



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, February 20, 2024
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

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. Golf Tournament Update

Approval of Agenda

Review of Accounts Payables

a. February 20, 2024 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. January 16, 2024 City Council Meeting Minutes**
- b. February 6, 2024 City Council Meeting Minutes**
- c. Approving Resolution 2024R012 Approving the Lupton Land, LLC Subdivision Improvements Agreement for the Coyote Creek - Filing No. 5**
- d. AM 2024-026 Approving the Purchase of Cardio Equipment with the Recreation Center Expansion Project for a Total Cost of \$146,006.00 Allocated from the Recreation Center Expansion Fund**
- e. AM 2024-027 Approving the Purchase of Strength Equipment for the Recreation Center Expansion Project for a Total Cost of \$125,398.98 Allocated from the Recreation Center Expansion Fund**
- f. AM 2024-034 Approving an Agreement with Weld County Sheriff's Office to Provide Jail Services for Fort Lupton Municipal Court Offenders**
- g. AM 2024-035 Approving Purchase of Equipment for Patrol Vehicles in the Amount of \$49,803.20 Allocated from the Information Technology Budget**
- h. AM 2024-036 Approve Public Works Wastewater Disposal Agreement with Black Diamond Pumping for Disposal of Domestic Wastewater to the City Sanitary Sewer System**
- i. AM 2024-037 Approve Public Works Wastewater Disposal Agreement with Urgent Septic Services for Disposal of Domestic Wastewater to the City Sanitary Sewer System**
- j. AM 2024-038 Approving to Lease a Fleet of Golf Cars, Utility Cars, Beverage Car, and a Driving Range Picker from Masek Golf Cars for the Coyote Creek Golf Course**

- k. AM 2024-040 Approving a Resolution Establishing Guidelines for the Dedication of Memorials on City Property
- l. AM 2024-044 Adopting a Resolution Accepting an Annexation Petition and Initiating Annexation Proceedings for an Annexation known as the Ewing Annexation Submitted by Lewicki and Associates as the Representative for Tricycle Lane Texas, LLC and Setting the Public Hearing for April 16, 2024

Action Memorandum

- a. AM 2024-039 Approve the Mayor to Sign the Kerr-McGee Geophysical Operations Permit Agreement to Allow Kerr-McGee to Conduct a Geophysical Operation for a Vertical Seismic Profile Survey on City Property (Gun Club Parcel)
- b. AM 2024-041 The City Council, Acting as the Fort Lupton Utility Enterprise Board, Adopting an Ordinance to Revise Sections 13-25 Separate Connections Required (Sewer) and 13-86 Separate Connections Required (Water) of the Fort Lupton Municipal Code
- c. AM 2024-042 Approve Waiver of Fort Lupton Municipal Code Sections 13-25, Separate Connections Required (Sewer) and 13-86, Separate Connections Required (Water) for the CarMax Site Development
- d. AM 2024-043 Accept the USDA Rural Development Subsequent Loan of \$2,676,000 for the Construction of the Metro Force Main and Lift Station
- e. AM 2024-045 Approving Payment for Victim Advocacy Services through the City of Brighton in the Amount of \$48,590.34 for the Calendar Year 2024, Allocated from the Police Department Contractual Services Fund

Information Memorandum

- a. IM 2024-005 Award of Contract to Prairie Dog Pros, LLC for Prairie Dog Mitigation Services During the 2024 Season for an Amount Not to Exceed \$16,000.00 from the Public Works Shop General Fund
- b. IM 2024-006 Award of Contract to Vector Disease Control International, LLC for Integrated Mosquito Management Services During the 2024 Season for an Amount Not to Exceed \$20,698.52 from the Public Works Shop General Fund

Staff Reports

Mayor/Council Reports

Future City Events

- a. February 20, 2024 Upcoming Events

Upcoming Meetings

- a. February 27, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 5, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 12, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 19, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024

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, February 20, 2024. Mayor Zo Hubbard called the meeting to order at 6:19 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, Carlos Barron, Claud Hanes, Bruce Fitzgerald, David Crespin, and Chris Ceretto. Councilmember Valerie Blackston was remote.

