

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
January 27, 2005**

CALL TO ORDER Mayor Novak called a regular meeting of the Northglenn City Council to order on Thursday, January 27, 2005 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL Present were Mayor Novak, Council members Martin, Goodspeed, Carlow, Tichy, Lindsey, Gillespie.

ABSENT Council members Garner, Paiz.

STAFF PRESENT Deputy City Manager Skifalides, City Attorney Phillips, Deputy City Clerk Small.

PLEDGE AND INVOCATION The Pledge of Allegiance was given followed by the Invocation, which was delivered by Councilwoman Carlow.

PUBLIC INVITED TO BE HEARD Ms. Gaby McCormick stated she is a long-time resident of Northglenn. She stated she was concerned that she did not receive any information in favor of the Recreation Center project for the special election. Ms. McCormick stated she feels residents need to look at the long-term goals of the City and projects such as the recreation center that would benefit people of all ages.

AGENDA ADDITIONS AND DELETIONS Mayor Novak announced the following additions:
16. Discussion Items:
A. Recreation Center Public Process
B. Stormwater Impact Fees
C. Special Pick Ups
D. NURA Agreements

CONSENT AGENDA Mayor Novak stated CR-6 would be removed from the consent agenda and considered under item 13A. Resolutions.

MOTION TO PASS Mayor Novak **MOVED** and it was **SECONDED** by Councilwoman Tichy to approve the consent agenda.

MOTION PASSED There was discussion and the motion, **PASSED**.
IN FAVOR - Novak, Martin, Goodspeed, Carlow, Tichy,
Lindsey, Gillespie.
OPPOSED - No one.
ABSENT - Garner, Paiz.

The following items were approved on the consent agenda:

- Minutes of the Regular Meeting of January 13, 2005
- CR-2 – Planning Commission Reappointment – Fritz Glaess
- CR-3 – Western Planning District Final Plan
- CR-4 – Farmers Highline Canal Trail Underpass Easements
- CR-5 – NG Arts & Humanities Strategic Plan Approval
- SR 05-01 – WWTP Expansion Electrical Improvement
- SR 05-03 – Lease Replacement Program for Computer Equipment
2005
- SR 05-04 – Master Lease Replacement Program for Fleet

PRESENTATIONS:

Long Term Employee
Recognition

Mayor Novak joined Ms. Patti Duncan, Chief OD and Administrative Officer, to present awards to employees with five or more years of service to the City. Employees accepting awards were: James Gardner, Police Department, five years; Steve Zoet, Recreation and Cultural Services, five years; Jeremy Sloan, Police Department, ten years; and Karen Skifalides, Administration, twenty-five years.

PUBLIC HEARINGS

CB-1501 – Final
Development Plan
Review Process

Deputy City Clerk Small read the title.

Mayor Novak invited any person wishing to address Council either “for” or “against” CB-1501 to come forward. No one came forward and the public hearing was declared closed.

CB-1505 – Recreation
Center Initiated Ordinance

Deputy City Clerk Small read the title.

Mayor Novak invited any person wishing to address Council either “for” or “against” CB-1505 to come forward. Mayor Novak explained the proposed ordinance and how it is separate from the special election that was held on January 18, 2005.

Ms. Laura Lombardo stated she would like to see the recreation center project move forward. She stated an improved recreation center would improve the city and generate revenue.

Point of Order

Councilman Lindsey called a point of order. Mayor Novak stated the public hearing was for CB-1505 only and the proposed ordinance was to prohibit spending any money without going to a vote of the people. She stated it was not on the recreation center itself.

Mr. Mike Huegel inquired about the proposed ordinance. He stated that he is in favor of the recreation center project. Mayor Novak explained the process involving an initiated ordinance.

CB-1506 – Water

Deputy City Clerk Small read the title.

Mayor Novak invited any person wishing to address Council either “for” or “against” CB-1506 to come forward. No one came forward and the public hearing was declared closed.

ORDINANCES:

Second Reading

CB-1501 – Final
Development Plan
Review Process

Deputy City Clerk Small read the title.

MOTION TO PASS

Councilman Lindsey **MOVED** and it was **SECONDED** by Councilwoman Tichy to approve CB-1501 on second reading.

MOTION FAILED

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

IN FAVOR - No one.

OPPOSED - Novak, Martin, Goodspeed, Carlow, Tichy, Lindsey, Gillespie.

ABSENT - Garner, Paiz.

CB-1505 – Recreation
Center Initiated Ordinance

MOTION TO PASS

Councilman Lindsey **MOVED** and it was **SECONDED** by Councilwoman Tichy to approve CB-1505 on second reading.

MOTION PASSED

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

IN FAVOR - Novak, Martin, Goodspeed, Carlow, Tichy, Lindsey, Gillespie.

OPPOSED - No one.

ABSENT - Garner, Paiz.

CB-1506 – Water
Fund Initiated Ordinance

Deputy City Clerk Small read the title.

