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 7:14 p.m., following a Study Session in which Council held a discussion regarding community event funding priorities, heard a presentation of the proposed 2012 updated Fee Schedule, and held a discussion of zoning the Village parks and changing the permitted uses in the Open Space zone district.

Roll Call

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

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

Absent: Leslie Schluter

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

Boy Scout Troop 345 led the pledge of allegiance.

Approval of the Minutes – April 2, 2012 and April 16, 2012

COUNCILMEMBER ROSE MOVED TO APPROVE THE MINUTES OF THE APRIL 2, 2012, REGULAR MEETING AND THE APRIL 16, 2012, REGULAR MEETING, AS SUBMITTED. Mayor Pro Tem Kramer seconded and the motion was passed by a unanimous voice vote.

Public Comment

There was no public comment.
Consent Agenda

Ordinance No. 07-12 – Second Reading – An Ordinance Amending Article 2, Section 70(b) of Chapter 16 of the Greenwood Village Municipal Code Regarding PUD Procedure Being Required for Rezoning to R-1.5 Districts

Ordinance No. 10-12 – Second Reading – An Ordinance Adopting a Third Amended Budget for the Various Funds, Departments, Offices and Agencies of the City of Greenwood Village, Colorado, for the 2012 Fiscal Year

Ordinance No. 11-12 – Second Reading – An Ordinance Providing for the Third Supplemental Appropriation of Money for the Various Funds, Departments, Offices and Agencies of the City of Greenwood Village, for the 2012 Fiscal Year

Resolution No. 23-12 – A Resolution Rescinding Resolution No. 14, Series of 2003, Regarding the Neighborhood Traffic Management Program

Resolution No. 24-12 – A Resolution Approving an Intergovernmental Agreement Relating to the Conduct of the 2013, 2014, and 2015 Arapahoe County Community Development Block Grant Program and Home Partnership Fund Program Between the Arapahoe Board of County Commissioners and the City of Greenwood Village and Authorizing the Mayor to Sign the Agreement

Mayor Rakowsky noted that the Consent Agenda would be approved in one motion and one vote and stated the titles would not be read aloud. There were no requests received to remove any items for separate discussion or vote.

MAYOR PRO TEM KRAMER MOVED TO APPROVE THE CONSENT AGENDA, AS SUBMITTED. Councilmember Rose seconded and the motion was passed by a unanimous polled vote.

Public Hearings

Solicit Input from Citizens: 2013 – 2018 Capital Improvement Program (CIP)

A public hearing was held at 7:18 p.m. to hear input from citizens for the 2013 to 2018 Capital Improvement Program

Resident Ms. Margaret Griffes, requested Council perform an energy use audit and create a Master Plan to evaluate the Municipal Buildings for utility costs and energy use. She provided Council with a brief proposal.

Ms. Griffes also requested the city develop an aesthetic improvement plan along Belleview Avenue between Quebec Street and University Boulevard, in partnership with Cherry Hills Village and the Colorado Department of Transportation.
Mr. Deen Buttorff, President of the Autumn Hills Homeowners Association, requested improvements for safety of pedestrians in the Autumn Hills neighborhood by reducing the volume of cut-through traffic and speed of such vehicles.

Mr. Morey Schneider, resident of Sundance Hills, requested an Astroturf field be added somewhere in the Village for use when weather is poor and suggested the open space near the Arapahoe Park-n-Ride as a location.

Mr. Michael Brookhart, resident and Cherry Creek High School coach, supported the idea of an Astroturf field as well and suggested the field be designated a multi-use field for various sports activities.

There was no further public comment.

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

Local Liquor Licensing Authority
New 3.2% Beer Liquor License – 7-Eleven, Inc. d/b/a 7-Eleven Store 35622H, 6630 South Yosemite Street, Greenwood Village, Colorado 80111

City Council, acting as the Local Liquor Licensing Authority, held a quasi-judicial public hearing at 7:42 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 7-Eleven, Inc. d/b/a 7-Eleven Store 35622H, for a new 3.2% Beer Liquor License at 6630 South Yosemite Street, 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.

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

COUNCILMEMBER TODD MOVED TO ACCEPT THE APPLICATION AND EXHIBITS AS SUBMITTED. Mayor Pro Tem Kramer seconded. There was not a vote on the motion.

