



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, April 16, 2024
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/353347597>

Call to Order

Pledge of Allegiance

Roll Call

Proclamation

- a. National Crime Victim's Rights Proclamation
- b. Sexual Assault Awareness Month Proclamation
- c. Community College Month Proclamation

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. April 16, 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. April 2, 2024 City Council Meeting Minutes
- b. Second Reading Ordinance 2024-1164 Approving USDA Interim Loan Financing Through COBank, ACB for \$23,839,000 for the Construction of the Metro Force Main and Lift Station
- c. AM 2024-064 Ratifying the Mayor's Signature Accepting a Proposal from A to Z Recreation for the Community Center Park Renovation Project to Repurchase Playground Equipment for an Amount Not to Exceed \$347,315.00 to be Paid from the Parks Department Capital Projects
- d. AM 2024-066 Approve the Mayor to Sign a Memorandum of Understanding with Resource Recycling Systems, Inc., to Conduct a Feasibility Study for Developing a Contractual Residential Waste and Recycling Collection System
- e. AM 2024-067 Approving a Resolution Ratifying the Mayor's Appointment of Lorenzo Vasquez to the Parks and Recreation Committee for a Term Beginning April 16, 2024 and Ending December 31, 2025
- f. AM 2024-072 Approving a Five-year Contract with Axon Enterprise for Axon Air for an Amount Not to Exceed \$42,853.67

- g. AM 2024-073 Authorizing the Mayor to Sign the Fireworks Agreement for Fireworks Display from Tri-State Fireworks for an Amount Not to Exceed \$20,000

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 2024-068 Adopting an Ordinance Accepting an Annexation Known as the Ewing Annexation and Approving the Annexation Agreement
- b. AM 2024-069 Adopting an Ordinance to Initially Zone Land Legally Described in Exhibit A of the Proposed Ordinance, and Known as the Ewing Initial Zoning, to the 'A' Agricultural Zone District
- c. AM 2024-070 Approve a Resolution for an Application for a Special Use Permit for a Sand and Gravel Pit, Known as the Ewing Special Use Permit

Action Memorandum

- a. AM 2024-065 Approve Purchase Order to Badger Meter for an Amount Not to Exceed \$581,240.00 for Purchase of New Meters and Endpoints from the Utility Fund Water Line Department
- b. AM 2024-071 Approving a Contract with AWU Consulting to Provide Municipal Services Through the 2024 year to the City
- c. AM 2024-074 Approving Vehicle Up-Fitting through First Armored Services for 3 Vehicles in the Amount of \$65,133.39

Information Memorandum

- a. IM 2024-009 Police Chief Retirement
- b. IM 2024-010 Reallocating Capital Project Funding for Brazos to Central Square RMS to Purchase Hardware
- c. IM 2024-011 Proposal to Hire Cadet Positions to Train Qualified Police Applicants

Staff Reports

Mayor/Council Reports

Future City Events

- a. April 16, 2024 Upcoming Events

Upcoming Meetings April 30, 2024 Town Hall Meeting - CANCELED May 7, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m. May 14 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m. May 21, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

- a. April 23, 2024 Bike Path Planning Meeting, City Hall, 130 S. McKinley Ave. 5:00 p.m.
April 30, 2024 Town Hall Meeting - CANCELED
May 7, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
May 14 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
May 21, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 16, 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, April 16, 2024. 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, Carlos Barron, Chris Ceretto, Valerie Blackston, Claud Hanes, and David Crespin. Councilmember Bruce Fitzgerald was present via remote.

Also present were City Administrator, Chris Cross, Deputy City Clerk, Kaela Dunston, Public Works Director, Roy Vestal, Accounting Manager, Kris Kindle, Planning Director, Todd Hodges, Interim Chief of Police, William Carnes and City Attorney, Andy Ausmus.

PROCLAMATION

Mayor Hubbard read the National Crime Victim's Rights Proclamation and proclaimed the week of April 21-27, 2024 as Crime Victim's Rights Week.

Mayor Hubbard read the Sexual Assault Awareness Month Proclamation and proclaimed the month of April as Sexual Assault Awareness Month.

Mayor Hubbard read the 2024 Community College Month Proclamation and proclaimed the month of April as Community College Month.

PERSONS TO ADDRESS COUNCIL

Heidi Windell with AIMS Community College addressed Council after the reading of the 2024 Community College Month Proclamation. She stated as a board member and community member of Fort Lupton that AIMS is proud to serve the community.

