

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
September 14, 2006**

CALL TO ORDER

Mayor Novak called a regular meeting of the Northglenn City Council to order on Thursday, September 14, 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, Miller, Parsons, Martin.

ABSENT

Council member Lindsey.

STAFF PRESENT

Interim City Manager Zoet, City Attorney Hoffmann, Deputy City Clerk Small.

**PLEDGE AND
INVOCATION**

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

**AGENDA ADDITIONS
AND DELETIONS**

Mayor Novak announced the following:

- Additions:
 - Executive Session on contractual matters following adjournment
 - 19. Discussion Items:
 - D. Performance Appraisal and Outside Agency Funding Committees
 - E. Safe Street Halloween
 - F. NNDC Permits
- Deletions:
 - 15B. Ordinances – First Reading: 2. CB-1580 – Voter Approval Requirement for Project Funding in Urban Renewal Area

**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. Marian Kimsey, 11762 Keough Drive, invited everyone to attend the Peace Day 2006 event that will be held on September 21st at E.B. Rains, Jr. Memorial Park from 5:00 to 7:30 p.m. She spoke about the International Day of Peace and stated several different cultures would be present at the event. Mayor Novak thanked Ms. Kimsey for her efforts on the diversity events held this summer and noted that the City would be receiving a sign later this week for the inclusive community program.

Mr. Raymond DeWeese, 10870 Larry Drive, reminded everyone to fly their flags next week in observance of Constitution Week. Mr. DeWeese inquired about repairs to the north side of 104th Avenue. He spoke about CB-1578 and stated he feels Council has spent too much time discussing this issue. Mr. DeWeese reported that the Liquor Licensing Authority feels that larger signs should be put in the parks to let people know that alcohol is not allowed in the parks unless by special permit. Mr. DeWeese also spoke about weeds on City property.

Mayor Novak provided information about the agreement with the City of Thornton for maintenance of roadways and asked Mr. DeWeese to forward his information on the weeds to Interim City Manager Zoet.

Mr. Ervin Baker, 10679 Carroll, inquired about funding that has been committed or expended on the 120th Avenue development project. Mr. Baker also inquired about a business plan and an anticipated return on investment for the development project. Mr. Baker expressed concern about the waiting list for getting cement repairs done on his sidewalk.

Ms. Patti Campbell, Ward II, inquired about the status of the budget presentations from staff and the city manager search process. Ms. Campbell spoke about CR-110, CR-111 and CR-112. She asked why the salary adjustments were being considered at this time and stated she feels some decisions should be left for the new city manager.

Mayor Novak provided information on the timeframes for the budget approval and the city manager candidate selection process. Mayor Novak stated the salaries being considered tonight could only be adjusted by City Council.

Mr. Don Anema, Ward I, thanked Council for their cooperation on the Relay For Life event and the sponsorship of the teams. He stated the event has raised \$98,000, and they expect to exceed the goal of raising \$105,000. Mr. Anema spoke about CR-110, CR-111 and CR-112. He stated he feels the former Deputy City Manager should fill in for the City Manager without additional compensation, and feels the new City Manager should not be allowed to control the salary adjustment for the current Interim City Manager.

PRESENTATIONS:

Training Facility

Chief John O'Hayre, North Metro Fire Rescue District, presented information about the fire training facility that will be constructed on a twelve and one-half acre site in Section 36 of Weld County. He reviewed the site plan and spoke about the facilities that would be located on the site, which would include a fire station that could service Northglenn via I-25. Chief O'Hayre stated the facility is

scheduled to be completed in April 2008. He reported that it would be a clean burn site and stated he feels the facility is well-suited for the location.

There was discussion about the control room for the facility, the water source and the possible use of water from Bull Reservoir, and impacts on neighbors of the site.

FINANCIAL REPORT:

Update

Ms. Acquetta Likkel, Accounting Manager, presented the financial update for the month of July. Ms. Likkel spoke about the revenue and expenditures for the General Fund, Water and Wastewater Fund, and Sanitation Fund. She provided an explanation of variances in the figures for projected revenues and stated that overall the expenditures are on track for the year. Ms. Likkel addressed projections for each fund and also spoke about the investment summary for the City.

Council member Clyne reported that the Finance Committee had met and viewed these figures as part of an in-depth review and Interim City Manager Zoet had responded to their questions.

CONSENT AGENDA
MOTION TO PASS

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

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

The following items were approved on the consent agenda:

- Minutes of the Regular Meeting for August 24, 2006
- Minutes of the Special Meeting for September 2, 2006
- CR-113 – Liquor Licensing Authority Alternate Appt. – Priscilla Aragon
- CR-114 – Youth Commission Appt. – Brittany Thomas
- CR-115 – Youth Commission Appt. – Daniel Cowan
- CR-116 – Youth Commission Reappt. – Kurt Thomas

PUBLIC HEARINGS:

**CB-1576 – Arterial
ROW Maintenance**

Mayor Novak invited any person wishing to speak either “for” or “against” CB-1576 to come forward. No one came forward and the public hearing was declared closed.

Northglenn City Council
September 14, 2006
CB-1577 – Utility
Usage Charges

Mayor Novak invited any person wishing to speak either “for” or “against” CB-1577 to come forward. No one came forward and the public hearing was declared closed.

CB-1578 – Placement
of Trash Containers

Mayor Novak invited any person wishing to speak either “for” or “against” CB-1578 to come forward.

Mr. Don Anema inquired about the portion of CB-1578 relating to trash containers being hidden from public view.

Mayor Novak invited any other person wishing to speak either “for” or “against” CB-1578 to come forward. No one came forward and the public hearing was declared closed.

ORDINANCES:
Second Reading
CB-1576 – Arterial
ROW Maintenance

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Parsons to approve CB-1576 on second reading.

MOTION PASSED

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

CB-1577 – Utility
Usage Charges

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Paiz **MOVED** and it was **SECONDED** by Council member Garner to approve CB-1577 on second reading.

MOTION PASSED

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

CB-1578 – Placement
of Trash Containers

Deputy City Clerk Small read the title.

MOTION TO TABLE

Council member Martin **MOVED** and it was **SECONDED** by Council member Clyne to table CB-1578 indefinitely.

MOTION PASSED

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

IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Miller,
Parsons, Martin.
OPPOSED - No one.
ABSENT - Lindsey.

ORDINANCES:

First Reading

CB-1579 – ESTIP

Ordinance Amendment

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Monroe to approve CB-1579 on first reading.

MOTION PASSED

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

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

OPPOSED - Paiz.

ABSENT - Lindsey.

CB-1581 – Liquor

Violation Criminal Liability

Ordinance Amendment

Deputy City Clerk Small read the title.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve CB-1581 on first reading.

MOTION PASSED

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

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

OPPOSED - Paiz.

ABSENT - Lindsey.

Note:

Deputy City Clerk Small stated for the record that the public hearings on CB-1579 and CB-1581 would be held on September 28, 2006 in City Hall Council Chambers.

RESOLUTIONS:

CR-109 – License

Agreement – Motospa
of Northglenn

Deputy City Clerk Small read the title.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve CR-109.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

CR-110 – Interim
City Manager Salary

Deputy City Clerk Small read the title.

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to approve CR-110.

**FRIENDLY
AMENDMENT**

Council member Paiz asked for a friendly amendment to insert the phrase: ‘until a date to be determined by the City Council, based on the date when the new City Manager is effectively transitioned.’

MOTION PASSED

There was discussion and the motion including the friendly amendment **PASSED**.

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

OPPOSED - No one.

ABSENT - Lindsey.

CR-111 – Former Interim
City Manager Salary

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Parsons to approve CR-111.

**FRIENDLY
AMENDMENT**

Council member Paiz asked for a friendly amendment to attach a document from Interim City Manager Zoet to CR-111 that determines the 10% lump sum amount to be \$5406.50.

MOTION TO TABLE

Mayor Novak **MOVED** and it was **SECONDED** by Council member Garner to table CR-111 to September 28, 2006.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

CR-112
City Clerk Salary

Deputy City Clerk Small read the title.

MOTION TO PASS

Council member Garner **MOVED** and it was **SECONDED** by Council member Martin to approve CR-112.

MOTION PASSED

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

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

OPPOSED - Clyne, Paiz, Miller.

ABSENT - Lindsey.

RECESS The City Council meeting recessed at 8:25 p.m.

RECONVENE The City Council meeting reconvened at 8:36 p.m.

STAFF REPORTS:

SR 06-24 – Washington
Street Arterial ROW
Fencing Project

Interim City Manager Zoet and Mr. Kurt Kowar, Logistics Center Manager, provided information about Staff Report 06-24.

MOTION TO PASS Council member Garner **MOVED** and it was **SECONDED** by Council member Monroe to approve Staff Report 06-24.

MOTION PASSED There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Paiz, Parsons,
Martin.
OPPOSED - Miller.
ABSENT - Lindsey.

SR 06-25 – 2006
Greenway Trail & Park
Trail Replacement Program

Interim City Manager Zoet and Mr. Kowar provided information about Staff Report 06-25.

MOTION TO PASS Council member Garner **MOVED** and it was **SECONDED** by Council member Parsons to approve Staff Report 06-25.

MOTION PASSED There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Garner, Monroe, Miller, Parsons, Martin.
OPPOSED - Clyne, Paiz.
ABSENT - Lindsey.

SR 06-26 – Huron Street
Improvements Design

Interim City Manager Zoet and Mr. Kowar provided information about Staff Report 06-26.

MOTION TO PASS Council member Garner **MOVED** and it was **SECONDED** by Council member Martin to approve Staff Report 06-26.

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

COMMUNICATIONS
COUNCIL

Council member Martin reported that Council would be invited to an upcoming NURA meeting.

Council member Parsons thanked staff and the volunteers for the work done on the All About Art and Relay For Life events. She reported that the Central City Opera would be performing at the D.L. Parsons Theatre this Friday as part of the Classics with a Twist series. Council member Parsons reported she and Council member Garner would be hosting a Ward IV meeting on October 2nd at a location to be determined shortly.

Council member Miller stated the Liquor Licensing Authority had attended the study session last week to discuss criminal liability for liquor license violations.

Mayor Novak reported that the Planning Commission did not have a meeting this month.

Council member Paiz reported that she and Council member Miller hosted a Ward I meeting Tuesday and stated it was well attended. She stated they had discussed topics including street maintenance, raised manholes, the Senior property tax exemption, and residency requirements for the new city manager. She stated Chris DeMay also attended the Ward meeting and spoke about designating a nature area in the Fox Run development. She also reported on the Community Foundation's booth at the All About Art festival. Council member Paiz stated she would like to remove her name from serving as the School District No. 12 Board Co-Liaison because she is unable to attend the meetings on a regular basis. Council member Paiz expressed concern about information she had received relating to the City of Thornton and their plans to put a lake near the Stonehocker historical property.

Council member Parsons reported that a representative from Thornton attended the Historic Preservation Commission meeting on Monday regarding this issue. She noted the Commission is also concerned about the plans and traffic on the historic property.

Mr. Terence Quinn, Community Development Director, provided information about the plans for the lake, and stated the City of Thornton had been made aware of the historic area. Council member Paiz stated she would like to be included in future meetings on this topic.

Mayor Novak stated the City of Thornton had invited Council to attend a dinner meeting on October 11th. Council member Clyne stated that a joint Ward I and III meeting has been scheduled for the 11th. Mayor Novak asked Council to consider meeting with Thornton on October 18th or 25th, and to let Susan Baca know which date would work best. Mayor Novak stated the Taste of the Chamber event would

be held on Wednesday, October 4th and asked Council to let Susan Baca know if they would like to attend.

