

City of Fort Lupton

REGULAR MEETING AGENDA

Tuesday, August 17, 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

- a. Sonny Bachicha - Have a Heart Softball Tournament

Approval of Agenda

Review of Accounts Payables

- a. August 17, 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. August 3, 2021 City Council Meeting Minutes
- b. AM 2021-131 Ratify Mayor Stieber's signature on Northern Colorado Water Conservancy Districts (NCWCD) Windy Gap FIRMING Escrow Agreement
- c. AM 2021-132 Approving a Resolution Ratifying the Mayor's Appointment of Evelyn Harlan to the Fort Lupton Public and School Library Board as a Trustee for a Term to Expire August 17, 2025
- d. AM 2021-133 Approving the Intergovernmental Agreement With the Board of County Commissioners of the County of Weld and the Weld County Clerk and Recorder Concerning the Administration of the November 3, 2020 Coordinated Election With the City of Fort Lupton and Designating Maricela Pena as Election Officer for the City
- e. AM 2021-134 Adopt an Ordinance to Accept Public Right of Way From Richard Allen and Deborah L. Smith for 190 Feet of the Northern Portion of County Road 24

Action Memorandum

- a. Second Reading Ordinance 2021-1114 An Ordinance of the City of Fort Lupton Enacting a New Article XII of Chapter 6 of the Fort Lupton Municipal Code Regarding the Regulations and Licensing of Medical Marijuana Establishments
- b. Second Reading Ordinance 2021-1115 An Ordinance of the City of Fort Lupton Enacting a New Article XIII of Chapter 6 of the Fort Lupton Municipal Code Regarding the Regulations and Licensing of Retail Marijuana Stores
- c. AM 2021-135 Approving a Retention Bonus to 12 Police Officers for Longevity for an Amount of \$20,664 Allocated from the General Fund
- d. AM 2021-136 Approve a Recruiting Bonus to 4 Police Officers for an Amount not to Exceed \$13,776 Allocated from the General Fund
- e. AM 2021-137 Approving the Change to the Police Department From a Solely Merit Based Pay Program to a Merit Plus Pay Progression Program Beginning September 4, 2021
- f. AM 2021-138 Approve an Increase in City and Employee's VALIC Contribution from 9.7% to 10.2% Effective January 1, 2022

Staff Reports

- a. Police Department Monthly Report

Mayor/Council Reports

Future City Events

- a. August 17, 2021 Upcoming Events

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
August 17, 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, August 17, 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 Chris Ceretto, Michael Sanchez, and Bruce Fitzgerald. Councilmember David Crespin participated remotely through GoToWebinar. Councilmember Tommy Holton participated by phone.

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

PERSONS TO ADDRESS COUNCIL

Serafin Bachicha with Have a Heart thanked Council for support throughout the years and invited the Council to donate and attend the Have a Heart Softball Tournament at the Pierson Park, September 24, 2021 through September 26, 2021.

It was moved by Bruce Fitzgerald and seconded by Tommy Holton to approve that the cost for the Have a Heart Softball Tournament to be paid by the Fort Lupton Recreation Center. Motion passed unanimously on a roll call vote.

APPROVAL OF AGENDA

It was moved by Tommy Holton and seconded by Bruce Fitzgerald to approve the Agenda as presented. Motion passed unanimously on a voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the August 17, 2021, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to approve the Consent Agenda as presented with the following items: August 3, 2021 City Council Meeting Minutes, Ratify Mayor Stieber's Signature on Northern Colorado Water Conservancy Districts (NCWCD) Windy Gap Farming Escrow Agreement (AM 2021-131), Approving Resolution 2021R051 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON RATIFYING THE MAYOR'S APPOINTMENT OF EVELYN HARLAN TO THE FORT LUPTON PUBLIC AND SCHOOL LIBRARY BOARD FOR A TERM TO EXPIRE AUGUST 17, 2025 (AM 2021-132), Approving the Intergovernmental Agreement With the Board of County Commissioners of the

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County of Weld and the Weld County Clerk and Recorder Concerning the Administration of the November 2, 2021 Coordinated Election With the City of Fort Lupton and Designating Maricela Peña as Election Officer for the City (AM 2021-133), Adopt Ordinance 2021-1123 A ORDINANCE OF THE CITY COUNCIL OF FORT LUPTON ACCEPTING THE RICHARD ALLEN AND DEBORAH L. SMITH PUBLIC RIGHT OF WAY DEDICATION FOR CR 24 LOCATED IN THE SOUTHEAST ¼ OF SECTION 3, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO (AM 2021-134). Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

Second Reading Ordinance 2021-1114 An Ordinance Enacting a New Article XII of Chapter 6 of the Fort Lupton Municipal Code Regarding the Regulations and Licensing of Medical Marijuana Stores (AM 2021-122)

Mari Peña, City Clerk, stated that Council has directed Staff to withdraw the Ordinance and complete a combined Ordinance, which will be presented at a later date.