MOTION TO PASS

Councilwoman Tichy **MOVED** and it was **SECONDED** by Councilman Lindsey to approve CB-1506 on second reading.

MOTION TO AMEND

Councilman Goodspeed **MOVED** and it was **SECONDED** by Councilman Lindsey to amend CB-1506 to include the language offered by the petitioners committee.

**MOTION TO AMEND
FAILED**

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

IN FAVOR - Goodspeed, Carlow, Lindsey.

OPPOSED - Novak, Martin, Tichy, Gillespie.

ABSENT - Garner, Paiz.

MOTION PASSED

There was discussion and the main motion **PASSED**.
IN FAVOR - Novak, Martin, Goodspeed, Carlow, Tichy,
Lindsey, Gillespie.
OPPOSED - No one.
ABSENT - Garner, Paiz.

RESOLUTIONS

CR-6 – Purchase of
Vacant Land at 112th
Avenue & York Street

Deputy City Clerk Small read the title.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Councilwoman
Carlow to approve CR-6.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Martin, Carlow, Tichy, Gillespie.
OPPOSED - Goodspeed.
ABSENT - Garner, Paiz.
ABSTAIN - Lindsey.

RECESS

The City Council meeting recessed to a meeting of the Liquor
Licensing Authority at 7:45 p.m.

RECONVENE

The City Council meeting reconvened at 7:50 p.m.

COMMUNICATIONS
COUNCIL

Councilman Gillespie reported that a Valentine's party would be held
at the Men's Breakfast on the second Thursday in February in the
Senior Center.

STAFF

Deputy City Clerk Small stated she had received a request from the
Adams County 4-H Program asking for donations for their 14th
annual benefit dinner to be held on March 5th. Council agreed to
donate five recreation center punch passes to the event.

Deputy City Clerk Small stated she had also received a request from
the Adams County One-Stop Career Center asking for donations for
their 5th annual youth job and resource fair. Council agreed to donate
five recreation center punch passes to the event.

DISCUSSION ITEMS

Recreation Center
Public Process

Mayor Novak provided information about the recreation center
project and the direction that Council would be taking now. She
stated communication and public input would be an integral part of
the process and the City would be engaging the public to determine
their needs and desires for a recreation center.

Mayor Novak suggested to direct staff to begin researching the public
process and provide Council with details about the plan, outreach

options, the number of meetings needed and other necessary information. Mayor Novak asked that this be given to Council at the next regular Council meeting if possible.

There was discussion among Council about moving the process along quickly and including the public's input. There was further discussion about different funding options for a project and the possibility of proposing two funding options to the residents for their consideration.

Councilman Lindsey inquired about remodeling the existing recreation center. City Attorney Phillips concurred that any remodeling project would need to be taken to a vote of the residents.

City Attorney Phillips provided information about the time requirements for calling another special election.

Stormwater Impact Fees

Councilman Goodspeed stated that he had reviewed the financial records for the \$2.00 per month Stormwater impact fee. He stated that to date the City has collected \$331,449. Councilman Goodspeed expressed concern about using \$64,000 of the funds to pay what appeared to be a salary. He stated this would be a way to take less money out of the general fund to stay above a 25% fund balance.

Mayor Novak stated the Stormwater program is a federally mandated program that the City must comply with. She stated the federal mandates do not provide for funding for the program. Mayor Novak stated that commercial properties pay a higher fee than residential properties and spoke about the financial status of the City.

Deputy City Manager Skifalides stated that she would need to verify that the Stormwater Coordinator's salary is being paid from this fund.

Councilwoman Carlow stated the City's fee is comparable to other cities' fees for stormwater.

Councilman Goodspeed stated that although there was a federal mandate for the program, there was no mandate to charge a fee. There was discussion about other projects that were federally mandated but not funded and the need for the City to find ways to pay for these programs.

Special Pick ups

Councilman Goodspeed stated the special pick ups are down 62% from last year. He stated the City is picking up 38% of what we used to and wondered where the trash was being stored. Councilman Goodspeed inquired about the metal from the pick ups that the City would turn in for scrap and how this has affected the budget. He stated that businesses have complained about trash being left at their dumpsters. He asked if it would be beneficial to revisit offering the special pick ups at no charge.

Mayor Novak suggested setting this item for a study session.

NURA Agreements

Councilman Goodspeed stated he would like Council to direct the City Manager to repeal the IGA with NURA. He stated there was no dollar amount established and feels it is essentially a blank check. He stated he would also like to ask NURA for the City's \$1.5 million and return it to the general fund.

Councilman Martin stated NURA had tabled this issue to see what Council's action would be.

City Attorney Phillips provided information about the options for terminating the agreement. He stated that neither party to a contract could unilaterally terminate it but the City and NURA together could decide to jointly terminate the agreement.

Councilwoman Tichy stated she feels Council should continue with the quick public process and leave the options open.

