

# **CITY COUNCIL MINUTES**

**CITY OF WHEAT RIDGE, COLORADO  
7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**December 10, 2012**

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m.

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL OF MEMBERS**

Davis Reinhart	Bud Starker
Joyce Jay	Mike Stites
Joseph DeMott	Tracy Langworthy

Absent: George Pond  
Kristi Davis (arrived late)

Also present: City Clerk, Janelle Shaver; City Treasurer, Larry Schulz; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Public Works Director, Tim Paranto; Police Chief, Dan Brennan; interested parties and interested citizens.

## **APPROVAL OF MINUTES OF November 26, 2012**

**Motion** by Mr. Stites for approval of the Minutes of November 26, 2012; seconded by Mr. Starker; carried 6-0.

## **PROCLAMATIONS AND CEREMONIES** none

## **CITIZENS' RIGHT TO SPEAK**

**Britta Fisher**, director of WR2020, thanked the Council and staff for partnering with the Leadership Committee in support of the Holiday Celebration on December 2. 1500 people were in attendance.

**Jesse Hill**, resident of District 1, said he is excited to hear Council is considering video broadcasting of the study sessions. He also suggested to Council to get ahead of the curve and provide video that can be accessed on smart phones and tablets, and possibly get it on Youtube. That's how the next generation gets most of their information. He is willing to donate a camera that could accomplish that.

**Ted Heyd**, of LiveWell WR, discussed the group's circulation of a 38th Ave endorsement letter which highlights the benefits of the corridor. They want to build up

awareness and support for the corridor. A second version of the endorsement letter is being circulated.

**Howard Jaidinger**, long-time resident and business owner, said he and his wife are happy about the way 38<sup>th</sup> is going. They feel safe and comfortable walking their dog. He noted four young couples that have moved onto their street who also seems happy about 38<sup>th</sup> Avenue. He appreciates it.

**Ted Heyd** (using 3 minutes donated time) spoke again. He spoke on the walking audit of 38<sup>th</sup> Avenue from Upham to the Highlands West Apts. He invited Council to look at the summary and recommendations of the audit.

Councilmember Davis arrived at 7:14 pm.

### **APPROVAL OF THE AGENDA**

**Motion** by Mr. DeMott to pull Agenda Item 3 and have it come back at the next available meeting; seconded by Mr. Reinhart; carried 7-0

#### **1. CONSENT AGENDA**

The Consent Agenda was introduced and read by Mr. DeMott.

- a. Motion to adopt the 2013 City Council Meeting Calendar
- b. Resolution 58-2012 – approving an Intergovernmental Agreement between the City of Wheat Ridge and the City of Lakewood authorizing payment of \$68,900 for the use of Lakewood Police Department Crime Lab/Crime Scene Services

**Motion** by Mr. DeMott for approval of the Consent Agenda; seconded by Mr. Starker; carried 7-0.

### **PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

- 2.** Council Bill No. 28-2012 – An Ordinance approving the vacation of sidewalk and streetscape easements adjacent to 5995 W. 38<sup>th</sup> Ave.

Mayor DiTullio opened the public hearing.

Mrs. Jay introduced Agenda Item 2.

The proposed redevelopment of the northeast corner of 38<sup>th</sup> & Harlan to a new 7-11 store will require that the streetscape be modified to current standards. The owner has dedicated the current sidewalk/landscape area to be used for sidewalk and streetscape. The easement is no longer necessary, and staff recommends vacation of the existing



sidewalk and streetscape easement to minimize the legal encumbrances of the new right-of-way.

Clerk Shaver assigned Ordinance No. 1529.

Staff Report none

Public Comment none

Mayor DiTullio closed the public hearing.

**Motion** by Mrs. Jay to approve Council Bill No. 28-2012, Ordinance approving the vacation of sidewalk and streetscape easements adjacent to 5995 W. 38<sup>th</sup> Ave. and that it take effect upon adoption; seconded by M. starker ; carried 7-0.

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

3. Motion to Ratify Mayoral Appointment to the Housing Authority

[This Agenda Item will come forward at the next available meeting.]

4. Motion to award ITB-12-26 32<sup>nd</sup> Ave. Widening Project to Concrete Works of Colorado, Lafayette, CO in the amount of \$4,600,776.34

Mr. Stites introduced Agenda Item 4.

