



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, September 17, 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

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

- a. Sonny Bachicha- Have a Heart

Approval of Agenda

Review of Accounts Payables

- a. September 17, 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. September 3, 2024 City Council Meeting Minutes
- b. Second Reading of Ordinance 2024-1174 - Amending Portions of Chapter 16, Development Code
- c. Second Reading of Ordinance 2024-1175 - Amending Chapter 18, Section 18-57, Amendments to International Building Code

Action Memorandum

- a. AM 2024-158 Accepting the 2025 CIRSA Property Casualty Renewal Quotation, Estimated to be \$987,580.39
- b. AM 2024-160 Authorize the Mayor to Execute an Agreement to Purchase Seven Shares of Fulton Irrigation from Jimmie D. Mosler for \$210,000.00

Information Memorandum

- a. IM 2024-018 Payment to the Consolidated Mutual Water Company of \$384,802.58 for Repairs to Perry Pit, Caused Due to Flooding During 2023
- b. IM 2024-019 Utility Billing and Water Meter Replacements

Staff Reports

Mayor/Council Reports

Future City Events

- a. Upcoming Events

Upcoming Meetings

- a. September 24, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
October 1, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

October 8, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

October 15, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
September 17, 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, September 17, 2024. Mayor Zo Hubbard called the meeting to order at 6:03 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, Mayor Pro Tem Chris Ceretto, Councilmembers, Bruce Fitzgerald, Carlos Barron, Claud Hanes, David Crespin, and Valerie Blackston.

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

PERSONS TO ADDRESS COUNCIL

Serafin Bachicha on behalf of "Have a Heart" addressed Council to ask for support regarding the Have a Heart Softball Tournament at Pierson Park and thanked them for their support throughout the years.

Bobby Breezy Ortega, resident of Fort Lupton submitted an email to the City Clerk's Office to address Council and ask if automatic crossing arms can be installed at railroad intersections to stop trains from using their horns. Council stated this was looked into two years ago and Roy Vestal, Public Works Director stated the quote that was received two years ago is that it costs \$500,000.00 per crossing. Also, it is required that the whole city receives the arms and not just an isolated crossing. There is a total of 8 intersections that would need to be installed for a total cost of at least 4,000,000.00. Mr. Vestal also stated that if there is one accident after these have been installed all arms are to be removed.

APPROVAL OF AGENDA

Council requested to move the Information Memorandum's before the Consent Agenda. It was moved by Bruce Fitzgerald and seconded by Valerie Blackston to approve the agenda as amended. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the September 17, 2024, payables; there were no questions or comments from the Mayor or Council.

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INFORMATION MEMORANDUM

IM 2024-018 Payment to the Consolidated Mutual Water Company of \$384,802.58 for Repairs to Perry Pit, Caused Due to Flooding During 2023

Flooding from the South Platte River during the 2023 season caused major damages to the Perry Pit water storage facility. The City's lease agreement with The Consolidated Mutual Water Company includes cost share of repairs/improvements of 50%.

Total cost of engineering and construction repairs is \$801,665.16. Two items were not considered necessary for purposes of the leased volume (fencing replacement and west side berming). Final 50% share of costs is \$384,802.58.

Repairs are complete and City staff has inspected the work done.

IM 2024-019 Utility Billing and Water Meter Replacements

In 2019, City Staff recognized the need to replace water meters within the City. End points were failing making the meters unreadable by the reading software and equipment. In 2019, the public works director bid out replacement water meters and meter reading system. The company awarded the contract was not able to meet the demand for meter and they were unable to produce a read file compatible with the Incode Billing Software. In September 2021, a new contract was awarded to Badger Meter for meters and software. However, because of COVID and pipeline supply issues, meters were difficult to obtain. At the end of 2023, the City changed its meter shut off policy, that decision allowed staff to purchase a type of meter more easily obtainable. Northern Colorado Constructors (NCC) was contracted February 6, 2024 to replace all old meters and endpoints in the City. As of August 30th, 650 meters of 1,830 have been replaced.

Issues and Actions regarding meters are below:

- | | |
|-----------|--|
| Issue: | Meters with dead endpoints have high final reads when replaced. |
| Action 1: | Finance is estimating reads based on the winter water average for homes.
Finance subtracts the estimated usages from the final usage resulting in a more reasonable final bill. |
| Action 2: | Meters with multiple months of missed reads are billed at the lowest tier. |
| Issue: | Incorrect Manual Reads |
| Action: | Check usage from manual reads with previous usage on the account and have public works verify the unusual reads. |
| Issue: | High Reads and Bills |
| Action: | All residential utility bills over \$1,000 will be pulled from the automated billing file |

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before being sent to the printer. The usage and billing will be verified, corrections made and a manual bill will be sent to the customer.

General Procedures:

When notified of an unusually high utility bill, the Utility Billing clerk will send public works out to take a manual read and to check for leaks. Based on what is found, a credit is added to the bill. In the case of a leak, following the leak policy in the municipal code, the clerk issues a credit after obtaining receipts from the customer.

In August 2024, 373 meters did not read.

The Initial contract with NCC focused on the missed read and move outside meters on the list. Since we issued the change order, they are moving in a block grouping to be more efficient.

Councilmember Valerie Blackston stated she has experienced notification issues regarding the replacement of her water meter.

Shannon Crespin, Fort Lupton resident, expressed dissatisfaction with the City regarding her water bill and lack of notification regarding water meters malfunctioning. She stated she called the City and the young lady who answered stated the City did send out letters to everyone who had a meter that was misreading. However, she did not receive a letter. Ms. Crespin also expressed confusion because the young lady stated the City would not prorate water bills. However, Ms. Crespin's July bill was prorated. Ms. Crespin also questioned why the City did not put information on the website or a memo in the water bill that notified residents to keep an eye on their water bill due to issues with the meters. She also questioned why the City decided not to prorate because by not doing so, it makes the customer pay a large sum once the meter is finally fixed or manually read. Another question she posed was why are outside meters not being checked manually until the meters are able to be replaced. Her main frustration is due to the City Council failing to notify citizens that there is a problem with the meters and encourage them to check their water bills until the issues are resolved.

