



CITY OF ARVADA

SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD NOVEMBER 3, 2008

AGENDA REVIEW SESSION – 5:30 p.m.

1. Call to Order by Mayor Bob Frie.
2. City Council reviewed this evening's agenda.
3. Executive Session
 - A. Instructions to Negotiators, Pursuant to CRS 24-6-402(4) (e)

Councilmember Williams moved for City Council to go into Executive Session for two items on Instructions to Negotiators, pursuant to CRS 24-6-402(4) (e).

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Azari, Dyer, McGoff, Williams

Absent: Anderson

The Motion was Approved.

4. Study Session:
 - A. City Council Discussion Period

Councilmember Dyer referred to the Public Arts Ordinance that was presented to City Council at one time who then referred it to the CIP Committee who didn't do anything with it. Mr. Dyer said he would like to see City Council take it up because he feels it fell through the cracks. He said he doesn't like an ordinance that states that "X" amount of money from each construction project should go to public art, but he does feel it is an important subject and he wants to see it come back. City Council asked for the ordinance as originally presented be given to them for review and discussion.

- I. **CITY COUNCIL MEETING: CALL TO ORDER:** Mayor Frie called the meeting to order at 6:30 p.m.
- II. **MOMENT OF REFLECTION AND PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL OF MEMBERS:**

Those Present: Mayor Bob Frie, Councilmember Don Allard, Councilmember Aaron Azari, Councilmember Bob Dyer, Councilmember Mark McGoff, Councilmember Marc Williams

Councilmember Williams moved to excuse Mayor Pro Tem Anderson.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Azari, Dyer, McGoff, Williams

Absent: Anderson
The Motion was Approved.

Also present were: Craig Kocian, City Manager; Bill Ray, Deputy City Manager; Chris Daly, City Attorney; Mike Smith, Community Development; Jim Root, Director of Public Works; Maria VanderKolk, City Manager's Office; and Christine Koch, City Clerk.

IV. APPROVAL OF MINUTES OF THE OCTOBER 20, 2008 CITY COUNCIL MEETING

The minutes stand approved as submitted.

V. PETITIONS RECOGNITIONS AND COMMUNICATIONS

A. Presentation of Check to Arvada Community Food Bank by Arvada Jaycees

The Arvada Junior Chamber of Commerce presented a check to the Arvada Community Food Bank from their recent fundraiser at this year's Harvest Festival. Ernie Giron, Director of the Arvada Community Food Bank, was present to receive the check.

B. Presentation of Check to Arvada Community Food Bank by the Arvada Festivals Commission

The Arvada Festivals Commission presented a check to the Arvada Community Food Bank from their recent 12th Annual Festival of Scarecrows celebration in Olde Town. Ernie Giron, Director of the Arvada Community Food Bank, was present to receive the check.

The Festivals Commission also invited City Council and the public to the wine tasting event being held on this Friday, Nov. 7 at the Egg Shell Restaurant.

C. Recognition of Regional Transportation District, 2008 Outstanding Transit Agency in North America – presented by Councilmember Dyer

Councilmember Dyer said RTD was selected by the American Public Transportation Association as the 2008 Outstanding Public Transportation Agency and that this is the third time they have won this award. City Council recognized RTD with a Certificate of Recognition which was accepted by Wally Pullium, Arvada's Regional Board Member to the RTD Board.

VI. PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA

A. Brad Rupert, Arvada, reported on the recent pumpkin patch sale at the Arvada Center lot which brought in over \$16,000. He said over \$5,000 was raised for Habitat for Humanity.

VII. NEW BUSINESS

A. Resolutions (Staff Presentations)

1. R08-124 A Resolution Adopting the Pay Plan for Fiscal Year 2009

Jo Mattoon, Director of Human Resources, reviewed the 2008 Pay Plan project.

Councilmember Azari moved that R08-124, A Resolution Adopting the Pay Plan for Fiscal Year 2009, be approved.

The following votes were cast on the Motion:

Those voting Yes: Allard, Azari, Dyer, McGoff, Williams

Those voting No: Frie

Absent: Anderson

The Motion was approved.

2. R08-125 A Resolution Authorizing the Third Amendment to the Agreement By and Between the City of Arvada and Washington Group International for Professional Engineering Design Services for the Garrison Street Bridge Replacement, Project No. 05-DR-30, in the Amount of \$146,400.00

Jim Root, Director of Public Works, reviewed this project with City Council.

Councilmember Azari moved that R08-125, A Resolution Authorizing the Third Amendment to the Agreement By and Between the City of Arvada and Washington Group International for Professional Engineering Design Services for the Garrison Street Bridge Replacement, Project No. 05-DR-30, in the Amount of \$146,400.00, be approved.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Azari, Dyer, McGoff, Williams

Absent: Anderson

The Motion was approved.

