

CITY COUNCIL MINUTES

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

October 26, 2015

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	Zachary Urban	Kristi Davis	Bud Starker
Tim Fitzgerald	George Pond	Tracy Langworthy	Genevieve Wooden

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Police Chief Daniel Brennan; Community Development Director, Ken Johnstone; Parks Director, Joyce Manwaring; Public Works Director, Scott Brink; other staff and interested citizens.

APPROVAL OF MINUTES OF Study Session Notes October 5, 2015

Councilmember Starker noted that on Page 3 the "cash on cash return" should be 15%, not 5%. Clerk Shaver said that correction would be made. Without further objection the Study Session Notes for October 5, 2015 were approved as published.

PROCLAMATIONS AND CEREMONIES

Freddie Steinmark Proclamation

Mayor Jay introduced a short video about the celebration of Wheat Ridge High School legend, Freddie Steinmark. Following the video the mayor introduced WRHS principal, Griff Wirth, Freddie's brother Sammy, his wife Karen and their son Freddie Joe. She read a proclamation declaring November 6, 2015 as the City of Wheat Ridge Freddie Steinmark Remembrance Day. Mr. Wirth and Sammy Steinmark spoke. Councilmember Wooden presented Mr. Wirth with a street sign named Freddie Steinmark Way which will be erected at the school on Friday, November 6 at 11:15am. The public is invited.

APPROVAL OF AGENDA

Motion by Councilmember Langworthy to place the reconsideration of Ordinance 1584 on the agenda; seconded by Councilmember Wooden; carried 8-0. Mr. Dahl advised it should be added under Public Hearings and Ordinances on Second Reading.

Mr. Goff had provided Council with packet material for Resolution No 42, a resolution approving a fourth amendment to the Wheat Rdge Town Center Project urban renewal plan to allow for the utilization of tax increment financing. Wazee Partners had applied for a TIF application for their project at 38th & Upham. The application was submitted under the Town Center urban renewal area. They have decided to withdraw that application and resubmit under another urban renewal area. Although the application has been withdrawn, the public hearing was published 30 days ago so he asked Council to add this hearing to the agenda and postpone it indefinitely.

Motion by Councilmember DiTullio to add to the agenda the public hearing for Resolution No. 42-2015; seconded by Councilmember Pond; carried 8-0.

CITIZENS' RIGHT TO SPEAK

Kristine Disney (WR) encouraged a no vote on Question 300 focusing on the cost of a special election that the developers don't pay for. She sees no logic in having voters approve large TIFs but not small ones, and only 10-15% vote in special elections. She also stated that if 300 passes the City will be sued, thereby costing unnecessary legal fees. All these monies are needed for city services. She thinks 300 is a bad, terrible idea that will ensure the City 1) loses out on great projects, 2) loses tax revenue from new and growing businesses, and 3) has defined other more costly ways to keep the City running.

Brad Cook (WR) asked people to vote no on question 300. He believes it's the duty of the mayor, staff and Council to negotiate public/private partnerships to better our city and that they should be unrestrained in their efforts; if they aren't improving our City they can be voted out. He believes this is about WalMart; 300 may not stop Walmart and may cost the city legal fees. He believes \$2.5M trivializes our infrastructure needs. He thinks 300 will complicate the approval process and delay much needed public works projects. He thinks we need to listen to our elected officials. He believes the proposed plan is uninspired and cheap-looking and that a WalMart is not needed or wanted by WR shoppers, but he thinks 300 looks backward in an effort to get what the mayor and Council did not get.

Diane Robb (WR) shared the lovely afternoon she and her husband shared at an outdoor café yesterday. Her daughter has returned to WR and bought her first home. WR is moving forward. She urged people to vote no on 300 because she thinks we deserve to use the same tools our neighboring towns use, 300 is poorly written and ill conceived, and the City will have to defend this in court where it has already been ruled unconstitutional by the Colorado Supreme Court. Citizens can participate in discussions by attending zoning meetings and Council meetings.

Margie Seyfer (WR) urged everyone to vote no on 300 because it's about the WalMart going in at 38th & Wadsworth. She said it's a done deal; ground-breaking is set for November. She said if 300 passes the developer will sue, it will be tied up in court for years, it will cost the City legal fees and in the end the Walmart Marketplace will be built because the developer will win. She said if 300 passes we will be closed to future

development. We shouldn't go back to the past; we need to move forward with new businesses.

Emery Dorsey (WR) likes living in WR, but it has been backward getting development done. He voted against 300 because he believes it will stifle the City. He said we have a lot of blighted areas in the city – large parcels of land that need infrastructure. He explained how the TIF is used to upgrade infrastructure and doesn't cost anyone anything. A TIF builds infrastructure on blighted ground so the developer can build his project. Property that is vacant generates only property tax. If we don't develop these vacant areas we won't have any more sales tax revenue coming in. We shouldn't stifle development.

Dale Pitcher (Torrington, Wyoming) is a molecular physicist involved in Alzheimer's research and light, color and music therapy. They already work with Cedar Springs Hospital in Colorado Springs. He would like to put a premier facility at Fruitdale School as it is an ideal facility for their purposes. The issue with the deed will not be a problem with his project. He's aware of the proposal to put apartments and a meat processing facility at the site. He'd like to show the City his proposal as another possibility. ~ Mayor Jay suggested he talk to the staff.

Amira Waters (address not given) Executive Director for the Jefferson County Business Resource Center, encouraged a no vote on 300 because she feels it's bad for business and will have a negative effect on future growth opportunities. She sighted Perrin's Row and Sprouts as examples of positive progress for the City. She believes 300 blocks all new development and smart growth. She said Chipotle and Tokyo Joes are coming to 38th & Wadsworth and if 300 passes they probably won't. She said if smart growth stops, businesses lose and taxpayer costs go up.

Davis Reinhart (WR) urged Council and residents to reject 300. He doesn't think there will be any special elections because developers won't do them. He doesn't think it stops good development; he thinks it stops *all* development on major sites. The developer of Belmar said he would never have done his project if he'd had to have a special election.

Patricia Levy (WR) addressed what she sees as a lack of accountability and possibly illegal behavior by Citizens for Inclusive Wheat Ridge (CFIWR). In recent mailings they used an altered version of one of her photographs. She related her correspondence with them and their lack of response. She received a legal opinion that this is a violation of her property rights and of copyright law. She thinks it's unethical, bad behavior, coming from the very no on 300 people that hold themselves out as the voice of accountability.

Karen Berry (WR) commented on the social media posts of a former elected official who has done robocalls for Citizens for Inclusive Wheat Ridge. She quoted excerpts of the posts and labeled them classist and racist. She said Dick Matthews, the registered agent for CFIWR, owes the citizens of Wheat Ridge an apology. Additionally, CFIWR has endorsed candidates Jerry DiTullio, Monica Duran, Tom Lundy, Vivian Voth, and Larry Mathews. She called on them to immediately disclose whether or not they coordinated their campaigns in any part with CFIWR and to publicly condemn their divisive comments

by the voice of CFIWR. If they don't, everyone must assume they agree with the offensive views. She urged voters not to vote for these candidates, send a message that classist, racist views will not be tolerated here, and vote no on 300.

Millie Nadler (WR) donated her time to Kim Calomino.

Kim Calomino (WR) spoke against Citizens for an Inclusive Wheat Ridge for violating the Fair Campaign Practices Act. It is an issues committee, but they have endorsed candidates. She said they are cheating under all the laws, and are unethical and dishonorable. It's been ten days; no action has been taken on her complaint and people are voting. She asked Council to direct the City Clerk and the City Attorney to carry out their responsibilities and address her complaint and resolve this. She asked the Clerk to give special scrutiny to the financial reports of Keep Wheat Ridge Local and CFIWR; she suspects they have not adhered to the laws that ensure transparency. She can't tell who is contributing to what or whom, or how their funding is being spent. She noted that the robocalls for candidates and Issue 300 do not tell who pays for them – which she said is also a violation. She urged people not to vote for their candidates or their ballot issue.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

1. Reconsideration of Ordinance 1584

Attorney Dahl gave procedural instructions.

