

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO

December 14, 2009

Mayor DiTullio called the Regular City Council Meeting to order at 7:01 p.m. Councilmembers present: Karen Adams, Karen Berry, Joseph DeMott, Joyce Jay, Tracy Langworthy, Davis Reinhart, Wanda Sang, and Mike Stites. Also present: City Clerk, Michael Snow; City Manager, Randy Young; Deputy City Manager, Patrick Goff; City Attorney, Gerald Dahl; Senior Planner, Sally Payne; Director of Public Works, Tim Paranto; Director of Parks and Recreation, Joyce Manwaring; Assistant to the City Manager, Heather Geyer; staff; and interested citizens.

APPROVAL OF MINUTES OF November 23, 2009

Motion by Mrs. Sang for approval of the Minutes of November 23, 2009; seconded by Mr. Stites; carried 8-0.

PROCLAMATIONS AND CEREMONIES

Rotary Club Presentation – WRHS Field Contribution

Joyce Manwaring was present to accept a grant of \$3,000 awarded from the Wheat Ridge Rotary Club for the funding of Wheat Ridge Parks cooperative use of the High School athletic fields.

CITIZENS' RIGHT TO SPEAK

Gretchen Cerveny invited Elected Officials in Wheat Ridge to attend the meeting of the Jefferson County Transportation Advocacy and Action Group who is advocating for FASTER funding of transportation needs in the area, including the reconstruction needs of the 32nd & Youngfield intersection. The Group meets the second Wednesday of the month, December 16, 2009.

1. CONSENT AGENDA

- A. Ratification of Mayor DiTullio's Urban Renewal Authority Appointment.
- B. Ratification of Mayor DiTullio's Budget Oversight Committee Appointment.
- C. Resolution 63-2009 – amending the fiscal year 2009 General Fund and Recreation Center Fund to reflect the approval of supplemental budget appropriations in the amounts of \$199,302 and \$105,348, respectively, for the purposes of repairing damage to City assets caused by the July 20, 2009 storm.
- D. Motion to cancel the Wheat Ridge City Council Study Session of December 21, 2009, and the Regular Meeting of December 28, 2009.

Consent Agenda was introduced and read by Mrs. Langworthy.

Motion by Mrs. Langworthy for approval of the Consent Agenda; seconded by Mrs. Sang and Mr. Reinhart; carried 8-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

2. Council Bill 30-2009 – An Ordinance amending Section 11-183 of the Wheat Ridge Code of Laws to require Pawnbrokers to submit electronic records and digital photographs of property and persons who complete pawn transactions in the City.

Public Hearing is continued from the October 26, 2009 City Council Meeting.

Motion by Mrs. Sang to continue the public hearing on Council Bill 30-2009 until January 25, 2010; seconded by Mrs. Langworthy; carried 8-0.

DECISIONS, RESOLUTIONS, AND MOTIONS

3. Resolution 53-2009 – adopting the City Budget and appropriating sums of money to the various funds and spending agencies for the City of Wheat Ridge, Colorado, for the 2010 budget year.

Resolution 53-2009 was introduced by Council Member Stites.

Motion by Mr. Stites to approve Resolution 53-2009, with the following amendment: Transfer \$1,000,000 from the General Fund Budget Undesignated Reserves to the 2010 CIP Budget to appropriate the necessary funding for various street preventative maintenance projects; seconded by Mrs. Sang.

Mary Cavarra, former City Treasurer and current member of the Citizen's Budget Oversight Committee, expressed concern of the dwindling of the City's Budget surplus because, 1. There are no new revenue sources on the horizon for the City and, 2. If any one of the few major retail stores in the City which are our anchor sales tax sources were to close, we would have serious financial problems in the City. Sales tax revenues did not grow in 2005-2007 while neighboring Cities revenues did. Thus, Mrs. Cavarra believes the City cannot count on higher revenues once the economy comes out of the recession.

Motion carried 5-3 with Council Members Berry, Adams and Jay voting No.

4. Resolution 62-2009 – levying general property taxes for the year of 2009, to help defray the costs of government for the City of Wheat Ridge, Colorado, for the 2010 Budget Year.

Resolution 62-2009 was introduced by Council Member Langworthy.

Motion by Mrs. Langworthy to approve Resolution 62-2009; seconded by Mrs. Sang; carried 8-0.

5. Resolution 61-2009 – amending the fiscal year 2009 general fund budget to reflect the approval of a supplemental budget appropriation for additional Contract Building Inspections related to damage from the July 20, 2009 storm to Code Consultants International in the amount of \$56,550.

