

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

March 9, 2009

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 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 Manager, Randy Young; Deputy City Manager, Patrick Goff; City Attorney, Gerald Dahl; Director of Community Development, Kenneth Johnstone; Director of Public Works, Tim Paranto; Parks & Recreation Director, Joyce Manwaring; Planner, Jeff Hirt; staff; and interested citizens.

APPROVAL OF MINUTES OF February 23, 2009

Motion by Mr. Gokey for approval of the Minutes of February 23, 2009; seconded by Mrs. Sang; carried 8-0.

CITIZENS' RIGHT TO SPEAK

Arvada Fire Chief **Jon Greer** provided Council an update on the protection services provided to those areas contracted north of Clear Creek in the City of Wheat Ridge.

John Marriot, Wheat Ridge Business District Chair, provided an update on the District's efforts in revitalizing businesses in the Wheat Ridge area.

APPROVAL OF AGENDA

Motion by Mr. Gokey to remove Item 8 from tonight's Agenda for it to be heard at a future Council Meeting; seconded by Mr. Womble and Mrs. Sang; **failed** 3-5 with Council Members Sang, Womble and Gokey voting Yes.

Item 1. **CONSENT AGENDA**

- A. Approval of the 2009 Microsoft Enterprise Agreement Renewal in the amount of \$62,887.48 to Insight Inc.
- B. Approval of a \$40,000 contribution to the Wheat Ridge Business District for the purposes of funding the Revitalization Incentive Grant Program.
- C. Approval of Award ITB-09-02 2009 Slurry Seal Project to A-1 Chipseal Company in the amount of \$136,160.00 for a total project cost of \$149,776 with contingency.

- D. Approval of Award RFP-05-14 Final Renewal Agreement Right-of-Way Maintenance Services to American Civil Constructors, Inc., in the amount of \$59,698.
- E. Approval of Award RFP-09-10 Forestry Maintenance Services to various vendors in the total amount of \$66,500.00.
- F. Motion to cancel March 16, 2009 City Council Study Session.

Consent Agenda was introduced and read by Council Member Sang.

Motion by Mrs. Sang for approval of Consent Agenda Items A through F; seconded by Mrs. Adams; carried 8-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

Item 2. Council Bill 07-2009 – An Ordinance amending Section 26-311 of Chapter 26 of the Wheat Ridge Code of Laws concerning amendments to Development Plans in Planned Zoning Districts.
(Case No. ZOA-08-07)

Mayor DiTullio opened the public hearing.

Council Bill 07-2009 was introduced by Council Member Gokey. City Clerk Michael Snow read the Executive Summary and assigned Ordinance No. 1433.

Jeff Hirt presented the staff report.

No citizens were present to speak on this item.

Mayor DiTullio closed the Public Hearing.

Motion by Mr. Womble to approve Council Bill 07-2009 (Ordinance 1433) on second reading and that it take effect 15 days after final publication; seconded by Mrs. Sang; carried 7-1 with Mr. Gokey voting No.

Item 3. Council Bill 08-2009 – An Ordinance amending Section 113 of Chapter 26 of the Wheat Ridge Code of Laws concerning City initiated Zone Changes.
(Case No. ZOA-08-08)

Mayor DiTullio opened the public hearing.

Council Bill 08-2009 was introduced by Council Member Gokey. City Clerk Michael Snow read the Executive Summary and assigned Ordinance No. 1434.

Jeff Hirt presented the staff report.

Louise Turner spoke in opposition to the proposed Ordinance, citing that the Ordinance allows the City to initiate these rezonings with or without any approval from the residents or owners affected. Mrs. Turner contends that this infringes on individuals' property rights and violates a most-basic principle of our representative government.

Mayor DiTullio closed the Public Hearing.

Motion by Mr. Gokey to approve Council Bill 08-2009 (Ordinance 1434) on second reading and that it take effect 15 days after final publication; seconded by Mrs. Sang; carried 7-1 with Mr. Womble voting No.

Item 4. Council Bill 09-2009 – An Ordinance directing disposal by demolition of a City-owned building located at 3388 Swadley Street.

Mayor DiTullio opened the public hearing.

Council Bill 09-2009 was introduced by Council Member Adams who read the Executive Summary. City Clerk Michael Snow assigned Ordinance No. 1435

Mr. Paranto presented the staff report.

No citizens were present to speak.

Mayor DiTullio closed the Public Hearing.

Motion by Mrs. Adams to approve Council Bill 09-2009 (Ordinance 1435) on second reading and that it take effect 15 days after final publication; seconded by Mr. Stites; carried 8-0.

ORDINANCES ON FIRST READING

Item 5. Council Bill 10-2009 – An Ordinance providing for the approval of a change of zoning from Commercial One (C-1) and Residential Two (R-2) to Planned Commercial Development (PCD) and for approval of an Outline Development Plan for property located at 10403 West 44th Avenue.
(Case No. WZ-08-07/Irpinia)

Council Bill 10-2008 was introduced on first reading by Mrs. Rotola.

Motion by Mrs. Rotola to approve Council Bill 10-2008 on first reading, order it published, public hearing set for **Monday, April 13, 2009** at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mrs. Langworthy; carried 8-0.

- Item 6. Council Bill 11-2009 – An Ordinance amending the Wheat Ridge Code of Laws, Article III of Chapter 26 Density in Planned Development Districts. (Case No. ZOA-09-10)

Council Bill 11-2009 was introduced on first reading by Mrs. Adams.

Motion by Mrs. Adams to approve Council Bill 11-2008 on first reading, order it published, public hearing set for **Monday, April 13, 2009** at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. Stites; carried 8-0.

- Item 7. Council Bill 12-2009 – An Ordinance amending Chapter 26 of the Wheat Ridge Code of Laws to require proof of adequate water supply for certain new developments. (Case No. ZOA-08-04)

Council Bill 12-2008 was introduced on first reading by Mr. Womble.

Motion by Mr. Womble to approve Council Bill 12-2008 on first reading, order it published, public hearing set for **Monday, March 23, 2009** 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 8. Resolution 18-2009 – amending the fiscal year 2009 Open Space Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$185,000 for the purpose of acquiring approximately 1.5 acres of land located at 4593 Parfet Street, for consolidation of the Public Works and Parks Operations Facility.

Resolution 18-2009 was introduced by Mrs. Adams.

Motion by Mrs. Adams for approval of Resolution 18-2009.

I further move that costs associated with the purchase of the property located at 4593 Parfet Street be paid from account number 32-601-800-809, and these funds be encumbered in accordance with Ordinance #787, 1989 Series.

Seconded by Mr. Stites; carried 8-0.

Item 9. Resolution 19-2009 – authorizing submittal of the Application for a 2009 Grant to the State Board of the Great Outdoors Colorado for the construction of the 38th and Kipling Park.

Resolution 19-2009 was introduced by Mr. Stites.

Motion by Mr. Stites for approval of Resolution 19-2009; seconded by Mr. Womble; carried 5-3 with Council Members Rotola, Berry and Adams voting No.

ELECTED OFFICIALS' MATTERS

City Clerk Michael Snow invited citizens interested in running for election to one of the Council or Mayor positions this November to follow the Elections *Quicklink* on the City's Website, www.ci.wheatridge.co.us to obtain campaign, candidate and Election information.

The Mayor and Council all welcomed several new businesses in the City, including Amici's Restaurant, Ornamental Beads, Natural Interiors and others, and celebrated the grand reopening of both Crest Kitchen & Bath and The Chalet Restaurant after their recent remodels using Wheat Ridge Business District grants.

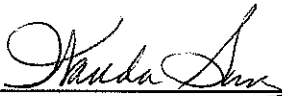
Mayor DiTullio handed out to Council a draft of the Wheat Ridge 2020 survey results (included in this packet). Wheat Ridge 2020 Board of Directors will be in attendance at the April 20th, 2009 Study Session to present and discuss the results of the survey.

Meeting adjourned at 8:05p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON MARCH 23, 2009 BY A VOTE OF 7 to 0



Wanda Sang, 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.