



**MINUTES**  
**LOVELAND CITY COUNCIL MEETING**  
**Wednesday, July 5, 2017 CITY COUNCIL CHAMBERS 6:00 PM**

**COUNCIL PRESENT:** Mayor Gutierrez  
Councilors:  
Fogle, Ball, Overcash, Clark, Olson. Johnson arrived at 6:06 p.m.; Shaffer arrived at 6:45 p.m.

**COUNCIL ABSENT:** Krenning

**1. INTRODUCTION**

**1.1 CALL TO ORDER**

**1.2 PLEDGE OF ALLEGIANCE**

**1.3 ROLL CALL**

**1.4 PRESENTATIONS AND PROCLAMATIONS**

**1.4.1 PRESENTATION**

**CARNEGIE MEDAL PRESENTATION**

Mayor Gutierrez presented Robert Morgan and Connor Quick with the Carnegie Medals.

**1.4.2 PROCLAMATION**

**NATIONAL PARKS AND RECREATION MONTH**

Councilor Ball presented the proclamation to Elizabeth Kayl, Parks and Recreation Director.

**1.4.3 PROCLAMATION**

**WOMEN OF VISION DAY**

Councilor Johnson presented the proclamation to Ann Clarke, with Colorado Women of Influence.

**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.*

Item 2.7 pulled by Jackie Marsh, Item 2.13 pulled by Larry Sarnier and Item 2.9 pulled by Councilor Olson.

***A Motion to approve the Consent Agenda items 2.1 - 2.15 with the exception of items 2.7, 2.9 and 2.13.***

Moved by Councilor Clark, seconded by Councilor Fogle

CARRIED UNANIMOUSLY.

**2.1. CITY CLERK  
APPROVAL OF MINUTES**

Approval of the City Council minutes for the May 23, 2017 Study Session, the June 6, 2017 Regular Meeting, and the June 13, 2017 Special Meeting and Study Session.

***A Motion To Approve The City Council Minutes For The May 23, 2017 Study Session, The June 6, 2017 Regular Meeting, And The June 13, 2017 Special Meeting And Study Session***

CARRIED.

**2.2. CITY MANAGER  
APPOINTMENTS TO CITIZENS' FINANCE ADVISORY COMMISSION, HISTORIC PRESERVATION COMMISSION, HUMAN SERVICES COMMISSION AND PLANNING COMMISSION**

This is an item appointing members to the Citizens' Finance Advisory Commission, appointing a youth member to the Historic Preservation Commission, appointing a member to the Human Services Commission, and appointing a member to the Planning Commission.

***1) A Motion To Appoint Derek Strader To The Citizens' Finance Advisory Commission For A Partial Term Effective Until December 31, 2017***

**2) A Motion To Appoint Richard Bilancia To The Citizens' Finance Advisory Commission For A Partial Term Effective Until December 31, 2018**

**3) A Motion To Appoint Leslie Snow To The Citizens' Finance Advisory Commission For A Partial Term Effective Until December 31, 2018**

**4) A Motion To Appoint Isaac Lujan As The Youth Member On The Historic Preservation Commission For A Term Effective Until August 31, 2018**

**5) A Motion To Appoint Rebecca Thorp To The Human Services Commission For A Term Effective Until June 30, 2020**

**6) A Motion To Appoint Tim Hitchcock To The Planning Commission For A Term Effective Until December 31, 2019**

CARRIED.

### **2.3. DEVELOPMENT SERVICES**

#### **LOVELAND EISENHOWER FIRST SUBDIVISION VACATION**

The proposed ordinance for the Loveland Eisenhower First Subdivision Vacation provides for the vacation of two emergency access easements to accommodate a multifamily residential proposal within the 56-acre LEI development site. The easements were established at the time of platting in order to provide a secondary means of access to the more remotely located tracts of the Loveland Eisenhower First Subdivision, in the event that those tracts were developed prior to the tracts located closer to the established streets of the project. The replatting of the property, which is now in process, will eliminate those remote tracts and thus eliminate the need for the emergency access easements. In addition to the replat, the City is also reviewing a site development plan application for a proposed multifamily development in the area of the emergency access easements, and new emergency access easements in more suitable locations will be dedicated to the City with the site development plan approval. This item was reviewed at the Planning Commission meeting held on May 22, 2017 where it was approved unanimously with a 6-0 Vote. This ordinance was adopted unanimously, on first reading, at the June 6, 2017 Regular City Council Meeting with a 9-0 Vote.

**A Motion To Adopt, On Second Reading, Ordinance No. 6121 Vacating Emergency Access Easements Located On, Over And Across Portions Of Tracts E And G And Tracts F And G Of The Loveland Eisenhower First Subdivision, City Of Loveland, County Of Larimer, State Of Colorado**

CARRIED.

**2.4. WATER & POWER  
PUBLIC COMMENT**

**AMEND MUNICIPAL CODE TO STANDARDIZE ADOPTION METHOD OF ELECTRIC DEVELOPMENT STANDARDS**

The Loveland Municipal Code 16.24.012, for the Electric Development Standards, requires that any revisions to the electric standards, including amendments, must be reviewed by the Loveland Utilities Commission and either adopted or denied by resolution of City Council. In order to provide consistency in the process of adopting standards across the Water and Power Department, we are proposing to amend Municipal Code 16.24.012 to match Municipal Code 16.24.013 for the Water and Wastewater Development Standards – Adopted. This states that the "City of Loveland Water and Wastewater Development Standards" is hereby adopted by reference. All facilities will be constructed in accordance with the standards. Notwithstanding anything in this chapter to the contrary, any revisions to the standards, including amendments which adopt codes by reference, shall be made in accordance with the process set forth in the standards. This item was presented to the Loveland Utilities Commission on April 19, 2017 where it was adopted unanimously. It was also taken to the Construction Advisory Board on April 26, 2017 which showed unanimous support in City Council adopting the ordinance. At the May 16, 2017 City Council meeting, Council adopted a Resolution to amend the Requirements for Electric Service standards as currently required by 16.24.012 of the Municipal Code. At the June 6, 2017 City Council meeting, Council adopted, on first reading the ordinance to amend Chapter 16.24 of The Loveland Municipal Code.

***A Motion To Adopt, On Second Reading, Ordinance No. 6122 Amending Chapter 16.24 Of The Loveland Municipal Code To Standardize The Adoption Of The Requirements For Electric Service To Be The Same As Those For Water And Wastewater Standards***

CARRIED.

**2.5. CULTURAL SERVICES**

**REPORTER-HERALD ARCHIVES SUPPLEMENTAL APPROPRIATION AND CONTRACT AMENDMENT**

Prairie Mountain Publishing recently approached the Museum about an agreement to transfer the archives to the Museum through an Enduring Records Deposit contract. It was clearly stated by representatives from Prairie Mountain Publishing that the archives would be moved only once—either to the Museum collection storage or to a storage unit without proper environmental or pest control, where it would rapidly deteriorate. The Loveland Museum/Gallery houses and maintains a permanent collection of approximately 37,000 objects representing the social, natural, cultural history and pre-history of Loveland. Objects that reflect Loveland's unique development are a collecting priority.

There is a one-time cost of \$59,925 and ongoing costs of \$60,800 annually. This item was presented to the Accession Committee on April 21, 2017 where it was unanimously approved to add to the collection. The Cultural Services Board unanimously approved this item at their May 23, 2017 meeting. The supplemental appropriation for this item was presented to City Council at the June 6, 2017 City Council meeting where it was adopted unanimously with a 9-0 Vote.

***1) A Motion To Adopt, On Second Reading, Ordinance No. 6123 Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For Acquisition Of The Reporter-Herald Archives***

CARRIED.

***2) A Motion To Adopt Resolution #R-47-2017 Approving An Amendment To The Contract Between The City And Prairie Mountain Publishing Company, LLC Regarding The Reporter-Herald Archive Collection***

CARRIED.

**2.6. COMMUNITY PARTNERSHIP OFFICE**

**PUBLIC COMMENT**

**COMMUNITY DEVELOPMENT BLOCK GRANT FUND APPROPRIATION**

Community Development Block Grant (CDBG) funding used for renovations at the Maple Terrace Apartments in 2009, was returned to the City of Loveland when the Loveland Housing Authority sold the project in 2016. The Affordable Housing Commission will allocate a portion of the returned funds to Alternatives to Violence and Neighbor to Neighbor after it has been appropriated.

***A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For Allocation Of Community Development Block Grant (CDBG) Funding***

CARRIED.

**2.7. ECONOMIC DEVELOPMENT**

**WINTER WONDERLIGHTS EVENT SUPPLEMENTAL APPROPRIATION**

This item was considered on the Regular Agenda, item 5.1.1.

