



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, November 7, 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>

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. November 7, 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. October 17, 2023 City Council Meeting Minutes
- b. October 21, 2023 City Council Special Meeting Minutes
- c. AM 2023-151 Approving a Resolution Ratifying the Appointment of Zachary Potter by the Mayor to the Planning Commission as a Regular Member for a Three-year Term Beginning November 7, 2023, and Ending November 7, 2026
- d. AM 2023-152 Approve a Resolution Appointing Shannon Rhoda to the Planning Commission for the Remainder of a Term, Expiring May 22, 2024
- e. AM 2023-154 Approving the Agreement and the Ratification of the Mayor's Signature on the Agreement for Animal Control Services with NOCO Humane with an Effective Date of October 2, 2023
- f. AM 2023-155 Approving Payment to KNS for the amount of \$36,369.16 and Not to Exceed \$41,000 for the Purchase and Installation of Bi-Directional Amplifier System at City Hall to Satisfy the Police Department and Emergency Operations Center Needs
- g. AM 2023-156 Approve a Resolution Accepting Community Service Workers' Accident Medical Plan (CSWAMP) for the 2024 Policy Year for an Estimated Amount of \$300.00
- h. AM 2023-158 Approve a Resolution to Opt Out Uncompensated Elected and/or Appointed Officials from the Workers' Compensation Policy and Add Them and Other City Volunteers to the Volunteer Accident Medical Plan (VAMP) for the 2024 Policy Year for the Amount of \$310.00
- i. AM 2023-161 Approval of Changes to the Services Provided by High Plains Library District (HPLD) to Member Libraries in the Intergovernmental Agreement between HPLD and the City of Fort Lupton and the Weld Re8 School District

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 2023-159 Seeking Consideration by the Fort Lupton City Council Acting as the Local Licensing Authority for an Application Submitted by The Bad Hatchet, LLC dba The Bad Hatchet for a Lodging and Entertainment License at 237 Denver Avenue

Action Memorandum

- a. AM 2023-160 Approving Insurance Benefits for Employees for 2024
- b. AM 2023-153 Approve Change Order to Contract with Burns and McDonnell for Engineering Design Services for the Water Tower Project Design for an Amount Not to Exceed \$686,433.00 from the Utility Fund - Water Storage
- c. AM 2023-157 Approving the Agreement for Municipal Planning Services with Todd Hodges Design, LLC as the Planner for the City of Fort Lupton for a Two (2) year Term with an Effective Date of November 7, 2023

Staff Reports

Mayor/Council Reports

Future City Events

- a. November 7, 2023 Upcoming Events

Upcoming Meetings

- a. November 14, 2023 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
November 21, 2023 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
November 28, 2023 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
December 5, 2023 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

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)." NISP

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
November 7, 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, November 7, 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 Dunston, Deputy City Clerk, called the roll. Those present were, Mayor Zo Hubbard, Councilmembers, Chris Ceretto, Carlos Barron, Claud Hanes, Bruce Fitzgerald, and Valerie Blackston. Councilmember David Crespino was absent.

Also present were City Administrator, Chris Cross, City Attorney, Andy Ausmus, Planning Director, Todd Hodges, Human Resources Director, Amanda Rice, Public Works Director, Roy Vestal, Accounting Manager, Kris Kindle and Deputy City Clerk, Kaela Dunston.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

Mayor Hubbard requested to change the title of AM 2023-155 to approving Payment to KNS for an Amount Not to Exceed \$41,000 for the Purchase and Installation of Bi-Directional Amplifier System at City Hall to Satisfy the Police Department and Emergency Operations Center Needs. It was moved by Bruce Fitzgerald and seconded by Carlos Barron to approve the agenda as amended. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the November 7, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- October 17, 2023 City Council Meeting Minutes
- October 21, 2023 City Council Special Meeting Minutes
- Approving Resolution 2023R035 RATIFYING THE APPOINTMENT OF ZACHARY POTTER BY THE MAYOR TO THE PLANNING COMMISSION AS A REGULAR MEMBER

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FOR A THREE-YEAR TERM BEGINNING NOVEMBER 7, 2023, AND ENDING NOVEMBER 7, 2026 (AM 2023-151)

