

**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
CITY OF LAKEWOOD**

**7:00 P.M**

**August 24, 2009**

*Minutes are not a verbatim transcription, but rather an attempt to capture the intent of the speaker by the City Clerk.*

**ITEM 1 – CALL TO ORDER**

Mayor Murphy called the meeting to order at 7:00 p.m. in the Council Chambers, Lakewood Civic Center South, 480 South Allison Parkway, Lakewood, Colorado.

**ITEM 2 – ROLL CALL**

Those present were: Mayor Bob Murphy, Presiding

Diana Allen  
Doug Anderson  
Cindy Baroway  
Karen Kellen  
Sue King  
Debbie Koop  
Adam Paul  
Ed Peterson  
Tom Quinn  
Vicki Stack

Others in attendance: Mike Rock, City Manager  
Tim Cox, City Attorney

Full and timely notice of this City Council meeting had been given and a quorum was present.

**ITEM 3 – PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited and a moment of silent prayer was observed.

**ITEM 4 – PUBLIC COMMENT**

James Mace, Ward 1, wanted clarification on the ordinance regarding concealed weapons and why it does not include knives, crowbars, etc.

Steve Donner, wanted to know how city ordinances are passed. He feels there is a problem in that citizens are not being reached in a timely manner so that they can have

input in having the ordinances presented and passed. He feels citizens should be notified at least 60 days in advance.

Gerald Lopez, 1257 Allison Street, Lakewood, CO, stated that RTD is creating holes in the streets and not covering them up. He also extended “thanks” to all local companies who contributed to the 40<sup>th</sup> Year Reunion of the Lakewood High School Class of 1969.

Randy Little, 10590 W. Dakota, Lakewood, CO, spoke about his tour of Coyote Gulch and extended thanks to the City of Lakewood for doing a great job with this project and at Ray Ross Park.

Public comments were closed.

Mayor Murphy, in commenting on Steve Donner’s concern, stated that there is no 60-day advanced notice requirement regarding ordinances.

Tim Cox, City Attorney, added that we comply with the 1981 Charter and we’re consistent with other local municipalities. He said our newspaper of record is the Denver Post, Your Hub.com.

Mike Rock, City Manager, noted that no other local municipal entity publishes their entire agenda and/or ordinances in the newspaper—it’s too costly. Council agendas are posted on line in advance of the meetings.

In addressing Mr. Mace’s concern, Mayor Murphy pointed out that the proposed ordinance is an attempt to place the City of Lakewood in line with the State Statutes.

Tim Cox added that our provision in regards to carrying concealed hand guns was in conflict with State law. The proposed ordinance brings us into compliance.

#### **ITEM 5 – PROCLAMATION – INCORPORATION DAY**

Mayor Murphy read a proclamation celebrating the City of Lakewood’s 40<sup>th</sup> year anniversary, which hereby proclaims August 28 as Incorporation Day in the City of Lakewood.

#### **ITEM 6 – PRESENTATION – NAMING OF OFFICIAL CITY TREE, FLOWER AND SONG**

Mayor Murphy stated that the Advisory Commission for an Inclusive Community (ACIC) created a competition to get citizens involved in naming the city tree, flower and song. He listed the criteria for each category and announced the winners as follows: City Tree is the Hackberry Tree; the City Flower is the Mohave Sage; and the City Song; “Lakewood, More Than A Mile High”, composed and preformed by musician Tim Hoffman.

**ITEM 7 – PRESENTATION – CITIZEN CITATION FOR DISTINGUISHED SERVICE**

Kevin Paletta, Police Chief, read and presented a Citizen Citation for Distinguished Service to 14-year old Seth Pederson for his quick reaction and response in saving his father's live and preventing the possibility of a very serious traffic accident that potentially could have involved many vehicles. Seth accepted the citation and introduced his family members.

