

# **CITY COUNCIL MINUTES**

## **CITY OF WHEAT RIDGE, COLORADO**

**March 28, 2011**

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Council Members present: Karen Adams, Joseph DeMott, Karen Berry, Joyce Jay, Davis Reinhart, Tracy Langworthy, Wanda Sang, and Mike Stites. Also present: City Clerk, Michael Snow; City Manager, Patrick Goff; City Attorney, Gerald Dahl; Administrative Services Director, Heather Geyer; Police Commander, Joe Cassa; Community Development Director, Kenneth Johnstone; Economic Development Manager, Steve Art; Planner, Sarah Showalter; staff and interested citizens.

### **APPROVAL OF MINUTES OF March 14, 2011**

Motion by Mrs. Sang for approval of the Minutes of March 14, 2011; seconded by Mr. Stites; carried 6-0-2 with Council Members Langworthy and Sang abstaining due to their absence.

### **Proclamations**

Proclamation declaring April 2011 as Child Abuse Prevention Month was read by Mrs. Wheat Ridge Karen Thaler.

Commander Cassa gave recognition to the efforts of the Wheat Ridge Police Department Officers and Detectives who work on child abuse cases with assistance of the following agencies: Jefferson County Division of Human Services, First Judicial District Attorney's Office, Ralston House, Victim Outreach Information, Jeffco Schools, Jefferson County Mental Health, and all other health care providers throughout the Metro area. The Wheat Ridge Police Command Staff is particularly proud of the work of their specially trained detectives, these are: Detective Mark Slavsky, Detective Cheri Ells, Detective Brad With, and Detective Solomon Kirkpatrick.

### **CITIZENS' RIGHT TO SPEAK**

***Karen Thaler*** thanked the Animal Commission for the chance to share her experience in working with feral cats.

***Kim Calomino*** discussed activities and events that Wheat Ridge 2020 has coming up soon and hopes citizens will attend. April 20, 2011 is a free Energy Efficiency Workshop to help identify how to improve the comfort and energy efficiency of their homes and on April 14, 2011 from 7:00 pm until 9:00 pm there is a Live Local Social Gathering at Red

Tango Restaurant. Mrs. Calomino reminded citizens of Wheat Ridge and the Council that a landscaping manual is available for free download from the Wheat Ridge 2020 website ([www.wheatridge2020.org](http://www.wheatridge2020.org)). Wheat Ridge 2020 is partnering with LiveWell Wheat Ridge and the Wheat Ridge Cultural Commission to host a garden tour this summer and those organizations are looking for residents that would like to enter their gardens for the tour. Last, Mrs. Calomino stated that a mid-century home tour is being planned to highlight some of the unique architecture here in the City. Anyone interested in having their home included in this tour should contact Wheat Ridge 2020.

**Melissa Kraai** is owner of Go Green Recycling at 4930 Iris Street which offers single stream recycling pick up services for small business and people in their homes. There is a free drop off site in the City of Wheat Ridge at their warehouse at 49<sup>th</sup> Avenue and Iris Street. Their mission is to create work for people who have developmental disabilities and currently employ over 40 individual with disabilities. Ms. Kraai thanked Mayor DiTullio, City Manager Goff, and Economic Development Manager Steve Art for assistance in applying for a grant to purchase equipment that will help their business grow, create more work for those with disabilities and expand the services that they offer. Ms. Kraai encouraged citizens of Wheat Ridge and surrounding communities to use their free drop-off.

**John Marriott**, chair of Wheat Ridge Business District, encouraged City Council to appoint Janeece Hoppe to a directors position of the Wheat Ridge Business District.

**Charles Wharton**, from Nature's Prescription store, commended Council on their recent adoption of the Medical Marijuana Ordinance.

### **APPROVAL OF THE AGENDA**

By unanimous consent, Council agreed to add Item 10, an appointment to the Wheat Ridge Planning Commission and Item 11, approval of a street closure for the Martensen Elementary "Race to Read" event on April 23, 2011.

### **ORDINANCES ON SECOND READING**

Item 1. Council Bill 07-2011 – amending Chapter 26 and adopting the Streetscape Design Manual.

Mayor DiTullio opened the public hearing.

