

# CITY COUNCIL MINUTES

## CITY OF WHEAT RIDGE, COLORADO

May 12, 2008

Mayor DiTullio called the Regular City Council Meeting to order at 7:03 p.m. Councilmembers present: Karen Adams, Karen Berry, Dean Gokey, Tracy Langworthy, Lena Rotola, Wanda Sang, Mike Stites, and Terry Womble. Also present: City Clerk, Michael Snow; City Treasurer, Larry Schulz; City Manager, Randy Young; City Attorney, Gerald Dahl; Director of Community Development, Kenneth Johnstone; Director of Public Works, Tim Paranto; Chief Building Inspector, John Schumacher; Assistant to the City Manager, Heather Geyer; staff; and interested citizens.

### APPROVAL OF MINUTES OF April 28, 2008

Motion by Mrs. Sang for approval of the Minutes of April 28, 2008; seconded by Mrs. Langworthy; carried 6-2, with Councilmembers Gokey and Rotola abstaining due to their absence at the meeting.

Mrs. Wheat Ridge, Karen Thaler, read the following

### PROCLAMATIONS:

Building Safety Week 2008

John Schumacher was in attendance to accept the City's Proclamation;

National Law Enforcement Week, May 11-17<sup>th</sup>, 2008

Chief Brennan accepted the City's Proclamation and spoke of Police Officers' dedication and sacrifices for the safety of our City;

National Nursing Home Week

**Liz Sieloff** and **Holly Raymer** from Christopher House Nursing Home were on hand to accept the City's Proclamation; May 11-16;

National Cancer Survivors Day

Sunday June 1<sup>st</sup>, 2008;

Mental Health Month

**Kristian Teegarden** and **Julie DiTullio** from the Jefferson Center for Mental Health accepted the City's Proclamation and thanked the City for their dedication to the Mental Health Center and for Mental Health services in Wheat Ridge.

<b>German Jazz Band Performance</b>
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Members of the band were introduced to Council and presented some gifts,

Mayor DiTullio presented the band gifts from the City of Wheat Ridge, and asked the band to play another song.

Mayor DiTullio called for a break at 7:40pm; to resume at 7:50pm.

**CITIZENS' RIGHT TO SPEAK**

**Mark Fitzwilliam**, on behalf of WR2020; bring Council's attention to WR2020's employment of two University of Colorado Architecture Graduate Students; presented Renovation Design Handbook.

**Rob Osborn**, Director of WR2020, spoke further on the handbook; supports the 38<sup>th</sup> Avenue Redevelopment concepts.

**Karen Thaler**, publicly invited Mayor, Council and community to this year's Pageant, Saturday May 17 at Ellie Caulkins Opera House.

**APPROVAL OF AGENDA**

Councilmember Stites, moved to amend the meeting agenda to add a new Item 4, Consideration of appointment of Willard Hardesty to act as a Hearing Officer regarding the supplement to the protest of Diane Robb to Referendum Petition concerning Ordinance 1409; seconded by Councilmembers Adams and Rotola.

Mr. Dahl, asked Council to extend the appointment of Attorney Heizer as Special Counsel to Mr. Snow.

Motionmaker and second agreed to add this to their motion.

Motion carried 8-0.

Item 1.      **CONSENT AGENDA**

- A. Resolution 24-2008 - A Resolution Amending The Fiscal Year 2008 General Fund Budget To Reflect The Approval Of A Supplemental Budget Appropriation In An Amount Not To Exceed \$6,310 For The Purpose Of Leasing Temporary Office Space For The Economic Development Division Of The Community Development Department.
- B. Resolution 25-2008 - A Resolution Amending The Fiscal Year 2008 General Fund Budget To Reflect The Approval Of A Supplemental Budget Appropriation In An Amount Not To Exceed \$10,000 For The Purchase of Ten Chairs for the Council Dais.
- C. Approval Of Award RFB-08-18 – Cardio Equipment To Various Vendors In The Total Amount Of \$34,382.00.
- D. Approval Of Award ITB-08-22 - Anderson Park Irrigation Pump To Aji Irrigation, Inc., Denver, Co, In The Amount Of \$83,568 Plus A Contingency Of \$5,000 For A Total Project Cost Of \$88,568
- E. Payment to Murray Dahl Kuechenmeister & Renaud LLP for April 2008 City Attorney Services In The Amount Of \$38,650.60.

Consent Agenda was introduced by Mr. Stites.

Mr. Womble asked for Consent Agenda Item A to be pulled for individual consideration.