Motion by Councilmember Langworthy to reconsider Ordinance 1584, an ordinance repealing and reenacting Article II of Chapter 9 of the Wheat Ridge Code of Laws concerning smoking in public places; seconded by Councilmember Davis; carried 7-1, with Councilmember Fitzgerald voting no.

Attorney Dahl provided further procedural directions. Noting this is not a quasi-judicial matter, he referenced emails that have been received about this. He explained that vaping is included in the definition of smoking, and the question is whether or not they want to permit vaping in smoking accessory businesses and do they want to allow smoking tobacco or vaping in traditional tobacco stores.

Public comment

Katherine York (Lakewood), owner of an e-liquid manufacture store in Lakewood, is co-chair of Colorado Smoke-Free Alternative Trade Association (SFATA). Her concerns are:

- The intent to prevent the opening of vapor lounges -- to make vape stores smoke and vapor free, but permit tobacco stores to allow smoking in their stores.
- Vaping is being treated as more dangerous than smoking tobacco while there is no science showing vaping or second-hand vapor to be harmful
- The ordinance wrongly links vapor devices to the pot industry and tobacco.

- Vaping is placed in the definition of smoking but not included in the exemptions given to tobacco smoking.

She proposed that e-cigarettes be a third category; their product isn't tobacco and it isn't pot. She said that vape shops that have been in Wheat Ridge for years are concerned about their future. Consumers expect to have the opportunity to sample the product before making a larger purchase. It's fair.

Ian Firth (Aurora), member of Colorado SFATA, advocated for electronic cigarettes as an alternative to combustibles. He's concerned that local ordinances are being created based on the Colorado Clean Indoor Air Act of 2006 which hasn't been updated to keep pace with technology. He related that he kicked a 30 year smoking habit with e-cigarettes. He believes it's unfair that tobacco shops can allow smoking, but vape stores cannot. He'd like to see vaping allowed in a vapor stores.

Cindy Gillaspie (WR) is an owner of Pirate Vapor on Wadsworth since June 2013. It's a mom-and-pop, family owned business. She told how she quit 35 years of smoking with an e-cigarette. ~ Their business is built on custom juice mixing. Because they cater to people with allergies and other special ailments, testing is essential. Their products contain no nicotine; they don't sell pipes or hookahs; customers must be 18 or older; no one else is exposed. ~ Customers from in and out of state pay sales tax and shop at other Wheat Ridge stores. ~ This ban has already impacted their business as shoppers go to other cities that allow sampling and have begun buying smaller quantities because they want to sample before committing to a larger quantity. ~ She said there is no empirical evidence that second hand vapor causes damage. They'd like to be treated fairly and with the same respect that tobacco stores receive.

Matthew Anderson (WR), manager of a vapor store in Lakewood, said they don't want to be linked in with smoking because they're a smoking cessation product; they want to get people away from tobacco. There is no combustion. He commented on the lack of empirical evidence that vapor is harmful. He feels better and his breathing has improved since using e-cigarettes. They care about people's health. They'd like consideration.

Kathi Johnson (Arvada) has a business on W. 44th. She distributed a power point presentation and went through it.

- Vaping isn't smoke, it's vapor. It's more like a humidifier. Some products have no nicotine.

She passed out a power point presentation to the Council and went through it:

- She referenced the long list of harmful ingredients in cigarettes
- E-cigarettes contain glycerin (in vegetables), propylene glycol (used in asthma inhalers), food grade flavoring, and (sometimes) nicotine - extracted from tobacco and added in small amounts to wean people off their nicotine addictions.
- Cities that allow exceptions to their smoking restrictions include Arvada, Lakewood, Littleton, Westminster, Northglenn, Thornton, and Denver. She has copies of their ordinances.
- The FDA reports that 1) e-cigarettes haven't been fully studied, and 2) there is no study showing that e-cigarettes lead teens to try tobacco.

