

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
DECEMBER 19, 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, December 19, 2011. Mayor Tommy Holton called the meeting to order at 7:00 p.m., and invited everyone to join him in the Pledge of Allegiance.

ROLL CALL

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

The record is to reflect there was a quorum.

Others present were: City Administrator and Finance Director– Claud Hanes
City Clerk – Barbara Rodgers
City Attorney – Bill Wallace
Chief of Police – Ken Poncelow
Chief Accountant – Leann Perino
City Planner – Todd Hodges

APPROVAL OF AGENDA

It was moved by David Norcross and seconded by Zo Hubbard to approve the agenda as presented.

Motion carried on voice vote.

REVIEW OF PAYABLES

The record is to reflect that Council reviewed the payables to December 19, 2011.

CONSENT AGENDA

It was moved by Debora Yates and seconded by Zo Hubbard to approve the following consent agenda items:

- **APPROVAL OF THE MINUTES OF THE DECEMBER 12, 2011, CITY COUNCIL/ENTERPRISE BOARDS MEETING**

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- **AM 2011-118 APPROVAL OF RESOLUTION 2011-048, A RESOLUTION OF THE CITY COUNCIL ELECTING NOT TO NOTIFY THE STATE LICENSING AUTHORITY TO OBTAIN THE STATE LICENSING AUTHORITY'S APPROVAL OR DISAPPROVAL OF AN APPLICATION FOR A SPECIAL EVENT PERMIT**

- **AM 2011-119 APPROVE RESOLUTION 2011-050 TO OFFICIALLY RENAME THE PORTION OF U.S. 85 WITHIN THE CITY LIMITS OF FORT LUPTON, COLORADO TO CENTENNIAL HIGHWAY**

- **AM 2011-120 TO APPROVE RESOLUTION 2011-051 ESTABLISHING THE MUSEUM AND HISTORY ADVISORY COMMITTEE AND TO AMEND THE GENERAL GUIDELINES FOR ADVISORY COMMITTEES**

Motion carried on voice call vote.

INFORMATION MEMORANDA (IMs)

IM 2011-0008 APPROVE PAYMENT SERVICES NETWORK, INC. (PSN) TO PROVIDE ONLINE UTILITY BILLING PAYMENT SERVICES

Background

Leann Perino, Chief Accountant indicated staff is waiting on information from State Internet Portal Authority (SIPA); the scope of services form has been completed. It is staff's opinion to contract with Payment Services Network, Inc. (PSN) for the City's online bill payments. PSN will set up the website for online bill pay for a one-time set up fee of \$199.00. The annual security compliance fee is \$89.00 and the monthly gateway fee is \$12.95, totaling the annual fee of \$443.40 and an annual cost of \$244.40 for each year after the first year.

If the City is to consider offering e-bills, the monthly cost would be \$49.99. The e-bill option allows the customer to pay online with their bank and the processing center will send the payment file to PSN for processing instead of sending paper checks to the City.

If Council desires to proceed with the above mentioned process; Council will need to consider who will pay the transaction fees. There are several options; the City can pay all the fees, the customer can pay all the fees or the City may pay Automatic Clearing House (ACH) fees and then the customer pays the credit card fees. If the City pays all fees, the transaction fees are from \$.50 - \$1.50 per transaction and credit card settlement fees are from \$1.43 - \$2.48 per transaction. If the customer is to pay the associated fees, the cost is \$2.99 per transaction. If the City is to pay for e-check fees the cost would be \$.50 per

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transaction and the customer would pay the \$2.99 convenience fee for credit card transaction. Currently the City is paying approximately \$2.75 per customer, per transaction, making the annual cost about \$11,000. This cost represents 300-350 monthly customers. This cost is just for Utility Billing customers. This doesn't include the recreation center customers, which is approximately \$4,000 to \$5,000, annually.

If Council is to proceed with PSN, it would take approximately a month to set up the system. It was Council's consensus to proceed with PSN and have staff present an AM to Council in January 2012.

ACTION MEMORANDA (AMs)

UAM 2011-015 APPROVAL OF AMENDMENT #13 TO THE CONTRACT FOR WATER/SEWER/WELL MAINTENANCE AND MANAGEMENT SERVICES WITH CH2M HILL OMI

Background

CH2M Hill OMI has been operating the City's water, sewer and well systems for the past twelve years. A few months prior to year end, CH2M Hill OMI submitted a new base fee. The proposed increase is 1%. The 2012 annual yearly operations fee will be \$620,086.

Public input included Timothy Hoskens, Utility Committee Member stating he had toured both of CH2M Hill OMI facilities and was very impressed and supported continuing the contract with CH2M Hill OMI. There being no other questions or comments Mayor Holton requested direction from Council.

