

CITY COUNCIL MINUTES

CITY OF WHEAT RIDGE, COLORADO
7500 WEST 29TH AVENUE, MUNICIPAL BUILDING

December 8, 2014

Mayor Jay called the Regular City Council Meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ROLL CALL OF MEMBERS

Jerry DiTullio*	Bud Starker	Zachary Urban	George Pond
Kristi Davis*	Tim Fitzgerald	Tracy Langworthy*	

Absent: Genevieve Wooden

Also present: City Clerk, Janelle Shaver; City Treasurer, Larry Schulz; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Administrative Services Director, Heather Geyer; Community Development Director, Ken Johnstone; Public Works Director, Scott Brink; other staff and interested citizens.

APPROVAL OF MINUTES OF October 27, 2014 and November 3, 2014

Motion by Councilmember Urban to approve the Minutes of October 27, 2014; seconded by Councilmember Starker; carried 5-0.

Councilmember DiTullio arrived at 7:05 pm.

Motion by Councilmember Starker to approve the Minutes of November 3, 2014; seconded by Councilmember Urban; carried 6-0.

PROCLAMATIONS AND CEREMONIES

National Impaired Driving Prevention

Mayor Jay read a proclamation declaring Dec 2014 as Impaired Driving Prevention Month. **Fran Lanzer** accepted the proclamation on behalf of MADD and acknowledged Commander Dave Pickett for his work every year on the Walk Like MADD fundraising walk. ~ Chief Daniel Brennan thanked Commander Pickett, informed Council that the City will be having increased enforcement of impaired driving during the holidays, and encouraged folks to use designated drivers.

Councilmember Davis arrived at 7:10pm.

Senior's Resource Center – National Award Recognition

Mayor Jay read a proclamation recognizing and congratulating the Seniors' Resource Center for receiving the 2014 Excellence in Not-for-Profit Leadership Award in Nashville, Tennessee this past October. The SRC has delivered quality care options for older adults and their family caregivers for 36 years in the greater Denver-metro area. **John Zabawa**, director of the Center, thanked the City for its support over the years.

CITIZENS' RIGHT TO SPEAK

Vivian Vos (WR) mentioned a survey she saw on the City's website. She asked if the new designs that people will be looking at are new designs – or if more money is being spent. ~ She said if we're going to be tightening our budget we shouldn't be giving it away to developers for 38th and Wadsworth.

Rachel Hultin (WR) encouraged Council to give the community time to process the election before they make decisions. ~ She talked about some recent pedestrian accidents and asked the City to do what it can to make walking to school safer.

Eileen Kratzer (WR) loves the changes that have happened in WR. She walks her children to Compass Montessori School from the Rec Center one day a week. She and her children are sad that the new budget will not include funds for bike lanes and safe walking.

Molly Kratzer (WR) As a teen she likes to walk on 38th Avenue and be there with her friends. She asked Council to reconsider the cut of funds for sidewalks and bike lanes.

Britta Fisher (WR) congratulated the City and its staff for the holiday lighting last Saturday. She thanked the citizen volunteers, performers and sponsors. ~ She noted this is WR2020's 9th birthday and she encouraged people to donate to WR2020 tomorrow on Colorado Gives Day at www.coloradogives.org.

Mark Gauthier (WR) is concerned that funds will be cut from the budget for bike lanes. He thinks bike lanes are important.

Kristine Disney (WR) thanked the City staff for trying to make Wheat Ridge more walkable. She encouraged Council to let the election results sink in and leave 38th Avenue as three lanes. It's a collector street, not a regional artery. She never encounters any traffic jams and three lanes will make the City a better place to live.

APPROVAL OF THE AGENDA1. CONSENT AGENDA

- a. Resolution 58-2014 – designating the City Hall Lobby as the Official Public Notice Posting Location and the Wheat Ridge Transcript as the Official Newspaper of General Circulation for the City Publications in 2015

- b. Motion to ratify the Mayoral Reappointment of Tim Rogers to District III of the Wheat Ridge Urban Renewal Authority dba Renewal Wheat Ridge, term to expire November 30, 2019
- c. Motion to approve the annual Police Radio System contract payment to the West Metro Fire Protection District in the amount of \$83,401.43 for Police Radio System Services
- d. Resolution 65-2014 – approving an Intergovernmental Agreement between the City of Wheat Ridge and Renewal Wheat Ridge establishing the Rights and Responsibilities regarding operational assistance and finding
- e. Resolution 66-2014 – amending the Fiscal Year 2014 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$77,662.80 for a Deposit to purchase Solar Panels in the Clean Energy Collective Community-owned Solar Array *[For details see Nov.3, 2014 Study Session Notes]*
- f. Resolution 62-2014 – amending the Fiscal Year 2014 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$25,000 for City Attorney Fees *[Necessary to cover extra legal preparation for marijuana policy issues, Fruitdale School transactions, and the November ballot.]*

Councilmember Davis introduced the consent agenda.

Motion by Councilmember Davis to approve the Consent Agenda; seconded by Langworthy; carried 7-0

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

- 2. Resolution 57-2014 – Adopting the City Budget and appropriating sums of money to the various funds and spending agencies in the amounts specified for the City of Wheat Ridge, Colorado for the 2015 Budget Year

Councilmember Langworthy introduced Item 2.

Mayor Jay opened the public hearing.

Heather Geyer gave the staff presentation.

- The 2015 General Fund Budget is balanced.
- Following initial presentation of the budget \$794,206 in additional cuts were made per Council's direction to balance the budget.
- Transfer to the Capital Investment Program (CIP) fund is approximately \$2.5M.
- The unrestricted fund balance is decreased to 17% - the minimum reserve level per Council policy.
- Long term challenge: No funding beyond 2015 for capital needs.

- Projected revenue of \$36M, plus \$13M on hand = \$49M available funds overall (7% decrease compared to 2014 revenues).
- Projected expenditures are \$41.2 M (includes General Fund, the CIP (\$7.6M) and 8 Special Funds (\$4.7M) (an 18% decrease from 2014).
- General Fund (72%), CIP (16%), Rec Center (6%), Open Space Fund (3%), Conservation Trust Fund (1%), Other special funds (2%)
- Projected General Fund Revenues approx. \$29M, plus estimated available fund balance of \$8.4M = \$37M available (a 5% decrease from 2014 primarily due to a large one-time revenue generated from a sales tax audit in 2014).
- 60% of the General Fund revenues are from Sales Tax. (Sales tax revenue is projected to increase by 7% compared to 2014 adjusted revenue.) Remainder is from use tax, other small taxes and fees. (Overall, total General Fund revenues for 2014 are projected to increase by 10% compared to 2013 actual revenue and increase by 10% compared to 2014 adjusted revenue.)
- General Fund expenditures are decreased by 7% compared to 2014.
- Breakdown of proposed 2015 General Fund expenditures: Police 33%, Public Works 15% Parks/Rec 15%, Administration 11%, Central Charges 10%, General Govt 9%, and Community Development 4%.
- Expenditures for Economically Viable Commercial Areas
 - WR Urban Renewal – \$300,000 (reduced from \$450,000)
 - ESTIP/tax increment financing -- \$400,000
 - Ridge at 38 public events – \$88,600 (reduced from \$98,600)
 - Citywide public relations and marketing -- \$80,000
 - Community engagement and communication (to WR2020) -- reduced to zero
 - WR Business District loan program -- \$45,000
 - Live Local events (to WR2020) \$40,000
 - Building Up Business Loans (BUBL) (to WR2020) -- \$25,000
 - Citywide marketing and positioning tours (to WR2020)-- \$15,000
 - 44th Ave marketing -- \$10,000
 - 29th Avenue marketing -- \$5,000
 - Kipling Corridor planning efforts – \$101,700 (reduced from \$151,700)
 - Ridge at 38 banner and lights program -- \$15,000
- Expenditures for Providing Quality Services
 - Street maintenance – originally \$1.6M; increased to \$3.3M by Council
 - Equipment replacement – originally \$125,000; reduced to zero by Council
 - Fleet acquisition/replacement -- \$471,000 (reduced from \$516,000)
 - Employee compensation increase of 3% -- \$450,000
 - Regionalization for Police Records Management -- \$235,000
 - Lakewood crime lab services -- \$69,600
 - City Hall LED lighting retrofits – originally \$35,000; reduced to zero
 - Regional crime lab -- \$31,280
 - Employee safety and wellness program -- \$21,950 (reduced from \$30,950)
 - Priority Based Budgeting -- \$17,000
- Expenditures for Desirable Neighborhoods
 - Prospect Park Improvements -- \$300,000 (Open Space)
 - Outdoor pool maintenance \$180,000 (OS)

- Pedestrian /bicycle Improvements (CIP budget) – originally \$100,000; reduced to zero; funds shifted to preventative street maintenance
- Rec Center maintenance -- \$100,000 (Conservation Trust Fund)
- Stites Park playground replacement -- \$85,000 (CTF)
- Active Adult Center parking lot replacement -- \$75,000 (CTF)
- Kipling Pedestrian Trail improvement grant match -- \$70,000 (OS)
- East WR Block Improvement Program (to WR2020) -- \$35,000
- Traffic signal upgrades -- \$28,500
- Home Investment Loan Program (to WR2020) -- \$25,000
- Hayward Park outdoor fitness equipment -- \$25,000 (CTF)
- Police community –oriented neighborhood programs -- \$17,655
- Police greenbelt patrol -- \$17,280
- Aging Needs Plan implementation -- originally \$13,000; reduced to zero
- Police special events overtime -- \$10,000
- Expenditures for More Attractive WR
 - Kipling multi-use path and lighting -- \$2,835,000 (partially grant funded)(CIP)
 - Parks and trails maintenance -- \$230,000 (CTF and OS)
 - Open space Improvements -- \$90,000 (OS)
 - City right-of-way maintenance -- \$55,636
 - Bus shelter/bench maintenance and cleaning -- \$36,000
 - Public art acquisition -- \$20,000 (Public Art Fund)
 - Ridge at 38 annual planting -- \$5,000
 - Large item pick-up program-- \$5,000
- Other notable budget items
 - Carnation Festival/Circus – reduced to \$50,000, plus in-kind \$28,000
 - Seniors Resource Center circulator bus -- \$30,000 (no increase)
 - Jeffco Public Schools outdoor lab – originally \$16,450; reduced to zero
 - Arvada Food Bank -- \$10,000 (reduced from \$15,000)
 - Feed the Future Backpack Program -- \$10,000
 - Action Center capital campaign – originally \$10,000; reduced to zero
 - Outside agency requests -- \$10,000
 - Regional Air Quality Council -- \$4,000
 - Kite Festival -- \$3,000
 - Exempla Lutheran Leaves of Hope event -- \$2,500
 - Jefferson Center for Mental Health -- \$ 2,500
 - Wheat Ridge HS Farmers 5000 -- \$2,500
 - Wheat Ridge Active Transportation Advisory Committee -- \$1,000
- Consolidated Citywide contingency fund -- \$100,000
- Biennial citizen survey \$21,000
- The 2015 CIP budget anticipates \$7.6M in available funds and \$7.5 for expenditures. Street improvement projects (53%), preventative street maintenance (44%), drainage (3%).
- Other CIP major projects (besides the ones already listed)
 - Gold Line Station street project -- \$630,000 (fully grant funded)
 - Wadsworth Planning Environmental Linkage (PEL) -- \$470,000 (partially grant funded)

- Storm sewer outfall replacements along Clear Creek -- \$250,000
- Maple Grove Reservoir improvements -- \$10,000
- ADA transition plan (for sidewalk accessibility) -- \$50,000
- Projects eliminated/postponed include \$225,000 for the 29th & Fenton intersection; \$150,000 for the Traffic Management Program traffic calming and traffic signal upgrades; \$25,000 for the Public Works/Parks shops; and \$15,000 for street lights.