Valerie Hernandez, student of AIMS Community College, addressed Council regarding her involvement in Bueno Camp at AIMS Community College and the impact Bueno Camp has had in her life.

Kim Messina, Victim Services Manager at the Brighton Office for Victim Assistance addressed Council after the reading of the National Crime Victim's Rights Week Proclamation and the Sexual Assault Awareness Month Proclamation. She thanked Council for their recognition regarding both of the proclamations. She also thanked the leadership of the Fort Lupton Police Department and stated the Victim Services Unit has been recognized by the International Association for Chiefs of Police for Leadership in Victim Services.

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Earl Hood, Weld County community member, stated the City took over County Road 22 two years ago and finally, today the road was graded making it drivable. He asked Council how long it would be before the City starts encroaching on the land. Mayor Hubbard responded the City has not annexed property without consent from the property owner.

APPROVAL OF AGENDA

Staff requested to add an updated "Exhibit A" to item g under Consent Agenda which received attorney approval. Staff also requested to change the title of item d under the Consent Agenda to read "Ratifying the Mayor's signature on the Memorandum of Understanding with Resource Recycling Systems, Inc., to Conduct a Feasibility Study for Developing a Contractual Residential Waste and Recycling Collection System." It was moved by David Crespin and seconded by Carlos Barron to approve the agenda as amended. Motion passed unanimously on roll call vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the April 16, 2024, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- April 2, 2024 City Council Meeting Minutes
- Second Reading Ordinance 2024-1164 APPROVING USDA INTERIM LOAN FINANCING THROUGH COBANK, ACB FOR \$23,839,000 FOR THE CONSTRUCTION OF THE METRO FORCE MAIN AND LIFT STATION
- Ratifying the Mayor's Signature Accepting a Proposal from A to Z Recreation for the Community Center Park Renovation Project to Repurchase Playground Equipment for an Amount Not to Exceed \$347,315.00 to be Paid from the Parks Department Capital Projects (AM 2024-064)
- Ratifying the Mayor's Signature on the Memorandum of Understanding with Resource Recycling Systems, Inc., to Conduct a Feasibility Study for Developing a Contractual Residential Waste and Recycling Collection System (AM 2024-066)
- Approving Resolution 2024R018 RATIFYING THE MAYOR'S APPOINTMENT OF LORENZO VASQUEZ TO THE PARKS AND RECREATION COMMITTEE FOR A TERM BEGINNING APRIL 16, 2024 AND ENDING DECEMBER 31, 2025 (AM 2024-067)
- Approving a Five-year Contract with Axon Enterprise for Axon Air for an Amount Not to Exceed \$42,853.67 (AM 2024-072)
- Authorizing the Mayor to Sign the Fireworks Agreement for Fireworks Display from

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Tri-State Fireworks for an Amount Not to Exceed \$20,000 (AM 2024-073)
Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

**AM 2024-068 Adopting an Ordinance Accepting an Annexation Known as the Ewing
Annexation and Approving the Annexation Agreement**

Councilmember Bruce Fitzgerald left the meeting before the public hearing began.

Mayor Hubbard opened the public hearing at 6:22 p.m.

City Planner, Magaly Morales-Tejada presented an overview of the application regarding the Ewing annexation, initial zoning, and special use permit. Lewicki and Associates as the representative for Tricycle Lane Texas LLC (the "Applicants") submitted a request for annexation of land totaling 155.92 acres more or less, known as the Ewing Annexation. The parcels are located west and adjacent to Highway 85 and approximately 0.50 miles north from County Road 14.5 (Parcel Nos. 130930000007 & 130930000039). The proposed initial zoning is to the 'A' Agricultural Zone District.

The proposed use of the property is for sand and gravel mining operations with processing using concrete and asphalt plants. Mining will occur on approximately 116 acres, across three pods. Reclamation of operations will convert the site to water storage ponds surrounded by rangeland. This use is being reviewed under a special use permit concurrently with the annexation.

Ben Langenfeld with Lewicki and Associates and Burnco Colorado, presented to Council the details of the operation which included how they excavate the material, how the material is processed, and what will happen with the land once the operation is completed. The operation will take about ten years to complete. After completion, there will be three water storage lakes with the potential to add a trail. He also explained the operation plan which outlined details regarding hours that will be worked, how dust, traffic, and noise will be managed, and precautions they will take during the operation. He also stated an outreach meeting was held in Fall of 2023 to provide notice of the operation to surrounding neighbors and answer any questions or concerns they had.

