



unanimously approved this ordinance on first reading, at the regular meeting on August 20, 2013.

2. **FINANCE** (presenter: John Hartman)  
**ESTABLISHING PUBLIC HEARING DATE FOR 2014 RECOMMENDED BUDGET**  
A motion to approve Resolution #R-64-2013 Establishing a Date, Time, and Place for a Public Hearing on the 2014 Recommended Budget for the City of Loveland, Colorado was approved.  
This is an administrative action. The resolution sets the date for the public hearing for October 1, 2013.

3. **DEVELOPMENT SERVICES** (presenter: Troy Bliss)  
**KING OF GLORY ADDITION ANNEXATION ESTABLISHING HEARING DATE**  
A motion to approve Resolution #R-65-2013 Finding a Certain Petition for Annexation Known as King of Glory Addition, Filed on June 10, 2013, to be in Substantial Compliance with Section 30 of Article II of the Colorado Constitution and With the Requirements of §31-12-107(1), C.R.S.; and Establishing a Date, Time, and Place for a Hearing to Determine Whether the Proposed Annexation Complies with the Applicable Requirements of Sections 31-12-104 and 31-12-105, C.R.S., and is Eligible for Annexation to the City of Loveland, Colorado was approved.  
This is a legislative action to consider a resolution setting a public hearing date of October 15, 2013 for City Council to consider a petition to annex approximately 4.2 acres to be known as King of Glory Addition. The applicant is King of Glory Lutheran Church. The property is generally located at the northwest corner of W. 29th Street and N. Wilson Avenue and is occupied by King of Glory Lutheran Church, which includes two attached structures with a combined floor area of approximately 18,000 square feet.

## 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.*  
None.
- 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.*

Fogle: Announced the Corn Roast Festival was a success; \$32,000 was given to Thompson R2J from the proceeds of the Rotary Club Duck Race; Setback area of map could be allowed on the website.

Taylor: Announced Habitat for Humanity Build-a-Thon on October 8-10, encouraged citizens to form a team and enter.

Shaffer: Attended the Corn Roast; Announced "Eggstraordinary" Event on September 6, 2013.

Trenary: Attended the Corn Roast/US Pro Challenge and thanked the volunteers and City Staff; Attended the Mehaffey Park Ground breaking on August 27, 2013; Announced the Ground breaking of the Service Center on September 4, 2013; Announced the Business Appreciation Breakfast on September 5, 2013.

Clark: Attended the Corn Roast; Expressed appreciation to Mindy McCloughen,

Chamber of Commerce President for all of her hard work for the Corn Roast Festival. The Chamber will be conducting a survey for opinions regarding holding the with Corn Roast downtown vs. the Old Fairgrounds property; Councilor Clark's father, Willard Clark passed away- councilor Clark thanked the citizens for their outpouring of support.

Klassen: Attended the Group Publishing –Community Service Awards ceremony last week- grants totaling \$61,000 were awarded, with first place being awarded to Loveland not-for-profit "Amy's House" in the amount of \$25,000.

McKean: Attended the Corn Roast; Congratulated Grand Marshalls, Annie Hall and Bill and Elizabeth Markham.

Farley: Reminded the Councilors to "talk into the microphones during the meetings".

Gutierrez: Announced the Cravin' Cajun Ball Community Event on September 20, 2013 from 6-10 p.m.

**c. City Manager Report:**

Recognized Four key city departments for their contribution to the US Pro Challenge and the Corn Roast: Police, Fire, Economic Development, and Public Works; Special Recognition was given to Sean Keller and Sgt. James Gardener for their many hours of work on the US Pro Challenge. Council requested staff give a briefing of how the US Pro Challenge/Corn Roast went before the next event; Mayor Gutierrez recognized Cindy Makin from Economic Development and the Northern Colorado Organizing committee.

**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 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**

**Consensus of Council was to remove Items 8 and 9 from the Agenda.**

**4. CITY CLERK**

**(presenter: Terry Andrews)**

**APPROVAL OF MINUTES**

1. City Clerk, Terry Andrews introduced this item to Council. This is an administrative action to approve the August 13, 2013 Special Meeting & Study Session Meeting Minutes. Councilors Shaffer and McKean were not present. **Councilor Shaffer moved to approve the August 13, 2013 Special Meeting & Study Session Meeting Minutes. Councilor Klassen seconded the motion which carried with all councilors present voting in favor thereof. Councilors McKean and Shaffer abstained.**
2. City Clerk, Terry Andrews introduced this item to Council. This is an administrative action to approve the August 20, 2013 Regular Meeting Minutes. Councilor Farley

was not present. **Councilor Shaffer moved to approve the August 20, 2013 Regular Meeting Minutes. Councilor Klassen seconded the motion which carried with all councilors present voting in favor thereof. Councilor Farley abstained.**

5. **CITY ATTORNEY** (presenter: John Duval)  
**CITIZEN INITIATIVE PETITION FOR A TWO-YEAR MORATORIUM ON HYDRAULIC FRACTURING**