Public Comment

Rachel Hultin (WR) spoke from the Active Transportation Advisory Team asking Council to return to the budget the \$100,000 for walking and bike lanes so it can be leveraged for regional connectivity.

Scott Christopher (WR) asked the Council to reconsider the \$100,000 for bike/ped infrastructure. He believes it is good for businesses and jobs.

Vivian Vos (WR) asked that a treasurer's report be available online. She'd like to see financial reports from the other entities that the City gives money to. She questioned a few of the numbers and asked for clarification.

Christine Disney (WR) spoke as a proud board member of WR2020 and thanked the City for funding WR2020. She'd like to see the \$50,000 for Communication and Engagement reinstated to the budget.

Adam Wylie (WR) asked that the \$100,000 be returned to the budget for bike/ped infrastructure.

Monica Duran (WR) said if the City is so strapped for money there shouldn't be money for WR2020. It was to become self-funding in 5 years; it's drifted from its original purpose and become an event planning group and political mouthpiece; it hosts phone banks for City candidates and ballot issues. Transparency and checks/balances are needed.

Britta Fisher (WR) thanked the City for its commitment to WR2020's core programs. She said WR2020's finances are available on their website. She thinks WR2020 needs to tell its story better so people will understand what they do. She asked Council to consider returning \$20,000 of the \$50,000 it cut for Communication and Engagement.

Mayor Jay closed the public hearing.

Motion by Councilmember DiTullio to discuss the budget, make amendments if needed, and approve the amended budget on Dec. 15 at a special meeting following the Study Session; seconded by Councilmember Fitzgerald. Discussion followed.

Motion by Councilmember Fitzgerald to postpone (table) the vote on Councilmember DiTullio's motion until after discussion of the budget; seconded by Councilmember Pond; carried 5-2.

Motion by Councilmember Starker to approve the 2015 Budget as presented; seconded by Councilmember Pond.

Motion by Councilmember DiTullio to amend the budget to allow for a 2% salary adjustment and to allocate the savings [\$100,000] for the bike/ped program; seconded by Councilmember Davis.

Discussion followed.

Councilmember Fitzgerald called for the question. Councilmember DiTullio asked for division. Mr. Dahl advised this particular question, with related elements, could not be divided.

Call for the question carried 7-0.

The motion to amend the salary adjustment to 2% and allocate the savings to the bike/ped program failed 3-4, with Councilmembers Langworthy, Fitzgerald, Pond, and Starker voting no.

Motion by Councilmember DiTullio to replace the 3% staff raise with a 3% stipend midyear; seconded by Councilmember Urban. Discussion followed, including suggestions by Mr. Goff for elimination of some positions.

Motion failed 2-5 with Councilmember Langworthy, Fitzgerald, Pond, Davis and Starker voting no.

Motion by Councilmember Starker to reduce the CIP budget from \$3.3M to \$3.2M, and allocate \$100,000 to the bike/ped plan; seconded by Councilmember DiTullio ; carried 7-0.

Motion by Councilmember Starker to approve a "purse" prize of \$2,500 for use by the Carnation Festival Parade for a battle of the high school marching bands; seconded by Councilmember DiTullio. Discussion followed. Motion carried 7-0.

Motion by Councilmember DiTullio to return the money for two new speed trailers (\$26,000), to be funded from the Citywide contingency fund or a source determined by the City Manager; seconded by Councilmember Starker. Following discussion the motion carried 5-2, with Councilmembers Fitzgerald and Langworthy voting no.

Motion by Councilmember Urban to add a footnote to the budget that any non-profit organization or event to which the City gives over \$5,000 will submit their 501(c)3 designation or some proof of non-profit status, along with the following:

- an audited financial statement
- an anti-lobbying statement that monies from the City will not be used for lobbying or other political activity
- a budget for the monies received from the City
- the goals for the monies received from the City (to later evaluate success);

seconded by DiTullio.

Following some discussion Councilmember Fitzgerald called for the question. This failed 5-2, with Councilmembers Urban and DiTullio voting no. A supermajority ($\frac{3}{4}$) is required.

Discussion continued.

Motion by Councilmember DiTullio to amend Mr. Urban's motion to have the footnoted restriction apply only to WR2020; seconded by Councilmember Urban; failed 3-4 with Councilmembers Langworthy, Fitzgerald, Pond and Starker voting no.

Councilmember Urban's original motion (requirements for all non-profits) failed 1-6 with Councilmembers Langworthy, Fitzgerald, Pond, Davis, Starker, and DiTullio voting no.

Motion by Councilmember DiTullio to return \$100,000 for Traffic Calming and \$10,000 for street lights from unallocated reserves; seconded by Councilmember Urban.

Discussion confirmed that 1) the \$100,000 would include funding for Neighborhood Signage as indicated in the budget presentation, and 2) that approval of this motion would put the City's reserves below 17%.

The motion carried 5-2 with Councilmembers Langworthy and Fitzgerald voting no.

Motion by Councilmember DiTullio to table the vote on approval of the budget to allow for a vote on his earlier motion to delay approval of the budget until December 15; seconded by Councilmember Fitzgerald; carried 7-0

Councilmember DiTullio's motion to postpone approval of the 2015 Budget until December 15 failed 0-7

Councilmember Starker's motion to approve the 2015 Budget as amended carried 7-0.

A break was taken at 9:47pm.

The meeting reconvened at 9:53. **Councilmember Langworthy did not return.**

3. Council Bill 15-2014 – approving the rezoning of property located at 6904-6940 W. 48th Avenue from Residential-Three (R-3) to Planned Residential Development (PRD) (Case No. WZ 14-05/Somerset)
4. Resolution No. 59-2014 – approving a specific Development Plan for a Planned Residential Development (PRD) located at 6904-6940 W. 48th Ave. (Case No. WZ-14-05/Somerset)
5. Resolution No. 60-2014 – approving a 19-lot Subdivision Plat with Right-of-way dedication for property zoned Planned Residential Development (PRD) and located at 6904-6940 W. 48th Ave. (Case No. WS-14-01/Somerset)

Councilmember Urban introduced Items 3, 4 and 5 as a unit.

Mayor Jay opened the public hearing and swore in the speakers.

Lauren Mikulak, city planner, gave the staff presentation. She entered into the record the case file and packet material, the zoning ordinance, the Comprehensive Plan and the digital presentation.

All three agenda items relate to one property. These steps are necessary to convert the 19 existing condominiums to townhomes. The components are rezoning, an outline development plan and a subdivision. No physical development is being proposed.

Chuck Ochsner (Arvada) said the goal is to take this from condos to townhomes so they are financeable. He owns 12 of them. WR2020 owns three. He would like to dispose of his units so they become owner occupied. WR2020 would be able to sell theirs as well.

Mayor Jay closed the public hearing.

For Agenda Item 3

Motion by Councilmember Urban to approve Council Bill 15-2014, an ordinance approving the rezoning of property located at 6904-6940 W. 48th Avenue from Residential-Three (R-3) to Planned Residential Development, known as the Somerset Homes Townhomes PRD, on second reading and that it take effect 15 days after final publication, for the following reasons:

1. City Council has conducted a proper public hearing meeting all the public notice requirements as required by section 26-109 of the Code of Laws.

