



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, May 21, 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

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. May 21, 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. May 7, 2024 City Council Meeting Minutes
- b. AM 2024-081 Approving a Resolution Ratifying the Mayor's Appointment of Karina Gonzalez to the Parks and Recreation Committee for a Term Beginning May 21, 2024 and Ending December 31, 2025
- c. AM 2024-082 Approving a Resolution Appointing Charles Miller to Serve on the Board of Directors of Metro Water Recovery for a Two (2) Year Term Beginning June 30, 2024 and Expiring June 30, 2026
- d. AM 2024-083 Approving a Resolution Appointing Zachary Potter as a Professional Member of the Historic Preservation Board for a Three-year Term to Expire May 21, 2027
- e. AM 2024-084 Approving a Resolution Reappointing Shannon Rhoda to the Planning Commission for a Three-Year Term to Expire May 22, 2027
- f. AM 2024-085 Approving a Resolution Reappointing Mike Simone to the Planning Commission for a Three-Year Term to Expire June 19, 2027
- g. AM 2024-086 Authorize Payment to Northern Colorado Water Conservancy District (NCWCD) for the Southern Water Supply Project (SWSP) 2024 Operation and Maintenance Assessment for an Amount Not to Exceed \$186,628.63 from the Utility Fund
- h. AM 2024-091 The Colorado Health Foundation Equitable Community-Designed Outdoor Spaces Grant Application for RECreating Koshio Park has been Approved in the Amount of \$25,000 with a Grant Period of June 1, 2024 – June 30, 2025

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 2024-087 Approving a Resolution Accepting a Preliminary Plat and PUD Plan, Known as the Murata Farms Preliminary Plat and PUD Plan, Filing No. 3
- b. AM 2024-088 Approving an Ordinance to Rezone Property Legally Described in Exhibit A of the Proposed Ordinance Known as the 100-114 McKinley Ave Change of Zone

Action Memorandum

- a. AM 2024-089 Approving a Resolution for the Tri-State Minor Subdivision Lot Line Adjustment and Accepting the Dedication of an Additional 15 Feet of Right-of-Way Along the Northern Half of 14th Street
- b. AM 2024-090 Approving a Resolution for Transfer of Ownership of Special Use Permit from Tri-State to United Power
- c. AM 2024-092 Approve Acceptance of the Revitalizing Main Streets (RMS) Opportunity 2 Program Grant from Colorado Department of Transportation (CDOT) to Reconstruct the Sidewalks on Harrison Avenue for a Maximum Grant Amount of \$250,000.00 with a 10 Percent Matching Funds

Staff Reports

Mayor/Council Reports

Future City Events

- a. May 21, 2024 Upcoming Events

Upcoming Meetings

- a. May 28, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
June 4, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
June 11, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
June 18, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
May 21, 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, May 21, 2024. Mayor Zo Hubbard called the meeting to order at 6:04 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, Carlos Barron, Chris Ceretto, Valerie Blackston, Claud Hanes, and Bruce Fitzgerald. David Crespín was absent

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

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

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

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the May 21, 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 presented with the following items:

- May 7, 2024 City Council Meeting Minutes
- Approving Resolution 2024R022 RATIFYING THE MAYOR'S APPOINTMENT OF KARINA GONZALEZ TO THE PARKS AND RECREATION COMMITTEE FOR A TERM BEGINNING MAY 21, 2024 AND ENDING DECEMBER 31, 2025 (AM 2024-081)
- Approving Resolution 2024R023 APPOINTING CHARLES MILLER TO SERVE ON THE BOARD OF DIRECTORS OF METRO WATER RECOVERY FOR A TWO (2) YEAR TERM BEGINNING JUNE 30, 2024 AND EXPIRING JUNE 30, 2026 (AM 2024-082)
- Approving Resolution 2024R024 APPOINTING ZACHARY POTTER AS A

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PROFESSIONAL MEMBER OF THE HISTORIC PRESERVATION BOARD FOR A THREE-YEAR TERM TO EXPIRE MAY 21, 2027 (AM 2024-083)

