



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, February 4, 2025
6:00 PM
130 South McKinley Avenue

Zo Hubbard, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
David Crespin, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

You may join in person or join remotely by clicking on:
<https://meet.goto.com/793699389>

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. February 4, 2025 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 21, 2025 City Council Meeting Minutes
- b. AM 2025-021 Approving the Annual Payment of the Axon Fleet 3 Contract for an Amount Not to Exceed \$40,092.46
- c. AM 2025-022 Approving a Resolution Authorizing and Directing the City Administrator and the City Clerk to Make Applications Related to Northern Colorado Water Conservancy District ("NCWCD") for Temporary Use Permits for Water Allotments Originally Contracted to Certain Other Allottees for the Use and Benefit of the City
- d. AM 2025-023 Approve Public Works Wastewater Disposal Agreement with The Terminator LLC for Disposal of Domestic Wastewater to the City Sanitary Sewer System.
- e. AM 2025-025 Implementing the Acceptable Use Policy and Incident Response Policy Within the Cybersecurity Maturity Model Certification Guidelines (Level 1)

Action Memorandum

- a. AM 2025-024 Approving a Resolution Appointing a Candidate to Fill the Ward III City Council Position Vacancy for a Term Beginning February 4, 2025 and Ending November 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 2025-026 Approving an Ordinance of the City of Fort Lupton, Amending Portions of Chapter 16 – Development Code

Staff Reports

Mayor/Council Reports

Future City Events

- a. February 5, 2025 Coffee with a Cop, Fort Lupton Recreation Center, 8 a.m. - 9 a.m.
- February 17, 2025 City Offices Closed in Observance of President's Day

Upcoming Meetings

- a. February 11, 2025 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
- February 18, 2025 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
- February 25, 2025 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
- March 4, 2025 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 4, 2025**

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 4, 2025. 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, Bruce Fitzgerald, David Crespin and Valerie Blackston. Councilmember Claud Hanes participated remotely.

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

PERSONS TO ADDRESS COUNCIL

There was no one to address the Mayor or Council.

APPROVAL OF AGENDA

It was moved by Bruce Fitzgerald and seconded by David Crespin to approve the agenda as presented. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the February 4, 2025, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- January 21, 2025 City Council Meeting Minutes
- Approving the Annual Payment of the Axon Fleet 3 Contract for an Amount Not to Exceed \$40,092.46 (AM 2025-021)
- Approving Resolution 2025R012 AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR AND THE CITY CLERK TO MAKE APPLICATIONS RELATED TO NORTHERN COLORADO WATER CONSERVANCY DISTRICT ("NCWCD") FOR TEMPORARY USE PERMITS FOR WATER ALLOTMENTS ORIGINALLY CONTRACTED TO CERTAIN OTHER ALLOTTEES FOR THE USE AND BENEFIT OF THE CITY (AM 2025-022)

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- Approve Public Works Wastewater Disposal Agreement with The Terdinator LLC for Disposal of Domestic Wastewater to the City Sanitary Sewer System (AM 2025-023)
- Approve Resolution 2025R013 IMPLEMENTING THE ACCEPTABLE USE POLICY AND INCIDENT RESPONSE POLICY WITHIN THE CYBERSECURITY MATURITY MODEL CERTIFICATION GUIDELINES (LEVEL 1) (AM 2025-025)

Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2025-024 Approving a Resolution Appointing a Candidate to Fill the Ward III City Council Position Vacancy for a Term Beginning February 4, 2025 and Ending November 2025

At the November 5, 2024, General Election, Councilmember Carlos Barron was elected to House District 48, leaving a vacancy in Ward III. On December 17, 2024, Resolution 2024R071 was approved by City Council declaring a vacancy for Ward III and describing the vacancy to be filled by appointment.

Applications were available at the City Clerk's office beginning December 18, 2024. The deadline to apply was January 15, 2025 at 5:00 p.m. Applicants qualified as to age, registered voter and residency in Ward III were interviewed by City Council, on January 28, 2025, at the Town Hall meeting.

The following candidates were interviewed: Beth McWilliams, Dez Packard, Michael Sanchez, and Phil Jensen.

Mari Peña, City Clerk provided ballots to Council to cast their vote. The initial vote ended in a tie between Michael Sanchez and Beth McWilliams. Another ballot was provided to Council to vote between Michael Sanchez and Beth McWilliams. The final ballot resulted as follows:

Michael Sanchez received 3 votes and Beth McWilliams received 2 votes.

Michael Sanchez took oath to the Councilmember Ward III position and joined the Council.

It was moved by Bruce Fitzgerald and seconded by David Crespin to Approve Resolution 2025R014 Appointing Michael Sanchez to Fill the Ward III City Council Position Vacancy for a Term Beginning February 4, 2025 and Ending November 2025. Motion passed unanimously on roll call vote.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
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PUBLIC HEARING

AM 2025-026 Approving an Ordinance of the City of Fort Lupton, Amending Portions of Chapter 16 – Development Code

Mayor Hubbard opened the public hearing at 6:13 p.m.

Sean McDermott, City Planner, provided an overview of the administrative changes to Chapter 16 of the Municipal Code. In Article II, a few procedural items were cleaned up and the Comprehensive Plan Amendments were formalized.

Zachary Mettler, City Planner, discussed the four types of business definitions regarding Natural Medicine and how they will fit into the development code regarding zoning and land use. The four types of Natural Medicine are: Healing Centers, Cultivation Facility, Product Manufacturer, and Testing Facility. He also presented a map showing areas of the city that may be eligible for these types of businesses.

Mayor Hubbard asked for the statute number or the senate bill that approved natural medicine. Mr. Mettler stated Article 170 of the Colorado Revised Statutes is the Natural Medicine Act of 2022. City Attorney, Andy Ausmus, indicated the Senate Bill for Natural Medicine Regulation and Legalization is SB23-290 and the Colorado Natural Medicine Code is C.R.S. 44-50-101.

Councilmember David Crespín recalled discussing zoning restrictions and wanted clarification. Mr. Mettler stated local municipalities cannot make the distance restriction of these businesses farther than what the State has put in place which is currently 1,000 feet. However, municipalities can make the distance restriction smaller.

Mayor Hubbard asked if appropriate notification was completed. Mr. Mettler stated he believes so but will double check.

Mayor Hubbard asked if anyone wanted to speak for or against the proposal. Hearing none, Mayor Hubbard closed the public hearing at 6:25 p.m.

It was moved by David Crespín and seconded by Valerie Blackstone to Approve Ordinance 2025-1184 OF THE CITY OF FORT LUPTON, AMENDING PORTIONS OF CHAPTER 16 – DEVELOPMENT CODE. Motion passed unanimously on roll call vote.

STAFF REPORTS

Beth Gudmestad, Library Director, stated plans are being made for the summer reading adventure and they will be reaching out to city departments to join them on May 28, 2025 for the kick-off.

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Todd Hodges, Planning Director, stated the planning department is moving forward with the comprehensive plan and there will be more opportunities for citizens to participate.

MAYOR/COUNCIL REPORTS

Mayor Hubbard stated she has been contacted by the Auditors and they had a very interesting conversation.

Councilmember Michael Sanchez thanked Council for their trust in appointing him to serve as the councilmember for Ward III.

FUTURE CITY EVENTS

February 5, 2025 Coffee with a Cop, Fort Lupton Recreation Center, 8 a.m. - 9 a.m.
February 17, 2025 City Offices Closed in Observance of President's Day

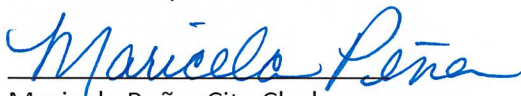
UPCOMING MEETINGS

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ADJOURNMENT

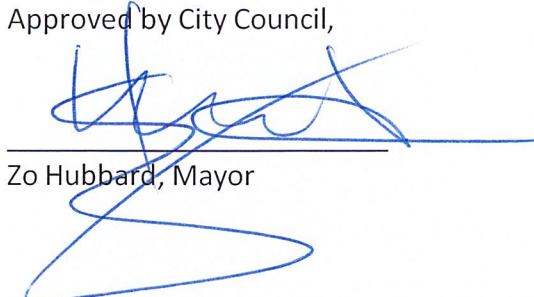
The meeting adjourned at 6:29 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor