October 14, 2023

Action Memorandum

- a. AM 2023-128 An Ordinance of the City of Fort Lupton, Amending Portions of Chapter 16 – Development Code.

Staff Reports

Mayor/Council Reports

Future City Events

a. Upcoming Events

Executive Session To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e) - Windy Gap

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
August 15, 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, August 15, 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

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Hubbard, Councilmembers, Chris Ceretto, Carlos Barron, Claud Hanes, Bruce Fitzgerald, and David Crespín. Councilmember Valerie Blackston participated remotely.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus, Planning Director, Todd Hodges, Interim Chief of Police, William Carnes and Finance Director, Leann Perino.

PERSONS TO ADDRESS COUNCIL

Aaron Richardson with Jacobs presented the checks of the 2023 Jon Mays Memorial Fore Youth Golf Tournament. A total of \$10,000.00 was raised and split between the Boys & Girls Club and the Fort Lupton Recreation Center.

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 August 15, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Chris Ceretto and seconded by Claud Hanes to approve the Consent Agenda as presented with the following items:

- August 1, 2023 City Council Meeting Minutes
- Approving the Intergovernmental Agreement with Board of County Commissioners of the County of Weld and the Weld County Clerk and Recorder Concerning the Administration of the November 7, 2023, Coordinated Election with the City of Fort Lupton and designating Maricela Peña as the Election Official for the City (AM 2023-124)

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
August 15, 2023**

- Approving the Renewal of Proofpoint Software for an Amount Not to Exceed \$24,139.40 from the General Fund IT Budget (AM 2023-126)

Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

AM 2023-125 Approve a Resolution Approving Service Plan for Sunrise Metropolitan District and Approve Intergovernmental Agreement with District

Mayor Hubbard opened the public hearing at 6:06 p.m.

Jennifer Gruber-Tanaka, Esq. with White Bear Ankele Tanaka & Waldron, the City's legal counsel, presented an overview of the request.

Carlson Land Development, the applicant for Sunrise Metropolitan District (the "District"), has submitted a Service Plan (the "Service Plan") pursuant to the City's Special District Policy, contained in Chapter 19 of the Code. The Service Plan meets the criteria of and complies with the requirements set forth in the City's Special District Policy.

The purpose of approving the service plan is to authorize the District to provide for planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the Public Improvements required for development of the Sunrise PUD. The Service Plan has more details on the public improvements that may be funded by the District.

Future development will be required to complete additional filings, improvements agreements, and/or site plans prior to construction. Each phase of development will still require public hearings and final review and approval by City Council.

The City's Special District Policy and Title 32 require a public hearing before City Council with publication of notice of the hearing. The District published notice of the hearing in the Fort Lupton News Press on July 20, 2023, and mailed notice as required by the City's Special District Policy and Title 32.

Legal counsel for the District was present at the hearing to answer questions on the Service Plan and to request approval of the Service Plan and IGA.

Mayor Hubbard asked if anyone from the public wished to speak for or against the application.

Paula Williams, representative of the Applicant, thanked staff and Jennifer Gruber-Tanaka for their assistance in this proposal.

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There was no further discussion and no one from the public wished to speak. Mayor Hubbard closed the public hearing at 6:11 p.m.

It was moved by Carlos Barron and seconded by Bruce Fitzgerald approving Resolution 2023R028 APPROVING SERVICE PLAN FOR SUNRISE METROPOLITAN DISTRICT AND APPROVE INTERGOVERNMENTAL AGREEMENT WITH DISTRICT. Motion passed unanimously on roll call vote.

AM 2023-127 Adopting an Ordinance of The City of Fort Lupton, Colorado, Repealing and Re-Enacting Chapter 16, Article X, Section 16-10.01 Floodplain Regulations of The City of Fort Lupton Municipal Code for the Flood Insurance Study, Weld County, Colorado and Incorporated Areas Effective October 14, 2023

Mayor Hubbard opened the public hearing at 6:12 p.m.

David Rausch, Development Review Engineer provided an overview of the proposal. The Federal Emergency Management Agency (FEMA) notified the City that the updated Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) will be effective November 30, 2023. The City is required to adopt and make effective an ordinance for the floodplain management regulations that include the updated Flood Insurance Study and Flood Insurance Rate Maps prior to November 30, 2023. Once the ordinance is signed and adopted, a copy must be sent to both FEMA and the State. If the City fails to adopt the floodplain ordinance, the City will be sanctioned. Publication of the notice of hearing was published in the Fort Lupton Press twice prior to the hearing.

Mayor Hubbard asked if anyone from the public wished to speak for or against the application.

There was no further discussion and no one from the public wished to speak. Mayor Hubbard closed the public hearing at 6:19 p.m.

