



# CITY COUNCIL PROCEEDINGS

January 5, 2010

Civic Center  
350 Kimbark Street  
Longmont, CO 80501

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## PRE-SESSION

The January 5, 2010, Pre-Session was called to order by Mayor Baum at 5:00 p.m. in the Study Session Room.

Those present were: Mayor Baum, Councilmembers Brian Hansen, Sarah Levison, Sean McCoy, Alex Sammoury, Gabe Santos, and Katie Witt. City of Longmont staff: Gordon Pedrow, City Manager, Eugene Mei, City Attorney, Kay Armstrong, Police Programs Coordinator, Bob Ball, Traffic Engineering Administrator, Don Burchett, Senior Planner, Jon Clarke, Neighborhood and Community Resources Supervisor, Paula Fitzgerald, Parks and Open Space Project Manager, Phil Greenwald, Transportation Planner, Judy Jones, Administrative Supervisor, Teresa Molloy, Budget Manager, Pattie Moreno, Children and Youth Services Resource Program Specialist Brad Power, Director of Economic Development, Dale Rademacher, Director of Public Works and Natural Resources, and Nick Wolfrum, City Engineer.

Council discussed regional transportation updates including Southwest Transportation Plan, FasTracks, and railroad quiet zones, and the City's Community Involvement Resource and Training Manual.

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## REGULAR SESSION

The meeting 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 Bryan Baum and Councilmembers 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:

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

**3. APPROVAL OF MINUTES**

There were no minutes presented for approval.

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

Gordon Pedrow, City Manager, stated that there were Water Board minutes from December 21, 2009, meeting placed on Council's desks for reference when addressing the HeavenFest presentation.

**5. CITY MANAGER'S REPORT**

Gordon Pedrow, City Manager, asked the City Attorney, to report on the Longmont Fair Campaign Practices Act lawsuit.

Eugene Mei, City Attorney, explained that the City settled the lawsuit on December 29, 2009, in the amount of \$68,500, and reviewed the settlement criteria with Council.

**6. SPECIAL REPORTS AND PRESENTATIONS**

**A. Presentation of Plaque from Longmont's Sister City, Ciudad Guzman, Mexico**

Leslie Anderton, 2009 Co-President for Longmont Sister Cities Association, reviewed Longmont's relationships with its two sister cities, Chino, Japan and Ciudad Guzman, Mexico.

Marietta Gonzales, Sister Cities member, translated the plaque for Council and presented it to Mayor Baum and the City of Longmont on behalf of the Guzman Fire Department.

**B. 2010 Heaven Fest Musical Event Presentation**

Gordon Pedrow, City Manager, introduced this item and explained that the Council is not normally a part of the process for issuing special event permits. This event is larger than the City is used to and staff wanted Council to review it and give staff acknowledgement that it is an event of which Council is supportive.

Doug Bene, Economic Development Manager, introduced event organizer Luke Bodley, and explained that from an economic view, the City could anticipate at least \$700,000 monetary benefit to the community in terms of hotel stays, local restaurant and retail sales from those visiting Longmont.

Luke Bodley, HeavenFest Organizer and Executive Producer of HeavenFest, gave some personal background and information on the music festival and explained he is

working with agencies in Longmont, Weld County, and the Colorado Department of Transportation.

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

Chris Rodriguez, 1265 ButtonRock Drive, stated that there have been comments made by members of the public that he was appointed to the Airport Advisory Board because of a favor and not because of his qualifications and he reviewed his background in aviation.

Steve Szabo, 844 N. 79<sup>th</sup> Street, spoke regarding the Longmont transportation plan.

Dennis Cahalan, 7901 Plateau Road, also spoke regarding the Longmont Transportation plan.

Paula Burr, 2150 Cypress Street, spoke against having the HeavenFest concert in Longmont, stating that it violates City code.

Judy Lubow, 106 Grenada Court, stated concerns about negative consequences associated with HeavenFest.

Kaye Fissinger, 2199 Creekside Drive, also spoke against having the HeavenFest event at Union Reservoir.

Strider Benston, 951 W. 17<sup>th</sup> Street, came to speak as a member of the Longmont Election Committee, stating that they were empowered to enforce and carry out the law.

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

- A. O-2010-01, Public Hearing and Second Reading of a Bill for an Ordinance Enacting a New Chapter of the Longmont Municipal Code on Fireworks**

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

Scott Snyder, Fire Division Chief, reviewed the ordinance, explaining that it is essentially unchanged from previous years.

