

# CITY COUNCIL MINUTES

## CITY OF WHEAT RIDGE, COLORADO

April 14, 2008

Mayor DiTullio called the Regular City Council Meeting to order at 7:01 p.m. Councilmembers present: Karen Adams, Karen Berry, Dean Gokey, Tracy Langworthy, Lena Rotola, Wanda Sang, Mike Stites, and Terry Womble. Also present: City Clerk, Michael Snow; City Manager, Randy Young; City Attorney, Gerald Dahl; Director of Community Development, Kenneth Johnstone; Director of Public Works, Tim Paranto; staff; and interested citizens.

### APPROVAL OF MINUTES OF March 3 and March 24, 2008

Motion by Mrs. Sang for approval of the Minutes of March 24, 2008; seconded by Mr. Stites; carried 7-1, with Mr. Gokey abstaining due to his absence.

Motion by Mrs. Sang for approval of the Minutes of March 3, 2008; seconded by Mr. Stites; carried 8-0.

### PROCLAMATIONS AND CEREMONIES

City Clerk Michael Snow read the Proclamations for:

Crime Victims Week

LiveWell Wheat Ridge

Proclamation for Month of the Military Child

Award Presentation by David Holland for 6-8<sup>th</sup> Grade Essay Awards

### CITIZENS' RIGHT TO SPEAK

**Claudia Worth** spoke to Council as Vice President of the Wheat Ridge Historical Society. Mrs. Worth asked when Council will be having a proper Hearing on the application of Historic Designation for the preservation of the Olinger Mansion at 7495 W. 29<sup>th</sup> Ave?; She cited the Charter requirements for such hearing and that she only heard the item was on the agenda when attending the pre-meeting; Also, she mentioned the Item was never added to the Agenda; Mrs. Worth issued a complaint that the Property owners of the Olinger property began demolition of the inside of building without a permit; only after citizen complained did they obtain such a permit; Mrs. Worth asked Council that the Historic application item be added to a future council agenda and to enforce the Charter and ordinances regarding Ordinance and Zoning actions. Mrs. Worth asked that her statement letter be submitted as public record and provided a copy to the City Clerk.

**Kenny Ortiz** of Denver spoke to Council regarding park curfew regulations. Mr. Ortiz, being a bicyclist and a regular bike commuter working two jobs, was issued a citation for riding the Clear Creek Trail after hours on his commute home from work recently. Mr. Ortiz indicated his only opportunity to ride is after hours, that he's been commuting on Clear Creek trail for many years, and is concerned that he can no longer use the trail for commuting after hours. He now has to ride the streets to work and is subjected to much greater dangers on the road. What's more, he believes the curfew regulation is arbitrarily enforced and asked Council to consider the implications of such regulations.

**Tom Meiers** thanked Mayor DiTullio for his support of Relay for Life and handed out fliers to Council. The Kickoff Event takes place April 17, 2008 from 2:30-6:30pm in the Wheat Ridge High School cafeteria. Mr. Meiers encouraged Council and citizens to participate.

### **APPROVAL OF AGENDA**

Motion by Mr. Stites to move Item 5 to Consent Agenda Item 1.D and to add an Item 8, appointment of Brian Hansen to Dist 2 Cultural Commission; seconded by Mrs. Sang and Mrs. Rotola; carried 8-0.

Item 1.        **CONSENT AGENDA**

- A. Approval of Award SOQ-08-12 Annual Surveying/GIS On-Call Services to various firms.
- B. Approval of Award of RFP-08-11 On-Line Map Location Project to Sixtus Publishing, Colorado Springs, in the not-to-exceed amount of \$50,000.
- C. Approval of City Contributions to Outside Agencies for Fiscal Year 2008 in the amount of \$10,000.
- D. RESOLUTION 19-2008 - A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WHEAT RIDGE AND THE JEFFERSON COUNTY E-911 AUTHORITY BOARD CONCERNING THE JEFFERSON COUNTY COMBINED INCIDENT DISPATCH TEAM.

Consent Agenda was introduced and read by Mr. Stites.

Motion by Mr. Stites for approval of the Consent Agenda Items A-D; seconded by Mrs. Sang; carried 8-0.

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

- Item 2.        COUNCIL BILL 02-2008 – ORDINANCE 1408 – AN ORDINANCE AMENDING WHEAT RIDGE CODE OF LAWS SECTION 26-711, CONCERNING BILLBOARDS IN THE B-2 BILLBOARD DISTRICT AND REPEALING SECTION 26-711.B.  
(Public Hearing continued from 2/25/2008 with new public notice published for the continuation of the public hearing on 4/14/2008).

Mayor DiTullio opened the public hearing.

Council Bill 02-2008 (Ordinance 1408) was introduced by Ms. Berry on second reading.

Mr. Johnstone presented the staff report and recommended postponement, for one of other reasons, that key Billboard company representatives could not be in attendance.

Mayor DiTullio closed the public hearing.

Motion by Mrs. Berry to continue the Public Hearing on this item to the June 9, 2008 Council Meeting; seconded by Mr. Gokey; carried 8-0.

