

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

March 26, 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, Tracy Langworthy, and Joseph DeMott.

Absent: George Pond

Also present: City Clerk, Janelle Shaver; Deputy City Clerk, Bruce Roome; City Treasurer, Larry Schulz; City Manager, Patrick Goff; City Attorney, Gerald Dahl; Chief of Police, Dan Brennan; Administrative Services Director, Heather Geyer; Community Development Director, Ken Johnstone; Public Works Director, Tim Paranto; staff and interested citizens.

APPROVAL OF MINUTES OF February 27, 2012 and March 19, 2012

Motion by Mr. Stites for approval of the Minutes of February 27, 2012 and March 19, 2012; seconded by Mr. Starker. The vote for February 27th carried 7-0. The vote for March 19th carried 6-0-1 with Mr. DeMott abstaining due to his absence.

PROCLAMATIONS AND CEREMONIES

Recognition of Wheat Ridge High School Team – Colorado Technology Student Association State Leadership Expo

Mayor DiTullio presented the following Wheat Ridge High School students with certifications recognizing their accomplishments:

Peter Nielson
Gustavo Serrano
Mary Bruff
Matthew Arrellano
Kenneth McCarthy
Amado Martinez
Peter Casey
Audrey Penkowsky
Azalea Hagerty
Nick Tompkins
Sean Gaoutte
Nathaniel Buehler
Marco Hakim
Scott Cazier

Wheat Ridge Housing Authority – 10 Year Anniversary Recognition

Mayor DiTullio spoke of the history and work of the Wheat Ridge Housing Authority and presented the following Wheat Ridge Housing Authority members with Certificates of Recognition:

Katie Vanderveen
Gayle Miller
Kent Davis
Cheryl Brungardt
Betty Mabin
Henry Wehrdt, Jr.
Joseph DeMott
Katherine Nuanes
Kathryn Fulton
Ken Johnstone
Dick Matthews
Sally Payne
Janice Thompson
Mary Cavarra
Lena Rotola
Larry Nelson
Alan Feinstein
Kathy Field

Cheryl Brungardt, presented Mayor DiTullio his Certificate of Recognition as one of the founding members of the authority and as the first chair of the authority.

Mrs. Brungardt who has been on the Authority since its inception and is the current chair, spoke on behalf of the Authority and thanked all the folks over the last 10 years for their support for the good work they do.

CITIZENS' RIGHT TO SPEAK

Casey Tighe, candidate for Jefferson County Commissioner, introduced himself.

Sarah Davis, chair of the Breathe Easy Wheat Ridge Coalition, thanked people for their support in learning the dangers of second hand smoke.

Norm Stoneback, Wheat Ridge resident, spoke regarding the ordinance that only allows 3 animals pre household. His wife had three animals and he had three, so they have six. They were unaware of the policy when they moved to Wheat Ridge. Code Enforcement has told them they'd have to get rid of them or get a kennel license from the State. Upon inquiry they found out the State will only issue kennel licenses to people who have a minimum of 15 animals, so they are in a Catch 22. They received a summons from the City and appeared before the judge. They were told they have to get rid of the animals. Unfortunately since they aren't from here originally they don't

have relatives or close friends nearby who could take any of the animals. They will be moving out of Wheat Ridge because of this law, but now is not a good time -- with children who still need to finish school. He spoke with Chief Brennan tonight and he will look into this. Mr. Stoneback referenced a packet of information he provided to the Council. They take good care of their animals and keep good control of them. In the packet there is a note from neighbors up and down their street who don't feel his animals are a nuisance.

Gary Fisher, Norm Stoneback's landlord, spoke in support of their six animals. They are good tenants and neighbors, and he thinks the ordinance is knit-pickey. He would like to see this resolved.

John Marriott, Wheat Ridge business owner, spoke on 2 issues.

