

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
February 23, 2006**

CALL TO ORDER

Mayor Novak called a regular meeting of the Northglenn City Council to order on Thursday, February 23, 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, Paiz, Lindsey, Miller, Parsons, Martin.

ABSENT

No one.

STAFF PRESENT

Acting City Manager Cullen, City Attorney Phillips, City Attorney Hoffmann, City Clerk Lentz.

**PLEDGE AND
INVOCATION**

The Pledge of Allegiance was given followed by the Invocation, which was delivered by Council member Jill Parsons.

**AGENDA ADDITIONS
AND DELETIONS**

Mayor Novak announced the following:

Deletions:

- 9. Presentations: A. 120th Redevelopment Update
- 18. Discussion Items: B. Council Policies

Additions:

- Executive Session regarding legal and contractual matters following Ordinances – Second Reading
- 9. Presentations: A. Fire Report
- 18. Discussion Items: B. Metro North Parking
- 18. Discussion Items: C. Staff Letter

**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.

Ms. Maridee Marks complimented Council members Monroe and Martin on their stance regarding Council assigned equipment remaining City property. Ms. Marks also spoke about the separation agreement with former City Manager Phillip Nelson and the changes she feels are needed to the agreement.

Mr. Ronald Johnson, Principal owner of the Metro North Building, spoke about negotiations that have taken place over the past 20 months regarding the use of a 56-foot strip of land by the City for parking. He stated he would like to speak with Council about this issue and he would wait to hear the discussion brought forward by Council member Lindsey later in the meeting.

Ms. Marlene Hodges, 11179 Melody Drive, spoke about the former City Manager's salary and separation agreement.

INTERVIEWS:

Sean Reif

Dr. Sean Reif, 3000 E. 112th Avenue, came forward to interview for a position on the Planning Commission. Dr. Reif provided information on his background and his desire to serve on the Planning Commission.

Virgil Hall

Mr. Virgil Hall, 10718 Roseanna Drive, came forward to interview for a position on the Liquor Licensing Authority. Mr. Hall told Council why he would like to serve on the Liquor Authority and provided information about his background and experience.

PRESENTATIONS

Fire Report

Acting City Manager Cullen gave a report on the fire that damaged an administrative trailer at the Water Treatment Plant this morning. She stated the plant's operations were not interrupted and no one was injured in the fire. She reported the fire was electrical and has been ruled accidental. She stated that CIRSA has initially estimated \$40,000 worth of damage to the structure. Acting City Manager Cullen provided information on the immediate and long-term solutions for dealing with the fire damage.

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 items were approved on the consent agenda:

- Minutes of the Regular Meeting for February 9, 2006
- Minutes of the Special Meeting for February 16, 2006
- CR-47 – Historic Preservation Commission Alternate Appointment – Roy Hess

PUBLIC HEARINGS

CB-1551 – Liquor Licensing
Authority Amendment

City Clerk Lentz read the title.

Mayor Novak invited any person wishing to address Council either “for” or “against” CB-1551 to come forward. No one came forward and the public hearing was closed.

ORDINANCES:

Second Reading

CB-1551 – Liquor
Licensing Authority
Amendment

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Monroe to approve CB-1551 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.

**COUNCIL
STATEMENTS**

Council member Monroe spoke about an executive session that was held on February 9, 2006 regarding personnel issues relating to former City Manager Nelson. She stated the trust of Council was breached when information from the executive session was leaked to the press or another party that informed the press about the discussion that took place. Council member Monroe expressed concern that the information was not kept among Council.

Council member Garner also spoke about the breach in information from executive sessions. She spoke about two instances where information from an executive session was leaked by a Council member. She stated she feels this is a disrespect of the City Charter and asked Council to raise the ethical bar and refrain from leaking information discussed in executive sessions.

Mayor Novak addressed the issue and stated it was not right that a Council member violated the respect of the processes and oaths of Council by sharing information from an executive session. She stated that because of timing considerations, contract negotiations and sensitive information, it is critical that Council members uphold the confidential privilege of executive sessions.

City Attorney Phillips stated that State law and the City Charter require regular and special meetings to be posted publicly no less than 24 hours prior to the meeting. He stated executive sessions occur within these meetings, and are not required to be posted separately.

RECESS

The City Council meeting recessed at 7:45 p.m. to an executive session regarding legal and contractual matters.

RECONVENE

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

ORDINANCES:

First Reading

CB-1548

Registration of Non-Resident Residential Property Owners

City Clerk Lentz read the title.

MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Paiz to approve CB-1548 on first 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.