### **ORDINANCES ON FIRST READING**

Item 3. COUNCIL BILL 08-2008 – AN ORDINANCE AMENDING CHAPTER 17 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING ALCOHOLIC BEVERAGES IN PARKS AND RECREATION AREAS.

Council Bill 08-2008 was introduced on first reading by Mrs. Sang

Motion by Mrs. Sang to approve Council Bill 08-2008 on first reading, order it published, public hearing set for Monday, April 28, 2008 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mr. Gokey and Mr. Womble; carried 8-0.

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

Item 4. RESOLUTION 18-2008 - A RESOLUTION AMENDING THE FISCAL YEAR 2008 CAPITAL INVESTMENT FUND BUDGET TO REFLECT THE APPROVAL OF A SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF \$325,000 FOR THE PURPOSES OF APPROVING AN AGREEMENT BETWEEN THE CITY OF WHEAT RIDGE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT FOR DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR THE ARVADA CHANNEL AND THE RIDGE ROAD TRIBUTARY GLASS BOTTLE AMENDMENT.

Resolution 18-2008 was introduced by Mrs. Langworthy.

Motion by Mrs. Langworthy to approve Resolution 18-2008; seconded by Mr. Womble.

Mr. Paranto presented the Staff report in PowerPoint (included in this packet) illustrating the drainage projects proposed.

Motion by Mrs. Langworthy carried 8-0.

Item 5. Item moved to Consent Agenda Item 1.D.

Item 6. RESOLUTION 20-2008 – A RESOLUTION AMENDING THE FISCAL YEAR 2008 GENERAL FUND BUDGET TO REFLECT THE APPROVAL OF A SUPPLEMENTAL BUDGET APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$15,000 FOR THE PURPOSE OF SOLICITING A PROFESSIONAL SERVICES CONTRACT TO DEVELOP A BILLBOARD IMPACT FEE STUDY.

Resolution 20-2008 was introduced by Ms. Berry.

Motion by Ms. Berry to approve Resolution 20-2008 – A Resolution Amending the Fiscal Year 2008 General Fund Budget to Reflect the Approval of a Supplemental Budget Appropriation in an Amount not to exceed **\$10,000**.

I Further Move that prior to executing the Professional Studies contract, the contract be brought to a Study Session before City Council prior to June 9, 2008.

Seconded by Mrs. Rotola.

Mr. Johnstone presented the Staff report.

Motion failed 4-4 with Council Members Womble, Sang, Gokey and Langworthy voting No and Council Members Adams, Berry, Rotola and Stites voting Yes.

Item 7. Appointment to Planning Commission.

Motion by Mrs. Rotola to appoint **John Dwyer** to the **Planning Commission, District IV**; term to expire March 2, 2011; seconded by Mrs. Langworthy; carried 8-0.

Item 8. Appointment to Cultural Commission.

Motion by Mrs. Sang to appoint **Brian Hansen** to the **Cultural Commission, District II**, term to expire March 9, 2009; seconded by Mr. Womble; carried 8-0.

### **ELECTED OFFICIALS' MATTERS**

City Clerk Michael Snow reminded citizens that all City Clerk Records are available online for viewing and download via the Weblink on the City Clerks website or by visiting <http://weblink.ci.wheatridge.co.us> . Mr. Snow also announced a "Council Documents Listserv", whereby people interested may receive all Agendas and Minutes of City Council meetings via email. To be added to this distribution list, contact the Clerk's office at 303-235-2823 or email your name and email address to [msnow@ci.wheatridge.co.us](mailto:msnow@ci.wheatridge.co.us).

Mrs. Adams wished our Wheat Ridge High School Prom attendees a safe and enjoyable experience this weekend. Wheat Ridge High School Prom will be April 18, 2008.

Mr. Stites commented that Council members are members of the city and community too; that he votes on issues based on the facts and figures and makes decisions based on what is best for the citizens and business and community as a whole. Mr. Stites asserted that he will not be bullied, intimidated or threatened into voting differently. As always, Mr. Stites urged citizens to "find it and buy it" in Wheat Ridge.

Mr. Womble issued his thanks and appreciation for citizens volunteering on Boards & Commissions and for their other contributions to the community.

Mrs. Sang agreed with Mr. Stites' comments.

Motion by Mrs. Sang to direct Mr. Goff to bring to Council the cost of the new chairs for the Council Dais to the next Regular Council meeting; seconded by Mr. Gokey; carried 8-0.

Ms. Berry wished Fire Chief Jim Payne a speedy recovery and that her thoughts are with him and his family.

Mrs. Rotola also wished Fire Chief Jim Payne a strong and speedy recovery.

Mayor DiTullio provided a brief update on Fire Chief Jim Payne's progress and expressed his thoughts and prayers for his recovery.

Meeting adjourned at 8:13p.m.

Signed: Michael Snow

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Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON APRIL 28, 2008 BY A VOTE OF   6   to   0  

Signed: Mike Stites

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Mike Stites, 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.