



CITY COUNCIL PROCEEDINGS

March 22, 2011

**Civic Center
350 Kimbark Street
Longmont, CO 80501**

REGULAR SESSION

The March 22, 2011, Regular Session of the Longmont City Council was called to order at 7:00 p.m. by Mayor Baum in the City Council Chambers.

1. ROLL CALL – PLEDGE OF ALLEGIANCE

Valeria Skitt, City Clerk, called the roll. Those present were: Mayor Bryan Baum and Council Members Brian Hansen, Sarah Levison, Sean McCoy, Alex Sammoury, Gabe Santos, and Katie Witt.

Mayor Baum led the assembly in reciting the Pledge of Allegiance.

2. CHAIR REMINDER TO THE PUBLIC:

The Mayor reviewed the procedures for Public Invited to be Heard and Public Hearings.

3. APPROVAL OF MINUTES

Council Member McCoy moved, seconded by Sammoury, to approve the minutes of the March 8, 2011, meeting as printed. Motion carried: 7-0.

4. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS

Gordon Pedrow, City Manager, explained that there were additional documents submitted for several Items. Item 9B, the Adrian Property, had a change in the Council Communication; Item 9D, the agreement between the City of Longmont and the Town of Frederick had two small changes; Item 9F, the maps pertaining to the Sherwood conservation easement were changed slightly; Item 9I, the Regional Transportation District Intergovernmental Agreement had a new exhibit added to it.

5. CITY MANAGER'S REPORT

The City Manager did not have a report.

6. SPECIAL REPORTS AND PRESENTATIONS

- A.** Introduction of the Longmont Chamber of Commerce Leadership Longmont Class of 2011

Kathy Weber-Harding, President and Chief Executive Officer of the Longmont Area Chamber of Commerce, introduced the Longmont Chamber Leadership Longmont Program and members of the 2011 Leadership Longmont Class.

Following the presentation, Mayor Baum presented the Mayor’s Community Positive Impact Award to Stephen Kerr and Matt Shock, owners of Tartan Golf Management which has purchased Fox Hill Country Club.

7. FIRST CALL – PUBLIC INVITED TO BE HEARD

Charles Hanson, 2713 15th Avenue, spoke about recent articles in the Times-Call and questioned whether Council should hold “Pints and Politics” in light of the recent automobile crash in which one young man was killed and alcohol was involved.

Marilyn Hughes, 1126 4th Avenue, spoke in support of the Colorado asset legislation now being debated in the Senate, and encouraged Council to support this resolution.

Bob Norris, 532 Rider Ridge Drive, also spoke in support of the Colorado asset legislation bill.

Melinda Yale, 1211 Baker Street, introduced herself as an applicant for the Planning and Zoning Commission and talked about her community involvement.

Paul Tiger, 452 Dickson Street, talked about the Sherwood open space.

8. ORDINANCES ON SECOND READING AND PUBLIC HEARINGS ON ANY MATTER

- A.** **O-2011-15**, Public Hearing and Second Reading of a Bill for an Ordinance Amending Section 3.04.885 of the Longmont Municipal Code, Adopting Amended and Restated City of Longmont “Old Hire” Firefighters’ Pension Plan

Gordon Pedrow, City Manager, read the title of the ordinance into the record and asked that Council continue the public hearing on this item to April 12, 2011, because staff was not available to answer questions.

Mayor Baum opened a public hearing on this item. There being no one present to address Council on this issue.

Council Member McCoy moved, seconded by Santos, to continue the Public Hearing for the “Old Hire” Firefighters’ Pension Plan item to April 12, 2011. Motion carried: 7-0.

- B. O-2011-16**, Public Hearing and Second Reading of a Bill for an Ordinance Amending Section 2.20.010 of the Longmont Municipal Code on City Departments

Gordon Pedrow, City Manager, read the title of the ordinance into the record.

Eugene Mei, City Attorney, indicated that this is a clean-up ordinance and authorizes the City Manager to make organizational changes through Administrative Regulations instead of having to amend the code.

Mayor Baum opened a public hearing on this item. There being no one present to address Council on this issue, the public hearing was closed.

Council Member McCoy moved, seconded by Santos, to adopt Ordinance O-2011-16 on second reading. Motion carried: 7-0.

