

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
July 24, 2008**

CALL TO ORDER

Mayor Novak called a regular meeting of the Northglenn City Council to order on Thursday, July 24, 2008 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, Monroe, Paiz, Downing, Clyne and Wieneke.

ABSENT

Council members Parsons and Miller.

STAFF PRESENT

Acting City Manager Allen, City Attorney Hoffmann, Acting City Clerk Small.

**PLEDGE AND
INVOCATION**

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

**AGENDA ADDITIONS
AND DELETIONS:**

There were no additions or deletions to the agenda.

PRESENTATIONS:

Fishing Derby Winner

Mayor Novak spoke about the 20th Annual Fishing Derby and stated that this year Haylie Vendegna had caught the largest fish out of over 300 participants. Mayor Novak and Council presented the mounted fish to Haylie and congratulated her on the catch.

Long Term
Employee Awards

Mayor and Council joined Ms. Paula Jensen, Human Resources Manager, to present awards to employees with five or more years of service. Those recognized were: Karen Carillo, Parks, Recreation and Cultural Services, ten years; Annette Melton, Parks, Recreation and Cultural Services, fifteen years; and Dave Smith, Public Works and Utilities, twenty-five years.

July Neighborhood
Beautification Awards

Ms. Jenni Murphy, Community Outreach Coordinator, provided information about the beautification program and the awards that are given to residents for their beautification and water wise efforts. A visual presentation of the yards and homes was given, and Mayor and Council joined Ms. Murphy to congratulate the residents.

Those receiving awards for the month of July were: Ron Angel and Michael and Irene Marshall, Brian Carlson, Carroll and Kathi Cacy, Donald and Anna Grabau, Kelinda Gallegos and Steve Ivarson, Virgil

and Barbara Hall, the Marquez family, and Paul Walters.

Charter Review
Committee Report

Mr. Dallas Briggs, Charter Review Committee Chairman, presented a report to Council regarding the Committee's recommendations for Charter amendments and ballot issues for the November 4, 2008 special municipal election. Mr. Briggs spoke about the issues the Committee had considered, which included the issue of severance pay for the City Manager. Mr. Briggs provided information on three proposed Charter amendments regarding a City Manager residency requirement, the City Clerk's office, and utility rates, and also presented the Committee's recommendation to extend the current ½% sales tax that is set to expire on December 31, 2009.

Mr. Dwight Kimsey, Charter Review Committee Vice Chairman, presented information relating to the Committee's work on two issues concerning the Citizens' Affairs Board (CAB) and the City Manager's powers and duties. There was discussion about the manager's powers and duties and the suggestion of publicizing the CAB and its function until the Committee finishes a complete review of the Charter.

There were questions from Council about the proposed sales tax extension, the Committee's discussion relating to the City Manager residency requirement, and the Committee's recommendations regarding utility rates. It was the consensus of Council to schedule the Committee's recommendations for discussion at a study session in August.

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 spoke about the Noxious Weed Management Plan. Mr. Kimsey thanked Council for adopting an ordinance to establish noxious weeds as a nuisance in the City, and also provided information about the Plan that has been prepared for Council's consideration tonight.

Ms. Cathy Bell, 11922 McCrumb Drive, expressed concern about code enforcement and notices that she has received for her property and pets. Ms. Bell provided information about her inability to paint her home and work she has completed to improve the property. Ms. Bell expressed concern about code enforcement officers looking into her back yard and stated that she feels she is being harassed.

Mr. Roy Bass spoke about the crossing at 112th Avenue and the Farmers Highline Canal ditch. Mr. Bass stated that he feels the

crosswalk does not meet the National Transportation Standards. Mr. Bass also expressed concern about other issues including the 104th Avenue Bridge project and corruption and stated that he feels the City has lost sight of its vision.

Mr. Henry Vera apologized for speaking to Council and the Mayor in a harsh manner in the past. Mr. Vera spoke about a complaint he has filed with the State of Colorado regarding construction in City Hall and unlicensed maintenance personnel performing electrical work. Mr. Vera provided information about the communication he has had with City staff and the State and submitted documentation regarding the issue.

RECESS

The City Council meeting recessed at 8:35 p.m.

RECONVENE

The City Council meeting reconvened at 8:43 p.m.

CONSENT AGENDA
MOTION TO PASS

Mayor Novak **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 July 10, 2008 Regular Meeting
- CR-110 – Youth Commission Reappt. – Joshua Keener

RESOLUTIONS:

CR-96 – Big Dry Creek
Alluvium Feasibility Study

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Council member Paiz to approve CR-96.

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-105 – Noxious
Weed Management Plan

Acting City Clerk Small read the title.

MOTION TO PASS Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-105.

MOTION TO AMEND Council member Downing **MOVED** and it was **SECONDED** by Council member Paiz to amend the Plan by replacing the last two paragraphs on page 11 with the following language: “In the event the landowner/tenant fails to comply with the Notice, the City may proceed to use the enforcement mechanisms in Article 15 of Chapter 9 of the Northglenn Municipal Code.”

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

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

CR-108 – VALE
Grant Acceptance Acting City Clerk Small read the title.

MOTION TO PASS Council member Downing **MOVED** and it was **SECONDED** by Council member Paiz to approve CR-108.

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-109 – 9960 Croke
Drive Demolition Project Acting City Clerk Small read the title.

MOTION TO PASS Council member Monroe **MOVED** and it was **SECONDED** by Council member Downing to approve CR-109.

MOTION TO AMEND Council member Wieneke **MOVED** and it was **SECONDED** by Council member Downing to amend CR-109 by reducing the amount of contingency in Section 1. to a 10% contingency of \$2,220.00 for a total amount not to exceed \$24,420.00, and to add a new Section 2. to read: “In the event asbestos is discovered, the City Council hereby authorizes the additional expenditure of \$4,440.00.”

MOTION PASSED There was discussion and the motion to amend **PASSED**.

IN FAVOR - Novak, Baker, Monroe, Paiz, Downing, Clyne,
Wieneke.
OPPOSED - No one.
ABSENT - Parsons, Miller.

MOTION PASSED

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

CR-111 – November
4, 2008 Coordinated
Election IGA

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by
Council member Downing to approve CR-111.

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-112 – 120th Avenue
Development Agreement
Amendment

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by
Council member Downing to approve CR-112.

MOTION FAILED

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

CR-113 – Liquor
License Application Fees

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by
Council member Monroe to approve CR-113.

MOTION PASSED

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

CR-114 – Criminal
Justice Records Fee
Schedule

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CR-114.

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-115 – Croke
Reservoir GMP #4 –
Naiad Park Improvements

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Downing to approve CR-115.

MOTION PASSED

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

CR-116 – Finance
Committee Appointments

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Paiz **MOVED** and it was **SECONDED** by Council member Downing to approve CR-116 with the insertion of Council members Clyne, Downing and Paiz.

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-117 – Health &
Wellness MOU Denver
Metro Cities & Counties

Acting City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Mayor Novak to approve CR-117.

MOTION PASSED

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

OPPOSED - No one.
ABSENT - Parsons, Miller.

COMMUNICATIONS
COUNCIL

Council member Downing reported on a meeting she had attended at the Maintenance & Operations Facility regarding transportation. Council member Downing also reported on the NURA meeting and the discussion concerning the 104th Avenue Bridge project. She stated that NURA has approved a resolution pledging up to \$500,000 for the bridge project that would not be contingent upon any funds contributed from the City, and stated that the NURA Board would like to meet with Council to discuss the project. There was discussion about meeting with NURA on August 14, 2008 at 6:00 p.m.

Mayor Novak reported on the National League of Cities Board of Directors meeting and spoke about information they received from the Obama and McCain campaigns regarding local government's role in the new administrations. Mayor Novak also reported that DRCOG had agreed to increase the amount of funding for FasTracks.