**ITEM 8 – PRESENTATION – HCA ALLIANCE AWARD**

Susan Lythgoe, speaking on behalf of Heritage, Culture and the Arts Alliance, awarded the City of Lakewood a check in the amount of \$11,400. Mayor Murphy and Michele Nierling, Director of Lakewood's Heritage Center, graciously accepted the award.

**ITEM 9 – CITIZEN-INITIATED ORDINANCE – AMENDING THE LAKEWOOD MUNICIPAL CODE TO REQUIRE IMPOUNDING OF MOTOR VEHICLES DRIVEN BY UNLICENSED DRIVERS; REQUIRE BONDS TO BE POSTED; AND FURTHER REQUIRE THAT IMPOUNDMENT LAND ACQUISITION FEES BE PAID**

Margy Greer, City Clerk, asked that this item be removed from the agenda. She noted that there was a protest hearing and as of this date, the Protest Hearing Officer has not rendered a decision.

Tim Cox explained various scenarios that could happen depending on the Hearing Officer's decision. There may be a need to hold a Special Meeting and proper notification has to be done. He said the Special Meeting would be held for the sole purpose of voting on the Citizen-Initiated Ordinance regarding the impounding of vehicles driven by unlicensed drivers.

A motion was made by Councilwoman Kellen, and seconded by Councilman Quinn, to hold a Special City Council Meeting on Monday, August 31, 2009 at 7:00 p.m. for the sole purpose of voting on the Citizen Initiated ordinance regarding the impounding of vehicles driven by unlicensed drivers.

VOTE: Ayes: 11 Nays: 0 The motion passed unanimously.

## **CONSENT AGENDA**

Consent Agenda Items 10 – 11 were read into the Record by the City Clerk.

**ITEM 10 – RESOLUTION 2009-40** – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH METRO WEST HOUSING SOLUTIONS AND ACCEPTING A SPECIAL WARRANTY DEED FROM METRO WEST HOUSING SOLUTIONS TO THE CITY OF LAKEWOOD FOR THE CONVEYANCE OF PROPERTY LOCATED ON WEST 11<sup>TH</sup> AVENUE, BETWEEN HARLAN STREET AND LAMAR STREET, FOR THE NEW COMMUNITY CENTER THAT WILL BE CONSTRUCTED FOR THE HEAD START PROGRAM, LOCATED WITHIN THE CITY LIMITS OF THE CITY OF LAKEWOOD

### **ITEM 11 – APPROVING MINUTES OF CITY COUNCIL MEETING**

Regular City Council Meeting

June 22, 2009

There were no public comments.

A motion was made by Councilwoman Kellen, and seconded by Councilman Quinn, to approve Council Minutes, accept all minutes for Boards and Committees, order all ordinances introduced on first reading to be published into the Denver Post Newspaper for public hearing set for dates included in the ordinances, and to adopt resolutions, all of which are included in the Consent Agenda Items, for the record and introduced by the City Clerk.

VOTE: Ayes: 11 Nays: 0 The motion passed unanimously.

### **ORDINANCES ON SECOND READING AND PUBLIC HEARINGS**

**ITEM 12 – ORDINANCE O-2009-39** – TO ENTER INTO A COVENANT WITH THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND REGARDING THE CONTINUED OPERATION AND MAINTENANCE OF RAY ROSS PARK FOR PARK AND RECREATIONAL PURPOSES

A motion was made by Councilwoman Kellen, and seconded by Councilman Quinn, to adopt Ordinance O-2009-39 on second and final reading.

VOTE: Ayes: 11 Nays: 0 The motion passed unanimously.

### **13 – GENERAL BUSINESS**

None.

**14 – REPORTS**

Mayor Murphy and City Council Members reported their attendance at previous meetings and events and announced upcoming neighborhood meetings and events.

**15 – ADJOURNMENT**

There being no further business to come before the Council; Mayor Murphy adjourned the meeting at 8:00 p.m.

Submitted by:

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Margy Greer, City Clerk