- Approving Resolution 2023R036 APPOINTING SHANNON RHODA TO THE PLANNING COMMISSION FOR THE REMAINDER OF A TERM, EXPIRING MAY 22, 2024 (AM 2023-152)
- Approving the Agreement and the Ratification of the Mayor's Signature on the Agreement for Animal Control Services with NOCO Humane with an Effective Date of October 2, 2023 (AM 2023-154)
- Approving Payment to KNS for an amount Not to Exceed \$41,000 for the Purchase and Installation of Bi-Directional Amplifier System at City Hall to Satisfy the Police Department and Emergency Operations Center Needs (AM 2023-155)
- Approving Resolution 2023R037 ACCEPTING COMMUNITY SERVICE WORKERS' ACCIDENT MEDICAL PLAN (CSWAMP) FOR THE 2024 POLICY YEAR FOR AN ESTIMATED AMOUNT OF \$300.00 (AM 2023-156)
- Approving Resolution 2023R038 TO OPT OUT UNCOMPENSATED ELECTED AND/OR APPOINTED OFFICIALS FROM THE WORKERS' COMPENSATION POLICY AND ADD THEM AND OTHER CITY VOLUNTEERS TO THE VOLUNTEER ACCIDENT MEDICAL PLAN (VAMP) FOR THE 2024 POLICY YEAR FOR THE AMOUNT OF \$310.00 (AM 2023-158)
- Approval of Changes to the Services Provided by High Plains Library District (HPLD) to Member Libraries in the Intergovernmental Agreement between HPLD and the City of Fort Lupton and the Weld Re8 School District (AM 2023-161)

Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

AM 2023-159 Seeking Consideration by the Fort Lupton City Council Acting as the Local Licensing Authority for an Application Submitted by The Bad Hatchet, LLC dba The Bad Hatchet for a Lodging and Entertainment License at 237 Denver Avenue

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

Kaela Dunston, Deputy City Clerk, provided an overview of the application. She stated The Bad Hatchet is applying for a Lodging and Entertainment license. The applicant, Justin Sheets and Erin McCullough with Oedipus Petitioning were all in attendance. Mrs. Dunston 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. The applicant has also applied for a right of way permit to install railing for a temporary patio to allow liquor to be served outdoors on the patio. Mrs. Dunston, stated Oedipus Petitioning was hired by the applicant to obtain signatures from residents to produce evidence supporting the "needs and desires" of the neighborhood.

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Erin McCullough, with Oedipus Petitioning presented the results of the petition. They conducted a total of 276 knocks on doors and obtained 120 signatures. 131 doors did not answer, 9 individuals were ineligible, and 16 people declined to sign the petition. Of the 120 signatures obtained, 118 were in favor and 2 were in opposition resulting in 98.33% in favor of the license.

There was no further discussion and no one from the public wished to speak. Mayor Hubbard closed the public hearing at 6:12 p.m.

It was moved by Carlos Barron and seconded by Chris Ceretto approving the application submitted by The Bad Hatchet LLC dba The Bad Hatchet for a Lodging and Entertainment License at 237 Denver Avenue, by the Fort Lupton City Council, acting as the Local Licensing Authority. Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2023-160 Approving Insurance Benefits for Employees for 2024

The following employee insurance benefits are currently on a policy year that runs from January 1st to December 31st. The various benefits up for renewal are:

- Medical
- Health Reimbursement Arrangement (HRA)
- Vision
- Employee Assistance Program (EAP)
- Dental
- Flexible Spending Accounts
- COBRA Administration
- Group life and accidental death and dismemberment (AD&D)
- Voluntary life and accidental death and dismemberment (AD&D)
- Group long-term disability (LTD)
- Voluntary short-term disability (STD)

Costs for all benefits have been included in the totals at the end.

MEDICAL - UNITED HEALTHCARE

The City received a renewal from United Healthcare. The City did not choose to go out to bid for a new carrier.

Staff is recommending that the City stay with GBS Benefits as its broker and stay with United Healthcare (UHC) as its health insurance carrier. UHC has negotiated an increase of 9%, down

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from 12.37% initially. UHC will agree to reduce to a 6% increase with one plan change to the copay plan.

UHC will provide the City with an administrative credit of \$40,000 and a performance funding option that may result in some refund if the City's loss ratio is lower than 73%. UHC has also offered a \$30,000 wellness fund to continue to employee wellness participation.

The health plan represents the majority of the benefit costs for the City. Based on current enrollment, the total cost for the plan will be \$1,272,688.44 for 2024, an increase of \$70,871.64 over 2023 costs, based on current enrollment.

