



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, October 4, 2022
6:00 PM
130 South McKinley Avenue

Zo Stieber-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 Stieber

Approval of Agenda

Review of Accounts Payables

- a. October 4, 2022 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. September 20, 2022 City Council Meeting Minutes
- b. AM 2022-146 Approve Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad (UPRR) for Design of a Controlled Access Railroad Crossing at CR 12

Public Hearing

- a. AM 2022-148 A Public Hearing to Consider Whether or Not to Implement the Colorado Paid Family and Medical Leave Insurance Act

Action Memorandum

- a. AM 2022-147 Accepting a Proposal from Vortex Aquatics Structures International for the Splash Pad Mechanical Equipment and Play Features (attachment A) for an Amount Not to Exceed \$261,747.95 to be Paid From the Capital Improvements Program (Parks Department 3500)

Information Memorandum

- a. IM 2022-014 City of Aurora Access Permit Request From County Road 8 for the Aurora Prairie Waters Project
- b. IM 2022-015 Discussion of The Lupton Greens Concept Plan

Staff Reports

Mayor/Council Reports

Future City Events

- a. October 4, 2022 Upcoming Events

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
October 4, 2022**

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, October 4, 2022. 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, Bruce Fitzgerald, Claud Hanes, Valerie Blackston, David Crespín and Carlos Barron.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus, and Finance Director, Leann Perino.

PERSONS TO ADDRESS COUNCIL

Gabe Evans introduced himself to the City Council. Mr. Evans lives outside of Fort Lupton and is currently running for House District 48. He provided his contact information, should anyone wish to contact him; phone number is 303-243-1791 email gabe@evans48.com or his web page evans48.com.

APPROVAL OF AGENDA

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

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the October 4, 2022, 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 presented with the following items:

- September 20, 2022 City Council Meeting Minutes
- Approve Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad (UPRR) for Design of a Controlled Access Railroad Crossing at CR 12 (AM 2022-146)

Motion passed unanimously on roll call vote.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
October 4, 2022**

PUBLIC HEARING

AM 2022-148 A Public Hearing to Consider Whether or Not to Implement the Colorado Paid Family and Medical Leave Insurance Act

Mayor Hubbard opened the public hearing at 6:03 p.m. Laura Howe, HR Director, provided an overview of the proposal. Ms. Howe stated that Colorado voters approved Proposition 118 in November 2020, creating the Paid Family and Medical Leave Insurance Act (FAMLI) by a state-wide margin of 57%. Most Colorado employers are required to participate or offer an equivalent or better alternative. Local governments are not required to participate, nor are they required to offer an equivalent plan.

FAMLI premiums are due effective January 1, 2023, and benefits are available to employees effective January 1, 2024. The premium is currently set at 0.9% of employee pay, shared equally between the employer and employee at 0.45% each. The premium is capped at 1.2% of pay.

Staff has reviewed the requirements of the law with City Council during Town Hall meetings on August 30, 2022, and September 13, 2022. Cost and alternative options were also reviewed.

The law requires that a public hearing be conducted in the governing body's normal manner. The law also requires that employees be specifically notified of the public hearing and be given the opportunity to provide public comments or provide testimony. Employees were notified of this on September 14, 2022, the notice was placed with paychecks. Emails were also sent out on September 28 & 30, 2022.

Mayor Hubbard asked if anyone wished to speak for or against the proposal. Hearing none, Mayor Hubbard closed the public hearing at 6:05 p.m.

It was moved by Carlos Barron and seconded by David Crespín to approve Resolution 2022R063 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON DECLINING FULL PARTICIPATION IN THE COLORADO STATE-RUN PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM. Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2022-147 Accepting a Proposal from Vortex Aquatics Structures International for the Splash Pad Mechanical Equipment and Play Features (attachment A) for an Amount Not to Exceed \$261,747.95 to be Paid From the Capital Improvements Program (Parks Department 3500)

It was moved by Bruce Fitzgerald and Seconded by David Crespín to accept the proposal from Vortex Aquatics Structures International for the Splash Pad Mechanical Equipment and Play

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
October 4, 2022**

Features for an Amount not to Exceed \$261,747.95 to be paid from the Capital Improvements Program. Motion passed unanimously on roll call vote.

INFORMATION MEMORANDUM

IM 2022-014 City of Aurora Access Permit Request From County Road 8 for the Aurora Prairie Waters Project

The City of Aurora and the City of Fort Lupton have been in discussions concerning proposed access onto CR 8 west of Hwy 85. Aurora has a project permitted in Weld County for their wellfield expansion. The attached letter discusses conditions pertaining to access onto CR 8 and the desire of the City to continue discussions concerning existing sites and future projects in the City of Fort Lupton's growth area.

IM 2022-015 Discussion of The Lupton Greens Concept Plan

Pursuant to the Fort Lupton Development Code Article 2.02 (D), a Concept Plan is an initial review of a proposed development. The Concept Plan phase is an optional requirement that may be recommended by the Planning Director for complex projects prior to submitting a preliminary and final plan. The intent of this phase of the plan is to provide a general concept that describes the applicants' development vision. A Concept Plan is not intended to provide final comments or requirements, or restrict the City's discretion in subsequent stages of the review process.

The site is located south and adjacent to County Road 12, north of County Road 10 ½ and is bisected by the S Rollie Ave. right of way (the "Property"). The Applicant has submitted a request for a Concept Plan that includes a residential and commercial subdivision that will accommodate 25.5 acres of R-2, Mixed-Use Residential lots, 4.68 acres of open space and stormwater detention, and 26.76 acres of C-2, Heavy-Commercial zoning. The overall project is 64.75 acres and the build-out density has not yet been determined.

The Property is mostly vacant with an existing residence along the northern perimeter. Towards the middle of the western portion of property, there is an existing oil and gas facility that will remain. There is a gravel road that runs south from CR 12 that provides access to the oil and gas facility. This facility contains production equipment and multiple wells. The principle change proposed by this project is the change of zone for 25.5 acres of the southwestern section of the Property from C-2 Commercial to R-2 Residential. There will also be acreage dedicated to water detention.

STAFF

Leann Perino, the Finance Director, stated that the budget books will be in the Council's mailbox. Laura Howe, HR Director, stated that Humana will be closing its doors in Colorado and the City will be looking at other options for health insurance.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
October 4, 2022**

Roy Vestal, Public Works Director provided an update on current projects.

MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

FUTURE CITY EVENTS

October 4, 2022	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
October 11, 2022	Special Meeting Followed by Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
October 15, 2022	Budget Retreat, 130 S. McKinley Ave. 9:00 a.m.
October 15, 2022	Pumpkinfest & Haunted Hayride, The Fort- 2001 Historic Pkwy 4:00 p.m. – 9:00 p.m.
October 18, 2022	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
October 25, 2022	No Town Hall Meeting, City Council to Have a Joint Meeting with the City of Brighton, 6:00 p.m.
November 1, 2022	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:23 p.m.

Submitted by,


Marcela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor