

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
August 10, 2006**

CALL TO ORDER

Mayor Novak called a regular meeting of the Northglenn City Council to order on Thursday, August 10, 2006 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL

Present were: Mayor Novak, Council members Clyne, Garner, Monroe, Paiz, Lindsey, Miller, Parsons, Martin.

ABSENT

No one.

STAFF PRESENT

Interim City Manager Zoet, City Attorney Hoffmann, City Clerk Lentz.

**PLEDGE AND
INVOCATION**

The Pledge of Allegiance was given followed by the Invocation, which was delivered by Police Chaplain Cary Johnson.

**AGENDA ADDITIONS
AND DELETIONS**

Mayor Novak announced the following:

- 16. Resolutions: D. CR-104 – ESTIP Agreement/Best Buy Stores was deleted from the agenda.
- 19. Discussion Items: B. Clarification on Ballot Question at January 18, 2005 Election was moved to occur with CR-101.
- 19. Discussion Items: F. Proposed Building Code Ordinances was added to the agenda.

**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.

Mr. Ray DeWeese inquired about the utility billing cycle and the tiered rate structure. Mr. DeWeese also spoke about the proposed building code ordinance relating to homeowner repairs and the licensing requirements for such jobs.

Mr. Patrick Stedman, representing Coloradoans for Fairness, stated he was in favor of CR-100 and spoke about the need for legislation to enable same sex couples to receive benefits. He spoke about Referendum I that would be voted on at the November 2006 election regarding benefits for same sex couples, and stated the measure is an issue of fairness.

Ms. Lucy Cruz stated she lives in the townhouses and expressed concern about issues in the neighborhood regarding the appearance of properties and animals at large. Council member Clyne stated she and members of City staff would be taking a tour of the townhomes

next week to find a solution to the concerns. Council member Martin also addressed complaints he has received about the neighborhood.

PRESENTATIONS:

Kids Fishing Derby
Awards

Mayor Novak spoke about the Kids Fishing Derby and stated that this year Alexis Garneau had caught the largest fish out of 300 participants. Mayor Novak presented the mounted 12.25-inch fish to Alexis and congratulated her on the catch.

Senior Games Recognition

Mayor Novak joined Ms. Kate Fisher and Ms. Amanda Norconk, to present awards to senior that participated in the Senior Games. Ms. Fisher stated 38 members had participated in the games this year. She reported the members had won a total of 54 medals and an additional 38 ribbons in the events. Those recognized were: Nancy Bruny, Ross Bruny, Bonnie Cizek, June Dalton, Lillian Erbes, Jackie Hamel, Mary Hermann, Delores Kahler, Walter Kahler, Ken Kahler, Evangeline Newton, Norma Prew, Audrey Reichert, George Reichert, Jo Reinhardt, Charlotte Rudolph, Harry Rudolph, Flavia Steckline, Joyce Striplin, Billie Walde, and Kathy Welsh.

National Night Out

Officer Kathy Bailey, Northglenn Police Department, reported that the National Night Out event had been held on Tuesday, August 1st. She stated this year there were 38 neighborhood parties held and spoke about the number of people contacted in conjunction with the event. Officer Bailey spoke about the number of Neighborhood Watch groups in the City and presented a slide show of the National Night Out event. Council thanked Officer Bailey for her work and stated it was a great event.

**ECONOMIC
DEVELOPMENT**

Update

Ms. Becky Hogan, Edge Consulting, provided an economic development update for the month of August. Ms. Hogan provided information on the 120th Avenue development project, the work to revise the ESTIP program and other incentives for businesses. She spoke about the economic development work plan and lease termination agreements for the shoppette on 120th Avenue, parking and additional signage for Heidi's Deli employees during construction, and efforts to develop a real estate database. Ms. Hogan also addressed business recruitment and retention efforts and spoke about development at 112th Avenue and York Street.

FINANCIAL REPORTS

Update

Ms. Acquetta Likkel, Accounting Manager, presented the June financial summary. Ms. Likkel spoke about the revenue and expenditures for the General Fund, Water and Wastewater Fund, Sanitation Fund. She addressed projections for each fund and also spoke about the investment summary for the City.

CONSENT AGENDA

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Monroe 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 Special Meeting for July 20, 2006
- Minutes of the Regular Meeting for July 27, 2006

ORDINANCES:

First Reading

CB-1575 – Liquor License
Application Amendments

City Clerk Lentz read the title.

MOTION TO PASS

Council member Miller **MOVED** and it was **SECONDED** by Council member Parsons to approve CB-1575 on first reading.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - No one.

Note:

City Clerk Lentz stated for the record that the public hearing on CB-1575 would be held on August 24, 2006 in Council Chambers.

RESOLUTIONS:

CR-100 – Support of
Colorado Domestic
Partnership Act

City Clerk Lentz read the title.

MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Clyne to approve CR-100.

MOTION PASSED

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

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

OPPOSED - Miller, Parsons.

ABSENT - No one.

CR-101

IGA – Adams & Weld
County/November 7, 2006
Election

City Clerk Lentz read the title.

MOTION TO PASS Council member Lindsey **MOVED** and it was **SECONDED** by Council member Garner to approve CR-101.

RECESS The City Council meeting recessed at 8:15 p.m.

RECONVENE The City Council meeting reconvened at 8:21 p.m.

Note: The discussion item regarding clarification on the ballot question at the January 18, 2005 Election was addressed during the discussion on the motion to approve CR-101.

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

CR-103 – Benefits to Domestic Partners
City Clerk Lentz read the title.

MOTION TO PASS Council member Paiz **MOVED** and it was **SECONDED** by Council member Lindsey to approve CR-103.

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

Sexual Orientation in Discrimination Policy
MOTION TO PASS Council member Paiz **MOVED** and it was **SECONDED** by Council member Miller to insert the term sexual orientation into the City's discrimination policies as a protected class.

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.

STAFF REPORTS:

SR 06-22 – Water Treatment Plant Clearwell Administration Addition

Interim City Manager Zoet provided a summary of Staff Report 06-22. Mr. Kurt Kowar, Logistics Center Manager, also provided information about SR 06-22.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve SR-06-22.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - No one.

SR 06-23 – 120th

Avenue & Grant Street

Intersection Improvements

Interim City Manager Zoet provided a summary of Staff Report 06-23.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve SR-06-23.

MOTION PASSED

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

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

OPPOSED - Clyne, Paiz, Lindsey, Miller.

ABSENT - No one.

COMMUNICATIONS
COUNCIL

Council member Parsons reported that the Historic Preservation Commission would be holding its annual garage sale on August 25th and 26th to raise funds for the Stonehocker Farmhouse. She stated Joyce Downing should be contacted regarding donations of items for the sale.

Council member Miller stated he had participated in National Night Out and had also attended the dedication of the Orphans sculpture at the Northwest Open Space.

Mayor Novak stated the dedication of the Orphans sculpture was very nice. She reported on the Metro Mayors Caucus meeting and the information they received on upcoming ballot issues. Mayor Novak stated she would be bringing forward a resolution opposing Amendment 38 and encouraged everyone to read the proposed amendment and the information on Amendment 41 relating to ethics in government.

Council member Paiz reported that she had attended four out of the ten parties for National Night Out in Ward I. She stated the Police Department did an excellent job reaching out to the community for the event.

Council member Monroe reported on the School Board Meeting. She stated a member of the Youth Commission had also attended the meeting and had given a presentation to Board on a health fair

project. She stated the School District had agreed to partner with the Commission on the health fair project.

Council member Garner reported that Senior Center Day was held on Tuesday at the Senior Center. She stated many resources were available at the event and many new members joined the Center that day. Council member Garner stated she would be judging the most magnificent tree in Northglenn on Friday. She stated both the winning tree and the nominator would be recognized. Council member Garner reminded Council about the 120th Avenue extension grand opening that would be held on August 17th at 10:30 a.m.

Council member Clyne stated she is selling tickets for \$10.00 for the Macy's grand opening event on October 10th at the Stapleton Development. She stated the proceeds from the sales would go directly to the Arts and Humanities Foundation.

