

City of Fort Lupton

REGULAR MEETING AGENDA

Tuesday, January 18, 2022

7:00 PM

130 South McKinley Avenue

Zo Stieber, 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/851983253>

Pledge of Allegiance

Call to Order

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. January 18, 2022 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 4, 2022 City Council Meeting Minutes

b. AM 2022-012 Approve a Resolution Reappointing Ginny White to the Historic Preservation Board for a Three Year Term to Expire January 18, 2025

c. AM 2022-013 Approve Payment of the 2022 Windy Gap Firing Assessment Paid to Northern Colorado Water Conservancy District (NCWCD) From the Water Sales Tax Fund for an Amount not to Exceed \$66,111.11

d. AM 2022-015 Approve a Resolution to Accept the Grant From the National Fitness Campaign for \$25,000.00 and to Approve the Purchase and Installation of the Outdoor Fitness Court not to Exceed \$115,000.00

e. AM 2022-016 Approve Public Works Wastewater Sewer Service Agreement With Rodolfo Melendez and Hilda Manzo for Sanitary Sewer Service at 1460 14th Street

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 Stieber

- a. AM2022-019 Consideration of a Resolution Accepting an Annexation Petition for the Hagler Annexation Nos. 1-4 Submitted by Mandi Hagler and Lee Hagler and to Set a Public Hearing Date for March 15, 2022

Action Memorandum

- a. AM2022-020 Approve a Resolution for the Cottonwood Greens PUD Amended Sketch Plat and Sketch PUD Plan Submitted by Arbor Capital Partners, LLC to Create a Residential Subdivision
- b. AM 2022-014 Approve Resolution 2022Rxxx of the Fort Lupton City Council Acting as the Fort Lupton Utility Enterprise Board Modifying the Cash-In-Lieu Raw Water Requirement for New Construction
- c. AM 2022-017 Acceptance of Technical Memorandum #1 From Burns and McDonnell, "Force Main Route Alternative Evaluation" and Selection of US 85 Route as Most Beneficial
- d. AM 2022-018 Approve a Resolution Revising the Water and Sewer Infrastructure Investment Fee Schedule

Staff Reports

Mayor/Council Reports

Future City Events

- a. Upcoming Events

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
January 18, 2022**

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, January 18, 2022. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToMeeting. 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, Bruce Fitzgerald, Valerie Blackston, Carlos Barron, and Claud Hanes. Councilmember David Crespino participated remotely through GoToMeeting.

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

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

Mayor Stieber read the general advisement for connected meetings.

APPROVAL OF AGENDA

Staff requested that item 'a' under Public Hearing, AM 2022-019 Consideration of a Resolution Accepting an Annexation Petition for the Hagler Annexation Nos. 1-4 Submitted by Mandi Hagler and Lee Hagler and to Set a Public Hearing Date for March 15, 2022, be moved to item 'e' under Action Memorandum. The matter is for a public meeting.

Carlos Barron made a motion to approve the Agenda as amended with the requested item moved from Public Hearing to Action Memorandum and Bruce Fitzgerald seconded the motion. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the January 18, 2022, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Claud Hanes and seconded by Valerie Blackston to approve the Consent Agenda as presented with the following items:

- January 4, 2022 City Council Meeting Minutes
- APPROVE RESOLUTION 2022R007 REAPPOINTING GINNY WHITE TO THE HISTORIC PRESERVATION BOARD FOR A THREE YEAR TERM TO EXPIRE JANUARY 18, 2025 (AM 2022-012)
- Approve Payment of the 2022 Windy Gap Firing Assessment Paid to Northern Colorado Water Conservancy District (NCWCD) From the Water Sales Tax Fund for an Amount not to Exceed \$66,111.11 (AM 2022-013)

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
January 18, 2022**

- APPROVE RESOLUTION 2022R008 TO ACCEPT THE GRANT FROM THE NATIONAL FITNESS CAMPAIGN FOR \$25,000.00 AND TO APPROVE THE PURCHASE AND INSTALLATION OF THE OUTDOOR FITNESS COURT NOT TO EXCEED \$115,000.00 (AM 2022-015)
- Approve Public Works Wastewater Sewer Service Agreement With Rodolfo Melendez and Hilda Manzo for Sanitary Sewer Service at 1460 14th Street (AM 2022-016)

Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2022-020 Approve a Resolution for the Cottonwood Greens PUD Amended Sketch Plat and Sketch PUD Plan Submitted by Arbor Capital Partners, LLC to Create a Residential Subdivision

The Applicant, Arbor Capital Partners, LLC, has submitted a request for an amended sketch plat and sketch PUD plan ("Amended Sketch Plat and Plan") for a residential subdivision that will include 410 single family detached and 137 single family attached units, and will include a clubhouse/neighborhood park, pocket parks and interconnecting trails. This amendment to the original sketch plat and plan brings in an additional parcel, known as the Conner Parcel. It also amends the piece to the north of the Conner parcel, known as the Thermo Farms parcel to reflect layout changes to that parcel from the original sketch plat and plan. The overall Amended Sketch Plat and Plan has also been updated to reflect the final layout of the approved Filing Nos. 1 – 4.

It was moved by Bruce Fitzgerald and seconded by Chris Ceretto to approve Resolution 2022R009, A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE COTTONWOOD GREENS PUD AMENDED SKETCH PLAT AND SKETCH PUD PLAN SUBMITTED BY ARBOR CAPITAL PARTNERS TO CREATE A RESIDENTIAL SUBDIVISION. Motion passed unanimously on roll call vote.

AM 2022-014 Approve Resolution 2022Rxxx of the Fort Lupton City Council Acting as the Fort Lupton Utility Enterprise Board Modifying the Cash-In-Lieu Raw Water Requirement for New Construction

On March 16, 2015, Resolution 2015R008 was approved modifying the cash-in-lieu water fee requirement to \$10,000 per single family unit or 40% of the current Colorado Big Thompson "share" cost whichever was higher.

The City Staff was presented with historical data of water usage and recommends that the City modify its Cash-in-Lieu water fee requirement to \$20,000 per single family dwelling unit or 50% of the Colorado Big Thompson "share" cost, market rate, whichever is higher when on a dual system with non-potable water. This would allow builders incentive to build new single family dwellings in the City. City Municipal code 13-122 (e) allows modification to the in-lieu amount by resolution. The current in-lieu amount is current market rate of Colorado Big Thompson, which is \$60,000 per share and would be the price for any residential development not on a dual system of potable and non-potable water. This would adjust with current rate. If suitable water shares are brought to the City in place of the cash-in-lieu, the shares can be calculated to fit the cash-in-lieu structure provided if not detailed out already.

The non-potable system incentive would have to be approved through Public works to ensure functionality. The requirements would be for shares used on the City of Fort Lupton's infrastructure. The new rate structure would be effective beginning March 1, 2022.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
January 18, 2022

It was moved by Claud Hanes and seconded by Bruce Fitzgerald to approve Resolution 2022R010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON ACTING AS THE FORT LUPTON UTILITY ENTERPRISE BOARD MODIFYING THE CASH-IN-LIEU-OF-WATER FEE REQUIREMENT FOR RESIDENTIAL CONSTRUCTION, PER SECTION 13-122 (e) OF THE FORT LUPTON MUNICIPAL CODE, EFFECTIVE MARCH 1, 2022. Motion passed unanimously on roll call vote.

AM 2022-017 Acceptance of Technical Memorandum #1 From Burns and McDonnell, "Force Main Route Alternative Evaluation" and Selection of US 85 Route as Most Beneficial

Council approved pursuit of the METRO connection option on April 20, 2021 with AM2021-066. The City has determined that entering into an agreement with the Metro Wastewater Reclamation District's (MWRD) Regional Northern Treatment Plant may be a preferred alternative to expanding the City's Wastewater Treatment Plant (WWTP). The Metro District Board of Director's Resolution NO. 0721-B7.f was approved on July 20, 2021, which determined that the District could feasibly serve the City.

Council approved joining the regional facility is adopted Ordinance 2021-1128, effective on November 12, 2021 "declaring that the public health, safety, and general welfare require the inclusion of said municipality within the district and that the governing body desires to have said municipality included therein upon the terms and conditions prescribed by the board of directors."

