

# CITY COUNCIL MINUTES

## CITY OF WHEAT RIDGE, COLORADO

February 13, 2012

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Council Members present: Davis Reinhart, William "Bud" Starker, Joyce Jay, Kristi Davis, Mike Stites, George Pond, Tracy Langworthy, and Joseph DeMott.

Also present: City Clerk, Janelle Shaver; Deputy City Clerk, Bruce Roome; City Manager, Patrick Goff; City Attorney, Gerald Dahl; Chief of Police, Dan Brennan; Administrative Services Director, Heather Geyer; Economic Development Manager, Steve Art; staff and interested citizens.

### APPROVAL OF MINUTES OF January 23, 2012

Motion by Mr. Stites for approval of the Minutes of January 23, 2012; seconded by Mr. Starker; carried 8-0.

### CITIZENS' RIGHT TO SPEAK

**Tom Schmuke**, who is new to Wheat Ridge and recently purchased a business on 38<sup>th</sup> Avenue spoke on the upcoming road diet. A group of people have gotten together to express their concern that it will create traffic congestion, result in an lower actual car count, make it difficult for emergency vehicles, and as a result lessen the number of people coming to Wheat Ridge. They don't know how their businesses will fit in or how it will impact them economically. He provided a packet of information to each Council member.

### ORDINANCES ON FIRST READING

1. Council Bill 01-2012 - An Ordinance amending Sections 2-83 and 15-8 of the Wheat Ridge Code of Laws concerning the issuance of Nuisance Abatement Notices and of Notices of Code Violations and of Administrative Citations in the Administrative Enforcement Process.

Motion by Mr. Starker to approve Council Bill No. 01-2012 on first reading, order it published, public hearing set for Monday, February 27, 2012 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.

2. Council Bill 02-2012 – An Ordinance amending the Wheat Ridge Code of Laws, Chapter 11 to unify the conditions for the revocation or suspension of a Business License and to provide for additional clarifications within the Chapter.

Motion by Mr. Reinhart to approve Council Bill No. 02-2012 on first reading, order it published, public hearing set for Monday, February 27, 2012 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. Starker; carried 8-0.

### **DECISIONS, RESOLUTIONS AND MOTIONS**

3. Motion to approve funding from the Fiscal Year 2012 Economic Development Budget to reflect the approval of \$40,000 for the Wheat Ridge Business District Revitalization Incentive Grant Program.

Motion by Mr. DeMott to approve funding from the Fiscal Year 2012 Economic Development Budget to reflect the approval of \$40,000 for the Wheat Ridge Business District Revitalization Incentive Grant Program; seconded by Mr. Pond; carried 8-0.

4. Resolution No. 10-2012 – Amending the Fiscal Year 2012 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$92,800 to Wheat Ridge 2020 for the purpose of providing assistance with the implementation of the 38<sup>th</sup> Ave. Corridor Plan.

Resolution No. 10-2012 was introduced by Mrs. Jay.

Motion by Mrs. Jay to amend the Fiscal Year 2012 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$92,800 to Wheat Ridge 2020 for the purpose of providing assistance with the implementation of the 38<sup>th</sup> Ave. Corridor Plan; seconded by Mr. Reinhart;

***Britta Fisher***, Executive Director of Wheat Ridge 2020, stated that she believes 2020 has put together a good package that is important for telling the story, that marketing and branding is important to improve business in the corridor. 35 people have volunteered for the Leadership Committee and they have drafted the RFP for a consultant. They need the money right away.

***Tara Jahn***, resident of District I, lives near the corridor and is a board member of Wheat Ridge 2020. She knows how much work has been done on this, and is on the Leadership Committee. Their last meeting was packed with people supporting the road diet. We can't ignore the people that want this; there will always be nay-sayers. We need the opportunity to tell who we are and tell the story. We need to take the next step to show citizens we are committed to this project. The marketing is essential.

**Tom Schmuke** recently purchased a business on the corner of 38<sup>th</sup> & Pierce. He is concerned with the fact that many existing businesses were not included in this clandestine planning. We all want to see this corridor grow; we just want to know what the goal is because we thought the goal was to increase car numbers. He referred to a failed road diet plan in Skokie, Illinois. Existing businesses want to have a fair shake in how they can participate. We need to know what the specific benefit is for our businesses.

**Igor Raykin**, resident of Wheat Ridge and attorney that represents a business on 38<sup>th</sup> Avenue had a list of questions: How long is the construction time of the 1<sup>st</sup> phase? How will it be paid for? Will there be zoning changes? What will the compensation be for businesses that have a decrease in business?

Mayor DiTullio told Mr. Raykin that there are answers to many questions like his on the City web site.

Motion by Mr. DeMott as follows:

- 1) To continue Resolution 10-2012 to the next available study session in March of 2012,
- 2) To request 2010, 2011, and 2012 YTD financial statements from Wheat Ridge 2020 to be reviewed at the study session,
- 3) And to direct the City Attorney to draft a consulting agreement between the City of Wheat Ridge and Wheat Ridge 2020 for \$92,800, to be reviewed at a study session, approved by the City Council and signed by the Mayor, in which the funds are disbursed to Wheat Ridge 2020 as milestones of the contract are reached as outlined in their proposal.

Seconded by Mr. Stites; failed 5-3 with Council members Stites, DeMott, and Davis voting yes.

Motion to amend the main motion by Mr. Pond, as follows:

- 1) City staff to work with Wheat Ridge 2020 to amend the Wheat Ridge 2020 proposal for services using the proposed language as a foundation and adding specific financial accounting methods, clarification of the scope of work sections, and increasing the frequency of reporting to City Council,
- 2) The amended proposal language to be presented to City Council at an upcoming study session, and
- 3) Wheat Ridge 2020 to provide their 2010, 2011, and 2012 financial statements to be reviewed by City Council at an upcoming study session

Seconded by Mr. Reinhart; carried 5 -3 with Council member Stites, DeMott, and Davis voting no.

Ms. Fisher clarified the amounts in the draw schedule, and timelines for the bid process for a branding and marketing consultant.

Mr. Goff clarified that the first \$31,000 will be paid to Wheat Ridge 2020 right away after they produce their financials based on the amended motion.

Main motion carried 5-3, with Council members Stites, DeMott and Davis voting no.

5. Resolution No. 12-2012 – approving assignment, commitment, and restriction of Fund Balances in accordance with Governmental Accounting Standards Board (GASB) Statement 54.

Resolution No. 12-2012 introduced by Mrs. Langworthy.

Motion by Mrs. Langworthy approving assignment, commitment, and restriction of Fund Balances in accordance with Governmental Accounting Standards Board (GASB) Statement 54ers; seconded by Mr. Starker; carried 8-0

6. Resolution No. 11-2012 – granting authority to obtain Commercial Purchasing Card Accounts by Agreement with Commerce Bank.

Resolution No. 11-2012 was introduced by Mr. Pond.

Motion by Mr. Pond to grant authority to obtain Commercial Purchasing Card Accounts by Agreement with Commerce Bank; seconded by Mr. Stites; carried 8-0

7. Motion to approve payment of the Sales Tax Increment for January of Fiscal Year 2012 from the Town Center Project in the amount of \$37,186.70 to the Wheat Ridge Urban Renewal Authority.

Motion by Ms. Davis to approve payment of the Sales Tax Increment for January of Fiscal Year 2012 from the Town Center Project in the amount of \$37,186.70 to the Wheat Ridge Urban Renewal Authority; seconded by Mr. Stites; carried 8-0

### **CITY MANAGER'S MATTERS**

Mr. Goff announced that the groundbreaking for the new apartment complex at 44<sup>th</sup> Avenue and Upham Street will be this Friday, February 17<sup>th</sup> at 11 AM.

Mr. Goff reported that the Denver Water Department will be having a very important neighborhood meeting about the Ashland Reservoir Project. The meeting will be held Tuesday, February 21<sup>st</sup> at the Sons of Italy Lodge on 32<sup>nd</sup> Avenue. Neighbors in that area are strongly encouraged to attend.

### **ELECTED OFFICIALS' MATTERS**

Mr. DeMott passed out to Council the Wheat Ridge Housing Authority 2011 Year End Financial Report. He explained some of the details – which include 10 years of work.

Mr. Pond thanked people for their involvement in the 38<sup>th</sup> Ave Corridor Plan.

Ms. Davis thanked Mr. DeMott for the financial report from the Housing Authority and gave a "hats off" to the Authority for all the good work they have done since their inception.

She also complimented Wilmore Davis Elementary School on the success of their recent fundraiser. She thanked the parents and students for their hard work and support, and the businesses and councilmembers who donated things for the silent auction. The funds will be used to purchase smart boards for the school.

She also brought up the idea of eliminating or shortening the pre-meeting. There followed some discussion about putting it on a future Study Session.

Mr. Starker encouraged folks from District I to attend the meeting about the Ashland Reservoir.


Mr. Stites asked for consensus to bring the topic of having pre-meetings to a study session. All agreed

Mrs. Langworthy congratulated the company Life Lock for their success in 2011 as a dynamic business.

Mayor DiTullio gave some of his thoughts on Council pre-meetings. As chair, he moved the pre-meetings to the Council Chambers for more transparency and better logistics for the City Clerk and City Council. Moving the pre-meeting to Council Chambers has worked well, but the need for the pre-meetings may not be necessary anymore. The Mayor believes that it is important to have all of the discussion on the dais for the public to see and hear.

The Mayor also encouraged current and future City Councils to not move curb, gutter and sidewalk on 38th Ave. Taxpayer money was used to widen 38th Ave and it would be a waste of taxpayer money to once again narrow the street by tearing up curb, gutter and sidewalk. Council and staff need to be prudent and track the restriping of 38th Ave. for the Road Diet to see how successful the project is before spending more tax dollars on permanent changes to infrastructure. He also expressed that he doesn't like the threat of law suits against the City – that it is a waste of taxpayer money.

Meeting adjourned at 8:12 pm

  
Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON February 27, 2012 BY A VOTE OF 8 to 0

  
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Mike Stites, 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.