

# **CITY COUNCIL MINUTES**

CITY OF WHEAT RIDGE, COLORADO  
7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING

December 9, 2013

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

## **APPROVAL OF MINUTES OF November 18, 2013**

**Motion** by Mr. DiTullio for approval of the Minutes of November 18, 2013; seconded by Mr. Starker; carried 7-0, with Mr. Pond abstaining.

## **ROLL CALL OF MEMBERS**

Jerry DiTullio	Bud Starker	Zachary Urban	Kristi Davis
Tim Fitzgerald	George Pond	Tracy Langworthy	Genevieve Wooden

Also present: City Clerk, Janelle Shaver; City Treasurer, Larry Schulz; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Parks Director, Joyce Manwaring; Administrative Services Director, Heather Geyer; other staff, guests, interested citizens.

## **PROCLAMATIONS AND CEREMONIES**

### **Civic Academy Graduation**

Mayor Jay and Council recognized the 18 graduates from the City of Wheat Ridge 2013 Civic Academy class. Civic Academy is an introduction to Wheat Ridge government. Program participants get an up-close look at the why and how of the many services the City provides to its citizens.

Each member was presented with a certificate of completion and a challenge coin identifying them as graduates of the Civic Academy.

The graduates recognized were:

- Mary Apel
- David Balczo
- Jon Berquist
- Lisa Berquist
- Deb Bollig
- John Clark
- Brad Cook
- Maire Daugharty
- Kristine Disney
- Carol Duran

- Maire Daugharty
- Greg Hammerly
- Lisa Hollenbeck (Not present)
- Diana Lopez
- Vicki Ottoson
- John Tanner
- Liz Veeder
- George Wells
- Eric Wilson

#### Rotary Club Donation Presentation

**Kim Graber**, president of the Wheat Ridge Rotary, presented the Mayor with a check for \$3,000, the third of five annual installments for public art and the dog park. She listed a number of projects that the Rotary has been and is currently involved in.

#### CITIZENS' RIGHT TO SPEAK

**Albert Hohl** (Wheat Ridge) thanked the City for televising the Council Meetings. From watching the meetings he first learned about the one lane road - which he likes.

#### APPROVAL OF AGENDA

**Motion** to approve the agenda by Mr. DiTullio; seconded by Mr. Pond; carried 8-0.

#### ORDINANCES ON FIRST READING

1. Council Bill 14-2013 – Revising Chapter 26 Article VIII of the Wheat Ridge Code of Laws concerning Floodplain Control

Mr. Pond introduced Council Bill 14-2013

The proposed revisions to the existing floodplain ordinance amend Chapter 26 Article VIII of our Code. This action will adopt new state regulations adopted by the Colorado Water Conservation Board (CWCB), new floodplain maps and updated language to match current industry standards from the National Flood Insurance Program (NFIP).

**Motion** by Mr. Pond to approve Council Bill No. 14-2013, an ordinance revising Chapter 26 Article VIII of the Wheat Ridge Code of Laws Concerning Floodplain Control, on first reading, order it published, public hearing set for Monday, January 13, 2014, at 7:00 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. Starker; approved 8-0

**DECISIONS, RESOLUTIONS AND MOTIONS**

2. Motion to award ITB-13-26, for the construction of a park at 44<sup>th</sup> and Kendall, to Goodland Construction, Inc. of Golden, CO in the amount of \$901,405.90 with an additional contingency amount of \$90,000

Ms. Davis introduced Item #2

This award includes the base bid amount of \$877,420.90 and Add Alternate #10 in the amount of \$23,985 for a total of \$901,405.90. Alternate #10 includes a second shade shelter, picnic tables and grill.

**Motion** by Ms. Davis to award ITB-13-26, for the construction of a park at 44<sup>th</sup> and Kendall, to Goodland Construction, Inc. for \$901,405.90, with an additional contingency amount of \$90,000; seconded by Mrs. Langworthy; approved 8-0

3. Motion to approve payment to ESRI Inc. in the amount of \$38,000 for the annual license renewal for the Graphical Information System (GIS)

Mr. Urban introduced Item #3

This is a budgeted item. The Environmental Systems Research Institute, Inc. (ESRI) is the sole provider of licensing and support for the City's GIS system. Renewing this contract will maintain and keep our GIS software up to date and provide the proper licenses to use the software. This package also includes software upgrades, bug fixes and patches, plus technical support to implement these software enhancements and fixes. This system maintains engineering, planning, land, and parcel data for the City.

**Motion** by Mr. Urban to approve payment to ESRI, Inc. in the amount of \$38,000 for the annual renewal of the Graphical Information System; seconded by Ms. Davis; approved 8-0

4. Motion to approve City Sponsorship of the 2014 Kite Flite Festival providing a financial contribution of \$3,000

Mr. Starker introduced Item #4

Organizers of the Kite Flite Festival have requested \$3,000 from the City to sponsor the Kids Crafted Kite Competition and provide kites to give away at the event.

**Motion** by Mr. Starker to approve City sponsorship of the 2014 Kite Flite Festival, providing a financial contribution of \$3,000; seconded by Mrs. Wooden.



Mr. DiTullio voiced approval of the event, but noted this is 2013 money being spent on a 2014 project. He noted the Charter requires budget amendments to be done by resolution and suggested postponing this item to the January business meeting and doing it by resolution.

Mr. Goff informed Council that this action does not amend the 2014 budget. It would take unused 2013 money from the Council conference budget and transfer it to another line item and spend it in 2013 for a 2014 event.

Motion by DiTullio to postpone the item to the first meeting in January so it can be done as a resolution to amend the 2014 budget; seconded by Councilmember Urban.

Discussion followed.

Mrs. Langworthy asked if she should abstain because she is the treasurer for the Kite Flite Festival. City Attorney Dahl said she could vote if she doesn't receive any monies for her work. ~ She noted it would be helpful for planners to have the money now to fund publicity for kite classes at WR 5-8 and the DDRC (which also serves Wheat Ridge), and classes for the community. They'd like to expand it for Title 1 schools but need more funds for that.

The motion to postpone failed 2-6, with Councilmembers Wooden, Langworthy, Fitzgerald, Pond, Davis and Starker voting no.

There was a question about what the money will be used for. Mrs. Langworthy informed Council that the City sponsorship is for event day prizes, but they need funds now for publicity for the classes.

Main motion carried 7-1, with Mr. DiTullio voting no.

5. Motion to reappoint Wanda Sang and Michael Snow as members of the Election Commission

Mr. DiTullio introduced Item #5. The Clerk read the title.

The Charter creates an Election Commission whose charge it is to establish election procedures in certain circumstances. Charter Sec. 2.4 provides for the appointment of the Election Commission. The Charter directs that the Election Commission be appointed at the first meeting in December following a regular City election.

**Motion** by Mr. DiTullio to appoint Wanda Sang and Michael Snow as members of the Election Commission, terms ending December 31, 2015; seconded by Mr. Starker; approved 8-0

6. Motion to appoint Silke Popp to the Planning Commission as a Representative of District IV, term to expire March 2, 2015

Mrs. Wooden introduced Item #6. Due to a resignation there is a vacancy for a representative from District IV.

**Motion** by Mrs. Wooden to appoint Silke Popp to the Planning Commission, representing District IV, term to expire March 2, 2015; seconded by Mrs. Langworthy; approved 8-0.

7. Motion to adopt the 2014 Regular City Council Meeting Calendar

Mrs. Langworthy introduced Item #7

The City Council meeting schedule is set by the Council Rules and the City Charter. Due to holidays when the City is closed the following meetings are recommended for cancellation in 2014:

Study Session, January 20<sup>th</sup>, Martin Luther King, Jr. Day  
Study Session, February 17<sup>th</sup>, President's Day  
Regular Council Meeting, May 26<sup>th</sup>, Memorial Day  
Study Session, September 1<sup>st</sup>, Labor Day

**Motion** by Mrs. Langworthy to adopt the 2014 City Council Regular Meeting Calendar as presented; seconded by Mrs. Wooden; carried 8-0.

**Motion** by Mrs. Langworthy to add public meetings on three 5<sup>th</sup> Mondays as follows: March 31- Districts I & II; June 30 - Districts III & IV; Sept 29 - a citywide meeting; seconded by Mr. Pond.

Ms. Davis suggested that the citywide meeting be on March 31 so the public could give input on 38<sup>th</sup> Avenue. Discussion followed.

**Motion** by Mr. DiTullio to amend the 5<sup>th</sup> Monday schedule by setting only the citywide meeting in March and let Council consult their calendars later before deciding the location of the other two public meetings; seconded by Mr. Urban; carried 7-1, with Mr. Fitzgerald voting no.

Discussion followed.

Main motion, as amended, for 5<sup>th</sup> Monday meetings carried 8-0



8. Resolution No. 47-2013 – designating the City Hall Lobby as the Official Public Notice Posting location and the Wheat Ridge Transcript as the Official Newspaper of General Circulation for the City Publications in 2014

Mr. Fitzgerald introduced Item 8.

State statutes require that each municipality annually establish the location for posting public notices and the newspaper in which the notices will be published. It is recommended the City continue to use the Wheat Ridge Transcript and the City Hall Lobby as in previous years.

There were a few questions from the Council and some discussion.

**Motion** by Mr. Fitzgerald to approve Resolution No. 47-2013, a resolution designating the City Hall Lobby as the official public notice location and the Wheat Ridge Transcript as the official newspaper of general circulation for City publications in 2014; seconded by Mr. Starker; approved 8-0

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

Mr. Goff shared some items of good financial news. Through November the annual general fund revenues are up 4.8 %. Three residential projects pulled their permits early which provided extra revenue, and sales tax revenues are up about 4%.

Mr. Goff also announced the City is a partner in a grant award. The Colorado Health Foundation awarded the Jewish Family Service a 3- year award of just under \$1M to implement a naturally occurring retirement community pilot project in Wheat Ridge. The funds will be used to pay for many of the same services provided in the community through the Seniors Resource Center and the Jefferson Center for Mental Health.

### **CITY ATTORNEY'S MATTERS**

### **CITY CLERK'S MATTERS**

### **ELECTED OFFICIALS' MATTERS**

**Jerry DiTullio** distributed paperwork containing the wording for motions to add items to future agendas.

Motion by Mr. DiTullio to add a quick discussion to a study session in January 2014 concerning the funding of a part-time staff person to work with the Wheat Ridge Historical Society; seconded by Mr. Urban.

Comments and discussion followed.

Motion by Mr. Starker to amend Mr. DiTullio's motion by striking the word "January" and replacing it with the words "at the earliest practical time"; seconded by Mr. DiTullio. More discussion and questions followed.

Motion tied 4-4, with Councilmembers Pond, Langworthy, Wooden and Davis voting no. The Mayor voted no and the motion failed.

Main motion to discuss a part-time position for the Historical Society failed 2-6, with Councilmembers Wooden, Langworthy, Fitzgerald, Pond, Davis and Starker voting no.

Motion by Mr. DiTullio to add a discussion to the next available study session in 2014 concerning the additional funding and expansion of the senior circulator bus in Wheat Ridge with the Seniors Resource Center (SRC); seconded by Councilmember Urban. Council comments followed.

Motion failed 3-5 with Councilmembers Wooden, Fitzgerald, Pond, Davis, and Starker voting no.

Mr. DiTullio read from his application for appointment to the WR Housing Authority citing his background and knowledge of local government and the WRHA, being a founding member of the Authority, his commitment to the rehabilitation of single-family housing stock in eastern Wheat Ridge and his involvement with the purchase of the Fruitdale School.

**Bud Starker** congratulated the folks attended the Civic Academy. He encouraged people to consider applying for a board or commission. He wished all Happy Holidays.

**Zachary Urban** noted he toured the twin tunnel project on I-70 near Idaho Springs last week. He thanked the workers for finishing the project on time and under budget. ~ He also said he enjoyed the festivities with the tree lighting last night. ~ He thanked the people who took time to do the Civic Academy and wished everyone a Merry Christmas.

**Kristi Davis** congratulated the Civic Academy class. ~ She encouraged people to apply for a board or commission. ~ She thanked her neighbors and community members for support to her and her family. ~ Happy Holidays and it's very important to spend time with your family.

**George Pond** thanked the folks who participated in the Civic Academy -- noting he went through the Civic Academy and thanked staff for their work on it. ~ He's happy about all the activity in town and wished all Happy Holidays.

**Tim Fitzgerald** thanked staff, WR2020, Lutheran Hospital, and WR Cyclery for the lighting festivities. ~ He encouraged folks to be involved in the City. ~ Merry Christmas.


**Tracy Langworthy** thanked the folks for participating in the Civic Academy. She was in the very first class when it took longer, so she appreciates the commitment involved. ~ She appreciates the folks who braved the cold temperatures to come to the lighting festivities. ~ Be safe during the holidays.

**Genevieve Wooden** wished everyone Happy Holidays and Happy New Year. ~ She thanked the folks who came out in the cold weather last night. ~ She said WR2020 would be having their annual meeting this Thursday.

**Mayor Jay** thanked those who came out last night. ~ She encouraged folks to do their Christmas shopping in Wheat Ridge. ~ ~ She thanked everyone for helping her through the meetings and wished everyone Happy Holidays.

**Motion** by Councilmember DiTullio to adjourn; seconded by Councilmember Starker; carried 8-0.

Meeting adjourned to Study Session at 8:23 pm

  
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Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON January 13, 2014 BY A VOTE OF 8 to 0

  
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Kristi Davis, 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.