**2.8. CITY CLERK**

**PUBLIC COMMENT**

**LARIMER COUNTY PRECINCTS AND BOUNDARY CHANGES**

Statute mandates the County Clerk and Recorder set precinct lines to include no more than 2,000 eligible electors. Population increases in some areas in

Larimer County made it necessary for precincts to be divided to comply with Colorado Revised Statutes 1-5-101(3). This process is usually referred to as "re-precincting". When this occurs, it requires the County to add and renumber precincts. This item was presented at the Larimer County Board of Commissioners meeting on May 23, 2017 where they approved Resolution 05232017R001.

***A Motion To Adopt An Ordinance, On First Reading, Amending Section 1.24.020, 1.24.030, 1.24.040 And 1.24.050 Of The Loveland Municipal Code To Add New Larimer County Voter Precincts In The City's Four Wards***

CARRIED.

**2.9. PARKS AND RECREATION  
GREAT OUTDOORS COLORADO GRANT APPLICATION SUPPORT**  
This item was considered on the Regular Agenda, item 5.1.2.

**2.10. PUBLIC WORKS  
NORTH TAFT AVENUE BRIDGE REPLACEMENT**

The purpose of this item is to award the contract to Mountain Constructors, Inc. to replace the structurally deficient bridge over the Big Barnes Ditch and to widen the roadway section to the LCUASS standard 4-lane arterial roadway section up to 11th Street.

***A Motion To Adopt Resolution #R-54-2017 Authorizing A Notice Of Award To Mountain Constructors, Inc. For The North Taft Avenue Bridge Replacement Over Big Barnes Ditch Project (No. EN1210) And Authorizing The City Manager To Execute The Contract***

CARRIED.

**2.11. DEVELOPMENT SERVICES  
PARKSIDE VILLAGE ADDITION PETITION FOR ANNEXATION**

This item will set a public hearing date of August 15, 2017, for the consideration of an annexation containing approximately 41 acres to be known as the Parkside Village Addition. The property is located at the northeast corner of Boedecker Reservoir on the south side of W. First Street. Included with the annexation is a request to zone the property Planned Unit Development (PUD). Details of the PUD zoning are being presented through a Preliminary Development Plan (PDP) and a Preliminary Plat, which will be provided to City Council at the public hearing. At the time this communication was prepared, the Planning Commission has not held the public hearing. On June 26, 2017, the Planning Commission held a public hearing for consideration of the Parkside Village Addition. Following a lengthy discussion and considerable amount of

public testimony from neighbors and interested parties voicing concerns, Planning Commission recommended approval by a vote of 8 to 0. This recommendation will be presented to City Council on August 15, 2017, if the aforementioned resolution is adopted on July 5, 2017. Additionally, with City Council materials for August 15, 2017 hearing, a full overview regarding neighbor and interested party input will be provided along with all correspondence received.

***A Motion To Adopt Resolution #R-49-2017 Finding A Certain Petition For Annexation Known As Parkside Village Addition, Filed May 3, 2017, To Be In Substantial Compliance With Section 30 Of Article II Of The Colorado Constitution And With The Requirements Of Section 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***

CARRIED.

**2.12. HUMAN RESOURCES**

**RENEWAL OF THE CITY OF LOVELAND'S WORKERS' COMPENSATION INSURANCE**

The purpose of this item is to renew current coverage to provide Workers' Compensation insurance coverage for the City of Loveland full and part time employees and volunteers. To be compliant with Colorado statutes and to provide insurance coverage in the event of employee injuries while on the job. The City competitively bid their Workers' Compensation Insurance in 2016. Pinnacol was the only carrier to provide a quote. The 2018 projected and budgeted amount is \$1,501,000, which includes the loss fund payment of \$30,000, and the claims payable under the City's deductible for 2018, as well as costs incurred from previous year's claims. The renewal quote for the plan at the same deductible level of \$75,000 is \$348,006. Pinnacol also quoted a premium amount with a \$100,000 deductible at \$280,414. In order to reduce our premium we are pursuing coverage at the \$100,000 deductible option provided by Pinnacol.

***A Motion To Adopt Resolution #R-50-2017 Approving Renewal Of A Contract With Pinnacol Assurance For Workers' Compensation Coverage***

CARRIED.

**2.13. HUMAN RESOURCES**

**CALL FOR A SPECIAL MEETING ON JULY 11, 2017 CITY MANAGER QUARTERLY REVIEW WITH POSSIBLE EXECUTIVE SESSION**

This item was considered on the Regular Agenda, item 5.1.3.

