

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO
7500 WEST 29TH AVENUE, MUNICIPAL BUILDING

February 25, 2013

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

ROLL CALL OF MEMBERS

Davis Reinhart	Joyce Jay	Mike Stites	Bud Starker
Joseph DeMott	George Pond	Kristi Davis	

Absent: Tracy Langworthy

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; Public Works Director, Tim Paranto; interested parties and interested citizens.

APPROVAL OF MINUTES OF February 11, 2013

Motion by Mr. Reinhart for approval of the Minutes of February 11, 2013; seconded by Mr. Starker; carried 7-0.

PROCLAMATIONS AND CEREMONIES -- none

CITIZENS' RIGHT TO SPEAK

Eugene Shirley spoke and listed some things he thinks are a waste of City money: the circus; no smoking signs in parks; franchise fee on trash pick-up; \$200,000 on surveys – including \$24,000 on a survey on salaries; three auditors for sales tax (should monitor spending and expense accounts); stimulus money is a waste of money. We need more town meetings so people can let Councilmembers know their feelings. He believes when citizens talk to their Council representatives in private nothing happens.

Ted Heyd of Lakewood (for LiveWell Wheat Ridge) attended the Colorado Bicycle Summit. Colorado is ranked 3rd for the number of people who commute by bicycle and is ranked the 4th most bicycle-friendly state. It was reported the state receives an economic impact of over a billion dollars yearly from bicycles – including manufacture, retail and tourism. Bicycles are good for physical and mental health, the environment and the economy. He thanked the City for being bicycle-friendly.

Shirley Walker of Walker's Quality Cage & Feed Supply on Kipling said that, like the Mayor said in a recent newspaper article about being neighborly, the City should be more neighborly and let homes and businesses know before it plans to make changes. She made several points:

- The November public meeting presented the Kipling plan as a done deal that property owners would have to accept or else have their property condemned.
- This project will affect 7 homes and 32 businesses – mostly negatively.
- A state highway this steep is no place for a 10ft wide multi-use trail with moms with strollers and kids on bikes and skateboards.
- The City is receiving \$3.5 M from the federal government; she provided copies of “Agenda 21 for Dummies” for Council so they can become informed about it.
- She thinks Council got robbed for paying \$90K for the study.
- She doesn’t like paying \$25,000 a year to the City and then have it wasted on something that’s unsafe.
- A 6 ft sidewalk would do just fine where one is needed, and the 5ft sidewalk in front of her store does not need to be moved or widened.
- Rent for many businesses will go up due to new signage the owners will have to build and other potential expenses.
- Several businesses will actually be completely taken out.
- The City says it wants to be business-friendly. This is not small business-friendly.

John Miks spoke in support of undergrounding the utility lines on Kipling from 32nd to 35th. Frequent power outages are a concern and the poles close to the street are a safety hazard. Please continue with the original plan.

Patricia Roush spoke in support of putting the power lines underground. The franchise money has been allotted for it and it should be used for that.

Ron Roush spoke about the high school kids who walk along Kipling. Often utility trucks block the street and it creates a hazard for them. The kids need a sidewalk.

Ken Frens owns a business on Kipling. He is concerned about the proposed path for the east side of Kipling. He wonders why people are never notified; it seems sneaky. He also stated the proposed width is unclear. Will it be 10 ft, or 13 ft, or 13 ft plus 13 ft, or 20 feet? He thinks Kipling is dangerous and the fewer people on Kipling the better.

Steve Polich spoke on behalf of his mother, Helen Polich, who’s lived on Kipling for 60 years. Last time Kipling was widened they lost property and ingress into their back yard. The only notice they received for this project was notice of a survey, but no reason why, no mention of taking property. There aren’t that many homes along Kipling. A letter could have been sent to us about this; we shouldn’t have to read about it in the newspaper. Why don’t you let us give some input? We live there and have experienced the rollovers, cars in their yards, accidents, etc. The City could put in a regular sidewalk and not bother anyone.

APPROVAL OF THE AGENDA

1. **CONSENT AGENDA**

- a. Increase the project contingency for ITB-11-06 Wadsworth Boulevard Multi-Use Trail Project in the amount of \$29,222.70
- b. Award ITB-13-03, 2013 Slurry Seal Project, to Foothills Paving and Maintenance, Inc., in the contract amount of \$322,680 and to approve a contingency amount of \$16,150

Mr. Reinhart introduced the Consent Agenda.

Motion by Mr. Reinhart to approve the consent agenda; seconded by Mr. Stites; carried 7-0

ORDINANCES ON FIRST READING

2. Council Bill 04-2013 - approving the rezoning of property located at 12390 W. 44th Avenue from Agricultural-Two (A-2) to Mixed Use-Neighborhood (MU-N) (Case No. WZ-12-11/Frisk)

Mr. DeMott introduced Council Bill 04-2013.

The effect of this rezoning will be to provide the owner with expanded use options for future development.

Motion by Mr. DeMott to approve Council Bill No. 04-2013, an ordinance approving the rezoning of property located at 12390 W. 44th Avenue from Agricultural-Two (A-2) to Mixed Use-Neighborhood (MU-N) on first reading, order it published, public hearing set for Monday, March 25, 2013 at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. Stites; carried 7-0.

DECISIONS, RESOLUTIONS AND MOTIONS

3. Ratification of a mayoral appointment to the Housing Authority representing District I, term to expire March 2, 2018

Mr. Starker introduced Item #3.

Motion by Mr. Starker to ratify the Mayoral appointment of Jennifer Walters to the Housing Authority representing District I, term to expire March 2, 2018; seconded by Mr. Reinhart; carried 7-0

4. Appointments to Boards and Commissions

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

Joelle Hedden to the Animal Welfare Commission, term ending 3/2/16
Betty Jo Page to the Board of Adjustment, term ending 3/2/16
Amanda Deerr to the Parks & Recreation Commission, term ending 3/2/16
Judy Hutchinson to the Parks & Recreation Commission, term ending 3/2/15
Alan Bucknam to the Planning Commission, term ending 3/2/16
Robert Alldredge to the Liquor Authority Board, term ending 3/2/16

Seconded by Mr. Starker; carried 7-0

Motion by Ms. Davis to approve the following appointments to **District II** Boards and Commissions:

Rhonda Champion to the Animal Welfare Commission, term ending 3/2/16
David Kuntz to the Board of Adjustment, term ending 3/2/16
Philip Plummer to the Building Code Advisory Board, term ending 3/2/16
Scott Ohm to the Planning Commission, term ending 3/2/16
Anthony Davia to the Liquor Authority Board, term ending 3/2/16

Seconded by Mrs. Jay; carried 7-0

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

Margie Seyfer to the Cultural Commission, term ending 3/2/14
John Miks to the Liquor Authority Board, term ending 3/2/16
Dick Matthews (temporary until replacement found) to the Planning Commission, term ending 3/2/16

Seconded by Mr. Pond; carried 7-0

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

Christine Taraskiewicz to the Cultural Commission, term ending 3/2/14
Robert Hance to the Animal Welfare Commission, term ending 3/2/16
George Palaze to the Liquor Authority Board, term ending 3/2/16
Christine Taraskiewicz to the Parks and Recreation Commission, term ending 3/2/14
Seconded by Mr. Pond; carried 7-0

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

Michael Snow to the Election Commission, term ending 12/31/2013

Seconded by Mr. Stites, Reinhart, and DeMott; carried 7-0

5. Purchase of the 2013 vehicle replacements and accessory equipment in an amount not to exceed \$167,361

Mr. Stites introduced Item #5.

Motion by Mr. Stites to deny the purchase of any vehicles at this time for the following reason: none of the vehicles meet the maintenance standards for being replaced, therefore there is no justification for replacing them. He further moved that \$5,000 be placed in an account for any refurbishing needed for the vehicles; seconded by Mr. DeMott.

Mr. Paranto addressed the motion stating that mileage is not the only criteria for replacement. He explained the rule of thumb they use is to replace a vehicle when it reaches 50% of replacement value. Replacements follow the industry cost/ benefit policy. Part of the plan is to move some vehicles down to different uses where they will get more mileage.

Discussion followed with all Councilmembers having questions or comments. Mr. Goff explained that the criteria include age plus mileage, plus a few other factors. Mr. Reinhart suggested bringing this to a study session, along with the criteria, so the policy can be discussed. Mr. Paranto also explained that some vehicles may actually have low mileage, but they also often have many hours of idle-time.

Mr. Stites' motion failed 4-3 with Councilmembers Pond, Starker, Reinhart and Jay voting no.

Motion by Mr. Reinhart to bring the maintenance policy to a study session and postpone the purchase of the vehicles at this time; seconded by Mr. Pond; carried 7-0

CITY MANAGER'S MATTERS

Mr. Goff reminded folks of the public meetings for the proposed park at 44th and Kendall. There are two more meetings -- March 6 and March 13 at the Active Adult Center. There are 3 concepts proposed. Details are available at www.44thandkendallpark.com. He also reported that we'll be getting a \$211,000 Jefferson County Open Space grant for this park. ~ He also reported that because of the snow, the scheduled tour of the Transit Oriented development has been rescheduled to Thursday, March 14th from 4:00 – 5:30pm.

CITY ATTORNEY'S MATTERS -- none

CITY CLERK'S MATTERS

Clerk Shaver addressed the comments by Mrs. Jay (on the Rock rezoning) that she was to add to the January 28 minutes. She discovered those comments were actually made on January 14, and those minutes had already been permanently archived. She suggested if Mrs. Jay wanted to repeat her remarks tonight under Elected Officials' Matters she would be glad to include them in tonight's minutes. Mrs. Jay declined.

ELECTED OFFICIALS' MATTERS

Bud Starker said he has gotten lots of calls about the proposed changes at Crown Hill. Since Wheat Ridge does not control Crown Hill, he suggested that people go to crownhill@jeffco.us and participate in the survey, and let their opinions be known. ~ He also reported having attended the opening session of presentations by the Wheat Ridge Building Department that deal with the future adoption of the 2012 International Building Code. In upcoming months public comment will be taken for possible amendments, so interested parties are encouraged to stay in touch with the issue and contact the Building Department about upcoming meetings and other opportunities for input. This will likely be in the April/May time period.

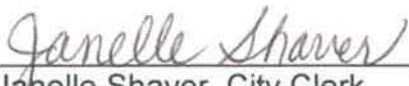
Kristi Davis reported having received the online survey about Crown Hill Park. She urged folks to get online and fill out that survey and make their feelings known.

Mike Stites' positive thing: It was great to see neighbors helping neighbors with shoveling snow this Sunday and Monday during the storm.

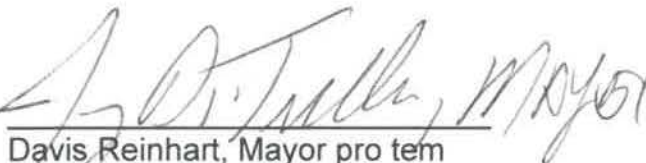
Davis Reinhart said he attended the first meeting for the park on Kendall and it was very well received. He encouraged people that care about this park to get involved and attend the next two meetings for design of the park. Now is the time to give input – not after it's designed. The Parks Department wants your input.

Mayor DiTullio thanked all the people who applied for the Housing Authority. He hopes Ms. Davis and Mr. DeMott can give us a little update in the future. The Housing Authority is a busy group that does a lot of good things so it's good to hear from them.

Meeting adjourned at 8:10 pm, with the Special Study Session to follow a short break.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON March 11, 2013 BY A VOTE OF 5 to 0


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.