

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
September 12, 2016**

CALL TO ORDER Mayor Pro Tem Dodge called a regular meeting of the Northglenn City Council to order on Monday, September 12, 2016 at 7:00 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL Present were: Mayor Pro Tem Dodge, Council members Sauers, J. Brown, B. Brown, Whitman, and Esquibel.

ABSENT Mayor Downing, Council members Snetzinger and Mullica.

STAFF PRESENT City Manager Hayes, City Attorney Hoffmann, and City Clerk Small.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was given.

AGENDA ADDITIONS AND DELETIONS: None.

PROCLAMATIONS:
Cities and Towns Week Mayor Pro Tem Dodge read the proclamation proclaiming September 12-18, 2016 as Cities and Towns Week in the City of Northglenn and presented the proclamation to Ms. Margo Aldrich, City of Northglenn Communications Manager.

Constitution Week Mayor Pro Tem Dodge read the proclamation proclaiming the week of September 17–23, 2016 as Constitution Week in the City of Northglenn, and presented the proclamation to representatives of the National Society of the Daughters of the American Revolution.

PRESENTATIONS:
Economic Development Update Ms. Debbie Tuttle, Economic Development Manager, provided an update on new businesses including Injury Rehabilitation Specialists and Northglenn Self Storage. Ms. Tuttle reported on Northglenn business anniversaries, new storefront and home-based businesses, and closed businesses through August 31, 2016. Ms. Tuttle provided information on upcoming events including the 5th Annual Business Appreciation Breakfast and reported on resolutions the Northglenn Urban Renewal Authority (NURA) will be considering for various projects and grants. Ms. Tuttle reported the Albertson’s grocery store on 120th Avenue will be rebranding as a Safeway store, and stated she will be soliciting feedback from City Council on NURA’s capital

improvement projects.

**PUBLIC INVITED
TO BE HEARD**

Mayor Pro Tem Dodge called for any person wishing to address City Council on matters of community interest related to City business not set for public hearing to come forward.

Mr. Jeff Jasica, Adams 12 CAN for Kids Co-Chair, and Ms. Kathy Plomer, Adams 12 Five Star Schools Board of Education President, spoke about the School District's bond proposal and ballot initiative to fund improvements to schools within the Adams 12 School District. Mr. Jasica spoke about how the District's proposal will benefit schools located in the City of Northglenn and asked for the Council's endorsement.

FINANCIAL REPORT

July 2016 Update

Mr. Jason Loveland, Director of Finance, provided a financial report for the period ending July 31, 2016. Mr. Loveland spoke about revenue and expenditures in the General Fund, Water and Wastewater Fund, Stormwater Fund, Sanitation Fund, Conservation Trust Fund, and Capital Projects Fund. Mr. Loveland reported on the City's cash reserves and investments through July, and addressed questions from Council regarding the impact of closed businesses in the Marketplace.

**CONSENT AGENDA
MOTION TO PASS**

Council member Whitman **MOVED** and it was **SECONDED** by Council member J. Brown to approve the consent agenda.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman,
Esquibel.

OPPOSED - None.

ABSENT - Downing, Snetzinger, Mullica.

The following items were approved on the consent agenda:

- Minutes of the August 22, 2016 Regular Meeting
- CR-94 – Acceptance of Grants – CDOT LEAF, High Visibility Impaired Driving Enforcement (HVE), and Peace Officer Standards and Training (P.O.S.T.)

PUBLIC HEARINGS:

CB-1871 – Rezoning for
Certain Real Properties
at 363 Melody Drive
from R-1-B to R-2

Council member Esquibel recused himself from the matter based on a personal financial interest because of the potential impact of the

public hearing on the value of his residence, which is in close proximity to the property seeking to be rezoned. Council member Esquibel disclosed that he had testified on the matter at the Planning Commission hearing and believes he is precluded from acting as a decision-maker on the rezoning application.

Mayor Pro Tem Dodge opened the public hearing on CB-1871 and read the procedures to be used for the hearing. There were no objections to the jurisdiction or form of proceedings.

Mr. Brook Svoboda, Director of Planning and Development, presented information regarding the application to rezone the property at 363 Melody Drive from R-1-B Single Family Residential to R-2 Two Family Residential. Mr. Svoboda reviewed the criteria for a zoning change and stated staff recommends approval of the rezoning request. Mr. Svoboda provided information about the Planning Commission's hearing on the application and addressed questions from Council regarding accessory dwelling units.

All individuals intending to provide testimony were placed under oath by the City Clerk.

Mr. Michael Webb stated he and his wife, Ms. Maria Hajiaghaee, are the applicants of the rezoning request for the property located at 363 Melody Drive. Mr. Webb stated he and his wife would like to build a single-story duplex home to allow them to occupy a home alongside Ms. Hajiaghaee's son.

Ms. Maria Hajiaghaee provided testimony about the rezoning application and stated she believes the value of homes in the neighborhood will increase as a result of the new construction.

Mayor Pro Tem Dodge called for any person opposing the rezoning application to come forward.

Mr. John Sittner, 482 Melody Drive, spoke against CB-1871, stating he feels the rezoning will change the character of the neighborhood and presented a petition containing signatures of homeowners opposing the proposed rezoning. Mr. Sittner stated he believes there has been no significant change, no error in the original zoning, and no need for the rezoning of the property.

Dr. Phil Corn, 323 Melody Drive, spoke against CB-1871 and submitted a letter in opposition to the rezoning application. Dr. Corn stated he believes a rental duplex property will change the character

of the neighborhood by allowing commercial housing on the property, and spoke about the implications of allowing the zoning change.

Ms. Cathy Espinosa-Carpenter, 9850 Melody Drive, spoke against CB-1871. Ms. Espinosa-Carpenter spoke about homes in the neighborhood and suggested the City study where duplex homes should be located.

Mr. Pete Opila, 463 Melody Drive, spoke against CB-1871. Mr. Opila stated zoning changes can negatively affect neighborhoods and can cause continual conversions of single family homes to multi-family dwellings.

Ms. Janet Behrens, 9803 Alamo Drive, spoke against CB-1871. Ms. Behrens stated she and her husband own a home at 303 Melody Drive and stated she wants the neighborhood to remain as single-family homes only.

Mr. Brad Victor, 9851 Melody Drive, spoke against CB-1871. Mr. Victor stated converting the home into a duplex will increase traffic and expressed concern that the rezoning will decrease the value of his home.

Ms. Denise Fincham, 9810 Melody Drive, spoke against CB-1871. Ms. Fincham inquired if the rezoning would apply to all homes and stated she is opposed to converting the single-family home into a duplex.

Ms. Cynthia Combs, 384 W. 99th Avenue, spoke against CB-1871. Ms. Combs stated she chose her home in Northglenn primarily because the neighborhood was comprised of single-family homes, and inquired whether Council member Esquibel's conflict of interest is a direct conflict.

City Attorney Hoffmann provided information about Council member Esquibel's recusal from the matter.

Ms. Alice Kime, 522 Melody Drive, presented a statement to be read. City Clerk Small read Ms. Kime's statement in opposition to CB-1871, which expressed concern about the rezoning changing the character of the neighborhood and having a negative impact on the neighborhood.

Mayor Pro Tem Dodge called for any other person opposing CB-1871 to come forward. There was no response.

Mayor Pro Tem Dodge called for any other interested persons wishing to present public comment or evidence on CB-1871 to come forward.

Mr. David Adkins, 342 Melody Drive, spoke in support of CB-1871. Mr. Adkins testified he lives across the street from 363 Melody Drive and stated there are currently two other duplex homes in the neighborhood. Mr. Adkins spoke about the changing composition of families and stated the applicant and her son intend to occupy the duplex home. Mr. Adkins spoke about other issues in the neighborhood and asked Council to approve the rezoning request, which will allow the applicants to return to Northglenn.

Mayor Pro Tem Dodge called for any other interested persons wishing to speak on CB-1871 to come forward. There was no response.

The applicant presented rebuttal evidence. Mr. Webb stated they applied for the rezoning because they have substantial equity in the home and wish to build a duplex home in which they intend to retire. Mr. Webb stated the single-family home will remain a rental property if the rezoning is not approved.

There were no questions of the witnesses.

City Attorney Hoffmann stated that, based on the submittal of the petition by Mr. Sittner, he recommends Council continue the public hearing to September 26, 2016 to allow staff to verify the petition.

MOTION TO PASS

Council member J. Brown **MOVED** and it was **SECONDED** by Council member Sauers to continue the public hearing on CB-1871 to September 26, 2016.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman.
OPPOSED - None.
ABSENT - Downing, Snetzinger, Mullica.
ABSTAIN - Esquibel.

ORDINANCES –

SECOND READING:

CB-1871 – Rezoning for
Certain Real Properties
at 363 Melody Drive
from R-1-B to R-2

MOTION TO PASS

Council member J. Brown **MOVED** and it was **SECONDED** by

Council member B. Brown to continue CB-1871 on second reading to September 26, 2016.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman, Esquibel.

OPPOSED - None.

ABSENT - Downing, Snetzinger, Mullica.

ORDINANCES –
FIRST READING:

CB-1872 – Construction
Defects

City Clerk Small read the title.

MOTION TO PASS

Council member J. Brown **MOVED** and it was **SECONDED** by Council member Sauers to approve CB-1872 on first reading.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman, Esquibel.

OPPOSED - None.

ABSENT - Downing, Snetzinger, Mullica.

CB-1873 – Commercial
Mobile Radio Services
(CMRS) Regulations

City Clerk Small read the title.

MOTION TO PASS

Council member J. Brown **MOVED** and it was **SECONDED** by Council member Sauers to approve CB-1873 on first reading.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman, Esquibel.

OPPOSED - None.

ABSENT - Downing, Snetzinger, Mullica.

Note:

City Clerk Small stated for the record that the public hearing on CB-1872 will be held on October 10, 2016 and the public hearing on CB-1873 will be held on September 26, 2016.

RESOLUTIONS:

CR-95 – Parks,
Recreation & Cultural
Services 2017 Fee
Schedule

City Clerk Small read the title.

MOTION TO PASS

Council member J. Brown **MOVED** and it was **SECONDED** by Council member Sauers to approve CR-95.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman, Esquibel.

OPPOSED - None.

ABSENT - Downing, Snetzinger, Mullica.

CR-96 – Decision
to Change City Logo

City Clerk Small read the title.

MOTION TO PASS

Council member Whitman **MOVED** and it was **SECONDED** by Council member Sauers to approve CR-96.

City Manager Hayes provided a summary of CR-96.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman.

OPPOSED - Esquibel.

ABSENT - Downing, Snetzinger, Mullica.

CR-97 – Adoption
of City Logo

City Clerk Small read the title.

MOTION TO PASS

Council member Whitman **MOVED** and it was **SECONDED** by Council member Sauers to approve CR-97.

MOTION PASSED

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

IN FAVOR - Dodge, Sauers, B. Brown, Whitman.

OPPOSED - J. Brown, Esquibel.

ABSENT - Downing, Snetzinger, Mullica.

DISCUSSION ITEMS:

Resolution of Support
for Adams 12 Five Star
School District Ballot
Initiative

City Manager Hayes stated information about the Adams 12 Five Star School District's bond proposal was provided in the meeting packet, and asked if Council would like to consider a resolution supporting the District's ballot initiative.

There was discussion about the School District's bond proposal and how the plan may benefit schools located in the City of Northglenn. It was the consensus of Council to consider a resolution at the September 26, 2016 City Council meeting supporting the Adams 12

Five Star Schools ballot initiative.

COMMUNICATIONS:

Council

Council member Whitman reported she and several Council members served as judges for the Battle of the Badges event during the Relay For Life. Council member Whitman noted the Northglenn Police Department won the challenge and thanked staff for coordinating the event. Council member Whitman reported a Ward 3 meeting will be held at 5:30 p.m. on Wednesday, September 14th at E.B. Rains, Jr. Memorial Park and Anythink Library's Block Party will be held on Thursday, September 15th at E.B. Rains, Jr. Memorial Park. Council member Whitman encouraged everyone to attend the Pirate Ball on Friday, September 16th and Pirate Fest on Saturday, September 17th. Council member Whitman expressed her condolences to the family of Mrs. Kari Chopper, School District 12 Bus Driver, who passed away in the recent school bus accident.

Council member B. Brown recognized the Police Department for the award they received for the Police Car Design Contest and stated the plaque will be placed in the Council mail room. Council member Brown stated she is looking forward to attending Pirate Fest.

Mayor Pro Tem Dodge reported she attended the grand opening event at Ashley Manor and provided information about the facility, which provides Alzheimer's and dementia care services. Mayor Pro Tem Dodge reported the Relay For Life at Webster Lake had raised just under \$100,000 for the American Cancer Society. Mayor Pro Tem Dodge recognized Northglenn resident and long-time volunteer Mr. Steve Austin who is the recipient of the 2016 Governor's Service Award for Outstanding Senior Corps Volunteer.

Council member Sauers asked for a moment of silence in remembrance of September 11th. A moment of silence was observed for all of the victims of the September 11, 2001 tragedy.

Staff

City Manager Hayes reported on a reduction in workers compensation claims and stated the City should realize a decrease in insurance premiums based on the reduction in claims. City Manager Hayes asked for direction from Council regarding a \$1,000 sponsorship request to benefit the Court Appointed Special Advocates (CASA) Kaleidoscope of Hope event; it was the consensus of Council to sponsor the event. City Manager Hayes spoke about the Grant Street median and crosswalk analysis, solutions for improving the crosswalk, and the installation of 'No U-Turn' signs near the Metro North Office Building. City Manager Hayes reported the Legislative Committee will be meeting on September 19th at 5:00 p.m. and stated

a legislative dinner has been scheduled for Tuesday, November 15th with State Representative Steve Lebsock and State Senator Beth Martinez Humenik. City Manager Hayes reported he distributed the 2017 Work Plan and asked for feedback from Council on the plan.

**PUBLIC INVITED
TO BE HEARD**

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

Dr. Phil Corn, 323 Melody Drive, spoke about the Adams 12 Five Star School District's bond proposal and thanked City Council for agreeing to consider a resolution supporting the District's ballot initiative.

Executive Session
MOTION TO PASS

Council member J. Brown **MOVED** and it was **SECONDED** by Council member Sauers to adjourn to Executive Session pursuant to Section 4.5(g) of the City of Northglenn Home Rule Charter for negotiations concerning the potential acquisition of real property and contracts except those required to be the subject of competitive bidding.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Dodge, Sauers, J. Brown, B. Brown, Whitman,
Esquibel.
OPPOSED - None.
ABSENT - Downing, Snetzinger, Mullica.

ADJOURNMENT

The City Council meeting adjourned to the Executive Session at 9:28 p.m.

JOHANNA SMALL, CMC
City Clerk

JOYCE DOWNING
Mayor