- A study in England reassures e-cigarette users that the health risk is relatively small, that it provides a public health opportunity for tobacco smokers to quit, and actually encourages smokers to try vaping.
- Arvada doesn't allow smoking in tobacco shops, but allows vaping in vape shops. Wheat Ridge is doing the opposite. This fact went viral on the internet.
- Pictures of Wheat Ridge tobacco shops show pipes, bongos, hookahs, and meth glass pipes for sale. They have a smoking lounge and sell pop and candy.
- Pictures of their vapor store show they only sell high end devices and juices. Their products have nothing to do with marijuana; marijuana gums up their devices. People asking for marijuana are sent away.
- The average age of their customers is 45 and above.

Right now their choices are making their customers smoke on a porch 15 feet from the front door, be forced to sell tobacco products (so that sampling will be allowed) - which they don't want to do, or just closing their shop. She wishes Council was more educated before they passed this.

Nate Morin (WR) He and his partner go to CU and CSU; they own the vapor shop on W. 44th Ave. He watched a replay of the meeting where this was passed and offered response to some of the remarks at the hearing:

- Vaping and smoking are two separate things.
- He gave several common examples of how people *do* sample retail products.
- Their product leaves no cigarette butts.
- All samples are done with zero nicotine.
- Cigarettes contain an average of 4,000 chemicals. Vaping juice has 3-4.
- He quoted a chemical engineer from Mines who stated the ingredients of vapor juice are propylene glycol, vegetable glycerin, and natural and artificial flavoring.
- Using a properly assembled e-cig you would inhale water vapor, nicotine and trace amount of propylene glycol.
- Sampling is essential for this healthier alternative to cigarettes.

Monica Vondruska (Golden) owns two vape shops, in Denver and Arvada. She related facing a similar situation in Arvada as this one. An amendment was added so she didn't have to close her store. She said it's vital for consumers to try the product when switching from cigarettes. She stated this restriction creates a competitive disadvantage for vape shops in Wheat Ridge; you are putting them out of business. We have the lowest smoking rate since the 1940's due to e-cigs. Teen smoking is down 30-40% due to e-cigs. This ordinance sends the completely untrue message that e-cigs are not a viable option to replace traditional cigarettes. Thousands, maybe millions, have quit smoking using e-cigs.

Charmain Brittain (LW) spoke again about the dangers of smoking and vaping. She said the science is emerging and vapor liquids contain chemicals. She believes it's harmful; we just don't know to what degree. She said big tobacco is putting a lot of money into e-cigarettes and some studies show that vaping doesn't help quit smoking, but makes one a dual user. She said the study quoted earlier saying that teen smoking is down uses the wrong statistics, because teens are vaping – vaping chemicals and possibly marijuana. ~ She thanked Council for listening to community concerns on the

smoke and vapor free ordinance. She'd like to see the ordinance reconsidered to have liquids added to the definition of tobacco. They believe the intent of Council was to prohibit vapor lounges; they do want to have an exemption for retail businesses like El Cid's to offer smoking of tobacco – not vaping. The amendment went against the intent of the Council. She also asked for two clarifying amendments to ensure no vapor lounges will be set up and to prevent possible concealment of marijuana in the devices.

Laurie Odom (WR) supports smoke and vapor free. She urged removal of the Oct 12 amendment and the addition of their two clarifying amendments. They'd like Council to amend the definition of a retail tobacco business and strike the term tobacco products. These products can be sold in stores that don't allow sampling. She said a study shows that teen use of e-cigarettes has tripled the last few years, and another study shows that within one year youth move from e-cigarettes to regular cigarettes and other drugs. ~ She reported that sampling was taken away from vape shops in Greeley and the stores are still in business.

Jennifer Yates (WR) hopes the original intent of Council is upheld. She doesn't believe anyone will be put out of business; they just may have to change their business model. She thinks it's absurd to advocate vaping as a safe alternative to cigarettes, while pointing out there are other safe, approved ways to quit smoking. ~ She closed with quotes from the American Lung Association website – all negative to e-cigs.

