

**CITY OF NORTHGLENN  
CITY COUNCIL MINUTES  
July 8, 2010**

**CALL TO ORDER** Mayor Downing called a regular meeting of the Northglenn City Council to order on Thursday, July 8, 2010 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

**ROLL CALL** Present were: Mayor Downing, Council members Snetzinger, Paiz, Brown, Baker, Clyne, Carrico, Dodge, and Wieneke.

**ABSENT** No one.

**STAFF PRESENT** City Manager Simmons, City Attorney Hoffmann, and City Clerk Small.

**PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was given.

**AGENDA ADDITIONS AND DELETIONS:** There were no additions or deletions to the agenda.

**PRESENTATIONS:**  
Fishing Derby Winner Ms. Jeanette Sanchez, Neighborhood Programs Specialist, spoke about the Annual Fishing Derby event and stated that this year Mitchell Vang had caught the largest fish out of over 300 participants. City Council joined Mayor Downing to present the mounted fish to Mitchell and congratulate him on the catch.

Dedicated Service Award Mayor and Council presented a dedicated service award to Mr. Dwight Kimsey and thanked him for his service on the Parks and Recreation Advisory Board.

Economic Development Update Mr. Jim Hayes, Planning & Development Director, presented an economic development update to Council. Mr. Hayes reported on an LED sign proposal for the Marketplace, Applebee's façade improvements, and the Webster Lake Redevelopment Project. Mr. Hayes also provided information about new businesses in the City and an Adams County Economic Development meeting staff recently attended.

There were questions from Council regarding whether or not the new businesses listed in the report were brand new businesses or were due to changes in the ownership of the companies.

**PUBLIC INVITED  
TO BE HEARD**

Mayor Downing called for any person wishing to address City Council on any subject not set for public hearing to come forward.

Mr. Tim Long, Northglenn Urban Renewal Authority (NURA) Commissioner, spoke about CR-103 – NURA Cooperative Agreement. Mr. Long thanked the City Council and NURA subcommittee members for their work on the agreement. Mr. Long asked Council to approve the cooperative agreement and stated he is encouraged by the work that has been done.

Dr. Sean Reif, Ward I, spoke about executive sessions and stated he believes a synopsis of the discussion that takes place in the sessions should be prepared for the public. Dr. Reif spoke about bullying, handling adversity, limiting public expression, and the importance of public service.

**FINANCIAL REPORT:**

May 2010 Update

Mr. Shawn Cordsen, Finance Director, provided a financial report for the period ending May 31, 2010. Mr. Cordsen spoke about revenue and expenditures for the General Fund, Water and Wastewater Fund, Stormwater Fund, and Sanitation Fund. Mr. Cordsen also reported on cash reserves and the city's investment portfolio.

**CONSENT AGENDA  
MOTION TO PASS**

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

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne, Carrico, Dodge, Wieneke.

OPPOSED - No one.

ABSENT - No one.

The following items were approved on the consent agenda:

- Minutes of the June 17, 2010 Special Meeting
- CR-101 – Parks & Recreation Advisory Board Reappointment – Chris DeMay

**PUBLIC HEARINGS:**

CB-1722 – Rezoning of  
9777 Fred Drive from  
R-1-B to Planned Unit  
Development (PUD)

City Clerk Small read the title.

Mayor Downing opened the public hearing on CB-1722 and read the procedure to be used for the hearing on the rezoning application for 9777 Fred Drive.

City Attorney Hoffmann provided information about the criteria for approving the rezoning application as contained in Section 11-37-2(h) of the Municipal Code.

Mr. Jim Hayes, Planning and Development Director, stated that the rezoning request is a reapplication of a case that was acted upon by Council in April 2009. Mr. Hayes stated that the request is to change the current zoning of R-1-B residential to Planned Unit Development (PUD) to allow for a 12-person assisted living facility on the property. Mr. Hayes provided information about the applicant's business plan and alternatives that were considered relating to special use permits and permitted use permits.

Mr. Hayes reported that the Planning Commission unanimously recommended approval of the preliminary PUD for the rezoning request on May 18, 2010 with the following six findings of fact: 1) The proposed development is compatible with the surrounding area; 2) The proposed development is not inconsistent with the City's Master Plan; 3) The proposed development does not adversely affect the health, safety, and welfare of the inhabitants of the area and the City of Northglenn; 4) A need exists for the proposal; 5) Adequate circulation exists and traffic movement will not be impeded by the proposed development; and 6) Additional municipal service costs will not be incurred. Mr. Hayes also spoke about two conditions of approval the Planning Commission recommended regarding the submittal of scaled drawings and solid waste collection.

Mr. Robert Keating, legal counsel for applicant Oscar Salem, requested Council to ratify the Planning Commission's recommendation to approve the rezoning application for the property at 9777 Fred Drive. Mr. Keating spoke about the need for assisted living facilities in the City and provided information about the service the facility would provide to residents. Mr. Keating spoke about the applicant's experience with assisted living facilities and stated the application meets the conditions of Section 11-37-2(h). Mr. Keating stated that the property was specifically identified for this use because the building can accommodate the use without significant exterior construction, the convenient location of the home, and the space available for parking. Mr. Keating also spoke about the mixed-use buffer the facility would create between the residential and commercial areas, and other types of zoning in the neighborhood. Mr. Keating stated he believes the project would meet important social

and financial goals for the City and urged Council to approve CB-1722.

Mr. Keating answered questions from Council about the number of staff at the facility, the number of parking spaces available for staff and visitors, the type of licensing required for the facility and certain employees, and the ability of residents to leave the facility as they desire. Mr. Keating also answered questions about the enrollment of residents outside of Northglenn, concerns he has discussed with neighbors near the property, meals provided to the facility's residents, and the placement of a trash dumpster on the property.

Mr. Randy Thompson, 9768 Fred Drive, spoke against CB-1722. Mr. Thompson provided sworn testimony and distributed a copy of a petition that was submitted opposing the rezoning of the property at 9777 Fred Drive. Mr. Thompson stated he believes traffic would be adversely affected by the rezoning and expressed concern that parking would not be adequate for the facility. Mr. Thompson stated that he is opposed to a non-residential use of the property and asked Council to deny the rezoning application.

Mr. Thompson answered questions from Council about his concern for personal safety or the safety of his neighbors if the rezoning is approved and parking vehicles in front of a driveway.

Mr. Hayes submitted evidence regarding the number of property owners within the 100 foot boundary of the property at 9777 Fred Drive and the signatures verified on the petition submitted by Mr. Thompson. Mr. Hayes confirmed that the number of signatures meets the requirements for protest of a rezoning application as defined in the Code.

City Attorney Hoffmann suggested that the staff report and attachments, including Mr. Keating's letter, the petition submitted by Mr. Thompson, and the document submitted by Mr. Hayes be entered into the record as evidence.

Dr. Sean Reif, Ward I, provided sworn testimony about the residents that could be served by the facility, and stated he was speaking in favor of the rezoning application.

There were questions from Council about parking at the facility. Mr. Keating stated that the applicant would be willing to explore parking conditions as part of the rezoning request. Mr. Keating also spoke about the use of the driveway for parking.

Mayor Downing asked for anyone else wishing to speak against CB-1722 to come forward.

Mr. Thompson provided additional testimony in opposition to CB-1722 and stated that he believes there would not be adequate parking for the facility.

Mayor Downing asked for any other person wishing to speak against CB-1722 to come forward. No one came forward.

Mr. Keating provided rebuttal evidence. He stated that he believes the project is vital and the applicant is willing to explore options to mitigate the community's concerns.

There were questions from Council about what the parking requirements would be if the property were zoned commercial.

Mr. Hayes stated that parking spaces for a PUD would be negotiable. Mr. Hayes provided information about standards used for commercial and multi-family uses, and stated the facility would be considered one "unit" when applying the guidelines.