Resolution 61-2009 was introduced by Council Member Sang.

Motion by Mrs. Sang to approve Resolution 61-2009; seconded by Mrs. Langworthy; carried 8-0.

6. Award of ITB-09-34 38th Avenue and Kipling Street Park to Golden Triangle Construction Inc. in the amount of \$1,513,888 for the purpose of Park Construction.

Motion by Mr. Stites to award ITB-09-34, 38th Avenue and Kipling Park, to Golden Triangle Construction, Inc. in the amount of \$1,513,888, with \$690,000 to be charged to Acct. No. 54-601-800-862 and \$823,888 charged to Acct. No. 32-601-800-862;

I further move to award a contingency amount of \$100,000 to be charged to Acct. No. 32-601-800-862; seconded by Mrs. Sang.

Mrs. Marchese feels the property has been neglected for a long time and needs work. She commended the City for finding ways to creatively fund the park's construction without taking from the City's short revenues through the use of Open Space funds.

Susie Seeds, Parks Commissioner for District 1, recommends approval of the contract award for construction of this park since residents do not have access to a neighborhood park in this area.

Motion carried 7-1 with Council Member Berry voting No.

7. Approval of Contract Award to Design Concepts in the amount of \$30,245 for the purpose of Park Construction, Observation and As-Built Services.

Motion by Mr. Stites to approve the award of a contract to Design Concepts in the amount of \$30,245 for the purpose of park construction, observation and as-built services, to be charged to Acct. No. 54-601-800-862; seconded by Mr. DeMott; carried 8-0.

8. Resolution 59-2009 – adopting amendments to the City of Wheat Ridge Comprehensive Plan concerning the Three-Mile Plan.
(Case No. WPA-08-02)

Resolution 59-2009 was introduced by Council Member Berry.

Motion by Ms. Berry to approve Resolution 59-2009; seconded by Mrs. Langworthy; carried 8-0.

9. Resolution 58-2009 – in support of removing the options identified by the Jefferson County Schools Facilities Usage Committee that directly affect the schools in the City of Wheat Ridge.

Resolution 58-2009 was introduced by Council Member Jay.

Motion by Mrs. Jay to approve Resolution 58-2009; seconded by Mrs. Sang.

Chad Harr, Wheat Ridge Education Committee member, attended the Jefferson County facilities usage meeting where the School District has decreased the list of facilities cuts down to twelve, including removing option 22B, leaving options 21B and 22A. He urged Council to work with neighboring cities to revitalize areas in eastern parts of the County. Closing of Wheat Ridge schools is a detriment to the students, families and businesses in the area and works directly against the City's revitalization efforts.

Motion carried 8-0.

10. Resolution 60-2009 – awarding Bicycle and Pedestrian Master Plan Phase Two in the amount of \$24,950 and in connection therewith, approval of a supplemental budget appropriation in the amount of \$24,950.

Resolution 60-2009 was introduced by Council Member DeMott.

Motion by Mr. DeMott to approve Resolution 60-2009; I further move to award the Bike and Pedestrian Master Plan Phase 2, to Felsburg, Holt & Ullevig, Centennial, CO in the not-to-exceed amount of \$24,950; I further move that all costs associated with this contract be paid from Acct. No. 30-303-800-848, and that these funds be encumbered for the length of the project in accordance with Ordinance #787, 1989 Series; seconded by Mrs. Sang and Mrs. Langworthy; carried 8-0.

ELECTED OFFICIALS' MATTERS

Mrs. Adams urged citizens to participate in the fourth annual Wheat Ridge 2020 Planning Academy. Interested citizens may reach Denise Balkas at dbalkas@wr2020.org. Registration will be open until January 15, 2010.

Mayor DiTullio announced the Building Code Task Force will hold their first meeting in January (date and time has yet to be set).

Motion by Mr. Reinhart to hold an Executive Session for a conference with the City Attorney under Charter Section 5.7(B)(1) and Section 24-72-402(4)(B), C.R.S., specifically to Conference with the City Attorney for legal advice on the water supply to the Richards Hart Estate; I further move to adjourn the regular meeting at the conclusion of the Executive Session; seconded by Mrs. Sang; carried 8-0.

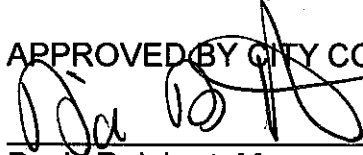
EXECUTIVE SESSION WAS HELD.

Meeting adjourned at 8:37p.m.



Michael Snow, City Clerk

APPROVED BY CITY COUNCIL ON JANUARY 11, 2010 BY A VOTE OF 7 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.