Council Bill 07-2011 was introduced on second reading by Mr. Reinhart. City Clerk Michael Snow assigned Ordinance No. 1481.

Ms. Showalter provided the Staff Report (presentation amended to this packet).

**Ted Heyd**, a Planning Consultant for LiveWell Wheat Ridge, thanked Ms. Showalter and Mr. Johnstone for allowing LiveWell Wheat Ridge to provide input to the Design

Manual. Mr. Heyd recommended adoption of the manual as it is well thought out and informative. The manual also provides guidance to impact the economic design of streets as it guides the City to develop more livable streets and supports active living designs.

Mayor DiTullio closed the public hearing.

Motion by Mr. Reinhart to approve Council Bill 07-2011 (Ordinance 1481) on second reading and that it take effect 15 days after final publication; seconded by Mrs. Sang; carried 8-0.

Item 2. Council Bill 11-2011 – amending the Wheat Ridge Code of Laws Section 26-805, concerning Nonconforming Structures in the Floodway District and related Sections of Article VII of Chapter 26.

Mayor DiTullio opened the public hearing.

Council Bill 11-2011 was introduced on second reading by Mrs. Jay. City Clerk Michael Snow assigned Ordinance No. 1482.

No citizens were present to speak.

Motion by Mrs. Jay to continue the hearing on Council Bill No. 11-2011 until April 25, 2011 at 7:00 p.m. in the City Council Chambers, seconded by Mrs. Sang; carried 8-0.

### **ORDINANCES ON FIRST READING**

Item 3. Council Bill 12-2011 – amending Section 614 of Chapter 26 concerning residential dumpster regulations.

Council Bill 12-2011 was introduced and read by Council Member Sang.

Motion by Mrs. Sang to approve Council Bill No. 12-2011 on first reading, order it published, public hearing set for Monday, April 11, 2011 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. Reinhart; carried 8-0.

Item 4. Council Bill 13-2011 – amending Section 5-117(a)(5) of the Code of Laws of the City of Wheat Ridge to allow home owner building contractor licensees to perform electrical work.

Council Bill 13-2011 was introduced and read by Council Member Stites.

Motion by Mr. Stites to approve Council Bill No. 13-2011 on first reading, order it published, public hearing set for Monday, April 11, 2011 at 7:00 p.m. in the City Council

Chambers, and that it take effect 15 days after final publication; seconded by Mr. Reinhart; carried 8-0.

**DECISIONS, RESOLUTIONS AND MOTIONS**

Item 5. Motion to award ITB-11-04, 2011 Slurry Seal, to Foothills Paving in the contract amount of \$215,411.25.

Motion by Mrs. Langworthy to award ITB-11-04, 2011 Slurry Seal Project base bid and bid alternate #1 to Foothills Paving, Golden, CO in the amount of \$215,411.25 with a contingency amount of \$21,541 for the costs of other items related to the project;

I further move that the Director of Public Works be authorized to issue change orders up to a total contract contingency amount of \$236,952.25

I further move that all costs associated with this contract be paid from account number 30-303-800-884, and that these funds be encumbered for the length of the project in accordance with Ordinance #787, 1989 Series;

Seconded by Mr. Stites; carried 8-0.

Item 6. Motion to appoint Janeece Hoppe as a City Director to the Wheat Ridge Business District Board of Directors.

Motion by Mrs. Jay to appoint Janeece Hoppe as a City Director to the Wheat Ridge Business District Board of Directors, term to expire March, 2014; seconded by Mr. DeMott and Reinhart; carried 8-0.

Item 7. Motion to appoint Members to the Building Code Advisory Board.

Motion by Mr. Reinhart to appoint Ralph Santangelo to the Building Code Advisory Board as an at-large member, term ending 3/2/2014; seconded by Mrs. Adams; carried 8-0.

Item 8. Motion to approve payment to AMEC Earth & Environmental, Inc. in the amount of \$113,982 for Energy Assurance Planning.

Motion by Mrs. Langworthy to approve payment to AMEC Earth & Environmental, Inc. in the amount of \$113,982 for Energy Assurance Planning; seconded by Mrs. Sang; carried 8-0.

Item 9. Motion to set fees for Medical Marijuana Businesses and Primary Care-Giver license applications.

Motion by Mr. DeMott to set non-refundable fees for Medical Marijuana Businesses and Primary Care-Giver license applications required by Code sections 11-297 and 11-322 as provided in the fee schedule and that it become effective as of April 1, 2011;

I further move to set the initial application fee for the three medical marijuana license types at \$1000 and the renewal fees for each of the three licenses at \$1000;

Seconded by Mrs. Sang; carried 8-0.

Item 10. Appointment to the Planning Commission for District IV.

Motion by Mr. DeMott to appoint Tracy Guildner to the Planning Commission, term to expire 3/02/14; seconded by Mrs. Langworthy; carried 8-0.

Item 11. Motion to approve the closure of West 45<sup>th</sup> Place from Pierce Street to Newland Street and Newland Street from West 45<sup>th</sup> Ave to West 46<sup>th</sup> Ave. for the "Race to Read" fundraising event on Saturday, April 23, 2011 from 8:00 a.m. until 2:00 p.m.

Motion by Mrs. Jay to approve the closure of West 45<sup>th</sup> Place from Pierce Street to Newland Street and Newland Street from West 45<sup>th</sup> Ave to West 46<sup>th</sup> Ave. for the "Race to Read" fundraising event on Saturday, April 23, 2011 from 8:00 a.m. until 2:00 p.m.; seconded by Mrs. Sang; carried 8-0.

### **ELECTED OFFICIALS' MATTERS**

Mrs. Adams and Mrs. Jay encouraged citizens to take advantage of the Large Item Pickup Spring clean-up program. This program is set to begin in May and is first come, first serve with a maximum of 500 items picked up. Beginning Monday, April 4<sup>th</sup>, 2011 citizens can make their requests for a pick up of one item. A list of allowed and not allowed items is available on the City's website.

Mrs. Adams also discussed a new program for Wheat Ridge businesses called "Shop Wheat Ridge." This is a program that offers local businesses a chance to promote their business at no costs through the City of Wheat Ridge website. The City website provides links to local businesses that directs citizens to a web page designed by the business owner.

Mr. DeMott announced that the Wheat Ridge Housing Authority received a block grant three months ago. The Housing Authority is closing on seven houses soon, all of which were formerly rentals and will be converted to owner-occupied homes.

Mr. Stites is happy to announce that on 38<sup>th</sup> Avenue there is a new Peruvian Restaurant preparing to open as they are in the process of completing improvements to the building and a Shoe Store is opening soon on 38<sup>th</sup> Avenue as well. If you need any help moving your business the City has a new Economic Development Manager to assist you.

Mrs. Langworthy extended congratulations to Exempla Lutheran Hospital for receiving the Genesis Award through Jefferson Economic Council Industry recognition.

Mayor DiTullio reiterated what Mr. DeMott stated about the work being done by the Housing Authority. The Authority is moving away from single family homes and buying more multi-family for senior housing. Mayor DiTullio and Mr. DeMott met with the Housing Authority and helped secure the seven properties with the funds acquired through the CDBG funds.

Mayor DiTullio also read a letter from Cynthia Stevensen, Jefferson County School Superintendant, recognizing Council's resolution opposing the closure of Martensen Elementary School.

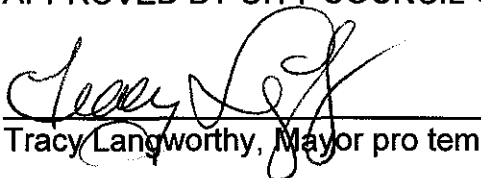
Mayor DiTullio read another letter from a citizen who lives on 35<sup>th</sup> Avenue near Discovery Park at 38<sup>th</sup> Avenue and Kipling Boulevard commending the City for not only the completion of the park but also for such a wonderful job on the design and build of the park.

Meeting adjourned at 7:55p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON April 11, 2011 BY A VOTE OF 6 to 0



Tracy Langworthy, Mayor pro tem

The preceding Minutes were prepared according to §47 of Robert's Rules of Order, i.e. they contain a record of what was *done* at the meeting, not what was *said* by the members. Recordings and DVD's of the meetings are available for listening or viewing in the City Clerk's Office, as well as copies of Ordinances and Resolutions.