**School Board Liaison
MOTION TO PASS**

Council member Paiz **MOVED** and it was **SECONDED** by Council member Miller to remove herself as the School District No. 12 Board Co-Liaison.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

Council member Monroe reported that she had the opportunity to observe Northglenn police officers participate in a training exercise using the simunition equipment they were able to purchase with a VALE Board grant. Council member Monroe reported on the Paint the Town 5K Walk/Run sponsored by the Citizens Police Academy Alumni Association of Northglenn (CPAAAN) in conjunction with the Community Foundation. She stated she had also attended the employee appreciation luncheon yesterday and noted that it was a nice event. Council member Monroe reported that the Youth Commission would be attending the Youth Leadership retreat on October 20th and 21st, and she would be attending a Block Captains of Quam Drive chili dinner tomorrow evening.

Council member Garner reminded Council about the Neighbor to Neighbor yard clean up event on Saturday morning on Bruce Lane, and encouraged everyone to participate. She stated she had attended the 9/11 Memorial Dedication in Broomfield, and stated it is a very impressive monument. She reported she had also attended the employee appreciation luncheon yesterday, and had taught a class for the NNDC on turf management. Council member Garner stated the City had met with Mike Sawyer from the Rangeview Library District on September 1st and had discussed potential sites for a library branch in Northglenn. She reported on the Senior Commission and stated the Senior Center would be celebrating the Italian culture as part of the Cultural Week program beginning September 25th, and noted there are many events scheduled for the week.

Council member Clyne reported that a joint Ward III meeting with Ward I would be held on October 11th at 6:30 p.m. at Hulstrom Elementary School. She reported on the Northglenn Arts and Humanities Foundation annual retreat and the Relay For Life events she had attended. Council member Clyne reported on the Parks and Recreation Advisory Board meeting and noted they had discussed Croke Reservoir, plans for nature areas, and possible sites for a library branch in the city. She reported the Board had made a

recommendation that the City form a taskforce to study potential sites for a library branch in Northglenn.

STAFF

Interim City Manager Zoet stated there is no study session scheduled for September 21, 2006, and noted the next study session would be held on October 5th to discuss the proposed 2007 Budget. Interim City Manager Zoet asked to receive the locations of the raised manholes that were mentioned at the Ward I social to allow follow up by staff on the concern.

Mr. Kurt Kowar provided information about the practice of raising manholes during asphalt work and spoke about the overlay project for the streets.

City Attorney Hoffmann reported on the pending criminal liability cases for liquor license violations and reviewed the information that was discussed at the study session on September 7th. There was discussion about the pending cases and the effect of dismissing the criminal charges against the managers and owners of the establishments.

**Dismiss Criminal Liability
Cases for Liquor Violations**

MOTION TO PASS

Mayor Novak **MOVED** and it was **SECONDED** by Council member Martin to dismiss the criminal charges for owners and managers unless they directly participated in the violation of serving alcohol to minors.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Clyne, Garner, Monroe, Miller, Parsons,
Martin.
OPPOSED - Paiz.
ABSENT - Lindsey.

RECESS

The City Council meeting recessed at 9:26 p.m.

RECONVENED

The City Council meeting reconvened at 9:33 p.m.

DISCUSSION ITEMS:

Utility Billing Cycles

Ms. Debbie Staub, Revenue Supervisor, presented historical information about utility billing and meter reading practices, and reviewed the duties of the meter read staff position. Ms. Staub presented three options for closing the gap between meter reads and billings and displayed the calendar cycles for each option.

**Utility Billing Cycles
MOTION TO PASS**

Council member Paiz **MOVED** and it was **SECONDED** by Council member Parsons to accept staff recommendation 'C' for the utility billing cycles.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

Ms. Staub provided information about the industry standards for meter reading schedules and recommendations for adjusting utility accounts for extended billing cycles over 33 days. It was the consensus of Council to proceed with the current practice of using utility billing cycles with a 29-33 day range.