CONSENT AGENDA

It was moved by David Crespin and seconded by Chris Ceretto to approve the Consent Agenda as presented with the following items:

- September 3, 2024 City Council Meeting Minutes
- Second Reading of Ordinance 2024-1174 - AMENDING PORTIONS OF CHAPTER 16, DEVELOPMENT CODE
- Second Reading of Ordinance 2024-1175 - AMENDING CHAPTER 18, SECTION 18-57, AMENDMENTS TO INTERNATIONAL BUILDING CODE

Motion passed unanimously on roll call vote.

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ACTION MEMORANDUM

**AM 2024-158 Accepting the 2025 CIRSA Property Casualty Renewal Quotation,
Estimated to be \$987,580.39**

CIRSA (Colorado Intergovernmental Risk Sharing Agency) submits an estimated bill for The City's Property Casualty renewal. The estimate must be accepted, signed and returned to CIRSA by October 1. The 2025 quote is a \$432,946 increase compared to the premium paid in 2024. The increases in previous years has been due in large part to the police and legislative official's liability costs.

It was moved by David Crespín and seconded by Bruce Fitzgerald to Accept the 2025 CIRSA Property Casualty Renewal Quotation, Estimated to be \$987,580.39. Motion passed unanimously on roll call vote.

**AM 2024-160 Authorize the Mayor to Execute an Agreement to Purchase Seven Shares of
Fulton Irrigation from Jimmie D. Mosler for \$210,000.00**

Mr. Mosler offered to sell to the City of Fort Lupton seven shares of the Fulton Irrigation Ditch Company for \$30,000 per share. The City continues to ensure we have adequate water for City operations and this water is one source that can be used to accomplish that goal. The land that was historically irrigated by the shares was sold by Mr. Mosler in 2010 and he did not obtain a dry-up covenant for the land. The lack of dry-up covenant and poor historic use make the shares unsuitable for conversion to municipal use, but they can be used to irrigate areas within the Fulton Ditch service area, including the Coyote Creek Golf Course. The price of the shares reflects the fact that they cannot at this time be changed to municipal use.

Prior to closing, there is a 60-day due diligence time to allow for investigations of the shares. The investigations will allow the City to confirm the historical use of the shares, that the shares can be used to irrigate the golf course and any other locations where the City may need to use the water that are within the Fulton Ditch service area, and whether Mr. Mosler has good and marketable title to the shares. If the results of the investigations are not satisfactory, the City can terminate the purchase agreement before the end of the due diligence period. There is no requirement to pay an earnest money deposit for the shares. The total purchase price is \$210,000.00.

It was moved by Bruce Fitzgerald and seconded by Chris Ceretto to Authorize the Mayor to Execute an Agreement to Purchase Seven Shares of Fulton Irrigation from Jimmie D. Mosler for \$210,000.00. Motion passed unanimously on roll call vote.

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STAFF REPORTS

Mari Peña, City Clerk reported the invite for the Town and County Dinner was sent out and three councilmembers have signed up so far. If anyone else is interested in attending, contact her. She also stated a focus group meeting was conducted on August 28, 2024, regarding trash and recycling in the City. She stated it was a good discussion with many valid points from community members, a summary of the meeting will be sent out to all councilmembers. She also mentioned that the City has received ballot issue numbers for the election. She also received a call regarding someone wanting to register a committee regarding the marijuana initiatives that will be on the ballot.

Leann Perino, Finance Director, mentioned the quote from CIRSA does not include the additions to the recreation center. She also stated every five years CIRSA sends out an appraiser to evaluate all of the City's buildings and this year was the year for them to do their appraisal. The appraisal has not been completed yet and is not reflected in the quote.

Roy Vestal, Public Works Director, stated clean-up day was Saturday September 14th. The initial tally shows 297 loads came in on Saturday. He has not received the total number of pick-ups completed on Senior and Disabled trash pick-up day but will update Council at the next meeting.

MAYOR/COUNCIL REPORTS

Councilmember Claud Hanes thanked Chief Carnes and Sergeant Grossman for attending the Chamber luncheon and presenting. The information presented was great and being able to put a face to the name helps build relationships with the community members.

Councilmember Chris Ceretto thanked city staff for all the work they do.

Mayor Hubbard expressed gratitude to the police department for taking care of a senior citizen who wandered out of his senior housing and was unsure of where he was. She also expressed gratitude for living in a small community with members who care about one another.

FUTURE CITY EVENTS

September 28, 2024 Recreation Center Grand Re-Opening, 203 S. Harrison Avenue, 11:00 a.m. – 5:00 p.m.

October 2, 2024 Coffee with a Cop – Hard Bean Coffee, 107 Dales Place, 8:00 a.m.

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UPCOMING MEETINGS

September 24, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

October 1, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

October 8, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

October 15, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

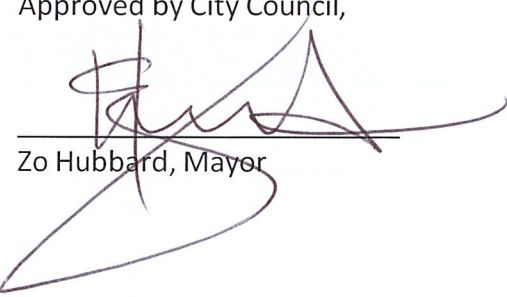
The meeting adjourned at 6:38 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor