

**CITY OF NORTHGLENN  
CITY COUNCIL MINUTES  
August 13, 2009**

**CALL TO ORDER**

Mayor Pro Tem Paiz called the regular meeting of the Northglenn City Council to order on Thursday, August 13, 2009 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

**ROLL CALL**

Present were: Mayor Pro Tem Paiz, Council members Baker, Parsons, Monroe, Downing, Miller, Clyne and Wieneke.

**ABSENT**

Mayor Novak.

**STAFF PRESENT**

City Manager Simmons, City Attorney Hoffmann, City Clerk Small.

**PLEDGE AND  
INVOCATION**

The Pledge of Allegiance was given followed by the Invocation, which was delivered by Police Chaplain Tom Coyte.

**INTERVIEW:**

Dave Usechek

Mr. Dave Usechek came forward to be interviewed by Council for a position on the Liquor Licensing Authority. Mr. Usechek provided information about his background and experience, and answered questions from Council about his interest in serving on the Liquor Authority.

Ms. Maxine Foster, Liquor Licensing Authority Chair, stated that the Authority had interviewed Mr. Usechek and recommended his appointment to the Authority.

**AGENDA ADDITIONS  
AND DELETIONS:**

There were no additions or deletions to the agenda.

**PUBLIC INVITED  
TO BE HEARD**

Mayor Pro Tem Paiz called for any person wishing to address City Council on any subject not set for public hearing to come forward.

Mr. Robert Hurt, Ward III, spoke about Council's discussion at a previous meeting regarding a purchasing card issue and expressed concern about standing water in pedestrian underpasses. Mr. Hurt inquired about the 4.0 mill levy set to expire on December 31, 2009, and spoke about water flow in Huron Crossing Park. Mr. Hurt also commented on an article on the City website about the Bull Reservoir project.

City Manager Simmons provided information about the approval of the 4.0 mill levy, which was designated for the use of repaying water

debt.

City Attorney Hoffmann confirmed that the approval of the 4.0 mill levy set to expire at the end of this year was enacted pre-TABOR, and provided information about the existing tax and the proposed extension of the tax.

Mr. Chris DeMay spoke against CR-93 – November 3, 2009 Ballot Question – Transferring Governance of NURA to City Council. Mr. DeMay expressed concern about the intent of the proposed ballot question and stated that he feels citizen input is an important part of urban renewal. Mr. DeMay stated the reasons why he feels NURA should be an independent board and asked Council to defeat CR-93.

Mr. Tim Long, NURA Commissioner, spoke about his membership on the Authority and expressed concern about the reason for the proposed ballot question to transfer the governance of the NURA board to City Council. Mr. Long spoke about the possible reasons for CR-93 and provided information about the activity of NURA and the projects that have been accomplished over the last twelve years.

Mr. Dallas Briggs, Ward I, stated that the proposed transfer of governance of the NURA board would not mean the board would go away, but rather that the duties would be transferred to City Council who would act as the board. Mr. Briggs stated he is concerned that the NURA board uses taxpayer money and is not accountable to anyone.

Mr. Dave Usechek spoke about the prior uses of property taxes to pay off bonds for the Recreation Center and to reduce the capital charge to residents. Mr. Usechek encouraged the public to continue the property tax that is set to expire at the end of the year with the condition that it is designated for a specific use.

## **FINANCIAL REPORT**

June 2009 Update

Mr. Shawn Cordsen, Finance Director, provided a financial update for the period ending June 30, 2009. Mr. Cordsen spoke about revenue and expenditures for the General Fund, Water and Wastewater Fund, Stormwater Fund, and Sanitation Fund. Mr. Cordsen also reported on cash reserves and the City's investment portfolio.

## **CONSENT AGENDA** **MOTION TO PASS**

Council member Parsons **MOVED** and it was **SECONDED** by Council member Miller to approve the consent agenda.

## **MOTION PASSED**

There was no discussion and the motion **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

The following items were approved on the consent agenda:

- Minutes of the July 23, 2009 Special Meeting
- Minutes of the July 23, 2009 Regular Meeting

**ORDINANCES:**

**First Reading**

CB-1693 – Implementation  
of the Extension of the 4.0  
Mill Property Tax for  
Rehabilitating and  
Reconstructing City Streets

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by  
Council member Parsons to approve CB-1693 on first reading.

**MOTION PASSED**

There was discussion and the motion **PASSED**.

IN FAVOR - Paiz, Parsons, Monroe, Downing, Miller, Clyne,  
Wieneke.

OPPOSED - Baker.

ABSENT - Novak.

Note:

City Clerk Small stated for the record that the public hearing on CB-  
1693 would be held on August 27, 2009 in City Hall Council  
Chambers.

**RESOLUTIONS:**

CR-81 – NURA Tax  
Increment Financing  
(TIF) Suspension

City Clerk Small read the title.

