# **AGENDA** LOVELAND CITY COUNCIL MEETING LOVELAND URBAN RENEWAL AUTHORITY **TUESDAY, MAY 19, 2015** 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 or 970-962-3319.

5:30 P.M. DINNER

6:30 P.M. **REGULAR MEETING - City Council Chambers** 

CALL TO ORDER

PLEDGE OF ALLEGIANCE

**ROLL CALL** 

PROCLAMATION DECLARING MAY 17-23, 2015 AS NATIONAL PUBLIC WORKS WEEK (Leah Browder, Public Works Director)

PROCLAMATION DECLARING MAY, 2015 AS MOTORCYCLE SAFETY AWARENESS MONTH (Kristy McNeill, Brandy Jaramillo and Yvette Rikli)

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. Members of the public 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 comments to no more than three minutes.

# **CONSENT AGENDA**

1. APPROVAL OF MEETING MINUTES

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

A Motion to Approve the City Council Meeting Minutes for the, April 28, 2015 Study Session and the May 5, 2015 Regular meeting minutes.

- 1. This is an administrative action to approve the City Council meeting minutes for the April 28, 2015 Study Session.
- 2. This is an administrative action to approve the City Council meeting minutes for the May 5, 2015 Regular Meeting.

# 2. CITY MANAGER

# APPOINTMENT TO CULTURAL SERVICES BOARD

A Motion to Appoint Juanita Cisneros to the Cultural Services Board For A Partial Term Effective Until December 31, 2015

This is an administrative item recommending the appointment of a member to the Cultural Services Advisory Board. Juanita Cisneros was interviewed on April 28, 2015 and is recommended for appointment to the Board for a term effective until December 31, 2015.

# 3. <u>CITY MANAGER</u> (presenter: Bill Cahill)

# APPOINTMENTS TO THE YOUTH ADVISORY COMMISSION

A Motion to Appoint the Recommended Members to the Youth Advisory Commission

This is an Administrative Item recommending appointments of members for the Youth Advisory Commission as follows:

Reappoint as YAC Commissioners:

Payton Buhler Billie Anna Runions

Elijah Solt Jack Crowley Lorenzo Scalise

Oliver Byles Caitlin Parets

Caitiin Parets
Hattie Volk

Appoint as YAC Commissioners:

Michael Selbert Stirling Pettit Mark McKenna Nicholas Jacoby Appoint as YAC Alternates:

(presenter: Bill Cahill)

Brandon Lindsey Ava McQuade Megan Valliere Zoe Keeler

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

# 4. <u>FINANCE</u> (presenter: Marc Kahn) SUPPLEMENTAL APPROPRIATION FOR 2015 LURA BUDGET

A Motion to Approve and Order Published On Second Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2015 Loveland Urban Renewal Authority Budget For Projects Or Programs Not Anticipated At The Time Of Adoption For The 2015 Budget

This is an administrative action. In 2013, City Council approved an interfund loan of \$1,500,000 from the Recreation CEF Fund, Library CEF Fund, and the General Government CEF Fund to the Loveland Urban Renewal Authority to help fund a mixed-use building in the downtown area (the Gallery Flats project). The principal payments were included in the 2015 Budget, but the interest payments were not. The ordinance authorizes repayment into the identified CEF funds to increase the appropriation to include the interest payment on the loan. This is repayment to the City from the URA. The total amount of the appropriation is \$45,960 funded by available fund balance. This ordinance was unanimously approved on first reading by Council at the May 5, 2015 regular meeting.

ADJOURN AS THE BOARD OF THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) AND RECONVENE AS CITY COUNCIL

#### 5. **CULTURAL SERVICES**

SUPPLEMENTAL APPROPRIATION FOR VARIOUS CULTURAL SERVICES EVENTS A Motion to Approve and Order Published on Second Reading An Ordinance **Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland** Budget For Foote Lagoon Concerts, Strings In The Gallery Program, And Artsteps. This is an administrative action. Donations were received for the following programs presented by the Cultural Services Department: \$20,000 from Kaiser Permanente for the 2015 Foote Lagoon Concert Series: \$2,200 from the Erion Foundation to support four performances by string quartets in the main art gallery; \$1,000 from the Erion Foundation to support the Museum/Thompson School District ArtSteps residency program for students. These programs would not be possible without the support of the donors. This ordinance was unanimously approved on first reading by Council at the May 5, 2015 regular meeting.