It was moved by Zo Hubbard and seconded by Debra Yates to approve AM 2011-015 Approval of amendment to the contract for water/sewer/well maintenance and management services with CH2M Hill OMI

Chris Cross	Yes	S. David Norcross	Yes
Tommy Holton	Yes	Debra Yates	Yes
Zo Hubbard	Yes		

Motion carried on roll call vote.

AM 2011-115 ADOPTING ORDINANCE NO. 2011-938 REVISING THE MUNICIPAL CODE CONCERNING THE OCCUPATIONAL FEE FOR LIQUOR LICENSED BUSINESSES AND ALLOWING THOSE FEES TO BE SET BY CITY COUNCIL RESOLUTION; AND APPROVING RESOLUTION 2011-049 SETTING THE OCCUPATIONAL FEES

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Background

Currently a liquor license establishment obtains an Occupational license by paying an Occupational Tax. This language was used prior to TABOR and was thought to be appropriate at the time. The Occupational tax is actually a fee and not a tax because it helps the City directly offset the actual additional use of city resources by this category of business.

Since the request is to change the tax to a fee, the established fee is part of the current ordinance, hence to amend the fee rate, Council would need to adopt an ordinance. The proposed ordinance allows Council to amend the fee rate by resolution.

Council requested staff review the current fees prior to the 2013 budget process and would like a time table to review such fees.

It was moved by Zo Hubbard and seconded by David Norcross to approve AM 2011-115 Adopting Ordinance No. 2011-938 revising the municipal code concerning the Occupation Fee for liquor licensed businesses and allowing those fees to be set by City council resolution; and approving Resolution 2011-049 setting the Occupational Fees.

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

Motion carried on roll call vote.

The record is to reflect that City Attorney Bill Wallace read Ordinance 2011-938, into the record.

**AM 2011-116 RESOLUTION NO. 2011-046 APPROPRIATING
\$3,105,229 IN VARIOUS FUNDS**

Background

Throughout each year, certain projects are initiated that were not planned for during the original budget cycle. Supplemental appropriations are needed for the 2011 budget. Leann Perino, Chief Accountant stated the following funds will need to have additional appropriations; General Fund, \$211,037; Street Sales Tax \$396,810; Utility Enterprise \$2,428, 452; Golf Fund, \$69,000; having the total new appropriations being \$3,105,299.

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It was moved by Chris Cross and seconded by Zo Hubbard to approve AM 2011-116 Resolution No. 2011-046 appropriating \$3,105,229 in various funds.

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

Motion carried on roll call vote.

AM 2011-117 APPROVING RESOLUTION NO. 2011-047 RATIFYING THE MAYOR'S APPOINTMENT OF THE ATTACHED LIST OF CANDIDATES (EXHIBIT "A") TO THE CORRESPONDING ADVISORY COMMITTEES FOR A TERM BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2013

Background

The terms of all members of all advisory committees shall commence on January 1st following every regular municipal election and continue until December 31 following the next regular municipal election. The newly elected Mayor shall appoint members to all advisory committees to be ratified by the City Council and remembers so appointed shall serve at the pleasure of the Mayor.

It was moved by Debra Yates and seconded by David Norcross to approve AM 2011-117 Approving Resolution No. 2011-047 ratifying the Mayor's appointment of the attached list of candidates (Exhibit "A") to the corresponding advisory committees for a term beginning January 1, 2012 and ending December 31, 2013.

Motion carried on voice vote.

COMMUNICATIONS

CITY ADMINISTRATOR

Claud Hanes provided information about the Weld County fuel cards and CH2M Hill OMI will again host the golf tournament for the Recreation Center Youth Group on June 8, 2012.

CITY CLERK

Barbara Rodgers indicated City employees donated over 300 items to the Coyote Creek Golf Course food drive to benefit Fort Lupton Food Bank. The 2012 Council Planning Calendar was presented to Council.

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MAYOR

Tommy Holton thanked the City Council and staff for everything they do; everything is coming together and the city has a great team.

FUTURE CITY EVENTS

- **DECEMBER 26, 2011 CITY HALL CLOSED – CHRISTMAS HOLIDAY**
- **JANUARY 2, 2012 CITY HALL CLOSED – NEW YEAR'S HOLIDAY**
- **JANUARY 9, 2012 NEXT SCHEDULED REGULAR CITY COUNCIL MEETING**

ADJOURNMENT

It was moved by Debra Yates and seconded by David Norcross to adjourn the December 19, 2011 City Council/Enterprise Boards meeting.

Motion carried on voice vote.

The meeting was adjourned at 7:32 p.m.

Tommy Holton, Mayor

Barbara Rodgers, City Clerk

Prepared by:
Nanette Fornof, Deputy City Clerk