2. The requested rezoning has been reviewed by the Planning Commission, which has forwarded its recommendation of approval.
3. The requested rezoning has been found to comply with the "criteria for review" in section 26-303.D of the Code of Laws.
4. All requirements of an Outline Development Plan have been met.

With the following conditions:

1. Typo corrections shall be made prior to recordation.

Seconded by Councilmember Starker; carried 6-0.

[Clerk's note: This Ordinance was later assigned Ordinance # 1561.]

For Agenda Item 4

Motion by Councilmember Urban to approve Resolution No. 59-2014, a resolution approving a Specific Development Plan for property located at 6904-6940 W. 48th Avenue and known as the Somerset Homes Townhomes PRD and that it take effect upon recordation, for the following reasons:

1. City Council has conducted a proper public hearing meeting all the public notice requirements as required by section 26-109 of the Code of Laws.
2. The request has been reviewed by the Planning Commission, which has forwarded its recommendation of approval.
3. The requested rezoning has been found to comply with the "criteria for review" in section 26-303.D of the Code of Laws.
4. All requirements of a Specific Development Plan have been met.

With the following conditions:

1. Typo corrections shall be made prior to recordation.

Seconded by Councilmember Starker; carried 6-0.

For Agenda Item 5

Motion by Councilmember Urban to approve Resolution No. 60-2014, a resolution approving a 19-lot subdivision plat with right-of-way dedications for property zoned Planned Residential Development and located at 6904-6940 W. 48th Avenue for the following reasons:

1. City Council has conducted a proper public hearing meeting all the public notice requirements as required by section 26-109 and 26-407 of the Code of Laws.
2. The requested subdivision has been reviewed by the Planning Commission, which has forwarded its recommendation.
3. The subdivision plat had been found in compliance with Article IV of Chapter 26 of the Code of Laws.
4. All agencies can provide services to the property with improvements installed at the developer's expense.

With the following conditions:

1. If lender signatures are obtained by separate documents, they shall be removed from the plat prior to recordation.

Seconded by Councilmember Starker; carried 6-0.

6. Resolution No. 61-2014 – approving a 20-lot Subdivision Plat with Right-of-Way dedications for property zoned Planned Residential Development (PRD) at 7671 W. 32nd Ave. and 3299 Wadsworth Blvd (Case No. WS-14-04/Yukon Grove)

Councilmember Fitzgerald introduced Item 6.

Mayor Jay opened the public hearing and swore in the speakers.

Meredith Reckert, city planner, distributed an amended motion which includes an added condition. She gave the staff presentation. She entered into the record the subdivision regulations, the case file and packet material, and the contents of the digital presentation. All posting and notices have been made. City Council already rezoned this property for this project in September. The Outline and Specific Development Plans have been approved by the Planning Commission and will not come to Council. Tonight's resolution is to do the subdivision.

The ODP/SDP includes 20 single-family homes with minimum 50' wide lots, minimum lot area of 3,500 sq ft, reduced setbacks (10' front, 5' side, and 15' rear), shared driveways, a community garden element and cottage style architecture.

She noted the appendage out to Wadsworth will be a community garden. Council had asked for negotiations with Consolidated Mutual about the possibility of leaving the water easement unpaved. This is still being negotiated and a resolution is likely. The amended motion that was distributed enables continued negotiations.

There is also a five foot wide strip of unclaimed property on the western border that needs to be incorporated into the development. This gap is owned by Jefferson County. Negotiations have occurred with the four property owners to the west. Those property owners will be giving up any rights to that land.

The drainage plan has been approved and all agencies can provide service

Bill Fritz (Littleton), the applicant, said there is a tap dedicated for the garden.

Mayor Jay closed the public hearing.

