



CITY COUNCIL PROCEEDINGS

June 28, 2011

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

Regular Session

The June 28, 2011, 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

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

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.

3. APPROVAL OF MINUTES

Council Member Santos moved, seconded by Levison, to approve the minutes of the June 14, 2011, meeting as printed. Motion carried: 6-0 (McCoy absent).

4. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS

There were no agenda revisions.

5. CITY MANAGER'S REPORT

Wesley Jessup, Museum Manager, introduced himself to the Council and the audience. He mentioned that he started with the City in March and briefly reviewed the current upcoming exhibits and projects at the Museum.

6. SPECIAL REPORTS AND PRESENTATIONS

- A.** Donation from Skyline Kiwanis for the City of Longmont's 4th of July Fireworks Presentation

Scott Nix with the Skyline Kiwanis Club introduced other members of the club who have done fund raising for the July 4th fireworks show. The Skyline Kiwanis Club then presented the Mayor with a \$15,000 check for the fireworks show this year.

- B.** Mayor's Positive Impact Awards for the Department of Clothing, D.O.C. and Phyllis Parker

Mayor Baum recognized the Department of Clothing (D.O.C.), Jerry and Natalie Abshier, for having started CleanWear Fashions, LLC, that allows artists serving prison sentences an opportunity to purchase art supplies while in prison and to showcase their artwork. Proceeds from the sales of the clothing are channeled to support the Colorado Meth Project and the OUR Center.

Mayor Baum also recognized Phyllis Parker for her exemplary work for the needy and homeless in our community. Mayor Baum spoke about the many things she does in the community for those who need help.

7. FIRST CALL – PUBLIC INVITED TO BE HEARD

Strider Benston, 951 W. 17th Avenue, spoke about having grown up as a part of the Kiwanis Club Little League.

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

- A.** Presentation and Public Hearing on Recommended Budget Categories for the 2012 Community Development Block Grant (CDBG), HOME, and Affordable Housing Fund Programs

Kathy Fedler, Community Development Block Grant Coordinator, presented the proposed budget set asides for housing, economic, and community reinvestments for the CDBG and HOME budgets for 2012 and addressed Council questions.

Mayor Baum opened a public hearing this item.

Joan Heckman, 606 Pratt Street, indicated that her building has been the recipient of a number of projects and funding from the CDBG program. All the projects to some extent have been of great benefit to seniors.

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

Council Member Santos moved, seconded by Sammoury, to adopt the recommendations of the Housing and Human Services Advisory Board for the 2012 CDBG, HOME, and Affordable Housing Fund programs. Motion carried: 6-0 (McCoy absent).

- B.** **O-2011-40**, Public Hearing and Second Reading of a Bill for an Ordinance Amending Chapter 16.08 of the Municipal Code for the City of Longmont, Colorado, to Adopt, by Reference, the 2011 Edition of the National Electrical Code

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

Chris Allison, Chief Building Official, reported that that the Master Board of Appeals went through this code thoroughly and held two public hearings, and that staff has not received any comments regarding these codes and their adoption.

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 Hansen moved, seconded by Levison, to adopt Ordinance O-2011-40 on second reading. Motion carried: 6-0 (McCoy absent).

C. VANCE BRAND MUNICIPAL AIRPORT HANGAR LEASES

1. **O-2011-41**, Public Hearing and Second Reading of a Bill for an Ordinance Authorizing the City of Longmont to Lease the Real Property known as Vance Brand Municipal Airport Hangar Parcel H-24 (the Premises) to Steve Alderman (Tenant)
2. **O-2011-42**, A Public Hearing and Second Reading of a Bill for an Ordinance Authorizing the City of Longmont to Lease the Real Property known as Vance Brand Municipal Airport Hangar Parcel F2E (the Premises) to Jayme Shroyer (Tenant)

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

Mayor Baum opened a public hearing on both Ordinance O-2011-41 and O-2011-42. There being no one present to address Council on these issues, the public hearing was closed.

Council Member Witt moved, seconded by Levison, to adopt Ordinance O-2011-41 on second reading. Motion carried: 6-0 (McCoy absent).

Council Member Witt moved, seconded by Levison, to adopt Ordinance O-2011-42 on second reading. Motion carried: 6-0 (McCoy absent).

