



**MINUTES**  
**LOVELAND CITY COUNCIL MEETING**  
**Tuesday, February 7, 2017 CITY COUNCIL CHAMBERS 6:00 PM**

**COUNCIL PRESENT:**

Mayor Pro Tem Fogle  
Councilors:  
Krenning, Ball, Shaffer, Overcash, Clark and Johnson.

**COUNCIL ABSENT:**

Mayor Gutierrez

**1. INTRODUCTION**

**1.1. CALL TO ORDER**

**1.2. PLEDGE OF ALLEGIANCE**

**1.3. ROLL CALL**

**1.4. PROCLAMATIONS AND PRESENTATIONS**

**1.4.1. PRESENTATION: TERRY ANDREWS' RECOGNITION**

Mayor Pro Tem Fogle presented Terry Andrews with a plaque recognizing her service and dedication as she retires as City Clerk.

**1.4.2. PRESENTATION: 2017 MISS LOVELAND VALENTINE**

Norma Jean Goodheart, the Miss Loveland Valentine chaperone, introduced McKenna Dellinger, Miss Loveland Valentine 2017

**2. CONSENT AGENDA**

*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. Comments will be limited to no more than three minutes, the City Clerk will start the timer once an introduction is made and a buzzer will sound when the three minutes have expired.*

***A Motion to approve items 2.1 - 2.9 on the Consent Agenda.  
Moved by Councilor Shaffer, seconded by Councilor Clark.***

CARRIED UNANIMOUSLY.

**2.1. CITY CLERK  
APPROVAL OF MINUTES**

Approval of the City Council minutes for the January 10, 2017 Special Meeting and Study Session and the January 17, 2017 Regular Meeting.

***A Motion to Approve the City Council minutes for the January 10, 2017 Special Meeting and Study Session.***

***A Motion to Approve the City Council minutes for the January 17, 2017 Regular Meeting.***

CARRIED.

**2.2. CITY MANAGER  
APPOINTMENTS TO BOARDS AND COMMISSIONS**

This is an item appointing members to the Citizens' Finance Advisory Commission, the Historic Preservation Commission and the Visual Arts Commission.

***A Motion to Reappoint David Hallet and Bradley Pierson to the Citizens' Finance Advisory Commission, each for a term effective until December 31, 2019.***

***A Motion to Reappoint Abbie Powers and Jade Windell to the Visual Arts Commission, Each for a Term Effective Until December 31, 2019.***

***A Motion to Appoint Zachary Askeland to the Historic Preservation Commission for a Term Effective Until June 30, 2019.***

***A Motion to Appoint Bruce Gueswel to the Visual Arts Commission for a Term Effective Until December 31, 2019.***

CARRIED.

**2.3. PUBLIC WORKS  
287 CURVE NEIGHBORHOOD TRAFFIC SAFETY IMPROVEMENT**

In response to ongoing and repeated resident concerns, staff has worked closely with residents living on southbound US287 adjacent to the curve where 287 becomes one-way Cleveland Avenue for the past 15 months. In order to support increased traffic safety and provide an additional measure of protection for concerned residents, supplemental funding of \$150,000 to construct currently unbudgeted safety improvements (barriers and guardrail) is requested. The proposed project, as approved by the residents, extends the existing west side barrier wall southward approximately 160' and also installs ironwood barrier across the frontage of five residential properties located along the east side of the roadway. If approved, the schedule for construction of the improvements would be the summer 2017. The design and public outreach portions of the project have been completed. CDOT acceptance of the proposed design has been secured. The current unassigned balance in the Excess TABOR fund is \$13,557,812. If the request is approved, the remaining unassigned fund balance in the Excess TABOR fund will be \$13,407,812. This item was approved unanimously on first reading at the January 17, 2017 City Council meeting.

***A Motion To Adopt On Second Reading, Ordinance #6087, Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For A US287 Southbound Curves Neighborhood Traffic Safety Improvement Project.***

CARRIED.