**2.14. FISCAL ADVISOR  
MAY 2017 INVESTMENT REPORT**

The budget projection for investment earnings for 2017 is \$2,167,387. On the portfolio's 2017 beginning balance, this equates to an annual interest rate of 0.98%. Based on the May monthly report, the estimated yield on fixed income securities held by USBank was at 1.40%, for total assets the yield was 1.34%. For May, accounting posted total earnings of \$436,492 to City fund accounts. U.S. short-term Treasury interest rates had moved sharply higher since the second week of November 2016 but since January, they are trending back down. The end of May estimated market value is \$235.2 million. Proceeds from the lease for the downtown parking facility are included in the total. The portfolio increased in value by \$307,700 in May, decreasing the unrealized loss in the portfolio to \$869,231.

*Information Only*

**2.15. FINANCE  
MAY 2017 FINANCIAL REPORT**

The Snapshot Report is submitted for Council review and includes the reporting of the City's revenue and expenditures, including detailed reports on tax revenue and health claims, as of May 31, 2017. Citywide Revenue of \$11.4 million is 31.1% of total annual budget. Sales Tax collections May YTD are 7.6% above May 2016 YTD, and 34.8% of the total annual budget. Building Material Use Tax collections for May are 75.3% above May 2016 YTD, and 33.6% of the total annual budget. Sales and Use Tax collections combined are 34.6% of total annual budget. Citywide total expenditures of \$88.9 million are 34.4% of the total annual budget.

*Information Only*

**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.*

Linda Goodlake, Loveland resident, expressed concern regarding illegal fireworks and the affects on people and animals.

Roger Weidelman, Loveland resident, expressed concern regarding municipal broadband.

**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. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

**5.1.1. ECONOMIC DEVELOPMENT  
PUBLIC COMMENT**

**WINTER WONDERLIGHTS EVENT SUPPLEMENTAL APPROPRIATION**

Cindy Mackin, Visitors Center Manager, presented this item to Council. This Winter Wonderlights Event ordinance requests \$150,000 from the lodging tax fund to support a winter/holiday lighting event as part of the CDBG DR grant from the state of Colorado, of which \$100,000 would be refunded by the state upon proof of receipt. The purpose of the event located in Chapungu Sculpture Park in Centerra is to bring visitors to spend money and stay overnight in Loveland, thus increasing sales and lodging tax revenue, during the colder season and while US 34, along the Big Thompson Canyon, will once again be closed. This item was presented to the Community Marketing Commission on May 17, 2017 where it was voted and approved unanimously. This item was also presented to the Centerra Metro District Board on May 18, 2017. The board supported the project unanimously with no anticipated issues. Public Comment: Jackie Marsh, Loveland resident, spoke in opposition to the use of the CDBG-DR Grant. Larry Sarner, Loveland resident, spoke in opposition of the use of the grant funds to Centerra. Bruce Croissant, Loveland resident, spoke in opposition.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For The Winter Wonderlights Event***

CARRIED UNANIMOUSLY.

**5.1.2. PARKS AND RECREATION  
GREAT OUTDOORS COLORADO GRANT APPLICATION SUPPORT**

Elizabeth Kayl, Parks and Recreation Director, presented this item to Council. The Larimer Inspire Coalition was awarded funding from Great Outdoors Colorado (GOCO) in 2016 to develop a plan to connect more youth and families with the outdoors. This coalition of Larimer County, Loveland, and other partners have worked with the public to identify and prioritize improvements and programs to provide unique nature-related opportunities for typically underserved populations. On behalf of the coalition, Loveland will apply for up to \$2.5M in GOCO funding this summer for implementation of the plan components. The overall required match is 25%, of which 10% must be cash, for a match of up to \$250,000 by Loveland and the coalition partners, depending on the grant amount awarded, if any. This item was presented to the Open Lands Advisory Commission at their June 14, 2017 meeting where they voted unanimously in favor of recommending that City Council adopt a resolution in support of the grant application. No public made comments.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion To Adopt Resolution #R-48-2017 Supporting The Grant Application For A Local Parks And Outdoor Recreation Grant From The State Board Of The Great Outdoors Colorado Trust Fund For The Completion Of "Project Outdoors: Plug In To Nature In Loveland"***

CARRIED UNANIMOUSLY.

