



# **CITY COUNCIL PROCEEDINGS**

**July 26, 2011**

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

---

## **REGULAR SESSION**

The July 26, 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 July 12, 2011, meeting as printed. Motion carried: 7-0.**

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

Items 9I and 11C were removed from the Agenda.

### **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

Kaye Fissinger, 2199 Creekside Drive, spoke about the American Legislative Exchange Council (ALEC) and concerns about their business focus in writing legislation. She indicated that the ALEC model bills in task forces where only private business interests and legislators participate. While Longmont doesn't have this same level of sophistication, the corporate business interests in this community in conjunction with like-minded Council members are engaging in very similar practices. The results are ordinance changes that remove policies that benefit the environment and the community in general and replaces them with ordinances that benefit a corrupt ideology and the bank accounts of developers, realtors, and the businesses aligned accordingly.

Matt Workenthien, 500 Lashley Unit ½, employee of Imagine!, spoke about various city services and how much he enjoys the City of Longmont.

Strider Benston, 951 17<sup>th</sup> Avenue, spoke in general about the Longmont Election Committee, the terrorist attacks in Norway, the U.S. Government debt crisis and public discourse.

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

- A. **O-2011-46**, Public Hearing and Second Reading of a Bill for an Ordinance Approving the Lease Agreement between the City and the Oligarchy Irrigation Company

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 Santos, to adopt Ordinance O-2011-46 on second reading. Motion carried: 7-0.**

- B. **O-2011-47**, Public Hearing and Second Reading of a Bill for an Ordinance Amending Section 11.04.113 of the Longmont Municipal Code by Adding Subsection (M) to Prohibit Parking in Marked Bicycle Lanes

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

Ken Huson, Water Resources Administrator, reviewed this item for City Council as outlined in the Council agenda packet.

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 McCoy, to adopt Ordinance O-2011-47 on second reading. Motion carried: 7-0.**

- C. **O-2011-48**, Public Hearing and Second Reading of a Bill for an Administrative Ordinance Approving the Conveyance of a Parcel of City Owned Land, Generally Located South of Weld County Road 20 ½ and East of Weld County Road One, to the Herman Schlagel and Betty L. Schlagel

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

Dale Rademacher, Director of Public Works and Natural Resources, indicated that new pages were provided to Council at their desks, and reviewed the changes. A new page 67 which is the Deed of Conservation Easement and a new page 68 which is the restrictive covenant that runs with the land regarding water rights were provided as replacement pages.

Dan Wolford, Public Works and Natural Resources Manager, reviewed the item as outlined in the Council agenda packet.

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-2011-48 on second reading. Motion carried: 6-1 (Baum dissenting).**

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

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

- A. **O-2011-49**, 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 August 9, 2011)
- B. **O-2011-50**, A Bill for an Ordinance Amending the 2011 - 2015 Capital Improvement Program (ordinance introduced and public hearing scheduled for August 9, 2011)
- C. **O-2011-51**, A Bill for an Ordinance Conditionally Approving the Hover West 4th Filing (2417 3<sup>rd</sup> Avenue Place) Rezoning from BLI (Business Light Industrial) to PUD-I (Industrial Planned Unit Development), Generally Located West of Hover Street and South of 3rd Avenue Place (ordinance introduced and public hearing scheduled for August 9, 2011)
- D. **O-2011-52**, A Bill for an Ordinance Conditionally Approving the Vacation of a Ten Foot Electric Easement and a Ten Foot Drainage and Utility Easement in the Hover West 4<sup>th</sup> Filing, Generally Located South of 3<sup>rd</sup> Avenue Place and West of Hover Street (ordinance introduced and public hearing scheduled for August 9, 2011)

- E. **O-2011-53**, A Bill for an Ordinance Amending Sections 15.03.060.E., 15.03.090.D., 15.03.150.F., 15.05.020.H., 15.05.040, and 15.05.090 of the Longmont Municipal Code on Landscape Regulations (ordinance introduced and public hearing scheduled for August 9, 2011)
- F. **O-2011-54**, A Bill for an Ordinance Amending Chapters 13.37, 15.05, and 15.06 of the Longmont Municipal Code on Business Use of Public Property (item removed from Consent Agenda)
- G. **O-2011-55**, A Bill for an Ordinance Amending Chapter 6.56 of the Longmont Municipal Code on Pawnbrokers (ordinance introduced and public hearing scheduled for August 9, 2011)
- H. **O-2011-56**, A Bill for an Ordinance Amending Chapter 2.20 of the Longmont Municipal Code on Sexual Offender Registration Fees (ordinance introduced and public hearing scheduled for August 9, 2011)
- I. **O-2011-57**, A Bill for an Ordinance Amending Section 15.05.220. D. of the Longmont Municipal Code on Affordable Housing Inclusionary Zoning (removed entirely from the Agenda, rescheduled for August 9, 2011)
- J. **R-2011-52**, A Resolution of the Longmont City Council Approving a Grant from the Colorado Department of Transportation for the 2011 Impaired Driving Enforcement Campaign (resolution adopted)
- K. **R-2011-53**, A Resolution of the Longmont City Council Approving the Amended Intergovernmental Agreement between the City and Boulder County for the Creation of a Conservation Easement on a Portion of the Sherwood Open Space Property (resolution adopted)
- L. **R-2011-54**, A Resolution of the Longmont City Council Authorizing the City of Longmont to Lease the Real Property known as the Adrian Parcel (the Premises) to Alan Seewald, (Tenant) (resolution adopted)
- M. **R-2011-55**, A Resolution of the Longmont City Council Approving the Intergovernmental Agreement between the City and the Longmont Housing Authority for an Amendment to the 2011 Contract for Services (resolution adopted)

**Council Member Santos moved, seconded by McCoy, to adopt the Consent Agenda with the exception of item F which was pulled for additional discussion and Item 9I which was pulled entirely from the agenda. Motion carried: 7-0.**

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

- F. **O-2011-54**, A Bill for an Ordinance Amending Chapters 13.37, 15.05, and 15.06 of the Longmont Municipal Code on Business Use of Public Property

Council discussion addressed adjacent property considerations and the meaning of “adequate space”.

Brien Schumacher, Senior Planner, was present to address Council questions.

**Council Member Santos moved, seconded Witt, to adopt O-2011-54 on first reading. Motion carried: 7-0.**

## 11. GENERAL BUSINESS

### A. Update on the Lefthand Creek Flood Control Project

Nick Wolfrum, Public Works and Natural Resources Engineering Manager, provided an update on the Lefthand Creek Flood Control Project as outlined in the Council agenda packet.

Council discussion addressed pedestrian improvements, a bridge for Sunset Middle School and the Federal Emergency Management Administrations' approval process and notification to homeowners.

### B. Disabled Parking Issues

Melva Douglas, Utility Billing Manager, provided an overview of the item and addressed Council questions.

Council discussion focused on information received from volunteers in enforcement, the use of forged placards, the percentage of violations sent to collections and the number of valid tickets issued. Further discussion focused on not wanting the State to benefit from local charges for violation, grants the City can apply for to assist with educating the public about handicapped parking, increasing the repeat offender violation amount and other possibilities for reducing the number of violations.

Bob Ball, Traffic Engineering Administrator, answered some of Council's questions and noted that for private lots, it is the responsibility of the owner to repaint handicapped parking spaces.

**Council Member McCoy moved, seconded by Hansen, to have the Transportation Advisory Board look into the issues surrounding with regard to the violations for disabled parking spaces. Motion carried: 6-1 (Baum dissenting)**

Council discussion focused on raising the fees and adopting State law regarding handicapped parking spaces.

**Council Member Santos moved, seconded by Sammoury, to direct staff not to adopt state law. Motion carried: 7-0.**

### C. Update on Blue Vista Project and Request for Direction

This item was removed from the agenda.

### D. CML Policy Committee Selection and Legislative Proposal

Sandra Seader, Assistant to the City Manager, reviewed this item. She asked Council to select one of its members to serve on the Policy Committee this year.

**Council Member Witt moved, seconded by McCoy, to re-appoint Council Member Levison to the CML Policy Committee and to re-appoint Sandra Seader, Assistant to the City Manager, as the alternate. Motion carried: 7-0.**

Council discussion focused on CML sponsored legislation for telecom lobbying and legislation as well as education.

**Council Member Levison moved, seconded by Hansen, to support both telecom and education for policy changes. Motion carried: 6-0 (McCoy absent).**

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

Jake Marsing, 949 Pasque Drive, a student at Longmont High School, indicated that athletics seems to be more important to the school district. As a result, he has become involved in Longmont's High School's Youth for Progress which provides an outlet for students who want to be involved in civic service and politics at local, state and national levels.

Susan Scruggs, 234 Sherman, spoke about National Night Out (NNO) and noted that she had applied for a block party permit for NNO but that the provisions in the permit require that the street be re-opened by 8:10 .m. This condition conflicts with the celebration of National Night Out.

**13. MAYOR AND COUNCIL COMMENTS**

Council Woman Witt noted that Council is looking forward to the Boulder County Fair Parade and invited the public to join in the biggest parade in Longmont as there is definitely a lot to see and do.

Council Member Santos mentioned that Saturday is the Large Item Stop and Drop at 375 Airport Road between 8 a.m. and 2 p.m.

Council Member Levison mentioned that she would like to send personal condolences to the country of Norway and the City of Oslo.

**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 was adjourned at 9:26 p.m.

CITY OF LONGMONT, COLORADO

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk