

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
December 10, 2009**

CALL TO ORDER

Mayor Novak called the regular meeting of the Northglenn City Council to order on Thursday, December 10, 2009 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL

Present were: Mayor Novak, Council members Baker, Parsons, Monroe, Paiz, Downing, Clyne and Wieneke.

ABSENT

Council member Miller.

STAFF PRESENT

City Manager Simmons, City Attorney Hoffmann and City Clerk Small.

**PLEDGE AND
INVOCATION**

The Pledge of Allegiance was given followed by the Invocation, which was delivered by Mayor Novak.

INTERVIEW:

Lee Brown – Citizens’
Affairs Board

Mr. Lee Brown came forward to be interviewed for a position on the Citizens’ Affairs Board. Mr. Brown provided information about his interest in serving on the Board. Mr. Brown also spoke about the recommendation to eliminate the CAB and the voters’ choice to keep the CAB intact.

**AGENDA ADDITIONS
AND DELETIONS:**

Mayor Novak announced the following addition:

- 16. Discussion Items: A. Citizens’ Affairs Board (CAB)
Appointments – Council member Downing

PRESENTATIONS:

Appreciation Award –
Atlanta Bread Company

Council joined Mayor Novak to present an award of appreciation to Atlanta Bread Company for their generous hosting of the Coffee with the Mayor meetings. Mayor Novak presented a plaque to Mr. Joe Vessels and thanked him and Ms. Sheila Vessels for providing a meeting space for the community.

Employee Service
Awards

Council joined Ms. Paula Jensen, Human Resources Manager, to present awards to employees with five or more years of service. The employees receiving awards were: James Gardner, Police Department, ten years; and Jeremy Sloan, Police Department, fifteen

years.

Economic Development
Update

Mr. Jim Hayes, Planning and Development Director, provided an economic development update. Mr. Hayes spoke about the 104th Avenue Bridge project and meetings that have been held with businesses in the Marketplace. Mr. Hayes reported that the Northglenn Urban Renewal Authority (NURA) had retained financial advisors and spoke about upcoming meetings. Mr. Hayes reported that NURA has adopted a Business Incentive Program and provided information about how the program will assist new and existing businesses.

An inquiry was made about the activity of the subdeveloper of the 120th Avenue and Grant Redevelopment Project. It was stated that there was nothing to report on at this time.

Retirement of Water
and Sewer Bonds

Mr. Shawn Cordsen, Finance Manager, provided a presentation on the \$29 million in bonds that were issued in 1978 for the acquisition and construction of a municipal water and wastewater system. Mr. Cordsen provided historical information about the refunding of the bonds and the eventual retirement of the bonds.

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. Brenda Sumegi stated she would like to operate a medical marijuana dispensary in the building located at 10575 Melody Drive. Ms. stated that the building does not meet the City's distance requirements, and asked for the building to be granted an exemption from the distance regulation.

Mr. John Sumegi spoke about the distance requirements for medical marijuana dispensaries. Mr. stated he feels the building at 10575 Melody Drive would be a sensible and secure location, and stated that he has spoken to the Police Department and Planning and Development staff about the property.

Mr. Brian Gruthoff, owner of the property at 10575 Melody Drive, stated he feels it would be beneficial economically for the City to allow a medical marijuana dispensary to be located at 10575 Melody Drive.

There was brief discussion about the City's medical marijuana dispensary regulations. City Attorney Hoffmann provided

information about the City's ordinance that was adopted to regulate the dispensaries and legislation that could eventually affect local regulations.

Ciara O'Neill, Youth Commission member, and Carrissa Gonzales, Youth Commission applicant, came forward to speak about the Skate Park Project. Ciara asked Council to approve the resolution regarding the acceptance of the Skate Park grant.

Mr. Chris DeMay spoke about the grant that has been awarded to the City for the Skate Park Project, and encouraged Council to approve the acceptance of the grant from Adams County.

Dr. Sean Reif, Ward I, congratulated the candidates that participated in the recent election and spoke about creating an urban-style downtown district in Northglenn in the Comprehensive Plan.

FINANCIAL REPORT:

October 2009 Update

Mr. Shawn Cordsen, Finance Director, provided a financial update for the period ending October 31, 2009. 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

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

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing, Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

The following items were approved on the consent agenda:

- Minutes of the November 12, 2009 Regular Meeting
- Minutes of the November 19, 2009 Special Meeting
- CR-126 – Liquor Licensing Authority Reappt. – John Clancy
- CR-127 – Liquor Licensing Authority Reappt. – Virgil Hall
- CR-132 – Election Commission Reappointment – Wallace Hill
- CR-144 – Youth Commission Reappointment – Paul Newman

PUBLIC HEARINGS:

2009 & 2010 Community
Development Block

Grant (CDBG) Projects

Mayor Novak called for any person wishing to speak either “for” or “against” the 2009 & 2010 Community Development Block Grant (CDBG) Projects to come forward.

Mr. Jim Hayes spoke about the funding amounts and the allocations staff has recommended for 2009 and 2010 CDBG projects.

No one came forward and the public hearing was declared closed.

ORDINANCES:

First Reading

CB-1702 – Supplemental
Appropriation – Capital
Improvements Program
Carryover

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Parsons to approve CB-1702 on first reading.

MOTION PASSED

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

CB-1703 – Supplemental
Appropriation – Huron
Street Project

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Parsons to approve CB-1703 on first reading.

MOTION PASSED

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

CB-1704 – Implementing
Charter Amendments
Regarding Council Terms

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Council member Monroe to approve CB-1704 on first reading.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CB-1705 – Implementing
Charter Amendments
Regarding Meetings
of City Council

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by
Council member Parsons to approve CB-1705 on first reading.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CB-1706 – Implementing
Charter Amendment
Regarding Terms of
the Municipal Judge

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by
Council member Monroe to approve CB-1706 on first reading.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

Note:

City Clerk Small stated for the record that the public hearings on CB-1704 and CB-1705 would be held on January 28, 2010 in City Hall Council Chambers. The public hearings for CB-1702, 1703 & 1706 will be set by resolution later in the meeting.

RESOLUTIONS:

CR-128 – Traffic Signal
Maintenance Contract

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by
Council member Parsons to approve CR-128.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-129 – Theatre Lighting
Project Grant Acceptance

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by
Council member Parsons to approve CR-129.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-131 – Adams
County Open Space Grant
Acceptance & Agreement

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by
Council member Monroe to approve CR-131.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-133 – Revised Flat
Rock Training Center IGA

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by
Council member Parsons to approve CR-133.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-134 – 2010 Budget
Adoption

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by
Council member Parsons to approve CR-134.

**FRIENDLY
AMENDMENT**

A friendly amendment was accepted to attach the documents showing expenditures by fund and by department.

MOTION TO AMEND

Council member Wieneke **MOVED** and it was **SECONDED** by Council member Paiz to amend CR-134 by the addition of a new Section 3. to read “Of the amounts appropriated for each operating account, 15% is hereby encumbered excluding expenditures for personnel, capital outlay, grants, insurance, debt service, utilities, and contractual services. Releases of encumbered appropriations will be considered by the City Council at the request of the City Manager.”

MOTION FAILED

There was discussion and the motion to amend **FAILED**.
IN FAVOR - Baker, Paiz, Wieneke.
OPPOSED - Novak, Parsons, Monroe, Downing, Clyne.
ABSENT - Miller.

MOTION PASSED

There was discussion and the main motion, including the friendly amendment, **PASSED**.
IN FAVOR - Novak, Parsons, Monroe, Paiz, Downing, Clyne.
OPPOSED - Baker, Wieneke.
ABSENT - Miller.

CR-135 – Mill Levy

City Clerk Small read the title.

MOTION TO PASS

Council member Downing **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-135.

MOTION PASSED

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

CR-137 – Financial
Management System
Software Contract

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Downing to approve CR-137.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.
OPPOSED - Clyne.
ABSENT - Miller.

