



CITY COUNCIL PROCEEDINGS

January 25, 2011

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

REGULAR SESSION

The January 25, 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 January 11, 2011, meeting as printed. Motion carried: 7-0.

4. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS

Gordon Pedrow, City Manager, stated that Item 11B, the Colorado Energy Incubator Grant was removed from the agenda at the request of the grant applicant.

5. CITY MANAGER'S REPORT

The City Manager did not have a report.

6. SPECIAL REPORTS AND PRESENTATIONS

There were no Special Reports and Presentations

7. FIRST CALL – PUBLIC INVITED TO BE HEARD

Stacey Balcom, 1854 Centaur Circle, Lafayette, provided a list of festivals of which she is the registered agent.

Kathleen Ellis, 1404 Longs Peak Avenue, urged Council to prohibit large special events at Union Reservoir because the reservoir is closed to the public and she would like to enjoy the reservoir during the events.

The following people spoke in favor of the St. Francis of Assisi Catholic Church Preliminary/Final PUD Development Plan and Height Exception:

Chris and Susan Kingsley, 3704 Braeburn Place,
Wayne Reed, 2414 Mountain View Avenue,
Craig Lucarelli, 2218 Jewel Drive,
Carl Ribbing, 9190 Jotipa Drive,
Fay Falce, 4142 Heather Hill Circle,
Joe and Mary and Colleen Carey, 8024 Fox Hill Drive,
Mike Swedbergh, 1019 Wyndemere Circle,
Jeanne Kuhn, 1639 Centennial Drive,
Yvonne Greenwald, 1732 Drake Street,
Julie Medearis, 5001 Fox Hill Drive,
Grace Sammoury, 428Pratt Street,

Dan Krische, 700 Rider Ridge Drive, wanted to clarify that there is no height limitation in a Planned Urban Development (PUD) zoning district, so the wording on the agenda referring to a height variance is incorrect.

Shawn Chriswell, 1421 24th Avenue, told Council that scouts from Troop 128 were at the meeting and are currently working to get their Citizenship badges.

Ruby Bowman, 1512 Lefthand Drive, talked about the number of people that have visited Union Reservoir in past years noting the large increase, asked Council to reinstate the Park Ranger position that had been cut.

Judson Hite, 640 Gooseberry Drive #901, stated that he applied for the vacant position on the Golf Course Advisory Board and is very interested in helping the City in managing these facilities and making appropriate recommendations to Council.

Jeff Thompson, 1616 Sumner Street, commented about Heavenfest and the large special events that take place in Longmont.

Kay Fissinger, 2199 Creekside Drive, commented about others that spoke during Public Invited to be Heard.

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

There were no Public Hearings or Items for Second Reading.

- 9. CONSENT AGENDA AND INTRODUCTION AND READING BY TITLE OF FIRST READING ORDINANCES**
- A. O-2011-08,** 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 for February 8, 2011)
 - B. O-2011-09,** A Bill for an Ordinance Amending the 2011 - 2015 Capital Improvement Program (Ordinance introduced and public hearing scheduled for February 8, 2011)
 - C. O-2011-10,** A Bill for an Ordinance on the Disposition of City Open Space (Removed from Consent Agenda)
 - D. Vance Brand Municipal Airport Leases**
 - 1. O-2011-11,** A Bill for an Ordinance Authorizing the City of Longmont to Lease the Real Property known as Vance Brand Municipal Airport Hangar Parcel H-17 (the Premises) to Bob Leyner (Tenant) (Ordinance introduced and public hearing scheduled for February 8, 2011)
 - 2. O-2011-12,** A Bill for an Ordinance Authorizing the City of Longmont to Lease the Real Property known as Vance Brand Municipal Airport Hangar Parcel H-59 (the Premises) to David W. Paule (Tenant) (Ordinance introduced and public hearing scheduled for February 8, 2011)
 - E. R-2011-06,** A Resolution of the Longmont City Council Establishing the Fee for Cash in Lieu of Water Rights Transfers (Resolution adopted)
 - F. R-2011-07,** A Resolution of the Longmont City Council Approving Two Intergovernmental Agreements between the City and the Eagle Net Alliance for High Speed Internet Service (Resolution adopted)
 - G. R-2011-08,** A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the Statewide Internet Portal Authority of the State of Colorado for Its Micro-Gant Program (Resolution adopted)
 - H.** Approve and Authorize Mayor to Sign a Memorandum of Understanding with the Association of Library Service to Children for a Grant in the Amount of \$6000 (Memorandum of understanding approved and Mayor authorized to sign)

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 McCoy moved, seconded by Sammoury, 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-2011-10, A Bill for an Ordinance on the Disposition of City Open Space

Dan Wolford, Parks, Open Space, and Greenways Manager, introduced this item.

Council Member Hansen moved, seconded by McCoy, to adopt Ordinance O-2011-10 on first reading.

Council Member Levison offered a friendly amendment to the motion, to direct staff to add words to the ordinance that would note cultural and historical resource features.

The amended motion was accepted by the first and second. Motion carried: 5-2 (Baum and Witt dissenting).

