

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

September 13, 2010

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Council Members present: Karen Adams, Joseph DeMott, Tracy Langworthy, Davis Reinhart, Wanda Sang, and Mike Stites. Also present: City Clerk, Michael Snow; City Manager, Patrick Goff; Director of Community Development, Kenneth Johnstone; Interim Director of Administrative Services, Heather Geyer; Planner, Sarah Showalter; staff; and interested citizens.

Council Members Karen Berry and Joyce Jay were absent.

APPROVAL OF MINUTES OF August 9, 2010 & August 23, 2010

Motion by Mr. Reinhart for approval of the Minutes of August 9, 2010 and August 23, 2010; seconded by Mrs. Sang; carried 6-0.

PROCLAMATIONS AND CEREMONIES

Census Bureau presentation of plaque for City/Recreation Center assistance for 2010 Census

Larry Mutler of the Census Bureau presented Council and the City of Wheat Ridge with a plaque thanking the City for their support in the census efforts.

National Active Aging Week

Karen Ruiz was present to accept the proclamation, read by Mrs. Wheat Ridge, Karen Thaler.

CITIZENS' RIGHT TO SPEAK

Public Input on 2011 Budget

No citizens were present to speak. City Clerk Michael Snow read into the record written testimony submitted to the City Clerk's Office from **Nancy Snow**. The following were Mrs. Snow's comments:

Because I am unable to come to the Council meeting tonight to speak on next year's budget, I ask that the following comments be entered into the record.

One: Regardless of the results of the November election on the issue of changing the current form of city government, I would like to express my opinion that this City

does not need a city manager/or administrator making over \$125,000 a year AND an Assistant City Manager/Administrator also making about the same amount of salary. This is a small city which has changed only slightly in size since its incorporation, and one professional city manager or administrator – whatever the title – is sufficient.

Two: Please refrain from any more expenditure for consultants. The amount spent for consultants in the past two years is excessive.

Signed: Nancy Snow

APPROVAL OF AGENDA

Motion by Mrs. Sang to add Item 5 to the Agenda, a Resolution Beginning a City-Initiated Rezoning of Properties Located at the Southeast Corner of 44th Avenue and Wadsworth Boulevard to Mixed Use - Commercial; seconded by Mr. DeMott; carried 6-0.

City Clerk Michael Snow assigned Resolution 55-2010 to Item 5.

1. CONSENT AGENDA

- A. Resolution 51-2010 – amending the Fiscal Year 2010 General Fund Budget to reflect the approval of a Supplemental Budget appropriation in the amount of \$2,760 for the renewal of the WRTV8 Scheduling Software.
- B. Resolution 54-2010 – amending the Fiscal Year 2010 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation for additional contract building inspections related to damage from the July 20, 2009 storm to Building Code Services International in the amount of \$30,600.
- C. Motion approving payment to Murray Dahl Kuechenmeister & Renauld, LLP for Legal Service Fees incurred in August, 2010 in the amount of \$17,193.93.

Consent Agenda was introduced and read by Mrs. Langworthy.

Motion by Mrs. Langworthy for approval of the Consent Agenda; seconded by Mrs. Sang; carried 6-0

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

2. Council Bill 16-2010 – amending Chapter 26 of the Code of Laws concerning the creation of Mixed Use Zone Districts (Case No. ZOA-09-07).

Mayor DiTullio opened the public hearing.

Council Bill 16-2010 was introduced on second reading by Council Member Stites. City Clerk Michael Snow assigned Ordinance No. 1471.

Mr. Johnstone and Ms. Showalter presented the staff report.

Bill Mahar spoke on behalf of LiveWell Wheat Ridge, who has participated in the Mixed-Use Zone planning process and funded the Mixed-Use Zone website. Mr. Mahar indicated they have received numerous positive responses to the potential of investment and revitalization of the 38th Avenue and Wadsworth corridors and believes this is the right time for Wheat Ridge to adopt a progressive and attractive land use planning zone. He encouraged the City Council to adopt the proposed Mixed-use Zone District and submitted to Council a memo in favor of the proposal (amended to this packet).

Dana Oehm, member of the Active Communities Task Force, also spoke in favor of the proposed Zone District adoption. Mrs. Oehm believes Mixed-Use zoning is shown in the research to affect positively the interest for reinvestment and redevelopment in a community and that this is one of the things necessary for Wheat Ridge to see the changes they wish in their community.

Denise Waddell who served on the Mixed-Use Zoning Task force as a Wheat Ridge business and property owner, was impressed with the level of professionalism employed in developing the proposed Zoning Districts. She believes, to remain competitive, Wheat Ridge must have consistent, predictable zoning guidelines to replace the decades old standards that exist today. Mrs. Waddell submitted to Council a letter from the Wheat Ridge 2020 Executive Board in favor of the Zone District (amended to this packet).

Bruce McLennan also served on the Task Force as a consultant with MCNN Architects. He commended staff for involving experts such as his firm early in the process of designing of the zone districts, which benefits the quality of the project. He also believes this Mixed-Use Zone district incentivizes good development without stifling creativity, creates more opportunities for incentives and allows market forces to dictate the development potential.

City Clerk Michael Snow read and entered into the record the following written comment submitted to the City Clerk's Office from **Nancy Snow**. The following were Mrs. Snow's comments:

Because I am unable to attend tonight's council meeting and the hearing on adoption of regulations for the Mixed Use Districts, I would like the following comments to be entered into the record:

As you all know, I was adamantly opposed to the removal of height and density limits from the Charter. For that reason, you may well think that my opinion is an isolated one, since the majority of voters did approve the change.

However, I have talked to many people both before and since the election, and I have not heard anyone express an opinion that they wanted, or envisioned, buildings as high as 122 feet. In fact, it was common for people advocating the change to reassure prospective voters that no one was proposing buildings as high as 100 feet, that what was needed and desired was just a few more stories to be competitive.

Once again, it seems that hired consultants have come up with a proposal for buildings far higher than anyone but developers want.

I would encourage someone on the Council to scale back several stories from the current written proposed ordinance.

Mayor DiTullio closed the public hearing.

Motion by Mr. Stites to approve Council Bill 16-2010 (Ordinance 1471) on second reading and that it take effect 15 days after final publication; seconded by Mrs. Sang; carried 6-0.

DECISIONS, RESOLUTIONS, AND MOTIONS

3. Resolution 52-2010 – opposing Proposition 101 and Amendments 60 and 61 and asking voters to educate themselves on the devastating impact these measures will have on the ability of their Governmental Agencies to provide essential services and programs.

Resolution 52-2010 was introduced and read by Council Member Mr. Reinhart.

Motion by Mr. Reinhart to approve Resolution 52-2010; seconded by Mrs. Langworthy; carried 5-1 with Mr. DeMott voting No.

4. Resolution 53-2010 – authorizing assignment to the Colorado Housing and Finance Authority of a Private Activity Bond allocation of the City of Wheat Ridge pursuant to the Colorado Private Activity Bond Ceiling Allocation Act.

Mayor DiTullio opened the public hearing.

Resolution 53-2010 was introduced by Council Member DeMott.

Mr. Goff presented the Staff Report.

No one was present to speak.

Mayor DiTullio closed the Public Hearing.

Motion by Mr. DeMott to approve Resolution 53-2010; seconded by Mr. Stites; carried 6-0.

5. Resolution 55-2010 - Beginning a City-Initiated Rezoning of Properties Located at the Southeast Corner of 44th Avenue and Wadsworth Boulevard to Mixed Use-Commercial

Resolution 55-2010 was introduced by Council Member Sang.

Motion by Mrs. Sang to approve Resolution 55-2010; seconded by Mr. Reinhart; carried 6-0.

CITY MANAGER'S MATTERS

Mr. Goff congratulated and commended staff on receiving two first place CML Savvy Awards this year, one for the Police Department's Hold Up program on Channel 8, the second for the Business Education Series Training (BEST), developed by former Economic Development specialist, Ryan Stachelski.

Mr. Goff announced the City's partnering with Exemplar Lutheran Medical and the Drug Enforcement Agency (DEA) for a Prescription Take-Back Day to be held September 25, 2010 enabling residents to anonymously drop off unused and unneeded prescriptions between 10-2pm. Please contact Police Department or consult the City website for more information.

ELECTED OFFICIALS' MATTERS

City Clerk Michael Snow informed voters of where to get information on the many ballot initiatives that will be on this November's ballot. The State's "Blue Book" will provide summaries of state-wide ballot questions, while the County's beige book will provide summaries of TABOR related or tax related ballot questions. However, the three local,

City of Wheat Ridge ballot questions, which are not TABOR related, will not be included in either of these booklets. For information on these, voters should consult their local newspapers and look for publications from the organizations in support of or in opposition to the ballot questions.

Council encouraged citizens to sign up and participate in this year's Farmer's 5000 Running Race on September 19. Runners interested in participating may register and obtain information online at www.farmers5000.org.

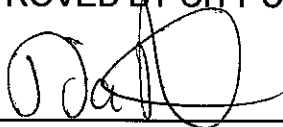
ADJOURNMENT

Meeting adjourned at 8:10p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON September 27, 2010 BY A VOTE OF 7 to 0



Davis Reinhart, 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.