Motion by Councilmember Fitzgerald to approve Resolution No. 61-2014, a resolution approving a 20-lot subdivision plat with right-of-way dedications for property zoned Planned Residential Development (PRD) at 7671 W. 32nd Ave. and 3299 Wadsworth Blvd (Case No. WS-14-04/Yukon Grove), for the following reasons:

1. City Council has conducted a proper public hearing, which met all public notice requirements as required by Section 26-109 and 26-407 of the Code of Laws.
2. The requested subdivision has been reviewed by the Planning Commission, and their recommendation was forwarded for approval.

3. The subdivision plat had been found in compliance with the PRD standards and Article IV of Chapter 26 of the Code of Laws.

With the following conditions:

1. The drainage agreement with the property owner to the north be executed and recorded prior to plat recording.
2. Sheet numbers and lot widths be added to Sheet 2 of the plat document prior to plat recording.
3. The fees in lieu of parkland dedication in the amount of \$49,945.80 be paid prior to plate recording.
4. A standard Subdivision Improvements Agreement with the security be executed prior to plate recording.
5. Inclusion of the gap property into the plat be allowed without additional review by City Council.
6. City Council authorizes staff to continue working with Consolidated Mutual Water on the surfacing of the water line easement extending over to Wadsworth with the intent of reducing the amount of hard surfacing in the development.

Seconded by Councilmember Pond; carried 6-0.

ORDINANCES ON FIRST READING

- 7 Council Bill No. 16-2014- approving the rezoning of property located generally at 3400 Youngfield Street from Neighborhood Commercial (NC), Restricted Commercial (RC), and Commercial-one (C-1) to Planned Commercial Development (PCD) and for approval of an Outline Development Plan (Case No. WZ-14-09/Applewood Village Shopping Center)

Councilmember Pond introduced Item 7.

The purpose of this application is to incorporate new ownership parcels, consolidate the boundary of the center and prepare several existing building pads for new development.

Motion by Councilmember Pond to approve Council Bill No. 16-2014, an ordinance approving the rezoning of property located generally at 3400 Youngfield Street from Neighborhood Commercial (NC), Restricted Commercial (RC), and Commercial-One (C-1) to Planned Commercial Development (PCD) and for approval of an Outline Development Plan on first reading, order it published, public hearing set for Monday, January 12, 2015 at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Councilmember Fitzgerald; carried 6-0.

8. Council Bill No. 17-2014 – vacating any interest held by the City in a portion of 44th Avenue, a public roadway

Councilmember Davis introduced Item 8.

The Wheat Ridge Housing Authority is in the process of selling the historic Fruitdale Elementary School to Fruitdale Building Corporation. The property will continue to be used as a school and there are restrictions preserving the architectural features and name of the school. When the title work was prepared for transfer a potential defect was discovered – some inaccuracy in the original deed, creating a potential claim that approximately 31 feet of property on the southern side, bordering 44th Avenue, might have been subject to a dedication as right-of-way. This area isn't used by the City as right-of-way and is outside of any potential for such use. Official vacation of this area will facilitate the Authority's sale of the property.

Motion by Councilmember Davis to approve Council Bill No. 17-2014 – vacating any interest held by the City in a portion of 44th Avenue, a public roadway; seconded by Councilmember Starker; carried 5-1, with Councilmember DiTullio voting no.

DECISIONS, RESOLUTIONS AND MOTIONS

9. Resolution 63-2014 – Levying General Property taxes for the year 2014, to help defray the costs of government for the City of Wheat Ridge, Colorado for the 2015 Budget Year

Councilmember DiTullio introduced Item 9.

The City's property tax mill levy will remain at 1.830 mills, raising \$739,930 in property tax revenue. Due to a decrease in total net assessed valuation for the City this is \$11,959 less compared to 2013.

Motion by Councilmember DiTullio to approve Resolution No. 63-2014, a resolution levying a mill levy of 1.830 on general property tax for the year 2014, to help defray the costs of government for the City of Wheat Ridge, Colorado for the 2015 budget year; seconded by Councilmember Urban; carried 6-0 .

10. Motion to elect the Mayor Pro Tempore

Councilmember DiTullio introduced Item 10.