Also present were City Administrator, Chris Cross, Deputy City Clerk, Kaela Dunston, Public Works Director, Roy Vestal, Finance Director, Leann Perino, Planning Director, Todd Hodges and Lieutenant, William Carnes.

PERSONS TO ADDRESS COUNCIL

Aaron Richardson with Jacobs, addressed Council to provide information in regards to the Annual Jon Mays Memorial for Youth Golf Tournament which will be held on June 7, 2024.

APPROVAL OF AGENDA

Staff requested to add item f. under Action Memorandum, AM 2024-046 Approving the Grant from Weld Opioid Regional Council in the Amount of \$43,997.59 for the Purchase of Thermo Scientific TruNarc Handheld Narcotics Analyzer and Associated Cost. It was moved by Bruce Fitzgerald and seconded by Chris Ceretto to approve the agenda as amended. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the February 20, 2024, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- January 16, 2024 City Council Meeting Minutes
- February 6, 2024 City Council Meeting Minutes
- Approving Resolution 2024R012 APPROVING THE LUPTON LAND, LLC SUBDIVISION

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024**

IMPROVEMENTS AGREEMENT FOR THE COYOTE CREEK - FILING NO. 5

- Approving the Purchase of Cardio Equipment with the Recreation Center Expansion Project for a Total Cost of \$146,006.00 Allocated from the Recreation Center Expansion Fund (AM 2024-026)
- Approving the Purchase of Strength Equipment for the Recreation Center Expansion Project for a Total Cost of \$125,398.98 Allocated from the Recreation Center Expansion Fund (AM 2024-027)
- Approving an Agreement with Weld County Sheriff's Office to Provide Jail Services for Fort Lupton Municipal Court Offenders (AM 2024-034)
- Approving Purchase of Equipment for Patrol Vehicles in the Amount of \$49,803.20 Allocated from the Information Technology Budget (AM 2024-035)
- Approve Public Works Wastewater Disposal Agreement with Black Diamond Pumping for Disposal of Domestic Wastewater to the City Sanitary Sewer System (AM 2024-036)
- Approve Public Works Wastewater Disposal Agreement with Urgent Septic Services for Disposal of Domestic Wastewater to the City Sanitary Sewer System (AM 2024-037)
- Approving to Lease a Fleet of Golf Cars, Utility Cars, Beverage Car, and a Driving Range Picker from Masek Golf Cars for the Coyote Creek Golf Course (AM 2024-038)
- Approving Resolution 2024R013 ESTABLISHING GUIDELINES FOR THE DEDICATION OF MEMORIALS ON CITY PROPERTY (AM 2024-040)
- Adopting Resolution 2024R014 ACCEPTING AN ANNEXATION PETITION AND INITIATING ANNEXATION PROCEEDINGS FOR AN ANNEXATION KNOWN AS THE EWING ANNEXATION SUBMITTED BY LEWICKI AND ASSOCIATES AS THE REPRESENTATIVE FOR TRICYCLE LANE TEXAS, LLC AND SETTING THE PUBLIC HEARING FOR APRIL 16, 2024 (AM 2024-044)

Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2024-039 Approve the Mayor to Sign the Kerr-McGee Geophysical Operations Permit Agreement to Allow Kerr-McGee to Conduct a Geophysical Operation for a Vertical Seismic Profile Survey on City Property (Gun Club Parcel)

Kerr-McGee Oil & Gas Onshore LP (KMOG) is requesting access to City property located north of

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024

Highway 52 and west of Gun Club Road for purposes of conducting a geophysical operation for a vertical seismic profile survey. KMOG is offering consideration of Ten Dollars (\$10.00) per acre. The City property is 155.95 acres in area, which would result in a payment to the City of \$1,559.50 at the signing of the agreement.

The agreement includes: "Kerr-McGee shall indemnify, release and hold harmless Owner from and against any and all liability, loss, damage, claims, demands, costs and expenses which may result from injury to or death of persons, or damage to or loss or destruction of property, which in any way whatever is due to, or arises because of KM negligent acts or omissions and breaches of this permit while present on, occupying or using the lands. City must provide KMOG written notice of claim within 180 days from occurrence or 60 days after completion of operations."

