

City of Fort Lupton
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, March 1, 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. March 1, 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. February 15, 2022, City Council Meeting Minutes
- b. Second Reading Ordinance 2022-1137 An Ordinance of the City of Fort Lupton, Colorado, Amending Section 2-26 Regular Meetings of the City Council and Enterprise Boards of the Fort Lupton Municipal Code
- c. Second Reading Ordinance 2022-1138 An Ordinance by Fort Lupton City Council Acting as the Utilities Enterprise Board, Amending Section 13-26 Sewer Rate Schedules, Section 13-136 Water Rate Schedules, Section 13-135 Water Meter Readings and Section 13-145 Water Leaks of Chapter 13 Municipal Utilities of the Fort Lupton Municipal Code
- d. AM 2022-045 Setting a Public Hearing for March 15, 2022, for Consideration of the Retail Marijuana Business License Application Submitted by 1310 Factory Circle, LLC, Colin Madden, to be located at 1310 Factory Circle
- e. AM 2022-046 Setting a Public Hearing for March 15, 2022, for Consideration of a Retail Marijuana Business License Application Submitted by Carretera Ocho Cinco, LLC,

Daniel Balderals, Rachel Gillette and Puppies & Sushi, LLC, to be located at 7853 Highway 85

- f. AM 2022-047 Setting a Public Hearing for March 15, 2022, for Consideration of the Retail Marijuana Business License Application Submitted by High Plainz Strains of Fort Lupton, Inc. John Rotherham and Alicia Rotherham, to be located at 1330 Factory Circle

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. AM 2022-044 Consideration of a Resolution for the Hope Grayson Site Plan for a General Commercial Development Including a Dental Clinic

Action Memorandum

- a. AM 2022-042 Approve a Resolution in Support of the Brand Guidelines for Use of Official City of Fort Lupton Administrative Documents
- b. AM 2022-043 Award Contract to Polarized Water Solution for Not to Exceed \$240,000.00 for Non-Potable Pump House Retrofit Project from the Utility Fund - Non-Potable Water System
- c. AM 2022-048 Approval of a Pre-Construction Contract with GH Phipps as Construction Manager for the New Public Library Facility

Information Memorandum

- a. IM 2022-005 Completion of Risk and Resilience Assessment and Emergency Response Plan to Comply with the America's Water Infrastructure Act

Staff Reports

Mayor/Council Reports

Executive Session "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)." golf course

Future City Events

- a. March 1, 2022, Upcoming Events

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 1, 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, March 1, 2022. 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 Bruce Fitzgerald, Valerie Blackston, Carlos Barron and Claud Hanes.

Councilmember David Crespín participated remotely through GoToMeeting.

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

Mayor Stieber read the general advisement for connected meetings.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

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

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the March 1, 2022, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- February 15, 2022, City Council Meeting Minutes
- Second Reading Ordinance 2022-1137 AN ORDINANCE OF THE CITY OF FORT LUPTON, COLORADO, AMENDING SECTION 2-26 REGULAR MEETINGS OF THE CITY COUNCIL AND ENTERPRISE BOARDS OF THE FORT LUPTON MUNICIPAL CODE
- Second Reading Ordinance 2022-1138 AN ORDINANCE BY FORT LUPTON CITY COUNCIL ACTING AS THE UTILITIES ENTERPRISE BOARD, AMENDING SECTION 13-26 SEWER RATE SCHEDULES, SECTION 13-136 WATER RATE SCHEDULES, SECTION 13-135 WATER METER

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**READINGS AND SECTION 13-145 WATER LEAKS OF CHAPTER 13 MUNICIPAL UTILITIES
OF THE FORT LUPTON MUNICIPAL CODE**

