

APPROVED AS CORRECTED ON FEBRUARY 21, 2006

Legend: ■ Inserted Language
— Deleted Language

MINUTES OF PROCEEDINGS

LITTLETON CITY COUNCIL

February 7, 2006

The Littleton City Council met in regular session on Tuesday, February 7, 2006, in the Council Chambers of the Littleton Center, 2255 West Berry Avenue. The regular meeting convened at 7:00 p.m.

THOSE PRESENT:

JAMES A. TAYLOR
Mayor
REBECCA KAST
Mayor Pro Tem
DOUG CLARK
Council Member
AMY S. CONKLIN
Council Member
PAT CRONENBERGER
Council Member
TOM MULVEY
Council Member
JOHN OSTERMILLER
Council Member

THOSE ABSENT: None

ALSO PRESENT:

Jim Woods
City Manager
Larry Berkowitz
City Attorney
Julie K. Bower
City Clerk

1. **ROLL CALL**

Upon a call of the roll, seven members were present. The following business was transacted.

2. **PLEDGE OF ALLEGIANCE**

3. **AGENDA**

ACTION: APPROVED

4. **(a) MINUTES - MINUTES OF REGULAR MEETING JANUARY 17, 2006**

ACTION: APPROVED AS CORRECTED

Mayor Taylor corrected page 7: "Council Member Conklin asked if there were any other easements on private property that were for the public use?"

5. **INTRODUCE NEW CITY EMPLOYEES** – None

6. **(a) CITIZEN APPEARANCES – GUEST CITIZENS – IFTIN ABSHIR, DISCOVERY CHANNEL YOUNG SCIENTIST CHALLENGE AWARD WINNER**

Mayor Taylor welcomed Iftin Abshir as Council's guest citizen. Ms. Abshir was a freshman at Heritage High School and was recently featured on the Discovery Channel as one of forty finalists in the Discovery Channel Young Scientist Challenge. Six thousand projects were entered each year.

While in 8th grade, Ms. Abshir attended the Littleton Police Department Junior Police Academy and a program on evidence. She became very interested in fingerprint classifications and researched whether there was a connection between fingerprint patterns and ethnicity for her science fair project at Littleton Academy. Her hypothesis was supported when she found clear difference in the number of "whorls" among the five ethnic groups she tested. Her science teacher, Amanda Kline, entered the project into the Discovery Channel Young Scientist Challenge, becoming one of the forty finalists. She was the only Coloradoan to have earned that recognition. She received an all expense paid trip to the national competition in Washington, D.C. and also had a minor planet named after her by the Massachusetts Institute of Technology's Lincoln Laboratories Near-Earth Asteroid Research Project.

Ms. Abshir and four other finalists won the National Park Service "Explorer" Team Award and would reunite at Mesa Verde National Park to study 3-D archeological imaging alongside world-class scientists and national park researchers.

City Council was proud of Ms. Abshir's accomplishments and wished her the best as she pursued exciting new scientific ventures.

6. **(b) CITIZEN APPEARANCES - SCHEDULED PUBLIC APPEARANCES –**
DAVID NECKER, PRESIDENT - LITTLETON/BEGA SISTER CITIES AND
LUCY HOLTSNIDER - HOUSTOUN WARING 2006 STUDENT AMBASSADOR

Mr. Necker said the Littleton delegation would be leaving on March 14th and would be in Bega March 23rd through April 2nd. He introduced Lucy Holtsnider, the 2006 Houston Waring Student Ambassador. Ms. Holtsnider was a junior at Heritage High School.

Ms. Holtsnider gave her winning presentation, entitled “Welcome to My Littleton” to Council.

6. **(c) CITIZEN APPEARANCES – UNSCHEDULED PUBLIC APPEARANCES –**

BILL HOPPING
5773 SHASTA CIR.
VICE CHAIR - HISTORICAL PRESERVATION BOARD

Mr. Hopping said it had just come to his attention that the resolution authorizing the waiving of building permits applied only to the building façades. He was a member of the roundtable group that had negotiated the district and had also talked with key people, and everyone agreed that the exemption would apply to the whole building not just the façade. The thought was to provide a significant incentive and the façade was only a relatively minor incentive.

RAY KOERNIG
7 MEADOWBROOK CIR.

Mr. Koernig attended Council’s retreat and was disappointed on how the debate on the police facility seemed to lose focus. The focus should be - what was best for Littleton, what were the absolute needs and how did the city go about solving those needs. Four Council members were agreed on the location and space for the building at the beginning of the discussion. Council Member Mulvey would not go for anything that would cause a tax increase and Council Member Clark would not go for anything that did not utilize the water fund and Mayor Taylor wanted to take a look at the location. The discussion degenerated a bit and then Council decided to borrow up to \$11 million from the water fund. It was not the solution to the police facility. Over two years was spent looking at the facility and a space expert went over the plan room by room. Mr. Koernig urged Council to get back on track and realize that the water fund was not the real answer and citizens deserved more than rhetoric. Council had a good building and had spent two years finding the right site. He asked Council to use the least amount of the water fund, do the things that were temporary and then buckle down and solve the real problem.

KALENA MURIB
2299 W. MAIN ST.

Ms. Murib was a new driver and found getting out on to Main Street from the parking lot at her father's business almost impossible. She hoped Council could do something about it. It was scary on Main Street because drivers were going so fast.

STACY JOHNSON
7246 S. SUNDOWN CIR.

Ms. Johnson said the Sundown Ridge pedestrian easement had been effectively closed for more than twenty years. The original intent was to allow access for those living outside the development. To date, there had never been a complaint regarding denied access. A building permit allowed a drive to be built over the easement and there was also a large brick mailbox structure. The city was choosing to enforce an easement that would violate covenants. There was adequate access to Grandpa's Acres. She asked Council to terminate the southeast easement.

EILEEN WITT
7250 S. SUNDOWN CIR.

Ms. Witt said there were nine garages on the driveway. She was one of the first to move in to the development and the easement had never been opened. She asked why there was a need to open the easement and invite the world into the neighborhood? She objected to the opening of both easements.

BARBARA WILCOX
7261 S. SUNDOWN CIR.

Ms. Wilcox said the original intent was for people outside the neighborhood to use the easements. She asked why the walkways were not put in at that time by the developer? She asked if anyone outside the neighborhood had requested that the easements be opened? She said a walkway between two 6-foot fences was a danger.

GREG WILCOX
7261 S. SUNDOWN CIR.

Mr. Wilcox had raised questions regarding the easements at the meeting on January 17th. The responses were inaccurate and lacked pertinent facts. He asked if Council would vote in favor of an issue, committing valuable resources to grant a small number of citizens a convenience when there were so many citizens and issues with real needs? Would Council totally disregard the City Code subdivision regulations? He said maybe what appeared to be past oversights were actually the city making an equitable solution for all, although not documented.

SPENCER WILSON
S. SUNDOWN CIR.

Mr. Wilson said there had been requests from people outside the neighborhood to have access to the easement. One of those people spoke at the last meeting.

MARY WILSON
7247 S. SUNDOWN CIR.

Ms. Wilson said the easement use was never exclusive for just ~~outside~~ **inside** the neighborhood. There were people from outside the neighborhood who did use the easement before it was closed. School children's rights were preserved by the PD Plan before any houses were built. An official PD plan amendment to remove the sidewalk was never found. She said the homeowners association (HOA) took a survey and the results showed a majority of residents had opted to open the easement.

DEAN JOHNSON
7246 S. SUNDOWN CIR.

Mr. Johnson spoke regarding the southeast easement. When he purchased his home in 2002 there was a notation on the PD plan regarding future park access which caused him concern. He was told by South Suburban that there would be no improvement to the park in the near future and the HOA considered the easement closed. He said there had been no outcry for access and he asked that Council consider the easements separately because the circumstances were completely different.

Council Member Clark asked that copies of Mr. Berkowitz' memo regarding the issues be provided to the public.

Mr. Berkowitz said Council might wish to discuss it first. Although he was not aware of anything in the memo that was not black letter law, Council would be waiving attorney-client privilege. He said the law was pretty clear and did not have any particular problem with Council releasing the memo.

Mayor Taylor said the issue could be discussed during general business.

7. CONSENT AGENDA - (ordinances and resolutions read by title) –

ACTION: APPROVED - ITEMS 7(A), 7(C) – 7(E)

- (a) Motion to approve agreement with South Metro Denver Chamber for Economic Development Services
- (b) Resolution authorizing the waiving of building permit fees for façade improvements in the Main Street Historic District **(Pulled by Council Member Cronenberger)**

- (c) Ordinance on first reading authorizing the conveyance by quit claim deed of utility easement in a portion of Shadycroft Acres Subdivision (**Public hearing February 21, 2006**)
- (d) Motion to accept an easement from the Left Bank Condominium Association to create a small park on property owned by the association
- (e) Motion to appoint Joan Schroer as the city's representative on the Arapahoe County Community Corrections Board

It was moved by MAYOR PRO TEM KAST and seconded by COUNCIL MEMBER OSTERMILLER TO APPROVE CONSENT AGENDA ITEMS 7(A), 7(C) – 7(E).

Ayes: Council Members Mulvey, Conklin, Kast, Taylor, Cronenberger, Ostermiller and Clark.

Nays: None.

MOTION CARRIED: 7 to 0

7. CONSENT AGENDA - RESOLUTION AUTHORIZING THE WAIVING OF BUILDING PERMIT FEES FOR FAÇADE IMPROVEMENTS IN THE MAIN STREET HISTORIC DISTRICT

ACTION: RESOLUTION 2, SERIES OF 2006

Council Member Cronenberger was the liaison for the Historical Preservation Board and had received a call from Mr. Hopping this evening regarding the proposed resolution. Mr. Hopping said the focus of the resolution was on the façade. Mr. Hopping was very involved in the roundtable discussions and recalled the intent was to have the entire building permit fee waived.

Mr. Woods said there was a very distinct difference in the notes taken by staff and Mr. Hopping's recollection.

Council Member Cronenberger said the issued needed to be clarified.

Mayor Taylor proposed that Council approve the resolution and ask staff to clarify the matter and then approve another resolution if necessary.

Council Member Cronenberger said the Historical Preservation Board could certainly recommend additional incentives.

It was moved by COUNCIL MEMBER CRONENBERGER and seconded by COUNCIL MEMBER OSTERMILLER THAT THE RESOLUTION APPROVING THE BUILDING PERMIT WAIVER BE APPROVED.

Ayes: Council Members Mulvey, Conklin, Kast, Taylor Cronenberger, Ostermiller and Clark.

Nays: None.

MOTION CARRIED: 7 to 0

8. **(a) SECOND AND FINAL READING ON ORDINANCES AND PUBLIC HEARINGS** – None

9. **(a) GENERAL BUSINESS** – MOTION TO DIRECT STAFF TO OPEN THE SUNDOWN RIDGE PEDESTRIAN EASEMENTS

ACTION: MOTION APPROVED

Council Member Clark said if Council refused to release any legal advice given by Mr. Berkowitz because of jeopardizing attorney-client privilege, it meant citizens did not know what Council was using as a basis for making a decision. Mr. Berkowitz had researched the law and given an opinion.

Mr. Berkowitz said questions and misconceptions had arisen. The easements were created by the plat when it was dedicated to the public. Colorado law said when there was an acceptance, it acted as a deed and those easements were conveyed to the city. It was a very clear conveyance for access, drainage and utilities. There had been a question that since the easements were unused, had they been abandoned. Under Colorado law a municipality could not abandon an interest in property in that way. Adjacent property owners could not acquire title by adverse possession. There was no Colorado law regarding whether members of the public could take action to enforce the easement however other states indicated such rights.

It was moved by COUNCIL MEMBER CLARK and seconded by MAYOR PRO TEM KAST TO COPY THE MEMO AND DISTRIBUTE IT TO THE PUBLIC.

Ayes: Council Members Mulvey, Conklin, Kast and Clark.

Nays: Council Members Taylor, Cronenberger and Ostermiller.

MOTION CARRIED: 4 to 3

Council Member Clark said with regard to the southwest easement, the communication indicated it would be grass between the sidewalk and the beginning of the fences. The Baertleins would rather have crusher fine.

Mr. Blosten said that would not be a problem.

Council Member Clark said Mr. Wilcox was concerned with how much of the easement would be taken up on the southwest corner. Was it possible to move the walkway so that landscaping would not have to be removed?

Mr. Blosten said it was possible.

Council Member Ostermiller said the easements were on the PD Plan. He supported directing staff to get it taken care of and if no one wanted it, then someone would have to request an amendment to the plan.

Council Member Cronenberger would not support the city initiating an amendment.

Mr. Berkowitz said Council had the ability to convey the city's interest in the easement to the adjacent property owners and maintain the interest to access for drainage and utility.

Mayor Pro Tem Kast asked if Council conveyed the interest in the easement, what happened to the public?

Mr. Berkowitz said a member of the public could make their own argument but it would take the city out of it.

Mayor Pro Tem Kast said it was a terrible situation and she hated to see neighbor against neighbor. It seemed it should be passed to the staff, the homeowners and the HOA.

Council Member Ostermiller said the HOA should be involved. The pedestrian easements were approved by the Planning Commission and a previous Council.

Council Member Conklin said the city attorney had advised her that it was a discretionary action.

Mr. Berkowitz said Council had the discretion to take action to open the easements or not take action.

Mr. Blosten said the southeast easement was actually open. The problem was a fence on Grandpa's Acres that needed some type of a gate. The southwest easement was blocked by fences.

It was moved by COUNCIL MEMBER CRONENBERGER and seconded by COUNCIL MEMBER CONKLIN THAT STAFF BE DIRECTED TO OPEN THE TWO

PEDESTRIAN EASEMENTS WITHIN THE SUNDOWN RIDGE SUBDIVISION WITH ALL COSTS TO BE ABSORBED WITHIN THE EXISTING CITY BUDGET.

Council Member Cronenberger preferred the costs to be as low as possible. It was important that the pedestrian access points be allowed.

Mayor Taylor said the city had a responsibility to enforce what was there but was not interested in seeing city money spent, putting in steps etc., that would invite more people to use it. It was the homeowners' responsible to initiate change. He would vote against the motion because he was against city money being spent.

Council Member Cronenberger said it was clear that it was the HOA's responsibility to undertake the expense but the HOA had washed its hands of the issue and it was an important one. If the city did not pay for it, it would not get done. The southwest easement was a very important pedestrian access.

Council Member Mulvey said the majority of homeowners supported it and he would support it too.

Council Member Clark wanted it understood that minimal costs included fencing on either side of the pathway.

Mayor Pro Tem Kast sympathized with the homeowners but the pedestrian easements were in the plan. She did not think the easements would be used by the public if it was done as unobtrusively as possible. The neighborhood could request a change to the PD Plan.

The vote on the motion was:

Ayes: Council Members Mulvey, Conklin, Kast, Cronenberger, Ostermiller and Clark.

Nays: Mayor Taylor.

MOTION CARRIED: 6 to 1

10. **(a) CONSIDERATION OF COMMITTEE, COMMISSIONS AND BOARD MATTERS** – None
11. **(a) ORDINANCES ON FIRST READING** – None
12. **(a) RESOLUTIONS** – None
13. **REPORTS** -

- (a) **CITY MANAGER** – Mr. Woods reported the grand opening for the Infant/Toddler Center was scheduled for February 16th.

Mr. Woods said the board and commission interviews had been tentatively scheduled for February 21st, a regular Council meeting night. The correct date was February 28th.

Mayor Taylor suggested the interviews would begin at 6:00 p.m. and all applicants would be interviewed and the interviews would last ten minutes.

Council agreed.

Mr. Woods suggested a study session follow the regular meeting on February 21st to discuss the sewer rates and tap fees report.

Council agreed.

Mr. Woods said the following topics were scheduled for the study session March 14th: evaluation of the traffic calming program and the organizational structure for municipal judges. The judge's review was scheduled for March 28th.

Mayor Taylor said there would only be four Council members attending the study session on March 14th.

Council Member Ostermiller said the topic of the organizational structure for judges was too big of an issue if all of Council was not there.

Council agreed to discuss the organizational structure at the study session on March 28th and then conduct the review some time after that. The evaluation of the traffic calming program would be discussed at the study session on March 14th.

Mr. Woods said the Littleton Housing Authority (LHA) board was not available for breakfast on February 23rd.

Mayor Taylor asked that another group be scheduled if possible.

Council Member Conklin said Council had added campaign finance reform to the study session list but she did not see it on the list.

Council agreed to add it to the list.

Mr. Woods said a letter from Frank Trujillo of EHDC had been received requesting the city's support of its application to Arapahoe County for a HOME

Grant in the amount of \$250,000.

Mayor Taylor said the LHA had determined that the building would stay on the tax rolls. There were discussions with EHDC about management services, screening residents, helping with clean up through a joint agreement. The Authority had done a letter of support.

Mr. Woods said the city had been asked to support the application by writing a letter. Typically, if local government objected to the grant, it was very seldom approved

Council Member Conklin took exception to Englewood putting subsidized housing in Littleton and would not support a letter.

Council Member Ostermiller would have felt better if Englewood had come to Council before purchasing the property.

Council Member Mulvey said there was a need for affordable housing in Littleton.

Council Member Cronenberger said the rent would not change and the clientele would not change. She felt that Council did not have any context for evaluating this type of thing. Her preference was to not write a letter of support.

It was moved by COUNCIL MEMBER CRONENBERGER and seconded by COUNCIL MEMBER OSTERMILLER TO TAKE NO ACTION REGARDING THE REQUEST FOR A LETTER OF SUPPORT.

Ayes: Council Members Conklin, Kast, Cronenberger, Ostermiller and Clark.

Nays: Council Members Mulvey and Taylor.

MOTION CARRIED: 5 to 2

Mr. Woods reported the first round of traffic counts for the traffic signal at Sumner & Santa Fe would be conducted next Tuesday, Wednesday Thursday.

(b) **CITY ATTORNEY** – None

(c) **COUNCIL MEMBERS** -

COUNCIL MEMBER CLARK– Council Member Clark said Council, on January 20th, had made a motion to change the place and time of the

executive session on January 20th. He said there should be some sort of minutes to reflect the motion made.

COUNCIL MEMBER MULVEY – Council Member Mulvey congratulated Sandra Blythe-Perry, Executive Director of InterFaith Community Services for the annual open house held February 2nd at Buck Recreation Center. Board members, staff and sponsors provided materials on volunteer and sponsorship opportunities for the services and programs provided for low-income residents. It was a very enjoyable evening. InterFaith’s slogan was “We provide a hand up, not a hand-out.” The agency not only helped with its food and clothing banks, but also with financial assistance for rent, mortgage and utilities to prevent families from becoming homeless. There were two transitional housing programs for formerly homeless families, programs for low-income seniors, assistance for crime victims, new clothing and school supplies for children starting school.

Council Member Mulvey, along with Council Member Conklin attended the Greater Littleton Youth Initiative Appreciation Dinner at Hudson Gardens on January 25th. Firefighters and teachers were thanked for their support and implementing and using the LifeSkills Training and Functional Family Blueprint programs. Littleton Hospital was thanked for its generous contribution to the suicide prevention project. The city’s Research Analyst, Kay Wilmesher and Littleton School Board President Diana Holland, did a great job of handling the programs.

Council Member Mulvey attended the opening reception of the Littleton Fine Arts Committee’s 40th Annual “Through the Eye of the Camera” show on January 27th at the Littleton Historical Museum. The exhibition would run through February 23rd and admission was free. He congratulated Tim Nimz, Lorena Donohue, Bill Hastings and the Fine Arts Committee for a terrific show.

COUNCIL MEMBER CONKLIN – Council Member Conklin gave kudos to Marian Aspnes for the wonderful letter from Melanie Sheisme.

Council Member Conklin said Council had received a copy of Rebecca Thompson’s letter regarding code enforcement at 5525 South Sycamore. She asked that Council be kept updated on the situation.

Council Member Conklin attended the Museum Board meeting and distributed copies of the B/IAAC report. She suggested it be distributed to all board and commission members.

MAYOR PRO TEM KAST – Mayor Pro Tem Kast said the Library Board hosted a dinner for the library staff. The Friends of the Library/Museum funded many programs in the amount of \$17,300 which included adult, senior, and teen programs, books, artwork and lamps.

Mayor Pro Tem Kast had been invited to speak to the Southbridge neighborhood about the recreation center property and an access issue for the Highline Canal.

Mayor Pro Tem Kast said there was a letter to the editor in the January 26th Littleton Independent which claimed Council had directed police to enforce speed limits to raise more revenue. She had never heard anyone give direction to police to write more traffic tickets to generate more revenue. Mayor Pro Tem Kast said, over and over again, citizens asked for more police presence on the streets to slow the traffic down. The letter called police officers “revenue agents” which was disrespectful and a destructive characterization of the city’s police officers. The attitude expressed in the letter was disdainful and dangerous to law enforcement in general and traffic officers in particular.

It was moved by MAYOR PRO TEM KAST and seconded by COUNCIL MEMBER CRONENBERGER TO DIRECT STAFF TO WRITE A LETTER ON BEHALF OF CITY COUNCIL IN RESPONSE TO THE LITTLETON INDEPENDENT AND THE LITTLETON REPORT TO MAKE THE FOLLOWING POINTS: TRAFFIC COMPLAINTS WERE THE NUMBER ONE ISSUE RAISED AT COUNCIL’S NEIGHBORHOOD MEETINGS AND COUNCIL TOOK TRAFFIC ENFORCEMENT VERY SERIOUSLY IN RESPONSE TO CITIZENS’ CONCERNS; POLICE ENFORCED TRAFFIC LAWS BECAUSE IT WAS SUCH AN IMPORTANT SAFETY ISSUE TO OUR CITIZENS; AND THAT THE COUNCIL HAD NEVER DIRECTED THE POLICE TO BRING IN MORE REVENUE THROUGH TRAFFIC TICKETS.

Council Member Clark said it was appropriate for a Council member to respond to letters to the editor with letters but did not think it was appropriate for Council members to respond to letters to the editor at Council meetings. He did not necessarily disagree with Mayor Pro Tem Kast’s sentiments but the proper way was for her to write a letter to the editor expressing those sentiments and respond in the same form. Saying something at a Council meeting would not necessarily reach the same people as those who read letters to the editor in the first place. It was the appropriate way for Council to respond to letters to the editor.

Mayor Pro Tem Kast said that was what she wanted done, since the letter

was directed at Council, that Council write a letter in response.

Council Member Conklin was unclear what Council Member Clark's objection was.

Council Member Clark objected to staff writing the letter, it being mentioned at the Council meeting and all of Council signing the letter. He did not want to get in a war of letters to the editor and did not feel it was appropriate to respond to letters to editor in this forum.

Council Member Ostermiller said the writer of the letter attacked Council and accused Council of doing something it had not done and it should not go without acknowledgment that the writer of the letter was wrong. A letter stating that was not the policy of Council and that traffic concerns were the number one problem Council heard was appropriate.

Council Member Mulvey said the letter did mention Council and Council should respond.

The vote on the motion was:

Ayes: Council Members Mulvey, Conklin, Kast, Taylor, Cronenberger and Ostermiller.

Nays: Council Member Clark.

MOTION CARRIED: 6 to 1

COUNCIL MEMBER CRONENBERGER – Council Member Cronenberger congratulated Mayor Taylor on his appointment to the National League of Cities Programs Committee. It was an important committee

Council Member Cronenberger would be distributing copies of memo from former Centennial council member Susan Nix. Ms. Nix was deeply interested in transportation issues and transportation access for the elderly and handicapped and the formation of the Denver Regional Mobility and Access Council. The Council had started meeting and Ms. Nix said Littleton should participate. The city was being asked to sign a memorandum of understanding (MOU) but there was no money involved. The city could bring an understanding of what worked and what did not. The Council was talking about tackling the problem on a regional level. Council Member Cronenberger asked Council to think about participating.

Council Member Cronenberger was concerned about the tone of the discussion after the Board of Adjustment meeting. The comments sounded like bashing of zoning officials. It was a very tough decision to make and zoning officials had to enforce the law. Citizens were always treated with the utmost fairness and flexibility. The process went the way it was supposed to go and staff did what it was supposed to do.

Council Member Cronenberger attended, along with Planning Commission member Brad Uhlig, the Smart Growth Conference in Denver. DRCOG was a sponsor. It was one of the most valuable conferences she had ever attended. She had discussed with Mr. Uhlig giving a joint presentation to Council and to the Planning Commission which would include an overview of the sessions and the materials.

Council Member Cronenberger did not think Council was receiving minutes from the Library Board or the Victim Assistance Compensation Board.

Council Member Cronenberger was pleased to read that Police Officer Marty Keilman had participated in the Santa Claus Shop. He was a big hit.

Council Member Cronenberger had missed the January meeting of the Historical Preservation Board. The Board was concerned about repairs to the Chambers Farm barn.

Mr. Woods said Mr. Dodge did have a contractor lined up and would be in next week to discuss revising the lease.

Council Member Cronenberger read an interesting article in The Villager newspaper about the discussion at the Council retreat. There were some Council quotes about the COMPLAN. She urged caution on presupposing what the outcome of the COMPLAN would be. The term "New Urbanism" was a word that conjured up a million different things in people's minds. Council was very interested in a very extensive public process and the last thing Council wanted to convey to citizens was that there was any kind of preconceived notion about where the COMPLAN was going.

Mayor Taylor said a real jump-start to the COMPLAN would be attendance at the Littleton Leadership Retreat because there would be good speakers on that topic.

COUNCIL MEMBER OSTERMILLER – Council Member Ostermiller

reported Littleton Fire Rescue had purchased 80 new self-contained breathing apparatus units. There were not quite enough for every rescue worker but every member did have his or her own mask. The purchase was possible because of a \$500,000 grant.

Council Member Ostermiller said Western Welcome Week (WWW) had over 30 people working inside and outside the Bemis House on January 28th. It was amazing how it was taking shape. South Suburban was putting together a plan for the grounds. WWW was planning to move in this weekend with an opening scheduled for late February.

Council Member Ostermiller said the program at the January South Metro Economic Development Group meeting centered on the redevelopment of the Marathon property. **He did not attend the meeting.**

- (d) **MAYOR TAYLOR** – Mayor Taylor asked Mr. Blosten to report on the meeting regarding the C470 project held on January 26th.

Mr. Blosten said the environmental assessment (EA) for the project and the plans for the express toll lanes recommended by CDOT versus the general purpose lanes supported by Douglas and Arapahoe counties were discussed. The C470 EA and engineering project was being completed and a final report would be ready later this month. There would be a 30-day public comment period. The EA was being challenged by Douglas County. Douglas County was pushing for a full environmental impact statement (EIS) and was proposing that the general purpose lanes be funded by a regional transportation authority (RTA). The Colorado Tolling Enterprise and CDOT were pushing for the tolling lanes. A final decision would be made later this spring. If it went to an EIS, it could be another year of environmental review. There were funds available for the design work of the interchange.

Council Member Cronenberger asked if there would be an official city response regarding the flyover?

Mr. Woods said that had not been discussed.

Council Member Conklin said the flyover was very unattractive.

Mr. Woods said a review of the alternative options could be added to the list of study session topics.

Council Member Ostermiller said a study session on the RTA was also needed.

Mayor Taylor had distributed a proposed resolution on Referendum C and asked

if Council was in favor of passing the resolution?

Council Member Clark had no idea what half of it meant and felt strange putting his name on the resolution.

Council Member Cronenberger said overflow from the general fund would be captured specifically for transportation.

Mayor Taylor said the resolution was asking that ten percent of the funds in Referendum C that were allocated for paying the bonds would continue to go toward transportation and not be divided and after a 5-year hiatus, the surplus would go to transportation to guarantee a revenue stream.

Council Member Conklin said cities were always telling the state legislators to stay out of city business and she wondered why the city was getting in the middle of it.

Council Member Cronenberger said it was an attempt to try and build support for additional transportation funding or at least the ten percent in Referendum C.

Council Member Ostermiller said if the resolution was more direct and to the point, he would feel more comfortable but was not interested in signing the proposed resolution.

Mayor Taylor said the board and commission workbook indicated Dale Flowers of the Riverfront Authority was term limited. However, Mayor Taylor believed the Riverfront Authority was not covered by term limits because the project would end in another two years.

Mr. Berkowitz said term limits were established by ordinance and the ordinance did not mention the Riverfront Authority or the Housing Authority specifically but went on to say it applied to all boards and commissions. The Authorities were a different kind of animal and Council could easily make the determination that they were outside of the term limit requirements.

Council agreed that Mr. Flowers could be reappointed to the Riverfront Authority.

Mayor Taylor said the city had been notified that the Peaberry's Coffee store would be closing.

Mayor Taylor said the identification theft publication put out by the city was very good.

Mayor Taylor said the next Littleton Police Citizens Academy would run March

9th through May 18th.

Mayor Taylor reported the following Housing Authority items: received a clean audit report; Section 8 funding was at 95% of last year's level; the Bradley House computer lab was popular; update on accomplishments since the Carl Neu training; and Edie Hylton was leaving the Authority and there would be an opening. He asked, since there was not an opening when board and commission applications were submitted, if the application submission period should be reopened for the Housing Authority.

Council Member Cronenberger knew of a previous Housing Authority applicant who had not applied this time because there had not been a vacancy. She asked if the previous applicant could be allowed to submit an application?

Council Member Mulvey said there were applicants who indicated an interest in the Housing Authority.

Council Member Clark asked if the deadline would be extended for everyone or just this one person?

Council Member Cronenberger suggested that an exception be made in this case, since this person had applied twice before and might have applied this year had she known there was an opening.

Council Member Conklin said there were applicants interested in the Housing Authority in the current applications.

Council Member Mulvey thought that there had been an opening because Mayor Taylor was only temporarily filling a vacancy on the Housing Authority.

Mayor Taylor said his term expired in March and he had asked to be reappointed.

Council Member Mulvey did not think it was appropriate for a Council member to be an appointed member of the Housing Authority.

Mayor Taylor said Museum Board member Bob Chipman had withdrawn his request to be reappointed to the Board.

Council agreed to consider only the applications that had been received by the deadline.

Mayor Taylor reported the following Historic Downtown Littleton Merchants items: progress was being made on a major farmers' market for downtown on Nevada Avenue but one-time funding was needed and there would be a request to

close the street on certain Saturdays during the summer; and events were being planned.

Mayor Taylor said Council had received an email regarding the management study for the police department. He asked if there was a Council member who wished to volunteer to be on the team?

Council Member Ostermiller agreed.

Mayor Taylor reviewed invitations, notifications, publications, etc., he had received in the mail.

- (e) **DRCOG** – Council Member Cronenberger had learned at the Metro Visions Issue Committee that DRCOG was setting aside \$2 million per year for communities to apply for transit station studies. This year, only \$1.3 million was applied for and she asked staff to think about whether there were things the city was interested in studying and apply for the money.

Council Member Ostermiller said the Mineral station had been open for 6 years with nothing but a temporary parking lot. He said it needed to be studied.

Council directed staff to investigate applying for a grant.

Council Member Cronenberger said the DRCOG community biography had been updated for Littleton and it was a very nice publication. She suggested that it be distributed to the Leadership Committee.

14. **ADJOURNMENT** - There being no further business, Mayor Taylor adjourned the meeting at 9:57 p.m. on Tuesday, February 7, 2006.

Julie K. Bower
City Clerk/Recording Secretary