

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

January 7, 2003

**Regular Meeting
6:00 p.m.**

PRESENTATION OF COLORS BY THE WEBELO RAMS

1. CALL MEETING TO ORDER.
2. ROLL CALL.
3. CITIZEN PARTICIPATION (limited to 30 minutes)
4. CITIZEN PARTICIPATION FOLLOW-UP:

This is an opportunity for the Mayor or Councilmembers to follow-up on issues raised during Citizen Participation.

5. AGENDA REVIEW: CITY MANAGER

6. CONSENT CALENDAR

The Consent Calendar consists of Item Numbers 7 through 21. This Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Agenda Item #28, Pulled Consent Items. The Consent Calendar consists of:

- 1) Ordinances on First Reading that are routine;
- 2) Ordinances on Second Reading that are routine;
- 3) Those of no perceived controversy;
- 4) Routine Administrative actions.

CONSENT CALENDAR

7. Second Reading of Ordinance No. 176, 2002, Amending Section 2-575 of the City Code Relating to Councilmember Compensation.

Article II, Section 3 of the City Charter provides that the compensation of Councilmembers SHALL be adjusted annually for inflation in accordance with the Denver/Boulder Consumer Price Index. In 2002, Councilmembers were compensated \$575 per month, and the Mayor received \$860 per month.

This Ordinance, which was unanimously adopted on First Reading on December 17, 2002, amends Section 2-575 of the City Code to set the 2003 compensation of Councilmembers at \$585 and the compensation of the Mayor at \$880, as required by the City Charter.

8. Second Reading of Ordinance No. 184, 2002, Authorizing the Long-term Lease of Property at the Fort Collins-Loveland Municipal Airport to Stephen Brown for the Construction of an Aircraft Hangar.

The ground rental rate is \$.14 per square foot per year, which is consistent with other leases approved within the last year. The hangar location is consistent with the Airport's development plan and is considered to be a good addition to the Airport. At the expiration of the lease the improvements revert to the ownership of the Airport. Ordinance No. 184, 2002, was unanimously adopted on First Reading on December 17, 2002.

9. Second Reading of Ordinance No. 185, 2002, Authorizing the Long-term Lease of Property at the Fort Collins-Loveland Municipal Airport to Dennis Swenson for the Construction of an Aircraft Hangar.

The ground rental rate is \$.14 per square foot per year, which is consistent with other leases approved within the last year. The hangar location is consistent with the Airport's development plan and is considered to be a good addition to the Airport. At the expiration of the lease, the improvements revert to the ownership of the Airport. Ordinance No. 185, 2002, was unanimously adopted on First Reading on December 17, 2002.

10. Second Reading of Ordinance No. 186, 2002, Amending Chapter 14 of the City Code Relating to Landmark Preservation.

The demolition/alteration review process, adopted in 1994 as a part of Chapter 14 of the City Code, has generated continued confusion and concern by Council, staff and the public. The Landmark Preservation Commission (LPC) and staff have completed a thorough review of Chapter 14, and are proposing the following revisions to the Code. These revisions address the major concerns with the demolition/alteration review process, by allowing for a distinction between resources that are individually eligible, those that would only contribute to a district, and those that are not eligible or would not contribute to a district, and by adopting new standards for evaluating

a property's level of eligibility based upon its significance and integrity. These changes result in the demolition/alteration review process being required only for individually eligible properties and those properties designated on the State or National Registers, and then only if the proposed work would have an adverse effect on the property's integrity. Ordinance No. 186, 2002, which was unanimously adopted on First Reading on December 17, 2002, reflects minor housekeeping changes to Chapter 14 of the City Code.

11. Second Reading of Ordinance No. 187, 2002, Authorizing the Modification of the Meadow Springs Ranch Grazing Lease With Natural Fort Grazing Association, Inc.

The Natural Fort Grazing Association, Inc. ("NFGA") requested that the City restructure its current lease term (ten-years) to a year to year term with a renewable option each year due to recent changes in the property tax treatment of publicly-owned property which is leased and used by private parties. Ordinance No. 187, 2002, was unanimously adopted on First Reading on December 17, 2002, and authorized the modification of the Meadow Springs Ranch Grazing Lease.

12. Second Reading of Ordinance No. 188, 2002, Amending Chapter 20 of the City Code to Limit Residential Chimney Smoke Opacity to 20%.

This Ordinance, which was unanimously adopted on First Reading on December 17, 2002, amends Chapter 20 of the City Code to limit residential chimney smoke opacity to 20%.

13. First Reading of Ordinance No. 001, 2003, Appropriating Prior Year Reserves in the Open Lands Fund Representing Reimbursement from the Great Outdoors Colorado Trust Fund to Be Used for the Acquisition of Open Space, Trails, and Natural Areas.

This Ordinance appropriates grant funds received from Great Outdoors Colorado (GOCO) for three properties in the Poudre/Big Thompson GOCO Legacy project as well as grant money received from GOCO as a result of an adjustment to a previous grant that was received for the Jensen portion of the Cathy Fromme Prairie Natural Area.

14. First Reading of Ordinance No. 002, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Radon Program and Authorizing the Transfer of Matching Funds Previously Appropriated in the Natural Resources Operating Budget to the Grant Project.

This Ordinance appropriates \$15,000 in unanticipated revenue in the General Fund for the Radon Program. The funds will be used to continue the radon education and testing programs.

15. First Reading of Ordinance No. 003, 2003, Appropriating \$85,000 in Funds in the Sheldon Lake Project for the City Park Pool Renovation Project.

Ordinance No. 029, 2002, allocated funds totaling \$425,000 for the Sheldon Lake project from the City, the Wilkins Trust and the Elks P.O.E. #804. Work on the boardwalk is now nearly complete and within budget. The lake shoreline restoration is being coordinated with the Stormwater Sheldon Lake deepening project. Funding will remain in the Sheldon Lake Project for the shoreline restoration.

Originally, the parties intended to replace the wooden retaining wall on the north side of the lake with a decorative moss rock wall that would match the rock theme used at other locations in the park. However, the wooden retaining wall is functional and can remain for sometime before needing replacement.

Accordingly, the Wilkins Trust, the Elks, and City staff believe a water play structure at the pool is more important to the community at this time and support the reallocation of the donated funds.

16. First Reading of Ordinance No. 004, 2002, Appropriating Unanticipated Revenue in the General Fund for Police Services for the Larimer County Multi-Jurisdictional Drug Task Force.

The Larimer County Drug Task Force (LCDTF) has been awarded a grant in the amount of \$15,816 from the Colorado Department of Public Safety Division of Criminal Justice for the period of January 1, 2003 to July 31, 2003. These funds will be used to purchase six (6) self-contained breathing apparatus (SCBA) at \$2,567 each and thirty-six (36) pairs of Sarnex coveralls at \$11.50 each to be used in the enforcement and clean up of methamphetamine laboratories.

Methamphetamines appear to be the drug of choice in Larimer County. Intelligence gathered by the LCDTF indicates that as many as 777 instances of distribution of methamphetamines and 313 instances of manufacture of methamphetamines occurred (between May 2001 to May 2002). During this same time period, 45 arrests were made and 52 labs were dismantled. Sixteen methamphetamine labs were dismantled in the first nine months of this year.

In November 2002, the LCDTF received a grant for the purchase a mobile lab trailer to use in the surveillance and cleanup of methamphetamine labs. This grant for \$15,816 provides for supplies and equipment to be used in conjunction with the trailer.

17. Items Relating to the Appropriation of Miscellaneous Revenues for Police Services.

- A. First Reading of Ordinance No. 005, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Police Services Victim Services Team.
- B. First Reading of Ordinance No. 006, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Police Services/Rape Aggression Defense Self-Defense Program.

Victims and Law Enforcement ("V.A.L.E.") Board Grant: The Fort Collins Police Services Victim Services Team has been awarded a one-year grant in the amount of \$19,000 for the period of January 1 to December 31, 2003, by the Eighth Judicial District V.A.L.E. Board to help fund services provided by this team. These funds will be used to compensate a part-time paid victim advocate who provides crisis intervention services during weekday hours and is housed in the Victim Services office, as well as to pay for some of the operational expenses required for the provision of services to victims of crime in the community. Previous V.A.L.E. grant awards received were \$19,500 in 1998, and \$19,000 for 1999 through 2002.

Private Donation: The Fort Collins Police Services Victim Services Team has been given \$4,000 from a private donor to be used exclusively for the Rape Aggression Defense (R.A.D.) Self-Defense program. The Victim Services Team received funds from this same donor in 2002 and, as a result, it was able to provide training for over 50 women. Funds cover the cost to compensate three certified instructors per class, room rental, and materials needed for the students.

18. First Reading of Ordinance No. 007, 2003, Authorizing the Purchasing Agent to Enter into an Agreement for the Financing by Lease-Purchase of Vehicles and Equipment.

This Ordinance will authorize the Purchasing Agent to enter into a lease-purchase financing agreement with Koch Financial Corporation at 3.98% interest rate. The agreement shall be for an original term from the execution date of the agreement to the end of the current fiscal year. The agreement shall provide for renewable one-year terms thereafter, to a total term of five (5) years, subject to annual appropriation of funds needed for lease payments. The total lease terms, including the original and all renewal terms, will not exceed the useful life of the property. This lease-purchase financing is consistent with the financial policies of the City of Fort Collins.

19. First Reading of Ordinance No. 008, 2003, Designating the Giddings Machine Shop, 401 Pine Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Douglas Mohrlang, President, Giddings Machine Company, and Equity Owner, Jon Prouty, President, Daemian Enterprises, are initiating this request for Fort Collins landmark designation for the Giddings Machine Shop. The property meets several standards for designation as a Fort Collins landmark, specifically, §14-5(1) for the property's association with significant persons and trends, and §14-5(2) for the building's representation of a type, period or method of construction. The building is further individually eligible for designation on the National Register of Historic Places under Criteria A, B, and C, and would contribute to the Historic Old Town District, a district that already has both National Register and Fort Collins landmark designation. The building has obvious associations with the Giddings family, a family who played an integral part in the growth and development of Fort Collins. The property is also significant for the Giddings Machine Company itself, a business that today is internationally known for its quality soil exploration equipment. Finally, the Giddings Machine Shop is important as a prime example of the Factory-type commercial architecture of the 19th and 20th centuries.

20. Resolution 2003-001 Making an Appointment to the Community Development Block Grant Commission.

A vacancy currently exists on the Community Development Block Grant Commission due to the resignation of Jennifer Molak. Applications were solicited and Councilmembers Bertschy and Tharp are recommending Bruce Croissant to fill the vacancy on the with a term to begin immediately and set to expire on December 31, 2005.

21. Routine Easement.

- A. Easement for construction and maintenance of public utilities from H. Luis and Letha I. Robinson, to underground electric services, located at 1728 West Mulberry. Monetary consideration: \$200. Staff: Patti Teraoka.

*****END CONSENT*****

22. Consent Calendar Follow-up.

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

23. Staff Reports.

24. Councilmember Reports.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

25. Second Reading of Ordinance No. 189, 2002, Amending Section 4.15(B)(3)(c) of the City of Fort Collins Land Use Code by adding Supermarkets as a Permitted Use in the Community Commercial - North College Zone District.

Ordinance No. 189, 2002, which was adopted 4-3 on First Reading on December 17, 2002, amends Section 4.15(B)(3)(c) of the Code adding Supermarkets (over 25,000 square feet) as a permitted use within the C-C-N, Community Commercial - North College zone district. At the December 17 hearing, Council discussed various aspects and competing issues related to the request for this Code amendment.

26. Resolution 2003-002 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Annexation Proceedings for Such Property Known as the South Taft Hill Seventh Annexation.

This is a request to initiate annexation of a County enclave that is completely surrounded by properties that have been annexed into the City. The annexation is composed of approximately 220.22 acres of property generally located south of west Drake Road, lying to the west and east of south Taft Hill Road, and includes the south Taft Hill Road right-of-way.

27. Resolution 2003-003 Finding Substantial Compliance and Initiating Annexation Proceedings for the State Highway 14 – East Frontage Road Annexation.

The State Highway 14 – East Frontage Road Annexation is 47.15 acres in size. The site is located on the east side of the I-25 East Frontage Road approximately one-quarter mile south of State Highway 14 (East Mulberry Street). Contiguity with the existing municipal boundary is gained along the southern boundary which is shared with the north property line of the Galatia Annexation (230 acres).

The proposed Resolution states that it is the City's intent to consider annexation of this property and directs that the published notice required by state law be given of the Council's hearing to consider the annexation ordinance. As the first step in the process, the initiating resolution does not include formal action on the annexation request. The next step will be a public hearing, held at the time of the First Reading of the annexation and zoning ordinances on February 18, 2003. Not less than 30 days prior, published notice is required by state law.

28. Pulled Consent Items.
29. Other Business.
30. Adjournment.