Cory Vigil (Lakewood), CEO of a large e-juice company, said he gets email from people of all ages thanking him for helping them to quit smoking. He quit smoking with e-cigarettes. He believes that if you don't allow vaping you are removing one way for people to quit smoking. Not all cessation methods work for everyone. He trusts that vaping works, and added that these products generate revenue.

Kevin Price (Littleton), co-chair for SFATA, owns an e-juice manufacturer. They voluntarily send out for testing to make sure their products are safe. He said the juice contains no toxins. The levels of toxicity and particulate matter for vapors are not much higher than in a non-smoking environment; the levels for a tobacco smoking environment are 100 times higher. He contended that the things that are being said are misleading. To the claims they market to children, he said they don't. He explained the flavors are for adults; people don't want ash-tray flavor. ~ He doesn't understand why you would allow smoking in a smoke shop, but not allow vaping in a vape shop. Some juices do contain nicotine, but there is no combustion, no fire.

Adam Schendel (Haxtun, CO) drove 150 miles for this meeting. He is co-chair of the SFATA and owns a store. He explained that he and his brother (who is 18 and a football player) both have severe asthma. Since vaping their asthma doctor has told both of them their asthma is improving. Propylene glycol (in vapor juice) is a main ingredient in their asthma inhalers. He said vaping is not about pot or weed or pipes; they want to help people quit smoking. For those suspicious about the flavors he noted there is bubble gum flavored vodka. He said sampling is important to the process and he hopes the shops will be allowed to offer samples. This should not be classified as tobacco.

Scott Jackson (Boulder) said he used to do both (traditional cigarettes and e-cigarettes). Gradually he smoked fewer cigarettes and now just vapes. He is healthier and feels better because of vaping. He questions the studies that claim teen smoking has tripled.

Council questions followed.

- Councilmember Fitzgerald asked if any other cities have 3 categories. Catherine York said Arvada does. Mr. Dahl reported having a copy of the Arvada ordinance.
- Mayor Jay asked about prices for the devices and supplies.
- Councilmember Davis asked for clarification about age. Under 18 can't come in.

Mr. Dahl explained the options. He also said Council could reconsider this and postpone the decision to a date in the future. The ordinance will remain in place until a decision is made.

Discussion followed.

Motion by Councilmember Langworthy to continue the reconsideration of the smoking ordinance, and to have staff bring forward options – including the Arvada ordinance, to the study session of November 16; seconded by Councilmember Davis; carried 8-0.

2. Resolution No. 42-2015 – A resolution approving a fourth amendment to the Wheat Ridge Town Center Project Urban Renewal Plan to allow for the utilization of Tax Increment Financing

Wazee Partners had submitted a TIF application for their project at 38th & Upham. The application was submitted under the Town Center urban renewal area. They have decided to withdraw that application and resubmit under another urban renewal area. Because a public hearing was advertised before the original application was withdrawn it is necessary to conduct the public hearing.

Mayor Jay opened the public hearing.

No one was present to speak.

Mayor Jay closed the public hearing.

Motion by Councilmember Ditullio to indefinitely postpone Resolution No. 42-2015; second by Councilmember Davis; carried 8-0

The published agenda was resumed, with original Item 1. renumbered as Item 3. ff.

3. Council Bill 24-2015 – Amending Section 5-38 and Chapter 16 of the Wheat Ridge Code of Laws to place limits on the hours of private construction activity in the City and providing a remedy for violations of the same

Councilmember Urban introduced Council Bill 24-2015.

Staff proposed this broader definition of "construction activities" and the limitation of hours. Council agreed on 7AM to 7PM and asked that interior construction which does not generate unreasonable noise be exempted from the hours of activity.

Clerk Shaver assigned Ordinance 1585.

Mayor Jay opened the Public Hearing.

There was no staff presentation or discussion.

Mayor Jay closed the Public Hearing.

Motion by Councilmember Urban to approve Council Bill No. 24-2015 - an ordinance Amending Section 5-38 and Chapter 16 of the Wheat Ridge Code of Laws to place limits on the hours of private construction activity in the City and providing a remedy for violations of the same on second reading, and that it take effect 15 days after final publication; seconded by Councilmember Starker; carried 8-0.