Utility Billing Adjustments

MOTION TO PASS

Council member Paiz **MOVED** and it was **SECONDED** by Council member Parsons to accept the recommendation of adjusting utility bills based on the 33-day billing cycle.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

Use of School District
Surplus Properties

Interim City Manager Zoet provided information on the Northeast Middle School building and the retrofitted uses of the facility. He stated the Building Department staff has expressed concern about the inability to assess changes that have been made to the internal structure of the building. Mr. Zoet provided information about the different groups that are using the building and concerns related to the City's liability.

City Attorney Hoffmann provided information on the State Statutes relating to exemptions from zoning, planning and building for locating and constructing schools and how the law would apply to facilities that are no longer being used as public schools. City Attorney Hoffmann spoke about the liability concerns and the City's ability to inspect the building.

There was discussion about the building permit process for schools, the uses of the building, and any correspondence with the School District about the concerns. There was discussion about scheduling a joint meeting with the School Board in the future to discuss this issue.

City Manager Search

Mayor Novak asked Council if they would like to proceed with three or four finalists for the city manager position. It was the consensus of Council to proceed with three finalists. Mayor Novak announced the finalists for the city manager position to be Aden Hogan, Jr., Thomas

Hutka, and Arthur "A.J." Krieger. She distributed information regarding the city manager selection process and stated a public reception would be held on Friday, September 29th to provide an opportunity to meet the candidates. She also stated that a panel interview would be held on Saturday, September 30th to provide an opportunity for the public to ask questions of the candidates.

Performance Appraisal
And Outside Agency
Funding Committees

Council member Garner inquired about Council subcommittee appointments for the Performance Appraisal and Outside Agency Funding committees. There was discussion about the committee members and Council directed the City Clerk's office to research the appointments and bring information back to the next City Council meeting.

Safe Street Halloween

Council member Monroe reported that the annual Safe Street Halloween event would be held on October 28th and stated the event has received a donation of \$1500.00 from the City in previous years.

MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Mayor Novak to donate \$1500.00 to the Safe Street Halloween event.

MOTION PASSED

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

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

OPPOSED - No one.

ABSENT - Lindsey.

Council member Monroe asked Council if they would like to have a booth at the Safe Street Halloween event. It was the consensus of Council to have a booth at the event.

NNDC Permits

Council member Monroe stated she would like to propose waiving the permit fees for the Northglenn Neighborhood Development Corporation (NNDC) for the next two years. She stated that they should be solvent and able to pay the permit fees after that time, and noted the NNDC is a non-profit organization.

There was discussion about the homes that would be included in the waiver. Interim City Manager Zoet read a communication from Mr. Bill Sullivan, Executive Director of NNDC, which stated the organization was requesting a waiver for the homes that they would be rehabilitating and selling.

NNDC Permit Waiver
MOTION TO PASS

Council member Monroe **MOVED** and it was **SECONDED** by Council member Paiz to waive the permit and plan check fees for the

NNDC for the next two years for the properties they will rehabilitate and sell.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Novak, Garner, Monroe, Paiz, Parsons, Martin.
OPPOSED - Clyne, Miller.
ABSENT - Lindsey.

**PUBLIC INVITED
TO BE HEARD**

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

Mr. Don Anema spoke about CR-111 and the question that was raised about the former Interim City Manager being paid for overtime. Mr. Anema spoke about the discussion from the study session relating to liquor license violations and the suggested penalties for violations.

Council member Clyne stated she would like a proclamation issued to Ms. Marian Kimsey for the Peace Day 2006 event that would be held on September 21st.

Executive Session
MOTION TO PASS


Mayor Novak **MOVED** and it was **SECONDED** by Council member Paiz to meet in Executive Session for contractual matters.

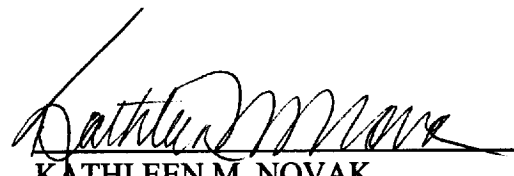
MOTION PASSED

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

ADJOURNMENT

The City Council meeting adjourned to the Executive Session at 10:24 p.m.


JOHANNA SMALL
Deputy City Clerk


KATHLEEN M. NOVAK
Mayor