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to Approve the Mayor to Sign the Kerr-McGee Geophysical Operations Permit Agreement to Allow Kerr-McGee to Conduct a Geophysical Operation for a Vertical Seismic Profile Survey on City Property (Gun Club Parcel). Motion with 6 yes votes and 1 no vote, with Councilmember Valerie Blackston voting no.

AM 2024-041 The City Council, Acting as the Fort Lupton Utility Enterprise Board, Adopting an Ordinance to Revise Sections 13-25 Separate Connections Required (Sewer) and 13-86 Separate Connections Required (Water) of the Fort Lupton Municipal Code

Under the current code, each building is required to have separate services. The "nor can two or more buildings on the same premises be served from one service" is being removed. Master meters provide a simplification of billing to property owners and reduces the number of meters to be maintained by Public Works.

Section 13-25- Separate connections required.

Two (2) or more premises cannot be served from one (1) and the same connection, ~~nor can two (2) or more buildings on the same premises be served from one (1) and the same connection.~~ All properties that require separate sewer service billings shall have their own connection and service line.

Sec. 13-86. - Separate connections required.

Two (2) or more premises cannot be supplied from one (1) connection and the same connection ~~nor can two (2) or more buildings on the same premises be supplied from one (1) and the same connection, unless provided with separate shut-off cocks located at the public street right-of-way line or easement.~~ All properties that require separate water service billings shall have their own connection and service line with shut-off cocks and meter pit located at the public street right-of-way.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024

Specific requirements for the physical connections are covered through the City's Design Standards.

It was moved by Bruce Fitzgerald and Seconded by Chris Ceretto for The City Council, Acting as the Fort Lupton Utility Enterprise Board, to Adopt Ordinance 2024-1163 TO REVISE SECTIONS 13-25 SEPARATE CONNECTIONS REQUIRED (SEWER) AND 13-86 SEPARATE CONNECTIONS REQUIRED (WATER) OF THE FORT LUPTON MUNICIPAL CODE. Motion passed unanimously on roll call vote.

AM 2024-042 Approve Waiver of Fort Lupton Municipal Code Sections 13-25, Separate Connections Required (Sewer) and 13-86, Separate Connections Required (Water) for the CarMax Site Development

The CarMax site plan (SPR2023-001) was approved by Resolution 2023R023 on July 5, 2023. The property owner would like serve the site using two (2) master meters for four (4) individual buildings.

Section 13-25- Separate connections required.

Two (2) or more premises cannot be served from one (1) and the same connection, nor can two (2) or more buildings on the same premises be served from one (1) and the same connection. All properties that require separate sewer service billings shall have their own connection and service line.

Sec. 13-86. - Separate connections required.

Two (2) or more premises cannot be supplied from one (1) connection and the same connection nor can two (2) or more buildings on the same premises be supplied from one (1) and the same connection, unless provided with separate shut-off cocks located at the public street right-of-way line or easement. All properties that require separate water service billings shall have their own connection and service line with shut-off cocks and meter pit located at the public street right-of-way.

Under the current code, each building is required to have separate services. The waiver of the "nor can two or more buildings on the same premises be served from one service" is being requested. Master meters provide a simplification of billing to property owner and reduces the number of meters to be maintained by Public Works. A proposed code change is in process that removes this requirement.

It was moved by Carlos Barron and seconded by David Crespin to Approve Waiver of Fort Lupton Municipal Code Sections 13-25, Separate Connections Required (Sewer) and 13-86, Separate Connections Required (Water) for the CarMax Site Development. Motion passed unanimously on roll call vote.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024**

AM 2024-043 Accept the USDA Rural Development Subsequent Loan of \$2,676,000 for the Construction of the Metro Force Main and Lift Station

In July of 2022, staff began the process of applying for the US Department of Agriculture Rural Development loan. On July 5, 2023 we received the letter of condition (LOC) offering a \$21,163,000 loan with a \$3,043,000 required City match.

In January 2024, the opening of the construction bids increased the total cost for the project to \$30 million. An additional \$5,598,000 funding is needed for the project. The City will fund an additional \$2,922,000 and USDA is providing a subsequent loan of \$2,676,000.

