

# CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

September 12, 2011

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

Council Member Karen Berry was absent.

## APPROVAL OF MINUTES OF August 22, 2011

Motion by Mr. Stites for approval of the Minutes of August 22, 2011; seconded by Mr. Reinhart; carried 7-0.

## PROCLAMATIONS AND CEREMONIES

Mayor's Presentation to Jefferson Center for Mental Health

Mayor DiTullio received a check from Tom Currigan, Director of Community and Local Government Relations for Kaiser Permanente and Creigh Kelley, Race Director of the Colfax Marathon. This was because the City of Wheat Ridge's running team finished the event in the top ten.

Mayor DiTullio then donated the winnings to Jeanne Oliver on behalf of the Jefferson Center for Mental Health.

## CITIZENS' RIGHT TO SPEAK

**Tracy Guildner** spoke on behalf of her campaign for the District IV City Council seat. Ms. Guildner currently serves on the Planning Commission and is a fourth generation Wheat Ridge citizen. She is committed to not oppose ideas based on who holds them and she feels elected officials should listen to each other and not just talk to each other. Call Ms. Guildner at 720-297-0123 should you want to speak with her.

**Autumn Ehrhardt** spoke on behalf of the Wheat Ridge High School Theater fall play. This year they are performing Louis Carrole's "Alice In Wonderland". Ms. Ehrhardt welcomes all members of the community to come see the play. The community can also support the Theater Group by advertising in the program and attending a show. Shows are December 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> and the tickets cost \$9 per seat.



**Dick Matthews** spoke on behalf of the USA Pro-Cycling Challenge by contending that Wheat Ridge was not showcased well enough for such a big event. Mr. Matthews feels that should the event come through Wheat Ridge again next year that the City should take advantage of the opportunity with banners, signs, and events may be planned.

**Monica Duran** announced her candidacy for District I City Council and asked voters for their support. She promises a commitment to the citizen's interests and to bring forward fresh ideas.

**Maureen Keller** announced she is running for City Clerk. Ms. Keller retired after 30 years as a journalist and managing editor for a newspaper in San Diego. She asked for support from the public by voting for her.

### **PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

1. Council Bill 25-2011 - approving a Planned Commercial Development (PCD) Specific Outline Development Plan on property located at 7495 W. 29<sup>th</sup> Ave. (Case No. WZ-11-04/MCPN).

Mayor DiTullio opened the public hearing.

Council Bill 25-2011 was introduced on second reading by Mr. Reinhart. City Clerk Michael Snow assigned Ordinance No. 1499.

Mr. Johnstone provided the staff report (amended to this packet)

**David Myers** and **Dr. Barry Martin** with Metro Community Providers Network (MCPN), spoke on behalf of the applicant. MCPN currently serves 7-8% of the Wheat Ridge community even though they do not have a presence in the City. They are excited to build a new facility that serves those residents even better. The campus will house family medicine, dentists, and senior care services. Mr. Myers hopes to show they are a good neighbor that is sensitive to the needs of the community, city and the citizens.

**Stacy Root** project architect, shared additional details of the site's design. Their goal is to illuminate the park-like design with intent to preserve three of the very mature trees on the site. The building will be placed close to the street setbacks in order to minimize the proximity to the residential neighbors to the east and north. Fencing will be provided along the east boundary of the property, as requested by the neighbors, to shield their homes from interference from the site.

**Ted Heyd** spoke on behalf of LiveWell Wheat Ridge, first thanking MCPN for their efforts to collaborate with members of the community to design a beneficial project. In support of the project, LiveWell Wheat Ridge serves as an important safety net to some members of the community that otherwise struggle to attain needed medical services. Mr. Heyd also believes the new medical development would bring needed jobs to the City and would also offer an aesthetic improvement to the site.

**Louise Canjar** was unable to attend the July Planning Commission hearing and thanked the Commission and staff for removing the road access to 30<sup>th</sup> Avenue and Webster Streets.

The MCPN representatives answered citizen and Council questions, indicating that a fence was not to be built along the north boundary of the site. Also, because the site is being funded partly through Federal funds, this assures that the site cannot be vacated at any time in the near future. Last, MCPN is pursuing Gold LEED standards, which adhere to high sustainability standards in its building.

Mayor DiTullio closed the public hearing.

Motion by Mr. Reinhart to approve Council Bill 25-2011 (Ordinance 1499) on second reading and that that if take effect 15 days after final publication; with the following condition:

1. The applicant continues working with the Public Works Department to resolve drainage design on the site.

Seconded by Mr. DeMott and Mrs. Sang; carried 7-0.

Mayor DiTullio called for a five minute break at 7:46pm., reconvening at 7:51pm.

2. Council Bill 24-2011 – concerning appeals from decisions of the Director of Public Works.

Mayor DiTullio continued the public hearing.

Council Bill 24-2011 was introduced on second reading by Mr. Reinhart. City Clerk Michael Snow previously assigned Ordinance No. 1497.

Mr. Dahl stated that the particular decisions that can be taken to the Board of Adjustment must follow final approval of a project by the Planning Commission and City Council.

No citizens were present to speak on the item.

Mayor DiTullio closed the public hearing.

Motion by Mr. Reinhart to approve Council Bill 24-2011 (Ordinance 1497) on second reading and that that if take effect 15 days after final publication; second by Mrs. Adams; carried 7-0.

3. Council Bill 27-2011 – amending the Wheat Ridge Code of Laws concerning Annexation of Real Property to the City.



Mayor DiTullio opened the public hearing.

Council Bill 27-2011 was introduced on second reading by Mrs. Jay. City Clerk Michael Snow assigned Ordinance No. 1500.

No staff report was given.

No citizens were present to speak on the item.

Mayor DiTullio closed the public hearing.

Motion by Mrs. Jay to approve Council Bill 27-2011 (Ordinance 1500) on second reading and that that if take effect 15 days after final publication; second by Mrs. Sang; carried 7-0.

#### **DECISIONS, RESOLUTIONS, AND MOTIONS**

4. Resolution 27-2011 –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.

Resolution 27-2011 was introduced by Mr. DeMott.

Per Mr. Dahl this Resolution was noticed as a Public Hearing because this is how these types of Resolutions have always been handled in the past.

Mayor DiTullio opened the public hearing.

No staff report was given.

No citizens were present to speak on the item.

Mayor DiTullio closed the public hearing.

Motion by Mr. DeMott to approve Resolution 27-2011; seconded by Mrs. Langworthy; carried 7-0.

5. Motion to approve payment to Insight Public Sector in the amount of \$51,618.51 for the Annual Renewal of the Microsoft Enterprise Agreement.

Motion by Mr. Stites approve payment to Insight Public Sector in the amount of \$51,618.51 for the Annual Renewal of the Microsoft Enterprise Agreement; seconded by Mr. Reinhart; carried 7-0.

6. Resolution 29 -2011 – approving a Right-Of-Way Purchase, Maintenance and Access Agreement with Enayatallah Boroumand (Panda King) and amending the Fiscal Year 2011 Capital Investment Program Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$42,221 for the purchase of the Right-Of-Way.

Resolution 29-2011 was introduced by Mrs. Sang.

Motion by Mrs. Sang to approve Resolution 29-2011, in a form approved by the City Attorney, in an amount of \$42, 221; seconded by Mr. Reinhart; carried 7-0.

7. Resolution 28-2011 - amending the Fiscal Year 2011 Police Investigations Seizure Fund Budget to reflect the approval of a Supplemental Budget appropriation in the amount of \$9,250 for the addition of supplemental cabinetry for the Police Training Room.

Resolution 28-2011 was introduced by Mr. Stites.

Motion by Mr. Stites to approve Resolution 28-2011; seconded by Mr. Reinhart; carried 7-0.

### **CITY MANAGER'S MATTERS**

Mr. Goff stated that the 2012 Proposed Budget is completed and available for review on the city website at [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us). The Public Hearing for the budget before City Council is slated for September 26, 2011 with adoption scheduled for October 10, 2011.

Mr. Goff would also like to thank Weston Solutions who is the master developer for the Urban Renewal project at 44<sup>th</sup> Avenue and Wadsworth Boulevard. They were in town last Friday for a "giving back" event to the community. They were at the Fruitdale School that the Wheat Ridge Housing Authority purchased last spring and helped clean up the school to get it ready for the future.

### **ELECTED OFFICIALS' MATTERS**

City Clerk Michael Snow: all mail-ballot election, all registered Active and Inactive voters will be sent a ballot. Also please attend the upcoming Election Forum on September 29, 2011, 7:00 pm at City Hall, or citizens may watch live on Government Access Channel 8.

Mrs. Jay stated that the Wheat Ridge 2020 sponsored mid-century and modern home tour is coming up on September 24, 2011.

Mr. DeMott told the story of the annual blue vs. gray softball game at this year's Carnation Festival where off-duty Wheat Ridge Police officers play the Silver Foxes



Softball team and apparently they didn't finish the game. It turns out this was because there was a missing child in Wheat Ridge and the off-duty officers left the game to go search for the child. A special thanks from Mr. DeMott to all the members of the very dedicated department.

Mrs. Adams reminded the citizens that this weekend is the annual Farmer's 5000 5K run where the proceeds fund various Wheat Ridge High School programs. Mrs. Adams encouraged all to participate and support our high school.

Mr. Reinhart commended our Police and those community service officers who served and perished in the events of 9/11/2001.

Mayor DiTullio listed the candidates that are running for City offices this November. Information may be found on our website regarding district boundaries and the candidates.

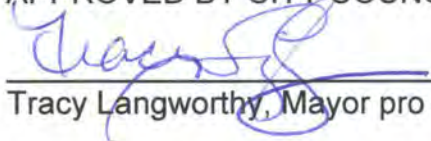
Mayor DiTullio echoed the sentiments from Council Members DeMott and Reinhart regarding our police department. Wheat Ridge Police Department attained National Accreditation which makes them part of only 10% of police departments nationwide to earn this distinction.

Meeting Adjourned at 8:16pm



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON September 26, 2011 BY A VOTE OF 7 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.