

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
May 2, 2016**

The City Council of the City of Fort Lupton met in special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Monday, May 2, 2016. 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

City Clerk Nanette Fornof called the roll. Those present were Mayor Tommy Holton, Mayor Pro Tem Chris Cross, Councilmembers Chris Ceretto, Bob McWilliams, Shannon Rhoda, David Crespino and Zoe Stieber. Also, present were City Administrator Claud Hanes, City Attorney Andy Ausmus, City Clerk Nanette Fornof, Finance Director Leann Perino and Police Chief Ken Poncelow.

PERSON TO ADDRESS COUNCIL

No one signed up to speak to Council.

APPROVAL OF AGENDA

It was moved by Zoe Stieber and seconded by Chris Ceretto to approve the agenda as presented. Motion carried unanimously by a voice vote.

REVIEW OF MAY 2, 2016 PAYABLES

Council reviewed the May 2, 2016 payables. There were no questions or comments.

CONSENT AGENDA

It was moved by Chris Ceretto and seconded by Zoe Stieber to approve the Consent Agenda as presented with the following items: 04182016, City Council Meeting Minutes, Adoption of Ordinance 2016-999, AN ORDINANCE OF THE CITY OF FORT LUPTON, COLORADO AMENDING CHAPTER 13, ARTICLE IV, OF THE FORT LUPTON MUNICIPAL CODE TO ADOPT PUBLIC WORKS BACKFLOW PREVENTION / CROSS CONNECTION CONTROL PLAN (AM 2016-071), and Approve the Mulligan Joe's Bar and Grill Modification to Premises (AM 2016-073).

Motion carried by a roll call vote. Motion carried unanimously.

PUBLIC HEARING

AM 2016-072, Approving the Application for a Retail Liquor License – Jack's Beer and Spirits – 417 Denver Avenue

Mayor Holton opened the public hearing at 7:01p.m.

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City Clerk Nanette Fornof, indicated the application was received March 4, 2016; the applicant needed to provide additional information which was received the end of March. Per Colorado State Statute the applicant hearing can't be set less than 30 days after a complete application. The application has been reviewed; background check has been completed on the applicant. The property was posted and no comments were filed with the City Clerk regarding this application.

State Statute also states the applicant is to produce evidence supporting the "needs and desires" of the neighborhood. The neighborhood was defined as the entire municipality. The applicant has chosen to submit petitions as evidence of support. A map was provided to Council, labeling the addresses of signatures. The petition allowed the signer to state whether they are in favor or against an additional retail liquor establishment in the city. Currently, there are three other Retail Liquor Licenses located within the City limits.

Council needs to consider the character, reputation or record of the applicant prior to granting a liquor license. The applicant's fingerprints were submitted to the Colorado Bureau of Investigations. Results were received and the applicant had a "petty theft" on his record. The State's regulation don't provide any tests to determine "good character and reputation", however the applicant's offense was dated April 9, 1995 and the applicant submitted a letter describing the disposition of the charge. There have been no additional violations. The applicant doesn't currently hold a liquor license.

The proposed establishment meets all other state liquor licensing requirements and the application has been submitted to the Planning Department for review.

The applicant Harnam Singh and his attorney Kris Hoeltgen presented information supporting knowledge of owning a retail liquor licensing. Mr. Singh has owned three liquor stores. Mr. Singh has also worked for several retail liquor stores. Mr. Singh indicated all of his employees will be given TIPS training which is provided by alcohol distributors. The last item of discussion was the "petty theft" charge on his record, which wasn't disclosed on his application. Mr. Singh described the situation, paid the fine and the disposition of the situation. City Attorney Andy Ausmus asked why he hadn't disclosed this charge in his application. Mr. Singh was under the impression the violation "fell" off his record after 10 years and this violation was 21-years ago. Mr. Singh also stated there were no other violations that had not been reported to the Council.

Councilmember Ceretto inquired about the number of signatures submitted as evidence for the "needs and desires" of the neighborhood. It was stated the applicant has the burden to prove the "needs and desire" of the neighborhood; Mr. Singh did this by petition and did a very good job of completing the cross sections of the City.

There being no further comments or questions from Council or the audience, Mayor Holton closed the public hearing at 7:13 p.m.

