

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

July 11, 2011

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Council Members present: Karen Adams, Karen Berry, Mike Stites, Davis Reinhart, Joseph DeMott, Joyce Jay, Wanda Sang and Tracy Langworthy. Also present: City Manager, Patrick Goff; Parks and Recreation Director, Joyce Manwaring; Community Development Director, Kenneth Johnstone; Director of Public Works, Tim Paranto; City Attorney, Gerald Dahl; Deputy City Clerk, Bruce Roome; Sarah Showalter, Planner II; staff and interested citizens.

APPROVAL OF MINUTES OF June 27, 2011

Motion by Mr. Reinhart for approval of the Minutes of June 27, 2011; seconded by Mr. Stites; carried 7-0-1 with Mr. Stites abstaining due to his absence.

CITIZENS' RIGHT TO SPEAK

William "Bud" Starker announced his candidacy for Wheat Ridge City Council in District I. Mr. Starker is a small business owner, family man and longtime Wheat Ridge resident. Mr. Starker thanked the Council for the opportunity to introduce himself.

Paula Hansen is looking for a wildlife management program in the City of Wheat Ridge to address sick or maimed animals. She is frustrated by diseased foxes that need help while it is against the law to feed them or help them in any way. She has called the City for help and no answers are offered. She was given traps by the Community Services Officer but they are the wrong size traps. She and her neighbors are willing to pitch in to help the City buy appropriate traps or cages.

Lloyd Levy, member of Wheat Ridge 2020, invited all Wheat Ridge residents to the next LiveLocal at the Dairy Queen on 38th Avenue and Pierce Street on July 14th from 7:00 – 9:00 p.m. Participants at the event will enjoy buy-one-get-one-free specials for sundaes and Orange Julius drinks

APPROVAL OF AGENDA

By unanimous consent, Council agreed to add as agenda Item 1A, Council Bill 15-2011 (supporting materials are amended to this packet) and also an Executive Session as Item 7.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

1. Council Bill 22-2011 - approving the Comprehensive rezoning of property along the Wadsworth Corridor between W. 35th and W. 45th Avenues to the Mixed Use-Commercial (MU-C) Zone District (Case No. WZ-11-03)

Mayor DiTullio opened the public hearing.

Council Bill 22-2011 was introduced on second reading by Mrs. Jay. Deputy City Clerk Bruce Roome assigned Ordinance No. 1496.

Mr. Johnstone and Ms. Showalter presented the City staff report.

Michael Smith, representative of Pacific Realty Associates which owns the property on the north east corner of 44th Avenue and Wadsworth Boulevard, spoke in opposition of the rezoning. Mr. Smith did speak in favor of a proposed amendment which would allow them to opt out of this rezoning.

Lloyd Levy, member of Wheat Ridge 2020, read into record a memo (amended to this packet) from Britta Fisher, Executive Director supporting the proposed Council Bill.

Mayor DiTullio closed the public hearing.

Motion by Mrs. Jay to approve Council Bill 22-2011 (Ordinance 1496) on second reading and that it take effect 15 days after final publication; second by Mrs. Langworthy;

Motion by Mr. DeMott to amend the Section 5 of the Ordinance to read in its entirety as follows:

Section 5: Effective Date. This Ordinance shall take effect 30 days after final publication, as permitted by Section 5.11 of the Charter. Prior to said effective date, any owner of real property within the area rezoned described in Section 1 hereof may request that his or her property be removed from the area rezoned. Such request shall be in writing, shall describe with particularity the property requested to be removed from the area rezoned, shall be signed by all owners of record of said real property, and shall be delivered to the Director of Community Development. Upon receipt of a proper, signed request within the time period specified in this Section 5, said property shall be removed from the area rezoned and shall retain the zone designation applicable to it prior to the passage of this Ordinance.

Seconded by Mr. Reinhart; carried 6-2 with Ms. Berry and Mrs. Adams voting No.

Main motion to approve Council Bill 22-2011 as amended carried 8-0.

- 1A. Council Bill 15-2011 – temporarily waiving the City's two-cent sales tax within the boundaries of the Longs Peak Metropolitan District.

Mayor DiTullio opened the public hearing.

Motion by Mr. Stites to table indefinitely Council Bill No. 15-2011, an ordinance temporarily waiving the City's two-cent sales tax within the boundaries of the Longs Peak Metropolitan District; seconded by Mrs. Sang; carried 8-0.

DECISIONS, RESOLUTIONS, AND MOTIONS

2. Motion to award ITB-11-30 Discovery Park Phase III contract to Colorado Designsapes, Centennial, CO in the amount of \$461,195.65 for the purpose of park construction.

Motion by Mr. Stites to award ITB-11-30 Discovery Park Phase III contract to Colorado Designsapes, Centennial, CO in the amount of \$461,195.65 for the purpose of park construction and further move to award a contingency in the amount of \$46,000; seconded by Mrs. Adams; carried 8-0.

3. Motion to approve payment of the sales tax increment for the first six months of fiscal year 2011 from the Town Center Project in the amount of \$94,469.24 to the Wheat Ridge Urban Renewal Authority.

Motion by Mrs. Sang to approve payment of the sales tax increment for the first six months of fiscal year 2011 from the Town Center Project in the amount of \$94,469.24 to the Wheat Ridge Urban Renewal Authority; seconded by Mrs. Jay; carried 8-0.

4. Motion to award RFB-11-05 Herbicide Applications Non-Turf Contract to Vegetation Management, Inc., Evergreen, Colorado in the amount of \$21,509.10.

Motion by Mr. DeMott to award RFB-11-05 Herbicide Applications Non-Turf Contract to Vegetation Management, Inc., Evergreen, Colorado in the amount of \$21,509.10 for the year 2011; seconded by Mrs. Sang; carried 8-0.

5. Resolution 21-2011 – A Resolution approving a contract with the City and County of Denver for a water line easement at West 37th Place and Miller Court.

Resolution 21-2011 was introduced by Mr. Stites.

Motion by Mr. Stites to approve Resolution No. 21-2011 thereby granting a water line easement to the City and County of Denver; seconded by Mrs. Adams; carried 8-0.

6. Motion to approve appointment of Joan Iler to the Cultural Commission – District III.

Motion by Mrs. Adams to appoint Joan Iler to the Cultural Commission representing District III, term to expire March 2, 2014; seconded by Mr. Stites; carried 8-0.

7. Executive Session

Motion by Mrs. Sang to move to convene an Executive Session for a conference with the City Manager and City Attorney under Charter Section 5.7(b)(2) and Section 24-4-402(4)(f) C.R.S., specifically: the annual evaluation of the City Manager; I further move to reconvene the regular Council Meeting at the conclusion of the Executive Session to take any actions deemed necessary; seconded by Mr. Reinhart; carried 8-0.

Executive Session was held at 8:11pm.

The regular, open meeting reconvened at 8:48pm.

Motion by Mrs. Sang to renew the amended and restated employment agreement between the City and Patrick Goff, City Manager, for an indefinite term and with the following amendments:

1. Patrick Goff shall receive the same percentage increase in salary as given to Department Directors.
2. Severance compensation shall be increased to six (6) months.

Seconded by Mr. Reinhart; carried 8-0.

ELECTED OFFICIALS' MATTERS

Mr. DeMott and Mayor DiTullio expressed their condolences to the family of Charlie Holcer and recognized the valuable contributions he made to the City with his publication of the Neighborhood Gazette.

Mrs. Jay reminded citizens of the free weekly Performances in the Park which take place every Wednesday night at Anderson Park at 44th & Field Street.

Ms. Berry wished to inform citizens of the volunteer opportunities at the Harvest Mountain Farms Community Garden located in Wheat Ridge, which provides surplus crops to the Jeffco Action Center and other local food bank programs. Citizens interested in volunteering may contact the community garden via email at harvestmountainfarmgardens@gmail.com or by phone at 720-231-8337.

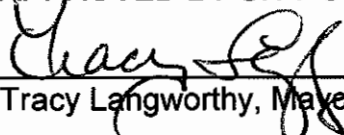
The Wheat Ridge Farmers Market will again be open on July 14th from 10:00am to 3:00pm in Times Square shopping center in front of Ross Dress for Less on Wadsworth. Other upcoming events include the Fresh Fruits and Vegetables Fair at Healing Waters Family Center on July 15th from 9:00-11:30am as well as the Low-cost Neuter Day on July 16th at 7:00am in front of City Hall.

Meeting adjourned at 9:00pm.



Bruce Roome, Deputy City Clerk

APPROVED BY CITY COUNCIL ON July 25, 2011 BY A VOTE OF 7 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.