

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

November 23, 2009

Mayor DiTullio called the Regular City Council Meeting to order at 7:00 p.m. Councilmembers present: Karen Adams, Karen Berry, Tracy Langworthy, Wanda Sang and Mike Stites. Also present: City Clerk, Michael Snow; City Manager, Randy Young; City Attorney, Gerald Dahl; City Treasurer, Larry Schulz; Chief of Police, Dan Brennan; Assistant to the City Manager, Heather Geyer; staff; and interested citizens.

Also in attendance were newly Elected City Council Members Joyce Jay, Davis Reinhart and Joseph DeMott.

APPROVAL OF MINUTES OF October 26, 2009

Motion by Mrs. Sang for approval of the Minutes of October 26, 2009; seconded by Mr. Stites; carried 5-0.

CEREMONIES

Mayor DiTullio recognized the services of Council Members Gokey, Rotola and Womble and presented them each with a plaque in recognition of their years on Council.

Judge Christopher Randall administered the Oath of Office to Mayor DiTullio.

Mayor DiTullio administered the Oath of Office and seated newly elected or re-elected Council Members Davis Reinhart, Joyce Jay, Mike Stites and Joseph DeMott.

Mayor DiTullio called for a break at 7:08pm; to resume at 7:15pm.

AWARDS

Colorado Association of Chiefs of Police Law Enforcement Executive Certification
Presentation of 3 CMA Awards
Citizen Award to Kyle Bacon
Citizen Award to Grant Collins

CITIZENS' RIGHT TO SPEAK

Liz Telford, Gold Line Project Manager with RTD, provided an update on the RTD Gold Line project.

APPROVAL OF AGENDA

Motion by Mrs. Sang to add to the Agenda as Item #7, Approval of Payment to Code Consultants International for October, 2009 Contract Building Inspections; seconded by Mr. Stites; carried 8-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

1. Council Bill 31-2009 – extending the Moratorium enacted by Section 2 of Ordinance 1453, Series 2009, on the submission, acceptance, processing, and approval of any application for a City of Wheat Ridge Permit or License related to the operation of a business or cooperative that sells or cultivates Medical Marijuana pursuant to the authority granted by Article XVIII, Section 14 of the Colorado Constitution.

Mayor DiTullio opened the public hearing.

Council Bill 31-2009 was introduced by Council Member Langworthy. City Clerk Michael Snow assigned Ordinance No. 1457.

Joseph Jorbin runs a Medical Marijuana dispensary in the City of Wheat Ridge and has plans to open more. He urged the Council not to pass this Ordinance extending the moratorium. It merely prevents him and others from opening another legitimate tax revenue generating business in the City of Wheat Ridge.

Mayor DiTullio closed the public hearing.

Motion by Mrs. Langworthy to approve Council Bill 31-2009 (Ordinance No. 1457) on second reading, and that it take effect 15 days after final publication; seconded by Mr. Reinhart and Mrs. Sang; carried 7-1 with Mr. DeMott voting No.

DECISIONS, RESOLUTIONS, AND MOTIONS

2. Resolution 57-2009 – approving the extension of the Metropolitan DUI Task Force Intergovernmental Agreement through the remainder of 2009 and delegating the Authority to execute such amendments and extensions of term to the City Manager.

Resolution 57-2009 was introduced by Mrs. Langworthy.

Motion by Mrs. Langworthy to approve Resolution 57-2009; seconded by Mr. Reinhart and Mrs. Sang; carried 8-0.

3. Election of Mayor pro tem.

City Clerk Michael Snow announced the nomination by paper ballot of the following Council Members as candidates for Mayor Pro Tem: Davis Reinhart, Wanda Sang and Mike Stites.

Motion by Mr. Stites to elect Council Member Wanda Sang as Mayor Pro Tem, effective immediately, term to expire upon election of her successor; seconded by Mr. DeMott; failed 5-3 with Council Members Stites, DeMott and Sang voting Yes.

Motion by Ms. Berry to elect Council Member Davis Reinhart as Mayor Pro Tem, effective immediately, term to expire upon election of his successor; seconded by Mrs. Adams; carried 6-2 with Council Members Stites and Sang voting No.

4. Ratification of Mayor DiTullio's appointment to the Wheat Ridge Housing Authority.

Motion by Mrs. Sang to ratify the mayoral appointment of Joseph DeMott to the Wheat Ridge Housing Authority; seconded by Mr. Reinhart; carried 8-0.

5. Ratification of Mayor DiTullio's Budget Oversight Committee appointment.

Motion by Mrs. Sang to ratify the mayoral appointment of Joyce Jay to the Citizen Budget Oversight Committee; term to expire November 2010; seconded by Mrs. Langworthy; carried 8-0.

6. Appointment of City Director to the Wheat Ridge Business District.

Motion by Mr. Stites to appoint Council Member Joseph DeMott as a City Director on the Wheat Ridge Business District Board of Directors; seconded by Mrs. Sang; carried 8-0.

7. Motion to Approve Payment to Code Consultants International in the Amount of \$41,310 from Account #01-122-700-704 for October 2009 Contract Building Inspections.

Motion by Mr. Stites to approve payment to Code Consultants International in the Amount of \$41,310 from Account #01-122-700-704 for October 2009 Contract Building Inspections; seconded by Mr. Reinhart; carried 8-0.

ELECTED OFFICIALS' MATTERS

The City Clerk's Office is looking for two Wheat Ridge citizen volunteers to be appointed to the Election Commission. Commissioners will serve a term of two years and may be from any District of the City. If interested, please contact the City Clerk at 303-235-2823.

City Clerk Michael Snow condemned the content of the billboard posted by Phil Wolf of Wolf Automotive in Wheat Ridge. Mr. Snow believes protection of one's First Amendment Rights is paramount in this country and he would always seek first to protect a citizen's right and would encourage their dissent or support of its government officials regardless of their perspective. However, this depiction of President Obama as a mujahid, thereby implying an association as well to the murdering of innocent US citizens, is despicable and pangs of racism, bigotry and ignorance while harming the image of our City, his own business and general progress in our country.

Council expressed a thank you to outgoing Council Members and a warm welcome and congratulations to its newly elected members.

Meeting adjourned at 8:09p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON DECEMBER 14, 2010 BY A VOTE OF 8 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.