

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

February 27, 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 February 13, 2012

Motion by Mr. Stites for approval of the Minutes of February 13, 2012; seconded by Mr. Starker; carried 8-0.

PROCLAMATIONS AND CEREMONIES

Louise Turner – Mayor DiTullio read an acknowledgement in honor of Louise Turner who passed away recently. Mrs. Turner was one of the City's founders and the first City Clerk. Her husband, Jerry, was present to receive a copy of the acknowledgement.

Michael Snow (friend of Louise and president of Wheat Ridge United Neighborhoods), **John McMillin**, and **Rhonda Champion** (Animal Control Commission) each spoke in tribute to Louise Turner – remembering her dedication to and love for the City, her devotion to keeping up on the budget and other city affairs from the days of incorporation until her very last day, her turtles, her goats, the various contributions she made to the City over the years, and being an inspiration to many and a true model of civic involvement.

Betsy Fleming, Louise's daughter, thanked the City of Wheat Ridge for its tribute to their mother.

Cathy Richardson, Louise's daughter, echoed her sister's appreciation and thanked the City for the beautiful basket they sent to the family.

CITIZENS' RIGHT TO SPEAK

None were present.

APPROVAL OF AGENDA

By consensus, Item #10 was added to the agenda, a Resolution approving a Police Supplemental Budget Appropriation for mobile radios.

PUBLIC HEARINGS AND ORDINANCES ON SECOND 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.

Mayor DiTullio opened the public hearing.

Council Bill 01-2012 was introduced on second reading by Mr. Starker. City Clerk Janelle Shaver assigned Ordinance No. 1506.

Chief Brennan summarized the conditions and justification for the proposed changes.

No Citizens were present to speak on the issue.

Mayor DiTullio closed the public hearing.

Motion by Mr. Starker to approve Council Bill 01-2012 (Ordinance 1506) on second reading 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.

Mayor DiTullio opened the public hearing.

Council Bill 02-2012 was introduced on second reading by Mr. Reinhart. City Clerk Janelle Shaver assigned Ordinance No. 1507.

Mr. Dahl provided clarification on the conditions and justification for the ordinance.

No further staff report was given.

No Citizens were present to speak on the issue.

Mayor DiTullio closed the public hearing.

Motion by Mr. Reinhart to approve Council Bill 02-2012 (Ordinance 1507) on second reading and that it take effect 15 days after final publication; seconded by Mr. DeMott; carried 8-0.

DECISIONS, RESOLUTIONS AND MOTIONS

3. Resolution No. 14-2012 – amending the Fiscal year 2012 Budget to reflect the approval of a supplemental budget appropriation for the re-appropriation and re-encumbrance of 2011 Fiscal Year Encumbered Funds in the amount of \$1,301,803.33

Resolution No. 14-2012 was introduced by Mr. Stites. This appropriation allows for the payment of bills left over from 2011 expenditures.

Motion by Mr. Stites to approve Resolution No. 14-2012 – amending the Fiscal Year 2012 Budget to reflect the approval of a supplemental budget appropriation for the re-appropriation and re-encumbrance of 2011 Fiscal Year Encumbered Funds in the amount of \$1,301,803.33; seconded by Mrs. Langworthy; carried 8-0.

4. Motion to approve appointments to Boards and Commissions

Gay Porter DeNileon spoke in support of her application to the Cultural Commission stating that she wants to support the arts and culture in the city.

Motion by Mr. DeMott to approve the following appointments to **District IV** Boards and Commissions:

Monica Duran to the Planning Commission, term ending 3/2/15
John Kellow to the Building Code Advisory Board, term ending 3/2/15
Barbara Hance to the Animal Welfare Commission, term ending 3/2/15
Genevieve Wooden to the Cultural Commission, term ending 3/2/15
Joseph Ray Maes to the Liquor Authority Board, term ending 3/2/15
Sally Banghart to the Board of Adjustment, term ending 3/2/15
Karen Joos to the Parks and Recreation Commission, term ending 3/2/14

Seconded by Mrs. Langworthy; carried 8-0

Motion by Mr. Reinhart to approve the following appointments to **District I** Boards and Commissions:

Ronald Gehauf to the Cultural Commission, term ending 3/2/15
Melissa Beck to the Parks & Recreation Commission, term ending 3/2/15
Carolyn Peterson to the Liquor Authority Board, term ending 3/2/15

Anne Brinkman to the Planning Commission, term ending 3/2/15
Paul Griffith to the Board of Adjustment, term ending 3/2/15
Kathy Dietsch to the Animal Welfare Commission, term ending 3/2/15
Karen Berry to the Building Code Advisory Board, term ending 3/2/14

Seconded by Mr. Starker; carried 8-0

Motion by Mr. Stites to approve the following appointments to **District III** Boards and Commissions:

