



CITY COUNCIL PROCEEDINGS

September 27, 2011

Civic Center
350 Kimbark Street
Longmont, CO 80501

REGULAR SESSION

The September 27, 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, 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 Hansen, to approve the minutes of the September 13, 2011, meeting as printed. Motion carried: 7-0.

4. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS

A letter from Boulder Valley Women's Health Services (BVWHS) was received and given to each Council Member at the beginning of the Council Meeting.

5. CITY MANAGER'S REPORT

The City Manager did not have a report at this time.

6. SPECIAL REPORTS AND PRESENTATIONS

There were no special reports or presentations.

7. FIRST CALL – PUBLIC INVITED TO BE HEARD

Al Scheopner, 2324 Atwood, expressed his frustration with Council actions based on outsider money and influence.

The following citizens spoke in opposition of funding Boulder Valley Women’s Health Services:

Walter John Robisch, 7 Empire Place
Kathleen Schelert, 512 Rider Ridge Drive

The following citizens spoke in favor of funding Boulder Valley Women’s Health Services:

Carlos Smith, 402 Collyer
Padma Wick, 4213 Frederick Circle
Strider Benston, 951 17th Avenue
Meca Delgado, 142 Snowmass Place

Bob Norris, 532 Rider Ridge Drive, thanked the Housing and Human Service Board for recommending El Comite for funding again this year and spoke in general about other Boards and Commissions.

Paul Tiger, 452 Dickson, requested an ordinance to change the restrictions for marijuana from the current one ounce to two ounces for personal use, per state law.

Rich Yale, 1211 Baker Street, requested that a copy of Agenda 21 be passed out to Council Members and spoke to opting out of the Super Inter-Governmental Agreement with Boulder.

Christy Knight, 106 Longs Peak, spoke in favor of changing current ordinances governing train noise and quiet zones.

Jerrod Hansberry, 1343 Parker Drive, thanked Council for having the Scout Troop here and asked for support on the bill to fund the school districts.

There being no further citizens to address Council, the Public Invited to be Heard was closed.

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

- A. O-2011-63, 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 Witt, to adopt Ordinance O-2011-63 on second reading. Motion carried: 7-0.

- B. O-2011-64, 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 Witt, to adopt Ordinance O-2011-64 on second reading. Motion carried: 7-0.

- C. O-2011-65, Public Hearing and Second Reading of a Bill for a Conditional Ordinance Amending Section 15.02.150 of the Longmont Municipal Code Authorizing Approval of the Clover Basin Water Transmission Line, Highway 66 Storm Drainage Project, Peschell Property Annexation, Pipeline Permitting, and Term Extension Amendment to the Third Amended Longmont Planning Area Comprehensive Development Plan and Super IGA Intergovernmental Agreements between the City of Longmont and Boulder County**

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

Brad Schol, Planning Manager, provided a brief overview of this item highlighting specific provisions of the IGA.

Mayor Baum opened a public hearing on this item.

Paul Tiger, 452 Dickson, indicated that he does not believe that the IGA amendments are in the best interest of Longmont at this time.

There being no one else present to address Council on this issue, the public hearing was closed.

Council Member Santos moved, seconded by McCoy, to adopt Ordinance O-2011-65 on second reading. Motion carried: 7-0.

- D. O-2011-66, Public Hearing and Second Reading of a Bill for an Ordinance Conditionally Approving the Sherwood Annexation (Generally Located East of County Line Road and North of Weld County Road 20 ½), and Zoning the Property A (Agricultural)**

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

Ava Pechersewski, Senior Planner, provided a brief overview of 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-2011-66 on second reading. Motion carried: 7-0.

- E. O-2011-67, Public Hearing and Second Reading of a Bill for an Ordinance Approving the Land Use Amendment to the Longmont Area Comprehensive Plan for the Terry Lake Neighborhood, Generally Located North of Colorado State Highway 66, West of U.S. Highway 287, South of Vermillion Road and West of North 95th Street**

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

Brad Schol, Planning Manager, provided a brief overview of this agenda item.

Council Member Witt indicated that the Transportation Advisory Board (TAB) meeting strongly encouraged Council to not allow Spencer Street south of Highway 66 to become any larger than it is.

Mayor Baum opened a public hearing on this item.

Ken Williamson, 224 Mulligan Lake Drive, Mead, representing Zek Properties, LLP, which owns property in the Terry Lake Master Plan area, spoke against the amendments to the comprehensive plan. He also encouraged Council to make an effort to request that a road to the north of Highway 66 be reinstated by Boulder County through their open space. Finally, he expressed his frustration with the fact that four years have elapsed and property owners still have not seen a master plan for drainage for the area.

There being no one else present to address Council on this issue, the public hearing was closed.

Brad Schol responded to Council's questions regarding Mr. Williamson's concerns and provided an update on the regional drainage master plan.

Council Member McCoy moved, seconded by Hansen, to adopt Ordinance O-2011-67 on second reading. Motion carried: 7-0.