#### **2.4. FINANCE INITIAL PROJECTS RE-APPROPRIATION CITYWIDE**

Budget Office staff worked with City departments to identify remaining balances related to on-going projects appropriated but not completed in 2016 that need to be re-appropriated for continuation in 2017. Included in this ordinance are remaining balances for capital or one-time projects, equipment purchases, or contracts that were originally budgeted in 2016, but not completed by year-end, that are recommended for re-appropriation in 2017. Unspent appropriation related to these items reverted to the fund balance of origin at the end of 2016 and is available for re-appropriation in 2017. Gross re-appropriations, the sum of the total re-appropriations for each fund, total is \$85,763,595. The net re-appropriations, excluding \$10,110,182 in transfers made between the various funds, total is \$75,653,413. Transfers are excluded to avoid double counting of related appropriation line items (transfer and corresponding expenditure) included in the ordinance. This item was approved unanimously on first reading at the 1/17/17 City Council meeting.

***A Motion To Adopt, On Second Reading, Ordinance #6088,  
Enacting A Supplemental Budget And Appropriation To The 2017  
City Of Loveland Budget For Projects Appropriated But Not  
Completed In 2016***

CARRIED.

**2.5. FINANCE**

**PUBLIC COMMENT**

**SUPPLEMENTAL APPROPRIATION FOR BUDGET SOFTWARE  
SOLUTION**

The City's budget process is very manual and involves the use of a multitude of spreadsheets and other documents that serve different purposes throughout the process. Larimer County recently conducted a competitive bidding process and selected a budgeting software solution offered by PowerPlan Corporation. Finance and IT Department staff received a demonstration of this solution and believe it to be a great fit for the City. In addition to automating existing business processes, it would provide opportunities to improve and enhance processes. Thus, staff would like to leverage Larimer County's competitive bidding process and contract with PowerPlan to purchase and implement a budgeting software solution. The one-time implementation cost is \$114,388 (including the first year of maintenance and support and internal technology costs) with on-going annual maintenance and support costs of \$16,280 (for years two and three) and \$17,100 (for years four and five), for a total five-year cost of ownership of \$181,148. Staff would like to purchase, implement, and provide training on this system by the end of 2017 for broad use at the beginning of 2018 for the 2019 budget process. The current estimated General Fund Unassigned Fund Balance is \$5,807,097. If approved, the General Fund Unassigned Fund Balance would decrease by \$114,388 to \$5,692,709.

***A Motion to Adopt on First Reading, An Ordinance Enacting A  
Supplemental Budget And Appropriation To The 2017 City Of Loveland  
Budget For The Purchase Of A Budgeting, Forecasting, Reporting, And  
Analysis Software Solution.***

CARRIED.

**2.6. FINANCE**

**PUBLIC COMMENT**

**SUPPLEMENTAL APPROPRIATION FOR TRANSPORTATION PROJECTS**

Three projects (2017 Supplemental Bridge Repairs, US 287 Sidewalk Installation, and US 287/US 34 Integration) were approved in the 2017 Capital Program. They were initially appropriated in the Capital Projects Fund, however, they should have been appropriated in the Transportation Fund to properly connect them to the Transportation Program. This ordinance transfers project funding for these three projects from the Capital Projects Fund to the Transportation Fund. Project funding is merely being shifted from one Fund to another Fund, with no bottom line impact to the budget.

***A Motion To Adopt On First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To Transfer Monies From The Capital Projects Fund To The Transportation Fund Within The 2017 City Of Loveland Budget For Certain Transportation Projects.***

CARRIED.

**2.7. PARKS AND RECREATION  
GRANT AGREEMENT WITH GOCO FOR NAMAQUA AVENUE  
UNDERPASS DESIGN**

The Great Outdoors Colorado (GOCO) awarded the City of Loveland a \$97,000 Connect Initiative Trail Planning Grant for the design and preparation of construction documents of an underpass at Namaqua Avenue, on the City of Loveland Recreation Trail. The new underpass would provide trail users with a safe, grade-separated crossing of an arterial roadway projected to double in volume by 2035. The grant agreement seeks reimbursement funds for the design of the underpass in 2018; Conservation Trust Funds will be requested for the 2018 budget cycle. The estimated cost for the design and preparation of construction documents is \$130,350. The City shall provide \$33,350 in matching funds, per the grant agreement and cover any amounts over the estimated cost for engineering and design. The Resolution approves the grant agreement, which is required by GOCO in 2017 for grant approval. The grant funds of \$97,000 and the local match of \$33,350 will be appropriated in the 2018 budget, Conservation Trust (Lottery) Fund 029.