CB-1553

Administrative Citation Procedures/Violations

City Clerk Lentz read the title.

MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Garner to approve CB-1553 on first 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.

CB-1554 – Extension for Temporary Suspension of Trash Service

City Clerk Lentz read the title.

MOTION TO PASS

Council member Clyne **MOVED** and it was **SECONDED** by Council member Lindsey to approve CB-1554 on first reading.

MOTION FAILED

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

CB-1555 – Supplemental Appropriation – Sewer Line

City Clerk Lentz read the title.

MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Garner to approve CB-1555 on first reading.

MOTION PASSED

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

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

OPPOSED - Clyne.

ABSENT - No one.

Note:

City Clerk Lentz stated for the record that the public hearings on CB-1548, CB-1553 and CB-1555 would be held on March 9, 2006 in Council Chambers.

RESOLUTIONS:

CR-44 – City Manager
Separation Agreement

City Clerk Lentz read the title.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve CR-44.

MOTION TO AMEND

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Clyne to remove the last sentence of paragraph three relating to health insurance.

MOTION PASSED

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

IN FAVOR - Clyne, Paiz, Lindsey, Miller, Parsons.

OPPOSED - Novak, Garner, Monroe, Martin.

ABSENT - No one.

MOTION PASSED

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

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

OPPOSED - Paiz, Miller.

ABSENT - No one.

STAFF REPORTS

SR 06-13 – Video Inspection
Of Sanitary Sewer Lines

SR 06-14 – Video Inspection of
Storm Sewer Lines

Mr. Cory Peterson, Co-Manager of Water and Environmental Services, and Mr. Gene Maypole, Lead Utilities Foreman, provided information about the staff reports.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Martin to approve Staff Reports 06-13 and 06-14.

MOTION TO TABLE

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Paiz to table Staff Reports 06-13 and 06-14.

MOTION FAILED

There was discussion and the motion to table **FAILED**.

IN FAVOR - Garner, Paiz, Lindsey.

OPPOSED - Novak, Clyne, Monroe, Miller, Parsons, Martin.

ABSENT - No one.

MOTION PASSED

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

COMMUNICATIONS
COUNCIL

Council member Martin stated he was not adequately notified for the special NURA meeting held on Friday and was unable to attend the meeting. He stated he would report on NURA at the next Council meeting.

Council member Parsons stated she would report on the I-25 North Corridor meeting in March. She reported she had attended the Historic Preservation Commission meeting and stated they are almost ready to open the Stonehocker Farmhouse for public tours. Council member Parsons stated she had attended a performance from the Classics with a Twist series at the D.L. Parsons Theatre and encouraged everyone to attend the series.

Council member Miller reported he would be attending the Daddy Daughter Dance on Saturday at the Recreation Center.

Council member Lindsey reported he would be attending his first Transit Alliance meeting in the next few weeks.

Mayor Novak reported that DRCOG had conducted its election of officers and noted that Skip Fischer was elected to the Administrative Committee. She stated the meeting focused on transportation funding and the amount of funding CDOT allows for projects in the municipal area.

Council member Paiz stated she had reported a water main break at the last Council meeting and inquired about staff's findings. Mr. Gene Maypole stated that staff feels this is ground water and they have been observing the water for weeks. He stated they would continue to watch the water and would keep Council apprised of the situation.

Council member Paiz reported she had attended the Metro North Chamber meeting and was surprised to hear some of the misinformation that was given about redevelopment in Northglenn. She stated she had also attended her first meeting of the Rocky Flats Coalition of Local Governments and provided information about the Legacy Stewardship Organization, which is a group that is being organized to focus on issues arising from the cleanup of Rocky Flats.

Council member Monroe reported she has not attended a School Board meeting yet because last month's meeting was utilized for training the Board members.

Council member Garner thanked staff for the Croke Reservoir Meeting that was held last night at Hillcrest Elementary School. She encouraged everyone to sign up for the CML newsletter and spoke about various bills in the current legislation. Council member Garner reported she and Council member Parsons had attended the Police Department barbeque to celebrate the arrest of three juveniles that were responsible for graffiti throughout the City. She stated attendance at the quarterly ADCOG meetings has been sparse and encouraged everyone to attend if possible.

Council member Garner stated she is on the Council for Aging and reported that they are calling for applications to volunteer to serve on the FasTracks Citizens Advisory Committee. She stated the North Metro Fire Rescue District had sent out a survey to citizens in Broomfield and Northglenn asking about opinions on the bond issue and mill levy. She noted the deadline for candidates for the Board is by the close of business tomorrow.