### **5.1.3. HUMAN RESOURCES**

#### **CALL FOR A SPECIAL MEETING ON JULY 11, 2017 CITY MANAGER QUARTERLY REVIEW WITH POSSIBLE EXECUTIVE SESSION**

Julia Holland, Human Resource Director, presented this item to Council. This action is for Council to conduct the City Manager's quarterly performance review meeting on July 11, 2017, which may include an executive session to discuss personnel matters. The Special Meeting is a recurring performance evaluation meeting established pursuant to Resolution #R 117-2016 or required by the City Charter that will be conducted by Council with their employees, which includes the City Manager, City Attorney and Municipal Judge.

Public Comment: Larry Sarner, Loveland resident, spoke in opposition to Council holding a Special Meeting and an Executive Session regarding the City Manager's evaluation.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion Calling For A Special Meeting On July 11, 2017 At 5:30 P.M. For The Purposes Of Conducting An Employee Evaluation And Considering Personnel Matters For The City Manager With A Possible Executive Session***

CARRIED UNANIMOUSLY.

Councilor Fogle recused himself prior to hearing the following item 5.2.

**5.2. COMMUNITY PARTNERSHIP OFFICE  
AFFORDABLE HOUSING DESIGNATION FOR LOVELAND HOUSING  
AUTHORITY, MIRASOL THIRD ADDITION**

Alison Hade, Community Partnership Administrator, presented this item to Council. An Affordable Housing Designation locks in fees as of the date that the resolution is signed for a period of five years as per 16.43.035 of the Loveland Municipal Code. It also allows the recipient to ask for a waiver of development and capital expansion fees at a subsequent City Council meeting. Loveland Housing Authority (LHA) applied for tax credits on June 1, 2017 to build 60 units of housing for seniors with the goal of breaking ground later this year. A separate tax credit application will be submitted to build 30 skilled nursing beds in 2019 or 2020 (See Exhibit A to the Resolution). A designation is the first part of a two-step process that qualifies LHA to request a waiver of fees for the 90 units of housing with any back-fill requirements paid for from the Affordable Housing Fund. The fee lock that results from the designation will not provide a significant savings to the project, but will allow LHA to move to the second step of requesting a fee waiver. On February 7, 2017, City Council designated the Loveland Housing Authority and Loveland Habitat for Humanity as preferred partners. On April 4, 2017, City Council adopted a change to the Municipal Code at 16.43.070. This item was also presented to the Affordable Housing Commission on May 11, 2017. Commission discussion included the first goal of the five year Consolidated Plan (2015-2020) of financially supporting projects that result in new affordable housing units in Loveland. The AHC has a goal of 300 new rental units and housing 30 homeless residents in the five-year period. The motions passed unanimously. No public commented.

Moved by Councilor Clark, seconded by Councilor Johnson

***A Motion To Adopt Resolution #R-51-2017 Approving An Affordable Housing Designation For The Housing Authority For The City Of Loveland Within The Mirasol Third Subdivision In Loveland, Colorado***

CARRIED UNANIMOUSLY.

**5.3. CITY ATTORNEY'S OFFICE  
METROPOLITAN DISTRICTS GENERAL INFORMATION (METRO DISTRICT 201)**

Alan Pogue, an attorney who specializes in metropolitan district representation, and Chad Walker of Pinnacle Consulting Group, Inc., a consulting firm that specializes in management of metropolitan districts, provided a brief overview of metropolitan districts, including legal authorities, formation, purposes, and funding sources. City staff will also be available to answer Council member questions and be involved in the discussion. The presentation and attached documents are being provided to the City Council due to recent Council requests to better understand currently approved metro districts in the City as well as being better prepared to review and act upon future requests.

*Information Only*

**5.4. DEVELOPMENT SERVICES  
PUBLIC HEARING  
EXPANSION OF PLANNING COMMISSION MEMBERSHIP GROWTH  
MANAGEMENT AREA**

Bob Paulson, Current Planning Manager, presented this item to Council. At the end of 2016, following the annual membership recruitment and nomination process, the Planning Commission directed staff to forward an ordinance to City Council that would allow up to two Planning Commissioners to reside outside the City limits but within the City's Growth Management Area (GMA). The Commission viewed this change as a means of increasing citizen interest in serving on Planning Commission and as a means of providing official opportunity for input into City zoning and land use matters to residents whose property will ultimately be incorporated into the City. This item was presented to the Loveland Planning Commission on December 12, 2016. The Planning Commission voted unanimously with a 9-0 Vote to direct the Current Planning Manager to present this recommendation to City Council. Public Comment: Bruce Croissant, Loveland resident, spoke in opposition to the ordinance.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion to Adopt, On First Reading, An Ordinance Amending Section 2.60.210 Of the Loveland Municipal Code Concerning Composition Of The Loveland Planning Commission.***

FAILED 2 to 6.

