

**RECORD OF PROCEEDINGS  
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS  
JULY 5, 2011**

The City Council of the City of Fort Lupton met in regular session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Monday, July 5, 2011. Mayor Holton called the meeting to order at 7:00 p.m., and invited everyone to join him in the Pledge of Allegiance.

**ROLL CALL**

Shannon Crespin	Present	Bob McWilliams	Present
Chris Cross	Absent	S. David Norcross	Present
Tommy Holton	Present	Debora Yates	Present
Zo Hubbard	Present		

The record is to reflect there was a quorum.

Others present were:        Director of Finance & Administration – Claud Hanes  
   City Clerk – Barbara Rodgers  
   City Attorney – Bill Wallace  
   Chief of Police – Ken Poncelow  
   Chief Accountant – Leann Perino

**APPROVAL OF AGENDA**

It was moved by David Norcross and seconded by Zo Hubbard to approve the Consent Agenda as amended. Agenda items 10-E AM 2011-057, 10-F AM 2011-058, 10-G AM 2011-059 and 10-H AM 2011-060 were moved to the Action Memoranda part of the agenda, as agenda items 12-D, 12-E, 12-F and 12-G respectfully.

Motion carried on voice vote.

**SPECIAL REPORTS**

A. City of Fort Lupton 2010 Audit Report

Dean Johnson, Johnson, Holster & Company, P.C. the City of Fort Lupton auditor stated the profession standards require they (Johnson, Holster & Company, P.C.) provide the council with the following information related to the audit: Significant Accounting Policies, Accounting Estimates, and a Conclusion. Mr. Johnson stated the audit process went very smoothly and no issues or concerns need to be addressed.

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**B. Update of IGA between Re-8 School District/Library/City of Fort Lupton**

Tracy Reynolds and Rosalie Martinez, representatives of the Fort Lupton Public & School Library/School District RE-8 commented about the Intergovernmental Agreement (IGA) between the City of Fort Lupton, RE-8 School District and the Library Board. Items addressed included that the IGA has been in existence for thirty-five years. The proposed IGA has two changes; funding cycle clarification and two joint meetings between all entities involved. It was noted there was a possibility that High Plains Library District may consider constructing a large library that would facility the Keenesburg, Hudson and Fort Lupton communities.

Mr. Hanes advised the Library District representatives, funds had been allocated for 2011 and would be allocated for 2012 during the budget process. Representatives of the Library District indicated they knew the City of Fort Lupton would be allocating funds for the 2011 and 2012; however, future years will be under consideration. If the City was to withdraw future funding there would be an impact to the School District, as well as, the Library District.

The Library District representatives stated they're looking forward to working with the City of Fort Lupton in finalizing the IGA.

**REVIEW OF PAYABLES**

The record is to reflect that Council reviewed the payables to July 5, 2011.

**CONSENT AGENDA**

It was moved by Shannon Crespin and seconded by Bob McWilliams to approve the following consent agenda items:

- **APPROVAL OF THE MINUTES OF THE JUNE 20, 2011 CITY COUNCIL/ENTERPRISE BOARDS MEETING**
  
- **AM 2011-050 HOTEL AND RESTAURANT LIQUOR LICENSE WITH OPTIONAL PREMISES RENEWAL APPLICATION SUBMITTED BY ESCALANTE GOLF CLUB III LLC dba COYOTE CREEK GOLF CLUB, 222 CLUB HOUSE DRIVE**

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- **AM 2011-051      APPROVING TAVERN LIQUOR LICENSE RENEWAL APPLICATION SUBMITTED BY CANAS ENTERPRISES, INC. dba PATRICIA'S MEXICAN RESTAURANT AT 217 FIRST STREET**
  
- **AM 2011-054      NOTIFYING THE WELD COUNTY CLERK, ACTING AS THE ELECTION OFFICIAL, THAT THE CITY OF FORT LUPTON WILL PARTICIPATE IN THE NOVEMBER 1, 2011 COORDINATED ELECTION FOR ELECTION OF MUNICIPAL CANDIDATES; WILL ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH WELD COUNTY BOARD OF COMMISSIONERS AND DESIGNATE BARBARA RODGERS, CITY CLERK, THE ELECTION OFFICER FOR THE CITY OF FORT LUPTON**

Shannon Crespin	Yes	Bob McWilliams	Yes
S. David Norcross	Yes	Tommy Holton	Yes
Debra Yates	Yes	Zo Hubbard	Yes

Motion carried on roll call vote.

**ACTION MEMORANDA (Ames)**

**AM 2011-055      APPROVING INTERFACE COMMUNICATION COMPANY TO COMPLETE THE "SAFE ROUTES TO SCHOOL" SIDEWALK AND SIGNAGE FOR AN AMOUNT OF \$62,422.26**

**BACKGROUND**

This request is the final stage for the "Safe Routes to School" grant. The Union Pacific Railroad completed their crossings which will connect the sidewalks on both sides of Highway 52 to existing infrastructure and allow the City to install pedestrian crossing warnings on Fulton Avenue. Bids were obtained; Interface Communication Company was low bidder for the amount of \$62,422.26. Since Interface Communication Company is already under contract with CDOT to replace the traffic signals on Highway 52, McKinley Avenue and Denver Avenue, the approval of this request will allow them to complete the "Safe Routes to School" project.