Council member Paiz reported that she had attended the RTD transportation meeting and spoke about the drawings that were presented for the layout of the FasTracks project. Council member Paiz also reported that a Ward I meeting would be held on August 6, 2008 at 6:30 p.m. at Larson Park.

Council member Monroe reported on the volunteer picnic. She thanked the City's volunteers for their service and staff for coordinating the event. Council member Monroe reported that the School Board would not be meeting until August.

STAFF

Acting City Manager Allen reported on the toilet distribution that would take place this Saturday and spoke about the grant that was obtained to fund the project.

City Attorney Hoffmann stated that he would prepare each of the Charter Review Committee's recommended ballot questions in separate resolutions for Council's consideration at the August 28, 2008 meeting.

It was the consensus of Council to invite the Charter Review Committee to the August 7th study session to discuss the Committee's recommendations.

DISCUSSION ITEMS

Skate Park

Council member Monroe spoke about the information that the Youth Commission had presented to Council on the skate park project, and

stated that she would like to discuss making a commitment to the Commission for the project.

There was discussion about using Conservation Trust Fund monies and open space funding for the skate park project, CIP projects, available grants and grant writing assistance, and the competitive grant process within the City for various projects. It was the consensus of Council to provide assistance with grant writing to the Youth Commission for the skate park project.

Status of Management
Letter Comments for
the 2007 Audit

Council member Clyne stated that she would like to address the three management letter comments provided by Swanhorst and Company as part of the 2007 Audit. Council member Clyne reported that a firm had been hired to reconcile the City's bank statements, and reported that the appointment of a Finance Committee had been accomplished tonight. Council member Clyne also spoke about the issue of post employment health benefits and the actuarial study that had been performed. Council member Clyne reported on the liability of the post employment insurance benefit and the need to have a plan to address the issue.

Acting City Manager Allen provided information about the independent accountant that would be assisting the City with bank reconciliation. Acting City Manager Allen also stated that he would like to address the post employment health benefits item at the August 21, 2008 study session.

E.B. Rains, Jr.
Memorial Park

Mayor Novak reported that Council had been provided with information earlier today about E.B. Rains, Jr. Memorial Park. She stated that the information included staff's actions at the park regarding increased police patrols, enforced curfews, and the possibility of using video surveillance to prevent vandalism.

**PUBLIC INVITED
TO BE HEARD**

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

Mr. Henry Vera provided additional information about his concerns regarding unlicensed electrical work. Mr. Vera stated that the reason he filed the formal complaint was because he did not receive a response from the City.

Mr. Don Anema, Ward I, spoke about water issues, xeriscaping and the capital charge that was previously removed from the utility bills.

Mr. Bob McCoy, Ward IV, spoke about the capital charge for commercial utility customers. Mr. McCoy stated that he agrees with the Charter Review Committee's proposal regarding utility rates and stated that it would eliminate the practice of charging more for water than the actual cost. Mr. McCoy also spoke about tiered water rates, costs associated with fresh water, and water conservation.

Mr. Dave Usechek, 11052 Pinyon Drive, expressed concern about the maintenance of the right-of-way trail along 104th Avenue from Huron to the west boundary of the City. Mr. Usechek stated that he feels the irrigation system for the trail was poorly designed and feels the area should be better maintained. Mr. Usechek also spoke about budget reductions and asked Council to consider including all levels of staff to determine where cuts can be made, and also spoke about preserving the City's fund balance.

Executive Sessions
MOTION TO PASS

Council member Paiz **MOVED** and it was **SECONDED** by Council member Downing to adjourn to Executive Sessions for legal consultation and advice and contract negotiations.

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.

ADJOURNMENT

The City Council meeting adjourned to the Executive Sessions at 9:44 p.m.

JOHANNA SMALL, CMC
Acting City Clerk

KATHLEEN M. NOVAK
Mayor