MAYOR PRO TEM KRAMER MOVED TO CLOSE THE PUBLIC HEARING. Councilmember Todd seconded and the motion was passed by a unanimous voice vote.
MAYOR PRO TEM KRAMER MOVED TO ADOPT RESOLUTION NO. 21-12 — A RESOLUTION APPROVING THE APPLICATION FOR A 3.2% BEER LIQUOR LICENSE, AS REQUESTED BY 7-ELEVEN, INC. D/B/A 7-ELEVEN STORE 35622H AT 6630 SOUTH YOSEMITE STREET, GREENWOOD VILLAGE, COLORADO 80111. Councilmember Rose seconded.

Mr. Alan Dill, Attorney representing the applicant, was present and introduced 7-Eleven Field Supervisor Mr. Anthony Plant. Mr. Dill answered Council’s questions regarding the location and noted it would be used as a training center.

Mr. Dill also answered questions regarding the cost of petitioning.

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

Mayor Rakowsky welcomed the applicant to the Village and impressed upon them the importance of utilizing the training center for teaching employees proper sales and service techniques.

**Ordinances and Resolutions**

**Ordinance No. 12-12 — First Reading — An Ordinance Amending Chapter 9 of the Greenwood Village Municipal Code to Add a New Article, 5, Regarding Hotel and Motel Registration Requirements**

COUNCILMEMBER TODD MOVED TO APPROVE ORDINANCE NO. 12-12 — AN ORDINANCE AMENDING CHAPTER 9 OF THE GREENWOOD VILLAGE MUNICIPAL CODE TO ADD A NEW ARTICLE, 5, REGARDING HOTEL AND MOTEL REGISTRATION REQUIREMENTS. SHE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Councilmember Rose seconded.

Chief of Police John Jackson presented an overview of the proposed ordinance and stated the purpose of the ordinance was to create a coordinated effort with hotels and motels to obtain occupant and vehicle information of who is staying in the Village. The ordinance would criminalize the act of providing false information. The change would allow the officers to obtain necessary warrants in a timelier manner from the Municipal Judge.

Officer Anthony Costarella explained to Council the current Police processes when contacting hotel and motel occupants and provided further information why the ordinance would improve knowledge and safety of the officers when approaching parties at a hotel or motel. He provided an example of how this ordinance would have helped in apprehending an individual from a previous incident involving a stolen credit card and who provided false information.

There was discussion regarding the requirements of the existing state statute.
Mayor Pro Tem Kramer offered a friendly amendment to amend Section 9-5-30 to read "...knowingly provide or permit to be written in any register..."

The motioner and seconder accepted the friendly amendment.

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

Ordinance No. 13-12 – First Reading – An Ordinance Adopting a Fourth Amended Budget for the Various Funds, Departments, Offices and Agencies of the City of Greenwood Village, Colorado, for the 2012 Fiscal Year

MAYOR PRO TEM KRAMER MOVED TO APPROVE ORDINANCE NO. 13-12 – AN ORDINANCE ADOPTING A FOURTH AMENDED BUDGET FOR THE VARIOUS FUNDS, DEPARTMENTS, OFFICES AND AGENCIES OF THE CITY OF GREENWOOD VILLAGE, COLORADO, FOR THE 2012 FISCAL YEAR. HE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Councilmember Rose seconded and the motion was passed by a unanimous polled vote.

Ordinance No. 14-12 – First Reading – An Ordinance Providing for the Fourth Supplemental Appropriation of Money for the Various Funds, Departments, Offices and Agencies of the City of Greenwood Village, Colorado, for the 2012 Fiscal Year

MAYOR PRO TEM KRAMER MOVED TO APPROVE ORDINANCE NO. 13-12 – AN ORDINANCE ADOPTING A FOURTH AMENDED BUDGET FOR THE VARIOUS FUNDS, DEPARTMENTS, OFFICES AND AGENCIES OF THE CITY OF GREENWOOD VILLAGE, COLORADO, FOR THE 2012 FISCAL YEAR. HE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Councilmember Bishop seconded and the motion was passed by a unanimous polled vote.


COUNCILMEMBER TODD MOVED TO APPROVE ORDINANCE NO. 15-12 – AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 2 OF THE GREENWOOD VILLAGE MUNICIPAL CODE REGARDING BOARDS AND COMMISSIONS TERMS OF OFFICE AND CAUSE FOR CONSIDERATION OF REMOVAL. SHE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Councilmember Rose seconded and the motion was passed by a unanimous polled vote.