It was moved by Zoe Stieber and seconded by David Crespino to approve the Retail Liquor License for Jack's Beer and Spirits. Motion carried unanimously by a roll call vote.

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ACTION AGENDA

AM 2016-069, Purchase Tyler Technology Software for Finance, Planning and Courts for an Amount not to Exceed \$279,605

The Caselle software being used for courts is the same software purchased in 2002 with very few upgrades. The software does not meet the State reporting requirements and Caselle has no plans to upgrade the software. Tyler software tracks all the necessary data and will allow electronic reporting to the Department of Motor Vehicle. With Tyler's online payment system, the citizens can pay penalty assessment summons easier.

The planning, zoning compliance and building department is not currently using a tracking software for violations, permitting or land use applications. The Tyler software will increase productivity within the department and give us the ability to tie all zoning compliance actions, building permits and land use applications with other departments within the City using the Tyler software.

The finance software from Tyler will integrate with the court and planning software. It will also automate some of the manual process being used currently. The utility billing module has an integrated online payment system and a notification system for past due bills.

It was stated there was \$40,000 budgeted in the general fund to purchase court software. The Tyler Technologies court software will cost \$40,537 which includes travel costs for Tyler Tech employees to travel to Fort Lupton. The \$223,318 purchase of new finance and planning software and \$15,750 in data conversion is unbudgeted and will require a supplemental budget resolution. Travel costs for the finance and planning software implementation have not been included in the cost of the software.

The annual maintenance is estimated to be \$27,000 for finance and \$5,000 for courts.

It was moved by Zoe Stieber and seconded by Chris Cross to approve the purchase of Tyler Technology Software for an amount not to exceed \$279,605. Motion carried unanimously by a roll call vote.

AM 2016-070, Award Contract to DR Horton for Curb/Gutter/Sidewalk for an Amount of \$100,000

As agreed to with DR Horton, the City is responsible for repairing existing pavement and sidewalks in Coyote Creek Filing Nos. 2 and 3.

DR Horton was directed to provide estimate of required repairs. DR Horton will schedule repairs to coincide with completion of areas of home construction. Sidewalks will not be repaired until after heavy equipment use is completed.

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DR Horton provided reasonable costs using unit prices from Colorado Concrete Construction (the City's usual vendor). Scheduling of city contracting would not allow for initial completion in a timely manner for pending home closures.

It was moved by Chris Cross and seconded by Chris Ceretto awarding the contract to DR Horton for curb/gutter/sidewalk repair/replacement for an amount not to exceed \$100,000 allocated from the Street Sales Tax Fund. Motion carried unanimously by a roll call vote.

STAFF REPORTS

Claud Hanes City Administrator stated the 14th Street Project is almost completed. Should be completed in the next couple of weeks.

City Clerk Nanette Fornof indicated the City has completed the 4th year of records management and destroyed approximately 70 boxes of documents.

Leann Perino Finance Director stated the Windy Gap project is ready for the design phase. This should begin next year.

Ken Poncelow Chief of Police invited the Council to attend the Chamber Business After Hours event, to be held on May 6, 2016. The night will be filled with lots of activities, such as felony traffic stops, and building security.

MAYOR/COUNCIL REPORTS

No Reports.

FUTURE CITY EVENTS

May 11, 2016 Town Hall Meeting – City Hall, 130 S McKinley Avenue- 6:30-7:30 P.M.

May 14, 2016 Drive for the Green\$ - Aaron Herrera Golf Tournament – 8:00- noon

May 25, 2016 Town Hall Meeting – City Hall, 130 S McKinley Avenue- 6:30-7:30 P.M.

May 30, 2016 City Offices Closed in Observation of Memorial Day

May 30, 2016 Memorial Day Celebration Day, 13750 Weld County Road 12 – 9:30 A.M.

ADJOURNMENT

It was moved by Bob McWilliams and seconded by everybody else to adjourn the May 2, 2016, at 7:14 p.m.

Motion carried on voice vote.

Respectfully submitted,

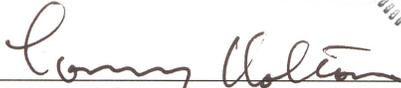
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Nanette S. Fornof, City Clerk

Approved by City Council



Tommy Holton, Mayor

