

MINUTES

Regular Meeting – Aurora City Council Monday, May 5, 2008

CALL TO ORDER – EXECUTIVE SESSION

Mayor Tauer convened the Executive Session of City Council at 4:04 p.m.

ROLL CALL

PRESIDING:	Mayor Tauer
COUNCIL MEMBERS PRESENT:	Broom, FitzGerald, Frazier, Hogan, Markert, Pierce, Wallace
COUNCIL MEMBER ABSENT:	Peterson
OFFICIALS PRESENT:	City Manager Miller, City Attorney Richardson, City Clerk Johnson
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	Beer, 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 Pierce, to recess to Executive Session.

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

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

CALL TO ORDER – A.U.R.A. URBAN RENEWAL AUTHORITY EXECUTIVE SESSION

Chairman Tauer convened the A.U.R.A. Executive Session of City Council at 6:36 p.m.

ROLL CALL

PRESIDING:	Chairman Tauer
COMMISSIONERS PRESENT:	Beer, Broom, FitzGerald, Frazier, Hogan, Markert, Pierce, Sandstrom, Wallace
COUNCIL MEMBER ABSENT:	Peterson
OFFICIALS PRESENT:	Executive Director/Secretary Miller, Treasurer Gross

City Clerk Debra Johnson 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 Wallace, to recess to A.U.R.A. Executive Session.

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

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

- ◆ *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.*

1. **RECONVENE REGULAR MEETING OF MAY 5, 2008 AND CALL TO ORDER**

Mayor Tauer reconvened the regular meeting of City Council at 7:32 p.m.

2. **ROLL CALL**

PRESIDING:	Mayor Tauer
COUNCIL MEMBERS PRESENT:	Beer, Broom, FitzGerald, Frazier, Hogan, Markert, Pierce, Sandstrom, Wallace
COUNCIL MEMBER ABSENT:	Peterson
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 APRIL 21, 2008**

Motion by Markert, second by Hogan, to approve the minutes of April 21, 2008, as presented.

Council Member Markert reminded staff of her request that the Water Department provide her with specific budget information. Staff agreed to do so.

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

6. **CEREMONY**

a. Proclamation for ***Aurora's 117th Anniversary***

Mayor Tauer invited Ruth Fountain, Aurora Historical Society, to come forward to accept the proclamation. Mayor Tauer read the proclamation declaring the week of April 30 – May 6, 2008, the City of Aurora's Anniversary Week. Ms. Fountain expressed appreciation for the proclamation.

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

Stefan Geyer, Aurora, Colorado, discussed the unfairness of qualifications for the boards and commission in the City of Aurora. He disagreed with the requirement that a member must actually live in the City of Aurora. He lived in Unincorporated Arapahoe County and was willing to serve and should be allowed to do so.

Mayor Tauer recommended the Community Partnership Committee address that concern.

Council Member Sandstrom noted Arapahoe County also has an Open Space Board if that were Mr. Geyer's particular interest. Mr. Geyer noted he was interested in serving the City of Aurora.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-9c**

General Business

- ◆ ***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.***

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to Envirotech Services, In Greeley, Colorado in the not-to-exceed amount of \$875,000.00 for the annual requirement of Ice Slicer granular deicing material through April 30, 2009.

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

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

Final Ordinances

- b. Consideration for an ORDINANCE FOR FINAL amending Section 146-1614 of the City Code of the City of Aurora, Colorado, regarding off-site development directional signs.
- c. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, rezoning a parcel of land generally located on the southwest corner of East Hampden Avenue and Tower Road from PCZD-MF (Planned Community Zone District-Multi-Family) to B-1 (Retail Business District) and amending the Aurora Zoning Map accordingly (Summerfield Ventures LLC), 1.0 acre more or less (Case Number 2008-2002-00).

Motion by Beer, second by Broom to final items 9b-c.

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

10. **RESOLUTIONS**

- a. Consideration to APPROVE A RESOLUTION pursuant to the requirements of Ordinance No. 2008-16, making findings and determinations concerning the use of alternative financing instruments in connection with the refunding of Certificates of Participation, Series 2006A-2 and amendment of the related lease purchase agreement, and authorizing the execution and delivery of documents and other transactions in connection therewith

Motion by Sandstrom, second by FitzGerald, to approve item 10a, with a waiver of consideration.

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

- b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, amending the Fitzsimons Area Urban Renewal Plan.

Motion by Wallace, second by Hogan, to approve item 10b.

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

- c. Consideration to APPROVE A RESOLUTION approving an Intergovernmental Agreement between the City of Aurora, Colorado, acting by and through its Utility Enterprise and the East Plains Metropolitan District for supplemental irrigation and golf course water for the Blackstone Development.

Motion by Broom, second by Wallace, to approve item 10c.

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

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- d. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving requests for funding from the Visitor's Promotion Account in excess of \$25,000.

Motion by Hogan, second by Markert, to approve item 10d.

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

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

- a. PUBLIC HEARING and consideration of an ORDINANCE FOR FINAL authorizing the issuance and sale of the City of Aurora, Colorado Hospital Revenue Refunding Bonds (The Children's Hospital Association Project) Series 2008, in one or more series, in an aggregate principal amount not to exceed \$125 million, to refund and refinance certain existing bonds issued by the City for The Children's Hospital Association and certain indebtedness of The Children's Hospital Association issued or incurred to refinance a portion of such bonds, the proceeds of which prior bonds were used to finance the acquisition, construction, improvement and equipping of a portion of The Children's Hospital in the City; authorizing the execution and delivery by the City of one or more bond trust indentures, loan agreements, bond purchase agreements, and closing and other ancillary documents in connection therewith; approving the use of one or more official statements in connection therewith; making determinations as to the sufficiency of revenues and as to other matters related to the refunding bonds; and repealing actions heretofore taken in conflict herewith.

John Gross, Finance Director, gave a brief summary of the item.

Leonard Dryer, Chief Financial Officer, Children's Hospital, expressed his appreciation to City Council for allowing the hospital to use the City of Aurora for the issuing of their bonds.

Motion by Wallace, second by Frazier, to introduce and final item 11a.

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

12. **ORDINANCES FOR INTRODUCTION**

- a. Consideration of an ORDINANCE FOR INTRODUCTION amending Section 50-255(a) of the City Code of the City of Aurora, Colorado, relating to Conditions of Probation

Motion by Frazier, second by FitzGerald, to introduce item 12a.

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

13. **PLANNING MATTERS**

Staff requests Item 13a be deferred until the June 16, 2008 City Council Meeting.

- a. PUBLIC HEARING to consider a Conditional Use for After-Hours Operation adjacent to residential for the Mirage at Stockade Shops located at 2648 South Parker Road (Mirage at Stockade Shops). (Case Number 1989-6085-16).

Motion by Markert, second by Pierce, to defer item 13a to the June 16, 2008 City Council Meeting.

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

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14. **RECONSIDERATIONS AND CALL-UPS**

None.

15. **GENERAL BUSINESS**

- a. Consideration to appoint one new member to a three-year term on the Board of Adjustment and Appeals

Motion by Broom, second by Beer, to appoint Dr. Sandra Arkin to the Board of Adjustment and Appeals.

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

16. **REPORTS**

- a. Report by the Mayor

Mayor Tauer appointed *Natasha Gransby as an adult member of the Aurora Youth Commission.

- b. Reports by the Council

Council Member FitzGerald related his attendance at the recent Cops Fighting Cancer Boxing Event. It was a wonderful event that raised a lot of money for families struggling with cancer.

Council Member Markert expressed her appreciation to Loretta Lindsay for her efforts on the CABC. Ms. Lindsay was stepping down to attend to family matters and Sonya Skakich-Scrima would be her replacement. She welcomed Ms. Scrima to the CABC. She related those living in potential flood zones received notices of possible flood dangers.

Council Member Pierce related his attendance at the recent Adams County Excellence Award where two Aurora businesses, Furniture Row and Whirlpool Corporation, both located in Adams County received awards. These awards are given out by Adams County Economic Development. He congratulated both companies. He invited those interested to attend the E-Cycling Event scheduled for Saturday, May 17 from 9:00 a.m. to 2:00 p.m. at the North Satellite Location.

Council Member Frazier, on behalf of Council Member Peterson, who continued to recover from surgery, appointed Kevin Lanotte to the Business Advisory Board.

Council Member Broom invited those interested in improvements to Arapahoe Road between Waco and Himalaya to attend the Open House scheduled for May 8, 2008 from 7:00 p.m. to 8:30 p.m. at Grandview High School.

Council Member Sandstrom recognized and congratulated recent recipients of the Trig Star Awards. The awards were presented based on results of a Trigonometry Test. All nine Aurora high schools realized winners, and Leonid Ovanessian, Smoky Hill High School, was a three time winner who would be moving onto the state level. The City's Public Works Departments sponsors these awards.

Council Member Wallace congratulated and welcomed the Shadow Theater for their grand opening in Aurora. She noted the current show was wonderful.

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Council Member Beer concurred with Council Member Wallace. He attended the Shadow Theater grand opening and suggested those interested should see the show and support the theater.

17. **PUBLIC INVITED TO BE HEARD**

None.

18. **ADJOURNMENT**

Mayor Tauer adjourned the regular meeting of City Council at 8:01 p.m.

EDWARD J. TAUER, Mayor

ATTEST:

DEBRA JOHNSON, City Clerk

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