

**RECORD OF PROCEEDINGS**  
**FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS**  
**July 17, 2019**

The City Council of the City of Fort Lupton met in a special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Wednesday, July 17, 2019. 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, Council Members Shannon Rhoda, Chris Ceretto, David Crespin, Michael Sanchez. Also present were Interim City Administrator, Chris Cross, City Clerk, Mari Peña, Public Works Director, Roy Vestal, and Chief John Fryar.

**PERSONS TO ADDRESS COUNCIL**

There was no one from the public to address the Council.

**APPROVAL OF AGENDA**

It was moved by Michael Sanchez and seconded by Chris Ceretto to approve the Agenda as submitted. Motion passed on voice vote.

**REVIEW OF ACCOUNTS PAYABLES**

Council reviewed the July 15, 2019 payables; there were no questions or comments.

**CONSENT AGENDA**

It was moved by David Crespin and seconded by Michael Sanchez to approve the Consent Agenda as presented with the following items: 07012019 City Council Meeting Minutes, Second Reading Ordinance 2019-1051 ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS THE HBP ANNEXATION NO. 2 AND APPROVING THE ANNEXATION AGREEMENT, Second Reading Ordinance 2019-1052 INITIALLY ZONING LAND LEGALLY DESCRIBED IN EXHIBIT A KNOWN AS THE HBP INITIAL ZONING TO THE 'A' AGRICULTURAL ZONE DISTRICT, Second Reading Ordinance 2019-1053 ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS THE BILLINGER ANNEXATION NOS. 1 – 3 AND APPROVING THE ANNEXATION AGREEMENT, Second Reading Ordinance 2019-1054 INITIALLY ZONING LAND KNOWN AS THE BILLINGER INITIAL ZONING, LEGALLY DESCRIBED IN EXHIBIT A, TO THE 'A' AGRICULTURAL ZONE DISTRICT, Second Reading Ordinance 2019-1055 AN ORDINANCE OF THE CITY OF FORT LUPTON, COLORADO ACCEPTING THE RIGHT OF WAY FROM KERR MCGEE GATHERING LLC PROPERTY DEDICATION FOR A PORTION OF COUNTY ROAD 19, Second Reading Ordinance 2019-1056 AN ORDINANCE OF THE CITY OF FORT LUPTON, COLORADO ACCEPTING THE RIGHT OF WAY FROM KERR MCGEE GATHERING LLC PROPERTY DEDICATION FOR A PORTION OF COUNTY ROAD 14,

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Approving Resolution 2019R048 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON RATIFYING THE MAYOR'S APPOINTMENT OF LUCY MILLER TO THE SENIOR ADVISORY COMMITTEE FOR A TERM BEGINNING JULY 15, 2019 AND ENDING DECEMBER 31, 2019 (AM 2019- 129), Amendment to Body & Fleet Camera/Storage/Software Lease (AM 2019-130), Microsoft Server Licenses for Domain Upgrade Not to Exceed \$18,386.70 (AM 2019-131), Approval of Mayor's Signature for a Consultant Agreement with Pinyon Environmental Inc. for Completion of A Residential Survey Known as The Historic Residential Intensive Level Survey Phase II (AM 2019-132), Approving The Intergovernmental Agreement with Board of County Commissioners of The County of Weld and The Weld County Clerk and Recorder Concerning The Administration of The November 5, 2019 Coordinated Election with For The City of Fort Lupton (AM 2019-137). Motion passed unanimously on roll call vote.

**ACTION MEMORANDUM**

**AM 2019-133 Accept Bid For Portable CCTV Inspection System For Purchase from Williams Equipment for \$268,985.00 from The Utility Fund Sewer Line Budget for Public Works**

The CCTV Pipe Inspection system is needed to inspect current conditions of sanitary and storm sewer pipes. This specified system will help with accurately mapping existing systems and determine priorities for Capital Improvement Plans. The bid was advertised on May 16, 2019 with 6 (six) proposals received with different systems. We have selected the Aries system from Williams Equipment as the most compatible bid for the City's needs. Total cost is \$268,985.00 of which the Utility Fund Sewer Budget for 2019 included \$230,000.00.

It was moved by Chris Ceretto and seconded by David Crespin to accept the bid for Portable CCTV Inspection System for purchase from Williams Equipment for \$268,985 from the Utility Fund Sewer Line Budget for Public Works. Motion passed unanimously on roll call vote.