CR-138 – 2010 Landfill
Services Contract

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-138.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-139 – Redesignation
of 2009 CDBG Projects; and
CR-140 – Redesignation
of 2010 CDBG Projects

City Clerk Small read the titles.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-139 and CR-140.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-141 – Setting Public
Hearing for CB-1702;
CR-142 – Setting Public
Hearing for CB-1703; and
CR-143 – Setting Public
Hearing for CB-1706

City Clerk Small read the titles.

MOTION TO PASS

Council member Parsons **MOVED** and it was **SECONDED** by Council member Downing to approve CR-141, CR-142, and CR-143.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

CR-147 – Acceptance
of Donation from Dick's
Sporting Goods

City Clerk Small read the title.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-147.

MOTION PASSED

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

RECESS:

The City Council meeting recessed at 8:29 p.m.

RECONVENE:

The City Council meeting reconvened at 8:37 p.m.

DISCUSSION ITEMS:

CAB Appointments

Council member Downing spoke about the appointment of members of other boards and commissions to the Citizens' Affairs Board.

City Attorney Hoffmann provided clarification and spoke about the intent of the City Charter. There was discussion and Council directed the City Attorney to draft a resolution to set policy regarding the membership of the Citizens' Affairs Board to include a provision that the City Charter be amended to reflect the policy at a future election.

COMMUNICATIONS

COUNCIL

Council member Clyne reported that she had distributed information regarding an event to discuss health care, on December 21st in Longmont. Council member Clyne reported that she had attended Noel Northglenn and noted it was a nice event. Council member Clyne also reported on the Planning Commission's recent dinner meeting.

Council member Downing reported on the Old Fashioned Christmas event that was held at the Stonehocker Farmhouse and noted it was a successful event. Council member Downing also encouraged everyone to participate in the contest to guess the number of lights on the antique fire truck.

Council member Monroe reported on the Youth Commission and noted the Commission had held an induction for new board members. Council member Monroe also reported that she attended Noel Northglenn and the Citizen Police Academy and Teen Police Academy graduation events.

Council member Parsons reported that she had attended Noel Northglenn and thanked the Denver Municipal Band for performing at the event.

Council member Baker stated that he would like to propose that the Council and Council Elect meet socially after Council meetings. There was discussion about Council attending the Senior breakfasts for a social opportunity.

An inquiry was made about compliance with the Open Meetings Law. City Attorney Hoffmann provided information about the law relating to social events.

STAFF

City Clerk Small reported that applications are currently available for the Ward II Council vacancy, and noted that the deadline to apply is January 14, 2010.

City Manager Simmons stated that a special meeting would be called for December 17, 2009 to consider the following items: public hearings on and second readings of CB-1702, CB-1703, and CB-1706; Authorization of a letter regarding the FasTracks Project and the Environmental Impact Statement (EIS); an intergovernmental agreement with the City and County of Broomfield regarding water service to the North Metro Fire Rescue District's facility in Section 36; and discussion regarding proposed statewide ballot issues. City Manager Simmons spoke about the management of the budget during 2009, and stated that staff is committed to managing the budget effectively in 2010 as well.

City Attorney Hoffmann spoke about two significant developments regarding medical marijuana dispensaries relating to the application of Federal law and regulations of dispensaries at the State and local levels.

**PUBLIC INVITED
TO BE HEARD**

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

Dr. Sean Reif, Ward I, spoke about reducing funding for street lights, driving classes for senior citizens, gang activity and curfews, and the importance of students learning ethics.

Mr. Chris DeMay thanked the members of City Council for their work and dedication.

Executive Session
MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Monroe to adjourn to an executive session to receive legal consultation and advice pursuant to Section 4.5(d) of the City of Northglenn Home Rule Charter regarding (1) the 120th Avenue and Grant Street Project; and (2) the Recreation Center.

MOTION PASSED

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

IN FAVOR - Novak, Baker, Parsons, Monroe, Paiz, Downing,
Clyne, Wieneke.

OPPOSED - No one.

ABSENT - Miller.

ADJOURNMENT

The City Council meeting adjourned to the Executive Session at 9:04
p.m.

JOHANNA SMALL, CMC
City Clerk

KATHLEEN M. NOVAK
Mayor