Public Comment at Study sessions: He has great concerns about City Council's policy of not allowing public comment at Study Sessions. It would be more efficient if folks could speak to all the council members at the same time instead of having to contact them separately. And he thinks citizens should be able to offer input much earlier in the process. The way it stands now there is no public citizen comment at study sessions, or on 1st readings of ordinances, and by the time something gets to 2nd Reading the Council says they don't want to legislate from the dais. The end result is that citizens have very little chance to offer their opinions or affect policy.

Proposed adoption of the international property maintenance code. In Arvada they had a citizen committee study it for a year and make recommendations that customize the code for Arvada's particular set of circumstances. Arvada will be adopting the code with its own set of changes in the near future. Mr. Marriott recommends that council should take a look at Arvada's work, learn from it and use it as a starting point for crafting a good and flexible policy that is unique for Wheat Ridge. It should be a joint effort of staff, citizens, experts, and elected officials.

Nancy Snow agreed with Mr. Marriott about the Study Session rule of no public comment, and taking consensus votes at study sessions. There's no public input at study sessions, none on 1st reading, and they don't seem to ever change anything on 2nd reading. She also applauded the Council on their decision to move the pre-meetings from the conference room to the Council Chambers. She also wishes that pre-meetings were televised.

APPROVAL OF AGENDA

Motion by Mr. DeMott to add Agenda Item #6, an appointment to the Liquor Authority Board; seconded by Mrs. Langworthy; carried 7-0.

ORDINANCES ON FIRST READING

1. Council Bill 03-2012- An Ordinance approving the Rezoning of Property Located at 11210 W. 45th Ave. (Lot 2, Pumpkin Patch Subdivision) from Agricultural-One (A-1) to Public Facilities (PF) Zone District (Case No. WZ-12-01/WRMF

This vacant 1.49 acre parcel is located north of 44th between Parfet and Quail. It is immediately north of the Wheat Ridge Maintenance Facility (WRMF) and was purchased by the City in 2009 specifically for future expansion of the maintenance facility. The purpose of the rezoning is to consolidate the WRMF parcels in preparation for expansion.

Motion by Mr. DeMott to approve Council Bill No. 03-2012, an ordinance approving the rezoning of property located at 11210 W. 45th Avenue (Lot 2, Pumpkin Patch Subdivision) from Agricultural-One(A-1) to Public facilities (PF) zone district on first reading, order it published, public hearing set for Monday, April 23, 2012 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mrs. Langworthy ; carried 7-0.

DECISIONS, RESOLUTIONS AND MOTIONS

2. Resolution No. 16-2012 – approving an Intergovernmental Agreement by and between the City of Lakewood and the City of Wheat Ridge to establish the West Metro Special Weapons and Tactics Team (SWAT)

Resolution No. 16-2012 was introduced by Mr. Stites.

Motion by Mr. Stites to approve Resolution No. 16-2012, a resolution approving an Intergovernmental Agreement by and between the City of Lakewood and the City of Wheat Ridge to establish the West Metro Special Weapons and Tactics Team (SWAT); seconded by Mr. Starker ; carried 7-0.

3. Motion to approve the revisions to the Personnel Policies as submitted on March 26, 2012 and to be effective immediately.

Revisions to the City's personnel policies are driven by changes in Federal and State Law, and City policy changes. The City's Employment Law Attorney and the Executive Management Team have reviewed and support the proposed changes.

Motion by Ms. Davis to approve the revisions to the Personnel Policies as submitted on March 26, 2012 and to be effective immediately; seconded by Mrs. Jay; carried 7-0.

4. Motion to approve the purchase of planters and temporary pedestrian platforms for the 38th Ave. Lane Configuration Project from Bison Innovative Products in an amount not to exceed \$91,804.

This purchase is part of the 38th Avenue Corridor Plan which involves restriping, narrowing, and the addition of street amenities.

Motion by Mrs. Jay to approve the purchase of planters and temporary pedestrian platforms for the 38th Ave. Lane Configuration Project from Bison Innovative Products of

Denver in the amount of \$79,829.20; and that the Director of Public Works be authorized to issue change orders up to a total contract and contingency amount of \$91,804; and that all costs associated with this purchase be paid from account number 30-303-800-892; seconded by Mr. Reinhart; carried 6-1, with Mr. Stites voting no.

5. Resolution No. 17-2012 – amending the Fiscal Year 2012 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$5,000 to Wheat Ridge “Feed the Future” Backpack Program.

Resolution No. 17-2012 was introduced by Mrs. Langworthy.

This program is run by the Arvada Community Food bank, a non-profit corporation formed in 1982 to serve the needy and vulnerable in Arvada, Golden, Wheat Ridge and Westminster. “Feed the Future” serves Title I elementary children who have been identified as “at risk” and without food on the weekends.

The Gateway Signage Program (\$100,000) was suspended in February. \$92,800 of the money is being paid to WR2020 for their assistance with the implementation of the 38th Avenue Corridor Plan. Of the remaining balance \$5,000 will be used for this donation.

Motion by Mrs. Langworthy to approve Resolution No. 17-2012, amending the Fiscal Year 2012 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$5,000 to fund the Wheat Ridge “Feed the Future” Backpack Program; seconded by Mr. Stites.

Carol Sue Frickel, coordinator this program at Kullerstrand Elementary spoke and thanked Council for their support of this program.

Motion carried 7-0.

6. Motion to appoint to the Liquor Licensing Authority Board – District IV

Motion by Mr. DeMott to appoint Claudia Worth to the Liquor Licensing Authority Board representing District IV, term to expire March 2, 2015; seconded by Mrs. Langworthy; carried 7-0.

CITY MANAGER’S MATTERS

Mr. Goff said it’s exciting to see all the projects in progress around the City – the apartments at 44th and Upham, the medical building at 29th and Wadsworth, 2 bank buildings and improvements at Discovery Park.

ELECTED OFFICIALS’ MATTERS

Ms. Davis made a motion to place “public comment at Study Sessions” on a future study session agenda; seconded by Mr. Starker; carried 7-0

Mrs. Langworthy reminded citizens to watch out for little kids this week as they have their spring break.

Mr. Starker thanked the German jazz band for performing prior to the Council meeting and congratulated the students from WRHS who participated in the Tech Program. He reported on the National League of Cities trip that the Mayor, he and Councilmember Jay, and two staff members took. It was very educational and a good opportunity to listen to national issues. The Wheat Ridge delegation met with the staffs at Senators Bennet and Udall's offices to learn about things like government grants and tax free municipal bonds. We expressed concern over the nutrient standards. They visited with FEMA, Department of Homeland Security, HUD and the Executive Office Building staff to learn about monies that might be available to us. Senators Bennet and Udall joined them for breakfast. They had a tour of the Capitol, and went into the gallery to watch the Senate in session. He thanked staff for the briefing booklets.

Mayor DiTullio had several things.

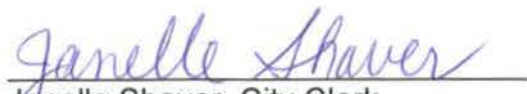
He mentioned a letter the City has drafted to Rep. Perlmutter and Senators Bennet and Udall encouraging continued funding for CDBG grants and to remove the restriction so that the grant money can be used for market rate housing as well as affordable housing. The letters were passed around for all councilmembers to sign

The Mayor has also asked Janice Smothers to create a packet of information for everyone with information from the National League of Cities trip. It includes information the City took back to D.C. about Jeffco R-1 Schools and the Business Resource Center and information that was received while in Washington DC. The packet also includes an excellent letter that Sam Mamet of the Colorado Municipal League presented to the White House staff opposing nutrient testing by cities, which is an unfunded mandate from Washington D.C. and the EPA. There were 30-40 representatives from Colorado in attendance and Sam did a great job of addressing local control and other unfunded mandates.


The Mayor also handed out an update from Gina Hallisey on the Zoppe Family Circus. It speaks about the cooperation between the circus and Jeffco schools.

Mrs. Jay mentioned an idea for a sewer water system she brought back from NLC and had a handout for it.

Meeting adjourned to Study Session at 8:14 pm


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON April 9, 2012 BY A VOTE OF 7 to 0 1



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.