(presenter: Susan Ison)

(presenter: Brian Burson)

#### 6. FIRE AUTHORITY

# (presenter: Mark Miller) SALE OF PROPERTY ON ROSSUM DRIVE

A Motion to Approve and Order Published on Second Reading An Ordinance Authorizing the Sale of Real Property Located within the City of Loveland on Rossum Drive Pursuant to Section 4-7 of the City of Loveland Municipal Charter

This is an administrative action and public hearing on first reading regarding the sale of City property on Rossum Drive for \$135,000. The City of Loveland owns 1.83 acres on Rossum Drive located near 1220 Rossum Drive along West Highway 34. The property was purchased in 2002 for \$230,000 with fire capital expansion fees for a future station location. In Fire's judgment, the property is not the appropriate location for a new station. The buyer, Shannon Jaeger, is proposing to combine this property with an adjoining property to build a senior living facility. The proposed facility is intended to serve seniors that can live independently with limited health care services. \$135,000 on the sale of the land would be deposited to the Fire Capital Expansion Fee Fund that originally purchased the property on November 13, 2002. This ordinance was unanimously approved on first reading by Council at the May 5, 2015 regular meeting.

#### 7. **DEVELOPMENT SERVICES**

**PUBLIC HEARING** 

EASEMENT VACATION IN ANDERSON FARMS 5TH SUBDIVISION

A Motion to Approve and Order Published on First Reading An Ordinance Vacating A Portion Of A Shared Access Easement Located Within Lots 1 And 2, Block 1, Anderson Farms 5th Subdivision, City Of Loveland, County Of Larimer, State Of Colorado

This is a legislative action to consider adoption of an ordinance, on first reading, to vacate a shared access easement across two lots in Anderson Farm 5th Subdivision. conjunction with pending development by Drywall Supply, the two lots will be merged into a single lot, and the shared access easement will no longer be needed. The Planning Commission recommended approval of the vacation as part of their Consent Agenda on April 27, 2015.

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

#### PUBLIC COMMENT

Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.

# PROCEDURAL INFORMATION

Anyone in the audience will be given time to speak to any item on the Regular Agenda before the

Council acts upon it. The Mayor will call for public comment following the staff report. 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

## 8. DEVELOPMENT SERVICES

# TURNEY BRIGGS ADDITION VACATION

A Motion to Approve And Order Published On Second Reading An Ordinance Vacating A Portion Of A Public Right-Of-Way Located In Block 4 Of The Turney-Briggs Addition To The City Of Loveland, Larimer County, Colorado

(presenter: Troy Bliss)

This is a legislative action to consider adoption of an ordinance on second reading, vacating a portion of public right-of-way (alley) within the Turney-Briggs Addition and Turney-Briggs First Subdivision – located at the northeast corner of N. Lincoln Avenue and E. Eisenhower Boulevard. The right-of-way to be vacated includes a "T" shaped portion of alley that exists on properties proposed for redevelopment of a Sprouts grocery store. The alley does include existing utilities that would need to be rerouted with new easements established which are being addressed through separate development applications. On May 5, 2015 City Council approved the first reading of the ordinance by a vote of eight to one.

# 9. FINANCE (presenter: Brent Worthington)

# **PUBLIC HEARING**

### REDUCTION OF SALES TAX ON FOOD FOR HOME CONSUMPTION

A Motion to Approve and Order Published on First Reading An Ordinance Amending 3.16.020 (A) of the Loveland Municipal Code to Reduce Sales Tax on Food for Home Consumption

This is a legislative action. At the April 7, 2015 City Council meeting, City Council voted not to approve an Ordinance on Second Reading that would have reduced sales tax on food for home consumption over a three year period, with the tax being reduced to 2% effective November 1, 2015, to 1% effective November 1, 2016, and such sales tax on the sale of food for home consumption is eliminated effective November 1, 2017. The total effect of the elimination of sales tax on food for home consumption is an approximate \$6.5 million per year at full reduction. At that meeting, City Council moved to bring this ordinance back on first reading and directed Staff to research and prepare an analysis demonstrating the impacts of such sales tax reduction on General Fund programs and services. Staff has completed the process, and the ordinance is back, for first reading.

# 10. <u>CITY MANAGER</u> (presenter: Bill Cahill) APPOINTMENTS TO THE NORTHERN COLORADO REGIONAL AIRPORT COMMISSION

A Motion Adopting a Resolution #R-30-2015 Appointing Members to Northern Colorado Regional Airport Commission

This is an administrative item. This resolution will appoint two citizen members: Curt Burgener for a four year term, and Jerry Stooksbury as the recommended Joint Citizen Member for a four year term to the Northern Colorado Regional Airport Commission. The resolution will also appoint two City of Loveland Members "who shall be Council members or City Staff" to the Northern Colorado Regional Airport Commission. Council will need to insert the names of these two members, prior to adoption of the resolution.

# **BUSINESS FROM CITY 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.

**CITY MANAGER REPORT** 

**CITY ATTORNEY REPORT** 

**ADJOURN**