There were questions from Council about approving the rezoning request and including contingencies to address the concerns about parking.

City Attorney Hoffmann provided information to Council about their ability to conditionally approve an application and the option to continue the consideration of CB-1722 on second reading.

Mayor Downing closed the public hearing on CB-1722.

**ORDINANCES:**

**Second Reading**

CB-1722 – Rezoning of  
9777 Fred Drive from  
R-1-B to Planned Unit  
Development (PUD)

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Paiz to approve CB-1722 on second reading.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Clyne, Carrico,  
Dodge.

OPPOSED - Baker, Wieneke.

ABSENT - No one.

RECESS The City Council meeting recessed at 8:38 p.m.

RECONVENE The City Council meeting reconvened at 8:47 p.m.

**ORDINANCES:**

**First Reading**

CB-1723 – Appropriation  
Amendment – Ballfield  
Grant Project

City Clerk Small read the title.

**MOTION TO PASS** Mayor Downing **MOVED** and it was **SECONDED** by Council member Carrico to approve CB-1723 on first reading.

**MOTION PASSED** There was discussion and the motion **PASSED**.  
IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne,  
Carrico, Dodge, Wieneke.  
OPPOSED - No one.  
ABSENT - No one.

CB-1724 – Supplemental  
Appropriation – Recreation  
Center Repairs

City Clerk Small read the title.

**MOTION TO PASS** Mayor Downing **MOVED** and it was **SECONDED** by Council member Dodge to approve CB-1724 on first reading.

**MOTION TO AMEND** Council member Wieneke **MOVED** and it was **SECONDED** by Council member Clyne to amend CB-1724 by the reduction of the amount in Section 1. to \$1,000,000.

**MOTION PASSED** There was discussion and the motion to amend **PASSED**.  
IN FAVOR - Downing, Brown, Baker, Clyne, Carrico, Wieneke.  
OPPOSED - Snetzinger, Paiz, Dodge.  
ABSENT - No one.

**MOTION PASSED** There was discussion and the main motion as amended **PASSED**.  
IN FAVOR - Downing, Snetzinger, Paiz, Baker, Clyne, Carrico,  
Dodge, Wieneke.  
OPPOSED - Brown.  
ABSENT - No one.

CB-1725 – Supplemental  
Appropriation – Irrigation  
Valve Replacement Project

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Snetzinger to approve CB-1725 on first reading.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Carrico, Dodge, Wieneke.

OPPOSED - Clyne.

ABSENT - No one.

Note:

City Clerk Small stated for the record that the public hearings on CB-1723, CB-1724, and CB-1725 would be held on July 22, 2010 in City Hall Council Chambers.

**RESOLUTIONS:**

CR-95 – FileOnQ/  
EvidenceOnQ  
License Agreement

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Snetzinger to approve CR-95.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne, Carrico, Dodge, Wieneke.

OPPOSED - No one.

ABSENT - No one.

CR-102 – Opposing  
Proposition 101 and  
Amendments 60 and 61

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Dodge to approve CR-102.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne, Carrico, Dodge, Wieneke.

OPPOSED - No one.

ABSENT - No one.

CR-103 – NURA  
Cooperative Agreement

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Wieneke to approve CR-103.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Clyne, Carrico,  
Dodge, Wieneke.

OPPOSED - Baker.

ABSENT - No one.

CR-105 – Adams County  
Collaborative Transportation  
Planning IGA

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Carrico to approve CR-105.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne,  
Carrico, Dodge, Wieneke.

OPPOSED - No one.

ABSENT - No one.

CR-106 – RTD/  
Call-n-Ride Program  
IGA Amendment

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Dodge to approve CR-106.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne,  
Carrico, Dodge, Wieneke.

OPPOSED - No one.

ABSENT - No one.

CR-107 – Identity  
Theft Prevention Program

City Clerk Small read the title.

