



# **CITY COUNCIL PROCEEDINGS**

**October 11, 2011**

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

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## **REGULAR SESSION**

The October 11, 2011, Regular Session of the Longmont City Council was called to order at 7:00 p.m. by Mayor Bryan Baum in the City Council Chambers.

### **1. ROLL CALL – PLEDGE OF ALLEGIANCE**

Valeria Skitt, City Clerk, called the roll. Those present were Mayor Baum and Council Members Brian Hansen, Sean McCoy, Sarah Levison, 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 September 27, 2011, meeting as printed. Motion carried: 7-0.**

### **4. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS**

There were no agenda revisions or additional documents submitted.

### **5. CITY MANAGER'S REPORT**

The City Manager did not have a report.

### **6. SPECIAL REPORTS AND PRESENTATIONS**

- A.** A Proclamation Designating October 2011 as "National Domestic Violence Awareness Month" in Longmont, Colorado

Mayor Baum read the proclamation designating October 2011 as “National Domestic Violence Awareness Month” in Longmont, Colorado.

Jackie List, Executive Director of Safe Shelter of St. Vrain Valley and Trish Wood, LEVI Coordinator, were present to accept the proclamation

Council Member Santos remarked that he was fortunate to be able to go to the Candle Light Vigil on Friday night and noted that the City is very fortunate to have Safe Shelter of St. Vrain Valley as well as Chief of Public Safety, Mike Butler, who recognizes the importance of the domestic violence issue in this community.

**B. Presentation to the Zlaten Family**

Mayor Baum asked family members of Alexander Zlaten to come to the podium. He talked briefly about the lifelong accomplishments of Mr. Zlaten including his service in the armed forces, his work on Button Rock Dam and his service to the community as a City Council Member and Mayor. He presented the family with a street sign recognizing the February 2011 dedication of Zlaten Drive, on the east side of Longmont, which has been named in honor of Mr. Zlaten.

**7. FIRST CALL – PUBLIC INVITED TO BE HEARD**

Richard Juday, 4042 Hawthorne Circle, spoke in favor of supporting the telecommunications item, Ballot Question 2A, and requested that the City Council incumbents speak favorably about this issue in their campaigning.

Phil Reynolds, 948 Warren Court, spoke on behalf of his neighbors and residents that surround Longmont High School and expressed concern regarding the excessive sound levels from the Public Announcement system at the football field.

Sue Hagedorn, 941 Grant Street, spoke on behalf of neighbors and residents living around Longmont High School and stated her concern for the extreme level of noise from the PA system during games.

Karey Carbaugh, 1211 Linden Street, spoke in favor of the resolution to delay Regional Transportation District (RTD) cuts in service.

Robert Alvarado, 1421 Pratt Street, spoke in favor of the resolution to delay RTD cuts in service.

John Poynton, 1217 Venice Street, St. Vrain Valley School District, expressed concern about the noise complaints regarding the Everly-Montgomery field at Longmont High School and apologized to citizens for not having taken care of the issue previously. He also invited citizens to attend the SVVSD Board meetings when they have issues related to the school district.

Vince Jordan, 1950 Ridgeview Drive, spoke in favor of the Telecommunications item, Ballot Question 2A, and noted the level of funding and some of the extreme tactics being used by the opposition to this ballot item.

Todd Marriott, 2011 Cove Lane, in Leighton, Utah, noted that he raised his family here in Longmont and has moved to Utah where they have a very strong and successful fiber optic telecommunications network similar to the fiber ring in place in the Longmont. He spoke in favor of Ballot Question 2A.

Sandra Stewart, 1211 Twin Peaks Circle, employee of OUR Center, talked about the transportation needs of their clients and spoke in favor of the resolution to delay cuts in RTD service to the community.

Strider Benston, 951 17<sup>th</sup> Avenue, spoke in favor of the resolution to delay cuts in RTD service, about the economic crisis created by Wall Street and about the degradation of American Democracy.

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

- A. O-2011-68**, Public Hearing and Second Reading of a Bill for an Ordinance Making Additional Appropriations for the Expenses and Liabilities of the City of Longmont for the Fiscal Year Beginning January 1, 2011

Gordon Pedrow, City Manager, read the title of the ordinance into the record. There was no formal staff presentation on this item.

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 Hansen, to adopt Ordinance O-2011-68 on second reading. Motion carried: 7-0.**

- B. O-2011-69**, Public Hearing and Second Reading of a Bill for an Ordinance Amending the 2011 - 2015 Capital Improvement Program

Gordon Pedrow, City Manager, read the title of the ordinance into the record. There was no formal staff presentation on this item.

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 Levison, to adopt Ordinance O-2011-69 on second reading. Motion carried: 7-0.**

- C. O-2011-71**, Public Hearing and Second Reading of a Bill for an Ordinance Conditionally Approving the Vacation of 3.5 Feet of a 13-Foot Wide Waterline Easement for Lot 2A of the Powell Plaza Subdivision, Replat "A", Generally Located North of 21st Avenue and West of Meadow Street

Gordon Pedrow, City Manager, read the title of the ordinance into the record. There was no formal staff presentation on this item.