***A Motion To Adopt Resolution #R-7-2017, Approving An IGA Between The City Of Loveland, Colorado, And The State Board Of The Great Outdoors Colorado Trust Fund For The Namaqua Avenue Underpass.***

CARRIED.

**2.8. PUBLIC WORKS  
WASTESHED PLANNING STUDY PHASE II IGA**

This is an administrative action. This Resolution authorizes the City Manager to execute an IGA between the City and the County for \$20,000 to assist in the cost of the Phase 2 Wasteshed Study. Funds will be available in the Solid Waste Enterprise Fund if approved by Council upon Second Reading on February 7, 2017 as this appropriation was included in Budget 2016-to-2017 Rollover/Reappropriation Request.

***A Motion To Adopt Resolution #R-8-2017 Approving An Intergovernmental Agreement (IGA) For Regional Wasteshed Planning Study (Phase 2).***

CARRIED.

## 2.9. PUBLIC WORKS

### VANGO VEHICLE MAINTENANCE SERVICES NFRMPO IGA

Current VanGo™ maintenance services are provided to participants through NFRMPO IGAs with the cities of Fort Collins and Greeley. Recently, Fort Collins moved van maintenance services from south Fort Collins to the northern edge of the city. Additionally, the NFRMPO developed an agreement with CDOT to provide a vanpool option for Estes Park during the canyon construction project. Due to these factors, the NFRMPO requested that the City of Loveland enter into an IGA to provide van maintenance services for an initial 24 VanGo™ vehicles with the potential to increase that number to 40. Providing this option requires the addition of 1.00 FTE Service Technician at an estimated cost of \$60,000 plus an additional \$30,000 for equipment and supplies, for a total of \$90,000. \$30,000 for half of the Service Technician cost would be reimbursed by the NFRMPO through a flat monthly rate. Additionally, it is estimated that another \$30,000 would be reimbursed by the NFRMPO for estimated additional actual charges. An ordinance approving a supplemental budget and appropriation for these costs was adopted unanimously by City Council on second reading on January 17, 2017. The purpose of this resolution is to have City Council approve the Intergovernmental Agreement and authorize the City Manager to sign the Agreement. A majority of expenses will be reimbursed by the NFRMPO. The remainder was previously included as part of the supplemental budget and appropriation ordinance approved on second reading on January 17, 2017.

***A Motion To Adopt Resolution #R-9-2017 Approving An Intergovernmental Agreement Between The North Front Range Metropolitan Planning Organization (NFRMPO) And The City Of Loveland For Vehicle Maintenance Services.***

CARRIED.

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

**4. PUBLIC COMMENT**

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

Stacy Lynn expressed concern about Councils' responses to the Koopman case.

Howard Dotson expressed concern about the need for mental health and detox facilities.

**5. REGULAR AGENDA  
PROCEDURAL INFORMATION**

*Anyone in the audience will be given time to speak to any action 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.*

**5.1. No items were removed from the Consent Agenda.**

*Prior to Council hearing Item 5.2, Mayor Pro Tem Fogle recused himself, due to a conflict of interest and asked Councilor Shaffer to Chair this item.*

**5.2. COMMUNITY PARTNERSHIP OFFICE  
COUNCIL SUPPORT FOR LOVELAND HOUSING AUTHORITY AND  
HABITAT FOR HUMANITY FOR AFFORDABLE HOUSING IN LOVELAND**

Alison Hade, Community Partnership Office, introduced this item to Council. Cindy Warner, Executive Director for Habitat for Humanity and Sam Betters, Executive Director for the Loveland Housing Authority presented their respective programs to Council. During the July 12, 2016, Study Session on Affordable Housing, City Council requested a Resolution recognizing the Loveland Housing Authority and Loveland Habitat for Humanity as partners to the City of Loveland in providing

affordable housing and to recognize the two local organizations as preferred providers of affordable housing in the City. A Resolution recognizing the Loveland Housing Authority and Loveland Habitat for Humanity as official partners and preferred providers of Affordable Housing does not commit specific funding for a project.

Pubic Comment: Howard Dotson spoke concerning homeless and those who are without shelter.

**Moved by Councilor Overcash, seconded by Councilor Johnson**

***A Motion To Adopt Resolution #R-10-2017 Designating The Housing Authority Of The City Of Loveland And Loveland Habitat For Humanity As City Of Loveland Partner Organizations And Preferred Providers Of Affordable Housing In The City Of Loveland.***

CARRIED UNANIMOUSLY: 6-0.