B. Ordinances (First Reading)

1. CB08-044 An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Tap Fees and Users Rates (Public Hearing to be set for November 17, 2008 at 7:00 p.m.)
2. CB08-045 An Ordinance Amending Section 206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates (Public Hearing to be set for November 17, 2008 at 7:00 p.m.)
3. CB08-046 An Ordinance Amending Section 355 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Stormwater Users Rates (Public Hearing to be set for November 17, 2008 p.m.)
4. CB08-047 An Ordinance Authorizing an Intergovernmental Agreement By and Between Apex Park and Recreation District – Apex Center and the City of Arvada Relating to the Stormwater Discharges Associated with Municipal Separate Storm Sewer Systems General Permit (Public Hearing to be set for November 17, 2008 at 7:00 p.m.)
5. CB08-048 An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Valley Farms (Spano), W. 52nd & Jay Street (Public Hearing to be set for December 1, 2008 at 7:00 p.m.)
6. CB08-049 An Ordinance Rezoning Certain Land Within the City of Arvada, Valley Farms (Spano), from Jefferson County R-2 (Residential

Two) to City of Arvada CC-A (Clear Creek Sub-district A), and Amending the Official Zoning Maps of the City of Arvada, Colorado, W. 52nd & Jay Street (Public Hearing to be set for December 1, 2008 at 7:00 p.m.)

Councilmember Williams moved that CB08-044, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Tap Fees and Users Rates; CB08-045, An Ordinance Amending Section 206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates; CB08-046, An Ordinance Amending Section 355 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Stormwater Users Rates; CB08-047, An Ordinance Authorizing an Intergovernmental Agreement By and Between Apex Park and Recreation District – Apex Center and the City of Arvada Relating to the Stormwater Discharges Associated with Municipal Separate Storm Sewer Systems General Permit be approved on first reading, ordered published in full and a Public Hearing date be set for November 17, 2008 at 7:00 p.m. and that CB08-048, An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Valley Farms (Spano), W. 52nd & Jay Street and CB08-049, An Ordinance Rezoning Certain Land Within the City of Arvada, Valley Farms (Spano), from Jefferson County R-2 (Residential Two) to City of Arvada CC-A (Clear Creek Sub-district A), and Amending the Official Zoning Maps of the City of Arvada, Colorado, W. 52nd & Jay Street both be approved on first reading, ordered published in full and a Public Hearing date be set for December 1, 2008 at 7:00 p.m.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Azari, Dyer, McGoff, Williams

Absent: Anderson

The Motion was approved.

VIII. PUBLIC HEARINGS

- A. CB08-038 An Ordinance Amending Chapter 22, Businesses, by Retitling and Amending Certain Provisions of Article IV, Massage Establishments (Ordinance No. 4136)

Mayor Frie opened the public hearing on CB08-038. No one present wishing to speak for or against, the public comment portion of the public hearing was closed.

Councilmember Azari moved that CB08-038, An Ordinance Amending Chapter 22, Businesses, by Retitling and Amending Certain Provisions of Article IV, Massage Establishments, be approved on final reading, numbered 4136 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Azari, Dyer, McGoff, Williams

Absent: Anderson

The Motion was approved.

- B. CB08-040 An Ordinance of the City of Arvada, Colorado, Making a Declaration That an Area of the City of Arvada is a Blighted Area and Making Certain Finding of Fact With Respect Thereto (Ordinance No. 4137)

Mayor Frie opened the public hearing on CB08-040.

Maureen Phair, Arvada Urban Renewal Authority, reviewed the proposed new urban renewal area,

called Village Commons, with City Council. She said it is a very small area and is located where the old Brooklyn's Restaurant used to be.

David Cooper, Planner with URS Corporation, reviewed the Blight Study with City Council. He said the findings are sufficient for City Council to declare the area blighted.

Mayor Frie closed the public comment portion of the public hearing.

Councilmember Dyer moved that CB08-040, An Ordinance of the City of Arvada, Colorado, Making a Declaration That an Area of the City of Arvada is a Blighted Area and Making Certain Findings of Fact with Respect Thereto, be approved on final reading, numbered 4137 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Dyer, McGoff, Williams

Those voting No: Azari

Absent: Anderson

The Motion was approved.

C. CB08-041 An Ordinance of the City of Arvada, Colorado, Approving the Village Commons Urban Renewal Plan (Ordinance No. 4138)

Mayor Frie opened the public hearing on CB08-041.

David Cooper, Planner with URS Corporation, reviewed the Village Commons Urban Renewal Plan with City Council.

Mayor Frie closed the public comment portion of the public hearing.

Councilmember Dyer confirmed with Mr. Cooper that eminent domain is not being used for this plan and Mr. Cooper said correct.

Councilmember Dyer asked if a study has been done to look at the impacts on the Arvada Fire Protection District.

Councilmember Allard moved that CB08-041, An Ordinance of the City of Arvada, Colorado, Approving the Village Commons Urban Renewal Plan be approved on final reading, numbered 4138 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Dyer, McGoff, Williams

Those voting No: Azari

Absent: Anderson

The Motion was approved.

IX. CITY COUNCIL REPORTS

A. Councilmember Azari reported on a reception held last week with health officials from Kazakhstan.

X. CITY MANAGER REPORTS

A. Request for Motion to Cancel the November 24, 2008 City Council meeting.

Councilmember Allard moved that the November 24, 2008 City Council meeting be cancelled.

The following votes were cast on the Motion:

Those voting Yes: Frie, Allard, Azari, Dyer, McGoff, Williams

Absent: Anderson

The Motion was approved.

B. Craig Kocian thanked City Council for their approval of the Pay Plan.

XI. CITY ATTORNEY REPORTS - None

XII. PUBLIC COMMENT LONGER THAN THREE MINUTES

XIII. ADJOURNMENT at 8:08 p.m.



Robert G. Frie, Mayor

SEAL:

Christine A. Koch, City Clerk