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

- A. O-2011-68, 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 (ordinance introduced and public hearing scheduled October 11, 2011)**

- B. O-2011-69,** A Bill for an Ordinance Amending the 2011 - 2015 Capital Improvement Program (ordinance introduced and public hearing scheduled for October 11, 2011)
- C. O-2011-70,** A Bill for an Ordinance Approving the Amendment to the Agreement in Furtherance of Annexation for Quail East to the City of Longmont, Colorado (removed from Consent Agenda)
- D. O-2011-71,** 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 (ordinance introduced and public hearing scheduled for October 11, 2011)
- E. R-2011-70,** A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the State of Colorado for a Grant for Forest Stewardship Activities at Button Rock Preserve (resolution adopted)
- F. R-2011-71,** A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and Boulder County for the Coordination of the 2011 Point in Time Homeless Count (resolution adopted)
- G. R-2011-72,** A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City of Longmont and the State of Colorado Judicial Department for Purchase of Juror List (resolution adopted)
- H. R-2011-73,** A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the State of Colorado Department of Public Safety for an Ending Domestic Violence Grant (resolution adopted)
- I. R-2011-74,** A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the State of Colorado Department of Public Safety for a School Based Restorative Justice Grant (resolution adopted)
- J.** Approve Loan Term Modification for Longmont Housing Development Corporation on their Hover Crossing Vacant Land Loan (resolution adopted)
- K.** Approve and Authorize the Mayor to Sign Letter of Support for the Preferred Alternative of the North I-25 Environmental Impact Statement (resolution adopted)

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 McCoy, to adopt the Consent Agenda with the exception of Item C which was pulled for additional discussion. Motion carried: 7-0.

10. ITEMS REMOVED FROM CONSENT AGENDA

- C. O-2011-70, A Bill for an Ordinance Approving the Amendment to the Agreement in Furtherance of Annexation for Quail East to the City of Longmont, Colorado**

Council Member Sammoury commented that what was presented to Council is not in accordance with the direction Council provided.

Joni Marsh, Development Services Manager, responded to Council's questions and noted that staff has not yet heard from Thistle and that they did not have any subsequent direction from the CDBG office about delaying this item.

Council Member Sammoury moved, seconded by Witt, to table this discussion until the City has additional information regarding whether the City will be able to recoup any of its funds or not. Motion carried: 7-0.

11. GENERAL BUSINESS

- A. Presentation of Issues in the 2012 Proposed Operating Budget**

Teresa Molloy, Budget Manager, provided an overview of the information in Council's agenda packet regarding this item.

Karen Roney, Community Services Executive Director, highlighted the funding recommendations from the Housing and Human Services Advisory Board (HHSAB). She spoke specifically about recommendations from HHSAB and clarified some points of discussion regarding the Boulder Women's Health Services.

Eve Canfield, Chair of the Housing and Human Services Advisory Board, was present to answer specific questions regarding the HHSAB's recommendations.

Council Member Sammoury moved, seconded by McCoy, to take the \$11,000 allocated by the HHSAB to Boulder Women's Health Services and increase funds to Alternatives for Youth by \$5,500 and to Voices for Children by \$5,500.

Council discussion focused on maintaining the funds for emergency needs over the winter or holding the allocation until more information is available.

Vote was taken on the motion and it failed: 3-4 (Hansen, Levison, McCoy, and Witt dissenting).

Council Member McCoy moved, seconded by Witt, to send the \$11,000 back to the HHSAB and have them make a recommendation on its use. Motion carried: 7-0.

B. Public Hearing on the Proposed 2012 Operating Budget, the 2012-2016 Capital Improvement Program and City's Use of the Highway User Tax Funds

Teresa Molloy, Budget Manager, briefly reviewed basic budget numbers in the 2012 proposed budget including the 2012-2016 Capital Improvement Program, and the City's use of Highway User Tax funds. She also reviewed the public hearing requirements associated with adopting the budget.

Mayor Baum opened a public hearing on the proposed 2012 budget, the 2012-2016 Capital Improvement Program and the City's use of Highway User Tax Funds. There being no one present to address Council at the time, the public hearing was closed.

General discussion ensued regarding emergency reserve funds.

C. Appoint Members to the Ad Hoc Workforce Housing Task Force

Kathy Fedler, Community Development Block Grant Coordinator, was present to address Council's questions.

Council Member Santos moved, seconded by Baum, to go back to the Planning and Zoning Commission to ask for additional candidates. Motion carried: 4-3 (Levison, McCoy, and Witt dissenting).

Council Member Hansen moved, to include campaign contributions in the information for task force housing applicants. Motion failed for lack of a second.

Council Member Hansen moved, seconded by McCoy, to seek additional business representative applicants. Motion carried: 5-2 (Santos and Witt dissenting).

12. FINAL CALL – PUBLIC INVITED TO BE HEARD

Christine Knight, 106 Longs Peak Avenue, recommended place holders for 2010 CIP numbers specifically for addressing train noise concerns.

Brea Patrick-Lake, HOPE Director, thanked Council for its support of Human Services.

13. MAYOR AND COUNCIL COMMENTS

Council Member Santos mentioned that he recently spent time working in the Economic Development department.

Council Member Witt commented that the Airport Master Plan update open house will be Thursday, at 7 South Sunset Street from 4-8 p.m. and recommended that all citizens attend the open house to have their voice heard.

Council Member Levison encouraged Council Members to take the opportunity to participate in the webinars through National League of Cities. She also expressed good wishes to those of Jewish faith on the celebration of the New Year.

Mayor Baum mentioned that last evening he had the good fortune to visit the Federal Reserve Bank in Denver and that he invited Thomas Honang, who was retiring after 30 years at the Federal Reserve Bank, to speak in Longmont about the economy.

14. CITY MANAGER REMARKS

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

15. CITY ATTORNEY REMARKS

Eugene Mei, City Attorney, indicated that the City Attorney employment contract provides for annual review with City Council and that there will be an Executive Session on October 11th to address the review.

16. ADJOURN

There being no further business to come before the City Council, the meeting was adjourned at 10:02 p.m.

CITY OF LONGMONT, COLORADO

Mayor

ATTEST:

City Clerk