

**LOVELAND CITY COUNCIL MEETING  
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS  
GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS  
TUESDAY, APRIL 16, 2013  
CITY COUNCIL CHAMBERS  
500 EAST THIRD STREET  
LOVELAND, COLORADO**

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act. For more information, please contact the City's ADA Coordinator at [bettie.greenberg@cityofloveland.org](mailto:bettie.greenberg@cityofloveland.org) or 970-962-3319.

**5:30 P.M.                    DINNER - City Manager's Conference Room  
6:30 P.M.                    REGULAR MEETING - City Council Chambers**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PROCLAMATION DECLARING APRIL 19, 2013, AS "ARBOR DAY" (Rob MacDonald)**

**PROCLAMATION DECLARING APRIL 20, 2013, AS "THE DAY OF THE ANNUAL SPRING WATERWAY CLEAN-UP EVENT" (Joe Chaplin)**

**PROCLAMATION DECLARING APRIL 29, 2013 – May 5, 2013, AS "MARINE CORPS LEAGUE WEEK" (Tom Buchanan)**

**PRESENTATION OF FINANCE AWARD: CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING (CAFR) (Brent Worthington)**

*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**

1. **CITY CLERK** (presenter: Terry Andrews)  
**APPROVAL OF COUNCIL MINUTES**  
**Motion to approve City Council minutes from the April 2, 2013 regular meeting**  
This is an administrative action to approve the City Council minutes.
2. **CITY MANAGER**  
**BOARD & COMMISSION APPOINTMENTS**  
**A consideration of a motion to Appoint Stan Griep to the Construction Advisory Board**  
This is an administrative action recommending the appointment of Stan Griep to the Construction Advisory Board for a full term effective until June 30, 2015.
3. **PUBLIC WORKS/ PARKS & RECREATION** (presenter: Dave Klockeman)  
**IGA WITH CDOT-MADISON AVENUE PEDESTRIAN IMPROVEMENTS**  
**A motion to approve and order published on second reading an ordinance for the Supplemental Budget and Appropriation to The 2013 City of Loveland Budget for a State Grant to Construct Sidewalk, Street and Gutter Improvements, and Street Lights Along the East Side of Madison Avenue, from 29th Street North, to Seven Lakes Drive.**  
This is an administrative action. This grant will partially fund the replacement of the bridge on Madison Avenue at the Chubbuck Ditch. The ordinance appropriates the grant funds. The estimated cost of this project is \$97,000.00. Award of a federal Safe Routes to School grant in 2012 will provide \$90,000.00. The local match is estimated at \$7,000. The local funds will come from the Public Works Department 2013 budget for street capital improvement projects City Council approved this ordinance unanimously on April 2, 2013.
4. **DEVELOPMENT SERVICES** (presenter: Noreen Smyth)  
**REPEALING & REENACTING CHAPTER 18.05 AND CHAPTER 16.18**  
**A motion to approve and order published on second reading an ordinance Repealing and Reenacting Chapter 18.05, Repealing Section 16.16.070, and Enacting a New Chapter 16.18 Regarding Public Notice Requirements for Land Use and Zoning Matters**  
A legislative action to consider the second reading of an ordinance to approve a staff-initiated text amendment to the Subdivision and Zoning Codes to modify requirements related to provisions for public notices. The notice requirements for oil and gas development will be established in a separate amendment, which is scheduled for Planning Commission on April 22<sup>nd</sup> and Council on May 21<sup>st</sup>. City Council approved this ordinance unanimously on April 2, 2013.
5. **DEVELOPMENT SERVICES** (presenter: Noreen Smyth)  
**PUBLIC HEARING**  
**KOLDEWAY INDUSTRIAL 2<sup>ND</sup> SUBDIVISION REZONING**  
**Motion to approve and order published on first reading;**
  1. **An ordinance Amending Section 18.04.040 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for Certain Property Located in Lots 2 and 3, Block 1, Koldeway Industrial Second Subdivision, City of Loveland, Larimer County, Colorado; and**
  2. **An ordinance Vacating a Public Right-Of-Way (Alley) Adjacent to Lots 1, 2, and 3, Block 1, Koldeway Industrial Second Subdivision, City of Loveland, Larimer County, Colorado**

