

MINUTES

Regular Meeting – Aurora City Council Monday, March 17, 2008

CALL TO ORDER – A.U.R.A. EXECUTIVE SESSION

Chair Tauer convened the A.U.R.A. Executive Session at 5:03 p.m.

ROLL CALL

PRESIDING: Chair Tauer
COMMISSIONERS PRESENT: Beer, Broom, FitzGerald, Frazier, Hogan, Markert,
Peterson, Pierce, Wallace
OFFICIALS PRESENT: City Manager Miller, City Attorney Zierk,
City Clerk Johnson
COMMISSIONERS ARRIVING
AFTER ROLL CALL: Sandstrom

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

CONSIDERATION TO RECESS FOR A.U.R.A. EXECUTIVE SESSION

Motion by Pierce, second by Markert, to recess to A.U.R.A. Executive Session.

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

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

1. **RECONVENE REGULAR MEETING OF MARCH 17, 2008 AND CALL TO ORDER**

Mayor Tauer reconvened the regular meeting of City Council at 7:35 p.m.

2. **ROLL CALL**

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

3. **MOMENT OF SILENCE**

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 3, 2008**

Motion by Markert, second by Broom, to approve the minutes of March 3, 2008 as presented.

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

Abstained: Hogan

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6. **CEREMONY**

No Ceremonies.

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

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

Earl Carstensen, Aurora, CO, came before Council in order to address the Centennial Airport Part 150 Study by noting his concern with the bothersome noise of air traffic near his home. He asked Council to be attentive to the facts and details of the issue in order to deal with the problem quickly. He concluded by thanking Ms. Karen Hancock, Airport Noise Coordinator, for her informative assistance. Council Member Markert thanked Mr. Carstensen for his comments and stated that Council would stay on top of the issue and keep meticulous notes.

b. **PUBLIC HEARING on the 2009 BUDGET** STAFF SOURCE: Greg Hays, Interim Budget Officer

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

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

General Business

- a. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Boyle Engineering Corporation, Lakewood, Colorado in the not-to-exceed amount of \$147,380.00 for professional project support services associated with the construction phase of the Gun Club Road Waterline project, RFP R-1233.

Motion by Sandstrom, second by Markert, to approve item 9a.

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

Final Ordinances

- ◆ b. Consideration of an ORDINANCE FOR FINAL of the City of Aurora, Colorado, declaring the organization of General Improvement District 1-2007 (Cherry Creek Racquet Club).
 - ◆ c. Consideration of an ORDINANCE FOR FINAL authorizing the issuance and sale by the City of Aurora, Colorado, acting by and through its Utility Enterprise, of First-Lien or Subordinate-Lien Water Refunding Revenue Bonds, Series 2008A, in an aggregate principal amount not to exceed \$45,000,000, for the purpose of refinancing, in whole or in part, the cost of additions and improvements to the water system operated by the Utility Enterprise, pledging certain funds and revenues of the Enterprise to the payment of such bonds, and providing other details in connection therewith.
 - ◆ d. Consideration of an ORDINANCE FOR FINAL concerning a Lease-Purchase Agreement between the City of Aurora, Colorado, as lessee, and the Aurora Capital Leasing Corporation, as lessor; authorizing the execution of an amendment to the Lease Purchase Agreement or, alternatively, a new lease with respect to specific leased property; approving not to exceed \$75,000,000 principal amount of Fixed-Rate or Variable-Rate Refunding Certificates of Participation in connection therewith, as well as
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the use of certain alternative financing instruments; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters.

Motion by Broom, second by Wallace, to approve items 9b, c, d.

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

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, acting Ex-officio as the Board of Directors of General Improvement District 1-2007 adopting an official seal and designating the City as the authorized agent of the district for all purposes relating to the construction, installation, operation, maintenance, and repair of a masonry fence and other incidental and necessary improvements within the district (Cherry Creek Racquet Club).

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

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

- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, acting Ex-officio as the Board of Directors of General Improvement District 1-2007, affirming the official intent of the district to reimburse itself for certain capital expenditures for the Cherry Creek Racquet Club neighborhood fence project by issuing General Obligation Bonds or other obligations of the district.

Motion by Broom, second by Pierce, to approve item 10b.

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

- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement with the Denver Regional Council of Governments (DRCOG) for funding to purchase traffic signal equipment (at a total cost of \$61,062.00).

Motion by Hogan, second by Beer, to approve item 10c.

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

- ◆ d. Consideration to APPROVE A RESOLUTION approving an Intergovernmental Agreement between the City of Aurora, Colorado, Painted Prairie Metropolitan Districts 1-6, and the Green Valley Ranch East Metropolitan District #1, for the maintenance of Detention Pond 840.

Motion by Wallace, second by Fitzgerald, to approve item 10d.

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

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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 rescinding and re-enacting Resolution No. R83-8 to revise the dissolution provisions relating to Heather Gardens Metropolitan District to comport with the Aurora Model Service Plan.

Mark Geyer, Project Manager, gave a brief summary of the item. He noted that the proposed changes would not impose any new taxes or debt to its district or residents. He stated that a petition was circulated to gauge the support within the community.

Mayor Tauer asked Mr. Geyer to again confirm that the item's approval would not increase any taxes. Mr. Geyer clarified that the resolution would merely continue the life of the Metropolitan District and thus required an additional vote in order to issue additional bonds. Mayor Tauer then asked what the results of the petition were; staff noted that the item was 68% in favor.

Council Member Broom asked Mr. Geyer if the district currently had an operating Mill Levy. Staff stated that no operating levy was currently in place and an election would be required to impose one.

Council Member Fitzgerald asked Mr. Geyer what were the benefits of retaining the Metropolitan District status. Mr. Geyer stated that the question would be best answered by the proponents of the item.

Jacqueline Murphy, Seter and Vanderwall Law Firm. 7400 East Orchard Road, Greenwood Village, CO, represented the proponents of the Heather Garden Metropolitan District. Ms. Murphy gave a brief history of the two year process leading to tonight's request. She stated that the reason for the request was flexibility regarding future infrastructure and service financing. She added that the 68% (2,020 residents) petitioned signatures gave compelling evidence of support.

Mayor Tauer asked the applicant to again confirm that the item's approval would not increase any taxes, but simply extend the life of the Metropolitan District. The applicant consented.

Council Member Fitzgerald asked the applicant what were the benefits of retaining the Metropolitan District status in regards to flexible financing. Ms. Murphy stated the financing benefits come from reduced insurance quotes, sales tax exemptions, and the ability to tap into lottery revenues. In addition, the Metropolitan Districts have the ability to borrow at lower interest rates than Home Owner Associations and have more tax deductible options. Council Member Fitzgerald then asked if the community had any beneficial immunity. Ms. Murphy noted that due to its status as a Metropolitan District within a local government entity, it had protection under the Governmental Immunity Act, as well as further decreased insurance premiums.

Council Member Broom asked if these noted savings would offset the administrative costs of running the Metropolitan District. The applicant stated that she was under the impression that these savings did offset the costs.

Wilmer "Bill" Dreiling, 14300 East Marina Drive Apt. #309, Aurora, CO, 80014, also expressed opposition to the item, noting that the petition and the resolution did not present a reasonable need for amending the declaration and asking for an extension of the district beyond the debt being paid off in 2010. He continued by stating that the purpose of the Metropolitan District status would have been fulfilled and felt the resolution was in direct conflict with the court decree, the model service plan, and resolution R83-8. He stated that the district had served its purpose, paid off the debt, and no longer would be needed. He spoke about the Heather Ridge community who had not attempted to prolong their district status. He concluded by stating that the City and

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the courts had a responsibility to prevent unnecessary fragmentation of local governments and to avoid excessive diffusion of tax sources.

Council Member Markert clarified to Mr. Dreiling that there was no bond indebtedness at Heather Ridge.

Morris Dickhart, 13902 East Marina Drive Apt #204, Aurora, CO, 80014, also expressed opposition to the item, stating that he personally reviewed the petition and considered 536 signatures to be invalid, thus bringing the total to only 1,484 valid signatures or 49.89%. He stated his expectations of the Metropolitan District's and noted that it would no longer serve a purpose beyond its original intent. He gave an alternative option of using the Colorado Common Interest Ownership Act, which he felt would save money and provide better protection. He concluded by stating he wished for a delay in the proceedings, as this item would do nothing more than create another unnecessary layer of government.

Council Member Fitzgerald asked Mr. Dickhart how he was able to disqualify over 500 signatures and to what authority does he have such power. Mr. Dickhart cited the signature disqualifications to "technical issues" and noted he represented only himself, but was experienced with petitions. He noted that the paperwork must be filled out completely and correctly or it would be invalid.

William Joy, 14050 East Linvale Place Apt #407, Aurora, CO, 80014, also expressed opposition to the item, stating that the Metropolitan District was redundant and that the Heather Gardens Association could operate equally well without their contributions. He noted that the emphasized financial benefits that were presented by the applicant, mainly the tax incentives and various government handouts, were unjustified by the taxpayers and therefore were dishonest.

Mary Wagner, 13901 East Marina Drive Apt #204, Aurora, CO, 80014, also expressed opposition to the item, stating that the Heather Garden residents were under the impression that the Metropolitan District would dissolve after the loan had been paid. She expressed her uncertainty of why a special district would be needed if there was no loan to be taken out. She felt such a resolution would be a blatant disregard for the resident's rights, noting that several similar loans and extensions had been presented several times and had been defeated repeatedly. She continued to explain her resentment for the petitioning process, stating she was harassed and pressured to sign her approval, as were others. She felt that if another loan were needed in the future, then and only then would a special district be needed.

Barbara Wilkins, 3222 South Heather Gardens Way, Aurora, CO, 80014, also expressed opposition to the item, stating that the process should have been voted on first instead of petitioned, considering many residents claimed to have been harassed. She noted that due to the economy's recent stagnation, it would be better in the long run to not borrow additional funding at this point in time.

Daryl Milius, 14102 East Linvale Place Apt #602, Aurora, CO, 80014, came before Council in order to express his support of the item, stating that he was apart of the ad hoc study committee that confirmed, after several years of review and discussion, affirmed the advantages and feasibility of extending the Metropolitan District status. He noted that no additional money would be borrowed without an additional vote within the community, but the benefits of having the option so accessible were advantageous. He stated that the savings of keeping the Metropolitan District would run roughly \$100,000. He concluded by laying out the animated support for the project, as numerous meetings and handouts were circulated for almost a three year period to ensure an informed citizenry.

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Council Member Fitzgerald asked Mr. Milius if he had reviewed the petition and verified whether or not the valid signatures were 68% or 49%, and if a third party would be needed for additional verification. Mr. Milius stated that the petition forms were reviewed and checked carefully. He stated a third party verification source was in attendance and would clarify the collected data.

Al Alioto, 13601 East Marina Drive Apt #202, Aurora, CO, 80014, also expressed support of the item, stating that his points had been addressed by Mr. Milius and had no additional comments.

Jacqueline Murphy came back up to address the concerns made by the opposition. She began by stating the ultimate purpose of the Metropolitan District had not been fulfilled completely, because loan payment is only one piece of the community's needs. She stated that she had spoken with the attorney and they were in accord that no election under the statute was required for such a decision, especially considering the additional costs that would have been incurred. She highlighted that the City had previously prescribed the petition process as part of the July 2007 Study Session, asserting that the signatures would confirm community support. She noted that in attendance, a total of 36 people came in support of the item. She concluded by reminding Council of the length of the dialogue, meetings, and finally the petition process as proof of community support.

Council Member Fitzgerald asked Ms. Sandy Thomas, paralegal with applicant, why their valid signature count of 68% was correct and the opposition count of 49% was incorrect.

Sandy Thomas, Seter and Vanderwall Law Firm, 885 Newark Street, Aurora, CO, 80010, responded to Council Member Fitzgerald's question noting that she had reviewed the petitions using the Secretary of State's guidelines. She added that her confirmed count of 68% could be reduced to 62% if you accounted for several small technical errors. For example, if your voter registration name was William A. Smith and you signed a petition as W.A. Smith, that signature would be considered invalid, yet this distinction, based on the voting guidelines of the Secretary of State, would nonetheless recommend validating the signature if the address still matched. Ms. Thomas noted this confusion as reason for the difference in valid signatures, but reminded Council that these signatures were still the same residents.

Council Member Hogan asked Ms. Jacqueline Murphy why the Metropolitan District should be extended if there was no immediate need. Ms. Murphy argued that the district adds a critical function for purposes of immediate financial gains in respects to lowered insurance costs, sales tax exemptions, and limiting liabilities. Council Member Hogan noted that this community was one of the few that witnessed several real conflicts between the Home Owner Association and the Metropolitan District, noting they haven't always worked well together. Ms. Murphy stated that the community had ultimately spoken in favor of the district (petition) and noted that in general the Home Owner Association and the Metropolitan District had provided a tandem benefit within Heather Gardens.

Council Member Beer noted his concern for the alleged harassment regarding the collection of signatures for the petition. He asked Ms. Murphy to explain the training given to the circulators and then asked for reassurance that the collection of signatures did not involve any kind of intimidation tactics. Ms. Murphy stated that they had given instructions to the circulators regarding proper procedural policy. Ms. Murphy then directed the question to Mr. Milius, who had been a circulator. Mr. Milius stated that explicit instructions were given to the 50 or so circulators through various meetings, which gave special cautions to harassment behavior. He went on to state he couldn't vouch for each and every encounter, but the instructions given were to simply ask for signatures and not press for signatures.

Council Member Broom asked Mr. Milius if any of the circulators were paid. Mr. Milius stated that all were volunteers.

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Sharon Kerr, 13890 East Marina Drive Apt #605, Aurora, CO, 80014, expressed her opposition to the item, stating that although she did not attend the meetings, she felt she was left behind because of her hearing impairment. She stated that there were 20 plus hearing impaired residents at Heather Gardens and no interpreters were provided. She stated that she was uninformed about the entire process.

Jacqueline Murphy responded by emphasizing the fact that when an interpreter request was made it was provided. In addition she noted the numerous communications including; two community meetings, door-to-door question and answer fact sheets, and a joint letter from the Home Owner Association and the Metropolitan District.

Council Member Fitzgerald asked Ms. Murphy whether or not an election could still take place in addition to the petition. Ms. Murphy stated that an election was desired by such a small group that the majority did not want to incur the expense. The Mayor then noted that Council had previously given advice to carry out a petition process instead of an election due to the affordability.

Council Member Beer asked Assistant City Attorney Hyman to explain the responsibilities of providing accommodations for the hearing impaired at public meetings and how they apply to special districts under the Americans with Disabilities Act. He then asked, hypothetically, if these provisions were not made, how they would affect the petitioning process. Assistant City Attorney Hyman stated that because the special district is a governmental entity, it is required to provide an interpreter service if requested. However, in terms of invalidating the process, Council must use the credibility of evidence and the petition in order to make a conclusive decision. Assistant City Attorney Hyman stated that the inability to provide an interpreter would at most only make those signatures invalid and not the petition itself.

Council Member Sandstrom asked Assistant City Attorney Hyman to explain the current City model service plan on terminating Metropolitan Districts. City Attorney Hyman stated that essentially there is no automatic termination, and it is up to City Council to make the affirmative steps.

Council Member Sandstrom thanked all the residents for coming out to speak their opinions. She stated that there were lots of opportunities, publicity and meetings, available to get involved and learn about the issue. She reminded the residents of Heather Gardens that extending the Metropolitan District does not mean that the tax will be extended; the taxes will end as soon as the bond is paid off. She noted that Mr. Milius' memo reported savings of \$128,500 per year. She urged the rest of Council to support the item.

Council Member Beer echoed Council Member Sandstrom in his gratitude to the residents coming out to voice their opinions. He stated that he was basing his decision of support on the calculation of the savings, as well as keeping the special district status around as a future tool. He noted the numerous financial strains that existed when trying to apply for a special district.

Council Member Frazier thanked the residents of Heather Gardens for speaking their opinions. He stated that he understood the reasons to dissolve the district, but also saw the benefits of extending its functions for future needs. He noted that he would be supporting the item, stating that any future loans would still require a vote and thus the item was merely a tool for financial savings.

Council Member Hogan expressed his thanks to the community for coming out. He stated that because this Metropolitan District is a special district, it needed to be looked at as having a special purpose. He noted that if every special district came in and requested extensions, we

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would completely defeat the purpose of special districts. He stated he could not support this item, because there was no need to continue its special purpose.

Council Member Pierce declared his support on the item based on the community's interest and majority support.

Council Member Markert stated that the Metropolitan District had great future value in its ability to protect the community, especially with the upcoming light rail development.

Council Member Fitzgerald stated he would support the item based upon the evidence that 62-68% of the community was in favor.

Council Member Peterson stated that she could not support the item due to some of the residents claiming harassment. She also noted that she felt there would no longer be a need for the district after the bonds were paid off.

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

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

Voting No: Hogan, Peterson

12. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending various subsections of Section 146-1252 of the City Code of the City of Aurora, Colorado, relating to after-hours operation of specified uses.

MAIN MOTION:

Motion by Beer, second by Peterson, to introduce item 12a.

Council Member Beer noted several concerns that had been raised regarding the negative effects of bars and night clubs adjacent to residential areas. He stated that the Planning Office and City Attorney's Office had discussed steps to strengthen the protections and responses to rowdy business practices. He noted that the main difference presented by this ordinance would be the elimination of a probationary period for a new holder of an after hours use permit and thus creating a rolling history of supervision, similar to a driver's license and points. He also noted that any ownership change or modification of the business model may have their after hours use permit taken away or discontinued upon a permissive City Council approval. He then stated that some may feel the ordinance could damage future business values, but followed by noting that this would only apply to a very small group of businesses and would not be retroactive; he noted it was merely a tool to control unsuitable business practices.

Council Member Broom stated his opposition of the ordinance due to a fear that the businesses could ultimately be reduced in value. He noted that the City currently had the power and tools to enforce unsuitable business practices, thus there was no need for any further regulation.

Council Member Sandstrom noted her disapproval, stating that any additional business constraints would not be beneficial, especially based on speculation. She stated that this issue had not been presented to the Business Advisory Board, and felt that their input would be critical in deciding whether or not such a regulation would be needed or desired.

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Council Member Wallace stated her support of the issue, noting that the value could be affected, but the business owner needs to be held accountable for their behavior. She also stated it would protect the City from a bad business being passed on to another bad business.

Council Member Broom stated he wanted to table the issue until it had been reviewed by the Business Advisory Board.

SUBSTITUTE MOTION NO.1:

Motion by Broom, second by Sandstrom, to have a substitute motion that tables item 12a until it has been referred to the Business Advisory Board.

Council Member Beer stipulated that the Business Advisory Board would not support this ordinance, and asked Council to act tonight by voting on the original motion.

Council Member Sandstrom stated that she felt it would be invaluable to have the Business Advisory Board review the ordinance and provide a recommendation before it was introduced.

Council Member Frazier stated that he would not support the substitute motion because Council Member Beer had asked for an up or down vote and he was fully prepared to do so.

Council Member Markert stated that she would not support the substitute motion on the grounds that Council Member Beer's request is reasonable and any discussion regarding the Business Advisory Board should have been discussed earlier. She noted that issues like this can ping pong back and fourth without ever reaching a conclusion.

Council Member Fitzgerald echoed Council Member Frazier noting he was prepared to vote on the original motion.

SUBSTITUTE MOTION NO.1 FAILED:

Voting No: Beer, FitzGerald, Frazier, Markert, Peterson, Pierce, Wallace

Council Member Fitzgerald stated he would support item 12a because it did not affect any existing businesses. He noted this ordinance would only be utilized on a case by case basis.

VOTE ON MAIN MOTION:

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

Voting No: Broom, Hogan, Sandstrom

13. **PLANNING MATTERS**

- ◆ a. PUBLIC HEARING and consideration of an ORDINANCE FOR INTRODUCTION of the City of Aurora, Colorado, rezoning a parcel of land generally located 500 feet south of Smith Road at Laredo Street from M-1 (Light Industrial District) to O (Open District), and amending the Aurora Zoning Map Accordingly, (Star K Ranch RV Park) 34.0 acres more or less.

William Davidson, Planning, gave a brief overview of the item. He stated that this requested rezoning had been approved unanimously by the Planning Commission and met all the zoning code requirements. He stated that the four neighboring communities, even the ones who had originally had grievances, had given the thumbs up.

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Council Member Pierce asked if the Parks Department had given support to the rezoning. Mr. Davidson stated that the Parks Department had worked very close with the applicant and was satisfied with the current plan.

Council Member Markert stated her concern for the number of handicapped spaces, only 6 out of roughly 300, and asked if that was a normal amount or if more could be added. Mr. Davidson stated that the required number met City code and that the non-handicapped spaces still met handicap size width. Council Member Markert stated she still felt concerned that more formally labeled spaces should be considered.

Skip Ahern, 771 York Street, Denver, CO, 80206, the applicant gave a brief summary supporting the item. He stated that the neighborhood communities seemed supportive of the overall project.

Council Member Markert asked the applicant what it would take to add additional handicap parking spaces to the design.

Bud Simon, DHM Design, 1390 Lawrence Street Apt #100, Denver, CO, 80204, stated that this issue was brought up previously. He noted that the six handicap spaces mentioned by Council Member Markert are located in the non-RV spots, which there are only 60, meaning one spot for every ten. He noted that in addition to the six, another six spaces in the RV area would be specially assigned handicap status. He stated that in a total of 280 spaces, 12 will be handicap designated; this would meet the Americans with Disabilities Act. Council Member Markert asked if any of those handicap spaces would be located near the clubhouse and spa area. Mr. Simon noted that the six handicap non-RV spaces were located throughout the site.

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

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

14. **RECONSIDERATIONS AND CALL-UPS**

None.

15. **GENERAL BUSINESS**

- a. Consideration to appoint one new member to a three-year term on the Public Defender Commission.

Motion by Hogan, second by Fitzgerald, to appoint Dennis Champine to the Public Defender Commission.

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

- b. Consideration to reappoint two incumbent members to a three-year term on the Open Space Board.

Motion by Markert, second by Pierce, to reappoint George Bartling and Daniel Candelaria to the Open Space Board.

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

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16. **REPORTS**

- a. Report by the Mayor
- b. Reports by the Council

Council Member Peterson announced her Aurora Youth Commission appointment of Brandon Townsend.

Council Member Fitzgerald gave his thanks to the people of Kierkegaard Acres regarding a meeting that addressed support for a proposed Conference Center at 6th Avenue and Airport Boulevard.

Council Member Markert stated that she had spent the past Saturday with the Cherry Creek School District's "Walk in My Shoes" Youth Adult Summit. She noted it was an excellent event with inspiring workshops that spoke about keeping the community in touch with children. She also mentioned and commended all City staff for their honor of being a finalist for the "2008 All American City Award." Lastly she noted her upcoming Ward IV Town Meeting on Thursday March 27th at Saint Andrew's Village Chapel at Yale and Abilene at 6:30pm.

Council Member Pierce thanked all the residents for coming out to the Highland Canal Cleanup and aiding Kiwanis along with other volunteers in what was an excellent endeavor. He then reminded everyone that "Bike to Work Day" was coming up on June 25th.

Council Member Frazier wished everyone a happy and safe St. Patrick's Day and then gave his thanks to the Aurora City Police Department for their 2007 Annual Public Safety Report, which illustrated yet another year of reduced crime.

Council Member Sandstrom stated that recently the Aurora History Museum presented the 10th Annual Aurora Women's Sculptors of Our Community program. Among those honored were: Connie Anderson, Terry Campbell Caron, Ruth Creel, Debbie Gilliard and Elsie Lacy. She announced the Ward V Town Meeting will be on Tuesday March 25th at the Conservatory Clubhouse at 7:00pm; noting that the budget will be the central topic. She also wished former Council Member Polly Page a quick recovery from her recent injury.

Council Member Wallace announced the Ward I Town Meeting was scheduled for March 20th at Martin Luther King, Jr. Library at 7:00pm. She stated that the new City Fire Chief would be in attendance and would speak regarding fire safety and prevention. She announced two vacancies on the Open Space Board, calling out to all Ward I residents to apply. She then thanked the Community Partnership Group for informing the public concerning day laborers and their relocation to a more commercialized area.

Council Member Beer stated that he too enjoyed participating in the Highland Canal Cleanup. He noted that a total of 450 people aided in the effort. He announced the Ward III Town Meeting would be on Thursday March 20th in the Aurora Room at the Aurora Municipal Center at 7:00pm. He noted that the featured speaker would be Gayle Jetchick of the Havana Business Improvement District. He closed by wishing everyone a happy St. Patrick's Day.

17. **PUBLIC INVITED TO BE HEARD**

Morris Dickhart, 13902 East Marina Drive Apt #204, Aurora, CO, 80014, came before Council in order to express his distress, stating that Council did not appear to conduct its public hearings fairly. He noted that, in regards to item 11a, he would push for an election on May 10th in order to nullify their earlier decision.

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18. **ADJOURNMENT**

Mayor Tauer adjourned the regular meeting of City Council at 9:42 p.m.

EDWARD J. TAUER, Mayor

ATTEST:

DEBRA JOHNSON, City Clerk

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