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

- A. **O-2011-43**, 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 July 12, 2011)
- B. **O-2011-44**, A Bill for an Ordinance Amending the 2011 - 2015 Capital Improvement Program (ordinance introduced and public hearing scheduled for July 12, 2011)
- C. **O-2011-45**, A Bill for an Ordinance Authorizing the City of Longmont to Lease the Real Property known as a Portion of Alta Park (the Premises) to

Growing Gardens of Boulder County (Tenant) (ordinance introduced and public hearing scheduled for July 12, 2011)

- D. **R-2011-44**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and State of Colorado for a Forest Restoration Pilot Grant (resolution adopted)
- E. **R-2011-45**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement Between the City and Boulder County for a Bicycle Shelter at the Coffman Street Park-N-Ride (resolution adopted)
- F. **R-2011-46**, A Resolution of the Longmont City Council Approving the Updated Intergovernmental Agreement between the City, the City of Fort Collins and Platte River Power Authority for a Customer Information System (resolution adopted)
- G. **R-2011-47**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the City of Boulder for a Justice Assistance Grant for the Police Department Law Enforcement Program (resolution adopted)
- H. Approve and Authorize the Mayor to Sign a Special Counsel Contract with Kissinger & Fellman, P.C. for Telecommunications Issues (contract approved and Mayor authorized to sign)
- I. Approve the Relocation of “Los Arcos de Longmont” Public Artwork (item removed from Consent Agenda)

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 item I which was pulled for additional discussion. Motion carried: 6-0 (McCoy absent).

10. ITEMS REMOVED FROM CONSENT AGENDA

- I. Approve the Relocation of “Los Arcos de Longmont” Public Artwork

Council Member Levison inquired about precedent setting with moving the artwork and asked for clarification on the project in general.

Mr. Jessup, Museum Manager, responded to the Council Member’s questions noting that the relocation of this artwork is part of a larger process that has gone on since last year. The AIPP has followed the same guidelines that were set up to address the movement of the uptown piece in front of the Justice Building. Additionally, staff has been working collaboratively with LLDA and the City Planning Division on this relocation and policy. Mr. Jessup noted that it is the intent of the AIPP to maintain the artistic integrity of the arches as they were conceived.

Council Member Santos moved, seconded by Levison, to approve the relocation as shown on the concept drawing. Motion carried: 6-0 (McCoy absent).

11. GENERAL BUSINESS

A. Development Fee Deferrals

Joni Marsh, Development Services Manager reviewed and answered questions on this item for City Council.

Council Member Santos moved, seconded by Hansen, not to institute a development fee deferral program. Motion carried: 4-2 (Baum and Witt dissenting; McCoy absent).

12. FINAL CALL – PUBLIC INVITED TO BE HEARD

Judy Moss, 2303 North Shore Drive, spoke in opposition of Council's decision to ban medical marijuana dispensaries. She provided a packet of information about medical marijuana and its effectiveness on various diseases.

13. MAYOR AND COUNCIL COMMENTS

Council Member Levison recognized Joey Plunkett from St. John the Baptist School as the first ever winner from Longmont of the "If I were a Mayor Contest" sponsored by the Colorado Municipal League. She briefly spoke about the CML conference in Vail and congratulated the City of Lakewood for being recognized as an "All America City". She also inquired about the recent problems with noise in Prospect Park and how it is being resolved.

Gordon Pedrow, City Manager, responded that the Prospect Neighborhood received a neighborhood grant to install a stage in the park and that some of the residents are concerned about the noise. He noted that the City is currently working through the issue and will hopefully arrive at a resolution that works for everyone.

Council Member Santos noted that the Airport Expo on June 25, 2011 was an excellent event with great turnout. He also mentioned the error in the Colorado Municipal League mailing notification of Joey Plunkett's award which indicated Joey was a resident of Colorado Springs.

Council Member Hansen mentioned that he was at the Coffee with Council for the discussion on Prospect Park and that it would be useful to look at that noise code once again because it seems excessively restrictive in some ways and in other ways not tight enough.

With regard to Item 8B on this agenda, **Council Member Hansen moved, seconded by Levison, to have staff go back and look at requiring full conduiting of all high voltage electrical lines allowed for direct burial. Motion failed: 2-4 (Baum, Sammoury, Santos, and Witt dissenting; McCoy absent).**

Mayor Baum thanked everyone for the work on the Airport Expo, noted the increase in people over the event two years ago and that it was an exceptional event.

14. CITY MANAGER REMARKS

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

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 adjourned at 8:33 p.m.

CITY OF LONGMONT, COLORADO

Mayor

ATTEST:

City Clerk