A quasi-judicial action to adopt an ordinance on first reading rezoning Lots 2 and 3, Block 1, of the Koldeway Second Industrial Subdivision from I-Developing Industrial to B-Developing Business and amending a Development Agreement and a legislative action to adopt an ordinance on first reading vacating a public right-of-way. The 3.12 acre property is located on the east side of Denver Avenue, one lot south of 11th Street. The owner of the property is Loveland Midtown Development, Inc.

6. **DEVELOPMENT SERVICES** (presenter: Noreen Smyth)  
**PUBLIC HEARING**  
**RANGE VIEW 3<sup>RD</sup> (LAKE VISTA) UTILITY EASEMENT**  
**A motion to approve and order published on first reading an ordinance Vacating a Portion of a Private Access, Emergency Access, and City of Loveland Water and Sewer Easement on Lot 4, Block 1, Range View Third Subdivision, City of Loveland**  
This is a legislative action for adoption of an ordinance on first reading to vacate an 89 square foot/up to 2.7 feet in width portion of an easement in the Range View Third Subdivision, located at 2331 Rocky Mountain Avenue.
7. **ECONOMIC DEVELOPMENT** (presenter: Cindy Mackin)  
**IGA FOR NORTHERN COLORADO USA PRO CHALLENGE ORGANIZING COMMITTEE**  
**A motion to approve a resolution #R-26-2013 approving an Intergovernmental Agreement for the Creation of the Northern Colorado Pro Challenge Local Organizing Committee**  
This is an administrative action to approve a resolution establishing the Northern Colorado USA Pro Challenge Local Organizing Committee (LOC) which will be the new governmental entity responsible for planning, funding, promoting and conducting the Loveland-Fort Collins stage of the August, 2013 USA Pro Challenge professional bicycle race.
8. **PUBLIC WORKS** (presenter: Dave Klockeman)  
**AWARD CONSTRUCTION CONTRACT**  
**A motion to Award the Construction Contract for the 2013 Street Resurfacing Program, Chip Seal Schedule CS (Project ENSR010-CS) to A-1 Chip Seal Company**  
This is an administrative action to award of the 2013 Street Resurfacing Program, Chip Seal Schedule CS (Project ENSR010-CS) to A-1 Chip Seal Company of Denver, Colorado, in the amount of \$585,000.00, and authorize the City Manager to execute the contract.
9. **FINANCE** (presenter: John Hartman)  
**PUBLIC HEARING**  
**SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2012 CITY BUDGET**  
**A motion to approve and order published on first reading an ordinance Enacting a Supplemental Budget and Appropriation to The 2013 City of Loveland Budget to Reappropriate Remaining Funds for Projects Approved but Not Completed in 2012**  
This is an administrative action. The Ordinance reappropriates funding for capital projects and other one-time projects approved but not completed in the prior year.

**ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)**

**10. FINANCE**

**PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2012 LURA BUDGET**

**A motion to approve and order published on first reading an ordinance Enacting a Supplemental Budget and Appropriation to The Loveland Urban Renewal Authority Budget Reappropriating The Façade Grant Program and Funding for Parking Lot Improvements Approved in 2012 but not Completed**

This is an administrative action. Reserves are reappropriated for the Façade Grant Program and parking lot improvements.

**ADJOURN AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)**

**11. FINANCE**

**(presenter: John Hartman)**

**PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2012 GID BUDGET**

**A motion to approve and order published on first reading an ordinance Adopting a Supplemental Budget and Appropriation for The 2013 Loveland General Improvement District #1 to Reappropriate Funds for Signal Light Upgrades and Parking Lot Improvements Approved in 2012 but Not Completed.**

This is an administrative action. Funds approved in 2012 for signal pole upgrades and parking lot improvements are appropriated to complete the projects.

