

CALL TO ORDER Mayor Gutierrez called the regular meeting of the Loveland City Council to order on the above date at 6:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL Roll was called and the following responded: Gutierrez, Farley, Klassen, Trenary, Fogle, McKean, Shaffer and Taylor.

PROCLAMATION Councilor John Fogle read the proclamation and Larry Turner, Exalted Ruler of the Loveland Elks Lodge #1051 accepted.

PROCLAMATION

WHEREAS the Loveland Benevolent Protective Order of Elks Lodge #1051 has been actively supporting the needs of our Loveland community since October 31, 1906; and

WHEREAS the Loveland Elks membership has come from a diverse background of prominent business men and women, the leaders in the community, scientists, inventors, artists, actors, athletes, doctors, writers, active military, veterans, educators, students, public servants, and primarily are people who have a heart to help others, people who influence and create positive impact on those around us, and carry out the motto of our Order, which is Elks Care Elks Share; and

WHEREAS the contributions of the Loveland Elks have been silently surrounding us. They have not sought recognition or repayment for what they have done, only that they hope that the people whose lives have been touched continue to be blessed, and when possible, to forward a blessing on to others;

WHEREAS the Loveland Elks 911 Community Blood Drive is an effort to bring the community together once again, to join forces with our neighboring businesses and residents, to support our local hospitals and blood banks and ultimately save the lives of those in critical need around us; and

WHEREAS it is the express desire of the Loveland Elks to continue to help those in need among us, to care for those experiencing sickness and distress, to be a place where neighbors come together, families share meals, where children grow up learning to give back to their community. It is the desire of the Loveland Elks to continue to invest in the community through programs that help children grow up healthy and drug-free, by undertaking projects that address unmet needs, and by honoring the service and sacrifice of our active military and our veterans.

NOW, THEREFORE, we the City Council of Loveland, do hereby proclaim the 11th day of September, 2012 as
911 COMMUNITY BLOOD DRIVE DAY

in Loveland, Colorado, and in so doing, urge all citizens to recognize and join in the community-wide effort to raise awareness about the importance of serving our local community, paying it forward and collaborating together to enrich and enhance the quality of life in our daily lives, and most importantly to honor the priceless gift of blood donations that are critical to saving the lives of those around us.

Signed this 4th day of September, 2012
Cecil A Gutierrez, Mayor

**PROCEDURAL
INFORMATION**

Mayor Gutierrez made the following procedural announcement: Anyone in the audience will be given time to speak to any item on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. You will be given an opportunity to speak to the item before the Council acts upon it. Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption of the staff recommendation for those items. Anyone making a comment during any portion of tonight's meeting should come forward to a microphone and identify yourself before being recognized by the Mayor. Please do not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Please limit your comments to no more than three minutes.

CONSENT AGENDA

Mayor Gutierrez asked if anyone in the audience, Council or staff wished to remove any of the items or public hearings listed on the Consent Agenda. Councilor Klassen pulled Item 3 from the agenda. Councilor Shaffer moved to approve the Consent Agenda with the exception of Item 3. The motion was seconded by Councilor Trenary and a roll call vote was taken with all councilors present voting in favor thereof.

1. CITY CLERK

Approval of Council Minutes

Motion

Administrative Action: The minutes from the August 21, 2012 regular meeting were approved.

2. CITY MANAGER

Appointments to the Boards & Commissions

Motion

Administrative Action: A motion appointing Andrew Ross to the Construction Advisory Board for a term effective until June 30, 2015 was approved.

3. DEVELOPMENT SERVICES

Historic Designation for Mariano Medina Family Cemetery

This item was pulled from the consent agenda.

4. WATER & POWER

Supplemental Appropriation for Water Utility Funds

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET FOR WATER FILTER PLANT IMPROVEMENTS AND EMERGENCY WATERLINE REPAIRS" was approved and ordered published on first reading.

5. WATER & POWER

Municipal Code Changes to Wastewater System Chapter 13.10

1st Rdg Ord & P.H.

Legislative Action: A public hearing was held and "AN ORDINANCE AMENDING THE LOVELAND MUNICIPAL CODE AT CHAPTER 13.10 CONCERNING PRETREATMENT" was approved and ordered published on first reading.

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

None

b) Business from Council

Taylor

Councilor Taylor thanked Police Chief Hecker for providing information on the Child Advocacy Center which provides services to residents in Larimer County.

McKean

Councilor McKean requested a status update from the Economic Development department on their activities and successes over the past year and their next steps at a future Council meeting.

Klassen

Councilor Klassen attended the recent retreat held by the staff of the Loveland Chamber of Commerce. At the retreat he suggested the Chamber create and maintain a higher profile with the Loveland City Council. He suggested one way to achieve this is to invite the Chamber to provide updates to the City Council on a quarterly basis.

Farley

Councilor Farley mentioned the 2012 Business Appreciation Breakfast is scheduled for Wednesday, September 5th at the Embassy Suites. Following that is the Innovation and Technology Showcase from 10:30 am to 4:00 pm at the Rocky Mountain Center for Innovation and Technology. A wine and cheese reception for museum members was held prior to the opening of the Bird Exhibit. He encouraged acquiring membership at the Museum.

Shaffer

Councilor Shaffer wished everyone a Happy Labor Day. She participated in a focus group conducted by the Housing Authority looking at their programs including things like messaging.

Trenary

Councilor Trenary is attending the presentation from the City of Greeley on September 7th regarding the establishment of an "Entertainment District". This Sunday, September 8th, is the Honor Flight ceremony sending 122 veterans to Washington DC for an overnight trip. A "Patriot's Picnic" will be held on Sunday, September 16th.