ORDINANCES ON FIRST READING

4. Council Bill 27-2015 – An ordinance approving a zone change from Residential-Two (R-2), Agricultural-One (A-1), Neighborhood Commercial (NC) and Planned Commercial Development (PCD) to Mixed Use-Commercial (MU-C) for property located at 4600 Kipling Street (Case No. WZ-15-05/Anastasi)

Councilmember Wooden introduced Council Bill 27-2015.

The zone change is the first step in the process for redevelopment as Mixed Use-Commercial. If approved, all further review will be done administratively by the staff with no requirement for any further public hearing.

Motion by Councilmember Wooden to approve Council Bill 27-2015, an ordinance approving a zone change from Residential-Two (R-2), Agricultural-One (A-1), Neighborhood Commercial (NC) and Planned Commercial Development (PCD) to Mixed Use-Commercial (MU-C) for property located at 4600 Kipling Street (Case No. WZ-15-05/Anastasi), on first reading, order it published, Public Hearing set for Monday, November 23, 2015, at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication, seconded by Councilmember Langworthy; carried 8-0 .

5. Council Bill 25-2015 – An ordinance approving the rezoning of property located at 3790 Wadsworth Boulevard from Mixed Use-Neighborhood (MU-N) to mixed Use-Commercial (MU-C) (Case No. WZ-15-07/Read King)

Councilmember DiTullio introduced Council Bill 25-2015.

The purpose of rezoning the southeast corner of 38th & Wadsworth is to expand allowed uses including the possible redevelopment of the site as a freestanding emergency room.

Motion by Councilmember DiTullio to approve Council Bill 25-2015, an ordinance approving the rezoning of property located at 3790 Wadsworth Boulevard from Mixed Use-Neighborhood (MU-N) to mixed Use-Commercial (MU-C) (Case No. WZ-15-07/Read King), on first reading, order it published, Public Hearing set for Monday, November 23, 2015, at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication, seconded by Councilmember Starker;

Councilmember Davis acknowledged that she works for SCL Health and has made a comment about free-standing ED's on her Facebook page. She answered a series of questions posed to her by Mr. Dahl. She stated she believes she can make a fair and unbiased decision on this matter tonight and at the public hearing.

Motion carried 6-2, with Councilmembers Urban and Davis voting no.

6. Council Bill 26-2015 – An ordinance amending the Wheat Ridge Code of Laws to give the Director of Parks and Recreation the authority to determine when, where and under what conditions sledding will be allowed on City property

Councilmember Fitzgerald introduced Council Bill 26-2015.

Current City Code prohibits sledding in any City park, open space or recreational facility. This ordinance will allow the director of the Parks and Recreation Department to permit sledding at specific locations and under certain conditions.

Motion by Councilmember Fitzgerald to approve Council Bill 26-2015, an ordinance amending the Wheat Ridge Code of Laws to give the Director of Parks and Recreation the authority to determine when, where and under what conditions sledding will be allowed on City property, on first reading, order it published, Public Hearing set for Monday, November 9, 2015, at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication, seconded by Councilmember DiTullio; carried 8-0.

DECISIONS, RESOLUTIONS AND MOTIONS

7. Resolution No. 45-2015 – A Resolution 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 2016 Budget Year

Councilmember Langworthy introduced Resolution No. 45-2015.

The proposed 2016 budget includes the following:

- \$7.3 million in proposed expenditures directly linked to City Council strategic goals
- A balanced General Fund budget in the amount of \$30,989,644
- A transfer of \$990,646 to reserves to maintain 17 % minimum reserve level
- A General Fund transfer of \$2,800,000 to the Capital Investment Program (CIP)
- A General Fund transfer of \$100,000 to the Capital Equipment Replacement Fund
- A .4% increase in the General Fund budget compared to the adjusted 2015 Budget
- Proposed CIP Fund in the amount of \$5,879,821
- Special Revenue Funds in the amount of \$5,335,904
- Proposed budget (all funds) in the amount of \$42,205,369

There was no presentation or discussion.