Current funding includes USDA loan totaling \$23,839,000, a City contribution of \$5,965,000, a DOLA grant of \$1,000,000

Other project funding included a \$20,952,970 loan from CWRPDA paid to Metro Water Recovery in 2022 for existing taps fees.

It was moved by Claud Hanes and seconded by Chris Ceretto to Accept the USDA Rural Development Subsequent Loan of \$2,676,000 for the Construction of the Metro Force Main and Lift Station. Motion passed unanimously on roll call vote.

AM 2024-045 Approving Payment for Victim Advocacy Services through the City of Brighton in the Amount of \$48,590.34 for the Calendar Year 2024, Allocated from the Police Department Contractual Services Fund

Due to the Weld County Sheriff's Office discontinuing Victim Advocacy assistance for outside agencies, the City of Fort Lupton entered into an IGA with the Brighton/Commerce City Police Department Victim Advocates Office to provide advocacy services. This IGA terminates on December 31st, 2027.

It was moved by Chris Ceretto and seconded Claud Hanes Approving Payment for Victim Advocacy Services through the City of Brighton in the Amount of \$48,590.34 for the Calendar Year 2024, Allocated from the Police Department Contractual Services Fund. Motion passed unanimously on roll call vote.

AM 2024-046 Approving the Grant from Weld Opioid Regional Council in the Amount of \$43,997.59 for the Purchase of Thermo Scientific TruNarc Handheld Narcotics Analyzer and Associated Cost

As part of the Police Department's goals to improve community and responder safety, the

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024

Police Department approached the Weld Opioid Regional Council for funding to purchase a narcotics analyzer. Which allows rapid identification of various narcotics, including fentanyl, without removing potentially harmful substances from packaging. The Weld Opioid Regional Council approved the funding request.

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to Approve the Grant from Weld Opioid Regional Council in the Amount of \$43,997.59 for the Purchase of Thermo Scientific TruNarc Handheld Narcotics Analyzer and Associated Cost. Motion passed unanimously on roll call vote.

INFORMATION MEMORANDUM

IM 2024-005 Award of Contract to Prairie Dog Pros, LLC for Prairie Dog Mitigation Services During the 2024 Season for an Amount Not to Exceed \$16,000.00 from the Public Works Shop General Fund

Pest control operations are a specialized service that requires training, knowledge and a methodical approach to effectively and economically balance the city's needs and environmental issues.

The Prairie Dog Pros program will handle all aspects of the City's program to include fumigation services, notifications, area mapping and placard marking. The company is Fort Collins based and A+ rated with the Better Business Bureau. Many local Cities and Towns contract with them.

Priority treatment areas of concern are the Golden Pond area, PW shop railroad ROW lease area and railroad ROW lease area near the Community Center. Scope includes monthly follow-up in each area.

Program can begin immediately.

IM 2024-006 Award of Contract to Vector Disease Control International, LLC for Integrated Mosquito Management Services During the 2024 Season for an Amount Not to Exceed \$20,698.52 from the Public Works Shop General Fund

Mosquito operations are a specialized service that requires training, knowledge and a methodical approach to effectively and economically balance the city's needs and environmental issues.

The VDCI program will handle all aspects of the City's program with added technology and information assistance to our residents. VDCI has provided this program for the City since 2020.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024

Program begins in May with larval surveillance with completion in September. Services include larval control, weekly adult insecticide applications, trap monitoring, mapping and reporting.

STAFF REPORTS

There were no reports from staff.

MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

FUTURE CITY EVENTS

February 21, 2024	Welcome Wednesday- Community Development Office 1200 Dexter St. Unit W13, 7:30 a.m.- 9:00 a.m.
March 6, 2024	Coffee with a Cop Hard Bean Coffee, 107 Dales Place, 8:00 a.m.
March 30, 2024	Easter Egg Hunt- Pearson Park, 12285 State Hwy 52, 9:00 a.m.

UPCOMING MEETINGS

February 27, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 5, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 12, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 19, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:43 p.m.

Submitted by,



Marcela Peña, City Clerk



RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 20, 2024

Approved by City Council,


Zo Hubbard, Mayor