Burns and McDonnell has prepared as a part of the engineering services agreement with the City Technical Memorandum #1: Force Main Route Alternative Evaluation and determined the most beneficial route is along the US 85 route.

Engineer's Estimate of Probable Cost for construction of lift station and pipeline to METRO WWTP is \$22,000,000 including a \$4,500,000 contingency (25%).

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to accept Technical Memorandum #1 from Burns and McDonnell, "Force Main Route Alternative Evaluation" and selection of US 85 Route as Most Beneficial. Motion passed unanimously on roll call vote.

AM 2022-018 Approve a Resolution Revising the Water and Sewer Infrastructure Investment Fee Schedule

Periodically, it is necessary to revise the Water and Sewer Plant Investment Fee Schedule. City staff conducted a survey of water and sewer taps in the surrounding region. Of the 6 communities surveyed, Fort Lupton fell on the bottom of the list. The average water tap fee is \$15.227.50 for a ¾" meter. During the budget discussions held in October 2021, the City looked at the upcoming needs to expand the water and sewer plants totaling \$76 million within the next 20 years. As a result, staff recommends increasing the ¾" residential tap fee to \$8,000 per tap and adjust the other tap fees accordingly and adjusting the sewer tap fees to \$10,000 and adjusting the other size fees accordingly.

Changes incorporated within this revision include:

- Dropping the residential sizes greater than 3/4".

- Dropped the 1-1/4" commercial size.

- Residential is defined as an owned residence by lot designation. Requires individual service and billing.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
January 18, 2022**

Multi-Family is redefined as a commercial enterprise with rental units served by one tap and billing to a single entity.

The METRO designation of SFE (Single Family Equivalent) used as a multiplier of a ¾" service equivalent.

It was moved by Bruce Fitzgerald and seconded by Claud Hanes to approve Resolution 2022R011, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON ACTING AS THE FORT LUPTON UTILITY ENTERPRISE BOARD REVISING THE WATER AND SEWER PLANT INVESTMENT FEE SCHEDULE. Motion passed unanimously on roll call vote.

AM 2022-019 Consideration of a Resolution Accepting an Annexation Petition for the Hagler Annexation Nos. 1-4 Submitted by Mandi Hagler and Lee Hagler and to Set a Public Hearing Date for March 15, 2022

Mandi Hagler and Lee Hagler (the "Applicants") have submitted an annexation petition to initiate annexation proceedings for two parcels of land and road right of way. The parcels are located north and adjacent to County Road 22 and approximately 0.20 miles east from County Road 19 (Parcel Nos. 131110300014 & 131110300016). The annexation is considered a flagpole annexation and includes County Road 22 right of way beginning at the intersection of County Road 22 and 23 and continuing west to the western boundary of parcel no. 131110300014. This proposed annexation, known as the Hagler Annexation Nos. 1 – 4, consists of a total of 23.691 acres, more or less. The resolution is to accept the annexation petition and initiate the two-month (60 day) review process that involves staff, referral agencies, Planning Commission and City Council. Approval of the resolution does not constitute approval of the annexation request. Approval of the resolution simply means that there is an interest in considering the annexation, with the final decision to be made by City Council at a public hearing on March 15, 2022.

It was moved by Valerie Blackston and seconded by Carlos Barron to approve Resolution 2022R012, A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE HAGLER ANNEXATION NOS. 1 – 4 AND SETTING THE PUBLIC HEARING FOR MARCH 15, 2022. Motion passed unanimously on roll call vote.

STAFF

There were no reports from Staff.

MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

FUTURE CITY EVENTS

January 25, 2022	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
February 1, 2022	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
February 8, 2022	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
February 15, 2022	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
January 18, 2022

February 21, 2022

City Offices closed in observance of President's Day.

February 22, 2022

Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.

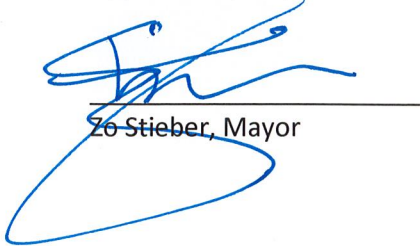
ADJOURNMENT

The meeting adjourned at 7:28 p.m.

Submitted by,


Maricela Peña, City Clerk

Approved by City Council


Ze Stieber, Mayor

