

# CITY COUNCIL MINUTES

## CITY OF WHEAT RIDGE, COLORADO

**February 9, 2009**

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Councilmembers present: Karen Adams, Karen Berry, Dean Gokey, Tracy Langworthy, Lena Rotola, Wanda Sang, Mike Stites, and Terry Womble. Also present: For City Clerk, Michael Snow, Ann Lazzeri; City Manager, Randy Young; City Attorney, Gerald Dahl; City Treasurer, Larry Schulz; Director of Community Development, Kenneth Johnstone; Director of Public Works, Tim Paranto; Director of Parks and Recreation, Joyce Manwaring; Chief of Police, Dan Brennan; Deputy City Manager, Patrick Goff; Assistant to the City Manager, Heather Geyer; staff; and interested citizens.

### **APPROVAL OF MINUTES OF January 26, 2009**

Motion by Mr. Gokey for approval of the Minutes of January 26, 2009; seconded by Mrs. Sang. Motion by Ms. Berry to amend the Minutes on page 5, third paragraph as follows: the words "and West 28<sup>th</sup> Avenue" be stricken; seconded by Mr. Gokey; carried 8-0. Main Motion as amended carried 8-0.

### **PROCLAMATIONS AND CEREMONIES**

Mrs. Wheat Ridge, Karen Thaler, read the Proclamation for 2009 Spay Day Wheat Ridge on February 22, 2009. Mayor DiTullio presented the proclamation to Marina Wilson from Spay Today.

### **CITIZENS' RIGHT TO SPEAK**

Karen Thaler, Mrs. Wheat Ridge, announced that she would be representing the City of Wheat Ridge in the Mrs. Colorado pageant on May 16, 2009. She stated that it was a pleasure and honor to represent the City of Wheat Ridge.

### **Item 1.        CONSENT AGENDA**

- A. Resolution 08-2009 – A Resolution amending the fiscal year 2008 General Fund Budget to reflect the approval of a supplemental budget appropriation to the City of Denver for \$3,558.59 for an overpayment of expenses related to the Democratic National Convention.
- B. Resolution 09-2009 – A Resolution amending the fiscal year 2008 General Fund Budget to reflect the approval of a supplement budget appropriation for the annual sales tax increment payment to the Wheat Ridge Urban Renewal Authority in the amount of \$201,241.

- C. Resolution 10-2009 – A Resolution amending the fiscal year 2008 General Fund Budget to reflect the approval of a supplemental budget appropriation for the Wheat Ridge Cyclery sales tax increment payment to the Wheat Ridge Urban Renewal Authority in the amount of \$12,154.60.
- D. Payment to the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2009 Workers' Compensation premium in the amount of \$270,085.00 and 2009 Property/Casualty Premium in the amount of \$165,450.00.
- E. Approval of the annual assessment fee to the Table Mountain Animal Center to maintain adequate animal shelter support to the Wheat Ridge Police Department and the citizens of the City of Wheat Ridge in the amount of \$25,168.94.
- F. Award renewal contract of RFB-07-11 Activities Guide Printing Services to Publication Printers in the amount of \$39,304.
- G. Award ITB-09-01 2009 Crack Seal Project to Coatings Inc. in the amount of \$52,171.00.
- H. Resolution 11-2009 – A Resolution amending Resolution 01, Series of 2001, A Resolution declaring the need for and establishing a Housing Authority to function in the City of Wheat Ridge, Colorado.

Consent Agenda was introduced and read by Mrs. Sang.

Mrs. Adams requested that Consent Agenda Item H. Resolution 11-2009 be removed for discussion.

Motion by Mrs. Sang for approval of Consent Agenda items A through G; seconded by Mrs. Langworthy; carried 8-0.

Resolution 11-2009 – A Resolution amending Resolution 01, Series of 2001, A Resolution declaring the need for and establishing a Housing Authority to function in the City of Wheat Ridge, Colorado.

Mrs. Adams read the executive summary.

Motion by Mrs. Adams to approve Resolution No. 11-2009; seconded by Mrs. Sang; carried 8-0.

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

Item 2. Council Bill 01-2009 – An Ordinance amending Article IV of Chapter 21 of the Code of Laws of the City of Wheat Ridge entitled Courtesy Bus Benches and Bus Stop Shelters. **(Amended)**

Mayor DiTullio opened the public hearing.

Council Bill 01-2009 as amended was introduced on second reading by Mrs. Rotola. She read the executive summary.

Ann Lazzeri assigned Ordinance No. 1429.

Tim Paranto presented the staff report.

Mayor DiTullio closed the public hearing.

Motion by Mrs. Rotola to approve Amended Council Bill 01-2009 (Ordinance 1429) on second reading and order that it take effect 15 days after final publication; seconded by Mr. Womble.

Motion by Ms. Berry to amend Section 21-124-b of the ordinance to strike the sentence reading: *"The city specifically finds that the exclusion of benches containing advertising from the A-1, A-2, R-1, R-1A, R-1C, R-2 zone districts within the city is necessary to preserve the aesthetic character and integrity of the predominately single family residential homes and neighborhoods established therein"*. At the end of Section. 4, Section 21-128, add: *"Any denial of a courtesy bench location by the Public Works Director can be appealed to City Council in a public hearing."* Seconded by Mrs. Rotola.

Mayor DiTullio called for a short break, then reconvened the meeting.

After clarification by City Attorney and Mr. Paranto, Ms. Berry withdrew her amendment.

Main motion carried 8-0.



**ORDINANCES ON FIRST READING**

- Item 3. Council Bill 02-2009 - An Ordinance amending Chapter 26 of the Code of Laws of the City of Wheat Ridge concerning Zoning District Boundary discrepancies and interpretations.  
(Case No. ZOA-08-06)

Council Bill 02-2009 was introduced on first reading by Mr. Gokey.

Motion by Mr. Gokey to approve Council Bill 02-2009 on first reading, order it published, public hearing set for Monday, February 23, 2009 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mrs. Sang and Mr. Womble; carried 8-0.

- Item 4. Council Bill 03-2009 – An Ordinance amending Article VIII of Chapter 26 of the Code of Laws of the City of Wheat Ridge concerning Floodplain Administrator decision-making authority & Floodplain Development Standards.  
(Case No. ZOA-08-09)

Council Bill 03-2009 was introduced on first reading by Ms. Berry.

Motion by Ms. Berry to approve Council Bill 03-2009 on first reading, order it published, public hearing set for Monday, February 23, 2009 at 7:00 p.m. in the City Council Chambers, and that it take effect 15 days after final publication; seconded by Mrs. Sang; carried 8-0.

- Item 5. Council Bill 04-2009 – An Ordinance amending Article II of Chapter 25 of the Wheat Ridge Code of Laws concerning Urban Renewal.

Council Bill 04-2009 was introduced on first reading by Mr. Stites.

Motion by Mr. Stites to approve Council Bill 04-2009 on first reading, order it published, public hearing set for Monday, February 23, 2009 at 7:00 p.m. in the City Council Chambers, and that it take effect immediately after final publication; seconded by Mrs. Sang; carried 8-0.

**ELECTED OFFICIALS' MATTERS**

Mayor DiTullio announced that Wheat Ridge 2020 Board of Directors will be having a retreat at the end of February. The Mayor and Councilmember Gokey are on the Board as ex officio members. The Board would like to hear from Council on a survey they have drafted. Mayor DiTullio passed out the survey. He asked that the completed surveys be returned to Janice Smothers by Friday at 5:00 p.m., who will compile the surveys into one format. They can also be returned to WR2020, they would like to have them back by Friday. They are also asking that the City Manager and the Mayor complete a survey as well. They will have 10 surveys to review before the Board retreat.

Mr. Gokey expressed appreciation to those individuals who stepped forward to serve on Wheat Ridge Boards and Commissions.

Motion by Mrs. Adams to direct the City Attorney to draft a Resolution regarding policy on applications for all Boards, Commissions, Authorities; seconded by Mr. Gokey on the condition that the matter first be discussed at a Council Study Session; carried 8-0.

Ms. Berry asked for consensus to post the WR2020 survey on the City's website and ask for comments from citizens and summarize their comments. Consensus was 6 in favor.

Mr. Stites expressed appreciation for the kind expressions of sympathy extended to him and his family on the recent death of his mother. He also encouraged citizens to remember to check on their neighbors' welfare. He also reminded citizens to always find it and buy it in Wheat Ridge and check on your neighbors.

Mr. Womble also encouraged citizens to help elderly citizens by picking up trash that has been strewn about by the recent windstorms.

Meeting adjourned at 8:20 p.m.

Minutes were prepared from audio recording by Deputy City Clerk, Christa Jones.



Christa Jones, Deputy City Clerk

APPROVED BY CITY COUNCIL ON FEBRUARY 23, 2009 BY A VOTE OF 8 to 0



Wanda Sang, 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.