

SPONSORED BY: COUNCIL EN BANC

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-40
Series of 2008

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A RESOLUTION SETTING A HEARING TO DETERMINE WHETHER DR. SEAN REIF SHOULD BE REMOVED AS A MEMBER OF THE CITY OF NORTHGLENN PLANNING COMMISSION

WHEREAS, Dr. Sean Reif ("Commissioner Reif") is currently a duly appointed citizen member of the City of Northglenn Planning Commission (the "Planning Commission");

WHEREAS, the City Council has received correspondence signed by all members of the Planning Commission except Commissioner Reif, dated January 8, 2008, which correspondence requests the removal of Commissioner Reif from the Planning Commission. Said correspondence is attached hereto as **Exhibit A**, and incorporated herein by this reference.

WHEREAS, section 11-40-4(a) of the City of Northglenn Municipal Code, regarding the process for removal of citizen members of Planning Commission, provides as follows:

Citizen members of the Commission may be removed by the Council, after public hearing, for inefficiency, neglect of duty, or malfeasance in office. Such public hearing shall be held only after the filing by the Mayor or any Councilman of written charges and upon proper notice.

WHEREAS, in response to the correspondence dated January 8, 2008, the City Council believes it necessary to file charges *en banc* to hear the matter of whether Commissioner Reif should be removed from the Planning Commissions; and

WHEREAS, the City Council therefore desires to adopt the Statement of Charges and set the matter of the removal of Commissioner Reif for a public hearing as required by Section 11-40-4(a) of the Northglenn Municipal Code.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Statement of Charges attached hereto as **Exhibit B**, and incorporated herein by this reference, is hereby approved and adopted *en banc* by the City Council.

Section 2. The public hearing to determine whether Commissioner Reif should be removed as a citizen member of the Planning Commission is hereby set for February 28, 2008, at 7:00 p.m., or as soon thereafter as the matter may be heard, in Council Chambers, Northglenn City Hall, 11701 Community Center Drive, Northglenn, CO 80233.

Section 3. The City Clerk is hereby directed to deliver a copy of this Resolution, including the Statement of Charges, to Commissioner Reif, in a manner best determined by the City Clerk to provide Commissioner Reif with actual notice of the public hearing to be conducted as set forth above.

DATED at Northglenn, Colorado, this ____ day of _____, 2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

NORTHGLENN CITY COUNCIL

**STATEMENT OF CHARGES
IN RE: PLANNING COMMISSIONER DR. SEAN REIF**

The Northglenn City Council, *en banc*, hereby files the following charges against Planning Commissioner Dr. Sean Reif ("Commissioner Reif"), pursuant to Section 11-40-4(a) of the Northglenn Municipal Code, to allow for the matter to be set for a public hearing, during which testimony and evidence relating to the charges will be heard by the City Council to determine whether Commissioner Reif should be removed as a Planning Commissioner for inefficiency, neglect of duty, or malfeasance in office based on a written complaint dated January 8, 2008, received from the Planning Commission. Said charges are as follows:

1. Commissioner Reif has insulted the integrity of other Planning Commissioners, has made gender, race, and national origin issues at Planning Commission meetings, and has questioned the legal status of other Planning Commission members;
2. Commissioner Reif has interrupted Planning Commission meetings to publicly question the willingness of other Planning Commissioners to serve, despite the fact that their absences were justifiably excused;
3. Commissioner Reif, a practicing chiropractor in the City of Northglenn, has advocated placing heightened scrutiny on other chiropractors opening offices in the City, which is an apparent conflict of interest; and
4. Commissioner Reif's behavior during Planning Commission meetings is disruptive and impairs the ability of the Planning Commission to operate efficiently and effectively.

Dated this ____ day of February, 2008.

BY THE NORTHGLENN CITY COUNCIL, EN BANC:

Mayor Kathleen Novak

Councilman James Miller

Councilwoman Sheri Paiz

Councilwoman Gaye Monroe

Councilwoman Joyce Downing

Councilman Ervin Baker

Councilwoman Susan Clyne

Councilman Gene Wieneke

Councilwoman Jill Parsons

January 08, 2008

To the City Council of the City of Northglenn,

We, the undersigned members of the City of Northglenn Planning Commission, request the removal of Commissioner Dr. Sean Reif as planning commissioner based on the following reasons.

We believe that it is perfectly in order to have a difference of opinion, to disagree with the views of other commissioners and to argue your point, in a respectful and tactful manner. Commissioner Reif continually engages in disruptive, disrespectful and inappropriate behavior that in our opinion constitutes inefficiency, neglect of duty and malfeasance; by not allowing the procedures of the meeting to run adequately. More specifically, he repeatedly, in public, has insulted the integrity of another member of the commission. Gender, race, and national origin are not appropriate issues for meeting discussion. His public questioning of the legal status of commission members has been extremely unethical and disruptive behavior.

On other occasions, Commissioner Reif has attacked fellow commissioners, who for one reason or other, have had to miss a Planning Commission meeting, by doubting their willingness to serve. A perfect attendance is not required per the Commission Rules and Regulations; therefore, excused absences are allowed.

It is unethical for him to consider putting an additional scrutiny to the opening of chiropractor offices in the City of Northglenn, this is per a draft and discussion of an Economic Diversity Plan the Planning Commission is considering. Since Commissioner Reif is a practicing chiropractor, we believe he is looking out for his own interests and not the ones of the greater good of the community.

After two years in the Planning Commission, in our opinion, Commissioner Reif doesn't quite comprehend his role as commissioner and the procedures during the meeting. It is a constant struggle to keep the meeting on track and focused. His behavior has become increasingly disruptive during the meetings, affecting the ability of the commission to function in an orderly fashion.

The members of this Commission have met and discussed these complaints with Dr. Sean Reif. He has refused to apologize, change his attitude or resign his position as commissioner. We feel that a continued membership of Commissioner Reif on the Northglenn Planning Commission is detrimental to the best interests of the City, and

compromises the ability of the Commission to perform its duties under the Northglenn Municipal Code.

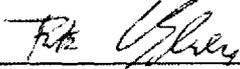
Respectfully submitted,
The members of the Northglenn Planning Commission



Chairwoman Di Carlo



Vice-Chairwoman Recor



Commissioner Glaess



Commissioner Campbell



Commissioner Nawrocki