

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
July 13, 2006**

CALL TO ORDER

Mayor Novak called a regular meeting of the Northglenn City Council to order on Thursday, July 13, 2006 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL

Mayor Novak, Council members Clyne, Garner, Monroe, Lindsey, Miller, Parsons, Martin.

ABSENT

Council member Paiz arrived at 8:30 p.m.

STAFF PRESENT

Interim City Manager Cullen, City Attorney Phillips, Deputy City Clerk Small.

**PLEDGE AND
INVOCATION**

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

**AGENDA ADDITIONS
AND DELETIONS**

Mayor Novak announced the following:

- Executive Session on Legal and Contractual Matters regarding the Mervyn's building moved to occur after Presentations.
- Agenda item 10. Economic Development Report moved to occur after item 11. Finance and Audit Report
- CR-86 – Acceptance of 2005 Audit – Sponsorship changed to Mayor Novak
- Executive Session for Contract Negotiations regarding the Wastewater Treatment Plant added to follow Adjournment.
- 19. Discussion Items B. Replacement for Acting City Manager moved to Executive Session on Personnel Matters
- 19. Discussion Item B. added: Coffee with Council

**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. Terry David, spoke about traffic on Malley Drive between Community Center Drive and Washington Street. Mr. David stated he feels it is dangerous to use the crosswalks in the area because of the high volume of traffic on the roadway. Mr. David stated traffic does not stop for pedestrians and asked Council to consider installing a pedestrian light at the intersection of the Greenway Trail and Malley Drive similar to the one on Huron Street.

Council member Monroe stated that the Community Development Block Grant (CDBG) Committee had discussed this issue and would be proposing that funding be used to remedy the problem.

Council member Miller spoke about enforcement issues relating to the crosswalk.

INTERVIEW:

Priscilla Aragon

Ms. Priscilla Aragon came forward to be interviewed for a position on the Liquor Licensing Authority. Ms. Aragon provided information about her background and answered questions from Council about her views relating to the use of alcohol and her interest in serving on other boards and commissions.

PRESENTATIONS:

Long Term Employee Awards

Mayor Novak joined Ms. Paula Jensen, Human Resources Manager, to present awards to employees with five or more years of service. Those recognized were: Anthony Carmosino, Maintenance and Operations, five years; Joyce Altfeltis, Recreation and Cultural Services, ten years; Norm Bell, Maintenance and Operations, twenty-five years; and Chief Russ Van Houten, Police Department, thirty years.

Property Trade – Reach Center/Scout Park

Mr. Terence Quinn, Community Development Manager, provided information about the proposed property trade with the Community Reach Center. He stated the trade would allow the City to achieve access to Scout Park. He spoke about the appraisals that were done on the parcels of land, and the acres of land that would be traded. Mr. Quinn stated he feels the property trade is a great opportunity for the City to obtain access to Scout Park, and stated that he would like to proceed with platting the land.

There were questions from Council about the planned uses of the land, the possibility of an interchange at the Community Center Drive overpass, and the advantage of having access to Scout Park.

Scout Park/Reach Center
Property Trade
MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Monroe to approve the principle of and direct staff to proceed with the Scout Park/Reach Center property trade.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Miller, Parsons,
Martin.
OPPOSED - Lindsey.
ABSENT - Paiz.

Municipal Court

Judge Ronald Cohen, Municipal Court, presented information to Council about his request for a relief judge. He stated the request was for a deputy judge who would fill in for him if the need should arise. Judge Cohen stated he would be responsible for paying for the deputy judge's services from his salary.

Deputy Judge Appointment
MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Garner to appoint Richard McManus as a Deputy Municipal Judge.

MOTION PASSED

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

IN FAVOR - Novak, Clyne, Garner, Monroe, Lindsey, Miller,
Parsons, Martin.

OPPOSED - No one.

ABSENT - Paiz.

Judge Cohen provided information about the increased number of court days being held due to the increase in the number of tickets being written by the Police Department. He stated the daily dockets far exceed what he has seen in other municipal courts.

There were questions from Council about red light photo cases and funding budgeted for 2006 for municipal court.

Executive Session
MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to recess to an executive session for legal and contractual matters regarding the Mervyn's building.

