



City of Fort Lupton

REGULAR MEETING AGENDA

Tuesday, June 1, 2021

7:00 PM

130 South McKinley Avenue

Zo Stieber, Mayor
Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Mike Sanchez, Ward 3
David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

You may join in person or join remotely by registering at:
<https://attendee.gotowebinar.com/register/8202213119026433036>

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 Stieber

Approval of Agenda

Review of Accounts Payables

a. June 1, 2021 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 27, 2021 City Council Special Meeting Minutes
- b. May 18, 2021 City Council Meeting Minutes
- c. AM 2021-084 Authorize the Mayor to Execute an Agreement to Lease 200 Equivalent Colorado Big Thompson Water Units to Platte River Power Authority
- d. AM 2021-085 Approve Change Order Number 1 to Colorado Paving, Inc. For Not to Exceed \$20,000.00 for Kahil Repaving Project From Street Sales Tax Fund
- e. AM 2021-082 Approve a Resolution Ratifying the Reappointment of Mike Simone by the Mayor for a Three Year Term To The Planning Commission as a Regular Member Beginning June 19, 2021 and Ending June 19, 2024

Action Memorandum

- a. AM 2021-086 Accept a Purchase Agreement for the Purpose of Building a New Public Library Facility on the Property Known as Lupton Village Lot 13, Block 5

Information Memorandum

- a. IM 2021-002 Position Opening for Library Director

Staff Reports

Mayor/Council Reports

Future City Events

- a. June 1, 2021 Upcoming Events

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
June 1, 2021

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, June 1, 2021. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToWebinar. Mayor Zo Stieber called the meeting to order at 7:00 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 Stieber and Councilmembers Shannon Rhoda, Chris Ceretto, Tommy Holton and Michael Sanchez. Councilmember David Crespin participated by remotely through GoToWebinar.

Also present were City Administrator, Chris Cross, Assistant City Administrator, Glenda McCarroll, City Clerk, Mari Peña, City Attorney, Andy Ausmus, Public Works Director, Roy Vestal, and Finance Director, Leann Perino.

PERSONS TO ADDRESS COUNCIL

Melissa Rickman, Restaurant Owner of Wholly Stromboli, provided a presentation of curb cut concerns on the north side of her building. Mrs. Rickman explained her patio project and displayed a picture of the north side of her building. The alley has a pan/curb cut from Denver Avenue to the alleyway. With the current configuration, the curb cut/alley pan begins well to the south of the property line, which causes a good portion of the alley-pan to be contiguous with her property. Mrs. Rickman stated that northbound vehicles often 'cut the corner' into the alleyway. Once the Wholly Stromboli patio structure is in place, this de facto traffic pattern will put the patio structure at risk of being collided with. There have been conversations with City Staff regarding Mrs. Rickman's concerns and possible solutions. Mrs. Rickman proposed that, as part of the concrete work for the patio structure, she engage her concrete contractor to do the curb cut work at the same time to both realize some cost savings by including it in an already in-progress project as well as expedite the completion of the curb cut work. Mrs. Rickman would be willing to fund that portion of the work up front and then ask for repayment from the City either as a direct repayment, or via abatement of her future planning/building permit fees. The City Council stated they would consider the options and obtain guidance from staff on cost analysis.

APPROVAL OF AGENDA

It was moved by Tommy Holton and seconded by Shannon Rhoda to approve the Agenda as presented. Motion passed unanimously on roll call vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the June 1, 2021, payables; there were no questions or comments from the Mayor or Council.

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CONSENT AGENDA

It was moved by Michael Sanchez and seconded by Shannon Rhoda to approve the Consent Agenda as presented with the following items: April 27, 2021, City Council Special Meeting Minutes, May 18, 2021, City Council Meeting Minutes, Authorize the Mayor to Execute an Agreement to Lease 200 Equivalent Colorado Big Thompson Water Units to Platte River Power Authority (AM 2021-084), Approve Change Order Number 1 to Colorado Paving, Inc. For Not to Exceed \$20,000.00 for Kahil Repaving Project From Street Sales Tax Fund (AM 2021-085), Approve Resolution 2021R034 RATIFYING THE REAPPOINTMENT OF MIKE SIMONE BY THE MAYOR TO SERVE AS A REGULAR MEMBER ON THE PLANNING COMMISSION FOR A THREE YEAR TERM BEGINNING JUNE 19, 2021 AND ENDING JUNE 19, 2024 (AM 2021-082). Motion passed unanimously on roll call vote.

