

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

July 13, 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 Treasurer, Larry Schulz; City Manager, Randy Young; Deputy City Manager, Patrick Goff; City Attorney, Gerald Dahl; Director of Community Development, Kenneth Johnstone; Chief of Police, Dan Brennan; Senior Planner, Meredith Reckert; staff; and interested citizens.

APPROVAL OF MINUTES OF June 22, 2009

Motion by Mrs. Sang for approval of the Minutes of June 22, 2009; seconded by Mr. Stites; carried 5-0-3 with Council Members Rotola, Womble and Gokey abstaining due to their absence.

PROCLAMATIONS AND CEREMONIES

- Council recognition of Tim Zimmerman, Colorado Association of Chiefs of Police Volunteer of the Year.

Chief Brennan recognized Mr. Zimmerman's contributions and accomplishments in his 18 years of volunteer service to the Wheat Ridge Police Department's SWAT Team.

- Derek Picaso – Citizen Award

Chief Brennan recounted Mr. Picaso's brave assistance to a distraught domestic violence victim and granted him an award of recognition. Mr. Picaso was not present to accept the award.

CITIZENS' RIGHT TO SPEAK

Louise Turner spoke of the importance of the City of Wheat Ridge reaching its 40th year milestone, recalling the key events of 1969 that established the City's existence and the people in the community that made it possible. Mrs. Turner urged the Council to recognize its significant past and to make preparations for a celebration and recognition of the City's history and formation. The City of Wheat Ridge will be 40 years old on August 20, 2009 and a celebration will be held at the Wheat Ridge Carnation Festival taking place at Anderson Park on August 13-15, 2009.

1. **CONSENT AGENDA**

- A. Resolution 33-2009 – approving participation of Wheat Ridge citizens in the National League of Cities Prescription Discount Card Program.
- B. Approval of a Courtesy Bus Bench, Trash Can and Maintenance Services License Agreement.
- C. Resolution 34-2009 – approving an Intergovernmental Agreement for the management of the 2009 Edward Byrne Memorial Justice Assistance Grant and amending the fiscal year 2009 general fund budget to reflect the acceptance of the 2009 Edward Byrne Justice Assistance Grant in the amount of \$23,786.00.
- D. Approval of payment to Murray Dahl Kuechenmeister & Renaud LLP for June 2009 City Attorney Services in the amount of \$18,945.00.

Consent Agenda was introduced and read by Mr. Stites.

Motion by Mr. Stites for approval of the Consent Agenda; seconded by Mrs. Sang; carried 8-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

2. Council Bill 13-2009 - An Ordinance providing for the approval of an amendment to a Planned Commercial Development Outline Development Plan to allow additional uses on property located at 4100 Youngfield Street.
(Case No. WZ-09-04 - K & C RV, dba Camping World)

Mayor DiTullio opened the public hearing.

Council Bill 13-2009 was introduced on second reading by Council Member Langworthy. City Clerk Michael Snow assigned Ordinance No. 1441.

Mrs. Reckert presented the staff report (included in this packet).

Property Owner and applicant **Blake Beard** was present to answer questions from Council.

Mayor DiTullio closed the public hearing.

Motion by Ms. Langworthy to approve Council Bill 13-2009 (Ordinance 1441) on second reading and that it take effect 15 days after final publication, for the following reasons:

- 1. There is adequate parking on-site to accommodate the new uses.
- 2. It will legitimize the RV sales and rental occurring on the property.
- 3. The evaluation criteria support approval of the request.

With the following conditions:

1. RV sales and rental inventory be located as specified on Staff exhibit (exhibit 6 of Planning Commission staff report).
2. All required fire lanes be kept clear of obstruction.
3. The sales and rental of other types of vehicles is not allowed.

Seconded by Mrs. Rotola; carried 8-0.

3. Council Bill 15-2009 – An Ordinance amending Chapter 22, Article I, of the Wheat Ridge Code of Laws concerning the creation of a Vendor's Fee.

Mayor DiTullio opened the public hearing.

Council Bill 15-2009 was introduced on second reading by Council Member Stites. City Clerk Michael Snow assigned Ordinance No. 1442.

No Staff Report was presented.

John Marriott, Wheat Ridge Business Owner and Chair of the Wheat Ridge Business District, spoke in favor of the proposed Vendor's Fee, citing its benefits to the City's relationship with existing Wheat Ridge businesses, and its potential to attract new businesses to the City.

Terry Amalfitano, Wheat Ridge Business Owner, applauded the City for consideration of this (rebate) and urged the Council to vote in favor of the proposal.

Mayor DiTullio closed the public hearing.

Motion by Mr. Stites to approve Council Bill 15-2009 (Ordinance 1442) on second reading and that it takes effect upon adoption with implementation on October 1st, 2009; seconded by Mr. Womble; carried 6-2 with Council Members Berry and Adams voting No.

4. Council Bill 14-2009 – An Ordinance reappointing Presiding Municipal Judge Christopher Randall, increasing his compensation and approving a Presiding Municipal Judge Services Agreement.

Council Bill 14-2009 was introduced on second reading by Council Member Sang. City Clerk Michael Snow assigned Ordinance No. 1443.

Motion by Mrs. Sang to continue Council Bill 14-2009 to the July 27th, 2009 Council Meeting. I further move to refer the item to the next Study Session on July 20th, 2009 for discussion with Judge Randall and further consideration; seconded by Mr. Stites; carried 5-3 with Council Members Rotola, Berry and Adams voting No.

ORDINANCES ON FIRST READING

5. Council Bill 16-2009 – An Ordinance providing for a zone change from C-1, Commercial-One, and C-1, Commercial-One with use restrictions, to Planned Commercial Development and for approval of an Outline Development Plan on property located at 11808 West 44th Avenue, Wheat Ridge, Colorado. (Case No. WZ-09-03 - RV America)

Council Bill 16-2009 was introduced on first reading by Mrs. Langworthy.

Motion by Mrs. Langworthy to approve Council Bill 16-2009 on first reading, order it published, public hearing set for Monday, August 24, 2009 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mrs. Rotola; carried 8-0.

6. Council Bill 17-2009 – An Ordinance amending Section 11-22 of the Wheat Ridge Code of Laws concerning conducting business within the City without a valid Business License.

Council Bill 17-2009 was introduced on first reading by Mrs. Rotola.

Motion by Mrs. Rotola to approve Council Bill 17-2009 on first reading, order it published, public hearing set for Monday, July 27, 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 7-1 with Mr. Gokey voting No.

7. Council Bill 18-2009 – An Ordinance amending Chapter 22, Article I, of the Wheat Ridge Code of Laws concerning the requirement of a License to collect Sales and/or Use Tax.

Council Bill 18-2009 was introduced on first reading by Mrs. Sang.

Motion by Mrs. Sang to approve Council Bill 18-2009 on first reading, order it published, public hearing set for Monday, July 27, 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.

ELECTED OFFICIALS' MATTERS

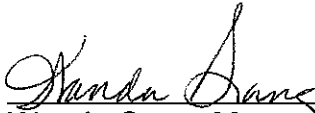
Mrs. Adams noted the National Prescription Drug Program's benefits to all Wheat Ridge residents, which grants 20% off regular prices on all prescription drugs not covered under any other medical program.

Meeting adjourned at 8:03p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON JULY 27, 2009 BY A VOTE OF 8 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.