Virginia Johnson to the Cultural Commission, term ending 3/2/15
Paul Shaver to the Liquor Authority Board, term ending 3/2/15
Guy Nahmiach to the Parks & Recreation Commission, term ending 3/2/15
Ron Abo to the Building Code Advisory Board, term ending 3/2/15
Janet Bell to the Board of Adjustment, term ending 3/2/15
Amanda Weaver to the Planning Commission, term ending 3/2/15

Seconded by Mr. Pond; carried 8-0

Motion by Mrs. Jay to approve the following appointments to **District II** Boards and Commissions:

Chad Harr to the Cultural Commission, term ending 3/2/15
Kent Davis to the Liquor Authority Board, term ending 3/2/15
Erna McIntyre to the Animal Welfare Commission, term ending 3/2/15
Charles Spielman to the Parks & Recreation Commission, term ending 3/2/15

Seconded by Ms. Davis; carried 8-0

Motion by Mr. Starker to approve the following appointments to **At-Large** Boards and Commissions:

Gay Porter DeNileon to the Cultural Commission, term ending 3/2/15
Chad Harr as the Jefferson County School Liaison, term ending 3/2/15
Monica Duran as the Jefferson County Library Liaison, term ending 3/2/15

Seconded by Mrs. Jay and Mr. DeMott; carried 8-0

5. Motion to Ratify Mayoral Appointment to the Housing Authority

Motion by Mr. DeMott to ratify the Mayoral Appointment of Gayle Miller to the Housing Authority; seconded by Mr. Stites; carried 8-0

6. Resolution No. 13-2012 – approving a Consolidation Plat with an Alley Dedication on property zoned Commercial-One (C-1) located at 5795 W. 29th Ave. (Case No. MS-11-06)

Resolution No. 13-2012 was introduced by Mr. Starker. The property owner is proposing demolition of the existing carwash with reconstruction to allow remodeling and expansion with liquor sales.

Mayor DiTullio opened the public hearing. There was no staff presentation and no one from the public spoke. The Mayor closed the public hearing.

Motion by Mr. Starker to approve Resolution No. 13-2012 – approving a Consolidation Plat with an Alley Dedication on property zoned Commercial-One (C-1) located at 5795 W. 29th Ave. (Case No. MS-11-06); seconded by Mr. Stites; carried 8-0

7. Resolution No. 09-2012 – amending the Fiscal Year 2012 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$71,376 for the funding of the Zoppe Circus Event

Resolution No. 09-2012 was introduced by Mrs. Jay

Motion by Mrs. Jay to approve Resolution No. 09-2012 – amending the Fiscal Year 2012 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$71,376 for the funding of the Zoppe Circus Event; seconded by Mr. DeMott and Mr. Stites; carried 7-1 with Mr. Reinhart voting no.

8. Motion to approve purchase of the following replacement/new vehicles:
- Four 2012 Chevrolet Caprice Police Option Marked Sedans, to replace four 2007 Crown Victorias
 - One large 2012 Ford F-250 XL, HD, 4x4 standard cab pickup truck with snow plow, to replace a 1999 GMC 350 pickup for the Open Space Division of Parks & Recreation
 - One small 2012 Chevrolet Colorado, 4x4, extended cab pickup, to replace a 2001 Dodge Dakota pickup for the Building Maintenance Division of Parks & Recreation
 - One small 2012 Chevrolet Colorado 4x4, extended cab pickup, as a new addition to the fleet for the Building Maintenance Division of Community Development
 - One 2012 Dodge Grand Caravan 7 Passenger Mini-Van, to replace a 1996 Dodge caravan for the Recreation Division of Parks & Recreation
 - One 2012 International 7500SFA 6x4 tandem cab & chassis, to replace a 1999 International 4900 dump truck snow plow in the Operations Division of Public Works Department

Total amount of the vehicles, including preparation for use is not to exceed \$369,755

Mrs. Langworthy introduced Item 8.

Mr. Paranto explained that the state prices are the best we can get – even though they are from dealers from outside the area. He also confirmed that all these vehicles are necessary replacements. Retired vehicles will go to auction. He also explained that the outfitting of the police vehicles (decals, etc.) will be put out for bid.

Motion by Mrs. Langworthy to approve the purchase of 2012 vehicle replacements from Mike Shaw Buick Pontiac-GMC Inc., Colorado Springs; Heritage Ford, Loveland; and Mike Shaw Chevrolet, Aurora, Colorado, for a total cost of \$302,755. She further moved to approve an expenditure in the not-to-exceed amount of \$67,000 for the purchase, installation and /or relocation of auxiliary equipment required for the operation of the vehicles along with the installation of markings and communication equipment; seconded by Mr. Starker.

Motion by Mr. Stites to amend the main motion by deleting the purchase of one new Small 2012 Chevrolet Colorado, 4x4, extended cab pickup for the Community Development Department. Seconded by Mr. DeMott; tied 4-4 with Councilmembers Reinhart, Starker, Pond and Langworthy voting no; Mayor DiTullio voted yes on the amendment and it carried 5-4.

Main motion, as amended, carried 8-0.

9. Motion to award ITB-12-02, the 2012 Crack Seal Project, to Coating Inc., Arvada, in the amount of \$99,963, with a Contingency amount of \$9,996

Motion by Mr. Pond to award ITB-12-02, the 2012 Crack Seal Project, to Coating Inc., Arvada, in the amount of \$99,963, with a Contingency amount of \$9,996; and that the director of Public Works be authorized to issue change orders up to a total contract and contingency amount of \$109,959; seconded by Mr. Starker; carried 8-0

10. Resolution No. 15-2012 – amending the Fiscal Year 2012 equipment replacement fund budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$236,750 for the purchase of Police Department portable radios.

Resolution No. 15-2012 was introduced by Mr. Stites.

(Informational note: Chief Brennan had made a staff presentation earlier in the evening at the pre-meeting. The Police Department's radios were purchased in 2003 with Homeland Security grant monies. These radios were expected to last 8-10 years. In late 2011 the radio system infrastructure was upgraded from analog to digital. This change affects the Cities of Wheat Ridge and Lakewood, and the Fire Protection Districts of Wheat Ridge, West Metro and Fairmont. Albeit successful, the transition

has left a problem of occasional loss of communications with the 911 Center. Since repeated efforts by the radio system company to fix this problem have been unsuccessful, they are proposing an offer to replace all the radios at a reduced cost and a onetime trade-in allowance for the P7100 radios. Additionally the E-911 Authority Board has authorized a onetime reimbursement of \$1,000 per new portable P7300 radio to affected agencies. Also of note is that the Wheat Ridge Fire department has offered the department nine of its replacement radios at no cost and they will be absorbed into the inventory as spares and replacement radios.)

Motion by Mr. Stites to approve Resolution No. 15-2012 –, a resolution approving a supplemental budget appropriation in the amount of \$236,750 from Fund 57 for the purchase of Police Department portable radios; seconded by Mr. DeMott; carried 8-0

CITY MANAGER'S MATTERS

Mr. Goff announced that the City has received a State FASTER Transit Grant for bus benches and trash receptacles throughout the City. Also, Community Development Department planners Sally Payne and Sarah Showalter were recently honored for their work on the 38th Avenue Corridor Plan, which was selected as Small Project of the Year by the Colorado Chapter of WTS, a womans' transportation group.

ELECTED OFFICIALS' MATTERS

Motion by Mr. DeMott: In consideration of our Mayor and Councilmembers Jay and Starker attending the National League of Cities Convention in Washington D.C. the week of our March 12 meeting, he moved to cancel the Regular City Council Meeting for March 12, 2012; seconded by Mr. Reinhart; carried 8-0.

Mr. Pond thanked people who submitted applications for Boards and Commissions.

Mr. Reinhart said there were difficult decisions to make on some of the appointments because there were so many good qualified candidates. He thanked Susie Seeds for her years of service on the Parks Board and he appreciated the graciousness with which she accepted the news that she would not be reappointed.

Mrs. Jay agreed there was good response for applications to Boards and Commissions.

Ms. Davis echoed her thanks to all the applicants, and especially thanked the people who came to speak in honor of Louise Turner and in her memory.

Mrs. Langworthy expressed her admiration for Louise Turner who lived a lifetime in one City. She was also pleased there were so many applications for Boards. There was a time when it was hard to get people to apply, but this time there were so many to choose from.

Mr. Starker mentioned that Louise Turner was a voter in District I and when he was canvassing the neighborhood in the last election she was so gracious to invite him in for supper and they talked about her history, her ideas, and her excitement about the City and the election. She was a very vibrant lady and will be missed by this community. Mr. Starker also reported that he attended a neighborhood meeting for the Ashland Reservoir project. It's going to be a large three year project with some disruption for the neighborhood, but in the end it will be a great facility and a real asset to the City.

Mr. Stites gave condolences to the Turner family. Every year she asked for his budget book and he'd give it to her to go through. He liked that she was a straight shooter; you could ask her anything and she'd give you a straight answer and he's going to miss that.

Mayor DiTullio offered condolences to the Turner family. The Mayor referenced Louise's goat farm in District III and when she utilized 400 goats to eat overgrown vegetation on the property. Her passing will be a great loss for the City. The Mayor also announced that on March 26 a student German Jazz Band that is visiting Wheat Ridge High School will be performing at 6:30 p.m. prior to the Council Meeting in Council Chambers. It will be taped and shown live on COMCAST Channel 8. All are welcome to attend and listen!!

Meeting adjourned to Study Session at 8:09 pm



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON March 26, 2012 BY A VOTE OF 7 to 0



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.