



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Minutes - Draft

City Council

Tuesday, April 17, 2018

6:30 PM

Council Chamber

Regular Meeting

1. Roll Call

Present: 7 - Council Member Cole, Mayor Brinkman, Mayor Pro-Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter

2. Pledge of Allegiance

3. Approval of Agenda

4. Public Comment

If you wish to address the city council under Public Comment, please sign-in on the public speaker form, before the call to order for this meeting. Each speaker will be limited to three minutes. The city council is not authorized by the Colorado Open Meetings Law to discuss comment or take action at the meeting on any issue raised by public comment. The Mayor may refer the matter to staff to obtain additional information and report back to the Council as appropriate.

Pat Dunahay - Signage at Southpark. How does this ordinance on the sign code, how does this play into the PD (Planned Development) in Southpark? Have had many requests for off-site signage, i.e. on a corner, similar to the Downtown Wayfinding signs.

Andrew Ehrnstein - Request to design and adopt a new city flag.

Isaac Ehrnstein - Presentation of his design for proposed city flag for Littleton.

Pam Chadbourne - Regarding the study session last week on the homeless issue. Was upset and appalled at the one-sided presentation. What I wanted to see, what I hope you will demand from staff, is representatives for the homeless. Invite them to come and speak to you. We need to help them, not demean them.

Kent Bagley - Protocols and Standards of conduct for council. These are critical for all elected officials. It is a privilege to serve. All those doing so need to understand these protocols and standards and adhere to them.

Kay Watson - Commends Mayor Brinkman as presiding officer for maintaining rules of order. As the presiding officer, the Mayor has the duty and responsibility to follow the rules and maintain order. The Mayor did not, and never has, shut down any council member. Rather, she has striven to maintain order. It is healthy to agree and to disagree but it's time to work together.

5. Consent Agenda Items

- a) [Ordinance 16-2018](#) An ordinance on second reading deleting Title 4, Section 3 from the Building Regulations of the Municipal Code regarding sign code regulation and adding Title 10, Section 17 to the Zoning Code of the Municipal Code regarding sign code regulation
approved
- b) [Ordinance 17-2018](#) An ordinance on second reading repealing Sections 3-3-1 to 3-3-7, pertaining to circuses and carnivals; and adding new Chapter 3 pertaining to establishing the standards for the issuance of a permit for special events and demonstrations in the city
approved
- c) [ID# 18-128](#) Approval of the April 3, 2018 regular meeting minutes
approved

Approval of the Consent Agenda

Mayor Pro Tem Valdes moved and Council Member Schlachter moved to approve the consent agenda. The vote is 7-0. The motion carries unanimously.

Aye: 7 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter

6. General Business**7. Ordinances on Second Reading and Public Hearing**

- a) [Ordinance 13-2018](#) An ordinance on second reading regarding the proposed Pre-Inclusion Agreement with South Metro Fire Rescue for fire and emergency medical services commencing January 1, 2019

Mayor Brinkman opened the public hearing at 7:43 p.m.

Mark Rogers - Support

Joel Heinmann - Support

Doug Clark - Opposed

Paul Bingham - Opposed to contract as is. Please table item to allow for more time to spent on a more equitable agreement.

Melia Gobble - Support

Don Bruns- Would like to see amendments regarding assets (see handout in packet).

Cheryl Bruns - Would like to see amendments regarding assets and performance standards.

Kurt Keeley - Support

Pat Fitzgerald - Opposed

Linda Knufinke - Opposed

Bill Brown - Questions/concerns about ballot questions. Recommends a language change in agreement regarding reduction of property taxes to read "and hereafter" vs just 2020.

Mayor Richard Champion, Town of Columbine Valley - Support

Bill Hopping - Support

Pam Chadbourne - Opposed

Kay Watson - Support

Kent Bagley - Support. Would like to request the publishing of answers to all questions asked tonight and those submitted prior to the meeting tonight.

Frank Atwood - Opposed

Joe Rice, Lockheed Martin - Support

Kal Murib - Support

Gloria Shone - Opposed

Carol Brzeczek - Opposed

Susan Thornton - Support

Chris Strauss - Support

Stew Meagher - Support

Mayor Brinkman closed the public hearing at 8:46 p.m

Council Member Schlachter moved and Council Member Driscoll seconded to approve the ordinance on second reading concerning a Pre-Inclusion Agreement between the City of Littleton and South Metro Fire Rescue.

Council Member Elrod moved and Council Member Schlachter seconded to amend the Pre-unification/Pre Authority Agreement with South Metro Fire and Rescue District by amending Paragraph 2(d) after the word assets on Line 7 to add the following language: "In the event of termination without the inclusion of the City of Littleton into South Metro, the Parties agree to cooperate in good faith to provide such transfer and distribution of assets as set forth herein so as to allow each Party to individual resume responsibility for providing Fire Rescue Services within their jurisdictions in an efficient and timely manner". The vote is 7-0. The motion carries unanimously.

Council Member Elrod moved and Council Member Schlachter seconded to amend section "H" for the sentence that reads "The city agrees that any of the former city employees transferred to South Metro may reapply for positions with the city with no loss in seniority or services..." by adding the word "available" after positions. The vote is 7-0. The motion carries unanimously.

Council Member Elrod moved and Council Member Driscoll seconded to amend the Pre-unification/Pre Authority Agreement with South Metro Fire and Rescue District by adding a new Paragraph 2(h) and renumbering the existing paragraphs to conform. 2(h) Right of First Refusal for Fire Station Properties. Following the Inclusion, in the event that the Fire Authority or South Metro District, whichever is then owner ("Fire Station Owner"), determines to sell Station 12 or 9, the City shall have first right of refusal to purchase back the Fire Station at fair market value("Right of First Refusal"). Upon a determination by the Fire Station Owner to sell any of these Fire Stations, it shall provide written notice to the City. Within thirty (30) days of the date of the written notice that it wishes to exercise the Right of First Refusal, or the Fire Station Owner shall have the right to sell the property to any third-party purchaser. Within thirty (30) days of the City providing notice that it wishes to exercise the Right of First Refusal, the fair market value shall be determined by agreement of the City and the Fire Station Owner. If the Parties cannot agree to the fair market value, it shall be determined by an MAI appraiser jointly selected by the Parties. If the Parties cannot agree on the appraiser, they shall each select an appraiser to singularly conduct the appraisal of the property and determine the fair market value. The cost of any appraisal shall be paid solely by the City. This Right of First Refusal shall terminate ten (10) years after the execution of this Agreement and shall not apply to any offer to purchase or sale of a Fire Station property more than ten (10) years after the date of this agreement. The vote is 5-2 with Mayor Brinkman and Council Member Cole voting no. The motion carries.

Council Member Fey moved that we include in the contract in section 2-a current Littleton fire and medical response times as a baseline for measuring South Metro's performance. The motion dies for lack of a second.

Council Member Schlachter moved and Council Member Driscoll seconded to approve the ordinance on second reading concerning a Pre-Inclusion Agreement between the City of Littleton and South Metro Fire Rescue. The vote on the main motion as amended is 6-1 with Council Member Fey voting no. The motion carries.

Aye: 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Schlachter

Nay: 1 - Council Member Fey

- b) [Ordinance 14-2018](#) An ordinance on second reading establishing a Capital Projects Reserve Account should the voters of the City of Littleton approve inclusion into South Metro Fire Rescue for fire and emergency medical services.

Mayor Brinkman opened the public hearing at 10:25 p.m.

Carol Brzeczek - Would like to see all of this money go to actual services vs to administrative costs. How does the telecommunication piece fit into road maintenance. How does council ensure that the message they are sending to citizens is steady?

Passage of this ordinance can be overturned by a future council.

Mayor Brinkman closed the public hearing at 10:28 p.m.

Council Member Elrod moved and Council Member Driscoll seconded to approve the ordinance on second reading establishing a Capital Projects Reserve Account should the voters of the City of Littleton approve inclusion into South Metro Fire Rescue in the November 2018 election. The vote is 7-0. The motion carries unanimously.

Aye: 7 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter

8. Comments / Reports

a) City Manager

No report

b) Council Members

Council Member Elrod - No report

Council Member Fey - Quarterly District III meeting this Saturday

Council Member Schlachter - No report

Mayor Pro Tem Valdes - Updates to calendars

Council Member Driscoll - No report

Council Member Cole - No report

c) Mayor

No report

9. Adjournment

Mayor Brinkman adjourned the meeting at 10:36 p.m.

The public is invited to attend all regular meetings or study sessions of the City Council or any City Board or Commission. Please call 303-795-3780 at least forty-eight (48) hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting. For any additional information concerning City meetings, please call the above referenced number.