Ordinance No. 16-12 – First Reading – An Ordinance Amending Article 14 of Chapter 2 of the Greenwood Village Municipal Code Regarding the Planning and Zoning Commission

COUNCILMEMBER ROSE MOVED TO APPROVE ORDINANCE NO. 16-12 – AN ORDINANCE AMENDING ARTICLE 14 OF CHAPTER 2 OF THE GREENWOOD
VILLAGE MUNICIPAL CODE REGARDING THE PLANNING AND ZONING COMMISSION. SHE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Mayor Pro Tem Kramer seconded.

City Attorney Haas Davidson noted on the suggestion of Councilmember Bishop, the ordinance should be amended to add “two” to the line “appointed from each district” to Section 2-14-20 to be consistent with the other ordinances.

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

Ordinance No. 17-12 – First Reading – An Ordinance Amending Article 13 of Chapter 2 of the Greenwood Village Municipal Code Regarding the Parks, Trails and Recreation Commission

COUNCILMEMBER GORDON MOVED TO APPROVE ORDINANCE NO. 17-12 – AN ORDINANCE AMENDING ARTICLE 13 OF CHAPTER 2 OF THE GREENWOOD VILLAGE MUNICIPAL CODE REGARDING THE PARKS, TRAILS AND RECREATION COMMISSION. HE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Mayor Pro Tem Kramer seconded and the motion was passed by a unanimous polled vote.

Ordinance No. 18-12 – First Reading – An Ordinance Amending Article 12 of Chapter 2 of the Greenwood Village Municipal Code Regarding the Board of Adjustments and Appeals

COUNCILMEMBER BISHOP MOVED TO APPROVE ORDINANCE NO. 18-12 – AN ORDINANCE AMENDING ARTICLE 12 OF CHAPTER 2 OF THE GREENWOOD VILLAGE MUNICIPAL CODE REGARDING THE BOARD OF ADJUSTMENTS AND APPEALS. HE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Councilmember Rose seconded and the motion was passed by a unanimous polled vote.

Ordinance No. 19-12 – First Reading – An Ordinance Amending Article 5 of Chapter 2 of the Greenwood Village Municipal Code Regarding the Arts and Humanities Council

COUNCILMEMBER PRESLEY MOVED TO APPROVE ORDINANCE NO. 19-12 – AN ORDINANCE AMENDING ARTICLE 5 OF CHAPTER 2 OF THE GREENWOOD VILLAGE MUNICIPAL CODE REGARDING THE ARTS AND HUMANITIES COUNCIL. HE WAIVED READING IN FULL AND MOVED TO PUBLISH IN FULL IN THE VILLAGER. Councilmember Bishop seconded and the motion was passed by a unanimous polled vote.

Resolution No. 22-12 – A Resolution Establishing a Process to Pave Gravel Roads in Rural Greenwood Village
COUNCILMEMBER ROSE MOVED TO ADOPT RESOLUTION NO. 22-12 – A
RESOLUTION ESTABLISHING A PROCESS TO PAVE GRAVEL ROADS IN RURAL
GREENWOOD VILLAGE. Councilmember Presley seconded.

Councilmember Roemer left the meeting at 8:33 p.m.

There was a discussion regarding the history behind the request for the resolution.

A voice vote was taken on the motion which passed unanimously (Councilmember Roemer was
absent from the vote.)

New Business

Motion to Authorize the Mayor to Sign an Intergovernmental Agreement with the State of
Colorado Department of Natural Resources, Division of Parks and Wildlife (CPW) for
Water Supply at Village Greens Park

This item was removed from the agenda by Mayor Rakowsky at the request of staff and was not
considered.

Motion to Award the 2012 Sewer General Improvement District No. 1 Sanitary Sewer
Maintenance Contract

This item will be recorded separately in the minutes of the Greenwood Village Sewer General
Improvement District Board.

Mayor Pro Tem Kramer left the meeting at 8:50 p.m.

Reports of Officers-Boards-Committees

City Manager Report

City Manager Sanderson reported on a recent visit to Washington, D.C. with Mayor Rakowsky
and other members of the I-25/Arapahoe Road Interchange Improvements Coalition to meet with
numerous Congressional representatives to recommit and obtain federal funding for the proposed
intersection improvements.

City Attorney Reports

City Attorney Haas Davidson noted she would be presenting a memorandum regarding quasi-
judicial proceedings and particularly ex parte communications relating to the proceedings.

Adjournment

COUNCILMEMBER BISHOP MOVED TO ADJOURN FROM THE REGULAR MEETING.
Councilmember Gordon 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 8:55 p.m.
Susan M. Phillips, MMC  
City Clerk

ATTEST:  

Ronald J. Rakowsky  
Mayor

[CITY OF GREENWOOD VILLAGE SEAL]