Mr. DiTullio nominated Councilmember Starker to be Mayor Pro Tem. He accepted.

Motion by Councilmember DiTullio to elect Bud Starker as Mayor Pro Tempore, effective immediately, term to expire upon election of his successor; seconded by Councilmember Fitzgerald; carried 6-0

11. Resolution 64-2014 approving an Intergovernmental Agreement with the Urban Drainage and Flood Control District and the Regional Transportation

District for the construction of drainage and flood control improvements for the Arvada Channel, between Miller St. and Oak St.

Councilmember Starker introduced Item 11.

This Arvada Channel IGA relates to the construction of storm sewer that will serve the Gold Line. This particular project provides the last segment between the Target in Arvada and the Ward Road Station.

Mark Westberg gave the staff presentation. The budget for this particular IGA is just under \$2.2M. RTD will contribute \$1.5M, Urban Drainage will about \$650,000. We already have almost \$50,000 in a fund with Urban Drainage that will be rolled over for this so no new funds will be required from the City for this IGA.

Mr. Westberg did note that another \$350,000 will be due from the City in 2015 as the bid for the project came in at \$2.7M. (Our share of the overage is \$350,000.) An amended IGA will follow. ~ He was pleased to add that the estimate for the full project, Ward to Miller, in 2011 was \$8-9M. Even with the extra \$350,000, the City's total contribution toward completion of the system will be \$1.15M, which is 13-14% of the original budget.

Mr. Goff said the \$350,000 is not in the 2015 budget because they just got the numbers recently. When the funds are needed he will bring it back to Council and hopefully have additional revenues for it.

Motion by Councilmember Starker to approve Resolution 64-2014 approving an Intergovernmental Agreement with the Urban Drainage and Flood Control District and the Regional Transportation District for the construction of drainage and flood control improvements for the Arvada Channel, between Miller St. and Oak St; seconded by Councilmember DiTullio; carried 6-0.

CITY MANAGER'S MATTERS

CITY ATTORNEY'S MATTERS

CITY CLERK'S MATTERS

Clerk Shaver announced that the final financial reports from the issues committees for the recent election have been turned in and are available for public review on the City website.

ELECTED OFFICIALS MATTERS

Jerry DiTullio asked that the back-in parking be removed on 38th Avenue.

Motion by Councilmember DiTullio to direct staff to remove the back-in parking [on 38th Avenue] and replace it with parallel parking. This project to be brought back to Council only if the cost is greater than \$5,000 in cash, not including staff labor; seconded by Councilmember Urban; carried 6-0

Motion by Councilmember DiTullio that staff remove the two planters [on 38th Avenue] west of Pierce, south side, from the right-of-way and that they be moved to a more suitable location on 38th; second Councilmember Urban; carried 4-2, with Councilmember Fitzgerald and Pond voting no.

Kristi Davis shared some discussion points from a recent Urban Renewal meeting, which included public input, concerning upcoming development at 38th & Wadsworth.

- ~ Regarding concerns about giving tax increment financing to retail chains for infrastructure when the City is hurting for money: She noted there is currently zero revenue coming from this property; to allocate some portion of the new revenue for public infrastructure didn't seem unreasonable. We'll still be getting more than zero.
- ~Regarding the wetlands, she said that appropriate drainage will be required.
- ~The developer said that he would be asking for TIF financing regardless of what kind of grocery he was bringing in.
- ~She encouraged people to be realistic about the property, what Wadsworth is and what drives the market.

ADJOURNMENT

The City Council Meeting adjourned at 10:55 pm.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON January 12th, 2015


Bud Starker, Mayor Pro Tem

The preceding Minutes were prepared according to §47 of Robert's Rules of Order, i.e. they contain a record of what was *done* at the meeting, not what was *said* by the members. Recordings and DVD's of the meetings are available for listening or viewing in the City Clerk's Office, as well as copies of Ordinances and Resolutions.