It was moved by Claud Hanes and seconded by Carlos Barron Adopting Ordinance 2023-1158 OF THE CITY OF FORT LUPTON, COLORADO, REPEALING AND RE-ENACTING CHAPTER 16, ARTICLE X, SECTION 16-10.01 FLOODPLAIN REGULATIONS OF THE CITY OF FORT LUPTON MUNICIPAL CODE FOR THE FLOOD INSURANCE STUDY, WELD COUNTY, COLORADO AND INCORPORATED AREAS EFFECTIVE OCTOBER 14, 2023. Motion passed unanimously on roll call vote.

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ACTION MEMORANDUM

AM 2023-128 An Ordinance of the City of Fort Lupton, Amending Portions of Chapter 16 – Development Code.

The Fort Lupton Development Code became effective on July 16, 2022. Upon adoption, it was determined that within six months of the Development Code going into effect, revisions to Chapter 16 – Fort Lupton Development Code that may change the character or intent as approved by this Ordinance shall be considered by City staff, Planning Commission, and City Council to address issues identified during its implementation. This request is to make amendments to the Development Code found to be necessary by City Staff during its implementation.

Specific changes to note are:

- Addition of the Concept Plan procedure to Table 2-1 and the addition of a corresponding section that further details a procedure for Concept Plans. (2.02 D)
- Addition of the Comprehensive Plan Amendment procedure to Table 2-1 and the addition of a corresponding section that further details a procedure for Comprehensive Plan Amendments. (2.14)
- Changes to the timing and location of a Neighborhood Meeting. (2.01 D)
- Changes to the criteria for an Administrative Site Plan. (2.05)
- Changes to the criteria for a Site Plan. (2.06)
- Correction of Manufacturing and Industrial Services types to match definition of uses. (Table 4-1)
- Addition of Storage and Warehousing as a Special Use Permit to the C-2 and I-1 Zone Districts. (Table 4-2)
- Changes to the criteria of the height for Ground Mounted accessory uses in Renewable Energy Facilities. (4.03 D)
- Correction of density bonus, from “additional” to “total” (5.05 C)
- Removal of maximum secondary building size (Table 6-2)

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- Reincorporating specific language from the previous parking standards in the Municipal Code into new parking design standards (7.04 E)
- Reincorporating specific language from the previous fencing standards in the Municipal Code into Section 8.05
- Changes in criteria for monument and residential gateway signs
- Repeal and replacement of Section 10.01.

It was moved by David Crespín and seconded by Chris Ceretto to approve an Ordinance of the City of Fort Lupton, Amending Portions of Chapter 16 – Development Code. Motion passed unanimously on roll call vote.

STAFF

David Rausch, Development Review Engineer, stated during construction on Harrison Avenue, trash pickup should not be an issue. Trash trucks should be able to drive down the street. However, if the trucks do not have access to the trash, the construction contractor has been instructed to pick up the trash and take it to the intersection where the trash truck can access it.

William Carnes, Lieutenant, reported the basement renovation is moving forward well. They are in phase one of the renovation.

Chris Cross, City Administrator, reported the joint meeting between the Council and Board of County Commissioners went well. He also reported the Library will be doing a soft opening on Monday, August 21st and the ribbon cutting is scheduled for September 1st at 5 p.m.

MAYOR/COUNCIL REPORTS

Zo Hubbard, Mayor, reported Council had a lovely time during their joint meeting with the Board of County Commissioners at the new library. She encouraged everyone to go in and explore the library when it opens.

FUTURE CITY EVENTS

August 25, 2023	Summer Concert Series – Kelsie Jo & the Wildcards Fort Lupton Library, 425 Denver Ave. 6 p.m.
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August 30, 2023 Spaghetti Dinner, Fort Lupton Recreation Center,
203 S. Harrison Ave. 5 p.m.- 8 p.m.

September 8, 2023 28th Annual Trapper Days Golf Tournament

September 9, 2023 Trapper Days, Downtown Fort Lupton, Denver Ave.

UPCOMING MEETINGS

August 29, 2023 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6 p.m.
September 5, 2023 City Council Meeting, City Hall, 130 S. McKinley Ave. 6 p.m.
September 12, 2023 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6 p.m.

EXECUTIVE SESSION

It was moved by Carlos Barron and seconded by Chris Ceretto to move to Executive Session at 6:33 p.m. "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)." Windy Gap. Motion passed unanimously on voice vote. The following moved into Executive Session: Mayor Hubbard, Mayor Pro-Tem, Chris Ceretto, Councilmembers Bruce Fitzgerald, Claud Hanes, David Crespín and Carlos Barron, Councilmember Valerie Blackston attended remotely, City Attorney, Andy Ausmus, City Administrator, Chris Cross, and Finance Director, Leanne Perino.

The Executive Session ended at 6:45 p.m. and the regular meeting reconvened.

ADJOURNMENT

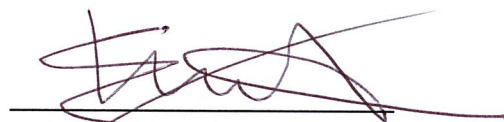
The meeting adjourned at 6:46 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor