

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue

June 17, 2013

Mayor pro tem Reinhart called the Study Session to order at 6:30 p.m. Council members present: Davis Reinhart, Joyce Jay, George Pond, Mike Stites, Kristi Davis, Tracy Langworthy and Joseph DeMott.

Absent: Bud Starker, Mayor DiTullio

Also present: City Clerk, Janelle Shaver; Treasurer, Larry Schulz; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Municipal Judge Christopher Randall; Community Development Director, Ken Johnston; other staff, guests and interested citizens

PUBLIC COMMENT ON AGENDA ITEMS none

1. Zoppe' Circus Update ~ Gina Hallisey

Gina went through the handout she had for Council that gave a good, detailed update on all the increased marketing, advertising and sponsorship activity that is happening this year. Things are going very well and they are already selling tickets. She handed out stacks of Circus Bucks for councilmembers to pass out in their travels.

2. Contract Renewal for Municipal Court Judge

Judge Randall addressed Council on some of the particulars for the Wheat Ridge Municipal Court. We are quite unique in that the Judge is a department head and as such addresses a variety of administrative issues. He also said Wheat Ridge has a robust municipal court – handling a wide variety of cases beyond traffic tickets, including domestic violence and jury trials. The City has its own probation department. The Court sees in-custody defendants weekly and employs two court marshals for security and prisoner transport.

Judge Randall does a good amount of court mandated education for offenders. He works (average) between 25-30 hours a week.

Mr. DeMott noted that two years ago the Judge was not awarded a raise due to tough economic times and that this year's request is the same and does not attempt to "make up" for last time.

Mrs. Jay noted that the Judge hasn't gotten a raise in 6 years.

Attorney Dahl encouraged councilmembers to attend a court session sometime to observe the service we provide.

Concluding minor discussion Mr. DeMott received a consensus to bring the Judge's 2-year contract renewal forward at the next Council meeting and that it include the requested 5% raise to \$91.51 per hour.

3. 38th Avenue Corridor Plan Implementation ~ Ken Johnston

Ken Johnston went through a Power Point presentation that outlined the more extensive packet material that Council had.

Accomplishments (since the adoption 20 months ago)

- Rezoning the corridor to MU-N
- Leadership Committee (meets frequently)
- Road Diet in place: parking changes, pop-up cafes, planters
- Branding/Marketing (The Ridge at 38)
 - Special Events (Sept 2012 kick-off event and Dec 2012 Tree Lighting Ceremony); the working relationship with the school district remains excellent

Assessment Metrics

Approximate 18-24 month trial period

Transportation:

- First set of year over year data; it's pretty much what staff expected; no real trends seen; traffic hasn't moved to other streets
- Traffic counts (for 12 months, through May 2013)
 - Traffic speed on 38th Ave. (Wads. to Sheridan) is 10 mph slower
 - East of Pierce there's not much change in volume on 44th, 38th, and 32nd; volumes on 35th and 41st are slightly down, except the eastern portion of 41st which is up
 - West of Pierce (to Wads): Volumes on 38th are down 15%; volumes on 32nd are up 12%
- Bike pedestrian activity ~ No indication of any increase or decrease
- Accidents ~ No significant change in the total number of accidents
- Emergency Response ~ Response times slightly down for the Fire Dept.

Economic Indicators (memo from Steve Art)

Staff believes the sales tax, business openings, and vacancy rates are showing positive trends and are the ultimate measure of success.

Business Openings ~ Since 2011, 36 new business licenses from Upham to Sheridan

Sales tax – Corridor sales tax revenues are up each year since 2010.
Dining, grocery, liquor and gaming segments have increased.
Auto-related services and miscellaneous retail are down.
Vacancy rate ~ 11%; 18 available vacant spaces in the corridor

Road diet feedback

Back-in parking ~ Mixed viewpoints on the safety and ease of use.
Planters ~ Have provided some visual appeal, but not long term impact.
Pop-up cafes ~ Two are being used with great success.

Next Steps

Marketing / Branding ~ Coordinated marketing; expanded website
Events: Wheat Fest, Cyclocross, Trunk or Treat, Holiday Celebration
2013 Capital Projects ~ Banner poles at either end of the corridor and enhanced pedestrian activated signals at Benton and Upham; both approved in the 2013 budget and well under way
Streetscape Design Consultant ~ Scope to include finalizing the street sections, amenities, street furniture, landscaping, hardscape elements, public art, lighting, surface materials, way finding signage, opportunities for curb cut consolidation, and design for first phase implementation as a potential 2014 capital project
2014 Capital Projects ~ (see above)
Economic Development ~ 2013 projects: Urban format 7-11 at 38th & Harlan; 26 townhomes at 38th & Depew

The streetscape design will be brought to Council for approval on July 8.

Discussion followed. Councilmembers raised concerns about traffic counts on 32nd, 38th, and what happens to the cars at Pierce; increased speeds just west of Sheridan where the road widens; traffic counts being down on 38th and up on 32nd; several businesses have experienced economic difficulties since the road diet; one pop-up café never has anyone in it; citizens have concerns about traffic on side streets; the intent might be good, but the landscaping is not doing much for beautification; changing the flow-line of the street requires a vote of the people; a desire to look at traffic counts on the north/south streets in the area; significant complaints from folks on Teller St. about increased volume; the decreased traffic time due to the school seems manageable, but we need to be concerned about any loss in business; data on accidents and business development seems mixed and indeterminate and needs to be watched.

4. Sales Tax Ballot Question Timeline ~ Nathan Mosley

Nathan presented the timeline for putting the tax increase on the ballot.
August 5 Study Session – Council review of draft ballot language

August 12 – Ordinance on 1st reading
August 26 – Ordinance on 2nd reading

Mr. Goff suggested it might be difficult to pass a sales tax without a message to voters about where the money will go. He proposed creating some talking points and messaging so the Councilmembers will have something to campaign with. Nathan said it's also possible to show, after the fact, what benefits citizens realized from the increased revenue.

Council discussion brought out the following points:

- Talking points would only pose ideas/intentions for use of the money, which may or may not be specified in the ballot language
- One of the reasons Council decided to ask for this increase is because the City has no money for capital projects and we're not raising our property taxes (which are low).
- In 2014 we will only have about \$500,000 for capital improvements; staff would like to have at least \$2 million annually to keep up with preventative maintenance for crack sealing and asphalt.
- For marketing purposes, our sales tax is below many neighboring cities. Everyone will be sharing in this venture – owners, renters, and visitors. A good bit of the revenue will come from non-residents.
- It's important to outline the reasons and intent -- infrastructure needs, capital projects, the idea of sustainability, the investment in quality of life.
- It would be good to be prepared to talk about this at the District 3 and 4 meeting on July 29.
- After the ballot language is passed by Council (Aug 26), staff will have to be careful about spending time and resources to promote the tax increase.

There was consensus to have staff create some talking points that support asking the voters for an increase.

The plan will be to have further Council discussion at the July 15 Study Session, citizen input can happen on July 29th and the draft ballot language can be discussed and finalized at the Aug 5 Study Session.

5. Adoption of the 2011 National Electrical Code (NEC) ~ Ken Johnston

Staff recommends moving the City to the 2011 version of the NEC. No local amendments are recommended as this is a very technical document. One local change that is reflected in the ordinance is consolidation of some of the related language into a single place in the Wheat Ridge Code of laws. There will be no changes in current fees, processes or procedures.

John Schumacher, chief building officer, was on hand and answered a few questions.

~ Why is there a National Electric Code and a National Fire Code? When other code groups merged to form the International Code Council, the National Fire Protection Association chose to remain independent – and continues to remain independent.

~ Adoption of this Code does not affect existing license holders; they won't have to be retested. The State will test new license applicants.

~ Yes, meetings were held in March with representative of the electrical contracting community, but it resulted in no substantive contribution about the code. The meeting centered mostly on logistics and processes and how the City can better serve the contractors.

Mrs. Langworthy received consensus to move the National Electric Code forward for adoption.

Mr. DeMott received consensus to cancel the July 1 Study Session.

6. Elected Officials' Report(s)

Tracy Langworthy asked if the King Soopers grand opening was this Wednesday. Mr. Goff will check on it and email the Council.

Joyce Jay reported from DRCOG that 3 citizens were appointed to represent Wheat Ridge regarding the \$4.5 million DRCOG/US Dept of Housing planning grant for the Ward Road FasTracks station. They are Britta Fisher from WR 2020; Tom Ripp, attorney and board director of WRBA; and Rick Adams, former chair of Renewal Wheat Ridge.


Davis Reinhart reported attending the Metro Mayor's Caucus last week. The director of CDOT was there and reported they will move forward in 2014 with a statewide sales tax to support highways. They also believe that Higher Education will run a referendum in 2014, and that there's likely to be a statewide issue for K-12 as well.

Clerk Shaver encouraged everyone to speak up when they talk and speak into the microphones. Sometimes their comments aren't audible on the tape.

City Attorney Dahl informed Council that the Mayor's veto of Ordinance 1535 will be on the dais Monday. He went through various options of how it can be handled if they choose to act. It is a legislative matter, not quasi-judicial, and Mr. Pond will be able to vote. Next Monday is the only meeting

available to act on it. It will require 6 votes to pass an override and 6 votes to reconsider if you want to amend the amount in any way. A vote to reconsider must be brought up by someone from the prevailing side.

The Study Session adjourned at 8:10 pm.



Janelle Shaver, City Clerk