- Approving Resolution 2024R025 REAPPOINTING SHANNON RHODA TO THE PLANNING COMMISSION FOR A THREE-YEAR TERM TO EXPIRE MAY 22, 2027 (AM 2024-084)
- Approving Resolution 2024R026 REAPPOINTING MIKE SIMONE TO THE PLANNING COMMISSION FOR A THREE-YEAR TERM TO EXPIRE JUNE 19, 2027 (AM 2024-085)
- Authorize Payment to Northern Colorado Water Conservancy District (NCWCD) for the Southern Water Supply Project (SWSP) 2024 Operation and Maintenance Assessment for an Amount Not to Exceed \$186,628.63 from the Utility Fund (AM 2024-086)
- The Colorado Health Foundation Equitable Community-Designed Outdoor Spaces Grant Application for RECreating Koshio Park has been Approved in the Amount of \$25,000 with a Grant Period of June 1, 2024 – June 30, 2025 (AM 2024-091)

Motion passed unanimously on roll call vote.

PUBLIC HEARING

AM 2024-087 Approving a Resolution Accepting a Preliminary Plat and PUD Plan, Known as the Murata Farms Preliminary Plat and PUD Plan, Filing No. 3

Mayor Hubbard opened the public hearing at 6:08 p.m.

City Planner, Sean McDermott, provided an overview of the Murata Farms Preliminary Plat and PUD Plan, Filing No. 3. Greg DiDonna of Viva Land Ventures, LP (Owner) and Karen Henry of Henry Design Group (Representative) have applied for approval of a Preliminary Plat and PUD Plan, known as the Murata Farms Preliminary Plat and PUD Plan, Filing No. 3 for City Council's consideration. A public hearing with for this application was held before the Planning Commission on May 9, 2024, and Planning Commission recommended approval to City Council of the Preliminary Plat and PUD Plan.

The site that is the subject of this Preliminary Plat and PUD Plan is located south and adjacent to Highway 52 and approximately 1,430 feet west of County Road 29 ½. The proposed Preliminary Plat and PUD Plan is for a residential subdivision that will include 50 paired home residential lots. The development includes infrastructure, landscaping, green courts, and trail connections. The subdivision is 6.845 acres, more or less.

The property is a part of the overall Murata Farms PUD Plan and is zoned PUD accordingly. Filing No. 1 of the Murata Farms Final Plat and PUD Plan was approved in 2021 with a prior

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sketch plat plan pursuant to the Municipal Code. Filing No. 1 platted this property as a tract for future residential development, with PUD development standards to be provided at time of future development. Standards specific to this filing are proposed with this Preliminary Plat and PUD Plan.

Councilmember Barron questioned if the oil and gas site in between filing 2 and 3 has been addressed. Mr. McDermott responded stating the oil and gas site will not be developed and there will not be a road between filing 2 and 3. However, there will be a trail along Highway 52 that will connect filing 2 and 3.

Mayor Hubbard questioned when the paving on Gerry Avenue will begin. Mr. McDermott stated the paving of Gerry Avenue is a part of filing 1 which was previously approved. He stated they are beginning to start construction of public improvements for the roads.

Karen Henry with Henry Design group provided a presentation of Murata Farms Filing 3 for Council. The presentation included an overview of the site plan for filing 3, an illustration of what the paired homes and landscaping will look like, and improvements to Gerry Avenue to enhance the access into the neighborhood.

Councilmember Barron questioned who would be responsible for maintaining the open space between filing 2 and 3. Planning Director, Todd Hodges, stated the subdivision will be responsible for maintaining the open space. Tim Butler with COLA LLC also addressed this question stating the open space will be owned by the Metro District and will be not be developed, it will remain a natural open space. Mayor Hubbard asked if they could plant shrubbery along the edge of the open space to enhance the appearance of the natural open space. Mr. Butler stated the open space is part of filing 1 and they would need to speak with the Metro District regarding adding shrubbery.

Mayor Hubbard asked what the street width will be. Mrs. Henry stated the width of the street will be 26 feet wide and the fire department has approved the street size. Mayor Hubbard asked if there is room for parking on the street. Mrs. Henry responded stating no. However, there will be 16 off-street parking spaces scattered around the filing. Mayor Hubbard also asked if any of the units will have a master bedroom on the main floor. Mr. Butler stated there would not be any duplexes with a master bedroom on the main floor.

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 6:28 p.m.

It was moved by Bruce Fitzgerald and seconded by Claud Hanes to Approve Resolution 2024R027 ACCEPTING A PRELIMINARY PLAT AND PUD PLAN, KNOWN AS THE MURATA FARMS PRELIMINARY PLAT AND PUD PLAN, FILING NO. 3. Motion passed unanimously on roll call vote.