MOTION PASSED

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

IN FAVOR - Novak, Clyne, Garner, Monroe, Lindsey, Miller,
Parsons, Martin.

OPPOSED - No one.

ABSENT - Paiz.

RECESS

The City Council meeting recessed to the Executive Session at 7:40 p.m.

Note:

Council member Paiz arrived during the executive session.

RECONVENE

The City Council meeting reconvened at 8:32 p.m.

FINANCIAL REPORTS

Audit Report and Update

Mr. Brent Worthington, Finance Director, introduced Paul Niedermuller and Marc Elmshausen from the Clifton Gunderson auditing firm.

Mr. Elmshausen presented information on the audit of the

comprehensive annual financial report and spoke about items including financial statements, capital assets, long-term debt, the financial analysis and the City's net assets.

Mr. Niedermuller spoke about the opinion issued from the auditing firm and addressed the management letter that included the recommendations that federal grants be coded under a specific central series of accounts, that the City componentize all of the useful lives of various items for capital assets, the need to set aside a certain amount of funding to meet the repairs and maintenance threshold established in the pavers management system.

There were questions from Council regarding federal grant monies, the practice of coding grant funding, and the misallocation of sales tax. There were questions about the number of supplemental appropriations done annually, the implementation of GASB 45 regulations, and the completeness of the audit document.

There was discussion about the statistical information that would be appended to the audit by City staff and the method of conducting the audit on a test basis.

Mr. Worthington provided financial information for the period ending May 31, 2006. He spoke about revenue including sales tax, use tax, franchise fees, and fines and forfeitures. Mr. Worthington also presented figures for actual revenue and expenditures compared to projections for the General Fund, Water and Wastewater Fund and the Sanitation Fund and presented a summary of the City's investment portfolio.

ECONOMIC **DEVELOPMENT**

Update

Ms. Becky Hogan, Edge Consulting, provided an economic development update for July. Ms. Hogan stated the City is working with NURA on tenant relocation for the shoppette on 120th Avenue. She spoke about the Albertson's shopping center on Huron Street and a location that would be vacated by the Naked Juice company in August. Ms. Hogan spoke about the economic development work plan and structure and asked for Council's feedback on the proposed plan. She reported that Jerry Starling would be recognized by the Adams County Economic Development Board at their July meeting for his economic development efforts in Adams County. Ms. Hogan reported that Northglenn would be represented on the Metro Denver Economic Development Board which would enable the City to actively participate and work in partnership with the County on economic development projects.

There were questions from Council about the economic development work plan and structure. It was the consensus of Council to schedule this item for the study session on August 3, 2006.

CONSENT AGENDA
MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve the consent agenda.

MOTION PASSED

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

The following item was approved on the consent agenda:
▪ Minutes of the Regular Meeting for June 22, 2006

PUBLIC HEARINGS

CB-1571 – Rezoning of
2295 E. 120th Avenue

Deputy City Clerk Small read the title.

Mayor Novak invited any person wishing to address Council either “for” or “against” CB-1571 to come forward.

Mr. Paul Pennock, Zeiler-Pennock, Inc., spoke about the rezoning request. He stated the request is to rezone a portion of the property which would make the entire parcel consistent with C-5 Conditional zoning.

Council member Garner inquired about the type of business planned for the parcel.

Mr. Pennock spoke provided historical information about the property and stated an upscale car wash and specialized car service business is planned for the parcel. He spoke about the building materials that would be used and stated he feels it would be an attractive facility.

Mayor Novak called for any other person wishing to speak either “for” or “against” CB-1571. No one came forward and the public hearing was closed.

ORDINANCES:

Second Reading

CB-1571 – Rezoning of
2295 E. 120th Avenue

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Lindsey to approve CB-1571 on second reading.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Lindsey,
Miller, Parsons, Martin.

OPPOSED - No one.
ABSENT - No one.

ORDINANCES:

First Reading

CB-1572 – ESTIP
Program Amendment

Deputy City Clerk Small read the title.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve CB-1572 on first reading.

MOTION PASSED

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

CB-1573 – Supplemental
Appropriation – 104th
Greenway Project

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Parsons to approve CB-1573 on first reading.