No votes: Gutierrez, Clark, Olson, Shaffer, Overcash and Fogle

**5.5. ECONOMIC DEVELOPMENT**

**PUBLIC HEARING**

**ADOPTION OF DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT**

Jacque Wedding-Scott, Chair of DDA, presented this item to Council. The Plan of Development (DDA Plan) for the Loveland Downtown Development Authority (DDA) is required by State Statute to be reviewed by the Planning Commission and formally approved by Loveland City Council. The DDA Plan, as presented, was reviewed by the Planning Commission on June 12, 2017 and by a vote of 7-0 recommended for approval by City Council. City Council is required to hold a public hearing and take formal action via Council Resolution. The DDA may not undertake any development project until City Council has approved the DDA Plan.

Public Comment: Larry Sarner, Loveland resident, spoke in opposition. John Keil, Loveland resident, spoke in opposition.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion To Adopt Resolution #R-52-2017 Of The Loveland City Council Approving The Plan Of Development For The Loveland Downtown Development Authority***

CARRIED UNANIMOUSLY.

Moved by Councilor Fogle, seconded by Councilor Johnson

***A Motion to Extend the Meeting to 11:00 p.m.***

CARRIED UNANIMOUSLY.

**5.6. PUBLIC WORKS**

**THE FOUNDRY REIMBURSEMENT OF OFF-SITE IMPROVEMENTS**

David Klockeman, Senior Civil Engineer, presented this item to Council. The First Amendment to the Disposition and Redevelopment Agreement for The Foundry identified these improvements and requires City Council approval for the City to reimburse the developer for the cost of the improvements not to exceed \$1,000,000. In addition, The Foundry improvements include a right turn lane at 1st Street and Lincoln, with the project responsible for half of the costs for construction up to \$100,000

and the City responsible for the remainder (up to \$173,000 of the total cost, including design). This item was presented to City Council on April 18, 2017 and April 25, 2017. The supplemental appropriation ordinance was adopted with a 7-0 vote at first reading on the 18th. The ordinance was adopted, on second reading, by a vote of 7-0 with one abstention at the April 25th meeting.

Public Comment: Larry Sarner, Loveland resident, spoke in opposition.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion To Adopt Resolution #R-53-2017 Authorizing The Reimbursement To The Foundry Loveland, LLC, For Off-Site Improvements to Cleveland Avenue And Lincoln Avenue Rights-Of-Way Adjacent And The 1st Street Right Turn Lane For The Foundry Project***

CARRIED UNANIMOUSLY.

**5.7. HUMAN RESOURCES  
APPOINTMENT OF CITY ATTORNEY**

Julia Holland, Human Resources Director, presented this item to Council. The purpose of this item is to appoint Mr. Douglas as the City Attorney, effective July 5, 2017, based on Council direction and to authorize the Mayor to execute an employment agreement consistent with direction provided to negotiators. At the regular City Council meeting on June 6, 2017, Council unanimously approved a motion to pursue the appointment of Mr. Douglas and gave direction to negotiators to bring back the item at the next regular Council meeting for appointment and execution of employment agreement.

Public Comment: Larry Sarner, Loveland resident, spoke in opposition.

Moved by Councilor Clark, seconded by Councilor Fogle

***A Motion To Adopt Resolution #R-55-2017 Appointing Claybourne M. Douglas To The Position Of City Attorney Effective Upon Adoption Of This Resolution And In Relation Thereto Authorizing The Mayor To Execute An Employment Agreement With Claybourne M. Douglas***

CARRIED UNANIMOUSLY.

**6. REPORTS**

**7. 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.*

**Shaffer** - Attending the MPO July 6th meeting.

**CITY MANAGER REPORT**

Steve Adams - shared information regarding the July 11th Special Meeting; he will be sending materials in advance.

**CITY ATTORNEY REPORT**

No report.

**7. ADJOURN**

Mayor Gutierrez adjourned the July 5, 2017 Regular Council meeting at 10:40 p.m.

Respectfully Submitted,



  
Beverly A. Walker, Acting City  
Clerk

  
Cecil A. Gutierrez, Mayor