ACTION AGENDA

AM 2021-086 Accept a Purchase Agreement for the Purpose of Building a New Public Library Facility on the Property Known as Lupton Village Lot 13, Block 5

In 2018 the Fort Lupton Public & School Library Board voted to move forward with building a separate facility to serve as the public library. The City Council approved the library's decision to move forward with a new facility and hire an Owner's Representative (approved agreement AM 2018-147). The library would continue to run and maintain the high school library in the current facility.

Purchasing property to build a public facility will enable the library to better serve and protect the public and school students. Several possible locations were examined and after careful review the location was determined as the Lupton Village parcel. The cost of the parcel is \$850,000.

A Letter of Intent, "LOI", was signed by both the School District and City for this property. This LOI was extended to June 4, 2021 at which time a Purchase of Sale Agreement needs to be signed or the property could go to another interested party.

The Re-8 School District has been given the option to also sign the Purchase of Sale Agreement and is expected to vote on this issue on June 3, 2021. If the school decides not to make a decision at that time it is important for the City to sign the Purchase of Sale Agreement in order to move forward with this project. Attached is a Purchase and Sale Agreement with both the City and School District as buyers of this property, however the Purchase and Sale Agreement can be amended to have the City as the sole signer if necessary should Re-8 School District decide they do not need to sign or delay their action. An assignment clause has been added to the Purchase and Sale Agreement to allow flexibility for the School District's schedule.

The City Attorney stated that 30H assignability allows the buyer to assign the contract and add the school district as a signatory for closing, providing for additional flexibility for their timing. There is a 90 day due diligence period where the City may terminate for no reason.

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The library board attorney is in agreement with the contract as well.

Shannon stated, if the school wants to be involved they would need to approach and state it before closing.

Discussion occurred between the City Attorney, Councilmember Holton, Finance Director, Leann Perino and the Library Director, Sarah Frank, over whether the library board was their own entity. The City Attorney stated that the library board is not corporate entity and all finances are paid by the City.

Councilmember Tommy Holton stated that he doesn't agree with the way the library is being operated; that was not the way it was set up and someone changed the way it was being operated. The City Attorney and Mr. Holton discussed the Intergovernmental Agreement that was signed by Mr. Holton when he was Mayor.

Councilmember Shannon Rhoda made a call to question.

It was moved by Shannon Rhoda and seconded by Chris Ceretto to approve Tommy Holton abstained.

INFORMATION AGENDA

IM 2021-002 Position Opening for Library Director

The current Library Director, Sarah Frank, has submitted her retirement date of July 9, 2021. With that announcement, the City has begun the process of filling the Director position. The timing of start dates for a new director will not be fully known until after an offer is made post process. To ensure continuity of operations an interim director will be appointed until the new director is able to start.

The estimated timeline of the process is approximately three months. Representatives from the City, school, library board and High Plains Library District will be assisting in the process.

STAFF

Chris Cross stated that the next Town Hall would be on June 29, 2021, with various items. There will be no Town Hall on June 22, 2021.

Glenda McCarroll stated that a letter was sent to DOLA outlining projects to be considered during the congressional spending project for 2022. The City is asking the federal government to pay for intersection to metro and the wastewater lift station. Also Mark Thomas, from Northern Front Range Water Quality, will provide information on the 208 plan at the next Town Hall meeting.

Mari Peña stated that emails came in regarding marijuana and those have been emailed to Council. Also, the day of Memorial Day services was a rainy one, but once it stopped raining the morning turned out for beautiful service.

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MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

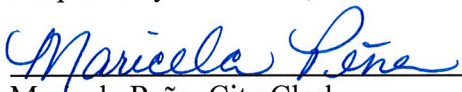
FUTURE CITY EVENTS

May 31, 2021	Memorial Day Service, 13750 County Rd. 12, 9:25 a.m. City Offices Closed in Observance of Memorial Day
June 8, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
June 15, 2021	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
June 29, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
July 4, 2021	Independence Day Celebration, Fort Lupton Recreation Center, 203 S. Harrison Ave. Noon-7:00 pm, Fireworks at Dark
July 5, 2021	City Offices Closed in Observance of Independence Day
August 20, 2021	Jacobs Golf Tournament, Coyote Creek Golf Course

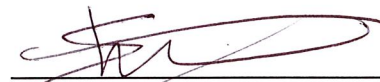
ADJOURNMENT

Mayor Stieber adjourned the meeting at 8:05 p.m.

Respectfully Submitted,


Maricela Peña, City Clerk

Approved by City Council


Zo Stieber, Mayor