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

**Councilmember Santos moved, seconded by Hansen, to adopt Ordinance O-2010-01 on second reading. Motion carried: 7-0.**

- B. O-2010-02, Public Hearing and Second Reading of a Bill for an Ordinance Authorizing the City of Longmont to Enter into Property Management Agreements with Property Management Plus Realty, L.L.C.**

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 item, the public hearing was closed.

**Councilmember Santos moved, seconded by Sammoury, to adopt Ordinance O-2010-02 on second reading. Motion carried: 7-0.**

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

- A. O-2010-03**, A Bill for an Ordinance Amending Section 2.04.206 of the Longmont Municipal Code on the Longmont Fair Campaign Practices Act (Ordinance introduced and public hearing scheduled for January 26, 2010)
- B.** Designate the Bulletin Boards Outside the Council Chambers and at the West Entrance of the Civic Center as the Official City Council Agenda Posting Location (Agenda posting locations established)
- C.** Approve Submittal of Governor’s Energy Office (GEO) 2010 Solar Photovoltaic (PV) Matching Grant Program Application (Removed from Consent Agenda for further discussion)
- D.** Approve and Authorize Mayor to Sign 2010 Contract for Services with Small Business Development Center (SBDC) (Contract approved and Mayor authorize to sign)
- E.** Accept Public Improvements for Prairie Village, 1<sup>st</sup> Fling (Public improvements accepted)

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

**Councilmember Santos moved, seconded by Witt, 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.** Approve Submittal of Governor’s Energy Office (GEO) 2010 Solar Photovoltaic (PV) Matching Grant Program Application

Bill Ewer, Longmont Power and Communications Customer Services and Marketing Manager, reviewed this item for Council and explained that the money LPC matches for the grant comes out of the Electric Fund reserve.

Councilmembers discussed the pros and cons of approving this grant.

**Councilmember Hansen moved, seconded by McCoy, to approve the grant program application. Motion failed: 3-4 (Baum, Sammoury, Santos, and Witt dissenting).**

General discussion followed about whether Council would be receptive to applying for a lesser amount.

**Councilmember Santos moved to direct staff to submit a grant application in the amount of \$50,000.**

Councilmember McCoy stated he would second the motion if \$75,000 would be considered.

**Councilmember Santos withdrew his motion.**

**Councilmember Levison moved, seconded by Hansen, to direct staff to submit a grant application in the amount of \$100,000. Motion failed: 3-4 (Baum, Sammoury, Santos, and Witt dissenting).**

#### **11. GENERAL BUSINESS**

There were no general business items.

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

Dennis Cahalan, 7109 Plateau Road, wanted to discuss the transportation plan again for the southwest corner of Longmont and wanted to find out if direction had been changed by City Council.

Mayor Baum stated that there had been no change.

#### **13. MAYOR AND COUNCIL COMMENTS**

Councilmember Witt commented that she had looked at how the Airport Advisory Board is structured, having six at-large members and one from Planning and Zoning.

**Councilmember Witt moved, seconded by Hansen, to direct staff to look at Airport Advisory Board bylaws and make all members appointed at large and elevate the current alternate to the seventh spot. Motion carried: 6-1 (Levison dissenting).**

Councilmember Hansen stated that he would like Longmont to be a leader in preventing lung cancer related to radon and the Board of Environmental Affairs was looking at how to protect citizens.

**Councilmember Hansen moved, seconded by McCoy, to have the Board of Environmental Affairs continue to look into the radon issue and continue to use Richard Juday's expertise in this field. Motion carried: 5-2 (Baum and Santos dissenting).**

Councilmember Santos reminded the public that the January 12, 2010, meeting would be an open forum.

Councilmember Levison stated that there were overlapping events on the Council calendar.

**14. CITY MANAGER REMARKS**

The City Manager had no final remarks.

**15. CITY ATTORNEY REMARKS**

The City Attorney had no final remarks.

**16. RETENTION OF RECORDING OF THIS MEETING**

There was no desire expressed to retain the recording of this meeting beyond the normal retention period.

**17. ADJOURN**

There being no further business to come before the City Council, the meeting was adjourned at 9:04 p.m.

CITY OF LONGMONT, COLORADO

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Mayor

ATTEST:

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City Clerk