**MOTION TO PASS**

Mayor Downing **MOVED** and it was **SECONDED** by Council member Dodge to approve CR-107.

**MOTION PASSED**

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

IN FAVOR - Downing, Snetzinger, Paiz, Brown, Baker, Clyne,  
Carrico, Dodge, Wieneke.

OPPOSED - No one.

ABSENT - No one.

**COMMUNICATIONS:**

Council

Council member Dodge reported on the Youth Commission and noted that two new members had been inducted at their last meeting.



She reported that the Youth Commission had discussed participating in National Night Out and the possibility of hosting another youth workshop. Council member Dodge reported that she had attended the Fourth of July Celebration and spoke about the events she participated in that morning.

Council member Clyne reported that she had attended the Colorado Municipal League (CML) conference. Council member Clyne stated that Northglenn was well-represented at the conference with Mr. Jim Hayes' presentation on planning and City Attorney Hoffmann's presentation on medical marijuana.

Mayor Downing reported that she had also attended the CML conference. Mayor Downing reported that she had attended the Adams County public hearing on transportation, and announced that the City of Northglenn, and Ms. Joliette Woodson specifically, had been recognized by the Denver Regional Council of Governments (DRCOG) for efforts regarding transportation projects.

Council member Paiz reported that she had attended the pre-grand opening of the Rangeview Library at 120<sup>th</sup> Avenue and Holly. She reported that the facility would be officially opening this Saturday and stated it would be a great asset to the community.

Council member Snetzinger reported on the Northglenn Arts and Humanities Foundation (NAHF) Board meeting, the Art on Parade program, voting for the People's Choice Award, and the Northglenn's Got Talent event. Council member Snetzinger reported on NURA and the Authority's activities including the adoption of priority redevelopment areas, reviewing the current Urban Renewal Plan, and visiting with other urban renewal authorities. Council member Snetzinger reported that she had attended the CML conference, and announced that a Ward IV meeting would be held on July 26, 2010 at North Mor Elementary School.

#### Staff

City Manager Simmons reported that the following employees had recently been recognized for their service to the City: Sarah Guffey, Police Department, five years; SuzAnne Garcia, Finance, five years; Angela Capell, Parks, Recreation and Cultural Services, five years; Daniel Joyce, Police Department, ten years; Eve Kowar, Public Works and Utilities, ten years; Christina Simpson, Human Resources, ten years; Debbie Garcia, Human Resources, ten years; Jacob Mikatich, Parks, Recreation and Cultural Services, ten years; Bob Lehr, Technology, twenty years; Richard Barber, Public Works and Utilities, twenty years; and Ray Reling, Public Works and Utilities, thirty years.

City Manager Simmons reported that a Request for Proposals (RFP) had been issued for audit services and also provided an update on medical marijuana dispensary permit applications that had been submitted for the following locations: 10575 Melody Drive, 11450 Cherokee Street, and 2100 W. 112<sup>th</sup> Avenue. City Manager Simmons also reviewed the agenda items for the July 22, 2010 regular City Council meeting.

City Attorney Hoffmann stated that he would be distributing a draft ballot question to Council regarding ambiguities contained in the City Charter regarding the Citizens' Affairs Board. City Attorney Hoffmann also reported that he would be participating in the rule making process for medical marijuana regulations.

**PUBLIC INVITED  
TO BE HEARD**

Mayor Downing invited any member of the public wishing to speak on items previously addressed by Council to come forward.

Dr. Sean Reif, Ward I, stated he would be speaking about the budget and a potential ballot question that had been referred to in the meeting. Dr. Reif spoke about the sales tax that is set to expire and expressed concern about tax increases. Dr. Reif spoke about funding for the Recreation Center and other projects such as the replacement of irrigation valves.

**ADJOURNMENT**

The City Council meeting adjourned at 9:35 p.m.

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JOHANNA SMALL, CMC  
City Clerk

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JOYCE DOWNING  
Mayor