**PUBLIC INPUT**

Chirrs Fletcher, Ayers Associates congratulated Council in the success of this project and that it was now coming to fruition.

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It was moved by David Norcross and seconded by Zo Hubbard to approve AM 2011-055 approving Interface Communication Company to complete the sidewalks and signage on Highway 52 which will complete the "Safe Routes to School" grant for an amount of \$62,422.26.

Shannon Crespin	Yes	Bob McWilliams	Yes
S. David Norcross	Yes	Zo Hubbard	Yes
Tommy Holton	Yes	Debora Yates	Yes

Motion carried on roll call vote.

**AM 2011-056        AUTHORIZING TO SHARE WITH CDOT IN THE COST OF PAVING DENVER AVENUE FROM 1<sup>ST</sup> TO 11<sup>TH</sup> STREET FOR AN AMOUNT OF \$76,370.**

**BACKGROUND**

The City of Fort Lupton and the Colorado Department of Transportation will be working together on the Denver Avenue paving project from 1<sup>st</sup> to 11<sup>th</sup> Street, with the City's financial responsibility of \$76,370. The Colorado Department of Transportation will provide all the labor and equipment to mill down the street and re-pave it by the end of July. Public Works Manager Ramon Hernandez contacted the asphalt supplier and verified the cost of materials that will be billed to the City for this project. Mr. Hernandez stated that all affected businesses were notified of the milling and paving project.

It was moved by Bob McWilliams and seconded by Zo Hubbard to approve AM 2011-056 to authorize providing the asphalt cost of milling and re-surfacing Denver Avenue from 1<sup>st</sup> to 11<sup>th</sup> Street for a cost of \$76,370.

Shannon Crespin	Yes	Bob McWilliams	Yes
S. David Norcross	Yes	Tommy Holton	Yes
Debora Yates	Yes	Zo Hubbard	Yes

Motion carried on roll call vote.

**UAM 2011-009        APPROVING RESOLUTION 2011-025 OPPOSING THE INCLUSION IN THE BARR LAKE/MILTON RESERVOIR WATERSHED ASSOCIATION**

**BACKGROUND**

The Barr Lake/Milton Reservoir Watershed Association embarked with a third party study regarding phosphorus TIDAL levels at the lake six years ago. The Association feels the lake is being impacted by effluent from many wastewater facilities upstream from the lake/reservoir. The City of Fort Lupton was included

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as one municipality impacting the TIDAL levels by 1.3%. This study was being done ahead of any State of Colorado regulations on TMDL as there are no restrictions in place for the City's facility. Comments regarding the TMDL levels need to be submitted to the State; an extension addressing the TMDL levels to the State has been extended to July 8, 2011. Instead of a letter of opposition to the results of the study, staff is requesting Council approve the proposed resolution.

It was moved by Zo Hubbard and seconded by Bob McWilliams to approve Resolution 2011-025 opposing the inclusion in the Barr/Milton Reservoir Watershed Association.

Shannon Crespin	Yes	Bob McWilliams	Yes
S. David Norcross	Yes	Tommy Holton	Yes
Debora Yates	Yes	Zo Hubbard	Yes

Motion carried on roll call vote.

**AM 2011-057      APPROVING RESOLUTION NO. 2011-024 RATIFYING  
THE MAYOR'S APPOINTMENT OF GARY FRANK TO THE UTILITY  
ADVISORY COMMITTEE FOR A TERM BEGINNING JULY 5, 2011 AND  
ENDING DECEMBER 31, 2011**

**BACKGROUND**

The City of Fort Lupton Municipal Code states the Mayor shall appoint members to all advisory committees to be ratified by the City Council and members so appointed shall serve at the pleasure of the Mayor. All voting members of the advisory committees shall live within one of the following zones: school district, fire district, Fort Lupton zip code or 857 telephone prefix. Gary Frank submitted an application for consideration of appointment to the Utility Advisory Committee. The term for this appointment shall commence on July 5, 2011 and continue until December 31, 2011.

It was moved by Bob McWilliams and seconded by David Norcross to appoint Gary Frank to the Utility Advisory Committee.

Shannon Crespin	Yes	Bob McWilliams	Yes
S. David Norcross	Yes	Tommy Holton	Yes
Debora Yates	Yes	Zo Hubbard	Yes

Motion carried on roll call vote.