**MOTION TO
POSTPONE**

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Paiz to postpone CB-1573 to the second meeting in January 2007.

MOTION FAILED

There was discussion and the motion to postpone **FAILED**.
IN FAVOR - Clyne, Paiz, Lindsey.
OPPOSED - Novak, Garner, Monroe, Miller, Parsons, Martin.
ABSENT - No one.

MOTION PASSED

There was discussion and the main motion **PASSED**.
IN FAVOR - Novak, Garner, Monroe, Miller, Parsons, Martin.
OPPOSED - Clyne, Paiz, Lindsey.
ABSENT - No one.

CB-1574 – Smoking
Ordinance Amendment

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Garner to approve CB-1574 on first reading.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Lindsey,
Miller, Parsons, Martin.
OPPOSED - No one.

ABSENT - No one.

RESOLUTIONS:

CR-84 – 120th Avenue
Extension Project Budget
Appropriation

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Martin **MOVED** and it was **SECONDED** by Council member Garner to approve CR-84.

MOTION PASSED

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

CR-86 – Acceptance
of 2005 Audit

Deputy City Clerk Small read the title.

MOTION TO PASS

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

**FRIENDLY
AMENDMENT**

Mayor Novak asked for a friendly amendment to approve CR-86 excluding the management letter.

MOTION PASSED

There was discussion and the motion including the friendly amendment **PASSED**.
IN FAVOR - Novak, Garner, Monroe, Parsons, Martin.
OPPOSED - Clyne, Paiz, Lindsey, Miller.
ABSENT - No one.

CR-87 – Immigration
Law Enforcement

Deputy City Clerk Small read the title.

MOTION TO PASS

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

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Lindsey,
Miller, Parsons.
OPPOSED - Martin.
ABSENT - No one.

CR-88
Water Restrictions

Deputy City Clerk Small read the title.

MOTION TO PASS

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

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Miller,
Parsons, Martin.
OPPOSED - Lindsey.
ABSENT - No one.

CR-89 – Jimmy Bowman
Holiday Bicycle Program

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Paiz **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-89.

**FRIENDLY
AMENDMENT**

Mayor Novak asked for a friendly amendment to Section 1. to read “Subject to annual appropriation, it is the intent of the City Council of the City of Northglenn to budget and appropriate funds sufficient for the Holiday Bicycle Program.”

MOTION PASSED

There was discussion and the motion including the friendly amendment **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Miller,
Parsons, Martin.
OPPOSED - Lindsey.
ABSENT - No one.

RECESS

The City Council meeting recessed at 10:43 p.m.

RECONVENE

The City Council meeting reconvened at 10:47 p.m.

STAFF REPORTS:

SR 06-16 – 2006 Right
of Way (ROW)
Maintenance Contract

Mr. Kurt Kowar, Logistics Center Manager, and Mr. Steve Zoet, Recreation and Cultural Services Manager provided information about Staff Report 06-16.

MOTION TO TABLE

Council member Paiz **MOVED** and it was **SECONDED** by Council member Monroe to table Staff Report 06-16 to July 27, 2006.

MOTION PASSED

There was no discussion and the motion to table **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Lindsey,
Miller, Parsons, Martin.
OPPOSED - No one.
ABSENT - No one.

MOTION TO TABLE

Council member Parsons **MOVED** and it was **SECONDED** by Council member Martin to extend the meeting past 11:00 p.m.

MOTION PASSED

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

IN FAVOR - Novak, Garner, Monroe, Paiz, Lindsey, Miller,
Parsons, Martin.

OPPOSED - Clyne.

ABSENT - No one.

COMMUNICATIONS

COUNCIL

Council member Martin reported on the tenant relocation process for the shoppette located on 120th Avenue.

Mayor Novak stated the Fourth of July celebration was wonderful and commended staff on the event. Mayor Novak stated tonight would be City Attorney Phillips' last Council meeting. She recognized City Attorney Phillips and thanked him for his many years of service to the City. She stated it has been a pleasure working with him and he would be greatly missed.

City Attorney Phillips thanked Council and stated it has been a pleasure working for the City of Northglenn.

