

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

June 13, 2011

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Council Members present: Karen Adams, Davis Reinhart, Joseph DeMott, Karen Berry, Joyce Jay, Wanda Sang and Mike Stites. Also present: City Clerk, Michael Snow; City Treasurer, Larry Schulz; City Manager, Patrick Goff; Public Works Director, Tim Paranto; City Attorney, Gerald Dahl; Police Chief, Dan Brennan; Community Development Director, Kenneth Johnstone; staff and interested citizens.

Council Member Langworthy was absent.

APPROVAL OF MINUTES OF May 23, 2011

Motion by Mr. Stites for approval of the Minutes of May 23, 2011; seconded by Mrs. Adams; carried 6-0-1 with Mr. Reinhart abstaining due to his absence.

PROCLAMATIONS AND CEREMONIES

Mayor DiTullio awarded the Colfax Marathon Relay Award team members to Davis Reinhart, Patrick Goff, Jerry Dahl, Betsy Sailor, and Sarah DiTullio. Medals for their participation in the race were awarded. The Wheat Ridge team finished 7th in their municipal category and 74th overall.

CITIZENS' RIGHT TO SPEAK

Chad Harr spoke on behalf of Wheat Ridge Cultural Commission who along with Wheat Ridge Parks and Recreation, LiveWell Wheat Ridge, and Wheat Ridge 2020 will host the first ever discover Wheat Ridge garden tour. This event takes place on Sunday, June 26th starting at Richard Harts Estate, rain or shine. Tickets may be purchased the day of event for \$10 each.

Britta Fisher, Executive Director of Wheat Ridge 2020 announced the next LiveLocal Event to take place July 14th, 2011, 7-9pm at Dairy Queen. Wheat Ridge 2020 is also co-sponsoring a Candidate Education Night along with the Jefferson County Association of Realtors (JCAR) and The White House Project to provide information and training for anyone interested in running for elected office in the City of Wheat Ridge. Wheat Ridge City Clerk, Michael Snow, will also attend and provide valuable information on technical and legal requirements for candidates. The event will take place on Tues June 28th, 2011 from 6-8pm at 950 Wadsworth Blvd. at the JCAR office.

APPROVAL OF AGENDA

Council gave unanimous consent to add to the agenda, Item 10, Extension of City Manager contract for one month.

1. CONSENT AGENDA

- A. Resolution 14-2011 – amending the Fiscal Year 2011 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$3,635 for the renewal of the WRTV8 Community Bulletin Board Software for 2011.
- B. Resolution 17-2011 – approving an Intergovernmental Agreement between Jefferson County and the City of Wheat Ridge for inclusion of the City as part of the Urban County for the County's Entitlement to receive Community Development Block Grant Funds.
- C. Resolution 18-2011 – approving a contract with the City of Edgewater for the maintenance of streets that are common to both cities.

Consent Agenda was introduced and read by Mrs. Adams.

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

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

- 2. Council Bill 20-2011 – amending Chapter 5 of the Code of Laws concerning the regulation of Hoop Houses.

Mayor DiTullio opened the public hearing.

Council Bill 20-2011 was introduced on second reading by Mrs. Jay. City Clerk Michael Snow assigned Ordinance No. 1494.

No staff report was provided.

No citizens were present to speak on the issue.

Mayor DiTullio closed the public hearing.

Motion by Mrs. Jay to approve Council Bill 20-2011 (Ordinance 1494) on second reading and that it take effect 15 days after final publication; seconded by Mr. Reinhart; carried 7-0.

3. Council Bill 15-2011 – temporarily waiving the City's Two-Cent Sales Tax within the Boundaries of the Longs Peak Metropolitan District. (Public Hearing continued from April 25, 2011)

Public Hearing was continued from the meeting of May 23rd, 2011. Council Bill 15-2011 had been previously assigned Ordinance No. 1490.

Motion by Mr. Stites to continue the hearing of Council Bill 15-2011, Series 2011 temporarily waiving the City's Two-Cent Sales Tax within the Boundaries of the Longs Peak Metropolitan District until June 27, 2011 at 7:00 p.m. in the City Council Chambers; seconded by Mrs. Adams; carried 7-0.

ORDINANCES ON FIRST READING

4. Council Bill 21-2011 - reappointing Presiding Municipal Judge Christopher Randall, increasing his hourly compensation and approving a Presiding Municipal Judge Services Agreement.

Council Bill 21-2011 was introduced on first reading by Mr. Stites.

Motion by Mr. Stites to approve Council Bill No. 21-2011, on first reading, order it published, public hearing set for Monday, June 27th at 7:00 p.m. in City Council Chambers and that it take effect upon adoption at second reading; seconded by Mr. Reinhart; carried 7-0.

DECISIONS, RESOLUTIONS, AND MOTIONS

5. Resolution 15-2011 – adopting a Debt Policy and Unrestricted Fund Balance Policy.

Resolution 15-2011 was introduced by Mrs. Jay.

Motion by Mrs. Jay to approve Resolution 15-2011, a resolution embracing the City's financial stability and unrestricted fund balance with the following amendment: That spending below the targeted 25% unrestricted fund balance will require a majority vote of City Council unless such use reduces the balance below the 17% level, in which case approval would require a super-majority vote of Council; seconded by Mrs. Sang; carried 6-1 with Mr. DeMott voting No.

6. Resolution 16-2011 – amending the Fiscal Year 2011 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$40,000 for the Wheat Ridge Business District (WRBD) Revitalization Incentive Grant Program.

Motion by Mr. DeMott to approve Resolution 15-2011; seconded by Mr. Stites;

Janeece Hoppe spoke in support of funding for Business District grant program as an appointed member of the Wheat Ridge Business District emphasizing the program provides matching grant funds to businesses throughout the City, not just along 38th Avenue. Ms. Hoppe reported the District has issued 12 grants in the past year for a total grant amount of \$72,244 for a total estimated project cost of \$632,662. Another six grants are pending award with the district. Ms. Hoppe decided to locate her current business in the City of Wheat Ridge partly due to the availability of these grants and believes the program is an effective means to improve the business community and attract other strong businesses.

John Marriott, chairperson of Wheat Ridge Business District, emphasized the importance of the district's role as the economic development program for the City. He encouraged Council further support their programming by approval of the proposed funding from the City of Wheat Ridge to the Business District. However, he asked Council, rather than trying to manage the program from the City Council, to continue utilizing the voice of the Council-appointed citizens and Council membership on the District board to appropriately direct the use of the District's funding.

Motion by Mr. Reinhart to amend Resolution 16-2011 with the following conditions:

Prior to the release of funds the Wheat Ridge Business District will provide the city manager with:

1. A full accounting of the prior expenditures including log of funds received, the amount, names and addresses of prior grants, administrative fees and current balance.
2. A written statement from the business district board agreeing to the following conditions:
 - a. Maximum grant award
 - i. \$3,000 cap for a sign
 - ii. \$6,000 cap for a façade
 - iii. \$2,000 cap for architectural design
 - b. Applicant shall always spend funds equal to or greater than the Business District Grant.
 - c. No more than two grants may be made to any one land owner or their immediate family member.

Seconded by Mrs. Jay;

Motion to amend the amendment by Mr. Reinhart to allow a 10% increase to the previously stated grant caps if the project uses Wheat Ridge contractors, in accordance with current Wheat Ridge Business District practice; seconded by Mrs. Jay; fails 4-3 with Council Members Berry, Jay and Reinhart voting Yes.

First amendment to Resolution 16-2011 by Mr. Reinhart carried 4-3 with Council Members DeMott, Stites and Sang voting No.

Motion by Mr. Stites to amend Resolution 16-2011, increasing the funding amount from \$40,000 to \$75,000; seconded by Mrs. Sang;

Mr. Marriott answered Council questions pertaining to the backlog of funding requests for grant funds, as justification for the increase in City funding. The District has recently approved two additional grants, bringing the funding balance to zero. Month by month requests cannot be foreseen. They expect the same pace of requests as in the past, with an increase expected over the construction season.

Amendment by Mr. Stites failed 4-3 with Council Members DeMott, Stites and Sang voting Yes.

Ms. Berry called the question; call failed 4-3 with Council Members Berry, Adams, Jay and Reinhart voting Yes (requires a super-majority, 6 votes, for approval).

Motion by Mr. Stites to reconsider the vote on Mr. Reinhart's second amendment to the Resolution; seconded by Mr. DeMott; carried 4-3 with Council Members Berry, Adams and Sang voting No.

Motion by Mr. Stites to amend Resolution 16-2011 allowing an additional 10% grant for applicants using Wheat Ridge contractors or businesses; seconded by Mr. Reinhart and Mrs. Sang; carried 5-2 with Council Members Berry and Adams voting No.

Motion by Mr. Stites to amend Resolution 16-2011 increasing the funding amount from \$40,000 to \$55,000; seconded by Mr. DeMott; carried 4-3 with Council Members Berry, Adams and Jay voting No.

Main motion to approve Resolution 16-2011 as amended carried 6-1 with Mrs. Sang voting No.

7. Resolution 19-2011 – approving the Jefferson County Multi-Jurisdictional, Multi-Hazard Mitigation Plan.

Motion by Ms. Berry to approve Resolution 19-2011; seconded by Mr. DeMott; carried 7-0.

8. Motion to award RFB-11-21, for the purchase of a Street Sweeper, to OJ Watson, Denver, Colorado, at a total cost of \$157,300.

Motion by Mr. DeMott to award RFB-11-21, for the purchase of a Street Sweeper, to OJ Watson, Denver, Colorado, at a total cost of \$157,300; seconded by Mrs. Jay; carried 5-2 with Council Members Stites and Sang voting No.

9. Motion to approve appointment of Amanda Deerr to the Parks and Recreation Commission – District I.

Motion by Mr. Reinhart to appoint Amanda Deerr to the Parks and Recreation Commission – District I, term to expire March 2, 2013; seconded by Ms. Berry; carried 7-0.

10. Motion to extend the employment contract for the City Manager.

Motion by Mrs. Jay to extend the current employment contract for the City Manager for a period of one month beyond its current expiration date; seconded by Mr. Reinhart; carried 7-0.

ELECTED OFFICIALS' MATTERS

Mr. Snow announced the participation of the Clerk's Office in the June 28th Candidate's Education Night sponsored by Wheat Ridge 2020, The White House Project and Jefferson County Association of Realtors. The Potential Candidate's Forum currently scheduled by the Clerk's Office for July 7th will be rescheduled to a date later in July and will provide more in-depth information on the legal and organizational requirements for a campaign. All citizens interested in running for office or their campaign officers are encouraged to attend these events.

EXECUTIVE SESSION

City Manager Evaluation

Executive Session was not held due to the Council's temporary extension of the City Manager's employment contract.

Meeting adjourned at 8:00p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON June 27, 2011 BY A VOTE OF 5 to 0



Tracy Langworthy, 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.