Mayor Hubbard questioned if the road would be affected for the neighbors next to the operation. Mr. Langenfeld stated currently the road splits along the fence line. The road will split off and go into the processing area of the project. It is a singular access to the highway.

Mayor Hubbard also asked how the slurry walls are sealed off before mining begins and Mr. Langenfeld explained the process.

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Councilmember Claud Hanes, asked if the lakes will end up being recreational. Mr. Langenfeld stated it is to be determined once the project is completed. He stated a new process will have to be started to determine how the lakes will be utilized.

Councilmember Chris Ceretto, asked if monitor wells have already been installed. Mr. Langenfeld stated yes, many have already been installed.

Todd Hodges, Planning Director stated Agriculture is the appropriate zoning for this project. He also stated one of the members of the historical society was in support of the project. He believes this area will be a great asset to expand the trail that is currently near the location. Also, the first right of refusal is in the annexation agreement, should the ownership of the property be transferred, the City will have the first rights to the property.

Mayor Hubbard closed the public hearing at 6:54 p.m.

It was moved by Chris Ceretto and seconded by Valerie Blackston to adopt Ordinance 2024-1165 Accepting an Annexation Known as the Ewing Annexation and Approving the Annexation Agreement. Motion passed unanimously on roll call vote.

AM 2024-069 Adopting an Ordinance to Initially Zone Land Legally Described in Exhibit A of the Proposed Ordinance, and Known as the Ewing Initial Zoning, to the 'A' Agricultural Zone District

Mayor Hubbard opened the public hearing at 6:56 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 6:56 p.m.

It was moved by David Crespín and seconded by Valerie Blackston to adopt Ordinance 2024-1166 to Initially Zone Land Legally Described in Exhibit A of the Proposed Ordinance, and Known as the Ewing Initial Zoning, to the 'A' Agricultural Zone District. Motion passed unanimously on roll call vote.

AM 2024-070 Approve a Resolution for an Application for a Special Use Permit for a Sand and Gravel Pit, Known as the Ewing Special Use Permit

Mayor Hubbard opened the public hearing at 6:57 p.m.

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

Mayor Hubbard closed the public hearing at 6:58 p.m.

It was moved by Claud Hanes and seconded by Carlos Barron to Approve Resolution 2024R019 for an Application for a Special Use Permit for a Sand and Gravel Pit, Known as the Ewing Special Use Permit. Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2024-065 Approve Purchase Order to Badger Meter for an Amount Not to Exceed \$581,240.00 for Purchase of New Meters and Endpoints from the Utility Fund Water Line Department

A total of 1,900 new meters and endpoints are required to complete the new meter upgrade/replacement project. 300 meters and endpoints were acquired with the 2023 budget in December 2023. An additional 1,600 will be required and have been ordered through Badger Meter company. A shipment of 600 was recently received with additional quarterly shipments being ordered of 250 each throughout 2024.

¾" meters cost \$231.65 each and the endpoints cost \$126.00 each.

Northern Colorado Constructors is currently contracted for a maximum not to exceed \$300,000 that will include replacement of 220 meters. A Change Order will be issued in June for \$1,950,000 to include an additional 1,680 meter replacements (if contracted work and coordination with contractor continues to meet expectations).

Project Budget	\$3,000,000
NCC	\$ 300,000
NCC CO	\$1,950,000
Meters/endpoints	\$ 581,240

Anticipated project completion by end of this year.

It was moved by Chris Ceretto and seconded by Valerie Blackston to Approve Purchase Order to Badger Meter for an Amount Not to Exceed \$581,240.00 for Purchase of New Meters and Endpoints from the Utility Fund Water Line Department. Motion passed unanimously on roll call vote.

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AM 2024-071 Approving a Contract with AWU Consulting to Provide Municipal Services Through the 2024 year to the City

Approving a contract with AWU Consulting (Owner John Fryar) to assist with projects in the Police department and provide support for the new Chief. This will help to ensure a smooth transition in continuity of operations for the first 8 months.

It was moved by Carlos Barron and seconded by David Crespin to Approve Contract with AWU Consulting to Provide Municipal Services Through the 2024 year to the City. Motion passed unanimously on roll call vote.