Mrs. Adams asked for Consent Agenda Items D & E for individual consideration.

Motion by Mr. Stites for approval of the Consent Agenda Items B & C; seconded by Mrs. Sang; carried 7-1 with Mr. Womble voting No.

Motion by Mr. Gokey to **deny** Consent Agenda Item A; seconded by Mrs. Sang; carried 5-3 with Councilmembers Langworthy, Berry and Adams voting No.

Mrs. Adams read the executive summary of Item D.

Motion by Mrs. Adams to continue approval of Consent Agenda Item D.; seconded by Mr. Womble.

Discussion included lack of signature page and no contractor qualifications for this company.

Patrick Goff and Joyce Manwaring explained the circumstances and the way the City conducts the bidding process and what would happen if we went out to bid again.

Substitute motion by Ms. Berry to approve Item D; seconded by Mrs. Rotola; carried 7-1, with Mr. Womble voting No.

Motion as amended carried 7-1, with Mr. Womble voting No.

Mrs. Adams read the executive summary for Item E.

Motion by Mrs. Adams for approval of Consent Agenda Item E; seconded by Mrs. Langworthy.

Mr. Dahl gave a brief report on the additional costs to the City as best as he knew at this time since some of the bills had not yet come in.

Motion carried 8-0.

### **ORDINANCES ON FIRST READING**

Item 2. Council Bill 09-2008 - An Ordinance Concerning the Permitted Locations Of Bail Bonds Businesses, and In Connection Therewith, Amending Certain Sections Of Chapter 26 Of The Code Of Laws.

Council Bill 09-2008 was introduced on first reading by Ms. Berry, who also read the executive summary.

Motion by Ms. Berry to approve Council Bill 09-2008 on first reading, order it published, public hearing be set for Monday, June 9, 2008 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mrs. Sang; carried 8-0.

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

Item 3. Resolution 26-2008 – A Resolution amending the Fiscal Year 2008 Capital Investment Program Fund Budget to reflect the approval a supplemental budget appropriation in an amount not to exceed \$50,000 and authorizing the Wheat Ridge Urban Renewal Authority to utilize this appropriation to conduct a Blight Study of the Kipling Corridor.

Resolution 26-2008 was introduced by Mrs. Adams, who read the executive summary.

Motion by Mrs. Adams to approve Resolution 26-2008; seconded by Mr. Stites; carried 7-1 with Mr. Womble voting No.

Item 4. Consideration of appointment of Willard Hardesty to act as a Hearing Officer regarding the supplement to the protest of Diane Robb to Referendum Petition concerning Ordinance 1409 and extending the appointment of Counselor Heizer to City Clerk Michael Snow.

Pursuant to C.R.S. 31-11-110 (3) Motion by Mr. Stites to appoint **Willard Hardesty** to act as Hearing Officer with respect to the May 8, 2008 supplement to the protest by Diane Robb to Referendum Petitions concerning Ordinance 1409 and with respect to any additional supplemental amended or new protests; I further move to extend the appointment of **Dean Heizer** as Special Counsel to Michael Snow, City Clerk, for purposes of any hearing on such protests; seconded by Mrs. Rotola.

Mrs. Sang stated that she had asked the City Attorney if she should abstain from voting because she had filed a protest in this matter. Mr. Dahl recommended she vote because she had no conflict.

Motion carried 7-1 with Mr. Womble voting No.

#### **ELECTED OFFICIALS' MATTERS**

Michael Stites asked that properties be kept weed free and find it and buy it in Wheat Ridge.

Karen Adams urged that all our processes be as clean, clear and open as possible. Checks and Balances are important.

Lena Rotola thanked 16 Board & Commission members for attending training at CML. She asked that citizens report graffiti.

Karen Berry thanked all who took part in Arbor Day celebrations.

Tracy Langworthy wished everybody a happy and safe Memorial Day.

Terry Womble thanked WRHS and German Band for performing.

Mayor DiTullio encouraged citizens to read the "Community Development" flyer that has been mailed to residents. The flyer contains important information concerning the upcoming public infrastructure projects.

He updated everybody on the suggested Pilot Program for the Senior Circulator Bus and asked that this be discussed shortly at a Study Session.

He thinks it's a good idea to have an independent third party review the petitions.

Meeting adjourned at 8:50p.m.

Signed: Michael Snow

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Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON JUNE 9, 2008 BY A VOTE OF 8-0.

Signed: Mike Stites

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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.