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 Santos moved, seconded by Sammoury, to adopt Ordinance O-2011-71 on second reading. Motion carried: 7-0.**

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

**A. 2012 Budget Ordinances**

1. **O-2011-72**, A Bill for an Ordinance Adopting the Budget for the City of Longmont for the Year 2012 (Ordinance introduced and public hearing scheduled for October 25, 2011)
2. **O-2011-73**, A Bill for an Ordinance Making Appropriations for the Expenses and Liabilities of the City of Longmont for the Fiscal Year beginning January 1, 2012 (Ordinance introduced and public hearing scheduled for October 25, 2011)
3. **O-2011-74**, A Bill for an Ordinance Fixing and Levying Taxes Upon the Real and Personal Property within the City of Longmont for the Year 2011, to Pay Budgeted City Expenses for the 2012 Fiscal Year (Ordinance introduced and public hearing scheduled for October 25, 2011)
4. **O-2011-75**, A Bill for an Ordinance Fixing and Levying Taxes Upon the Real and Personal Property within the Longmont Downtown Development District for the Year 2011 to Pay Budgeted Expenses of the Longmont Downtown Development Authority for the 2012 Fiscal Year (Ordinance introduced and public hearing scheduled for October 25, 2011)
5. **O-2011-76**, A Bill for an Ordinance Amending Section 14.24.040 of the Longmont Municipal Code on Stormwater System Charges (Ordinance introduced and public hearing scheduled for October 25, 2011)

**B. O-2011-77**, A Bill for an Ordinance Amending Sections 13.37.020, 13.37.030, 13.37.090, 13.37.140, 13.37.150, 13.37.160, 15.10.020 and Section 15.04.010 Table 15.04-A, and Repealing and Re-Enacting Section 15.04.040 of the Longmont Municipal Code Regarding Permits for Ambulatory Vendors and Retail Mobile Food Vending in the City of Longmont (Removed from Consent Agenda)

**C. R-2011-75**, A Resolution of the Longmont City Council Authorizing the Director of Public Works and Natural Resources or Designee to Enter Into Agreements, Leases, and Exchanges Concerning Reuse Water Rental, Surplus Raw Water Rental and Water Rights (Resolution adopted)

- D. **R-2011-76**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the Boulder County Housing Authority for Its Housing Counseling Program (Resolution adopted)
- E. **R-2011-77**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the City of Boulder, as Lead Agency for the Boulder County/Broomfield County Home Consortium, for a Subrecipient Agreement for Home Funds (Resolution adopted)
- F. **R-2011-78**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the Regional Air Quality Council Regarding Twenty GPS Units (Resolution adopted)
- G. **R-2011-79**, A Resolution of the Longmont City Council Requesting the Delay in Proposed Service Cuts by the Regional Transportation District for January 2012 (Resolution adopted)
- H. **R-2011-80**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City, the Cities of Fort Collins, Loveland, and Berthoud, and Boulder and Weld Counties for Funding the Longmont Flex Bus Service (resolution adopted)
- I. **R-2011-81**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the Longmont Downtown Development Authority for Relocation of Los Arcos de Longmont (Resolution adopted)
- J. Approve the Gateway Business Improvement District 2012 Operating Plan and Budget (Operating plan and budget approved)

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 Witt, to adopt the Consent Agenda with the exception of Item B which was pulled for additional discussion.**

**Motion carried: 7-0.**

#### **10. ITEMS REMOVED FROM CONSENT AGENDA**

- B. **O-2011-77**, A Bill for an Ordinance Amending Sections 13.37.020, 13.37.030, 13.37.090, 13.37.140, 13.37.150, 13.37.160, 15.10.020 and Section 15.04.010 Table 15.04-A, and Repealing and Re-Enacting Section 15.04.040 of the Longmont Municipal Code Regarding Permits for Ambulatory Vendors and Retail Mobile Food Vending in the City of Longmont

Ben Ortiz, Planner, provided a brief overview of this ordinance.

**Council Member Witt moved, seconded by Sammoury, to approve the ordinance and include a \$50.00 per month fee for push carts in the downtown area.**

Council Member discussion focused on the impact of requiring a monthly fee ahead of time, minimum fee requirements and potential conflicts with the 250 foot distance requirement for mobile vendors downtown.

**Vote was taken and the motion carried: 6-1 (Santos dissenting).**

**11. GENERAL BUSINESS**

**A. 2011 City Council Workplan Update**

Sandra Seader, Assistant to the City Manager, reviewed the City Council's 3<sup>rd</sup> quarter update to the 2011 work plan. She provided an overview of the community branding effort including the community involvement process. She reviewed the deliverables from the process including a free photo sharing site, brand standards, partner materials, and earned media and reviewed the partners and support agencies that participated in this process.

General discussion ensued.

**12. FINAL CALL – PUBLIC INVITED TO BE HEARD**

Jake Marsing, 949 Pass Drive, spoke about the Longmont United Hospital and Baby Angels Foundation walk sponsored for those individuals who have suffered the loss of a child and invited Council to attend and participate.

**13. MAYOR AND COUNCIL COMMENTS**

Council Member Santos handed out ribbons for Domestic Violence Month

Council Member Hansen spoke about Ballot Question 2A and noted that the City has a lot of money invested in the high speed fiber network. He reviewed the history of the legislation impacting the City's use of the fiber network and urged citizens to vote "Yes" on 2A to allow the City to utilize the fiber ring.

Council Member Levison noted that it is pretty remarkable for the community acknowledgement of Domestic Violence Awareness Month and she commended the organizations that were here accepting the proclamation. She also commended Police Chief Mike Butler and the community in general for raising awareness about domestic violence.

**14. CITY MANAGER REMARKS**

Gordon Pedrow, City Manager, reminded Council of the 5:00 p.m. joint meeting with Weld County Commissioner in the Library on Tuesday, October 18. He reviewed the tentative items for the agenda and asked Council to notify the City Manager's office if there are any additional items.

**15. CITY ATTORNEY REMARKS**

The City Attorney had no additional items to bring before City Council.

**16. ADJOURN**

There being no further business to come before the City Council, the meeting was adjourned at 8:45 p.m.

CITY OF LONGMONT, COLORADO

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Mayor

ATTEST:

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City Clerk