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**AM 2011-058        APPROVING RESOLUTION NO. 2011-026 RATIFYING  
THE MAYOR'S APPOINTMENT OF JIM SIDEBOTTOM TO THE UTILITY  
ADVISORY COMMITTEE FOR A TERM BEGINNING JULY 5, 2011 AND  
ENDING DECEMBER 31, 2011**

**BACKGROUND**

The City of Fort Lupton Municipal Code states the Mayor shall appoint members to all advisory committees to be ratified by the City Council and members so appointed shall serve at the pleasure of the Mayor. All voting members of the advisory committees shall live within one of the following zones: school district, fire district, Fort Lupton zip code or 857 telephone prefix. Jim Sidebottom submitted an application for consideration of appointment to the Utility Advisory Committee. The term for this appointment shall commence on July 5, 2011 and continue until December 31, 2011.

It was moved by Zo Hubbard and seconded by Debora Yates to appoint Jim Sidebottom to the Utility Advisory Committee.

Shannon Crespin	No	Bob McWilliams	Yes
S. David Norcross	No	Tommy Holton	Yes
Debora Yates	Yes	Zo Hubbard	Yes

Motion carried on roll call vote.

**AM 2011-059        APPROVING RESOLUTION NO. 2011-027 RATIFYING  
THE MAYOR'S APPOINTMENT OF FRED DIETRICH TO THE UTILITY  
ADVISORY COMMITTEE FOR A TERM BEGINNING JULY 5, 2011 AND  
ENDING DECEMBER 31, 2011**

**BACKGROUND**

The City of Fort Lupton Municipal Code states the Mayor shall appoint members to all advisory committees to be ratified by the City Council and members so appointed shall serve at the pleasure of the Mayor. All voting members of the advisory committees shall live within one of the following zones: school district, fire district, Fort Lupton zip code or 857 telephone prefix. Fred Dietrich submitted an application for consideration of appointment to the Utility Advisory Committee. The term for this appointment shall commence on July 5, 2011 and continue until December 31, 2011.

It was moved by Zo Hubbard and seconded by Bob McWilliams to appoint Fred Dietrich to the Utility Advisory Committee.

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S. David Norcross	Yes	Tommy Holton	Yes
Debora Yates	Yes	Zo Hubbard	Yes

Motion carried unanimously by a roll call vote.

**AM 2011-060      APPROVING RESOLUTION NO. 2011-028 RATIFYING  
THE MAYOR'S APPOINTMENT OF LOUIS SALAS TO THE UTILITY  
ADVISORY COMMITTEE FOR A TERM BEGINNING JULY 5, 2011 AND  
ENDING DECEMBER 31, 2011**

**BACKGROUND**

The City of Fort Lupton Municipal Code states the Mayor shall appoint members to all advisory committees to be ratified by the City Council and members so appointed shall serve at the pleasure of the Mayor. All voting members of the advisory committees shall live within one of the following zones: school district, fire district, Fort Lupton zip code or 857 telephone prefix. Louis Salas submitted an application for consideration of appointment to the Utility Advisory Committee. The term for this appointment shall commence on July 5, 2011 and continue until December 31, 2011.

It was moved by Debora Yates and seconded by David Norcross to appoint Louis Salas to the Utility Advisory Committee.

Shannon Crespin	Yes	Bob McWilliams	Yes
S. David Norcross	Yes	Tommy Holton	Yes
Debora Yates	Yes	Zo Hubbard	Yes

Motion carried by a roll call vote.

**COMMUNICATIONS**

**CITY ADMINISTRATOR AND FINANCE DIRECTOR**

Claud Hanes stated since there is a Utility Committee in place, the Committee will be working on a rate studies. Mr. Hanes indicated he had attended a Windy Cap meeting and the Economic Impact Study should be completed in October and six-month negotiations of carriage and then final decision should be in second quarter of 2012.

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**CITY ATTORNEY**

Bill Wallace indicated he had sent information regarding the City's water system to the Council via e-mail and inquired if there were Council members who are ex-officio members to the Utility Advisory Committee?

**CITY CLERK**

Barbara Rodgers indicated a news release from the Colorado Municipal League stating the investment in economic development that is being made by cities and towns is reaping benefits for the State's economy and the City of Fort Lupton was mentioned second because of Halliburton beginning work in the City of Fort Lupton facility which will double its employment figures.

**POLICE CHIEF**

Ken Poncelow provided information about the local Girl Scout Troop planting flowers at the City's kiosk at McKinley and 1<sup>st</sup> Street, the Farmers Market fund raising project for the Community Garden and Fort Lupton Police Department Reserve Officer Unit. Poncelow added additional information regarding the Reserve Officer Unit; the specific requirements each Reserve Officer needs to complete and will volunteer an average of ten hours per month.

**FUTURE CITY EVENTS**

The next Town Hall meeting is scheduled for July 13, 2011 at City Hall, from 6:00-7:00 p.m.

**ADJOURNMENT**

It was moved by David Norcross and seconded by Zo Hubbard to adjourn the July 5, 2011 City Council/Enterprise Boards meeting.

Motion carried on voice vote.

The meeting was adjourned 7:39 p.m.

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Tommy Holton, Mayor

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Barbara Rodgers, City Clerk

Prepared by

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Nanette Fornof