Staff is proposing that the cost share percentage for the employee and dependent premiums implemented in 2022 remain the same for 2024. The cost share is as follows:

	<u>City portion</u>	<u>Employee portion</u>
Employee only	87%	13%
Dependents	55%	45%

The premium cost share for the HDHP/HSA plan is as follows:

	<u>City portion</u>	<u>Employee portion</u>
Employee only	87% + \$50	13% - \$50 discount
Dependents	55% + \$75	45% - \$75 discount

It is important to distinguish that HDHP/HSA plan participants often have higher out of pocket expenses, so they are not necessarily receiving a richer benefit than PPO plan participants. In addition to the premium share, the City contributes \$100 per month to the employee's HSA and \$150 per month to the HSA if they are covering dependents

Staff is not proposing any change to the HSA contribution.

Based on the new premiums for 2024, by tier this is equivalent to the following:

	<u>City portion</u>	<u>Monthly cost</u>	<u>Employee portion</u>	<u>Monthly cost</u>
Employee only	87.00%	\$629.71	13.00%	\$ 94.08
Employee + spouse	71.41%	\$1,007.89	28.59%	\$403.50
Employee + child(ren)	72.39%	\$964.10	27.61%	\$367.68
Employee + family	66.47%	\$1,342.28	33.53%	\$667.10

By tier, this is equivalent to the following:

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	<u>City portion</u>	<u>Monthly cost</u>	<u>Employee portion</u>	<u>Monthly cost</u>
Employee only	94.33%	\$ 643.40	5.67%	\$ 38.66
Employee + spouse	77.04%	\$ 1,024.78	22.95%	\$305.24
Employee + child(ren)	78.37%	\$ 983.51	21.63%	\$271.48
Employee + family	70.41%	\$1,339.88	29.59%	\$563.06

HEALTH REIMBURSEMENT ARRANGEMENT – NATIONAL BENEFIT SERVICES (NBS):

NBS has increased the rates for the administration of the plan. The cost will increase by 7% to be \$3.25 per covered employee per month. Based on current enrollment, the total estimated cost for the plan will be \$4,368.80 for 2024. This does not include the cost of HRA reimbursements. The benefits will remain the same.

AMERITAS – VISION INSURANCE:

Ameritas has increased their renewal by 9%. Based on current enrollment, the total estimated cost for the plan will be \$10,785.84 for 2024. There are no changes to the benefits for 2024.

UHC – EMPLOYEE ASSISTANCE PROGRAM:

UHC offers Employee Assistance Program (EAP) benefits to its members at no cost. The benefit includes three (3) free visits per issue. The Standard also offers an identical benefit as part of their other offerings. Mental health services are also offered through Amaze at no additional cost to employees. The City is currently offering EAP to all employees but utilization is low. Staff recommends promoting the mental health services through Amaze.

AMERITAS – DENTAL INSURANCE:

There is an increase from Ameritas for the Dental rates of 5.03%. Based on current enrollment, the total cost for the plan will be \$83,278.56 for 2024. The benefits will remain the same.

FLEXIBLE SPENDING ACCOUNTS (FSA) – NATIONAL BENEFIT SERVICES (NBS):

NBS has not increased the rates for the administration of the plans. The administrative costs for the FSA plans have changed by 7%. The cost will be \$3.25 per covered employee per month plus monthly and annual fees for the use of flexible spending account cards. Based on current enrollment, the total estimated cost for the plan will be \$928.20 for 2023. The benefits will remain the same.

Amaze Health

There are no cost increases to Amaze Health. The cost for Amaze will stay at \$15.00 per employee per month. Based off of current enrollment, the total estimated cost for the plan will be \$21,600. This amount will change based off current Full-time headcount.

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COBRA ADMINISTRATION – GBS BENEFITS

There are no administrative costs for COBRA Administration, as this is handled as a value-added service by our employee benefits broker, GBS Benefits.

Councilmember Blackston voiced concern regarding the health insurance deductibles being very high. Human Resources Director, Amanda Rice, stated that with the co-pay plan the Health Reimbursement Plan allows up to \$4,000.00 in reimbursement to assist the cost of the deductible.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to Approve Insurance Benefits for Employees for 2024. The motion passed on roll call vote with four yes votes and two no votes with Mayor Hubbard and Councilmember Valerie Blackston voting no.

