

March 3, 2020

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Regular Meeting – 6:00 PM**

● **ROLL CALL**

PRESENT: Pignataro, Gutowsky, Summers, Stephens, Troxell, Cunniff

ABSENT: Gorgol

Staff Present: DiMartino, Daggett, Coldiron

● **AGENDA REVIEW: CITY MANAGER**

Deputy City Manager DiMartino recommended withdrawing Item No. 4, *Second Reading of Ordinance No. 040, 2020, Ratifying City Plan and Its Components and Elements*, from the Consent Agenda to allow staff to make a wording change.

● **PUBLIC COMMENT**

Pam Refven discussed an increase in disruptive incidents reported by the Old Town Library.

Michelle Haefele discussed ex parte communication and questioned whether a conversation between a developer with a current project and a Councilmember would fall under those same requirements.

Asad Aziz discussed an increase in disruptive incidents in the Library Park neighborhood and read comments from Tara McCormac regarding crime at the Old Town Library.

Kathryn Dubiel asked Council about its expectation of the accuracy, completeness, and timeliness of information accessed online branded under the City of Fort Collins' logo.

Jen Petrik stated she has moved her family outside of the Library Park neighborhood due to safety concerns and requested additional community policing be funded for the area.

Lisa Eaton discussed disruptive incidents in the Library Park neighborhood and suggested an increase in proactive policing, an increase in ensuring Code compliance, and the facilitation of community discussion opportunities.

Laura Petrik discussed an increase in disruptive incidents reported in the Library Park neighborhood.

Laurie Davis requested Council help find a solution to the distressing situation in the Library Park neighborhood. She discussed the nuisance ordinance stating it is triggered when the City becomes aware a property might be a public nuisance by logging complaints from neighbors.

Bob Davis expressed concern about the safety of the Library Park neighborhood. He suggested additional proactive community policing and an increase in the number of park rangers.

Tricia Diehl stated her business is located in the Library Park neighborhood and discussed safety concerns in the area.

Kevin Cross, Fort Collins Sustainability Group, stated one business in Fort Collins which produces fluorinated gases represents about 8% of the total greenhouse gas emissions in Fort Collins. Those gases need to be counted in Fort Collins' greenhouse gas emissions numbers.

Carol Johnson discussed the abandoned and neglected buildings in her part of the Library Park neighborhood.

Doug Braden, Northern Colorado Homebuilders Association, discussed inclusionary zoning and the importance of broadening the number of tools used by the City to increase the number of affordable and attainable housing units.

Walter Hickman thanked Police Services for their assistance in responding to incidents in the Library Park neighborhood and stated the number of incidents seems to be dramatically increasing.

Gayla Martinez encouraged the City to begin including fluorinated gases in its greenhouse gas inventory.

Adam Eggleston discussed the upcoming work session on inclusionary zoning and capital improvement fees. Smaller housing units should be encouraged.

Carrie Gillis discussed the City's affordable housing priorities and encouraged Council to look at a broader spectrum of solutions rather than focusing on inclusionary zoning and linkage fees.

Peggy LaPoint, League of Women Voters of Larimer County, encouraged the City to begin including fluorinated gases in its greenhouse gas inventory and to work with Broadcom to reduce its output of fluorinated gases.

Gregor Skierman discussed an increase in disruptive incidents reported in the Library Park neighborhood.

Colin Garfield made suggestions regarding the public input aspect of the budgeting process related to remote communication methods and the online ranking portal.

Martin Bates supported Fort Collins Sustainability Group's suggestion related to the inclusion of fluorinated gases in the greenhouse gas inventory.

Bob Carnahan discussed inclusionary zoning and linkage fees which may make the affordable housing situation worse.

Jamie Stein commended the City's aggressive Climate Action Plan and supported including fluorinated gases in the greenhouse gas inventory.

Joe Rowan discussed the importance of affordable housing.

Desiree Kane expressed concern about the effects of Broadcom's gas emissions on Rocky Mountain National Park and how those emissions should be regulated.

Nancy York supported the request of the Fort Collins Sustainability Group to include fluorinated gases in the city's greenhouse gas calculations.

Tom Rhodes questioned why fluorinated gases are not included in the city's greenhouse gas calculations.

Elizabeth Hudetz supported the inclusion of fluorinated gases in the city's greenhouse gas calculations and the City needs to work with Broadcom to lower those emissions. She also supported the reinstatement of the fracking moratorium.

Brian Carroll discussed the importance of skills-based volunteers and the City has a viable volunteer program to support them.

John Singleton expressed concern about incidents in the Library Park neighborhood and discussed the importance of having an all-inclusive open dialogue with all parties.

● **PUBLIC COMMENT FOLLOW-UP**

Mayor Troxell summarized the citizen comments.

Mayor Pro Tem Stephens expressed appreciation for the suggestions mentioned by Library Park residents and acknowledged the nuisances described are not acceptable. She commended Mr. Garfield's suggestions related to public participation in the budgeting process. There is support among Councilmembers for including fluorinated gases in the city's greenhouse gas inventory but noted the gases are regulated by the federal government and there was never any intention of misleading citizens.

Councilmember Pignataro noted affordable housing strategies will be discussed at the March 24 work session. She also noted the City is gathering input on oil and gas regulations.

Councilmember Gutowsky thanked the speakers from the Library Park neighborhood and stated the increase in incidents could be due in part to an increase in proactive encounters with Police; however, she supported additional resources being put forth. She also supported facilitated meetings between neighbors and encouraged residents to continue to email her regarding their concerns.

Councilmember Cunniff requested input from staff regarding suggestions made by Library Park residents and on the fluorinated gases issue. He discussed timeliness issues related to information on the City's webpage and supported following up on Mr. Garfield's suggestions.

Police Chief Swoboda thanked the Library Park residents for their engagement and stated most of the issues in the neighborhood are related to homeless individuals, camping, and public restrooms.

Deputy City Manager Mihelich discussed the history of the emergency overflow shelter in the Library Park neighborhood. He commended residents' suggestions of mediation with the Mennonite Church and discussed the steps taken by the City regarding nuisance properties.

Councilmember Cunniff requested a timeline of plans for the Library Park area. Deputy City Manager Mihelich replied staff would follow up.

Councilmember Summers discussed the issue of fluorinated gases and a visit he made to Broadcom stating the company has invested in new mitigation efforts.

Deputy City Manager Mihelich stated staff agrees fluorinated gas emissions need to be tracked and staff will be providing Council with some options at the end of March. Broadcom has been making changes to its processes and fluorinated gas emissions have been decreasing over the past several years.

Lucinda Smith, Environmental Services Director, noted staff is also looking at the correct threshold for including the larger category of emissions.

Councilmember Cunniff discussed the unique circumstance of having a major electronics manufacturer in a mid-sized town and requested staff bring forth an integrated option for Council to consider.

Mayor Troxell cautioned against changing the accounting scheme against approximations.

Mayor Pro Tem Stephens noted the City is always looking for new items in its toolbox when addressing affordable housing.

● **CONSENT CALENDAR**

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, to adopt and approve all items not withdrawn from the Consent Agenda.

<b>RESULT:</b>	<b>CONSENT AGENDA ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristin Stephens, District 4
<b>SECONDER:</b>	Ross Cunniff, District 5
<b>AYES:</b>	Pignataro, Gutowsky, Summers, Stephens, Troxell, Cunniff
<b>ABSENT:</b>	Gorgol

1. **Consideration and Approval of the Minutes of the January 21, February 4 and February 18, 2020 Regular Council Meetings and the February 11, 2020 Adjourned Council Meeting. (Adopted)**

The purpose of this item is to approve the minutes from the January 21, February 4 and February 18, 2020 regular Council meetings and the February 11, 2020 adjourned Council meeting.

2. **Second Reading of Ordinance No. 037, 2020, Appropriating Unanticipated Philanthropic Revenue in the General Fund and Transferring it to the Capital Projects Fund for the Eastside Park Improvement Project. (Adopted)**

This Ordinance, unanimously adopted on First Reading on February 18, 2020, appropriates philanthropic revenue in the General Fund for transfer to the Capital Projects Fund to underwrite the costs of improvements to Eastside Park, located adjacent to Laurel Elementary School, 1000 Locust Street. Eastside Park and the City of Fort Collins are the beneficiaries of focused community giving, facilitated by City Give, for the costs of park improvements that will enhance neighborhood use of the park and improve park functions to include lighting, soft surface paths, seating areas, and ongoing neighborhood events.

3. **Second Reading of Ordinance No. 038, 2020, Making an Appropriation for the Expansion of the Transfort FLEX Service to Boulder. (Adopted)**

This Ordinance, unanimously adopted on First Reading on February 18, 2020, appropriates unanticipated grant revenue awarded by Denver Regional Council of Governments (DRCOG) to fund the expansion of the FLEX to Boulder Regional Route.

4. **First Reading of Ordinance No. 041, 2020, Appropriating Unanticipated Black and Gray Market Marijuana Grant Revenue in the General Fund for Police Services. (Adopted)**

The purpose of this item is to appropriate unanticipated grant revenue in the amount of \$345,227 from the Colorado Department of Local Affairs in the General Fund to support investigation and prosecution of black-market marijuana activity.

5. **First Reading of Ordinance No. 042, 2020, Reappropriating Funds Previously Appropriated in 2019 But Not Expended or Not Encumbered in 2019. (Adopted)**

The purpose of this item is to reappropriate monies in 2020 that were previously authorized by City Council for expenditures in 2019 for various purposes. The authorized expenditures were not spent or could not be encumbered in 2019 because:

- there was not sufficient time to complete bidding in 2019 and, therefore, there was no known vendor or binding contract as required to expend or encumber the monies,
- the project for which the dollars were originally appropriated by Council could not be completed during 2019 and reappropriation of those dollars is necessary for completion of the project in 2020, or
- the funds appropriated to be spent in 2019 to carry on some of the programs, services, and facility improvements were not spent or encumbered in 2019 for other reasons but continue to be needed for the same purposes in 2020.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2019 and reflect no change in Council policies.

Monies reappropriated for each City fund by this Ordinance are as follows:

General Fund	\$258,008
Keep Fort Collins Great Fund	71,097
Cultural Services Fund	171,498
Transportation CEF Fund	1,750,000
Transportation Fund	290,000
Parking Fund	30,000
Data and Communications Fund	476,715
Total	\$3,047,318

6. **First Reading of Ordinance No. 043, 2020, Adopting Revisions to the Master Street Plan. (Adopted)**

This purpose of this item is to seek City Council approval of proposed amendments to the Master Street Plan. The Master Street Plan (MSP) map serves as the official source for identification of street alignments and classifications for the City. The map shows both existing and future street locations. Updates to the map are done either through a request from a developer proposal or City initiated, based on changing plans, functions or information. The requests are City-initiated, and include amendments to the street system, add potential roundabout locations to the map, and update the potential railroad grade-separated crossing locations. These requested changes are in addition to the changes approved on January 14, 2020, for Montava.

● **STAFF REPORTS**

- A. Update on Long Trains. (staff: Joe Olson)

Joe Olson, City Traffic Engineer, discussed the three train companies and their lines in Fort Collins. He noted the City has no regulatory authority over railroads and, even federally, there are no regulations related to the amount of time for which an intersection can be blocked or the length of a train. The Burlington Northern Santa Fe line has recently started running double long trains, which are about 3 miles long.

Olson outlined the increase in travel times during evening commutes that are resulting from the double long trains. The Federal Railroad Administration (FRA) is hearing about this issue from many different communities and noted the FRA has set up a webpage for individuals to report waits at crossings. Traffic Operations has created special signal timing plans that come on automatically to help flush out traffic congestion after trains have gone through, and staff is continuing to collaborate with the Congressional delegation and FRA and is still working on quiet zones.

Mayor Troxell suggested the possibility of a use tax mechanism for negative community impacts and questioned whether the long trains exceed their siding capacity. He asked if the quiet zone waiver has been submitted.

Olson replied staff is hoping to have the train horn waiver ready for Council to take to Washington, D.C. next week.

Councilmember Cunniff asked if mapping and/or signage is or will be available for train blockages. Olson replied staff is working on that technology but noted it is difficult to address city-wide blockages.

Mayor Pro Tem Stephens encouraged residents to utilize the FRA webpage and noted productivity is negatively affected by the train issues.

**B. Skills-Based Volunteers at Natural Areas.** (staff: Charlotte Norville)

Charlotte Norville, Natural Areas Volunteer Program Manager, discussed the skills-based volunteer cohort within the Natural Areas department, stating it is being shared as a best practice around the nation. The program allows citizens to provide professional-level skills to help with staff-identified projects. Norville detailed the next steps in the skills-based volunteer program and noted other departments are being mobilized to do the same type of cohort skills-based model.

Councilmember Pignataro commended the program.

Councilmember Cunniff commented on the importance of volunteers in the community.

Councilmember Summers commended the program.

Mayor Troxell commended the program.

● **COUNCILMEMBER REPORTS**

Mayor Troxell reported on a new weekly community partner meeting on the Coronavirus and on a drone advisory committee meeting in Washington, D.C. He reported on the upcoming National League of Cities meeting also in Washington, D.C.

Councilmember Gutowsky reported on attending a round table meeting regarding the state of the region hosted by the Veteran's Plaza Board. She also reported on the Project Smile luncheon, Poudre River Forum, the groundbreaking for the new elementary school in Loveland, the kickoff of the International Women Build week for Habitat for Humanity, and on the Women in Science Symposium.

Councilmember Gorgol reported on the CSU State of Science event, a tour of the Rawhide Energy Station, and the Women in Science Symposium. She stated her last listening session started with a volunteer activity involving a cleanup at Warren Park.

Mayor Pro Tem Stephens reported on the Intergenerational Conversations Group meeting, the Boys and Girls Club Youth of the Year awards, the joint regional meeting, the Women in Science Symposium, and the St. Joseph's School soup luncheon.

(Secretary's Note: The Council took a brief recess at this point in the meeting.)

- **CONSIDERATION OF COUNCIL-PULLED CONSENT ITEMS**

7. **Second Reading of Ordinance No. 040, 2020, Ratifying City Plan and Its Components and Elements.** (Adopted as Amended on Second Reading)

*This Ordinance, unanimously adopted on First Reading on February 18, 2020, ratifies by ordinance City Plan and its components and elements as previously adopted by resolution in order to clarify that City Plan and its components and elements may be utilized as binding standards when referenced in the Land Use Code. In 2019, Council adopted an updated version of City Plan to replace the version of City Plan adopted in 2011. The prior City Plan adopted in 2011 would be ratified solely for purposes of reviewing development applications submitted prior to the effective date of the current version of City Plan adopted in 2019. For all other purposes, the version of City Plan adopted in 2019 would be ratified.*

City Attorney Daggett stated she had recommended this item be pulled from the Consent Agenda as there was a typo in Section 3. She presented the proposed change from the word “applicants” to “applications”, and an addition of italicizes for a certain Latin term, and requested Council adopt the Ordinance on Second Reading with the proposed changes.

Eric Sutherland asked if it is Council's intent that by adopting this Ordinance, City Plan will become a criterion established by law and therefore be legally binding. He also questioned whether Council applied the City Plan and its components to the Montava PUD application and made findings as to the sufficiency of the application.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Summers, to adopt Ordinance No. 040, 2020, on Second Reading, as amended to include the changes presented by the City Attorney.

Councilmember Cunniff asked if City Plan should be legally binding in the context of land use and zoning decisions. City Attorney Daggett replied in the places City Plan is used in more of a legally binding way include references in the Land Use Code.

<b>RESULT:</b>	<b>ORDINANCE NO. 040, 2020 ADOPTED AS AMENDED ON SECOND READING [UNANIMOUS]</b>
<b>MOVER:</b>	Kristin Stephens, District 4
<b>SECONDER:</b>	Ken Summers, District 3
<b>AYES:</b>	Pignataro, Gutowsky, Summers, Stephens, Troxell, Cunniff
<b>ABSENT:</b>	Gorgol

● **DISCUSSION ITEMS**

8. **First Reading of Ordinance No. 044, 2020, Updating the Harmony Corridor Plan for the Gateway Area and the Harmony Corridor Standards and Guidelines. (Adopted on First Reading)**

*The purpose of this item is to consider a request to amend the Harmony Corridor Plan and the Harmony Corridor Standards and Guidelines by adopting revised Plan policies, standards and guidelines pertaining to the 'gateway' area located west of I-25.*

Cameron Gloss, Planning Manager, stated this item involves a request to amend the Harmony Corridor Plan, including new policies, design standards, and design guidelines pertaining to the gateway area at I-25 and Harmony Road. He showed past and current photos of the area and discussed development activity and the existing floodplain and Natural Areas. He detailed the ponds in the area, some of which have a legal storage water right and some of which do not and will therefore need to go through alternative processes in order to be retained.

Gloss discussed the extensive public input process utilized to determine preferences for the area. He discussed land uses and restrictions, undulating setbacks, and a proposed regional trail corridor.

Gloss stated five boards and commissions had a unanimous recommendation of approval supporting staff's proposed draft with language amendments to address water conservation. Additionally, the Planning and Zoning Board recently made a recommendation, on a 4-2 vote, to approve staff's proposed draft with a condition that the City participate in the creation, management, and maintenance of the 40% required naturalistic area.

Roxanne Griffin discussed her support for option E as proposed by the citizen's initiated Protect Our Gateway. This option would limit retail maximum density to 15% and she cited existing vacant retail in the area. Additionally, this option requires a cultural component which aligns with the City's 2020 Strategic Plan and requires 40% of the land to be designated as a Natural Area. Ms. Griffin stated public-private partnerships could be critical in the development of this 40%.

Carolynne White, on behalf of the landowner, stated the landowner agrees with the principal purpose of the amendment to change the land use mix within the Harmony Corridor Gateway, but objects to the proposal for a 40% undeveloped open space requirement without any compensation. She noted there is no requirement by which a developer must dedicate 40% of their land for open space. That is tantamount to a taking of the landowner's property.

White stated the Planning and Zoning Board made a recommendation to City Council that the 40% open space requirement should remain, but that the City should be obligated to participate financially. The landowner would like to urge the City to approve this item with the Planning and Zoning Board requirement to include a City financial contribution, or to deny the proposed amendment and accompanying standards and guidelines.



Ray Martinez stated the requirement for the landowner to give up 40% of his land is tantamount to a taking. The City should pay for and maintain the property if it wants to retain it for open space.

Jake Steele, on behalf of the landowner, agreed with several of the recommendations, specifically certain land use changes; however, the amount of required open space and additional setback areas make this proposal unimplementable and unfeasible from the perspective of the landowner.

Mayor Troxell asked for a definition of the Gateway area. Gloss replied the area is described in the existing Harmony Corridor Plan and has not changed.

Mayor Troxell asked what property is being discussed as part of the public comment. Gloss replied it is south of Harmony Road, west of I-25, to the south end of the Gateway and east of Strauss Cabin Road. The proposed standards would apply to properties within the entire Gateway, but the parcel held in common ownership as identified by Ms. White would be most impacted as privately owned.

Councilmember Cunniff discussed the heron rookery cottonwood tree and asked if the tree is to be removed. Tom Leeson, Community Development and Neighborhood Services Director, replied the property owner did have plans to remove the tree; however, a meeting has been set to discuss alternatives and once nesting begins, the tree would not be allowed to be removed.

Councilmember Cunniff asked if there are open space requirements for other zoning designations. Gloss replied in the affirmative.

Councilmember Cunniff noted childcare uses could not be built in the area given the floodway and floodplain without a great deal of earth moving. Gloss replied in the affirmative.

Councilmember Cunniff asked if this ultimate recommendation includes part of citizen-initiated option E as discussed in public comment. Gloss replied in the affirmative, but noted the entirety of option E is not included.

Councilmember Cunniff expressed support for the recommendation as being a reasonable compromise that provides the design strategy supporting preservation of the Poudre River landscape and addressing intensity of use along the Harmony corridor.

Councilmember Summers asked if the enhanced setbacks are calculated into the 40%. Gloss replied the enhanced setbacks would be an element that would be part of the 40% calculation.

Councilmember Summers expressed concern about Natural Areas deciding some of this property was not suitable for purchase while then requiring the private landowner to give it up for open space. He views this as a potential taking. He asked about the difference between a plan and the zoning of a property. Gloss replied the plan provides general policy direction, and in this case regulations that provide a degree of specificity to implement the policy.

Mayor Troxell noted there are questions raised by Ms. White in a letter to Council that may warrant an executive session.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Gutowksy, that the City Council go into executive session for the purpose of meeting with City staff to discuss real property

acquisitions for the Natural Areas Department as permitted under Article 2, Section 11A of the City Charter, Section 2-31, subsection A3 of the City Code, and the Colorado Revised Statute Section 24-6-402, subsection 4A.

City Attorney Daggett suggested this language limits the executive session conversation to the Natural Areas aspect and an additional executive session on legal advice would be needed.

Councilmember Cunniff stated it is premature to be having an acquisition discussion prior to a decision on the plan.

Mayor Pro Tem Stephens and Councilmember Gutowsky withdrew the motion.

Councilmember Pignataro requested clarification related to the difference between public space, open space, and natural area. Gloss replied the Plan references naturalistic open land which could take place on either private or public land, whereas Natural Areas are owned and controlled by the City.

Councilmember Pignataro noted this area has some of the worst air quality in the city and questioned whether any research went into placing residential uses so close to the highway. Gloss replied particulate matter is generally highest toward I-25.

Councilmember Summers asked if the 40 acres of open area on the Hewlett Packard campus was required. Gloss replied in the negative and stated that campus was built prior to the Harmony Corridor Plan being adopted.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, that the City Council go into Executive Session for the purpose of meeting with the City's Attorneys and City management staff to discuss the following matters as permitted under City Charter, Article 2, Section 11-2, City Code Section 2-31, subsection A2, and Colorado Revised Statute Section 24-6-402, subsection 4B: specific legal questions related to potential litigation regarding the Harmony Corridor Plan and standards and guidelines, and the manner in which particular policies, practices, or regulations of the City related to the Harmony Corridor Plan and standards and guidelines may be affected by existing or proposed provisions of federal, state, or local law. Yeas: Troxell, Pignataro, Stephens, Summers, Cunniff, and Gutowsky. Nays: none.

THE MOTION CARRIED.

(Secretary's Note: The Council went into Executive Session at this point in the meeting and returned at 10:11 p.m.)

Councilmember Cunniff asked if this plan mandates any specific kinds of naturalistic open areas. Gloss replied several various components may be applied toward satisfying the 40% and the open areas do not have to be donated to the City by a private landowner.

Mayor Troxell asked about the definition of naturalistic, given much of the area is not natural as it exists now. Gloss replied there is a naturalistic quality to most of Fort Collins, despite much of its land being manipulated overtime.

Mayor Troxell asked if the heron rookery would be required to remain. Gloss replied a habitat area has been identified on the overall development plan that has been approved for this site. The

tree and its buffer area must be protected, though activities may occur within the buffer zone within a certain time of year.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 044, 2020, on First Reading, changing the date of Second Reading to April 7, as recommended by staff.

Councilmember Cunniff stated this is a reasonable compromise that provides for the gateway appearance of the Poudre River valley as it enters into Fort Collins. He did not support setting forth requirements to spend specific fund area dollars in a specific outcome area in a plan adoption.

Mayor Pro Tem Stephens noted a great deal of public input has been part of this plan and it maintains the desire to have some openness in the city's gateways.

Councilmember Summers commended several elements of the plan but stated there needs to be ongoing conversation about the 40% number. He suggested a housing/retail hub may be needed in order to not require residents to pay additional taxes and fees as there would not be enough sales tax revenue to meet the needs of the city moving forward. He did not support the motion on First Reading but hopes to support it on Second Reading following discussions related to the 40% open lands requirement.

Mayor Troxell stated this property has the potential for some amazing things and noted the property is not pristine and will require a great deal of reclamation. He did not support the motion on First Reading with the hope that discussions will occur to either meet the recommendations with a unique solution or change the percentages to some degree.

<b>RESULT:</b>	<b>ORDINANCE NO. 044, 2020 ADOPTED ON FIRST READING [4 TO 2]</b>
<b>MOVER:</b>	Kristin Stephens, District 4
<b>SECONDER:</b>	Ross Cunniff, District 5
<b>AYES:</b>	Pignataro, Gutowsky, Stephens, Cunniff
<b>NAYS:</b>	Summers, Troxell
<b>ABSENT:</b>	Gorgol

● **OTHER BUSINESS**

Councilmember Cunniff stated Longmont has voted, at least on First Reading, to prohibit residential metro districts, and requested information as to Council's upcoming work session on the topic. Deputy City Manager DiMartino replied staff would provide a follow-up memo.

Councilmember Cunniff asked if any metro district applications have been received. Deputy City Manager DiMartino clarified no applications have been received.

**Motion to Extend Past 10:30 p.m.**

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Pignataro, to extend the meeting beyond 10:30 PM to consider Other Business. Yeas: Cunniff, Summers, Pignataro, Stephens, Troxell and Gutowsky. Nays: none.

THE MOTION CARRIED.

Councilmember Cunniff requested and received Council support for staff to provide an option that would include fluorinated gases as part of the city's baseline greenhouse gas calculations.

Mayor Troxell requested and received Council support to draft a letter to the County Commissioners with regard to having a discussion about the siting of the behavioral health facility at the current Larimer County Landfill site. That location brings up concerns related to equity, transportation, health, and partnerships.

Councilmember Cunniff supported sending the letter and offering the City's help in finding an alternative location.

Councilmember Gutowsky asked if this letter would be a request for a discussion or a request to actively seek an alternate site. Mayor Troxell replied it would definitely be a request for a discussion, including a discussion as to why the site was selected.

Councilmember Summers commented on recent ethics complaints filed just prior to a Council meeting wherein a vote was to take place on an item. He suggested it may be prudent to look at instating a timeframe in which complaints must be filed, particularly when a complaint is related to a pending action.

Councilmember Cunniff agreed that some sort of timeframe should occur in order for the full process to play out; however, he stated the door needs to be left open if someone discovers an ethics violation at the last minute. Councilmembers discussed various possibilities related to ethics complaints and addressing them as a Council.

Mayor Troxell suggested Council direct the City Attorney to prepare an ordinance for consideration enacting a Code change related to ethics complaints.

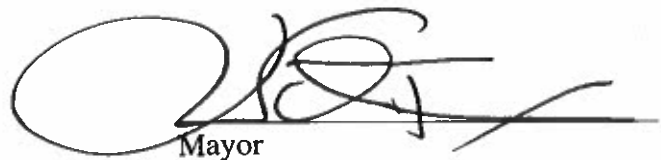
Councilmember Cunniff suggested it could just be a modification of Council's procedures.

Councilmember Summers suggested the language should include steps in a process.

Deputy City Manager DiMartino stated staff would return with a memo for Council consideration.

● **ADJOURNMENT**

The meeting adjourned at 10:51 PM.

  
Mayor

ATTEST:

  
City Clerk