Council member Monroe reported a Ward II meeting would be held on Monday, July 17th at 6:30 p.m. at the M&O building. She stated the CDBG Committee had met and reported that they would be hearing proposals on July 26th. Council member Monroe reported that the Youth Commission was unable to hold the Leadership Conference and they are trying to reschedule the event. She stated she and Council member Garner, with the help of Chief Van Houten and Steve Zoet, had won first place in the Mayor's Raft Race at the Fourth of July celebration.

Council member Garner stated the Senior Commission and the Northglenn Senior Organization (NSO) would be holding a trial combination meeting on July 21st. She reported the Senior Games were held recently and noted that the medal winners would be recognized at an upcoming Council meeting.

Council member Clyne displayed a picture of the Orphans statue she had received from the Northglenn Arts and Humanities Foundation. She stated the picture would be hung with the others showing the statues that have been gifted to the City. Council member Clyne stated the Orphans sculpture would be placed at the Northwest Open Space and noted the unveiling event would be held on August 9th. Council member Clyne reported on the Parks and Recreation Advisory Board and their work to establish two nature areas.

Mayor Novak stated a study session would be held on July 20, 2006 for the purpose of discussing the following items: Business Assistance (Incentive) Criteria Policy, International Codes, and Budget Presentations for Culture, Recreation and Parks.

DISCUSSION ITEM:

Bushes at 118th and
Washington Street

Council member Lindsey stated he is pleased that the bushes at 118th and Washington Street would be removed, but expressed concern at the length of time it took for the problem to be corrected. Council member Lindsey stated the process appears to be broken and stated that if the City is not responsible for correcting issues, the responsible party needs to be held accountable.

Interim City Manager Cullen spoke about follow up on Council requests and the level of parks staffing needed to fulfill the workload desired by Council.

Potential Ballot
Questions for November
2006 Election

Council member Garner asked if Council was interested in passing any ballot questions for the November 2006 election. She stated there are deadlines that need to be met for placing questions on the County's ballot.

Mr. Steve Zoet spoke about interest in a leisure pool component for the current recreation center and other amenities that would enhance the center. He addressed current resources and the opportunity for improving the recreation center.

There was discussion about revamping or updating the existing pool, the costs associated with upgrading the pool's mechanical system, the Senior Center facility and the opportunity to partner with other organizations for the use of facilities.

City Attorney Phillips stated he would provide information to Council regarding the issue of obtaining voter approval prior to renovations being performed on the recreation center.

It was the consensus of Council to have Mr. Zoet provide Council with cost information for a leisure pool component and other center renovations at the study session on July 20th.

Garbage Container
Ordinance

Council member Martin stated he had been requested by a citizen to bring forward legislation regarding garbage containers being kept out of sight. He asked Council if they would be interested in considering an ordinance on this issue.

It was the consensus of Council to have Council member Martin bring an ordinance forward for consideration.

Coffee with Council

Council member Monroe inquired about interest in the Saturday afternoon Coffee with Council meetings. It was the consensus of

Council to have a schedule distributed with dates that Council could commit to attending the meetings.

**PUBLIC INVITED
TO BE HEARD**

Mayor Novak invited any member of the public wishing to speak on any subject to come forward. No one came forward.

Executive Session
MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to recess to an executive session on three items: 1) Quasi Judicial Matters regarding the Board of Adjustment appeal; 2) Personnel Matters regarding the replacement for the Acting City Manager; and 3) Contract Negotiations regarding the Wastewater Treatment Plant.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Garner, Monroe, Paiz, Lindsey, Miller,
Parsons, Martin.
OPPOSED - Clyne.
ABSENT - No one.

RECESS

The City Council meeting recessed to the executive session at 11:18 p.m.

RECONVENE

The City Council meeting reconvened at 11: 42 p.m.

Board of Adjustment
Appeal Decision
MOTION TO PASS

Council member Martin **MOVED** and it was **SECONDED** by Council member Clyne to affirm the Board of Adjustment decision.

MOTION PASSED

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

ADJOURNMENT

The City Council meeting adjourned at 11:43 p.m. to an Executive Session regarding personnel matters and contract negotiations.

JOHANNA SMALL
Deputy City Clerk

KATHLEEN M. NOVAK
Mayor