

MINUTES

Regular Meeting – Aurora City Council Monday, September 24, 2007

CALL TO ORDER – EXECUTIVE SESSION

Mayor Tauer convened the Executive Session of City Council at 4:19 p.m.

ROLL CALL

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

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Wallace, second by Sandstrom, to recess to Executive Session.

Voting Aye: Mayor Tauer, Beer, FitzGerald, Markert, Peterson, Pierce, Sandstrom, Wallace

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

CALL TO ORDER – EXECUTIVE SESSION

Mayor Tauer convened the Executive Session of City Council at 6:49 p.m.

ROLL CALL

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

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Pierce, second by Wallace, to recess to Executive Session.

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

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

1. **RECONVENE REGULAR MEETING OF SEPTEMBER 24, 2007 AND CALL TO ORDER**

Mayor Tauer reconvened the regular meeting of City Council at 7:36 p.m.

2. **ROLL CALL**

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

3. **MOMENT OF SILENCE**

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 10, 2007**

Motion by Markert, second by FitzGerald, to approve the minutes of September 10, 2007 as presented.

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

6. **CEREMONY**

- a. Proclamation declaring September 11, 2007 as Ethiopian Millennium Day – Mayor Edward J. Tauer

Mayor Tauer invited Kiros Beyene, Engidawork Hailu, Molla Ayenalem, Barbara Shannon-Bannister, Arnie Schultz, and other community representatives to come forward to accept the proclamation. Mayor Tauer read the proclamation declaring September 11, 2007 as Ethiopian Millennium Day. The guests expressed appreciation for the proclamation.

- b. Proclamation declaring October 18, 2007 as Lights on After School in Aurora Day – Mayor Edward J. Tauer/Council Member Molly Markert

Mayor Tauer invited Aurora Public Schools Superintendent John Barry, Cherry Creek Public Schools Executive Director of Elementary Education Eric Flor, Central High School student Humberto Escobedo, and Aurora Office of Youth Development representative Becky Hoffman to come forward to accept the proclamation. Mayor Tauer read the proclamation declaring October 18, 2007 as Lights on After School in Aurora Day. The guests expressed appreciation for the proclamation.

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

Francis Peter Maks Jr., Aurora, CO, stated he attended a Town Hall Meeting on September 20th, hosted by Representative Morgan Carroll, and the discussion centered around foreclosures and property values. He told the panel that over 83,000 dwelling units had been approved by the Aurora City Council in April 2007, and asked if they thought that to be irresponsible. He stated the panel agreed it was irresponsible, with water and infrastructure lacking. Mr. Maks asked Council to abate the vacant Fanfare building and another vacant building at Yosemite and 14th, and for lighting to be put up in those areas, or for the business owners to make them viable businesses, as they are both health hazards.

- ◆ *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.*

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-9f**

General Business

- a. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with ICON Engineering, Inc., Englewood, Colorado in the not-to-exceed amount of \$157,545.00 for additional professional design engineering services associated with the Norfolk and Upland Ponds Project, RFP R-1233.

Motion by Beer, second by Broom, to approve item 9a.

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

- b. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Tierdael Construction Company, Denver, Colorado in the amount of \$4,199,199.00 for the construction of the Tollgate Creek Parallel Interceptor, Project No. 5120A.

Council Member Beer asked staff for a brief introduction of this item. Larry Catalano, Manager, Capital Projects, Aurora Water, stated this pipeline, running from Iliff Avenue to Alameda Avenue, will parallel an existing sewer line which is over capacity. The new pipeline will provide relief to the existing sewer line.

Motion by Beer, second by Wallace, to approve item 9b.

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

Final Ordinances

- ◆ c. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Aurora's Comprehensive Disaster Plan by adopting in its entirety the 2007 Emergency Operations Plan as the City of Aurora's comprehensive disaster plan.
- ◆ d. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, rezoning a parcel of land generally located approximately 350 feet east of Blackhawk Street and on the north side of Evans (14193 E. Evans Drive) from M-1 (Light Industrial District) to C-O (Commercial Office District) and amending the Aurora Zoning Map accordingly (St. Anna's Home Assisted Living), 2.1 acres more or less.
- ◆ e. Consideration of an ORDINANCE FOR FINAL of the City of Aurora, Colorado, determining the whole cost of certain public improvements made in Special Improvement District 1-05; approving and confirming the apportionment of said cost to each lot or tract of land in the District; assessing a share of said cost to each lot or tract of land in the District; and prescribing the manner for the collection and payment of the assessments. (Ptarmigan Park Fence).

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- ◆ f. Consideration of an ORDINANCE FOR FINAL authorizing the issuance of a City of Aurora, Colorado, Special Improvement District Revenue Note (Ptarmigan Park Neighborhood Fence Project), Series 2007, in an aggregate principal amount not to exceed \$1,350,000.

Motion by Sandstrom, second by Markert, to approve items 9c-f.

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

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the operating plan and budget for the Havana Business Improvement District.

Council Member Markert noted the members of the Board of the Havana Business Improvement District developed the operating plan and budget for the District, which Council approves, then goes back to the District for action. Mayor Tauer stated his appreciation to Council Members Markert and Beer, the businesses, and residents for coming together to accomplish this great achievement in their area.

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

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

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION amending Section 2-648(A) of the City Code of the City of Aurora, Colorado, regarding the forgiveness of loans made pursuant to the Art District Loan Program.

Motion by Wallace, second by FitzGerald, to introduce item 11a.

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

12. **ORDINANCES FOR FINAL**

- ◆ a. Consideration of an ORDINANCE FOR FINAL authorizing payments under an agreement for the purchase of two water storage vessels, along with the adjacent and surrounding real property and certain appurtenant real property rights, between Hall-Irwin Corporation, HIBE LLC and Lot Holding Investments LLC and the City of Aurora, Colorado, acting by and through its Utility Enterprise not to exceed four and one-half million dollars.

Council Member Markert stated she will still be voting no on this item, as it falls outside the original intended scope of the project.

Motion by Pierce, second by Beer, to approve item 12a.

Voting Aye: Beer, Broom, FitzGerald, Frazier, Peterson, Pierce, Sandstrom, Wallace

Voting No: Markert

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13. **RECONSIDERATIONS AND CALL-UPS**

None.

14. **GENERAL BUSINESS**

- a. Consideration to reappoint one incumbent member to a three-year term on the Human Relations Commission.

Motion by Pierce, second by FitzGerald, to reappoint Peter Cukale to the Human Relations Commission.

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 Golf Course Advisory Committee.

Motion by Beer, second by Broom, to reappoint Edward Lord to the Golf Course Advisory Committee.

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

- c. Consideration to reappoint one incumbent member to a three-year term on the Art in Public Places Commission.

Motion by Wallace, second by Markert, to reappoint Kimberly Harrell to the Art in Public Places Commission.

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

15. **REPORTS**

- a. Report by the Mayor

- b. Reports by the Council

Council Member Beer thanked the representatives of the Ethiopian community for celebrating their Millennium with us. They provided a wonderful buffet in the lobby before the Council meeting. He stated his first date with his wife happened at an Ethiopian restaurant eight years ago, and they will be celebrating their sixth Wedding Anniversary on Saturday.

Council Member Wallace reported on the 2nd Annual Festival International last Saturday. She thanked all of the volunteers who helped make the event successful. She invited everyone to attend a meeting on Tuesday at 7:00 p.m. at the Martin Luther King, Jr. Library to discuss water bill issues and suggestions for xeriscaping of yards.

Council Member Sandstrom reminded everyone the Fall high school sports season is in full swing, with many activities taking place. She stated these are good kids participating in these events, and urged everyone to go out and support local high school sports.

Council Member Broom invited residents to attend a celebration for the 35th Anniversary of the founding of the Mission Viejo subdivision on Tuesday at 7:00 p.m. at the Mission Viejo Library.

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Council Member Frazier reported he had lunch with the members of the Judicial Performance Commission (JPC) last week. He thanked the Commissioners for the good work they do in assessing our Municipal Court Judges, and announced there are two vacancies on the JPC. Contact the Court Administrator's office for information by calling Access Aurora at 303-739-7000.

Council Member Pierce reported on the Fox Theater Gala last Saturday. The current production, *Anna in the Tropics*, is running at the theater until October 7th, and he encouraged everyone to attend. He announced a free Safety Fair will be held on October 19th from 7:30 a.m. to 1:30 p.m. at the Summit Events Center, 411 Sable Boulevard. Information and resources will be available for older adults and children of aging parents. The keynote speaker will be Kate Tauer, and everyone is invited to attend.

Council Member Markert reported she attended Teen Court as part of the celebration of September as National Youth Court Month. It is a great way for our young people to learn about the Court system. She reported the Aurora Housing Authority celebrated the success of families and single mothers successfully going through the transitional housing program and now living independently. She congratulated the graduates of the program. She announced a meeting will be held Tuesday at City Hall at 7:00 p.m. for the Aurora Water Department and Homeowner Associations to discuss the water rate issues, and her Ward IV Town Meeting will be held Thursday at 6:30 p.m. at Dimitries to discuss Centennial Airport noise.

Council Member FitzGerald reported the Festival International was great, with good food and music from many countries. He encouraged everyone to attend next year. He reported he helped students at Prairie Middle School read the U.S. Constitution. He stated the importance of the students getting involved and understanding the founding documents of their country. A suggestion was made that 8th grade Social Science classes administer the test for Naturalization to students before going to high school. The test contains 100 civic questions that all American-born students should be able to pass with a C, and he encouraged teachers to participate.

Council Member Peterson welcomed fall. She stated sometimes the simplest things can bring joy, such as the beautiful colors of the Aspen trees. She wished everyone joy.

16. **PUBLIC INVITED TO BE HEARD**

None.

17. **ADJOURNMENT**

Mayor Tauer adjourned the regular meeting of City Council at 8:08 p.m.

EDWARD J. TAUER, Mayor

ATTEST:

DEBRA JOHNSON, City Clerk

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