Councilman Goodspeed stated the agreement needs to be rescinded and if another agreement were needed, a specific agreement relating to that project could be prepared.

Councilman Lindsey stated that NURA funding was an issue with the special election and he would rather see a specific agreement prepared in the future if necessary.

Councilman Goodspeed inquired about NURA's resolution asking Council to forgive the \$1.5 million dollars.

There was discussion about the cooperation agreement and NURA's repayment obligations.

City Attorney Phillips stated he would review the agreements and provide an opinion letter to Council regarding NURA's obligation to repay.

Special Election Results

Councilman Goodspeed stated that he would like a detailed report on the special election and recount results. He stated he was concerned that the totals do not match the poll lists. He stated that regardless of the outcome, the total number of ballots should match the poll lists.

There was discussion about how spoiled ballots, undervoted ballots and overvoted ballots could affect the count.

Councilman Goodspeed stated absentee voters should not be entered into a poll book until they have returned a voted ballot.

Deputy City Clerk Small stated she would prepare a report for Council as soon as possible.

PUBLIC INVITED
TO BE HEARD

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

Mr. Ervin Baker asked if there was a document that could be published to list the amounts that have been spent for land purchases, consultant fees and other costs related to the recreation center project. Mr. Baker stated he was concerned about the statements made regarding the 13-vote difference Mr. Baker spoke about free enterprise and attracting businesses to Northglenn. He stated his concern with the recreation center project was due to not being able to get financial numbers from the City.

Mr. Stan Kyed inquired about the stormwater impact fee and the FRICO exchange agreement.

City Attorney Phillips stated these are two different issues. He stated the FRICO exchange deals with free river conditions and the stormwater impact fee is for stormwater runoff.

Mr. Kyed also voiced concern about the area near the Grant Ditch east of Washington Street. He stated the City put in walkways and planted trees there but it does not appear to be maintained. Mr. Kyed spoke about the layoffs at the recreation center and the maintenance of the facility. He also inquired about the City's leash laws and spoke about code enforcement.

Deputy City Manager Skifalides stated the City has two animal control officers working staggered shifts so there is one officer on duty every day of the week.

Ms. Mary Sue Anderson stated she lives in the Parkview neighborhood and thanked Council for this open discussion. Ms. Anderson stated she would like the recreation center project to continue and trusts the people elected to make these decisions. She stated she would like to see improved communication between the City and the residents.

Ms. Maridee Marks stated she would like improved communication. Ms. Marks inquired about hiring summer help and stated she feels the City's assets need to be maintained. She spoke about the City of Denver's projects. Ms. Marks expressed concern about collateral that has been given for City projects and the debt incurred. She spoke about NURA and asked the City to help residents understand how large projects are paid for.

Mayor Novak asked the residents to sign the notebook being circulated if they would like to be contacted personally for the recreation center public process.

Mayor Novak addressed several issues. She stated the City would be hiring summer help and provided information about Bull Reservoir. Mayor Novak spoke about the extension of the ½ cent sales tax that was approved for water purchases and to increase capacity of water storage.

Ms. Julie Tuttle stated there was a lot of negative information distributed about the recreation center project. She stated she currently uses the Broomfield recreation center and would like to give her money back to the City if we had a nicer facility to use.

Ms. Kimberly Jongejan stated that she felt the negative information about the recreation center project was incorrect. She stated the City needs to spend money to make money and urged Council to look toward the future and provide facilities for the residents to use.

Mr. Mike Huegel stated that his advice for residents is for them to get involved with the City. He stated that he feels false information was given to the residents about the recreation center project. Mr. Huegel asked Mayor Novak about phone calls she received after the election from Thornton, Westminster and real estate companies. Mr. Huegel

Mr. Jason Schade asked Council if they were going to continue moving forward with the recreation project even though the majority of residents voting were not in favor of the project. He stated he was concerned about the City living above its means and felt it would be easier if there were more guarantees that the recreation center would generate the revenue proposed. Mr. Schade inquired about gathering information about the residents' intended use of a new recreation center.

Mr. Dallas Briggs came forward to speak about the City's snow removal ordinance. He provided a handout of Chapter 16, Article 1 of the Municipal Code and explained the changes he proposed. Mr. Briggs stated he has researched this issue in his neighborhood and feels the ordinance needs to be amended for safety reasons.

Ms. Kathy Welsh stated she has lived in Northglenn for 40 years. Ms. Welsh stated the new recreation center project would have brought in revenue for the City and she would like a facility that residents could use.

Mayor Novak thanked everyone for attending. She stated she was impressed with the dedication and commitment of the residents and enjoyed the discussion. Mayor Novak asked the audience to watch the City's website for upcoming study session information.

ADJOURNMENT

The City Council meeting adjourned at 9:14 p.m.

Northglenn City Council
January 27, 2005

JOHANNA SMALL
Deputy City Clerk

KATHLEEN M. NOVAK
Mayor