- Setting a Public Hearing for March 15, 2022, for Consideration of the Retail Marijuana Business License Application Submitted by 1310 Factory Circle, LLC, Colin Madden, to be located at 1310 Factory Circle (AM 2022-045)
- Setting a Public Hearing for March 15, 2022, for Consideration of a Retail Marijuana Business License Application Submitted by Carretera Ocho Cinco, LLC, Daniel Balderas, Rachel Gillette and Puppies & Sushi, LLC, to be located at 7853 Highway 85 (AM 2022-046)
- Setting a Public Hearing for March 15, 2022, for Consideration of the Retail Marijuana Business License Application Submitted by High Plainz Strains of Fort Lupton, Inc. John Rotherham and Alicia Rotherham, to be located at 1330 Factory Circle (AM 2022-047)

Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

AM 2022-044 Consideration of a Resolution for the Hope Grayson Site Plan for a General Commercial Development Including a Dental Clinic

Mayor Stieber opened the public hearing at 7:07 p.m. and asked for a description of the proposal.

The City Planner, Maria Lancto, stated that Hope Grayson Properties, LLC has submitted a request for a site plan consisting of two general commercial buildings. The south building will be used for a dental office, and the north building is planned for a future phase and does not have a specific user at this time. The property is located at the northeast corner of Copper Place and State Highway 52 (1st Street).

The property is located in the C-1 General Commercial Zone District. Medical and dental clinics are permitted uses in the C-1 Zone District. The future user(s) of the north building will be required to meet the parameters of C-1 zoning as well. Additionally, the Fort Lupton Comprehensive Plan designates this property for Commercial General Land Uses. The proposal abides by this land use designation.

Mayor Stieber read the following advisement to the applicant, Denise Tolmich-Ramirez: You understand that members of the City Council may be appearing tonight via a virtual connection and may not be appearing in person? You consent to the applicable member voting on your submittal even though said member is not present in person? You understand that the Applicant has a right to continue this public hearing to such a date to allow a full in person public hearing? You have agreed to voluntarily waive that right on behalf of the Applicant by proceeding tonight electronically, is that correct? On behalf of the Applicant, you have voluntarily signed and submitted the written waiver and consent to proceed electronically tonight, correct? Therefore, on behalf of the Applicant, you waive Applicant's right to proceed

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in an in person public hearing and have consented to proceed forward voluntarily tonight in this virtual City Council meeting, is that correct? Ms. Tolmich-Ramirez responded 'yes' to all questions.

There was a brief discussion regarding access to the surrounding properties. The Planning Director, Todd Hodges, stated that there is an easement across both properties for the access.

Mayor Stieber read the following advisement to Ms. Denise Tomich-Ramirez: Have you had a full and fair opportunity to present all facts, submittals, documents, testimony and presentations in support of the Applicant's application before the City Council tonight? Ms. Tolmich-Ramirez responded 'yes'. Has there been anything that you or the Applicant would have liked to have presented in support of Applicant's application that you feel you were prevented from doing so? Ms. Tolmich-Ramirez responded 'no'.

Mayor Stieber asked if anyone from the public wished to speak for or against the proposal. Hearing none, Mayor Stieber closed the public hearing at 7:13 p.m.

It was moved by Bruce Fitzgerald and seconded by Carlos Barron to approve Resolution 2022R021 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE HOPE GRAYSON SITE PLAN FOR A GENERAL COMMERCIAL DEVELOPMENT. Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2022-042 Approve a Resolution in Support of the Brand Guidelines for Use of Official City of Fort Lupton Administrative Documents

In December 2021, the City Administrator established a Logo Committee comprised of City staff from multiple departments. The intent was to create a consistent branding strategy for the official messaging of the City of Fort Lupton's administrative services. In February 2022, the Committee finalized its recommendations for the City's branding strategy and formalized these recommendations in a document known as the Brand Guidelines.

The Logo Committee is requesting a resolution in support of the Brand Guidelines. As part of the Brand Guidelines, the Committee is also requesting a final determination on the logo to be used moving forward for official administrative City documents (letters, emails, business cards, etc.). The two options that it has been narrowed down to are included as an attachment to this Action Memorandum.

A resolution in support of the Brand Guidelines does not necessarily mean that they will not change from time to time as it is determined necessary by the Logo Committee or other authorized City staff. Any significant changes to the Brand Guidelines will be presented to City Council prior to going into effect.