Fogle

Councilor Fogle mentioned the significant attendance at this year's Corn Roast Festival. The Loveland Rotary Club "Duck Race" was successful in their fund raising. The funds will be used to purchase dictionaries for 3rd Grade school children and provide for scholarships.

Gutierrez

Mayor Gutierrez mentioned the Peace in the Park event at the Civic Center Park on September 8th. Loveland Habitat for Humanity will be celebrating their 25th anniversary on Tuesday, September 11 and a celebration dinner will occur on Saturday, September 15th. He also attended an event last Friday honoring Madwire (Joe Kellogg) as one of 50

Colorado companies to watch. They started with three employees in 2009 and now have over 100 employees. The Mayor complemented the Police and Fire Departments and the Airport staff for their work during the President's visit.

c) City Manager Report

City Manager Cahill acknowledged the members of the Police Department for their work on the recent accreditation assessment. They have been accredited since 1992. It places our Police Department within the top 1% of all Police Departments in the country. The accreditation assessment occurred last week, during the time police were actively involved with the Corn Roast Festival, the Presidential visit and the Thunder in the Rockies event.

d) City Attorney Report

None

PROCEDURAL INFORMATION

Anyone who wishes to address the Council on any item on this part of the agenda may do so when the Mayor calls for public comment. All public hearings are conducted in accordance with Council Policy. When Council is considering adoption of an ordinance on first reading, Loveland's Charter only requires that a majority of the Council present vote in favor of the ordinance for it to be adopted on first reading. However, when an ordinance is being considered on second or final reading, at least five of the nine members of Council must vote in favor of the ordinance for it to become law.

REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

3. DEVELOPMENT SERVICES

Historic Designation for Mariano Medina Family Cemetery

1st Rdg Ord & P.H.

Legislative Action: Greg George, Director of Development Services, introduced this item. Councilor Klassen asked for the word "settler" to be inserted in the 5th "whereas" of the ordinance so that it reads "...an early settler credited with establishing the first business..." Bill Meirath from the Loveland Historical Society spoke about the research involved with the Medina Family Cemetery. The Mayor opened the public hearing at 7:10 p.m. and hearing no comments closed the hearing at 7:10 p.m. Councilor Shaffer moved to approved and ordered published on first reading "AN ORDINANCE DESIGNATING AS A HISTORIC LANDMARK THE MARIANO MEDINA FAMILY CEMETERY LOCATED ADJACENT TO NAMAQUA AVENUE TO THE WEST AND NAMAQUA ELEMENTARY SCHOOL TO THE SOUTH IN LOVELAND, COLORADO". Councilor Klassen seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

6. CITY CLERK

Approval of Council minutes

Motion

Administrative Action: City Clerk Terry Andrews introduced this Item to Council. Not all Councilors were present at the August 14, 2012 study session. Councilor Trenary moved to approve the minutes from the August 14, 2012 study session. Councilor Taylor seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

7. POLICE

Larimer Humane Society Update Information Only

This is an information item providing a brief update on the first six months' performance of the Humane Society under the reduced rate contract for 2012. Chief Hecker introduced this item to Council. Judy Calhoun, Executive Director of the Larimer Humane Society gave an introduction to Council. A presentation was made by Captain Bill Porter, Larimer Humane Society and Lt. Tim Brown LPD. Consensus of Council was to address the following concerns in the January 1, 2013 contract: develop specific statistics to measure service levels and streamline processes around how residents' access services (911, calls to Police Department, calls to Larimer Humane Society).

8. DEVELOPMENT SERVICES

Right-of-Way Easement Vacation – Hariow Addition (First Bank Building) Ordinance #5700

Legislative Action: City Planner Brian Burson introduced this item to Council. This is a legislative action to vacate a portion of a public alley right-of-way in the Hariow Addition to the City of Loveland. The applicant is First Bank. First Bank will dedicate a new public access, emergency access and utility easement to replace the vacated portion of the alley right-of-way. This will assure that all owners of property abutting this alley, as well as all utility providers and emergency services, will continue to have the same access rights. City Council unanimously approved the ordinance on first reading on August 21, 2012. Since then the ordinance was amended to grant the replacement easement by means of the plat rather than by a separate document. All other provisions of the ordinance remain the same as for first reading. Councilor Shaffer moved to make the findings in Section VII, of the July 23, 2012 Planning Commission staff report, and adopt, on second reading, an ordinance vacating a portion of a public alley right-of-way in the Hariow Addition to the City of Loveland, Larimer County, Colorado. Councilor Taylor seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

9. FINANCE

July 2012 Financial Report Information Only

Finance Director Brent Worthington introduced this item to Council. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the seven months ending July 31, 2012.

10. CITY MANAGER

INVESTMENT REPORT FOR JULY 2012 Information Only

Executive Fiscal Advisor Alan Krmarik introduced this item to Council. The budget estimate for investment earnings for 2012 is \$2,729,560. Through July 2012, the amount posted to the investment account is \$1,658,581 including realized gains. Actual year-to-date earnings are higher than the year-to-date projection by \$49,715. Based on the July monthly statement, the estimated annualized yield on the U.S. agencies and corporates remained at 1.31%, under the annual target rate of 1.7% for 2012. Reinvestment rates are still near record low levels, much lower than the budget projection.

ADJOURNMENT

Having no further business to come before Council, the September 4, 2012
Regular Meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Teresa G. Andrews

Teresa G. Andrews, City Clerk



Cecil A. Gutierrez

Cecil A. Gutierrez, Mayor