**AM 2019-134 Approving a Resolution Accepting an Annexation Petition for The MP Annexation Nos. 1-4 Submitted By Mark Feola and Vince Unrein to Set a Public Hearing Date for September 3, 2019**

Mark Feola and Vince Unrein, the Applicants have submitted an annexation petition to initiate annexation proceedings for a parcel of land located south of County Road 12 and approximately a half mile west of County Road 35. This proposed annexation, known as the MP Annexation Nos. 1-4, consists of a total of 84.488 acres, more or less. This includes a portion of County Road 12 right of way that constitutes the "flagpole" portion of the annexation. The application includes an initial zoning request to the 'A' Agriculture Zone District.

It was moved by Michael Sanchez and seconded by David Crespin to approve Resolution 2019R049 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE MP

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ANNEXATION NOS. 1 – 4, AND SETTING THE PUBLIC HEARING FOR SEPTEMBER 3, 2019. Motion passed unanimously on roll call vote.

**AM 2019-135 Accepting a CLG (Certified Local Government) Subgrant from History Colorado**

On March 5, 2019, the City was awarded a CLG Subgrant in the amount of \$21,000.00 to complete an intensive-level survey of 20 residential properties located in Fort Lupton, Colorado, which is the State's designated Historic Preservation Office. The request is for the City Council's approval of the grant award, and move forward with the Historic Residential Intensive-Level Survey – Phase II for 20 residential properties located in the Reynolds First and Second Addition.

It was moved by Michael Sanchez and seconded by Chris Ceretto to accept the CLG (Certified Local Government) Subgrant from History Colorado. Motion passed unanimously on roll call vote.

**AM 2019-136 Approve A Resolution Accepting An Annexation Petition For The Parton Annexation Submitted By David Parton To Set A Public Hearing Date For September 3, 2019**

David Parton, the Applicant, has submitted an annexation petition to initiate annexation proceedings for a parcel of land located at 13200 County Road 10 in Weld County, which is south and adjacent to County Road 10 and east of the Union Pacific Railroad right of way. This proposed annexation, known as the Parton Annexation, consists of a total of 3.82 acres, more or less. The application includes an initial zoning request to the 'I-2' Heavy Industrial Zone District.

It was moved by Chris Ceretto and seconded by David Crespin to approve Resolution 2019R050 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE PARTON ANNEXATION, AND SETTING THE PUBLIC HEARING FOR SEPTEMBER 3, 2019. Motion passed unanimously on roll call vote.

**AM 2019-138 A Resolution Approving the Submission of a Ballot Issue to the Registered Voters Voting in the Coordinated Election to be Held November 5, 2019 a Ballot Issue Concerning Whether the City of Fort Lupton Should Impose and Assess a Lodging Occupation Tax on Short Term Rental of any Hotel Room, Motel Room Lodging Room, Motor Hotel Room, Guesthouse Room or Other Similar Accommodations**

A Lodging Occupation Tax of \$4.00 will be imposed on short-term rental of any hotel room, motel room, lodging room, motor hotel room, guesthouse room or other similar accommodation(s). The provision of lodging rooms and accommodations to the traveling public results in the increased use of City streets and right-of-way, increased traffic, increased demands upon municipal services such as police protection, and has substantial effect upon the health,

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safety and welfare of the citizens of the City of Fort Lupton and upon the expenditures budgeted by the City.

The funds generated from the Lodging Excise Tax shall be used for, but not limited to, Economic Development, Special Events, Cultural Arts Facilities, Advertising/Marketing, and other activities, which utilize public accommodation.

It was moved by David Crespin and seconded by Michael Sanchez to approve Resolution 2019R051 A RESOLUTION OF THE CITY OF FORT LUPTON APPROVING THE SUBMISSION OF A BALLOT ISSUE TO THE REGISTERED VOTERS VOTING IN THE COORDINATED ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE CONCERNING WHETHER THE CITY OF FORT LUPTON SHOULD IMPOSE AND ASSESS A LODGING OCCUPATION TAX ON THE SHORT TERM RENTAL OF ANY HOTEL ROOM, MOTEL ROOM, LODGING ROOM, MOTOR HOTEL ROOM GUESTHOUSE ROOM OR OTHER SIMILAR ACCOMODATION. Motion passed unanimously on roll call vote.

**AM 2019-139 Adopting an Ordinance Approving the Submission of a Ballot Issue to Extend the One Half of One Percent (0.5%) 1991 Sales and Use Tax for Culture, Parks, and Recreation**

The original one half of one percent (0.5%) sales and use tax for culture, parks and recreation, "CPR" was approved in 1991 for 10 years. In the November 2001 election, the tax was approved by voters for an additional 20 years. This sales and use tax is now set to expire on December 31, 2021. If renewed for another twenty years, this tax is predicted to bring in \$19.1 million through 2041.

The Culture, Parks & Recreation Sales Tax is critical to continue to make progress on improvements to parks and ballfields, staff and operations of the Community Center, and the Recreation Center.

It was moved by Michael Sanchez and seconded by Chris Ceretto to approve Ordinance 2019-1057 AN ORDINANCE OF THE CITY OF FORT LUPTON APPROVING THE SUBMISSION OF A BALLOT ISSUE TO EXTEND UNTIL DECEMBER 31, 2041, THE ONE HALF OF ONE PERCENT (0.5%) SALES AND USE TAX FOR CULTURE, PARKS AND RECREATION, SCHEDULED TO EXPIRE DECEMBER 31, 2021 WITH RESTRICTIONS ON THE USE OF THE REVENUE FROM THE TAX NOTWITHSTANDING ANY STATE RESTRICTION ON FISCAL YEAR SPENDING, INCLUDING THE RESTRICTIONS OF ARTICLE X, SECTION 20 (TABOR) OF THE COLORADO CONSTITUTION. Motion passed unanimously on roll call vote.

**AM 2019-140 Adopting an Ordinance Approving the Submission of a Ballot Issue to Add One Half of One Percent (0.5%) Sales and Use Tax for Culture, Parks & Recreation for a Period of 10 Years Beginning January 1, 2020 and Ending December 31, 2029**

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The Culture, Parks & Recreation, "CPR" additional Sales and Use Tax is critical to continue operations and maintenance of the Community Center also known as the Recreation Center, capital improvements, and recreational programs for seniors and children, improvements to parks and ballfields, staffing and operations of the Recreation Center. If a new tax is added for a period of ten years, it is predicted to bring in \$8 million through 2029.

It was moved by Michael Sanchez and seconded by David Crespin to approve Ordinance 2019-1058 AN ORDINANCE OF THE CITY OF FORT LUPTON APPROVING THE SUBMISSION OF A BALLOT ISSUE TO THE REGISTERED VOTERS VOTING IN THE COORDINATED ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE WHETHER THE CITY OF FORT LUPTON SHOULD INCREASE BY \$764,856 ANNUALLY IN THE FIRST FISCAL YEAR (2020), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH AN ADDITION OF ONE HALF OF ONE PERCENT (.5%) SALES AND USE TAX FOR CULTURE, PARKS AND RECREATION TO BEGIN JANUARY 1, 2020 AND EXPIRE DECEMBER 31, 2029 WITH NEW RESTRICTIONS ON THE USE OF THE REVENUE FROM THE TAX NOTWITHSTANDING ANY STATE RESTRICTION ON FISCAL YEAR SPENDING, INCLUDING THE RESTRICTIONS OF ARTICLE X, SECTION 20 (TABOR) OF THE COLORADO CONSTITUTION. Motion passed unanimously on roll call vote.

**STAFF REPORTS**

The City Clerk, Mari Peña, indicated that an Informational Meeting is planned for August 6<sup>th</sup> for anyone wishing to be a candidate for the 2019 Election to be held November 5, 2019. There are three (3) Council member seats that will become available: one seat for Ward I, one seat for Ward II, and one seat for Ward III. The Informational Meeting will provide an overview of City departments and a Guide to the Municipal Election for Candidates for Elected Officials. Anyone interested may attend the meeting on August 6, 2019 at 4:30 p.m. at City Hall. Petitions for Candidates may be circulated beginning August 6, 2019 and must be returned to City Hall by August 26, 2019.

Chief Fryar provided his Monthly Report of Statistics and Events and indicated that National Night Out will be on Tuesday, August 6, 2019.

Public Works Director, Roy Vestal, indicated that mosquito spraying would start tonight.

**MAYOR/COUNCIL REPORTS**

Mayor Stieber presented the Council with a letter from Mr. Toby Steele. The letter encouraged the City to start mosquito spraying as soon as possible.

**FUTURE CITY EVENTS**

July 31, 2019	Town Hall Meeting – 130 South McKinley Avenue – 6:30 p.m.
August 5, 2019	City Council Meeting – 130 South McKinley Avenue – 7:00 p.m.


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August 6, 2019	National Night Out – Koshio Park – 5:30 p.m. – 8:30 p.m.
August 19, 2019	City Council Meeting – 130 South McKinley Avenue – 7:00 p.m.
August 22, 2019	Spaghetti Dinner – 203 S. Harrison Avenue – 5:00 p.m. – 8:00 p.m.

**ADJOURNMENT**

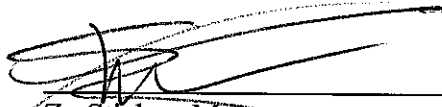
It was moved by the Michael Long and seconded by Michael Sanchez to adjourn the meeting at 7:35 p.m. Motion passed unanimously on voice vote.

Respectfully Submitted,

  
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Maricela Peña, City Clerk



Approved by City Council

  
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Zo Stieber, Mayor