AM 2023-153 Approve Change Order to Contract with Burns and McDonnell for Engineering Design Services for the Water Tower Project Design for an Amount Not to Exceed \$686,433.00 from the Utility Fund - Water Storage

The Request for Qualifications (RFQ) was advertised January 5, 2023 and selection of consultant following the requirements of the Brooks Act (40 U.S.C. 1101). Burns and McDonnell was awarded the contract June 21, 2023 for the 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 a State Revolving Fund (SRF) loan. In order to expedite the design documents required for an SRF application submittal, Phase II engineering services are being contracted at this time. This change order is to provide initial design services and documentation required for the SRF application. The expected SRF loan amount will be \$12,000,000, which covers the engineering services agreement.

Submittal deadline for the SRF is June 2025.

It was moved by Claud Hanes and seconded by Carlos Barron to Approve Change Order to Contract with Burns and McDonnell for Engineering Design Services for the Water Tower Project Design for an Amount Not to Exceed \$686,433.00 from the Utility Fund - Water Storage. The motion passed on roll call vote with five yes votes and one no vote with Mayor Hubbard voting no.

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AM 2023-157 Approving the Agreement for Municipal Planning Services with Todd Hodges Design, LLC as the Planner for the City of Fort Lupton for a Two (2) year Term with an Effective Date of November 2, 2023

Todd Hodges Design has been providing Planning Director services for the City of Fort Lupton since March of 2010. This action is to renew the agreement and defines compensation for the principal and associates. There is an increase in the hourly rates to start January 1, 2025. Rates will remain the same as in the current agreement for 2024. Todd Hodges Design, LLC has been critical in directing the planning and building department through growth periods and has assisted in the economic development of the City.

It was moved by Carlos Barron and seconded by Bruce Fitzgerald Approving the Agreement for Municipal Planning Services with Todd Hodges Design, LLC as the Planner for the City of Fort Lupton for a Two (2) year Term with an Effective Date of November 2, 2023.

STAFF REPORTS

Amanda Rice, Human Resources Director, stated open enrollment meetings will be held on Tuesday November 21, 2023 at 10:00 a.m. at City Hall and at 2:00 p.m. at the Fort Lupton Public Library to provide an overview of City benefits.

Todd Hodges, Planning Director, thanked Council for renewing his contract and stated the planning department has filled the open City Planner position.

Roy Vestal, Public Works Director, reported the USDA has ruled that the City can put the lift station and the force main project out for bid.

Kaela Dunston, Deputy City Clerk, reported today is election day and mentioned that the voting center has moved to Aims Community College. She also stated to view the election results to visit weldvotes.gov.

Chris Cross, City Administrator, stated Fort Lupton Police Department was awarded a School Resource Officer grant.

MAYOR/COUNCIL REPORTS

Bruce Fitzgerald, Councilmember, gave a testimonial to Planning Director Todd Hodges and thanked him for the work he has done.

Mayor Zo Hubbard, wished everyone who is running in the election the best of luck. She also stated Juan Arellano, Marketing and Communications Specialist, is putting out a series of videos

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on social media, highlighting Veterans in the community and paying tribute to all who have served. She stated Veterans Day is very near and dear to her heart. She said it is thanks to the people who are willing to serve, that we all are free.

FUTURE CITY EVENTS

November 9th-25th, 2023	Annual Community Art Show, Fort Lupton Public and School Library, 370 S. Rollie Ave.
November 10, 2023	City Offices Closed in Observance of Veterans Day
November 23-24, 2023	City Offices Closed in Observance of Thanksgiving Day
November 28, 2023	Public Meeting to Discuss Changes in Monthly Shut-off Procedures, City Hall, 130 S. McKinley Ave. 6:00 p.m.
December 2, 2023	Cookies & Cocoa with Santa, Fort Lupton Public and School Library, 370 S. Rollie Ave., 10 a.m. – 2 p.m.

UPCOMING MEETINGS

November 14, 2023 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
November 21, 2023 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
November 28, 2023 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
December 5, 2023 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

EXECUTIVE SESSION

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to move to Executive Session at 6:41 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)." NISP. Motion passed unanimously on voice vote. The following moved into Executive Session: Mayor Hubbard, Mayor Pro-Tem, Chris Ceretto, Councilmembers Bruce Fitzgerald, Claud Hanes, Valerie Blackston and Carlos Barron, City Attorney, Andy Ausmus, and City Administrator, Chris Cross.

The Executive Session ended at 7:11 p.m. and the regular meeting reconvened.

ADJOURNMENT

The meeting adjourned at 7:11 p.m.

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Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor