

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

January 20, 2004

**Proclamations and Presentations**  
**5:30 p.m.**

- A. Proclamation Proclaiming January 31, 2004 as "Walk-About Fort Collins Day".
- B. Proclamation Proclaiming the week of January 25 - February 1, 2004 as "Catholic School Week".

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

- A. Annual Report to the Community - Mayor Martinez and City Manager John Fischbach.

**PLEDGE OF ALLEGIANCE**

- 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 30. 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 #35, 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. Consideration and Approval of the Council Meeting Minutes of November 4, and November 18, 2003.
8. Second Reading of Ordinance No. 174, 2003, Continuing a Temporary Manufacturing Equipment Use Tax Rebate Program for Fort Collins Manufacturers.

In March 1996, City Council approved a temporary rebate program for use tax paid on manufacturing equipment. The goal of the program was to maintain the local economic base by providing modest tax relief to manufacturing concerns located in Fort Collins. The program has provided rebates to manufacturers for taxes paid during the calendar years 1996 through 2001. The rebate program was discontinued for calendar year 2002 due to economic conditions. Staff is proposing that the program be reinstated for 2003 and 2004, so that rebates may be made of taxes received by the City during those two years.

Payments are made in arrears. This is a "rebate" of tax paid in the previous year. It is not a tax exemption. If approved for calendar years 2003 and 2004, staff will ask manufacturing companies to submit applications by late March of each year – as prescribed in the program. Rebates will be paid upon review of the applications. Historically, many of the companies have requested extensions to file at an even later date. Modifications were last made to the program in 1999 to reflect several requests made by the manufacturing community. Ordinance No. 174, 2003, was unanimously adopted on First Reading on December 2, 2003.

turning south on Lemay Avenue from Prospect Road. Construction of this right-turn lane has been delayed due to negotiations with the Texaco station on the corner. The construction of this right-turn lane can be accomplished at a more affordable price if it can be constructed at the same time as the corner redevelopment. Rite-Aid and Walgreen's have both submitted plans for this area; however, redevelopment costs have been too high to make their developments viable. As a result, it is staff's recommendation to continue renting this house, having the Tenant responsible for utilities and site clean-up, until a redevelopment plan is approved for this area or until the vehicle count mandates the construction of the turn lane due to an unacceptable service level.

28. Resolution 2004-011 Finding Substantial Compliance and Initiating Annexation Proceedings for Such Property to be Known as the Harmony Farm Second Annexation.

The Harmony Farm Second Annexation consists of approximately 5.0 acres of privately owned property. The Annexation is an enclave located south of Harmony Road and east of Cambridge Avenue. The recommended zoning is the LMN zone district.

29. Resolution 2004-012 Finding Substantial Compliance and Initiating Annexation Proceedings for Such Property to be Known as the Adrian Annexation.

The applicant, M. Torgerson Architects, on behalf of the property owners, John and Julie Adrian, has submitted a written petition requesting annexation of 2.18 acres located at the southeast corner of West Vine Drive and Impala Drive. The property is north of Laporte Avenue, west of North Taft Hill Road, and east of North Overland Trail. It is currently being used as an existing single-family residence (with house and horse barn). The requested zoning for this annexation is LMN – Low Density Mixed-Use Neighborhood. The surrounding properties are zoned LMN - Low Density Mixed Use Neighborhood in the City to the north, FA – Farming in Larimer County to the east, FA – Farming in Larimer County to the west, and FA – Farming in Larimer County to the south.

The proposed Resolution makes a finding that the petition substantially complies with the Municipal Annexation Act, determines that a hearing should be established regarding the annexation, and directs that notice be given of the hearing. The hearing will be held at the time of first reading of the annexation and zoning ordinances. Not less than thirty days of prior notice is required by State law.

30. Routine Easements.

- A. Deed of dedication for easement from Front Range Limited Partnership, for a slope easement on College Avenue, located on the northwest corner of Trilby Road and College Avenue. Monetary consideration: \$10. Staff: Sheri Warnhoff.