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AM 2024-088 Approving an Ordinance to Rezone Property Legally Described in Exhibit A of the Proposed Ordinance Known as the 100-114 McKinley Ave Change of Zone

Mayor Hubbard opened the public hearing at 6:29 p.m.

City Planner, Sean McDermott, provided an overview of the change of zone application.

Richard Ooi (owner and applicant) has submitted a request for rezoning of a property, legally described in Exhibit A of the proposed ordinance. The entire legal parcel is comprised of four lots, Lots 15-18 of Twombly's Addition, and is currently split zoned with Lots 15-17 zoned 'C-1' Neighborhood Commercial and Lot 18 zoned 'R-1A' Single- and Two-Family Residential. The proposed Change of Zone would rezone Lots 15-17 as 'R-1A' to match the rest of the parcel. The property is located north and adjacent to Highway 52 and east and adjacent to McKinley Ave.

In addition to the rezoning request, the applicant has submitted a Lot Line Adjustment for staff review to consolidate the property from four to two lots that separate the existing church and parsonage building into separate legal parcels. The applicant plans to use both lots as single-family residences. The Future Land Use Map designates this area as Single-Family Detached residential, which is in line with the Change of Zone request.

All applicable land use application fees have been paid and a fee deposit has been submitted to cover costs related to the application.

The Change of Zone, Lot Line Adjustment, and change of use from church to residential would create two new legal lots subject to property taxes.

Richard Ooi, owner and applicant, addressed Council regarding any questions or concerns they had. Councilmember Chris Ceretto asked if Mr. Ooi had any plans to put in a yard. Mr. Ooi stated yes. He plans to place shrubs and trees in the front yard and once he starts digging up the backyard, he will be able to determine what he wants to do with the backyard.

It was moved by Bruce Fitzgerald and seconded by Claud Hanes Approving an Ordinance 2024-1167 TO REZONE PROPERTY LEGALLY DESCRIBED IN EXHIBIT A OF THE PROPOSED ORDINANCE KNOWN AS THE 100-114 MCKINLEY AVE CHANGE OF ZONE. Motion passed unanimously on roll call vote.

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ACTION MEMORANDUM

AM 2024-089 Approving a Resolution for the Tri-State Minor Subdivision Lot Line Adjustment and Accepting the Dedication of an Additional 15 Feet of Right-of-Way Along the Northern Half of 14th Street

The application is a Lot Line Adjustment (LLA), Project No. LLA24-002, to consolidate three lots into two, creating "Lot 1" and "Lot 2" of the JM Shafer Subdivision and the dedication of an additional 15 feet of Right-of-Way (ROW) along the north side of 14th Street. Tri-State is requesting a Lot Line Adjustment for Lot 1, owned by Thermo Cogeneration Partnership, LP (Tri-State) where the J.M. Shafer Generation Station is located. The adjacent and amended parcel, Lot 2, currently also owned by Tri-State, will be transferred to United Power as part of a legal settlement. Tri-State will be responsible for maintenance of all drainage facilities on both parcels in accordance with a cost-sharing agreement included in the easement that United Power will grant to Tri-State at closing.

Public Works deemed it necessary to acquire an additional 15 feet of ROW for the City along the northern side of 14th Street as part of this Lot Line Adjustment. Any dedication of ROW requires Council approval, thus the entire LLA is being brought to Council for approval.

Selena Kholer, Environmental Planner with Tri-State, provided an overview of Tri-State and the lot line adjustment. As part of United Powers withdrawal from Tri-State, Tri-State made an agreement for a purchasing sale of some of the assets that served United Power's members.

Councilmember Claud Hanes questioned if Tri-State's storm water issues have been resolved. Mrs. Kholer stated it has not been corrected. However, Tri-State is working with the City to Correct the issue. Roy Vestal, Public Works Director, stated the City is working with Tri-State and Atwood regarding the drainage way. Construction to correct the drainage is estimated to start in about a year and a half.

It was moved by Bruce Fitzgerald and seconded by Claud Hanes Approving Resolution 2024R028 FOR THE TRI-STATE MINOR SUBDIVISION LOT LINE ADJUSTMENT AND ACCEPTING THE DEDICATION OF AN ADDITIONAL 15 FEET OF RIGHT-OF-WAY ALONG THE NORTHERN HALF OF 14TH STREET. Motion passed unanimously on roll call vote.

