

LOVELAND CITY COUNCIL MEETING
TUESDAY, JULY 5, 2011
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO

THE CITY OF LOVELAND DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, RELIGION, AGE, NATIONAL ORIGIN, OR ANCESTRY IN THE PROVISION OF SERVICES. FOR DISABLED PERSONS NEEDING REASONABLE ACCOMMODATION TO ATTEND OR PARTICIPATE IN A CITY SERVICE OR PROGRAM, CALL 962-2343 OR TDD # 962-2620 AS FAR IN ADVANCE AS POSSIBLE.

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

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. **MINUTES**
 CONSIDERATION OF MINUTES FOR:
 - a) June 9, 2011 Special Meeting
 - b) June 14, 2011 Study Session
 - b) June 14, 2011 Special Meeting
 - c) June 21, 2011 Regular Meeting

2. **CITY MANAGER**
 BOARD & COMMISSION APPOINTMENTS
 Consideration of a motion to appoint members to the Construction Advisory Board, Disabilities Advisory Commission, Historic Preservation Commission, and Loveland Utilities Commission
 This is an administrative action recommending Board and Commission appointments. The Construction Advisory Board recommends the reappointment of Jason Baker, Bill Stenberg

and Teri Volk for three year terms effective until June 30, 2014. The Disabilities Advisory Commission recommends the reappointment of Larry Abston, Victor Beebe, Jr., and Diane Hinrichs for three year terms effective until June 30, 2014. The Historic Preservation Commission recommends for reappointment Cara Scohy and the appointment of Matt Newman both to three year terms effective until June 30, 2014. The Loveland Utilities Commission recommends for reappointment Christopher "CJ" McKinney, Eugene Packer and Darell Zimbelman for three year terms effective until June 30, 2014.

3. **CITY MANAGER**

MUNICIPAL CODE AMENDMENT – VOLUNTEER FIREFIGHTERS’ PENSION SYSTEM

Consideration on second reading of an ordinance amending Section 2.60.270 regarding the Volunteer Firefighters’ Pension Board of Trustees to reflect the 1966 Intergovernmental Agreement between the City and the Loveland Rural Fire Protection District creating a Joint Board of Trustees and a Consolidated Pension Fund

This is a legislative action to approve on second reading an ordinance amending Title 2 of the Loveland Municipal Code. The amendment clarifies the volunteer firefighters’ pension system shall be the Consolidated Firemen’s Pension Fund of Loveland and Rural District and the general composition of the Board of Trustees shall be determined by mutual agreement of the City and the Loveland Rural Fire Protection District. The ordinance was unanimously approved by City Council on June 21, 2011.

4. **LIBRARY**

SUPPLEMENTAL APPROPRIATION – TEMPLE HOYNE BUELL FOUNDATION GRANT

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for library materials and an interactive play/learning area at the Loveland Public Library

This is an administrative action. Funding from the Temple Hoyne Buell Foundation grant is appropriated for library materials and an interactive play/learning area at the Library. All funding is from the \$15,000 grant and there is no matching requirement. The ordinance was unanimously approved by City Council on June 21, 2011.

5. **DEVELOPMENT SERVICES**

PUBLIC HEARING

MUNICIPAL CODE AMENDMENTS – 2009 INTERNATIONAL BUILDING CODES

- a) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code adopting by reference thereto the International Building Code, 2009 Edition**
- b) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Existing Building Code, 2009 Edition**
- c) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Energy Conservation Code, 2009 Edition**
- d) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Fuel Gas Code, 2009 Edition**
- e) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Mechanical Code, 2009 Edition**

- f) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Property Maintenance Code, 2009 Edition**
- g) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Residential Code, 2009 Edition**
- h) **Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code and adopting by reference thereto the International Plumbing Code, 2009 Edition**

A legislative action amending Title 15 of the Municipal Code by adopting by reference eight 2009 International Building Codes. Pursuant to 31.16.203, a public hearing is schedule for the July 5, 2011 regular City Council meeting. Adoption of these codes will allow design professionals to incorporate current construction technologies, methods and materials into building designs. These codes also include updated building safety requirements, such as those relating to existing buildings, structural elements, and fire safety. The ordinances were unanimously approved by City Council on June 7, 2011.

