

# **CITY COUNCIL MINUTES**

**CITY OF WHEAT RIDGE, COLORADO**  
**7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**March 28, 2016**

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**

Monica Duran	Zachary Urban	Kristi Davis	Janece Hoppe
Tim Fitzgerald	George Pond	Genevieve Wooden	Larry Mathews

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Chief Daniel Brennan; Public Works Director, Scott Brink; Administrative Services Director, Heather Geyer; other staff, guests and interested citizens.

### **APPROVAL OF MINUTES OF March 14, 2016 and Study Notes of March 7, 2016**

There being no objection, the Minutes of the Regular City Council Meeting of March 14, 2016 and the Study Session Notes of March 7, 2016 were approved as published.

### **PROCLAMATIONS AND CEREMONIES**

#### **Child Abuse Prevention Month**

Mayor Jay read a proclamation designating April as Child Abuse Prevention Month. Chief Brennan was present to receive the proclamation and thanked the Council on behalf of the Police Department and Ralston House.

### **CITIZENS' RIGHT TO SPEAK**

**Mariann Storck** (WR) noted the Denver restaurant Kambucha sought more room and ended up relocating in Edgewater and Arvada, not Wheat Ridge. She believes WR residents want the 21<sup>st</sup> Century and asked Council to 1) Throw out old-style boring and stale plans for something exciting and new; 2) Follow the directive of the electorate on all aspects of Question 300; and 3) Attract businesses like Happy Leaf Kambucha that are looking for more space and willing to move. Older and younger residents are waiting.

### **APPROVAL OF AGENDA**

**1. CONSENT AGENDA**

- a) Resolution No. 18-2016 – amending the Fiscal Year 2015 Crime Prevention/Code Enforcement Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$460 for the purpose of funding Operating Supplies for Crime Prevention Programing *[Adequate monies exist in this Fund's reserves to cover this overage]*
- b) Resolution No. 19-2016 – amending the Fiscal Year 2015 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$846,765 for the lease purchase of Solar Panels *[\$850,508 in solar reward credits covers this unbudgeted purchase, plus \$3,743 to the Gen Fund]*
- c) Resolution No. 20-2016 – amending the Fiscal Year 2016 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation for the purpose of purchasing a replacement Police Special Service Vehicle in the amount of \$45,567 *[Crime prevention 2008 patrol sedan in accident 2/3/16; damaged beyond repair; replacement is 4x4 crew cab pickup]*
- d) Resolution No. 22-2016 – amending the Fiscal Year 2015 Capital Investment Program (CIP) Budget to reflect the approval of a decreased Appropriation in the amount of \$734,822 *[Accounting adjustment recommended by auditors; no impact on actual revenues or expenditures]*
- e) Resolution No. 21-2016 – amending the Fiscal year 2015 Budget to reflect the approval of increased available beginning fund balances in certain funds *[Financial policies require approval of additional revenues; includes Gen Fund, Police Investigation Fund, Open Space Fund, Municipal Court Fund, Conservation Trust Fund, and Crime Prevention/Code Enforcement Fund]*
- f) Motion to approve payment to Creative Bus Sales of Colorado Springs, Co., for the purchase of a new 2016 Startrans Senator II 22 15-Passenger Minibus in a total amount not to exceed \$52,730 *[fleet replacement; Active Adult Center]*
- g) Motion to approve the Purchase of a 2017 Combination Jetter/Vacuum Storm Sewer Cleaning Truck from Faris Machinery of Commerce City, CO, in a total amount not to exceed \$255,840 *[fleet replacement of obsolete 1986 unit]*

Councilmember Pond introduced the Consent Agenda.

**Motion** by Councilmember Pond to approve the Consent Agenda; seconded by Councilmember Fitzgerald; carried 8-0.

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**



2. Council Bill 04-2016 – An Ordinance Vacating the Western 19 feet of Marshall Street, adjacent to 4901 Marshall Street within the City of Wheat Ridge, County of Jefferson, State of Colorado (Case No. WV-16-01/ Marshall Street Vacation)

Councilmember Urban introduced Council Bill 04-2016.

