RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
May 19, 2020

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, May 19, 2020. Due to the COVID-19 virus, the meeting was held with virtual access provided through GoToMeetings. 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 Council Members Chris Ceretto, David Crespin, Michael Sanchez and Bruce Fitzgerald. Councilmember Tommy Holton participated by electronic communication (GoToMeeting).

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

The following staff participated by electronic communication (GoToMeeting): Assistant City Administrator, Glenda Arextuloeta, Finance Director, Leann Perino, Staff Engineer, Monroe Peck, and Planners, Alyssa Knutson and Maria Lancto.

PERSONS TO ADDRESS COUNCIL

The City Clerk, Mari Peña stated that there was no one from the public to address the Council.

APPROVAL OF AGENDA

It was moved by Bruce Fitzgerald and seconded by Mike Sanchez to approve the Agenda as presented. Motion passed unanimously on roll call vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the May 19, 2020 payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Tommy Holton and seconded by David Crespin to approve the Consent Agenda the following items: 05052020 City Council Meeting Minutes, Second Reading Ordinance 2020-1083 ADOPTING AN ORDINANCE ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1-5 AND APPROVING THE ANNEXATION AGREEMENT, Second Reading Ordinance 2020-1084 ADOPT AN ORDINANCE INITIALLY ZONING LAND KNOWN AS THE C&M RODRIGUEZ INITIAL ZONING, LEGALLY DESCRIBED IN EXHIBIT A, TO THE 'C-2' HEAVY INDUSTRIAL ZONE DISTRICT, Second Reading Ordinance 2020-1085 AN ORDINANCE ACCEPTING THE KURT W. CONNER FAMILY TRUST AND FORT LUPTON FIRE PROTECTION DISTRICT PUBLIC RIGHT OF WAY DEDICATION FOR

9TH STREET, and Second Reading 2020-1086 AN ORDINANCE ACCEPTING THE KURT W. CONNER FAMILY TRUST PUBLIC RIGHT OF WAY DEDICATION FOR COUNTY ROAD 31. Motion passed unanimously on roll call vote.

ACTION AGENDA

AM 2020-099 A Resolution Approving The Cottonwood Greens Final PUD Development Plan And Final Plat For Filing Nos. 1 - 3 Submitted By Arbor Capital Partners, LLC To Create A Residential Subdivision

Arbor Capital Partners, LLC has applied for approval of the Cottonwood Greens Final PUD Development Plan and Final Plats for Filings Nos. 1 – 3 ("Final PUD Plats"). The proposed development is for a residential subdivision that will include single-family detached houses and single-family attached (townhomes) house, as well as a neighborhood park, pocket parks, and a trail system that will build out a portion of the Fort Lupton Parks & Trails Master Plan. The single-family attached portion of the development will require additional submittals and review prior to development of Track D included in Filing 3. The Property is located north and adjacent to 9th Street, and between Northrup Avenue and County Road 31.

Mayor Stieber read the following advisement to the applicant's representative: 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 in an in person public hearing and have consented to proceed forward voluntarily tonight in this virtual City Council meeting, is that correct?

The applicant's representative Kristen Turner, with TB Group, answered yes to all questions. Ms. Turner provided a presentation including the overview of the entire project. The project includes, trails, and 3 pocket parks. The project is expected to be a nice addition to the City.

Mayor Stieber read the following advisement: Have you had a full and fair opportunity to present all facts, submittals, documents, testimony and presentations in support of the application before the City Council tonight? Ms. Turner answered "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. Turner answered "no and nothing further."

It was moved by Chris Ceretto and seconded by Michael Sanchez to approve Resolution 2020R048 A RESOLUTION APPROVING THE COTTONWOOD GREENS FINAL PUD DEVELOPMENT PLAN AND FINAL PLATS FOR FILING NOS. 1 – 3 SUBMITTED BY ARBOR CAPITAL PARTNERS, LLC TO CREATE A RESIDENTIAL SUBDIVISION. Motion passed with no vote from Councilmember Tommy Holton due to the City not having a policy for voting on quasi-judicial matters by virtual access.

AM 2020-100 Approve Purchase Of Tractor And Mower For Public Works Streets From High Plains For Not To Exceed $102,353.00 From The General Fund Public Works

The new tractor is needed by Public Works for street mowing operations. The current machine is a 1998 New Holland tractor with jury rigged attachments. Repair parts are becoming difficult to acquire. In 2019 we lost approximately 2 weeks of mowing time waiting for repairs.

Three quotes were solicited through Sourcewell (NJPA) from High Plains, Wickham Tractor Company and Deere & Company.

High Plains w/ mower, snow blade & rear window guard	New Holland TS6.120 T4B	$102,353.00
Wickham Tractor Company w/ mower	Kubota M6-131DTC-F	$111,954.35
Deere & Company w/loader & mower	Joh Deere 6120M	$135,610.84

All three quotes are comparably sized machines. The New Holland tractor was selected as the low quote with all the accessories we needed and because of the City's past experience with New Holland equipment and close proximity for maintenance if needed.

Total cost is $102,353.00 of which the Public Works Street Budget for 2020 included $120,000.00.

It was moved by David Crespin and seconded by Bruce Fitzgerald to approve the purchase of tractor and mower for Public Works Streets from High Plains for an amount not to exceed $102,353.00 allocated from the General Fund Public Works. Motion passed with no vote from Councilmember Tommy Holton due to lost communication.

AM 2020-101 Escrow Agreement Between The City Of Fort Lupton And Fulton Village Land Developers LLC For Payment Of Cash In Lieu For 65 Lots In Fulton Village PUD Filing 2

Fulton Village Land Developers, LLC are in the process of finalizing plans for the Fulton Village PUD residential development. The development will result in a total of 75 single family lots. Filing 1 has been approved and recorded for 10 lots. The cash in lieu water has been paid for to cover the 10 lots. 65 lots will require the payment of cash in lieu prior to recording the final plat for filing 2. The escrow agreement allows the payment required for the 65 lots to be paid prior to closing at the current City rate of $55,000 per share of CBT. The payment will be in the amount of $715,000.00 in a form described in the escrow agreement. Once the Fulton Village Land Developers, LLC close on the Filing 2 the payment will be non-refundable. If Fulton Village Land Developers, LLC does not close within 60 days of the date of the Escrow Agreement, the funds shall be returned

It was moved by Chris Ceretto and seconded by David Crespin to approve the escrow agreement between the City of Fort Lupton and Fulton Village Land Developers for payment of cash-in-lieu

for 65 lots in Fulton Village PUD Filing 2 in the amount of $715,000. Motion passed unanimously on roll call vote.

STAFF

The Public Works Director provided information on paving of Greenwood Ct.

MAYOR/COUNCIL REPORTS

Mayor Stieber provided information on the Census Bureau and urged all citizens to respond.

FUTURE CITY EVENTS

May 26th	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
May 25th	City Offices closed in observance of Memorial Day Memorial Day Services Cancelled at Hillside Cemetery
June 2nd	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
June 9th	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
June 16th	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.

ADJOURNMENT

Mayor Stieber adjourned the meeting at 7:32 p.m.

Respectfully Submitted,

Maricela Peña

Maricela Peña, City Clerk

CITY OF FORT LUPTON SEAL STATE OF COLORADO

Approved by City Council

Zo Stieber, Mayor