The Second Reading of Ordinance 2021-1114 failed due to lack of motion.

Second Reading Ordinance 2021-1115 An Ordinance Enacting a New Article XIII of Chapter 6 of the Fort Lupton Municipal Code Regarding the Regulations and Licensing of Retail Marijuana Stores (AM 2021-123)

Mari Peña, City Clerk, stated that Council has directed Staff to withdraw the Ordinance and complete a combined Ordinance, which will be presented at a later date

The Second Reading of Ordinance 2021-1115 failed due to lack of motion.

AM 2021-135 Approving a Retention Bonus to 12 Police Officers for Longevity for an Amount of \$20,664 Allocated from the General Fund

The item would allocate an officer retention bonus of \$3,000 to police officers. This bonus would be paid in two payments of \$1,500 each, October 1, 2021 and April 1, 2022 to officers who are currently employed by the police department and who continue that employment for one year based on the payment dates. The cost would be \$20,664 in 2021 and \$25,830 in 2022. This request would approve a retention bonus to encourage continued employment with the Police Department during the next year.

Chief Fryar stated that this was one bonus to be paid in two parts. Part 1 would be paid from the 2021 budget and part 2 would be budgeted and paid in 2022. Chief also stated that there is money in the current budget.

It was moved by Bruce Fitzgerald and seconded by Chris Ceretto to approve a Retention Bonus to 12 Police Officers for Longevity for an Amount of \$20,664 Allocated from the General Fund.

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Motion passed unanimously on a roll call vote. Councilmember Holton stated that he didn't want the allocation to come from the 2022 budget without review by the Council.

AM 2021-136 Approve a Recruiting Bonus to 4 Police Officers for an Amount not to Exceed \$13,776 Allocated from the General Fund

The item would allocate a hiring bonus of \$3,000 to police officers. This bonus would be paid in two payments of \$1,500 each, based upon their hiring date and satisfactory completion of the Field Training Program. This bonus' continuation is temporary until vacancies are filled or the Council rescinds approval. The maximum cost of this bonus would be \$13,776.

This request would approve a hiring bonus to encourage prospective officer applicants to apply, qualify and complete Field Officer Training requirements. John Fryar, Police Chief, discussed the hiring bonus that will be paid in two separate parts. Chief Fryar explained that the \$13,776 included tax and benefits.

There were no questions from the Council, however Councilmember Holton indicated that his comment would be the same as before.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to approve a Recruiting Bonus to 4 Police Officers for an Amount not to Exceed \$13,776 Allocated from the General Fund.

Councilmember Holton asked for clarification of when the installments would be provided. Chief Fryar stated that when the officer would be able to work by himself/herself, the second installment would be paid.

Motion passed unanimously on a roll call vote.

AM 2021-137 Approving the Change to the Police Department From a Solely Merit Based Pay Program to a Merit Plus Pay Progression Program Beginning September 4, 2021

This item would institute a merit plus time based pay progression system for Police Officers, Master Police Officers, Investigators, and Police Sergeants. This AM provides two options for consideration, Option 1 with a cost of \$44,769 for 2021 and \$122,059 for 2022 or Option 2 with a cost of \$44,769 for 2021 and \$186,196 for 2022. The effective date of this change would be September 4, 2021.

This request is to approve either Option 1 or Option 2 that would institute a merit and time based pay progression system for police officers, master police officers, investigators and police sergeants.

The 2022 Budget for the police department is based on current wages and a 5% merit increase mid-year. This is the normal budget estimate procedure. Option 1 and Option 2 are the increase to the 2022 Budget for salaries and wages.

