

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

September 22, 2008

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Councilmembers present: Karen Adams, Karen Berry, Dean Gokey, Lena Rotola, Wanda Sang, Mike Stites, and Terry Womble. Also present: City Clerk, Michael Snow; City Manager, Randy Young; City Treasurer, Larry Schulz; City Attorney, Gerald Dahl; Director of Community Development, Kenneth Johnstone; Director of Public Works, Tim Paranto; Chief of Police, Dan Brennan; staff; and interested citizens.

Council Member Tracy Langworthy was absent.

APPROVAL OF MINUTES OF August 25, 2008

Motion by Mrs. Sang for approval of the Minutes of August 25, 2008; seconded by Mr. Gokey; carried 7-0.

PROCLAMATIONS AND CEREMONIES

Recognition of Jefferson County Housing Authority:

Alan Feinstein and Henry Weingardt of the Jefferson County Housing Authority were recognized for the many years of positive contributions and service they provide the community. Cheryl Brungardt and Lena Rotola spoke on behalf of the recipients and the work of JCHA.

Proclamation: National Planning Month

Mrs. Wheat Ridge, Karen Thaler, read the Proclamation recognizing the contributions made by the Planning Commission and Community Development Planners to the progress of our City.

Mr. Johnstone was present to acknowledge the Proclamation and informed Citizens of the City's plans to form a citizen committee for the purpose of updating the City's Comprehensive Plan. The Community Development Department is soliciting applications from interested citizens through October 14th, 2008.

Proclamation: Constitution Week 2008

Karen Thaler read the Proclamation recognizing the monumental creation of our Country's Constitution and reaffirming the ideals laid out in that document.

APPROVAL OF THE AGENDA

Motion by Mr. Stites to pull Item 2 from the Agenda, per the request of the applicant; seconded by Mrs. Rotola; carried 7-0.

Motion by Mrs. Sang to pull Item 5; seconded by Mr. Gokey; carried 4-3 with Council Members Rotola, Adams and Berry voting No.

CITIZENS' RIGHT TO SPEAK

No citizens were present to speak.

EXECUTIVE SESSION

Executive session under Charter Section 5.7(b)(1) and CRS 24-6-402(4)(b) for legal advice on specific legal questions: El Dorado litigation.

Motion by Mr. Stites to adjourn to the Executive Session and further moved to return to the Regular Meeting at the close of the Executive Session; seconded by Mr. Gokey; carried 7-0.

Mayor DiTullio called for the Executive Session at 7:11pm

Executive Session was held. The Regular meeting resumed at 7:54pm.

Item 1. CONSENT AGENDA

- A. Resolution No. 49-2008 - A Resolution finding a petition for annexation of a parcel of land located in Section 19, Township 3 South, Range 69 West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, to be in substantial compliance with Section 31-12-107(1), Colorado Revised Statutes and setting a public hearing date to consider the annexation. (Case No. ANX -08-01)
- B. Resolution No. 50-2008 - A Resolution finding a petition for annexation of a parcel of land located in Section 19, Township 3 South, Range 69 West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, to be in substantial compliance with Section 31-12-107(1), Colorado Revised Statutes and setting a public hearing date to consider the annexation. (Case No. ANX -08-02)
- C. Resolution No. 51-2008 - A Resolution adopting the 2008 Memorandum of Understanding (MOU) among the following members of the Jefferson County Emergency Communications Authority: the City of Wheat Ridge, the City of Lakewood and the West Metro Fire Protection District, concerning the shared use of certain recording system servers.

- D. Resolution No. 52-2008 - A Resolution approving an Amendment to the Intergovernmental Agreement between Jefferson County, the City of Arvada, the City of Lakewood, the City of Wheat Ridge, the City of Golden, and the City of Westminster for the Implementation of a County-Wide Dog Licensing Program.
- E. Approval of Award ITB-08-34 – Emergency Warning System in the total amount not-to-exceed \$103,898.98.

Consent Agenda was introduced and read by Mr. Stites.

Motion by Mr. Stites for approval of the Consent Agenda; seconded by Mrs. Sang; carried 7-0.

ORDINANCES ON FIRST READING

- Item 2. Council Bill No. 17-2008 - An Ordinance providing for the approval of a change of zoning from Residential-One (R-1) and Agriculture-One (A-1) to Planned Residential Development and for approval of an Outline Development Plan for property located at 11885 W. 38th Avenue (Case No. WZ-07-06/Ashton Woods Homes/Doud Overlook

Item 2 was pulled from the Agenda to be rescheduled at a later meeting date.

DECISIONS, RESOLUTIONS, AND MOTIONS

- Item 3. Resolution No. 53-2008 – A Resolution amending the fiscal year 2008 Capital Investment Program Fund Budget to reflect the approval of a supplemental budget appropriation in an amount of \$77,300 and approving the award of RFP-08-31 Kipling Corridor Blight Study, as amended, to Matrix Design Group, Inc., in a not-to-exceed amount of \$127,300 for the purposes of conducting a conditions survey of the I-70 Corridor and the Kipling Corridor and an Urban Renewal Plan for the Youngfield Street/Highway 58 Corridor

Resolution 53-2008 was introduced by Mrs. Adams, who read the Executive Summary.

Motion by Mrs. Adams to approve Resolution 53-2008; seconded by Mr. Stites; carried 6-1 with Mr. Womble voting No.

Item 4. Resolution No. 54-2008 - A Resolution by the Mayor and City Council of the City of Wheat Ridge supporting Ballot Measures 2A, 2B and 2C.

Resolution 54-2008 was introduced by Mrs. Berry, who read the Executive Summary.

Motion by Mrs. Berry to approve Resolution 54-2008; seconded by Mrs. Sang; carried 7-0.

Item 5. Approval of Award for RFQ-08-28 - Comprehensive Plan Update to Clarion Associates in an amount not to exceed \$150,000.

Item 5 was pulled from the Agenda.

ELECTED OFFICIALS' MATTERS

Mr. Snow reminded citizens of the approaching October 6th deadline to register to vote in the upcoming November 4th, 2008 Election. Registration forms can be picked up and filed at the City Clerk's Office or downloaded from the Internet at www.votejeffco.com and mailed to the County Clerk's Office. Also, citizens can expect an Election Information booklet mailed from the County to voters' households later in the month with explanations and Pro and Con arguments on each ballot question.

Mr. Snow also informed citizens of the upcoming Wheat Ridge Election Forum hosted by Wheat Ridge United Neighborhoods on Monday, September 29th, 2008. The Forum will take place from 7-10pm in the Council Chambers at City Hall and be broadcast live on Government Access Channel 8. All candidates on the November ballot have been invited to speak as well as speakers Pro and Con for each ballot question including State, County, School District and City of Wheat Ridge ballot questions.

Mrs. Berry spoke of the years of the Council and City Administration working towards revitalizing the City and committing to updating the Comprehensive Plan. She expressed her concern and disappointment in Council voting to remove from tonight's Agenda the consideration to fund the Comprehensive Plan update service in Item 5. Mrs. Berry asked Council to consider the implications if they don't support the NRS goals now - that they may as well not support 2020 with any funding because they won't succeed without this commitment.

Mr. Gokey expressed his concern for the current budget situation as his reason for not considering funding the Comprehensive Plan Update consultant fees.

Mrs. Sang said the reason she made the motion to remove Item 5 from the agenda was because of current state of the City's budget and wished to wait for the result of some pending events that will affect the budget, namely the election and the results of the City ballot issues, before she considers the item. At that time, the Council will have gone through the Budget to see where that stands for 2009 and can make a better-informed decision based on that information.

Mrs. Rotola doesn't believe the Council does what they're supposed to do. The funding for the Comprehensive Plan update service was only \$150,000, and we won't know about the budget until Mr. Goff and Mr. Young tells them. She believes Council Members that had a concern about it should have brought it up at the Study Session rather than making it a surprise tonight.

Mr. Stites informed citizens of the ceremony to rededicate the athletic fields at Wheat Ridge High School and encouraged community members to attend to show their support. As always, Mr. Stites asked citizens to "find it and buy it in Wheat Ridge".

Mrs. Adams thanked citizens for coming to the community meeting held in District III. She also thanked staff for supporting the \$150k in 2008 budget to get the Comprehensive Plan process working. Mrs. Adams then asked the City Attorney about when the Council may bring this up for reconsideration.

Mr. Dahl informed Mrs. Adams that only a member on the prevailing side of a Council decision may reconsider the item at tonight's meeting or next regular meeting. Mrs. Adams then expressed her wishes that one of those Council Members would reconsider their vote tonight.

Mr. Womble attended a successful event recently at Shampooch. He commended the company on their hard work and expressed hope they do this event again in the future.

Mayor DiTullio asked if anyone on Council was wishing to reconsider their vote on removing Item 5. No members offered to do so. Mr. DiTullio identified several block parties that took place throughout the City recently and thanked those neighbors for supporting neighborhood with these positive events.

Meeting adjourned at 8:21p.m.

Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON OCTOBER 13,2008 BY A VOTE OF _____ to _____

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.