9. CONSENT AGENDA AND INTRODUCTION AND READING BY TITLE OF FIRST READING ORDINANCES

- A. O-2011-17**, A Bill for an Ordinance Amending Title 2, Chapter 2.04 of the Longmont Municipal Code on the Longmont Fair Campaign Practices Act (Removed from Consent Agenda)

B. ADRIAN ANNEXATION

- 1. O-2011-18**, A Bill for an Ordinance Conditionally Approving the Adrian Annexation No. 1 (Generally Located East of County Line Road, Including the Right-of-Way on County Line Road, North of 9th Avenue, South of Mountain View Avenue, West of the Union Reservoir), and Zoning the Property A (Agricultural) (Ordinance introduced and public hearing scheduled for April 12, 2011)
- 2. O-2011-19**, A Bill for an Ordinance Conditionally Approving the Adrian Annexation No. 2 (Generally Located East of County Line Road, Including the Right-of-Way on County Line Road, North of the Great Western Railroad Tracks, South of 9th Avenue, West of the Union Reservoir), and Zoning the Property A (Agricultural) (Ordinance introduced and public hearing scheduled for April 12, 2011)
- C. O-2011-20**, A Bill for an Ordinance Amending Ordinance O-2009-58 Conditionally Approving the Ward Annexation (Generally Located at 9165 Nelson Road), and Zoning the Property BLI (Business Light Industrial) (Ordinance introduced and public hearing scheduled for April 12, 2011)
- D. O-2011-21**, A Bill for a Conditional Ordinance Amending Section 15.02.150 of the Longmont Municipal Code Authorizing Approval of the Coordinated Development Plan Intergovernmental Agreements between

the City of Longmont and the Town of Frederick (Ordinance introduced and public hearing scheduled for April 12, 2011)

- E. O-2011-22**, A Bill for an Ordinance Authorizing the City of Longmont to Enter Into an Agreement with Longmont Meals on Wheels, Inc. (Ordinance introduced and public hearing scheduled for April 12, 2011)
- F. SHERWOOD OPEN SPACE – Exchange of Conservation Easements**
 - 1. R-2011-19**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and Boulder County for the Creation of a Conservation Easement on a Portion of the Sherwood Open Space Property (Resolution adopted)
 - 2.** Refer the Disposition of the 78 Acre Sherwood (Powell) Open Space Property to the Parks and Recreation Advisory Board (Motion approved to refer this item to the Parks and Recreation Advisory Board)
- G. R-2011-20**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and Boulder County for Its Youth Corps Program (Resolution adopted)
- H. R-2011-21**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the City of Lafayette, Colorado Providing for Longmont to Respond to Hazardous Materials Emergencies in Lafayette (Resolution adopted)
- I. R-2011-22**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the Regional Transportation District for Grant Funding for the Station Area Master Plan (Resolution adopted)
- J. R-2011-23**, A Resolution of the Longmont City Council Approving a Grant from the City of Boulder for Automated License Plate Reader Equipment (Removed from Consent Agenda)
- K.** Approve Additional Affordable Housing Funding in the Amount of \$300,000 and Additional \$21,000 in Community Development Block Grant (CDBG) Funding for the Longmont Housing Development Corporation to Acquire Property Located at 2000 Sunset Way (former Hawthorne Suites Extended Stay Hotel Building) (Removed from Consent Agenda)
- L.** Re-appoint Two Existing Members to the Affordable Housing Technical Review Group (Approved the appointment of Maureen Glidewell and Lori Walker)

Gordon Pedrow, City Manager, read the titles of the ordinances into the record and reviewed all of the items on the consent agenda.

Council Member Santos moved, seconded by Sammoury, to adopt the Consent Agenda with the exception of Items A, J, and K, which were pulled for additional discussion. Motion carried: 7-0.

10. ITEMS REMOVED FROM CONSENT AGENDA

- A. O-2011-17**, A Bill for an Ordinance Amending Title 2, Chapter 2.04 of the Longmont Municipal Code on the Longmont Fair Campaign Practices Act

Eugene Mei, City Attorney, explained the amendments in light of the recent Colorado Tenth Circuit Court Case. The Longmont Fair Campaign Practices Act contains numerous analogous provisions to the state law and those sections are being removed based on the case law.

Council Member Santos moved, seconded by Witt, to introduce Ordinance O-2011-17 on first reading. Motion carried: 4-3 (Hansen, Levison and McCoy dissenting).