Mayor Jay opened the Public Hearing.

Clerk Shaver assigned Ordinance 1594.

Mayor Jay swore in Scott Brink.

Mr. Brink explained the vacation. This section of Marshall Street was platted for a now-abandoned state highway prior to the building of I-70 and I-76. Staff determines the western 19 feet of ROW is not necessary to retain now, or in the future. Adequate ROW will remain for the street width and any future sidewalks or bike lanes. The vacation accompanies the redevelopment of the adjacent property.

Council had no questions and there was no public comment.

Mayor Jay closed the Public Hearing.

**Motion** by Councilmember Urban to approve Council Bill 04-2016, an ordinance approving the vacation of the western 19 feet of Marshall Street, adjacent to 4901 Marshall Street on second reading, and that it take effect fifteen (15) days after final publication for the following reasons:

1. The Public Works Department does not see any future needs for this Right-of-Way.
2. The request will not hinder the future improvements established on the Wheat Ridge Comprehensive Plan or the Wheat Ridge Bicycle and Pedestrian Plan.
3. The criteria used to evaluate a vacation have been met.

seconded by Councilmember Davis; carried 8-0.

### **ORDINANCES ON FIRST READING**

3. Council Bill 05-2016 – An Ordinance Imposing a Temporary Moratorium on the submission, acceptance, processing, and approval of applications and requests for a Permit, License, Land Use Approval or other approval for a Freestanding Emergency Room Facility

This one-year moratorium will allow the Council time to evaluate – and amend, if appropriate – the City's existing regulations related to freestanding emergency rooms.

Councilmember Wooden introduced Council Bill 05-2016.

**Motion** by Councilmember Wooden to approve Council Bill 05-2016 — an ordinance imposing a temporary moratorium on the submission, acceptance, processing, and approval of applications and requests for a permit, license, land use approval or other approval for a freestanding emergency room facility on first reading, order it published, public hearing set for Monday, April 11, 2016 at 7:00 pm in City Council Chambers, and that it take effect 15 days after final publication; seconded by Councilmember Mathews; carried 8-0.

## **DECISIONS, RESOLUTIONS AND MOTIONS**

4. Resolution No. 23-2016 – A Resolution approving an Intergovernmental Agreement establishing the Jefferson County Communications Center Authority (JEFFCOM) between the Arvada, Golden, Lakewood, and Wheat Ridge Police Departments, the Jefferson County Sheriff's Office, and the Arvada, Evergreen and West Metro Fire Protection Districts

Councilmember Hoppe introduced Resolution No. 23-2016.

The Mayor noted that a lengthy presentation and discussion on this matter had taken place at last week's study session. [see Study Session Notes, March 21, 2016]

### **Staff presentation** ~ Chief Brennan

Division Chief Dave Pickett, consultant Brian Wilkerson from Jeffcom, and Arvada Fire Chief Jon Greer were introduced and available for questions.

- Chief Brennan gave background on why, when, and how the study of consolidation of communications centers in Jefferson County took place.
- The consolidation includes police, fire and EMS, and involves 911 call takers and dispatch.
- Wheat Ridge specifics:
  - All 911 calls in WR come to our PD communications center.
  - We average 32-33,000 calls for service annually (out of 90,000+ calls a year, which includes admin calls).
  - We struggle to keep the dispatcher positions filled.
  - Communications technology and requirements are changing, expensive and they take up more space.
  - The Chief explained with examples how service to WR residents will be improved with quicker response times and less transferring of calls.
- Providing hardware, software and back up for only one site saves everyone money, including Wheat Ridge.
- Will save on brick and mortar; West Metro Fire has room for this countywide effort, including room to grow.
- The sharing of resources is another force multiplier. With GPS in the new center the call takers will know where all units (fire, police, and EMS) are at any given time.
  - He illustrated how the storm in 2009 overwhelmed our two call takers.
  - Calls near boundaries will likely be covered sooner.