AM 2024-090 Approving a Resolution for Transfer of Ownership of Special Use Permit, Project No. SUP2015-004 and a portion of Project No. SUP2014-002

Transfer of Ownership for these SUP requires City Council approval by Resolution due to language in Resolution No. 2015R003, and Resolution No. 2015R048. Tri-State has transferred ownership of various electric facilities to United Power, including facilities commonly known as

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the Greenhouse Substation, the Greenhouse-Davis Transmission Line and the Greenhouse-Colfer Transmission Line. SUP2015-004 approved the Greenhouse-Colfer Transmission Line. Tri-State proposes to transfer SUP2015-004 in its entirety to United Power. SUP2014-002 approved the Greenhouse Substation and the Greenhouse-Davis Transmission Line. It also approved the Greenhouse-Henry Lake Transmission Line which Tri-State will retain. Tri-State therefore proposes to transfer that portion of SUP2014-002 applicable to the Greenhouse Substation and the Greenhouse-Davis Transmission Line to United Power. Tri-State proposes no change to SUP2014-002 as it applies to the Greenhouse-Henry Lake Transmission Line. See attached Map of the facilities and rights-of-way to be transferred and those to be retained.

A separate AM and Resolution is being brought for the Plat Amendment due to additional ROW being dedicated as part of the review process, which requires Council approval.

It was moved by Claud Hanes and seconded Valerie Blackstone Approving Resolution 2024R029 FOR TRANSFER OF OWNERSHIP OF SPECIAL USE PERMIT, PROJECT NO. SUP2015-004 AND A PORTION OF PROJECT NO. SUP2014-002. Motion passed unanimously on roll call vote.

AM 2024-092 Approve Acceptance of the Revitalizing Main Streets (RMS) Opportunity 2 Program Grant from Colorado Department of Transportation (CDOT) to Reconstruct the Sidewalks on Harrison Avenue for a Maximum Grant Amount of \$250,000.00 with a 10 Percent Matching Funds

The City applied for a Main Street Grant for the sidewalks associated with the Harrison Avenue Reconstruction project in February 2024. We have been notified of award by CDOT.

Construction must be completed by July 31, 2025 in accordance with the terms of the grant agreement. Project has been bid out and awarded. Anticipated start of construction is beginning of June with completion contracted within 120-days. The sidewalk construction will be one of the first items to be completed following the storm sewer construction.

It was moved by Carlos Barron and seconded by Valerie Blackston Approving Acceptance of the Revitalizing Main Streets Opportunity 2 Program Grant from Colorado Department of Transportation to Reconstruct the Sidewalks on Harrison Avenue for a Maximum Grant Amount of \$250,000.00 with a 10 Percent Matching Funds. Motion passed unanimously on roll call vote.

FUTURE CITY EVENTS

May 27, 2024	Memorial Day Service- Hillside Cemetery, 13750 Weld County Road 12, 9:30 a.m.
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June 5, 2024	Coffee with a Cop – Hard Bean Coffee, 107 Dales Place, 8:00 a.m.
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June 7, 2024	Jon Mays Memorial Fore Youth Golf Tournament- Coyote Creek Golf Course, 222 Clubhouse Drive, 8:00 a.m.
June 15, 2024	Summer Sizzle 5k- Railroad Park, 8:00 a.m.
June 19, 2024	Welcome Wednesday, - Community Development Office 1200 Dexter St. Unit W13, 7:30 a.m. – 9:00 a.m.

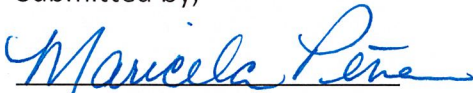
UPCOMING MEETINGS

May 28, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
June 4, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
June 11, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
June 18, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

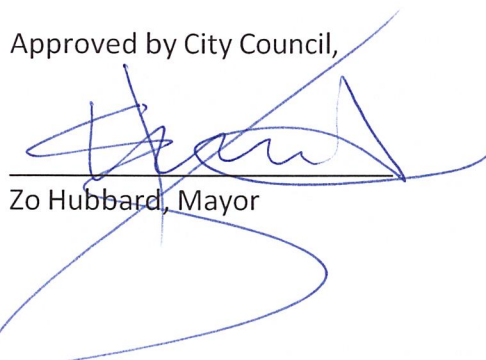
The meeting adjourned at 6:54 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor