

## MINUTES

### Regular Meeting – Aurora City Council January 22, 2007

#### CALL TO ORDER – EXECUTIVE SESSION

Mayor Pro Tem Pierce convened the Executive Session of City Council at 4:43 p.m.

#### ROLL CALL

PRESIDING:	Mayor Pro Tem Pierce
COUNCIL MEMBERS PRESENT:	Beer, Broom, Hogan, Markert, Peterson, Wallace
COUNCIL MEMBER ABSENT:	Mayor Tauer, Frazier
OFFICIALS PRESENT:	City Manager Miller, City Attorney Richardson, City Clerk Johnson
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	FitzGerald, Sandstrom

Assistant City Manager Janice Napper announced the proposed items for discussion at Executive Session.

#### CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Markert, second by Beer, to recess to Executive Session.

Voting Aye: Beer, Broom, Hogan, Markert, Peterson, Pierce, Wallace

The Executive Session was recorded pursuant to the requirements of State law.

#### 1. RECONVENE REGULAR MEETING OF JANUARY 22, 2007 AND CALL TO ORDER

#### 2. ROLL CALL

PRESIDING:	Mayor Tauer
COUNCIL MEMBERS PRESENT:	Beer, Broom, FitzGerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace
COUNCIL MEMBERS ABSENT:	Hogan
OFFICIALS PRESENT:	City Manager Miller, City Attorney Richardson, City Clerk Johnson

#### 3. MOMENT OF SILENCE

#### 4. PLEDGE OF ALLEGIANCE TO THE FLAG

#### 5. APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 8, 2007

Motion by Pierce, second by Markert, to approve the minutes of the meeting of January 8, 2007 as presented.

Voting Aye: Mayor Tauer, Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

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6. CEREMONY

- a. Recognition of Aurora Police Department Officers by Daniels Fund - Mayor Edward J. Tauer

Linda Childers and Peter Droege from Daniels Fund, and Police Chief Daniel Oates recognized the following Aurora Police Department officers for their outstanding service to the City:

Officer Tim King, on the force for 21 years, is on the Directed Action Response Team (DART). In the past year, he has been recognized by the department for his outstanding job in handling a shooting scene, for capturing sex assault suspects in adult and juvenile cases, and for playing a critical role in capturing robbery suspects. He was also recognized twice by the U.S. Attorney's office for his professionalism in the prosecution of suspects on Federal charges, and by the Denver Police Department for his role in capturing a homicide suspect. He is a member of the SWAT team, volunteers to support the K-9 unit, and works on serial crime patterns.

Officer John Sangi came upon a car accident last June, where a motorcyclist had been struck by a pickup truck and was trapped underneath. The rider was not moving and appeared to be seriously injured. Because time was critical, Officer Sangi did not wait for additional rescue assistance, but organized bystanders to help lift the truck up and off of the injured man. Officer Sangi crawled underneath the truck and helped free the injured man from the vehicle. He had the bystanders walk the truck forward to clear the man from under the truck. The emergency room doctor stated that if the man had not received this immediate assistance, he would probably have died. Officer Sangi's decision to lift the truck rather than wait for assistance saved the man's life, and he was awarded the Aurora Police Department's lifesaving award in a previous ceremony.

Ms. Childers stated a cash award is typically given to the honored police officers, but Officers King and Sangi asked that their cash award be given to the department to replace a dog in the K-9 unit. Both officers received a standing ovation from the audience.

- b. Proclamation declaring February as Black History Month - Mayor Edward J. Tauer

Mayor Tauer invited the following guests to come forward to accept the proclamation. Mayor Tauer read the proclamation declaring February as Black History Month. Each guest expressed appreciation for the proclamation.

John Marshall - NAACP  
Hyun-Kyung Kim - Chair, International Cross Culture Network of Aurora (ICCNA)  
Luis Bonet - ICCNA  
John Gay - Chair, Key Community Response Team (KCRT)  
Sum Nguyen - KCRT  
Reverend Acen Lee Phillips - Community of Faith (COF)  
LaQuilla Phillips - COF  
Reverend Larry Brown - COF  
Peter Cukale - Chair, Human Relations Commission (HRC)  
Olajide Gamu - HRC  
Paula Sarlls - Chair, Veterans' Affairs Commission

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7. **PUBLIC INVITED TO BE HEARD (non-agenda related issues only)**

Walter J. Carney, 1792 Akron Street, Aurora, CO 80010, 720-620-3819, stated he is a new resident of Aurora, moving from Denver to provide a better life for his family. During the recent snowstorms, he encountered a problem with snow plowed along the street, which hindered his ability to park his vehicles in front of his house. His vehicle was hit so he called the police department. An officer arrived two or three days later and a confrontation occurred regarding suspicious tags on his vehicles. He felt threatened by the officer, so he sent his daughter out to speak with her. He asked for a public apology from the officer. Mayor Tauer asked Ron Miller, City Manager, to contact Mr. Carney tomorrow to address his concerns.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-9d**

**General Business**

- a. Consideration to EXTEND AN AWARD TO AN OPENLY SOLICITED CONTRACT with Loomis Fargo & Co., Denver, Colorado for armored car services as required through February 28, 2008 in the not-to-exceed amount of \$67,800.00, RFP Number R-1174.
- b. Consideration to AWARD A SINGLE SOURCE CONTRACT to Waste Management of Colorado Inc., Englewood, Colorado in an amount not to exceed \$75,000.00 for landfill dumping fees through December 31, 2007.
- c. Consideration to AWARD A COMPETITIVELY BID CONTRACT to New Design Construction, Denver, Colorado in the amount of \$863,409.00 for the Aurora Reservoir Trail Improvements (From Senac Cove to East parking lot) Project, Project Number 5103A.
- d. Consideration to AWARD CHANGE ORDER #2 TO A SOLE SOURCE DESIGN-BUILD CONTRACT with Johnson Controls, Inc., Littleton, Colorado to increase the Guaranteed Maximum Price (GMP) by \$498,275.00 for additional work to install replacement chillers for the air conditioning system supplying the Municipal Justice Center, District 2 Police and Detention Center, associated with Phase 2 of Design/Build Services to repair/upgrade HVAC controls, mechanical and electrical systems in buildings on the AMC campus.

Motion by Sandstrom, second by Wallace, to approve items 9a-d.

Voting Aye: Mayor Tauer, Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION approving an Intergovernmental Agreement between the City of Aurora, Colorado, acting by and through its Utilities Enterprise, and the United States Department of Interior for the use of Pueblo Reservoir during the year 2007.
- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Council Member Broom asked if the lease amount is the same as last year or does it increase each year. Dana Ehlen, Deputy Director, Aurora Water, stated the amount is the same as last year.

Motion by Broom, second by Beer, to approve item 10a.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

11. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- ◆ a. PUBLIC HEARING and consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, declaring the existence of a blighted area within the City and designating the area as appropriate for Urban Renewal. (CornerStar)

Discussion for items 11a and 11b were held together. Mark Franzen, Project Manager, introduced the items and displayed a map of the development area. He stated State Statutes provide two methods for determining if an area is blighted. One, that four out of eleven factors contained in the statute be present in the area. The second allows for only one of the eleven factors be present if the property owner has no objection to the inclusion of the property in the urban renewal area. Both requirements have been met with regard to the CornerStar development. The property owner has provided a letter to the City stating they have no objection to the inclusion of their property in the area. A blight study of the area found seven of the eleven factors to be present. Staff recommends approval of item 11a.

Regarding 11b, the CornerStar Urban Renewal Plan proposes a 158-acre urban renewal area that would include a retail center of over 700,000 square feet and up to 400 multi-family residential units. The Planning Commission unanimously agreed that the plan conforms with the general plan for the development, and emphasized that any development agreement entered into with the developer be non-transferable. The Plan also creates a tax increment financing district, but would specifically exclude incremental ad valorem and personal property tax revenues, making for no direct financial impact on Arapahoe County or the Cherry Creek School District. The plan does not contemplate the use of eminent domain by the City or the Urban Renewal Authority to acquire real property related to this project. Staff recommends approval of item 11b.

Council Member FitzGerald stated he supports the project, but questions if all of the criteria for the finding of blight are believable. For an area that is vacant land, he feels the City should be careful in saying all of the criteria have been met, specifically slum or deteriorated structures and inadequate street layout. He stated he would feel more comfortable reducing the criteria to items d and f in Section 1.

Council Member Broom stated that there must be a problem with a piece of land to have remained undeveloped at Parker Road and Arapahoe Road. It is in a flood plain and requires a lot of remediation to become a useable piece of property. He supports the project.

Council Member Beer supports the project, as it will allow the City to enter into a multi-year development agreement providing sales tax revenue. He stated what the City is really doing is finding legal conditions to satisfy the creation of an urban renewal district, which makes more sense than the traditional meaning of the word 'blight'.

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Council Member Frazier stated he also had some reservations with the designation of blight. When he thinks of blight, he pictures something comparable to a slum. Technically, this area does meet the requirements for blight, and he believes the Council should move forward with this tonight, but he feels that the term does not conjure up what most people would consider a blighted area.

Council Member Wallace stated she will support this, but her main concern is building any development in a flood plain area. She stated that the development will have to be recorded as being built on a flood plain, in order to avoid litigation if something catastrophic occurs. Mr. Franzen agreed that there are many challenges to this issue that will need to be addressed before the project can move forward.

Mayor Tauer stated the State has created an unusual situation where we have to use the same language for urban renewal/renovation projects as with new projects. Luckily, this project is being done in conjunction and agreement with the land owner, in order to get a good project built in the City. There is a major drainage issue on the property, and in order to address it, there needs to be a public/private partnership with the landowner.

Charles Richardson, City Attorney, stated in a unitary ownership situation where there is no objection to the formation of the district, one factor is sufficient. Normally, four factors are required. He stated paring the requirement down to one factor, and having a court disagree with our findings, would create a very difficult situation. He urged Council to consider more than one factor.

Council Member FitzGerald stated Council will face this same type of issue in the future, and urged that it be well thought out with what can actually be found in the findings of fact. He supports the project, but it should be addressed by State legislators.

David Goldberg, 5460 South Quebec Street, #100, Greenwood Village, CO 80111, 303-771-4004, representing the landowner, stated they are in full agreement with the establishment of the urban renewal plan. The project is located at the corner of one of the busiest intersections in the metro area, and they are 90% committed with major retailers. Development of the project has not been economically feasible without the public/private component established first.

Motion by Broom, second by Sandstrom, to approve item 11a.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- ◆ b. PUBLIC HEARING and consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, adopting an Urban Renewal Plan for the redevelopment of the CornerStar Urban Renewal Area.

Motion by Broom, second by Sandstrom, to approve item 11b.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

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12. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City of Aurora, appropriating sums of money in addition to those appropriated in Ordinance Nos. 2004-72, 2004-92, 2005-44, 2006-02, and 2006-17 for the 2005 Fiscal Year, Ordinance Nos. 2005-80, 2006-02, 2006-17, 2006-27 and 2006-39 for the 2006 Fiscal Year and Ordinance No. 2006-57 for the 2007 Fiscal Year.

Council Member FitzGerald asked if the allocation of funds for snow removal is in this ordinance. Greg Hays, Financial Program Supervisor, stated a separate ordinance will be coming to Council next month regarding the costs of snow removal for both 2006 and 2007.

Motion by Markert, second by Pierce, to introduce item 12a.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City of Aurora, Colorado, acting by and through its Golf Enterprise, authorizing the execution and delivery of a lease-purchase agreement with Yamaha Motor Corporation, U.S.A., for the purpose of acquiring golf cars for the City's several golf courses.

Motion by Peterson, second by Markert, to introduce item 12b.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

13. **ANNEXATIONS**

- ◆ a. PUBLIC HEARING and consideration to APPROVE A RESOLUTION making certain findings of fact regarding the proposed annexation of a parcel of land located in the Southeast quarter of Section 28, Township 3 South, Range 64 West of the 6th Principal Meridian, County of Adams, State of Colorado, (TransPort Industrial Development) 151.66 acres.

Discussion for items 13a, 13b and 13c were held together. Vinessa Irvin, Project Manager, Development Assistance, introduced the items. The 152-acre parcel is located within City growth boundaries. Council approved the finding of substantial compliance, and Planning Commission approved the initial zoning. The zoning is consistent with that of surrounding properties. The property owner intends the use to be industrial.

John Lyda, 13981 West 83rd Place, Arvada, CO 80005, 303-818-6463, and James Kurtz-Phelan, 370 17th Street, #4800, Denver, CO 80202, 303-825-0800, representing the developer, were available to answer any questions.

Gretchen VanderWerf, 1525 17th Street, Denver, CO 80202, 303-298-9939, representing Anadarko, who owns the mineral rights on the property, came before Council two weeks ago. Anadarko submitted a letter of objection that was not received in the required timeframe. The objection was resubmitted, and she is here tonight to make sure the objection was received on time for this proceeding, and to ensure Anadarko is on record to protect it's private property rights. The specific land considered tonight is not Anadarko's minerals, but they do own substantial oil, gas and coal underneath a major portion of this project. Mayor Tauer stated the

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letter from Anadarko was in Council's backup, and Charles Richardson, City Attorney, confirmed their objection was in the official record.

Council Member Pierce asked if further proceedings regarding the matter were open to the public, and if referral packets are sent out to adjacent property owners and mineral rights owners on any submittals. Stephen Rodriguez, Planning, stated packets are sent to abutting property owners, homeowner associations, and mineral rights owners.

Council Member Markert stated that she normally opposes annexations, but noted this project will really benefit the City for the future by providing jobs and solutions to transportation issues.

Motion by Peterson, second by Fitzgerald, to approve item 13a.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION annexing a parcel of land located in the Southeast quarter of Section 28, Township 3 South, Range 64 West of the 6th Principal Meridian, County of Adams, State of Colorado, (TransPort Industrial Development) 151.66 acres.

Motion by Peterson, second by Fitzgerald, to introduce item 13b

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- ◆ c. PUBLIC HEARING and consideration of an ORDINANCE FOR INTRODUCTION zoning a parcel of land generally located North of Interstate 70 and East of Imboden Road, City of Aurora, County of Adams, State of Colorado, to Northeast Plains Zoning District/Front Range Airport Subarea, and amending the Aurora Zoning Map accordingly (TransPort Industrial Development Ltd.) 151.67 acres. (CaseNumber 2006-2010-00) Approved 5-0 (Dickinson abstaining, Singer absent) at the December 13, 2006 Planning Commission meeting.

Motion by Peterson, second by Fitzgerald, to introduce item 13c.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- ◆ d. PUBLIC HEARING and consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, making certain findings of fact regarding the proposed annexation of a parcel of land located in Section 27 and a portion of the Southeast quarter of Section 28 and a portion of the North half of Section 34, Township 4 South, Range 65 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado, (Cottonwood Creek Investors, LLC) 683.524 acres.

Discussion for items 13d and 13e were held together. Mark Geyer, Project Manager, Development Assistance, and Nancy Bailey, Manager, Development Assistance, introduced the items. Mr. Geyer stated when the finding of substantial compliance was approved last month, Council asked staff for additional information regarding water and sewer service provisions. That information has been provided in the backup. Staff recommends approval of item 13d as presented and approval of item 13e, with an amendment to include the annexation agreement and final annexation ordinance will not come to Council until the development cost study is

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completed. Staff from the water department, fire department, and library & recreation department were present to answer questions.

Mayor Tauer asked if a development is approved by Council, and six months later the fee structure changes, with the actual development not occurring for two years, would the developer be subject to the new fee structure. Charles, Richardson, stated that is correct. Mayor Tauer clarified that the developer is subject to the fees in place at the time they build, and not at the time of annexation. Mr. Richardson agreed with the Mayor's assessment.

Council Member Beer stated the staff report indicates that a fiscal analysis with a positive fiscal impact study was done. He asked what steps the City went through to come up with the results, and how it differs from what the development cost study would show. Ms. Bailey stated the Planning Department has a fiscal impact model that is used to assess the buildout of a project and service impacts relative to fees that are paid. In general, most developments show a positive yield by the time of buildout, but the initial period does not show the full benefit of the project. This annexation includes several large projects in the future related to the facilities master plan (FMP) that are not funded, such as fire stations, libraries and street maintenance facilities. The development cost study will look at if the fees are in alignment with the costs to serve and build capital facilities for the development, and how the FMP projects are funded. Ms. Bailey will provide a copy of the fiscal impact study to Council.

Council Member Markert asked when the development cost study will be completed. Ms. Bailey stated she understands that firm results will be ready no later than September, and initial results by June. Council Member Markert stated she is reluctant to approve something tonight when many questions will not have answers until June. The City will have to go back to DRCOG to extend the urban growth area, which she has concerns about. Ms. Bailey stated rather than guess what the applicant's fair share of the cost of services would be, the study will provide a more fair and equitable breakdown of costs for all interested parties. The development cost study will be a global tool that can be used for future annexations.

Council Member Peterson stated that the item will still come back to Council for final approval at a later date. Ms. Bailey stated that is correct, that the annexation agreement and final annexation ordinance will be the last steps. There is no set timeframe in State statute or City code mandating when the last step occurs. She has seen a range from two weeks to three years while the annexation agreement was being negotiated.

Council Member FitzGerald asked if the land is within our annexation boundary. Ms. Bailey stated it is now, after a comprehensive plan amendment was approved some time ago.

Chip King, 730 Monaco Parkway, Denver, CO 80220, 303-333-3834, and James Sphehalski, 7887 East Belleview Avenue, #825, Englewood, CO 80111, 303-920-9400, representing the applicant, addressed Council's concerns. Mr. King stated they agree with the findings of fact and urge approval. He said the application for zoning was delayed and will come to Council soon. He stated they do not agree with Staff's request to delay final approval until after the development cost study is completed. They expect to participate in the study and be bound by it, but would not like to wait until the study is completed. They understand they are subject to fee changes by the time they are ready to build.

Council Member Pierce stated the fees could increase significantly, and wanted confirmation that the applicant understands and is willing to agree to pay fees that are unknown at this time. Mr. King agreed with the uncertainties of this issue, but since the comprehensive plan applies to

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this property, all land users for other parcels in the development will be treated fairly. The applicant does understand and agrees to pay those fees.

Council Member Markert stated her discomfort with the applicant's request not to delay moving forward with the final phases of the annexation until all of the information is presented to Council, especially when 683 acres of land will need to be added to the urban growth area. Mr. King stated they have worked very closely with staff on this project, and more information could be provided quicker if Council would commit to moving forward on this item.

Council Member FitzGerald reiterated that this is for introduction tonight, and there is no defined length of time before the item comes back for final approval.

Charles Richardson, City Attorney, stated that while the applicant has expressed a desire to move forward quickly, staff ultimately has the authority to decide when the item is ready to come back to Council for final approval.

Mayor Tauer asked if the item is ready to come back to Council, but staff chooses to wait, doesn't Council have the authority to call up the item. Mr. Richardson stated Council does possess that lever, but as a practical matter, to call up an item when staff is still working on it, presents a real challenge.

Mayor Tauer stated the issue is the fee structure, which should not be linked to any particular annexation. Mr. Richardson stated his concern if the fees would be accurately portrayed as being that generic, when issues of the location of the closest fire stations and other facilities would be determined in the study.

Council Member FitzGerald stated item 13d makes a finding that the land is eligible for annexation, which is fairly simple. Item 13e is just the introduction of an ordinance. The study can be completed before the ordinance comes back for final. He does not see a problem with approving both items tonight. Mr. Richardson agreed, and stated that Council does not lose any future legislative decision-making by approving both items tonight.

Council Member Broom stated when this item first came before Council, he asked if water tap fees will provide enough resources to cover the cost of acquiring water and capital costs for the development. Council always has concerns with new annexations, and if there is enough water resources to serve the property. Each year, every department reviews fees and charges to ensure costs are being met. He was surprised to see the request for a development cost study. If the resources are available, since this is an infill area, he has no problem with the annexation. If there are not enough resources available, and we should have heard if that is the case, he would not support the annexation.

Council Member Beer stated the cost study was a result of last year's Planning, Economic Development & Redevelopment Policy Committee, and has been underway for some time. The reason for the study goes back to the formula that is in place and used to determine cost impacts of every annexation. There were concerns that this model is outdated, and needs reviewed to get a handle on what the costs should be, and to develop a new model. The concept of development paying it's own way doesn't quite stand, as the City always ends up paying for services in a new development for a period of time. The cost separation study for water has done a good job in separating the cost of the old system from a new system. He is comfortable with the applicant's commitment to abide by the fees the City might set as a result

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of the study. He will watch closely to make sure developers do not place undo influence over the shape of the study.

Council Member Frazier stated he also sees no reason to delay decisions on the items for tonight. The study will give Council better information of the cost of development and redevelopment to assist them in making decisions regarding fees needed to support growth.

Mayor Tauer asked for clarification on whether or not an amendment would be needed on 13e. Mr. Richardson stated he understands that staff asked for an amendment to be made confirming the ordinance does not need to come back for final until they were satisfied with the cost study. Staff already possesses the ability to bring an item back to Council at a time of their choosing, so asking for the amendment is confusing.

Ron Miller, City Manager, stated if Council approves both items as presented, they would not change existing practice. If Council chooses to adopt staff's proposal, the amendment would be necessary.

Council Member Broom asked if it would be 18 months or more before they would be asking for a building permit, as the study would be completed long before then. Mr. King stated they don't anticipate asking for a building permit before 2010.

Council Member Beer asked if Council approves both items tonight, do they still have the authority to call up or defer either item in the future for further discussion. Mr. Richardson stated yes, but only pertaining to item 13e, as the resolution would not come back to Council.

Council Member Sandstrom stated it would make more sense to approve both items tonight as presented, then defer 13e when it comes back for final if Council is still uncomfortable with any of it rather than go through a call-up process. Mr. Miller stated there will be no undo delay in bringing the ordinance back to Council, at which time they can approve, deny, or defer it.

Council Member Beer clarified he didn't mean to defer the vote, but rather to postpone the discussion of whether or not Council wishes to change policy until it's timely related to final approval of the ordinance.

Motion by Sandstrom, second by Broom, to approve item 13d.

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Peterson, Pierce, Sandstrom, Wallace.

Voting No: Markert

- ◆ e. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, annexing certain lands located in Section 27 and a portion of the Southeast quarter of Section 28 and a portion of the North half of Section 34, Township 4 South, Range 65 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado, (Cottonwood Creek Investors, LLC) 683.524 acres.

**MAIN MOTION:**

Motion by Peterson, second by Wallace, to introduce item 13e.

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**AMENDMENT #1**

Motion by Peterson, second by Markert, to bring back for final after the completion of the development cost study.

Denied 6-3

Voting Aye: Markert, Peterson, Wallace

Voting No: Beer, Broom, Fitzgerald, Frazier, Pierce, Sandstrom

**VOTE ON MAIN MOTION:**

Voting Aye: Beer, Broom, Fitzgerald, Frazier, Pierce, Sandstrom, Wallace

Voting No: Markert, Peterson

14. **RECONSIDERATIONS AND CALL-UPS**

None.

15. **GENERAL BUSINESS**

- a. Consideration to reappoint three incumbent members to a four-year term on the Citizens' Advisory Committee on Housing & Community Development.

Motion by Wallace, second by Frazier, to reappoint Marcella Barnett, David Martin and Kathen Peden to a four-year term on the Citizens' Advisory Committee on Housing & Community Development.

Voting Aye: Mayor Tauer, Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- b. Consideration to reappoint one incumbent member to a three-year term on the Aurora Fox Arts Center Board.

Motion by Beer, second by Pierce, to reappoint Susan Ryden to a three-year term on the Aurora Fox Arts Center Board.

Voting Aye: Mayor Tauer, Beer, Broom, Fitzgerald, Frazier, Markert, Peterson, Pierce, Sandstrom, Wallace

- c. Consideration to appoint two new members to a three-year term on the Visitors Promotion Advisory Board.

Motion by Peterson, second by Pierce, to appoint John Akers and Kenneth Preuss to a three-year term on the Visitors Promotion Advisory Board.

Council Member Markert stated she is happy these two applicants will be added to the Visitors Promotion Board, as this group has a lot of work to do and needs to get started. She noted

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Council Member Beer mentioned a work plan for this board in the past, and she hopes they can get started on that.

Council Member Beer stated he will be voting no because he feels this group has been very non-responsive in regard to some on-going issues that could be developed. He feels there have been many missed opportunities for the promotion of Aurora as a convention venue. They do a great job in promoting the City for sport tournaments, but Aurora has much more to offer. He is going to continue voting no on anything related for this board until he sees the plan that he asked for.

Voting Aye: Mayor Tauer, Broom, Fitzgerald, Frazier, Peterson, Pierce, Sandstrom, Wallace

Voting No: Beer, Markert

16. **REPORTS**

a. Report by the Mayor

Mayor Tauer congratulated and thanked Council Members Beer and Frazier for helping put together a forum for small local companies on how to work with the City on a large water project. He wished Happy Birthday to his mother.

b. Reports by the Council

Council Member Beer announced his Ward III town meeting will be held at 7:00 p.m. on January 25, 2007, in the Aurora Room. The featured speakers will be Dave Chambers, Director of Public Works, and Chris Carnahan, Manager of Operations for the Public Works department. They will be discussing Aurora's snow removal plan, specifically what went wrong and what went right from the recent snow storms. He invited all citizens of the City to attend.

Council Member Wallace announced that on February 7, 2007 at 6:00 p.m., Original Aurora Renewal will be having their first 'Crime and Grime' meeting at the Martin Luther King, Jr. Library. The Aurora Police Department will be making a presentation on ID theft, and all citizens are invited to attend and to bring any police or code issues forward. She encouraged residents of Ward I to contact her at (303) 739-7502 if they are interested in becoming active with the Northwest Aurora Neighborhood Organization or attending meetings.

Council Member Sandstrom announced her Ward V town meeting will be held January 23, 2007 at 7:00 p.m. at the Meadowood Recreation Center.

Council Member Broom announced his Ward VI town meeting will be held February 7, 2007 at 7:00 p.m. at the Mission Viejo Library.

Council Member Frazier reported he and the Mayor attended an induction ceremony into the Co-Commanders Program at Buckley Air Force Base, which is designed to foster relationships between leaders at Buckley and the Aurora community. He thanked them for inviting him to participate. He wished his daughter a Happy 3rd Birthday.

Council Member Markert announced her Ward IV town meeting will be held January 25, 2007, from 5:00 to 7:00 p.m. at Gibby's Sports Bar & Grill. Kim Stuart from the Communications Department will be the featured speaker. She noted the 'Power of One' series program through

- ◆ ***The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.***

the City is featuring Civil War books and discussion. Meeting dates and times are available on the City's Website. She announced a monthly contest which awards a \$50 gift certificate to the person reporting the biggest pot hole in the City. Call the Public Work's Department at (303) 326-8200 or e-mail [streets@auroragov.org](mailto:streets@auroragov.org) to participate. She reported the City has been selected as a member of the National League of Cities Partnership towards Inclusive Communities. She thanked Council for their support in achieving this goal.

Council Member FitzGerald reported he recently met with representatives in the solar power, wind power, fuel cell, and biofuels industries. He, along with staff's assistance, will be putting together information for a presentation to Council soon. It is important to pursue the sustainability of energy in our economy.

Council Member Peterson announced her Ward II town meeting will be held February 5, 2007 from 7:00 to 9:00 p.m. in the Aurora Room. She will have a representative from Aurora Water present to talk about xeriscape.

17. **PUBLIC INVITED TO BE HEARD**

None.

18. **ADJOURNMENT**

Mayor Tauer adjourned the regular meeting of the City Council at 9:39 p.m.

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EDWARD J. TAUER, Mayor

ATTEST:

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DEBRA JOHNSON, City Clerk