Council member Garner reported on the Rangeview Library District meeting and stated they decided against reducing the hours at library branches. She stated the employee appreciation luncheon would be held next Thursday at Cinzzetti's at 11:30 a.m.

Council member Clyne stated she would report on the Northglenn Arts and Humanities and the Parks and Recreation Advisory Board meetings at the next Council meeting. She noted she had also attended a DRCOG class.

STAFF

Acting City Manager Cullen distributed a list of proposed agenda items for regular and study session meetings to Council. Council asked to discuss the proposed agenda items at the next regular Council meeting.

Acting City Manager Cullen stated she had requested individual meetings with Council members to discuss priorities and noted she has met with two members so far. She addressed the Clean Sweep program and the need for an article in the next newsletter to communicate the program to residents. There was discussion about communicating items that are in process that could affect the program and the postponement of the program's start date. She also provided preliminary figures for increasing code enforcement personnel. There was discussion about funding for additional code enforcement personnel.

DISCUSSION ITEMS:

City Manager Search
Process

Mayor Novak stated she feels it is important to formalize the appointment of an interim city manager while the search for a new city manager is conducted.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Parsons to appoint Leslie Cullen as the Interim City Manager.

MOTION TO AMEND

Council member Paiz **MOVED** and it was **SECONDED** by Council member Miller to appoint Leslie Cullen as the temporary Acting City Manager.

MOTION FAILED

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

MOTION PASSED

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

Mayor Novak stated Council had been provided with information about firms that could assist the City in the search for a city manager.

MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Paiz to begin the process of recruiting a new city manager internally.

MOTION TO AMEND

Council member Paiz **MOVED** and it was **SECONDED** by Council member Parsons to begin the search process for a city manager as a blended effort.

MOTION WITHDRAWN

There was discussion and the motion to amend was **WITHDRAWN**.

MOTION WITHDRAWN

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

It was the consensus of Council to address the city manager search process at the Council retreat.

Metro North Parking

Council member Lindsey stated he would like to schedule the issue of using the North Metro Building's 56-foot strip of land for parking at a future study session to allow the representatives from the Metro North Building to present their position to Council.

Staff Letter

Council member Miller spoke about a letter from staff endorsing the appointment of Interim City Manager Cullen. He stated it is up to Council regarding who is chosen to fill the interim position and expressed concern about repercussions against employees that chose to not sign the letter.

Council member Paiz expressed concern about the letter and stated it is Council's decision as to who is appointed as City Manager.

Police Chief Russ Van Houten provided information about the letter. He stated the management team agreed to the letter as a way to show their support of Council. He stated he had drafted the letter and had a secretary circulate it to the management team to make sure they did not feel obligated to sign the letter.

PUBLIC INVITED
TO BE HEARD

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

Mr. Dallas Briggs, Ward I, thanked Council for slowing down the process of the Clean Sweep program. He spoke about the blight study that was presented to Council and stated he feels the area in the study is the result of a lack of action by the City to maintain the area. Mr. Briggs inquired about CR-44, which approved the separation agreement with the former City Manager and spoke about trust among Council.

Ms. Maridee Marks spoke about Section 6.1(a) of the City Charter relating to the City Manager's position and expressed her feelings about Council's duties and actions. She spoke about the Croke Reservoir meeting, Corporate Express, and asked Council to communicate truthfully with residents. Ms. Marks also addressed City expenditures and revenues.

Ms. Marlene Gardels, 10962 Larson Drive, spoke about the city manager selection process. She stated Council and the Police Chief should be a part of the process and feels the City should not hire a headhunter to conduct the search.

Mr. Don Anema stated he is disappointed with the separation agreement that was approved and feels the City Manager was given an extra bonus. Mr. Anema also reported on the NRPA conference he attended in Washington.

Ms. Maridee Marks spoke about the City Manager search process.

COUNCIL RESPONSE

Mayor Novak addressed the Corporate Express deal that Ms. Marks spoke about earlier. She stated the City had truthfully shared the information they were given from Corporate Express.

Mayor Novak stated that Council had agreed to appoint Leslie Cullen as the Interim City Manager, and because tonight's meeting was the first regular meeting since Phil Nelson left the City, it was appropriate to formalize the Interim City Manager appointment at this time.

ADJOURNMENT

The City Council meeting adjourned at 10:55 p.m. to an Executive Session on legal and contractual matters.

DIANA L. LENTZ, CMC
City Clerk

KATHLEEN M. NOVAK
Mayor