6. DEVELOPMENT SERVICES

MOTORPLEX ENTRY ADDITION ANNEXATION & ZONING

- a) **Consideration on second reading of an ordinance approving the annexation of certain territory to the City of Loveland, Colorado, to be known and designated as 'Motorplex Entry Addition' to the City of Loveland**
- b) **Consideration on second reading of an ordinance amending Section 18.04.040 of the Loveland Municipal Code, the same relating to zoning regulations for 'Motorplex Entry Addition' to the City of Loveland**

A legislative action to adopt an ordinance on second reading annexing the Motorplex Entry Addition to the City of Loveland, subject to the provisions in the annexation ordinance. A quasi-judicial action to adopt an ordinance on second reading zoning Tract A of the Motorplex Entry Addition as Millennium PUD (#P-59); and Tract B of the Motorplex Entry Addition as DR-Developing Resources District. The ordinance was unanimously approved by City Council on June 21, 2011.

7. DEVELOPMENT SERVICES

MUNICIPAL CODE AMENDMENT – HISTORIC PRESERVATION

Consideration on second reading of an ordinance amending Title 15 of the Loveland Municipal Code by repealing and reenacting Chapter 15.56 regarding Historic Preservation

A legislative action to approve on second reading an ordinance amending Title 15 of the Loveland Municipal Code. The amendment would:

- Adopt new Historic Residential Design Guidelines to be used by the Historic Preservation Commission when reviewing applications proposing to alter the exterior elevations of buildings on the Loveland Historic Register;
- Add provisions for processing partial demolition permits for properties on the Loveland Historic Survey; and
- Clarify process procedures.

The ordinance was unanimously approved by City Council on June 7, 2011.

8. CITY CLERK

PUBLIC HEARING

NOVEMBER ELECTION NOTIFICATIONS

- a) **Consideration of Resolution #R-44-2011 of the Loveland City Council authorizing the City Clerk to notify the Larimer County Clerk And Recorder of the City Of**

Loveland's intention to participate in the statewide special election to be held on November 1, 2011

- b) **Consideration on first reading of an ordinance providing that the City of Loveland's regular election to be held November 1, 2011 shall be conducted as a coordinated election with the Larimer County Clerk and Recorder and, to the extent necessary to so conduct that election as a coordinated election, the Colorado Uniform Election Code of 1992 shall govern**

The proposed Resolution is an administrative action authorizing the City Clerk to notify the Larimer County Clerk and Recorder of the City's intent to participate in a coordinated election with the County on November 1, 2011. The proposed Ordinance is a legislative action needed to allow the City's regular election to be held on November 1, 2011, to be conducted as a coordinated election with the Larimer County Clerk and Recorder.

9. **POLICE**

PUBLIC HEARING

APPLICATION APPROVAL FOR JUSTICE ASSISTANCE GRANT (JAG)

Consideration of a motion to approve staff's application for a Federal JAG grant

This is a public hearing to consider an administrative action. Federal regulations require review of the grant application not fewer than 30 days before the application is submitted. A public hearing will be conducted prior to submitting the grant application. This is just the grant application stage. If the grant is approved there is no local match.

10. **DEVELOPMENT SERVICES**

PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION – GRANT FOR HISTORIC PRESERVATION BROCHURE

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for a historic preservation brochure to guide tourists

A public hearing to consider an administrative action to adopt an ordinance on first reading enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for a historic preservation brochure. The ordinance would transfer \$3,000 in grant funds from the Lodging Tax fund to the General Fund for creation of a tourism brochure of historic structures in Loveland.

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.*

-Tom Schemp and "Drums Along the Rockies"

- 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

11. FINANCE

MAY 2011 FINANCIAL REPORT

This is an information only item. No action is required. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the five months ending May 31, 2011.

12. CITY MANAGER

MAY 2011 INVESTMENT REPORT

This is an information only item. No Council action is required. The budget estimate for investment earnings for 2011 is \$3,163,130. For the first five months of 2011, the amount posted to the investment account is \$1,259,936 including realized gains. Actual year-to-date earnings are lower than the year-to-date projection by \$58,035. Based on May's monthly statement, the estimated annualized yield is about 2.01%, just over the annual target rate. Interest rates are trending lower, but annual returns should still meet the target.

ADJOURN