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	<u>2021</u>	<u>2022</u> <u>Budget</u>	<u>2022</u> <u>Option 1</u>	<u>2022</u> <u>Option 2</u>
Wages	\$ 39,117	\$1,794,745	\$ 106,424	\$ 162,337
Taxes, FPPA, VALIC (9.7%)	5,652	497,238	15,635	23,859
Total Cost	<u>\$ 44,769</u>	<u>\$2,291,983</u>	<u>\$ 122,059</u>	<u>\$ 186,196</u>

There should be sufficient 2021 budget remaining in the Police Departments payroll accounts. They PD has used 53% (\$1,488,022) of its total personnel budget, including health benefits, of \$2,808,280. The payroll budget should be 60% expended as of August 13, 2021. They are under budget by \$207,544.

John Fryar, Police Chief, presented on the two different program options to Council. Chief Fryar explained that option one is among the lower third portion of the eight compared agencies and option two is just below the mid-point of the eight compared agencies.

Council discussed approving option one now and revisiting option two at a later date when the budget is approved.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to approve the Change to the Police Department From a Solely Merit Based Pay Program to a Merit Plus Pay Progression Program Option 1 Beginning September 4, 2021. Motion passed unanimously on a roll call vote.

AM 2021-138 Approve an Increase in City and Employee's VALIC Contribution from 9.7% to 10.2% Effective January 1, 2022

This item would increase both the City and Employee's contributions from 9.7% to 10.2% as the initial increase to assist in recruiting and retention of police officers. The cost would be determined by which option (1 - \$19,814 or 2 - \$25,517) that is selected by Council. The effective start date for this benefit would be January 1, 2022.

This request is to approve the first of three proposed incremental increases to the Police Department's retirement contributions by both the City and the Police Department Certified Employees. This would increase the contribution rates from 9.7% to 10.2%.

This increase is intended to assist in police officer recruitment and retention as most competing agencies as participants in FPPA with a committed goal of 14.5% for the governmental agencies and the employees.

The 2022 Budget for the police department is the 9.7% Valic Contribution on current wages and a 5% merit increase mid-year. Option 1 and Option 2 are the increase to the 2022 Budget.

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	<u>2022</u> <u>Budget</u>	<u>2022</u> <u>Option 1</u>	<u>2022</u> <u>Option 2</u>
Wages Subject to VALIC	\$1,794,745	\$ 1,901,169	\$ 1,957,082
9.7 % VALIC	174,105	184,424	189,847
10.2% VALIC Increase		9,495	9,775
Increase compared to 2022 Budget		19,814	25,517

John Fryar, Police Chief, presented on the VALIC contribution options.

Councilmember Bruce Fitzgerald asked if this contribution change was for all employees or just the Police Department. Chief Fryar confirmed this change is only for the Police Department.

It was moved by Tommy Holton and seconded by Chris Ceretto to approve an Increase in City and Employee's VALIC Contribution from 9.7% to 10.2% Effective January 1, 2022 for the Police Department. Motion passed unanimously on a roll call vote.

STAFF

John Fryar, Police Chief, provided a report for the month of July. He stated that Master Officer and DRE Garrett Hackett has been nominated as DUI Officer of the Year from Mother's Against Drunk Driving, and the selection process will occur in September.

Mari Peña, City Clerk, reported on the upcoming election on November 2, 2021. She stated that there has been a lot of interest in running for a position and Monday, August 23, 2021 at 5:00 P.M. will be the last day to submit petitions to the City Clerk's Office.

Chris Cross, City Administrator, reported on the painting work on South Rollie Avenue near Safeway. He stated that the painting should be done and the road will be open soon.

MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

FUTURE CITY EVENTS

August 20, 2021	Jacobs Golf Tournament, Coyote Creek Golf Course
August 31, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
September 6, 2021	City Offices Closed in Observance of Labor Day
September 7, 2021	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
September 10-11, 2021	Trapper Days, Downtown Fort Lupton
September 14, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.

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

August 17, 2021

September 21, 2021

City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.

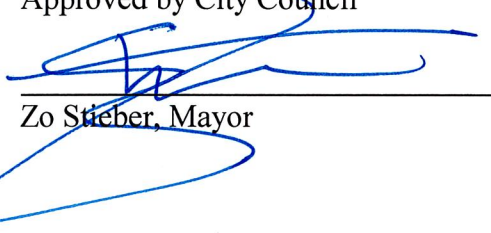
ADJOURNMENT

Mayor Stieber adjourned the meeting at 7:33 p.m.

Submitted by,


Maricela Peña, City Clerk

Approved by City Council


Zo Stieber, Mayor