AM 2024-074 Approving Vehicle Up-Fitting through First Armored Services for 3 Vehicles in the Amount of \$65,133.39

With the delivery of the 3 Chevy Tahoe police vehicles, the vehicles need up-fitting. Due to significant delays with the current vehicle up-fit vendor, the Police Department (PD) researched an alternative vendor to provide service. First Armored Services provides comparable service at a lower price. First Armored Services provided an estimate of \$21,711.13 per vehicle, for a total estimated cost of \$65,133.39. The current vendor provided an estimate for a similar vehicle upfit needing less work, of \$21,564.

It was moved by Carlos Barron and seconded by Claud Hanes to Approve Vehicle Up-Fitting through First Armored Services for 3 Vehicles in the Amount of \$65,133.39. Motion passed unanimously on roll call vote.

INFORMATION MEMORANDUM

IM 2024-009 Police Chief Retirement

The current Chief of Police John Fryar has submitted his retirement date of April 30, 2024. Chief Fryar has served with the City for 10 years and will be missed as he goes onto retirement. To ensure continuity of operations an interim Chief will be appointed upon his retirement until the process is completed for a new Chief.

The estimated timeline of the process is between three to six months. The timing of start dates for a new Chief will not be fully known until after an offer is made post process.

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IM 2024-010 Reallocating Capital Project Funding for Brazos to Central Square RMS to Purchase Hardware

The City utilizes Brazos handheld ticket writers to complete municipal citations. The aging Brazos equipment needs replacement and \$37,664 was allocated for this project. Due to diminishing customer service and reoccurring problems with the Brazos programming, the Police Department (PD) began exploring other options and has been developing a viable alternative through the existing Records Management System software. The PD will utilize the funds allocated to make the switch from Brazos to Central Square for citations.

IM 2024-011 Proposal to Hire Cadet Positions to Train Qualified Police Applicants

The Police Department (PD) has previously hired cadet positions to boost recruitment, with mixed results. In an effort to increase program success, the PD has changed pre-POST academy processes to evaluate hires prior to incurring POST academy expenses. The PD is proposing to hire two cadets for a POST academy starting in August. Funding for the cadets' salary and benefits would be paid with vacant staff positions in the PD budget. Funding for the academy expenses will be paid by the PD staff development budget in combination with Human Resource's educational expenses budget. No additional funding will need to be allocated.

STAFF REPORTS

Roy Vestal, Public Works Director, reported that spring clean-up on April 13th was a success with a record number of loads, around 220 and around 200 tires collected. He also reported on Monday April 22nd Public Works will be setting up the demonstration on 4th regarding the bike lane to provide community members insight on how it will look and flow. On Tuesday, April 23rd a bike path meeting discussion will be held at City Hall to obtain community input regarding the transportation plan update with a special focus on multimodal network.

William Carnes, Interim Chief of Police, reported Chief Fryar's retirement party will be held on April 30th and to RSVP if interested in attending.

Todd Hodges, Planning Director, stated two of the City Planners are attending the Oil and Gas Symposium in Rifle, CO.

MAYOR/COUNCIL REPORTS

Mayor Hubbard stated she attended the Opioid Council Meeting in Greeley, CO this morning. No action was taken due to lack of a quorum. However, there is over 3 million dollars that is being put back into the community to deal with substance issues.

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FUTURE CITY EVENTS

April 15-19, 2024 Hillside Cemetery Annual Clean-up Days

April 17, 2024 Welcome Wednesday - Community Development Office
1200 Dexter St. Unit W13, 7:30 a.m. – 9:00 a.m.

April 20, 2024 Fields of Honor Ceremony, Pearson Park, 12285 State Hwy 52, 1:00 p.m.

April 24, 2024 Spaghetti Dinner – Recreation Center, 203 S. Harrison Ave.

April 29, 2024 Shredding Day – 130 S. McKinley Avenue, 8:00 a.m. – 10 a.m.

May 1, 2024 Coffee with a Cop – Hard Bean Coffee, 107 Dales Place, 8:00 a.m.

UPCOMING MEETINGS

April 23, 2024 Bike Path Planning Meeting, City Hall, 130 S. McKinley Ave. 5:00 p.m.

April 30, 2024 Town Hall Meeting- Canceled

May 7, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

May 14, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

May 21, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 7:13 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor