

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

April 12, 2010

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Councilmembers present: Karen Adams, Karen Berry, Joseph DeMott, Joyce Jay, Tracy Langworthy, Davis Reinhart, Wanda Sang, and Mike Stites. Also present: City Clerk, Michael Snow; City Manager, Randy Young; Deputy City Manager, Patrick Goff; City Attorney, Gerald Dahl; City Treasurer, Larry Schulz; Director of Community Development, Kenneth Johnstone; Director of Public Works, Tim Paranto; Assistant to the City Manager, Heather Geyer; staff; and interested citizens.

APPROVAL OF MINUTES OF March 8, 2010

Motion by Mrs. Sang for approval of the Minutes of March 8, 2010; seconded by Mr. Stites; carried 8-0.

PROCLAMATIONS AND CEREMONIES

Mrs. Wheat Ridge, Karen Thaler, read the Proclamations and Mayor DiTullio presented them to the recipients.

- 7th Annual Wheat Ridge Area 6th & 8th Grade Essay Contest Winners

David Holland, representing the contest sponsor Broadridge Financial, Suzette Davis Hudson from Ed Perlmutter's Office and Frank Tunison of Great Western Bank were present to acknowledge and present the awards for this year's contest winners.

- Child Abuse Prevention Month – April 2010

Scott Shields, CEO of Family Tree, accepted the proclamation and thanked the City of Wheat Ridge for their ongoing support of their services and for help in bringing awareness to the issues of child abuse.

- Wheat Ridge Public Health Week and Public Health Champions – April 5-11, 2010

Elise Lubell, Director of Health Promotions for Jefferson County Public Health, recognized Wheat Ridge Community Development staff, the City Council and the Planning Commission as Jefferson County leaders who have made efforts to improve public health beyond their primary job roles through the Envision Wheat Ridge Comprehensive Plan Update. Mr. Johnstone also acknowledged LiveWell's contribution to this effort.

- Citizen Awards to Dennis Ray Sage and Morgan Pearson

Chief Brennan recognized and thanked these outstanding citizens in helping to bring an arrest in connection with multiple thefts in the City of Wheat Ridge.

- National Crime Victims' Rights Week – April 18-24, 2010

Chief Brennan accepted the proclamation and spoke appreciatively of the Victim's Outreach Information network and the services they provide to victims in the City of Wheat Ridge.

CITIZENS' RIGHT TO SPEAK

Kyle Walpole of Evergreen Colorado objected to Chief Brennan and other Wheat Ridge Police Department staff continuing to claim no wrongdoing was committed when his belongings were seized during a raid under search warrant on his home in 2005. Further, Mr. Walpole contended that Police staff should have known he had a hearing disability and made accommodations during this raid according to ADA compliance laws.

Louise Turner spoke of the need in the community to help those citizens struggling to pay rent and mortgages. There is a 2-year waiting list for assistance within the County program, while citizens are losing jobs and homes and are being evicted when they can't pay rent. The Wheat Ridge Housing Authority was formed in 1990's with the intent to help citizens who really have housing needs. Currently, those people needing help aren't the ones who benefit from the First-time homebuyer housing rehabilitations in which the Housing Authority is engaged. No help is being provided to those displaced from Wheat Ridge homes. Mrs. Turner asked if the City and Council would consider such a program change for the Housing Authority. She pointed out that there are four separate organizations in the City that are engaged in development of real estate: The City Council and Administration, the Housing Authority, Wheat Ridge 2020 and Urban Renewal. She asked, can we expand the role of the Housing Authority and channel some efforts and monies to help those people in the City who are perhaps one step from losing their homes.

Judson Lloyd of Wheat Ridge spoke on behalf of Jefferson Avenue United Methodist Church at 44th & Kipling citing objections to the awarding of a liquor license by the Liquor Authority to a new Liquor Store being located next to the Church.

City Attorney, Jerry Dahl, informed Mr. Lloyd that the City Council has no authority over granting of liquor licenses and any objections would have to be via the District Courts.

Cindy Beckfield also spoke against the granting of a liquor license for a store next to the church. She believes it is inappropriate to do so, and believes since there are five liquor stores in the area already, it is unnecessary.

Karen Thaler made a plea to all dog owners who use Crown Hill Park and who leave dog refuse in bags on the side of trails to please carry these bags to the nearest trash receptacle and keep the park nice for everyone else.

1. **CONSENT AGENDA**

- A. Appointment of **Jennifer Walter** to the Board of Adjustment as an Alternate.
- B. Appointment of **Paul Griffith** to the Board of Adjustment, representing District 1; term ending March 2, 2012.
- C. Motion to approve Award of ITB-10-13 to A-1 Chip Seal, Inc., in the amount of \$137,579.56 for 2010 Slurry Seal Project.
- D. Resolution 17-2010 – amending the fiscal year 2010 budget to reflect acceptance of CDBG-R funds in the amount of \$97,740 and in connection therewith, approval of a supplemental budget appropriation in the amount of \$97,740 for an energy audit and improvements to the Wheat Ridge Senior/Community Center.
- E. Resolution 16-2010 – amending the fiscal year 2010 budget to reflect acceptance of a grant in the amount of \$12,250 and in connection therewith, a supplemental budget appropriation for the amount of \$12,250 for consulting services to facilitate community input meeting for 38th Avenue.
- F. Motion for the approval of the annual licensing renewal of the Cartegraph System in the amount of \$28,012.
- G. Motion approving payment to Murray Dahl Kuechenmeister & Renaud LLP for March 2010 legal services in the amount of \$16,618.67.

Consent Agenda was introduced and read by Mr. DeMott.

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

ORDINANCES ON FIRST READING

- 2. Council Bill 04-2010 – An Ordinance repealing and reenacting certain sections of Chapter 5 of the Code of Laws of the City of Wheat Ridge concerning the Building Code, the Mechanical Code, the Plumbing Code, the Property Maintenance Code, the Energy Conservation Code, the Residential Code, the Fire Code, the Fuel Gas Code and penalties for violation of the same.

Council Bill 04-2010 was introduced on first reading by Mr. Stites.

Motion by Mr. Stites to approve Council Bill 04-2010 on first reading, order it published, public hearing set for Monday, May 10, 2010 at 7:00 p.m. in the City Council Chambers, and that it take effect August 1, 2010.

I further move to direct staff to make necessary amendments to the Ordinance to remove all references to planning permits and revert to the standard exemptions from building permits.

I further move to direct staff to make necessary amendments to the Ordinance to provide an exemption for all residential exterior cladding repair and replacement that does not include the relocation of electrical or gas utilities.

Motion was seconded by Mrs. Sang.

Mr. Reinhart asked to split the motion.

Vote on amendments regarding planning permits tied 4-4 with Council Members Berry, Adams, Langworthy and Jay voting No. Council Members Reinhart, Sang, Stites and DeMott voting yes. Mayor DiTullio broke the tie by voting yes. Motion carried 5-4.

Vote on amendments regarding residential exterior cladding repair and replacement carried 7-1 with Council Member Reinhart voting no.

Main Motion as amended carried 7-1 with Council Member Jay voting no.

3. Council Bill 05-2010 – An Ordinance amending certain sections of Chapters 5 and 21 of the Code of Laws of the City of Wheat Ridge concerning the licensing of contractors.

Council Bill 05-2010 was introduced on first reading by Mr. Reinhart.

Motion by Mr. Reinhart to approve Council Bill 05-2010 on first reading, order it published, public hearing set for Monday, May 10, 2010 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

4. Resolution 18-2010 – approving purchase of two replacement police sedans with all required equipment and markings, amending the 2010 Public Works Operations Budget, and in connection therewith, approving a supplemental budget appropriation in the amount of \$73,861.

Resolution 18-2010 was introduced by Mr. Reinhart.

Motion by Mr. Reinhart to approve Resolution 18-2010; seconded by Mrs. Langworthy; carried 8-0.

CITY MANAGER'S MATTERS

Mr. Young congratulated Sally Payne and Ken Johnstone for their hard work on the Comprehensive Plan.

He informed citizens that there would be a testing of the early warning system on Wednesday, April 14, 2010 at 10:00 a.m.

ELECTED OFFICIALS' MATTERS

City Clerk Michael Snow acknowledged the passing of former Mayor of Wheat Ridge Ray Winger a his contribution to the City as mayor and citizen.

Mr. Stites encouraged people to relocate to Wheat Ridge for either their business or residence. Please do a positive thing for your family, your community and your neighborhood. Weed time is coming. Find it and buy it in Wheat Ridge.

Mrs. Langworthy praised the students that participated in the essay contest.

Ms. Berry announced that the Planning Department is not only getting an award from Jefferson County Health, but also that the **Envision Wheat Ridge Comprehensive Plan** was selected to receive the Second Place award in the category of Planning with Vision presented by DRCOG. She congratulated staff on all their hard work on the Comprehensive Plan.

To add on to some of the LiveWell projects, the Jefferson Conservation District and LiveWell will be doing several things in the City this summer. They are going to have an electronics benefits transfer machine at the Farmers Market so anyone who gets government benefits can use that to purchase fresh produce from the Farmers Market. They will be doing a community needs assessment for community gardens in Wheat Ridge and also an assessment for local foods and establish a local foods taskforce. There should be notices going out soon and she hopes people can participate.


Mayor DiTullio announced that he will be hosting a town meeting for the Fire District on April 13 at 7pm at the Rec Center. They will discuss the upcoming election and requested Mill Levy increase. He expressed condolences to former Mayor Winger's family.

Meeting adjourned at 8:06 p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON APRIL 26, 2010 BY A VOTE OF 8 to 0



Davis Reinhart, Mayor pro tem