STAFF

City Clerk Lentz stated she had received a letter from NLC inviting the City to submit resolutions and policy amendments to the National Municipal Policy (NMP) as part of NLC's annual policy process. She stated the deadline is September 1, 2006.

Interim City Manager Zoet requested a study session to be held on August 17th to discuss changes to the ESTIP and BIZ ordinances, the Rangeview Library District's plan, and budget presentations from the Police Department, Technology and Finance. It was the consensus of Council to reschedule the August 31st study session for September 7, 2006. Interim City Manager Zoet stated that Chief O'Hayre would be attending the regular meeting on September 14th to give a presentation.

City Attorney Hoffmann reported that the Adams County District Court had ruled in favor of the City of Northglenn and had overturned the ruling issued by Judge Cohen on the liquor licensee liability cases. He stated that if the licensees wish to pursue the cases further, they would need to submit their case to the Supreme Court within 30 days.

There were questions from Council about the criminal liability of licensees for liquor violations. City Attorney Hoffmann provided information about Northglenn's ordinance and stated that currently, the server, manager and licensee are subject to criminal liability. He noted that regardless of who is criminally liable, the licensee is subject to administrative penalties. There was discussion about penalty guidelines and the practices of other municipalities. It was the consensus of Council to discuss this issue further at the study session on September 7, 2006 and to continue the criminal court cases pending from the most recent compliance check to be heard after Council has considered any changes to the criminal liability ordinance.

DISCUSSION ITEMS:

Adjustment of Utility Bills
Due to the Third Tier Fee

Ms. Acqunetta Likkell, Accounting Manager, presented information about the methodology used to figure a proposed adjustment to the utility billing cycle for July 2006. Ms. Likkell spoke about the impact of the tiered rates on customers and provided computations for usage in 30-day and 36-day cycles. She stated the overage charges figured to be approximately \$1.30 for 237 utility accounts.

Refund Overage
Charges on Water Bills
MOTION TO PASS

Council member Lindsey **MOVED** and it was **SECONDED** by Council member Martin to refund any overage charges to water customers that have resulted from extended billing periods by whatever means are equitable for any period up to the time the City started doing the three-tiered billings based on the methodology presented.

MOTION PASSED

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

Expansion of Call-n-Ride
in Northglenn

Council member Garner spoke about the Call-n-Ride program and asked Council if they would be interested in expanding the program in Northglenn. It was the consensus of Council to proceed with efforts to partner with RTD to expand the Call-n-Ride program.

Delivery of Special
Call Letter

Mayor Novak asked for input from Council about the practice of using police officers to deliver special call letters. City Attorney Hoffmann provided information on the Charter requirements for delivering the special call letters for special meetings.

There was discussion about the process and other options for delivering the letters. Police Chief Russ Van Houten provided information about the use of police and code enforcement officers for the task. It was the consensus of Council to have the special call letters delivered by employees, and to use the police officers and code enforcement officers only if no one else is available.

Grant for the Historical
Stonehocker Farmhouse

Council member Clyne stated that the Adams County Open Space Grant for the historical Stonehocker Farmhouse would require the City to provide funding up front and be reimbursed after the project has been completed. It was the consensus of Council to provide the funding for the grant match up front and be reimbursed from the County upon the completion of the project.

International Code

Council member Paiz stated the proposed building codes are scheduled for first reading on August 24th, and asked City Attorney Hoffmann if he would have enough time to consider the amendments and issues related to the proposed ordinances. It was the consensus of Council to address the code information at an upcoming study session or regular meeting.

**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, asked if the City has a policy for hiring outside contractors who employ undocumented workers. City Attorney Hoffmann stated the City had recently added language to all agreements to comply with the recent immigration legislation. There was discussion about how the immigration legislation would affect City issued licenses.

ADJOURNMENT

The City Council meeting adjourned at 10:17 p.m.

DIANA L. LENTZ, CMC
City Clerk

KATHLEEN M. NOVAK
Mayor