- J. R-2011-23**, A Resolution of the Longmont City Council Approving a Grant from the City of Boulder for Automated License Plate Reader Equipment

Craig Earhart, Police Commander, gave a brief overview of the grant.

Council Member Witt moved, seconded by Levison, to approve a grant for Automated License Plate Reader Equipment. Motion carried: 7-0.

- K.** Approve Additional Affordable Housing Funding in the Amount of \$300,000 and Additional \$21,000 in Community Development Block Grant (CDBG) Funding for the Longmont Housing Development Corporation to Acquire Property Located at 2000 Sunset Way (former Hawthorne Suites Extended Stay Hotel Building)

Karen Roney, Director of Community Services, reviewed this item.

Council Members discussed the funding to acquire the old Longmont suites building.

Council Member Sammoury moved, seconded by McCoy, to approve the Additional Affordable Housing Funding. Motion carried: 7-0.

11. GENERAL BUSINESS

- A.** Demolition of a House on the Adrian Open Space Property
Dan Wolford, Parks, Open Space, and Greenways Manager, reviewed this item.

Council Member Witt moved, seconded by Santos, to go with option one and direct staff to proceed with the removal of the residence and outbuildings.

Motion carried: 7-0.

B. Board, Committee, and Commission Appointments
Valeria Skitt, City Clerk, reviewed this item.

Planning and Zoning Commission

Applicants:	Council Members voting in favor:
James Heins	None
Kevin Miller	None
Michael Shernick	Hansen, Levison, McCoy, Sammoury, Santos, Witt
Melinda Yale	Baum

Michael Shernick was appointed as an unexpired regular member to the Planning and Zoning Commission with a term ending December 31, 2012.

A second vote was taken for the Planning and Zoning Commission for the alternate position.

Applicants:	Council Members voting in favor:
James Heins	None
Kevin Miller	Hansen, Levison, McCoy
Melinda Yale	Baum, Sammoury, Santos, Witt

Melinda Yale was appointed as an unexpired alternate member to the Planning and Zoning Commission with a term ending December 31, 2012.

12. FINAL CALL – PUBLIC INVITED TO BE HEARD

Chris Rodriguez, 1265 Button Rock Drive, stated that he was surprised that there was so much discussion on the Longmont Fair Campaign Practices Act.

Nick Olson, 2261 Spinnaker Circle, questioned the future of the Twin Peaks Mall.

Mayor Baum stated that it is not normal to address the audience during Public Invited to be Heard, but suggested Mr. Olson contact Brad Power, Director of Economic Development, to discuss this issue.

13. MAYOR AND COUNCIL COMMENTS

Council Member Santos recognized Adrian Avila, Memorial Building custodian, for a letter of recognition and Fort Collins Mayor Doug Hutchinson who has served for six years and this is his last night. Council Member Santos also commented on some of the issues that were discussed at the National League of Cities Conference (NLC).

Council Member McCoy thanked City Council Members and Gordon Pedrow, City Manager, for going to NLC in Washington D.C. He reminded everyone that spring

break is beginning for the St. Vrain Valley School District and to watch out for kids, and noted that Coffee with Council will be at Mr. Bean Coffee House at 17th Avenue and Hover Street with Council Members McCoy and Witt.

Council Member Witt thanked the Council Members who stayed behind from Washington D.C. to “man the store”.

Council Member Levison asked for an update from the Denver Regional Council of Governments (DRCOG) from Mayor Baum and chimed in about the activities at (NLC) stating she was honored to be appointed to three national groups.

Mayor Baum stated that the meeting with DRCOG was regarding building projects the City had in the transportation area that were voted down. These were brought back because Longmont was treated unfairly and when voted on again it was a unanimous vote to reinstate all the projects. He also sent heartfelt prayers to Chino, Japan, to make sure everyone is well and safe after the disaster.

14. CITY MANAGER REMARKS

Gordon Pedrow, City Manager, stated there were two items to share: Tuesday, March 29, 2011, there will be a pre-session at the Development Services Center and also Sandra Seader, Assistant to the City Manager, sent out information regarding upcoming joint meetings in April with several entities.

15. CITY ATTORNEY REMARKS

The City Attorney had no final remarks.

16. ADJOURN

There being no further business to come before the City Council, the meeting was adjourned at 9:38 p.m.

CITY OF LONGMONT, COLORADO

Mayor

ATTEST:

City Clerk