**MOTION TO PASS**

Council member Monroe **MOVED** and it was **SECONDED** by  
Council member Downing to approve CR-81.

**MOTION FAILED**

There was discussion and the motion **FAILED** due to a tie vote.

IN FAVOR - Parsons, Monroe, Downing, Clyne.

OPPOSED - Paiz, Baker, Miller, Wieneke.

ABSENT - Novak.

CR-82 – Huron Crossing  
Park Improvements

City Clerk Small read the title.

**MOTION TO PASS**

Council member Monroe **MOVED** and it was **SECONDED** by  
Council member Miller to approve CR-82.

**MOTION PASSED**

There was discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-83 – 2009 Street  
Improvements – Change  
Order #1

City Clerk Small read the title.

**MOTION TO PASS**

Council member Monroe **MOVED** and it was **SECONDED** by  
Council member Parsons to approve CR-83.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-84 – 2009 Street  
Improvements – Change  
Order #2

City Clerk Small read the title.

**MOTION TO PASS**

Council member Monroe **MOVED** and it was **SECONDED** by  
Council member Downing to approve CR-84.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-85 – VALE  
Grant Acceptance –  
Police Department  
Training Equipment

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by  
Council member Miller to approve CR-85.

**MOTION PASSED**

There was discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-86 – VALE  
Grant Acceptance –  
Graffiti Removal  
Equipment

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-86.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

CR-87 – Exception to  
Res. 08-156 – Minimum  
Wage Adjustment

City Clerk Small read the title.

**MOTION TO PASS**

Council member **MOVED** and it was **SECONDED** by Council member to approve CR-87.

**FRIENDLY  
AMENDMENT**

A friendly amendment was accepted to approve a substitute resolution with a new Section 2. to read: “The City Council therefore amends the ranges within the Northglenn Pay Plan to establish a new minimum hourly wage of \$7.25 in accordance with the Northglenn Salary Ordinance for the following two (2) positions: A. Cashier, and B. Sports Scorekeeper.”

**MOTION PASSED**

There was discussion and the motion including the friendly amendment **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

CR-88 – Nov. 3, 2009  
Ballot Question – Obsolete  
Language re: Terms of  
Office and Districts

City Clerk Small read the title.

**MOTION TO PASS**

Council member Paiz **MOVED** and it was **SECONDED** by Council member Downing to approve CR-88.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

CR-89 – Nov. 3, 2009  
Ballot Question – Notice  
of Special Meetings

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by Council member Miller to approve CR-89.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-90 – Nov. 3, 2009  
Ballot Question –  
Municipal Court

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-90.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-91 – Nov. 3, 2009  
Ballot Question –  
Approval and Conditions  
of Utility Franchises

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-91.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.  
OPPOSED - No one.  
ABSENT - Novak.

CR-92 – Nov. 3, 2009  
Ballot Question –  
Elimination of  
Citizens' Affairs Board

City Clerk Small read the title.

**MOTION TO PASS**

Council member Paiz **MOVED** and it was **SECONDED** by Council member Miller to approve CR-92.

**MOTION PASSED**

There was discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Miller, Clyne, Wieneke.  
OPPOSED - Parsons, Monroe, Downing.  
ABSENT - Novak.

CR-93 – Nov. 3, 2009  
Ballot Question –  
Transferring Governance  
of NURA to City Council

City Clerk Small read the title.

**MOTION TO PASS**

Council member Paiz **MOVED** and it was **SECONDED** by Council member Miller to approve CR-93.

**MOTION PASSED**

There was discussion and the motion **PASSED**.  
IN FAVOR - Paiz, Baker, Miller, Clyne, Wieneke.  
OPPOSED - Parsons, Monroe, Downing.  
ABSENT - Novak.

**RECESS**

The City Council meeting recessed at 8:28 p.m.

**RECONVENE**

The City Council meeting reconvened at 8:40 p.m.

CR-94 – Nov. 3, 2009  
Ballot Question –  
Extension of Existing  
4.0 Mill Levy

City Clerk Small read the title.

**MOTION TO PASS**

Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-94.

**MOTION TO AMEND**

Council member Wieneke **MOVED** and it was **SECONDED** by Council member Baker to amend CR-94 by the deletion of the following language: “which shall be limited to designing, engineering, paving and constructing such street improvements, including appurtenant and necessary drainage, pedestrian and landscape improvements, and necessary and incidental modifications to utilities, and further”.

**MOTION FAILED**

There was discussion and the motion to amend **FAILED**.  
IN FAVOR - Baker, Wieneke.  
OPPOSED - Paiz, Parsons, Monroe, Downing, Miller, Clyne.  
ABSENT - Novak.

**MOTION PASSED**

There was discussion and the main motion **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

Action Item:

Reconsideration by

Motion of CR-60/Resolution

09-56 Regarding Sewer

Rates and Charges Increase

Council member Wieneke stated that based on information presented by staff and Red Oak Consulting, the resolution that adopted water and wastewater rates should be amended to reflect a wastewater rate of \$3.08 per 1,000 gallons without the monthly service charge and with the reinstatement of the monthly minimum.