**5.3. PARKS AND RECREATION & OTHER DEPARTMENTS**

**PUBLIC COMMENT**

**EMERALD ASH BORER SUPPLEMENTAL APPROPRIATION**

Elizabeth Anderson, Parks and Recreation Director, introduced this item to Council. Leah Browder, Public Works Director, addressed the street ash trees and a proposal on removal, disposal, replacement, and a treatment plan. Including an overview of a draft Emerald Ash Borer (EAB) Management Plan in preparation for the impending arrival of the EAB in Loveland (projected to be this year due to the discovery of EAB in Longmont in June 2016). The City's Plan is modeled after Plans developed by Boulder County and the City of Longmont. EAB is a highly destructive, non-native insect that infests and rapidly kills all North American true Ash species leaving them dry, brittle and highly hazardous. EAB is a regulated pest meaning that federal and state entities require local action upon detection including quarantine, heightened monitoring and special handling of wood waste. The Borer has swept westerly across the country since entering the US on the east coast in the 90's and has now been found in Boulder (2013) and Longmont (2016). The City has completed a parks tree inventory including 2,742 Ash trees. Tree inventory for golf courses and natural areas is continuing. The inventory and assessment of City-owned street trees is about 75% complete. The initial data indicates a projected total of approximately 15,000 City-owned street trees with 3,450 or 23% of the inventory being Ash. It is recommended that the City take the first steps to implement systematic Ash tree removal, replacement, and treatment as well as a public education effort during 2017. It is anticipated this will be the first year of a 10-year program with future years to be included in upcoming years' budget proposals. The current



General Fund Unassigned Fund Balance is \$5,807,097. If this \$92,200 request is approved, the remaining General Fund Unassigned Fund Balance will be \$5,714,897.

Public Comment: John Ryan Keil expressed concern regarding the lack of bio-controls and using predator wasps. Bruce Croissant expressed concern over other types of diseases affecting other types of trees and helping citizens maintain their trees.

**Moved by Councilor Shaffer, seconded by Councilor Johnson**

***1. A Motion To Adopt Resolution #R-11-2017 Of The Loveland City Council Approving The City Of Loveland Emerald Ash Borer Management Plan.***

CARRIED UNANIMOUSLY

**Moved by Councilor Shaffer, seconded by Councilor Johnson**

***2. A Motion To Adopt On First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For To Mitigate And Manage The Budgetary And Operational Impacts Of Damage Caused By The Emerald Ash Borer.***

CARRIED UNANIMOUSLY

## **6. REPORTS**

### **6.1. 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.***

**Ball:** Commented on public concern regarding traffic on Highway 34, Council is working on a solution.

**Overcash:** Expressed concern that Detective Koopman is being mislabeled a "brady cop".

**Shaffer:** 1) Recommends inviting Weld County District Attorney to meet in an executive session. 2) Received a letter from Doug Erion regarding support for a carousel in the Foundry plaza. 3) Concerned about Channel 16 some of the slides are unreadable.

**Krenning:** Recommended Councilor Ball talk to the Weld County District Attorney.

**Fogle:** Expressed concern about the relationship between the Larimer and Weld County District Attorneys and the outcome of the Koopman case.

**Johnson:** Expressed concern for the Community Partnership's Office need for additional staffing to provide compliance support for affordable housing.

**Clark:** Expressed concern about a solution to the affordable housing problem.

**Krenning:** Would like to use the affordable housing fund to address the problem.

**Fogle:** 1)Would like the Community Partnership Office to bring ideas for solutions to council. 2)Reminder about the Fire and Ice Festival this weekend downtown Loveland.

**6.2. CITY MANAGER REPORT**

Spoke regarding the Boards and Commissions' involvement and inclusion in the topic of affordable housing.

**6.3. CITY ATTORNEY REPORT**

No report.

**7. ADJOURN**

Hearing no other business before this Council, Mayor Pro Tem Fogle adjourned the February 7, 2017 Regular Council meeting at 9:35 p.m.

Respectfully Submitted,



  
Beverly A. Walker, Acting City Clerk

  
John H. Fogle, Mayor Pro Tem