City Attorney, John Duval introduced this item to Council. The proposed ordinance is a legislative action for the Council to adopt on its own authority the ordinance proposed in the citizen initiative for a two-year moratorium on hydraulic fracturing. The resolutions are both administrative actions. The first resolution refers to the voters and fixes a ballot title for the citizen-initiated ordinance "A Resolution of the Loveland City Council Submitting Pursuant to C.R.S. Section 31-11-104(1) A Citizen-Initiated Ordinance to a Vote of the City's Registered Electors at the City's Regular Election on November 5, 2013" and the second does the same with amended language that provides the City Council is not exercising their independent referral authority. It also clarifies the results of the election are subject to the outcome of the appeal process provided by State Statute. City Attorney asked Council to make a motion to allow him to accept service on behalf of the City Council of the summons and complaint between the City of Loveland, the City Clerk and City Council by Larry Sarner. **Councilor Shaffer moved to allow City Attorney, John Duval to accept service on behalf of the City Council of the summons and complaint between the City of Loveland, the City Clerk and City Council by Larry Sarner. The motion was seconded by Councilor Fogle and carried with all councilors voting in favor thereof.**

City Attorney, John Duval made mention of the four options for Council:

1. Consider the Ordinance
2. Consider the Resolution #R-67-2013
3. Consider the Resolution #R-68-2013
4. City Council Authority to direct an item to the voters

Mayor Gutierrez opened the public hearing at 7:30 p.m.

The following citizens showed their support: Dick Mullot, in support of referring the matter to the voters; Kay Fisenger; in support of referring the matter to the voters; Evelyn Bingham on W. 11<sup>th</sup>; in support of referring the matter to the voters; Alexi Grewal on 5531 W 1<sup>st</sup>; in support of referring the matter to the voters; Kathy Hartman at 945 E 6<sup>th</sup> Street; in support of referring the matter to the voters; Mary Batrus Mayer at 444 Logan; in support of referring the matter to the voters; Linda McCaula; in support of referring the matter to the voters; Sharon Amhorn on Garfield, in support of referring the matter to the voters; Kim Orr, in support of referring the matter to the voters; Leo Hatherly at 3305 N. Franklin; in support of referring the matter to the voters ; David Hallet, in support of referring the matter to the voters; Frederick Moose; in support of referring the matter to the voters; Evie Buckner, in support of referring the matter to the voters; Bonnie Cuphill, in support of referring the matter to the voters; Weldon Theese Filbert, in support of referring the matter to the voters; Sal Valdiva, in support of referring the matter to the voters; Susan Lewis, in support of referring the matter to the voters; Bruce Welling at 411 W 11<sup>th</sup>; in support of referring the matter to the voters; Karen Blair, in support of referring the matter to the voters; Fred at 1732 W 29<sup>th</sup>, in support of referring the matter to the voters; and Jan Rosetta Shockner, in support of referring the matter to the voters. The following were in support of "doing nothing" at this time; Nick Petersen, in support of "doing nothing" at this time; Alan at 1714 Sockhill, in support of "doing nothing" at this time; Larry Sarner at 711 W, in support of "doing nothing" at this time; Andy Peterson at

2154 W Eisenhower, in support of “doing nothing ”at this time; Jack Kantley, in support of “doing nothing” at this time; and Troy Krenning at 2908 Bent Drive, in support of “doing nothing” at this time. With no further public comment the Mayor closed the public hearing at 8:52 p.m.

**Councilor Shaffer moved to approve Resolution#R-67-2013, “A Resolution of the Loveland City Council Submitting Pursuant to C.R.S. Section 31-11-104(1) A Citizen-Initiated Ordinance to a Vote of the City’s Registered Electors at the City’s Regular Election on November 5, 2013.” Councilor Trenary seconded the motion which failed with four councilors voting in favor and Councilors Klassen, McKean, Fogle, Clark and Taylor voting against.**

**Councilor Shaffer moved to “take no action on the citizen initiative petition and to allow the appeal to go forward”. Councilor Farley seconded the motion and the motion passed with five councilors voting in favor and Councilors Shaffer, Trenary, Gutierrez and Farley voting against.**

**6. PUBLIC WORKS (presenter: David Klockeman)**

**CDOT’S FUTURE OPTIONS FOR NORTH I-25**

**North I-25 from 120<sup>th</sup> Avenue to State Highway (SH) 14 (Mulberry Avenue) – Options and Input for Future**

City Engineer, David Klockeman introduced this item. Staff is looking for Council direction. CDOT representatives provided information related to the future options of North I-25, from 120th Avenue to SH 14 (Mulberry). This effort is associated with CDOT’s Responsible Acceleration of Maintenance and Partnerships (RAMP) Program, currently under consideration, which includes possible funding for North I-25. Johnny Olson, Aaron Grecko, and Rich Chuster, James Lohr, Ina Cisman asked for a letter of support. Other parties involved- Erie, Dacono, Firestone, Frederick, Mead, Weld County and Broomfield. **Consensus of Council was to direct Staff to create a letter for the Mayor’s signature in support of continued discussion on CDOT Regent 4 application for RAMP Funding.**

**7. PUBLIC WORKS (presenter: David Klockeman and Kevin Gingery)**

**REVISIONS TO SYSTEM INVESTMENT FEES AND STORMWATER UTILITY FEES**

This item was postponed until the next regular meeting on September 17, 2013.

**8. FINANCE (presenter: Brent Worthington)**

**JULY 2013 FINANCIAL REPORT**

This item was removed from the agenda.

**9. CITY MANAGER (presenter: Alan Krcmarik)**

**INVESTMENT REPORT FOR JULY 2013**

This item was removed from the agenda.

**ADJOURNMENT**

Having no further business to come before Council, the September 3, 2013 Regular Meeting was adjourned at 12:01 a.m., September 4, 2013.

Respectfully Submitted,

  
Teresa G. Andrews, City Clerk



  
Cecil A. Gutierrez, Mayor