**MOTION TO PASS**

Council member Wieneke **MOVED** and it was **SECONDED** by Council member Parsons to direct staff to prepare a resolution to amend Resolution No. 09-56 regarding wastewater rates.

**MOTION PASSED**

There was discussion and the motion **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

Action Item:

To Authorize the Filing

of a Complaint Against

Integra Engineering and

Glacier Construction for

the Bull Reservoir Project

**MOTION TO PASS**

Council member Clyne **MOVED** and it was **SECONDED** by Council member Downing to authorize the filing of a complaint against Integra Engineering and Glacier Construction for the Bull Reservoir Project.

**MOTION PASSED**

There was discussion and the motion **PASSED**.

IN FAVOR - Paiz, Baker, Parsons, Monroe, Downing, Miller,  
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Novak.

**COMMUNICATIONS**

**COUNCIL**

Council member Clyne reported that the Planning Commission would be holding a public hearing on the Comprehensive Plan at their meeting on August 25, 2009.



Council member Downing reported on the Historic Preservation Commission's annual yard sale to be held on August 21<sup>st</sup> and 22<sup>nd</sup>. Council member Downing reported that she had attended a workshop at the Colorado Municipal League (CML) on the basics of development for municipalities and spoke about the information presented. Council member Downing also recognized Ms. Celeste Olinger for an article that was published in the CML newsletter.

Mayor Pro Tem Paiz reported that she had attended a Parks and Recreation Advisory Board meeting and spoke about a suggestion to rename Central Park in the Fox Run Subdivision for former Police Chief C.A. "Gundy" Gunderson. Council member Paiz also reported that a Ward I meeting would be held on September 14, 2009 at 6:30 p.m. at the Northglenn Christian Church, and noted that comments could be presented at the ward meeting regarding the renaming of the park.

#### STAFF

City Manager Simmons reported that he had distributed information to Council on the vehicle replacement program. City Manager Simmons reported there is currently one item, Council Policies and Travel Policy, for discussion at the August 20, 2009 study session.

Council member Baker inquired about the policy regarding vehicle replacements.

City Attorney Hoffmann reported that a medical marijuana dispensary business has indicated their interest in opening within the City. City Attorney Hoffmann stated the issue is scheduled to be discussed at the September 3, 2009 study session and provided options for how the City could address the opening of the business in the interim.

There was discussion about designating the business as a public nuisance or regulating the business under State law. There was discussion about the documentation required to purchase medical marijuana, imposing a moratorium, and the Federal law that prohibits the sale of marijuana. It was the consensus of Council to impose a moratorium and to cite the business under the City's existing nuisance ordinance if it should open.

Council member Downing reminded Council and the Parks and Recreation Advisory Board that another request had been received regarding the renaming of a park. There was discussion about the process and the status of the previous request. It was the consensus of Council to review the parks naming policy at the study session on August 20, 2009 and to include the Parks and Recreation Advisory Board in the discussion.

**PUBLIC INVITED  
TO BE HEARD**

Mayor Pro Tem Paiz invited any member of the public wishing to speak on any subject to come forward.

Mr. Dave Usechek spoke about the discussion regarding CR-93 – November 3, 2009 Ballot Question – Transferring Governance of NURA to City Council and the democratic process of appointing individuals to positions or boards. Mr. Usechek also spoke about the naming of parks and previous Councils’ reasons for not renaming parks for individuals.

Mr. Tim Long spoke about information presented regarding development projects and the process of appointing individuals in other levels of government. Mr. Long expressed concern about the management of the Council meeting and stated that he feels Council should have met with NURA about an urban renewal plan. Mr. Long inquired if Council members would be able to devote adequate time to economic renewal if the governance of NURA is transferred to Council and inquired about Council’s overall plan.

Mr. Chris DeMay asked Council to postpone the discussion of the parks naming policy until after the next Parks and Recreation Advisory Board meeting to allow the Board to review the policy. It was stated that the item would be scheduled for the September 17, 2009 study session.

Dr. Sean Reif, Ward I, spoke about educational reform programs, encouraging students to attend classes, and preventing the use of slurs among youth. Dr. Reif stated that he feels a pedestrian island should be installed at 112<sup>th</sup> Avenue and Irma Drive to improve safety at the intersection, and also spoke about the dangers of uneven sidewalks between Champions Park in Thornton and Fox Run. Dr. Reif spoke about the right to vote in the upcoming November election and urged public participation in open meetings. Dr. Reif also inquired about the discharge of fats, oils and grease into the sanitary storm sewer.

**ADJOURNMENT**

The City Council meeting adjourned at 9:51 p.m.

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JOHANNA SMALL, CMC  
City Clerk

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SHERI L. PAIZ  
Mayor Pro Tem