

CITY COUNCIL MINUTES

**CITY OF WHEAT RIDGE, COLORADO
7500 WEST 29TH AVENUE, MUNICIPAL BUILDING**

March 11, 2013

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m.

ROLL CALL OF MEMBERS

Joyce Jay Mike Stites
Joseph DeMott George Pond Kristi Davis

Absent: Davis Reinhart, Bud Starker, and Tracy Langworthy

Clerk Shaver reported that Councilmembers Reinhart, Starker and Langworthy are in Washington D.C. attending the National League of Cities Conference.

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; Police Chief, Daniel Brennan; Administrative Services Director, Heather Geyer; Community Development Director, Ken Johnstone; and interested citizens.

APPROVAL OF MINUTES OF February 28, 2013

Motion by Mr. Stites for approval of the Minutes of February 28, 2013; seconded by Mr. De Mott; carried 5-0.

CITIZENS' RIGHT TO SPEAK none

APPROVAL OF THE AGENDA

1. CONSENT AGENDA

- a. Motion to approve payment to All Copy Productions, Inc. in an amount not to exceed \$70,000 for the second year of the multi-function copier lease.
- b. Motion to approve additional engineering services from Martin and Martin Consulting Engineers for the 32nd Ave. Widening Project in the amount of \$90,850.
- c. Motion to award the RFQ-JN-13-09 CDOT Inspection Coordinator Contract with Vision Land Consultants, Inc., for the 32nd Ave. Widening Project in the not-to-exceed amount of \$45,590, and to approve a contingency amount of \$27,000.

d. Motion to amend the RFQ-JN-12-24 Kipling Trail Design Contract to Bohannon Huston, Englewood, CO in the total amount of \$168,000 and that the Director of Public Works be authorized to issue change orders up to a total contract and contingency amount of \$405,533.02

Ms. Davis introduced the Consent Agenda.

Motion by Ms. Davis to approve the consent agenda; seconded by Mr. Stites; carried 5-0

EMERGENCY ORDINANCE

2. Council Bill 06-2013 – An Ordinance imposing a temporary moratorium on the submission, acceptance, processing, and approval of applications for a permit or license for any marijuana establishment or marijuana club and declaring an emergency

Mr. Stites introduced Council Bill 06-2013.

City Clerk Shaver assigned Ordinance No. 1533

Motion by Mr. Stites to approve Council Bill No. 06-2013, an ordinance imposing a temporary moratorium on the submission, acceptance, processing, and approval of applications for a permit or license for any marijuana establishment or marijuana club and declaring an emergency; seconded by Mrs. Jay; carried 5-0.

ORDINANCES ON FIRST READING

3. Council Bill 03-2013 – An Ordinance amending the Cable Television Franchise Agreement between the City of Wheat Ridge, Colorado and Comcast of Colorado IV, LLC, to extend the term of the Franchise

Mr. Pond introduced Council Bill 03-2013.

The City's cable television franchise expires On April 1, 2013. Extending the current franchise agreement until December, 2014, while Denver and Aurora go through their negotiations with Comcast, is in the best interest of Wheat Ridge.

Motion by Mr. Pond to approve Council Bill No. 04-2013, an ordinance amending the Cable Television Franchise Agreement between the City of Wheat Ridge, Colorado and Comcast of Colorado IV, LLC, to extend the term of the franchise on first reading, order it published, public hearing set for Monday, March 25 at 7 p.m. in City Council Chambers, and that it take effect fifteen days after final publication; seconded by Mr. Stites; carried 5-0.

4. Council Bill 05-2013 – An Ordinance approving the Rezoning of property located at 6700 W. 44th Ave. from Restricted Commercial (RC) to Mixed Use-Neighborhood (MU-N) (Case No. WZ-13-01/Camaros Plus)

Mrs. Jay introduced Council Bill 04-2013.

The proposed rezoning of these two parcels (1.03 acres) will expand possible uses for the property. The applicant proposes to relocate his automotive restoration business to the east side of the existing building. This use would require review for a Conditional Use Permit (CUP). Other than improvements to fencing and landscaping, no new development is proposed.

Motion by Mrs. Jay to approve Council Bill No. 05-2013 an ordinance approving the rezoning of property located at 6700 W. 44th Avenue from Restricted Commercial (RC) to Mixed Use-Neighborhood (MU-N) on first reading, order it published, public hearing set for Monday, April 8, 2013 at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. DeMott; carried 5-0.

CITY MANAGER'S MATTERS

CITY ATTORNEY'S MATTERS

Mr. Dahl wished all a Happy St. Patrick's Day.

CITY CLERK'S MATTERS

Clerk Shaver wanted the public to know that the Emergency Ordinance tonight on marijuana will go into effect immediately and last until November. All medical marijuana regulations remain in effect; that doesn't change. This moratorium will allow Council the opportunity to see what the state legislature does and watch to see what other cities are doing before we enact our own rules.

ELECTED OFFICIALS' MATTERS

Mike Stites shared the sad news of the recent passing of former Councilman Dean Gokey and offered condolences to this family. Dean will be missed, and it was always a pleasure to work with him. ~ Mr. Stites' positive thing: He saw a lot of people helping each other with the snow this past weekend. He also knows that some neighbors are chipping in together to purchase one snow blower for the group and sharing it.

Joyce Jay reminded folks to the final meeting for the design of the new park at 44th and Kendall. The meeting is this Wednesday, March 13 at 6:30 at the Active Adult Center. This is your final opportunity to give input for the design.

Kristi Davis announced that there will be a town meeting for District 1 and 2 residents on the last Monday in April in the City Council Chambers. Folks will be receiving a postcard about it.

Mayor DiTullio also sends condolences to the Gokey family. The Mayor served with Dean on the City Council. He said Dean studied his Council packet and was always willing to meet with citizens and business owners about issues; he was always willing to compromise for the best interest of the City. Dean was a friend to Wheat Ridge and will be sorely missed.

Meeting adjourned at 7:13 pm


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON March 25, 2013 BY A VOTE OF 5 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.