11. GENERAL BUSINESS

A. Appeal of Planning & Zoning Commission Decision Approving the St. Francis of Assisi Catholic Church Preliminary/Final PUD Development Plan and Height Exception at the Southwest Corner of Pike & Airport Roads

Joni Marsh, Development Services Manager, reviewed the appeal process and procedures for Council.

Ava Pecherzewski, Senior Planner, provided background on the application.

Father Frank Maroney, applicant and Pastor of St. Francis of Assisi Church, explained that the original desire was to have the church built as close to Airport Road as possible to enhance the visibility of the church. However, the architects and planners set the church as far north and east on the property as possible to allow for drainage considerations and safety issues.

Greg Hill, 2003 Braeburn Court, Appellant, stated that no one in the neighborhood is against the church, the appeal was filed because of the reaction of some members after the Planning and Zoning Commissioners made their decision. The appeal letter was born out of frustration with the process and how that meeting went.

Mayor Baum opened the public hearing on this item.

San Kim, 2011 Braeburn Court, asked about the Planned Urban Development (PUD) zone area and if there is no height restriction, would the church come back for a new hearing five to ten years down the road if they needed a larger structure or is there a level at which a limit is set to the size it can grow?

There being no one else to speak, the Mayor closed the Public Hearing.

Council Member Santos moved, seconded by Hansen, to approve Resolution R-2011-09A and uphold the recommendation of the Planning and Zoning Commission.

Council Member Sammoury offered a friendly amendment to the motion to remove the need for a height variance or exception if it stays under 40' requiring the applicant to seek review if it is over 40'.

Council Member Santos accepted the friendly amendment.

Council Member Levison stated that all of the resolutions mention the height exception and questioned if all of them would need to be changed.

Council Member Santos withdrew his motion, Hansen agreed.

Council Member Santos moved, seconded by Hansen, to move the newly drafted Resolution R-2011-09D introduced to Council.

Ms. Pecherzewski reviewed Resolution R-2011-09D, stating that “height exception” was removed from the title, in subsection F, “height exception review criteria” was redlined out of the resolution, and in section two, rather than a blanket approval, wordage was changed to “the applicant must limit all structures to 40”.

Vote was taken on the motion and it carried: 6-1 (Levison dissenting).

- B.** Request from Colorado Energy Incubator for City to Serve as Fiscal Agent for Colorado Department of Labor and Employment Grant

This item was removed from the agenda at the request of the grant applicant.

- C.** Large Special Event Policy Discussion

Council Member Santos moved, seconded by McCoy, to carry this item over to the Study Session on February 1, 2011. Motion carried: 7-0.

- D.** Board, Committee and Commission Appointments

Valeria Skitt, City Clerk, reviewed the vacant positions on City boards and commissions.

Council Member Witt moved, seconded by Santos, to appoint William Mahoney and Sandi Sugden as Alternate Members to the Board of Adjustment and Appeals. Motion carried: 7-0.

Golf Course Advisory Board voting results:

Applicants:	Council Members voting in favor:
Mark Frederick	Hansen, Levison, McCoy
Judson Hite	Baum, Santos, Witt
David Soule	Sammoury

A second vote was taken for the Golf Course Advisory Board.

Golf Course Advisory Board voting results:

Applicants:	Council Members voting in favor:
Mark Frederick	Hansen, Levison, McCoy
Judson Hite	Baum, Sammoury, Santos, Witt

Judson Hite was appointed to the Golf Course Advisory Board as a Regular Member with term expiring December 31, 2013.

Museum Advisory Board voting results:

Applicants:	Council Member voting in favor:
Mark Clevenger	Hansen, Levison, McCoy, Sammoury, Santos
Paul Tiger	Baum, Witt

Mark Clevenger was appointed to the Museum Advisory Board as a Regular Member with term expiring December 31, 2013.

12. FINAL CALL – PUBLIC INVITED TO BE HEARD

There was no one present for Final Call – Public Invited to be Heard.

13. MAYOR AND COUNCIL COMMENTS

Council Member McCoy informed everyone that some of students in the district will be going to Johnson Wells University to compete in a Future Business Leaders of America contest and wished them the best of luck.

Council Member Levison explained that two very important meetings overlap: Denver Regional Council of Governments (DRCOG) and the Regional Transportation District (RTD) Public Hearing. She also, reminded Council Members to sign up for the Colorado Municipal League (CML) Legislative Workshop on February 23, 2011.

Council Member Santos thanked Senate President Brandon Shaffer and Representatives Debra Gardner and Matt Jones for having a legislative discussion with Council.

Council Member Witt reminded everyone in the community of the City Council retreat on February 11 and 12 at the Xilinx Retreat Center. She also stated that the January

DRCOG meeting was cancelled due to a snowstorm and those agenda items have been moved to February.

Mayor Baum wished all the best to the Times-Call employees noting the new purchase will be a positive thing for the community and wished them all the very best. He also congratulated Kaye Fissinger for having a clean bill of health, being a five-year cancer survivor.

14. CITY MANAGER REMARKS

The City Manager had no final remarks.

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 10:46 p.m.

CITY OF LONGMONT, COLORADO

Mayor

ATTEST:

City Clerk