

CITY OF NORTHGLENN
CITY COUNCIL MINUTES
August 27, 2009

CALL TO ORDER

Mayor Novak called the regular meeting of the Northglenn City Council to order on Thursday, August 27, 2009 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL

Present were: Mayor Novak, Council members Baker, Paiz, Downing, Clyne and Wieneke.

ABSENT

Council members Parsons, Monroe (arrived at 7:26 p.m.), and Miller.

STAFF PRESENT

City Attorney Hoffmann and City Clerk Small.

**PLEDGE AND
INVOCATION**

The Pledge of Allegiance was given followed by the Invocation, which was delivered by Mayor Novak.

**RESPONSE TO
CITIZEN INQUIRY:**

Discharge of Fat, Oil
and Grease in Sanitary
Sewer System

Mr. David Willett, Public Works Director, spoke about Northglenn's Industrial Pretreatment Program, and provided information about the City's efforts to prevent fats, oil and grease from entering the sanitary sewer system.

Pedestrian Underpasses

Mr. Willett provided information about the pedestrian underpasses. Mr. Willett addressed the drainage issue and stated that staff is continuing to work with CDOT to resolve the maintenance issues.

**AGENDA ADDITIONS
AND DELETIONS:**

There were no additions or deletions to the agenda.

PRESENTATIONS:

August Beautification
Awards

Ms. Jenni Murphy, Community Outreach Coordinator, provided information about the beautification program and the awards that are given to residents for the following categories: yard of the month, water wise yard of the month, long-term home beautiful, and most improved yard. Ms. Murphy also recognized and thanked the beautification program judges. Council joined Ms. Murphy to congratulate the residents.

Those receiving awards for the month of August were: Brian and Rosalie Lanning, Bob and Betty Dietrich, Lela Orrino, Wanda and

Darrel Boudreaux, Charleen O'Hayre, Bob and Wilma Barbier, Richard and Ruby Vega, Ellen and Ed Barela, Kenneth and Theresa Sinner, and Mark and Hollie Grabhorn.

Magnificent Tree Award

Mayor and Council joined Ms. Jenni Murphy to present the Magnificent Tree Award to Paul and Elsie Kelley. Mr. Kelley spoke about the tree, which is located at 2169 E. 116th Avenue.

**Economic Development
Update**

Mr. Jim Hayes, Planning and Development Director, provided an economic development update to Council. Mr. Hayes provided information about the following businesses and projects: LePeeps closure, Marketplace signage, Napa Auto Parts, 120th Avenue Development project, Precision Metal Manufacturing, and B&B Blending. Mr. Hayes also reported on a temporary tenant for the former Circuit City building, and provided information about a Metro Denver Economic Development Corporation meeting on September 25, 2009 to receive feedback from site selectors.

PROCLAMATIONS

Relay For Life

Mayor Novak read the proclamation proclaiming September 12, 2009 as Relay For Life Day in the City of Northglenn and presented the proclamation to Ms. Robin Tichy. Ms. Tichy spoke about the annual event and invited everyone to attend the Relay For Life on September 12th and 13th in E.B. Rains, Jr. Memorial Park.

**PUBLIC INVITED
TO BE HEARD**

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

Mr. Dwight Kimsey, Ward II, spoke to Council about public participation and presented suggestions for a public involvement policy for the City.

Mr. Ray DeWeese, Ward I, inquired about how the City intends to deal with medical marijuana and expressed concern about the medical marijuana business currently operating in the City.

City Attorney Hoffmann provided information about the citation that has been issued to the medical marijuana business, and it was stated that the issue would be discussed further at the September 3, 2009 study session.

Mr. Robert Hurt distributed a letter to Council regarding the maintenance of pedestrian underpasses. Mr. Hurt spoke about State law that would require the City to maintain the underpasses and spoke about filing action against the City for the lack of maintenance.

Dr. Sean Reif, Ward I, spoke about the Comprehensive Plan and the public's involvement in the development of the Plan. Dr. Reif spoke about elected officials, the public's opportunities to voice their opinions, and the right to freely express views.

Mr. Jason Maxey, United Power, spoke about the process for allocating the capital credits back to the company's members based on electrical usage, and presented the City with a check for its capital credits.

Mr. Ray DeWeese inquired about the City's applications for Federal stimulus funding.

CONSENT AGENDA
MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Downing to approve the consent agenda.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

The following items were approved on the consent agenda:

- Minutes of the August 13, 2009 Regular Meeting
- CR-98 – Liquor Licensing Authority Appointment – Dave Usechek

PUBLIC HEARINGS:

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.

Mayor Novak invited anyone wishing to speak either “for” or “against” CB-1693 to come forward.

Mr. Robert Hurt spoke about the proposed mill levy extension.

Mayor Novak invited anyone else wishing to speak on CB-1693 to come forward. No one came forward and the public hearing was declared closed.

2009 & 2010 Community
Development Block
Grant Funding

Mayor Novak invited anyone wishing to speak either “for” or “against” the 2009 and 2010 Community Development Block Grant (CDBG) funding to come forward.

Mr. Jim Hayes, Planning and Development Director, spoke about the redesignation of a portion of the 2009 CDBG funding and programs for the 2010 funding. Mr. Hayes provided information about the programs that are eligible for funding and noted that the RTD Call-n-Ride program is not eligible for CDBG funding for either year.

Mayor Novak asked for anyone else wishing to speak on the 2009 and 2010 CDBG funding to come forward. No one came forward and the public hearing was declared closed.