In March 2011, the City was awarded a federal grant (through Denver Regional Council of Governments (DRCOG) ) for widening 32<sup>nd</sup> Ave. from Braun Court to Wright Court. The project will include reconstruction with additional turn lanes at key intersections to improve capacity and reduce traffic congestion. It will also address safety and operational improvements at the west-bound I-70 off-ramp at 32<sup>nd</sup> Avenue and adjacent intersections. ~ This interchange was originally constructed using a non-standard design and has never operated efficiently. The burden of the interstate highway traffic on the local street network and the congestion during afternoon peak hours is unacceptable. The total construction amount is estimated at \$5,517,000. The federal grant will cover \$2,924,000; Jefferson County will provide matching funds of \$1,250,000; the balance of \$1,343,000 will be funded by the City.

**Motion** by Mr. Stites to award ITB-12-26, 32<sup>nd</sup> Avenue Widening Project to Concrete Works of Colorado, Lafayette, CO, in the amount of \$4,600,776.34, and to approve a contingency amount of \$460,000 with the Director of Public Works being authorized to issue change orders up to a total contract and contingency amount of \$5,060,776.34; seconded by Mr. De Mott; carried 7-0.

**Motion** by Mr. Stites to charge \$14,000 to the Capital Investment Fund and deposit \$14,000 in the Public Art Fund; seconded by Mr. De Mott; carried 7-0.

**CITY MANAGER'S MATTERS** Mr. Goff reported having taken a tour today at Lutheran of their new Senior Behavioral Health unit. They hope to have 8 beds filled when they open January 2, and will eventually have 22 beds. He also wished Wheat Ridge citizens Happy Holidays. He thanked the Mayor, Council and staff for a very productive year and looks forward to many good things to come to Wheat Ridge in 2013.

**CITY ATTORNEY'S MATTERS** Mr. Dahl informed Council that he will be putting together a memo for them on the subjects of recusal and conflicts of interest, and how they affect voting. If they have further questions after the memo they can call him. If there are numerous questions he may suggest a study session discussion.

**CITY CLERK'S MATTERS** Mrs. Shaver wished the Council and all the faithful viewers out in Channel 8 TV Land a Merry Christmas.

### **ELECTED OFFICIALS' MATTERS**

**Mr. Reinhart** thought the turnout for the lighting on 38<sup>th</sup> Avenue was wonderful and is glad to see the community support. ~ He's glad to see Concrete Works coming on to do 32<sup>nd</sup> & Youngfield. He has seen Concrete Works in bids for over a decade and he looks forward to having them work in the City.

**Mrs. Langworthy** and her family attended the Christmas Tree Lighting and she thinks it was exciting to see new people visiting our shops and being welcomed to the City.

**Ms. Davis** wished everyone happy holidays and commented that she thinks it's nice to see evidence of the holiday spirit in the neighborhoods – more so than it used to be.

**Mr. Stites** commented that 45 years ago when I-70 was built they knew it [32<sup>nd</sup> & Youngfield] was wrong. The state promised to come back and fix it. So here we are now 45 years later finally getting it taken care of – and he's tickled pink. ~ He was at the tree lighting ceremony and he said it was fantastic to see so many people on 38<sup>th</sup> Avenue. ~ He reminded everyone that lots of people are hurting these days, and with Christmas coming he urged folks to find someone they can help.

**Mr. Starker** thanked everyone for the support on 38<sup>th</sup> Avenue and wished all the citizens a warm and happy Christmas and New Year.

**Mrs. Jay** mentioned the program called Shop and Win that is sponsored by the Wheat Ridge Business Association. If you spend \$5 or more in Wheat Ridge eight different times, you are eligible to win prizes. It's recommended to save your receipts. The forms and all the details are available at [Wheatridgebiz.com](http://Wheatridgebiz.com). [Clerk's note: the address for the WR Business Association is [ewheatridge.com](http://ewheatridge.com)] Mrs. Jay said the prizes are grand.



**Mayor DiTullio** thanked all the organizations that helped put the lighting ceremony together. He thanked Patrick Goff and Joyce Manwaring for flipping the switch for him, as he was home with the flu and couldn't attend. ~ He thanked the businesses that have been helping at the high school with the Career Exploration class. Pietra's, Gunsmoke and Larson's Ski & Sport in particular have been having student's job-shadow. ~ He also gave a special "hats off" to Tip Top Tree. This business has been here for some time and they have recently been helping some businesses and residents who have dead trees and can't afford to have them cut down. Tip Top has actually been doing some work at no charge to help them remove dead trees, and that is greatly appreciated. ~ He wished everyone a Merry Christmas, Happy Holidays and Happy New Year.

Meeting adjourned at 7:30 pm.

  
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Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON January 14, 2013 BY A VOTE OF 7 to 0

  
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Davis Reinhart, 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.