Motion by Councilmember Langworthy to approve Resolution No. 45-2015 – A Resolution 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 2016 Budget Year; seconded by Councilmember Wooden; carried 8-0.

8. Resolution No. 44-2015 – a Resolution levying General Property Taxes for the year 2015, to help defray the cost of Government for the City of Wheat Ridge, Colorado for the 2016 Budget Year

Councilmember Pond introduced Resolution 44-2015.

The City's mill levy will remain at 1.830, potentially raising \$854,497 in property tax revenue – an increase of \$114,567 compared to 2014.

Motion by Councilmember Pond to approve Resolution 44-2015 – a resolution levying General Property Taxes for the year 2015, to help defray the cost of government for the City of Wheat Ridge, Colorado for the 2016 Budget Year; seconded by Councilmember Langworthy; carried 8-0.

9. Approval of award of Right-of-Way Maintenance Services to Terracare Associates of Centennial, Co., in the annual amount of \$59,345

Councilmember Starker introduced Item No. 7.

This Right-of-Way (ROW) maintenance includes weed control by chemical application, mowing, trimming, trash and debris removal, and sidewalk/median cleaning. Provided are year-round services, as and where needed – anticipating five cycles of chemical weed control, seven cycles for mowing and trimming services, and 12 cycles each for trash and debris removal and for sidewalk/median clean

A formal procurement process was conducted; three qualified responses were received. Vendor selection was based on qualifications, experience, approach, workloads, and cost. Terracare Associates provided the only in-budget response.

Motion by Councilmember Starker to approve the award of right-of-way maintenance services to Terracare Associates of Centennial, Co., in the annual amount of \$59,345; seconded by Councilmember DiTullio; carried 8-0.

10. Cancellation of the City Council Meetings of November 2nd, December 21st and December 28th due to the election and holidays.

Motion by Councilmember Davis to cancel the meetings of the City Council on Monday, November 2, December 21 and December 28, 2015; seconded by Councilmember Starker; carried 8-0.

CITY MANAGER'S MATTERS

Mr. Goff thanked Tracy Langworthy for her eight years of service to the City.

CITY ATTORNEY'S MATTERS

ELECTED OFFICIALS' MATTERS

Clerk Janelle Shaver said she would not address the comments that were made earlier in the meeting except to say that this is about all she did last week. It was consuming – day and night..

Mayor Joyce Jay thanked Tracy Langworthy for her service.

Genevieve Wooden thanked Tracy Langworthy for her service. ~ She thanked those who attended the Steinmark proclamation. November 6 at Wheat Ridge High School will be the Street dedication and ceremony at 11:15am.

Tracy Langworthy cautioned folks to watch out for trick-or-treaters this weekend, and reflected on her last eight years.

Tim Fitzgerald thanked Tracy Langworthy for the advice she has given him since he came on Council. ~ He encouraged people to vote.

George Pond thanked the people who came tonight to provide input. ~ He thanked Tracy Langworthy for her years of service.

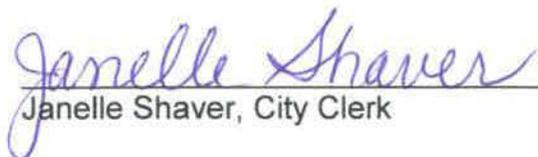
Bud Starker thanked Tracy Langworthy for her service. ~ He thanked the volunteers for their tribute to Mr. Steinmark. ~ He thanked the parents and children who came to the pumpkin carving contest at W. 29th Marketplace this past Sunday. The pumpkins are on display at the merchants there. ~ He gave a shout out to the volunteers and attendees who came to the Trunk or Treat event on Saturday.

Zach Urban thanked the volunteers who helped with the pumpkin carving contest and thanked Tracy Langworthy for her public service.

Kristi Davis thanked Tracy Langworthy for her work. ~ She thanked the folks who organized Trunk or Treat. ~ She thanked Genevieve for her work with the Freddie Steinmark celebration. ~ She thanked Heather Geyer for her work on the budget.

ADJOURNMENT

The meeting was adjourned at 9:42 pm.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON November 23, 2015

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.