ORDINANCES:

Second 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 Monroe to approve CB-1693 on second reading.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne,
Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

RESOLUTIONS:

CR-79 – North Metro

Task Force IGA Addendum

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Downing to approve CR-79.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne,
Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

CR-95 – Redesignation
of 2009 CDBG Projects &
CR-96 – Designation of
2010 CDBG Projects

MOTION TO PASS

Council member Wieneke **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-95 and CR-96 with an amended Exhibit A to reallocate \$6,800 from the RTD Call-n-Ride program to the Help for Homes program for 2009 and to move the allocation of \$4,600 from the RTD Call-n-Ride program to the Traffic Safety and Pedestrian Mobility program for 2010.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

CR-97 – Assignment
of Private Activity Bonds

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-97.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

CR-101 – Amending
Resolution 09-56 re:
Wastewater Rates

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Downing to approve CR-101.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

CR-102 – Pedestrian
Underpass Repairs –
I-25 & Farmers Highline
Canal

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-102.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne,
Wieneke.

OPPOSED - No one.

ABSENT - Parsons, Miller.

RECESS

The City Council meeting recessed at 8:27 p.m.

RECONVENE

The City Council meeting reconvened at 8:39 p.m.

DISCUSSION ITEMS

Cost Reductions

Council member Baker spoke about items that were discussed at the Council retreat earlier this year that he feels should have led to cost reductions, and inquired about savings related to the items.

Mr. Shawn Cordsen, Finance Director, provided information about cost reductions related to PCs, and stated that staff has been reviewing the allocation of cell phones and has reduced the number of cell phones provided to employees.

Council member Baker spoke about the cost of water used by the Parks and Recreation Department and the measurement of the water used. Council member Baker also spoke about rewarding employees for cost reduction efforts.

COMMUNICATIONS

COUNCIL

Council member Clyne reported on the Finance Committee meeting and stated that the Committee discussed the retention of the current auditor. Council member Clyne reported that the Committee has asked staff to make a presentation to Council on the status of the implementation of the financial management software and also discussed the budget process. Council member Clyne reported on the Planning Commission meeting and spoke about the comments received on the Comprehensive Plan.

Council member Downing reported on the Historic Preservation Foundation's annual yard sale and noted it was a successful event. Council member Downing spoke about the Northglenn Urban Renewal Authority (NURA) meeting and stated the Authority has requested a response from Council regarding a motion approved at their meeting last night in which they request to have a debate on the ballot question regarding the transfer of governance from NURA to City Council.

There was discussion about holding a debate or a forum to discuss the ballot question with NURA.

City Attorney Hoffmann provided information on the Fair Campaign Practices Act (FCPA). He stated that a debate between the City Council and NURA on the ballot question would violate the FCPA and noted that holding a forum on the issue might be permissible.

Mayor Novak reported on the North Area Transportation Alliance (NATA) meeting and spoke about the discussion regarding the RTD FasTracks project.

Council member Paiz reported that a Ward I meeting would be held on September 12, 2009 at 6:30 p.m. at the Northglenn Christian Church. Council member Paiz spoke about a meeting she attended at the Denver Regional Council of Governments (DRCOG) and discussion related to Senate Bill 208.

Council member Monroe reported that she had attended the Adams County Open Space meeting earlier this evening to speak in favor of the City's skate park grant application.

STAFF

City Clerk Small stated there are four items currently on the agenda for the September 3, 2009 study session. There was discussion and it was the consensus of Council to only schedule the items related to medical marijuana dispensaries and the Comprehensive Plan for the September 3rd meeting. It was the consensus of Council to submit proposed revisions to the Council Policies and Travel Policy to the City Clerk by September 10, 2009 and to consider the early purchase of trash trucks at the September 10th regular meeting.

City Attorney Hoffmann stated that he would be providing a memorandum to Council that will include a list of possible regulations for medical marijuana dispensaries. City Attorney Hoffmann asked Council to consider the issue of whether or not the City wants to regulate the dispensaries and noted that discussion on the regulations would occur after that initial question has been answered.

PUBLIC INVITED TO BE HEARD

Mayor Novak invited any member of the public wishing to speak on any subject to come forward.

Mr. Bob McCoy, Ward IV, stated that he was speaking to Council as an individual and was not representing the NURA Board. Mr. McCoy stated that he supports the NURA Board's request to debate the ballot question regarding the transfer of the governance of NURA with City Council, and asked Council to consider the proposal.

Mr. Tim Long, Ward IV, spoke about information that has been provided regarding the FCPA as it relates to debating ballot questions. Mr. Long stated he feels Council is dealing with minor items that should be delegated to the City Manager and staff, and stated he feels Council should concern themselves with larger issues.

Mr. Robert Hurt, Ward III, asked Council to postpone the consideration of any revisions to the Council Policies until after the new Council is seated next year. Mr. Hurt also asked Council to thank the City of Thornton for their assistance with a traffic accident last week.

Dr. Sean Reif, Ward I, spoke about electing ethical Council members, the importance of regionalism, and nuisances such as litter, abandoned vehicles, and unmaintained property. Dr. Reif also spoke about voter participation and encouraged everyone to learn about candidates and vote in the upcoming election.

Mr. Dallas Briggs, Ward I, spoke about the idea of holding a forum on the ballot question regarding the transfer of governance of NURA to City Council. Mr. Briggs stated that he feels it would only be fair if forums were held for all the ballot questions.

ADJOURNMENT

The City Council meeting adjourned at 9:26 p.m.

JOHANNA SMALL, CMC
City Clerk

KATHLEEN M. NOVAK
Mayor