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It was moved by Carlos Barron and seconded by Claud Hanes to approve option number 1 of the logo for Resolution 2022R022 A RESOLUTION OF THE CITY OF FORT LUPTON SUPPORTING THE BRAND GUIDELINES FOR USE ON OFFICIAL CITY OF FORT LUPTON ADMINISTRATIVE DOCUMENTS. Motion passed unanimously on roll call vote.

AM 2022-043 Award Contract to Polarized Water Solution for Not to Exceed \$240,000.00 for Non-Potable Pump House Retrofit Project from the Utility Fund - Non-Potable Water System

Bid documents were advertised from January 21, 2022 with bid opening on February 18, 2022. Four bids were received with Polarized Water Solutions providing the lowest responsible bid as shown in the attached Bid Tabulation.

The City's consultant engineer (Murraysmith) evaluated the bid documents and has determined Polarized Water Solutions capable of completing the work required. They recommend award of the contract to Polarized Water Solutions.

\$385,000 is budgeted for the project in 2022. Material order to occur immediately with construction to be schedule with delivery.

It was moved by Valerie Blackston and seconded by Carlos Barron to award the contract to Polarized Water Solution for an amount not to exceed \$240,000. 00 for non-potable pump house retrofit project allocated from the Utility Fund – Non-Potable Water System. Motion passed unanimously on roll call vote.

AM 2022-048 Approval of a Pre-Construction Contract with GH Phipps as Construction Manager for the New Public Library Facility

The developers, GH Phipps, were selected to work on the new public library facility. The proposal for the dollar amount sets the price for the project to not exceed \$6,706,593. GH Phipps was selected over two years ago for this project and has been working alongside the architects and build team to quote the project since selected.

It was moved by Claud Hanes and seconded by Bruce Fitzgerald to approve the pre-construction contract with GH Phipps as Construction Manager for the new public library facility. Motion passed unanimously on roll call vote.

INFORMATION MEMORANDUM

IM 2022-005 Completion of Risk and Resilience Assessment and Emergency Response Plan to Comply with the America's Water Infrastructure Act

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The America's Water Infrastructure Act (AWIA) was signed into law on October 23, 2018. The law requires all community water systems/utilities that serve more than 3,000 people to conduct risk and resilience assessments and develop or update their emergency response plans (ERP's). Utilities must then certify to the Environmental Protection Agency (EPA) that they were completed.

This City contracted with Clear Water Solutions in April of 2021 to do the following:

1. Complete the Risk and Resilience Assessment
2. Submitted the Risk Assessment for certification to the EPA on June 30, 2021
3. Developed an Emergency Response Plan for the City
4. Submitted the ERP for certification to the EPA.

All items have been completed. The EPA does not review or approve the document. The certification includes identifying the utility and that the plan was submitted. It is recommended to re-certified the plans every 5 years.

STAFF

There were no reports from staff.

MAYOR/COUNCIL REPORTS

There were no reports from the Mayor or Council.

FUTURE CITY EVENTS

March 1, 2022	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
March 8, 2022	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
March 29, 2020	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.

EXECUTIVE SESSION

It was moved by Carlos Barron and seconded by Valerie Blackston to move into Executive at 7:26 p.m. "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)." golf course

The following went into Executive Session: Mayor Zo Stieber, Councilmembers Valerie Blackston, David Crespín, Claud Hanes, Carlos Barron, Bruce Fitzgerald, City Attorney, Andy Ausmus, City Administrator, Chris Cross, Finance Director, Leann Perino and Golf Course Manager, Tyler Tarpley.

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The Executive Session ended at 7:50 p.m. and the regular meeting reconvened at 7:50 p.m.

ADJOURNMENT

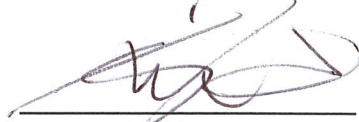
The meeting adjourned at 7:50 p.m.

Submitted by,



Maricela Peña, City Clerk

Approved by City Council



Zo Stieber, Mayor