

CALL TO ORDER

Mayor Gutierrez called the regular meeting of the Loveland City Council to order on the above date at 6:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll was called and the following responded: Gutierrez, McKean, Klassen, Heckel, McEwen, Johnson, and Shaffer. Councilor Sot was absent and Councilor Rice arrived at 7:04 p.m.

**PROCEDURAL
INFORMATION**

Mayor Gutierrez made the following procedural announcement: 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

Mayor Gutierrez asked if anyone in the audience, Council or staff wished to speak on any of the items or public hearings listed on the Consent Agenda. Councilor Johnson moved to approve the Consent Agenda. The motion was seconded by Councilor McEwen and a roll call vote was taken with all councilors present voting in favor thereof.

1. MINUTES

- a) Minutes for the June 9, 2011 special meeting were approved.
- b) Minutes for the June 14, 2011 study session were approved.
- c) Minutes for the June 14, 2011 special meeting were approved.
- d) Minutes for the June 7, 2011 regular meeting were approved.

2. CITY MANAGER

Board & Commission Appointments

Motion

Administrative Action: A motion recommending the following appointments was approved.

Construction Advisory Board: Jason Baker, Bill Stenberg and Teri Volk were reappointed to three year terms effective until June 30, 2014.

Disabilities Advisory Commission: Larry Abston, Victor Beebe, Jr., and Diane Hinrichs were reappointed to three year terms effective until June 30, 2014.

Historic Preservation Commission: Cara Scohy was reappointed and Matt Newman appointed to three year terms effective until June 30, 2014.

Loveland Utilities Commission: Christopher "CJ" McKinney, Eugene Packer and Darell Zimbelman were reappointed to three year terms effective until June 30, 2014.

3. CITY MANAGER

Municipal Code Amendment – Volunteer Firefighters' Pension System

Ordinance #5598

Legislative Action: "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" was approved and ordered published on second reading.

4. LIBRARY

Supplemental Appropriation – Temple Hoyne Buell Foundation Grant

Ordinance #5599

Administrative Action: "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" was approved and ordered published on second reading.

5. LIBRARY

Municipal Code Amendments – 2009 Edition International Building Codes

a. Ordinance #5600

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE ADOPTING BY REFERENCE THERETO THE INTERNATIONAL BUILDING CODE, 2009 EDITION" was approved and ordered published on second reading.

b. Ordinance #5601

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION" was approved and ordered published on second reading.

c. Ordinance #5602

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL ENERGY CONSERVATION CODE, 2009 EDITION" was approved and ordered published on second reading.

d. Ordinance #5603

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL FUEL GAS CODE, 2009 EDITION" was approved and ordered published on second reading.

e. Ordinance #5604

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL MECHANICAL CODE, 2009 EDITION" was approved and ordered published on second reading.

f. Ordinance #5605

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION" was approved and ordered published on second reading.

g. Ordinance #5606

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL RESIDENTIAL CODE, 2009 EDITION" was approved and ordered published on second reading.

h. Ordinance #5607

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THERETO THE INTERNATIONAL PLUMBING CODE, 2009 EDITION" was approved and ordered published on second reading.

6. DEVELOPMENT SERVICES

Motorplex Entry Addition Annexation & Zoning

a) Ordinance #5608

Legislative Action: "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" was approved and ordered published on second reading.

b) Ordinance #5609

Quasi-judicial Action: "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" was approved and ordered published on second reading.

7. DEVELOPMENT SERVICES

Municipal Code Amendment – Historic Preservation

Ordinance #5610

Legislative Action: "AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 15.56 REGARDING HISTORIC PRESERVATION" was approved and ordered published on second reading.

8. CITY CLERK

November Election Notifications

a) Resolution #R-44-2011

Administrative Action: 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 was approved.

RESOLUTION #R-44-2011

A RESOLUTION 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

WHEREAS, the City of Loveland intends to participate in the statewide special election to be held on November 1, 2011, and to coordinate that election with the Larimer County Clerk and Recorder; and

WHEREAS, C.R.S. Section 1-7-110(5) requires the City to notify the Larimer County Clerk and Recorder of its intention to participate in this upcoming election; and

WHEREAS, this Resolution constitutes the City's formal decision to participate in the November 1, 2011, statewide special election to be coordinated with the Larimer County Clerk and Recorder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND:

Section 1. That the City Clerk is hereby authorized to notify the Larimer County Clerk & Recorder of the City's intention to participate in the November 1, 2011, statewide special election and to coordinate its participation in that election with the Larimer County Clerk and Recorder.

Section 2. That this Resolution shall take effect as of the date and time of its adoption.

APPROVED this 5th day of July, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

b) 1st Rdg Ord & P.H.

Legislative Action: A public hearing was held and "AN ORDINANCE PROVIDING THAT THE CITY OF LOVELAND'S REGULAR ELECTION TO BE HELD ON 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" was approved and ordered published on first reading.

9. Police

Motion

Administrative Action: A public hearing was held and a motion to approve staff's application for a Justice Assistance (JAG) Grant was approved.

10. DEVELOPMENT SERVICES

1ST Rdg Ord & P.H.

Administrative Action: A public hearing was held and "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2011 CITY OF LOVELAND BUDGET FOR A HISTORIC PRESERVATION BROCHURE TO GUIDE TOURISTS" was approved and ordered published on first reading.

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

Tom Schemp, representing the Blue Knights announced the performance "drums along the Rockies" Friday night, July 8, 2011 Thompson Valley High School.

b) Business from Council

Johnson

Councilor Johnson acknowledged the wonderful fireworks show on July 4, 2011. Next year the City will be seeking outside sponsors for the event.

Heckel

Councilor Heckel asked Chief Heckel to address citizen concern regarding the amount of illegal fireworks in the City this year.

Klassen

Councilor Klassen praised Loveland business "Heska" after having toured their facilities.

Gutierrez

Mayor Gutierrez attended the Loveland Friends of Chamber Music at the McCreary House where he narrated "Peter and the Wolf".

Mayor Gutierrez attended the Leadership Northern Colorado, where Ted Abernathy spoke.

Mayor and other Councilors attended the Ribbon Cutting ceremony of the I/25 and Hwy 34 corridor.

Sunday the 101st Army Band performed at the Amphitheatre, the Dixieland section of the band will be performing, Thursday evening at the Foote Lagoon.

The Disability Commission will be holding an event July 12, 2011 from 12:30 p.m. to 3:30 p.m. at the "Ranch" to promote Disability awareness.

Shaffer

Councilor Shaffer attended the Maple Terrace Solar Dedication.

c) City Manager Report

None

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 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. Assistant City Manager and Finance Director Renee Wheeler introduced this item to Council. 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. Executive Fiscal Advisor Alan Krcmarik introduced this item to Council. 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.

ADJOURNMENT

Having no further business to come before Council, the July 5, 2011 Regular Meeting was adjourned at 7:24 a.m.

Respectfully Submitted,

Teresa G. Andrews, City Clerk

Cecil A. Gutierrez, Mayor