Regular Meeting

The City Council of the City of Greenwood Village met in a regular session in the Council Chambers at Greenwood Village City Hall, 6060 South Quebec Street, Greenwood Village, County of Arapahoe, State of Colorado, at 6:02 p.m.

Roll Call

There being present at the call of the roll the following persons:

Councilmembers: T.J. Gordon, Leslie Schluter, Denise Rose, Gary Kramer, Jerry Presley, Bette Todd, and Tom Bishop

Absent: Jeff Roemer (arrived at 6:10 p.m.)

Mayor Ron Rakowsky, presiding, declared a quorum present.

Also Present: City Manager Jim Sanderson, City Attorney Tonya Haas Davidson and various staff members.

Pledge of Allegiance

Councilmember Schluter led the pledge of allegiance.

Public Comment

There was no public comment.

Public Hearing (Continued from April 2, 2012)

Local Liquor Licensing Authority-New Hotel & Restaurant Liquor License, Delectable Egg DTC, LLC d/b/a The Delectable Egg, 5312 DTC Boulevard, Suite 100, Greenwood Village, CO 80111

City Council, acting as the Local Liquor Licensing Authority, held a quasi-judicial public hearing at 6:02 p.m. Mayor Rakowsky presided with seven Councilmembers present.

Mayor Rakowsky explained the public hearing was being held to determine whether or not the application by Delectable Egg DTC, LLC d/b/a The Delectable Egg for a new Hotel & Restaurant Liquor License at 5312 DTC Boulevard, Suite 100, Greenwood Village, CO 80111, should be granted or denied.

Mayor Rakowsky accepted into evidence Exhibit A which was a copy of the Deputy City Clerk’s preliminary report and findings and the original application and related papers. The petitions and written affidavits were accepted into evidence as Exhibit B.
City Attorney Haas Davidson stated the application was in proper form and order; the necessary fees had been paid, and submitted into evidence Exhibits C and D which were the Certificate of Public Notice and the Certificate of Posting. She noted all of the items listed in the Assistant City Attorney’s memorandum had been addressed.

Mayor Rakowsky accepted Exhibits C and D into evidence and made them a part of the hearing record.

COUNCILMEMBER BISHOP MOVED TO ACCEPT THE APPLICATION AND EXHIBITS AS SUBMITTED.

Councilmember Presley noted that he had questions for the applicant and Councilmember Bishop withdrew his motion.

In response to Councilmember Presley’s question regarding the cost to perform the survey of neighborhood by petition to show the needs and desires, Mr. Patrick Schaetzle, 6292 East Weaver Drive, Centennial, [Managing Member of the Delectable Egg DTC, LLC ] was sworn in and noted he paid $900.00 for the petitioning services.

COUNCILMEMBER BISHOP MOVED TO ACCEPT THE APPLICATION AND EXHIBITS AS SUBMITTED. Councilmember Rose seconded and the motion was passed by a unanimous voice vote.

MAYOR PRO TEM KRAMER MOVED TO CLOSE THE PUBLIC HEARING. Councilmember Rose seconded and the motion was passed by a unanimous voice vote.

COUNCILMEMBER SCHLUTER MOVED TO ADOPT RESOLUTION NO. 20-12 – A RESOLUTION APPROVING THE APPLICATION FOR A HOTEL & RESTAURANT LIQUOR LICENSE, AS REQUESTED BY DELECTABLE EGG DTC, LLC D/B/A THE DELECTABLE EGG, AT 5312 DTC BOULEVARD, SUITE 100, GREENWOOD VILLAGE, CO 80111. Councilmember Rose seconded and the motion was passed by a unanimous voice vote.

Mr. Patrick Schaetzle provided a brief overview of the restaurant, hours of operation and menu items. He noted that this is the first of four establishments that would be providing alcohol. He noted his partner Mr. Kenneth Thiesen [present] has been in the restaurant business for thirty years and the establishment will also be providing some possibilities for charity work and fund raising.

Mayor Rakowsky welcomed the applicant to the Village and cautioned him on the importance of the proper sale and service of alcohol.

Councilmember Roemer arrived at 6: 10 p.m.
New Business

Motion to Authorize the Mayor to Sign a Land Transfer and Irrigation Agreement between the City of Greenwood Village, the Greenwood Metropolitan District and the Greenwood Plaza Water District


There was lengthy discussion regarding the legal liabilities of the water service committed to the Village in the agreement. City Attorney Haas Davidson reviewed the current obligations of the district and the improvements they made to switch to a non-potable water system with Denver Water. There was also discussion about the concerns about the District’s ability to change the fee or reduce the mill levy, to which the City Attorney responded they did not have the ability to just change the mill levy for a portion of the district.

There was further discussion regarding the Village’s negotiation process.

Staff provided costs and information regarding the anticipated operating costs, including maintenance for the site. The costs would include maintenance of the landscape areas (i.e. mowing, trimming, fertilization, weed control, etc.), inspection and maintenance of the existing irrigation system and pond systems, pump and pond maintenance, utility costs, and trail maintenance including snow and ice control. It was noted that the District had made some improvements to the wells and any future capital expenses would be considered through future budget processes.

Council discussed the value of the land being conveyed to the Village, as well as other benefits such as controlling the property adjacent to the existing Westlands Park, receiving taxes from the district which had be waived per the previous intergovernmental agreement, and the connection to the Greenwood Athletic Club and recreational amenities.

A polled vote was taken on the motion which passed unanimously.

Adjournment

MAYOR PRO TEM KRAMER MOVED TO ADJOURN FROM THE REGULAR MEETING. Councilmember Bishop seconded and the motion was passed by a unanimous voice vote. There being no further business to come before the Council, the meeting was adjourned at 6:42 p.m. and Council moved into the Community Room for a Study Session wherein they discussed the terms and number of permitted absences for Boards and Commissions members, the recommended Employee Salary Adjustment for 2012 which included the 2012 Salary Schedule implementation and heard recommended changes to the Neighborhood Traffic Planning (NTP) Process.