**ADJOURN AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID) AND RECONVENE AS CITY COUNCIL**

**12. FINANCE**

**(presenter: John Hartman)**

**PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2012 AIRPORT BUDGET**

**A motion to approve and order published on first reading an ordinance Enacting a Supplemental Budget and Appropriation to The 2013 Ft. Collins-Loveland Municipal Airport Budget to Appropriate Funds for Projects Approved but Not Completed in 2012.**

This is an administrative action. The ordinance appropriates the remaining balance for capital projects and equipment purchases previously approved in 2012.

**13. FINANCE**

**(presenter: John Hartman)**

**PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2012 NEW PROJECTS BUDGET**

**A motion to approve and order published on first reading an ordinance Enacting A Supplemental Budget And Appropriation to The 2013 City Of Loveland Budget for Projects or Programs Not Anticipated at the Time of Adoption for The 2013 Budget**

This is an administrative action. Since the adoption of the 2013 Budget, several issues have emerged that require increased appropriations. This ordinance addresses those issues. The total amount of net appropriation (total expenses excluding transfer between funds) is \$5.29 million. The appropriation is funded by \$5.28 million of fund balance and \$13,390 of Federal Grant Revenue.

14. **FINANCE** (presenter: John Hartman)  
**SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2012 LOVELAND FIRE RESCUE AUTHORITY BUDGET**

**A motion to approve a resolution #R-27-2013 Approving a Supplemental Budget and Appropriation to The Loveland Fire Rescue Authority 2013 Budget**

This is an administrative action. The resolution provides for Council approval of supplemental changes to the Loveland Fire Rescue Authority 2013 Budget to reappropriate operational expenses and add a Lieutenant position in the Community Safety Division. The Council approval of the budget is required for the Authority's budget to be in effect.

**END OF CONSENT AGENDA**

**CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA**

**CITY COUNCIL**

- a. **Citizens' Report** *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*
- b. **Business from Council** *This is an opportunity for Council Members to report on recent activities or introduce new business for discussion at this time or on a future City Council agenda.*
- c. **City Manager Report**
- d. **City Attorney Report**

**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 quorum 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**

15. **CITY CLERK** (presenter: Terry Andrews)

**APPROVAL OF COUNCIL MINUTES**

**A motion to approve minutes from the March 26, 2013 study session.**

This is an administrative action to approve the Council minutes. This item is on the regular agenda as Councilors Fogle and Taylor were not present at the meeting.

16. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)  
**ROUGHING IT IN STYLE**

**A discussion and consideration of a Sales Tax Rebate Incentive for “Roughing It In Style”**

This is an information only item. “Roughing It In Style” is a family-owned custom furniture manufacturer and retailer. The ownership group is considering a Loveland location on Byrd Drive immediately north of the Thunder Mountain Harley Davidson dealership. The company is asking the City Council to consider a request for a sales tax rebate of up to, but not to exceed, \$150,000 over a period of 36 months.

17. **FIRE & RESCUE** (presenter: Randy Mirowski)  
**PUBLIC HEARING**  
**BURN BAN & RESTRICTIONS**

**A motion to approve and order published on first reading an ordinance Amending City Code Chapter 15.28 Granting the City Council and the City Manager Authority to Impose Outdoor Fire Bans and Restrictions Under Certain Emergency Circumstances Within the City of Loveland**

This is a legislative action to consider an ordinance amending the City Code to grant authority to both the City Manager and the City Council, under certain emergency situations, to quickly impose outdoor fire bans and restrictions within the City of Loveland. This ordinance does not include the authority to impose a ban or restrictions on the use of permissible fireworks within the City of Loveland.

**ADJOURN**