- There will be opportunities for training and advancement that we aren't able to offer.
- The JEFFCOM governing board will have representation from all member agencies.
- Funding will come from numerous sources. Of the \$15M+ to run the center about \$4.1M will come from the 911 fee telephone customers pay.
- Policies, procedures and protocols have yet to be developed. We'll still need a way to funnel administrative calls to the City, and a future request for additional personnel or software for this is likely, but he doesn't expect using up all the \$260K JEFFCOM will save the City.
- Smaller agencies/communities will be served.

There were no questions from Council.

**Motion** by Councilmember Hoppe to approve Resolution No. 23-2016 a resolution approving an Intergovernmental Agreement establishing the Jefferson County Communications Center Authority (JEFFCOM) between the Arvada, Golden, Lakewood, and Wheat Ridge Police Departments, the Jefferson County Sheriff's Office, and the Arvada, Evergreen and West Metro Fire Protection Districts; seconded by Councilmember Duran; carried 8-0.

5. Motion to award a contract for Environmental & Engineering Consulting Services for Phase I of the Wadsworth Boulevard Improvement Project to HDR Engineering, Inc., Denver CO in the amount of \$1,200,164 with a Contingency Amount of \$120,000 for a Total Project Cost of \$1,320,164

Having completed the Planning and Environmental Linkage Study (PEL) for the Wadsworth project, the next step is Phase I – completing a topographic and boundary survey, a conceptual design, 30% construction plans and a template environmental assessment (EA).

Councilmember Davis introduced Item No. 5.

Staff presentation ~ Mark Westberg

- Wadsworth averages 37,500 to 45,500 vpd (vehicles per day)
- From 35<sup>th</sup> to 46<sup>th</sup> is most congested due to what happens at 38<sup>th</sup> and 44<sup>th</sup>.
- The PEL study was adopted in October, 2015.

Purpose of the Wadsworth PEL study:

Transform Wadsworth (34<sup>th</sup> to I-70) into a road that accommodates bikes and pedestrians in the region, provides local accessibility and supports the vision of a livable, walkable mixed-use corridor.

Need from the Wadsworth PEL study:

- Need more capacity
- Need to manage the access (There's too many access points onto Wadsworth.)
- Need to accommodate bikes and pedestrians
- Safety concerns (Lots of rear-end accidents due to congestion and cell phones)

## Objectives of the Wadsworth project

- Meet current and future traffic demands to 2040
- Improve operational efficiency in the corridor – especially at 38<sup>th</sup> and 44<sup>th</sup>
- Accommodate bikes/pedestrian/bus and unknown future mass transit

## Final recommended design

- Add 17 ft center median with trees (34<sup>th</sup> Place to I-70)
- Add 10 ft tree lawns on both sides (34<sup>th</sup> Place to I-70); 9 ft on one side (34<sup>th</sup> Place to 44<sup>th</sup>) to accommodate cycle track
- Add 10 ft multi-use path (sidewalk/bike use) on both sides (34<sup>th</sup> Place to I-70)
- Add 10 ft off-street, two-way cycle track, one side 34<sup>th</sup> Place to 44<sup>th</sup> Ave
- Retain 3 through travel lanes, north-bound and south-bound, 34<sup>th</sup> Place to I-70, with left turns accommodated in the median
- Vision includes things such as a pedestrian-triggered signal approximately 1000' south of 44<sup>th</sup> Ave (near Amici's) and U-turn capabilities within the corridor

## Proposed Phase 1

- Consultant Team
  - HDR Engineering – engineering firm from the PEL team
  - WSP/PB (Parson Brinkerhoff) - lead firm of PEL team
  - Toole design group - bike/ped firm on PEL team
  - Cardno – utilities firm on PEL team
  - Lund Partnership – surveying firm
  - Rocky Mountain Paleo – archeology and environmental
  - Yeh & Associates – geotech firm
- Schedule  
Because we did such a thorough PEL study the FHWA (federal) is letting us do a template EA (environmental assessment), a shorter version which is 50 pages and 1 year, versus the full EA which is 150 pages and 3 years.
  - June 2016 – Alternatives & survey complete
  - Sept 2016 -- Conceptual 30% plans complete
  - Oct 2016 – Impact analysis & mitigation strategies complete
  - Jan 2017 – Public meeting (also other public outreach earlier)
  - Feb 2017 – Template EA complete
  - March 2017 – FONSI obtained (Finding Of No Significant Impact)
- Phase 1 Budget  
\$1.5M in the 2016 Budget (half for EA, half for design); expect to use only \$1.32M total; \$960K to be reimbursed by the feds; City share is \$240,000.

## Project schedule (Phase II and Phase III)

2017-2018 Phase II -- Preliminary & final design

Preliminary design completed by Dec 2017

Public meeting -- Jan 2018

Plans completed -- April 2018

August 2017 thru Dec 2018 – ROW acquisition (will be separate contract)

2019 – 2020 – Phase III -- Construction

## Total Project Cost (Note: Estimates do not yet include any factoring for value engineering)

\$45.5 M -- current estimated cost

\$25.28 M – federal funding through DRCOG



\$6.32M -- city local match

\$13.9M -- find other funding (grants; CDOT covering construction oversight)

Council questions

- CDOT's relationship in all this? They're the keepers of the federal dollars and provide oversight for the federal process.
  - CDOT drives a lot of the criteria because it is a state highway. Their specialists (traffic, environmental, ROW, etc) have been and will continue to be involved. Several additional signals are planned in an effort to pull traffic off of 38<sup>th</sup> and 44<sup>th</sup> and spread it out.
  - Other funding sources besides grants are out there, such as low cost loans for vendors.
- Mr. Westberg took the opportunity to inform everyone that the Flood Plain Open House that was cancelled last week due to the storm will be held this Thursday, March 31 from 5-7pm in Council Chambers.

**Motion** by Councilmember Davis to approve the award a contract for Environmental & Engineering Consulting Services for Phase I of the Wadsworth Boulevard Improvement Project to HDR Engineering, Inc., Denver CO in the amount of \$1,200,164 with a Contingency Amount of \$120,000 for a Total Project Cost of \$1,320,164; seconded by Councilmember Pond; carried 8-0.

6. Motion to provide the Wheat Ridge Fire Protection District and Rural/Metro-Pridemark with a 120-day notice of termination and dissolution of the Intergovernmental Agreement for Ambulance Services within the City of Wheat Ridge; notice to begin on April 1, 2016, with services to be terminated on July 29, 2016

Due to the merger of the Wheat Ridge Fire Protection District with the West Metro Fire Protection District, the City's contract with Rural/ Metro for ambulance service is no longer necessary.

Councilmember Fitzgerald introduced Item No. 6

Chief Brennan explained that paramedic and ambulance services for Wheat Ridge residents will now be approved through West Metro, Arvada Fire and Fairmount Fire.

**Motion** by Councilmember Fitzgerald to provide the Wheat Ridge Fire Protection District and Rural/Metro-Pridemark with a 120-day notice of termination and dissolution of the Intergovernmental Agreement for Ambulance Services within the City of Wheat Ridge;

notice to begin on April 1, 2016, with services to be terminated on July 29, 2016; seconded by Councilmember Wooden; carried 8-0.

### **CITY MANAGER'S MATTERS**

Mr. Goff noted preparations are underway for the spring large item pick-up. Residents only; must register; registration starts April 4; first come first served; 1 item per household. Includes large items like refrigerators and couches. No electronics.

He responded to Ms. Storck's remarks during public comment. He said the City *is* trying to attract new businesses. Businesses locate where they do for a variety of reasons. He listed some ongoing development efforts at various locations (Clear Creek Crossing, NE corner of 44<sup>th</sup> and Kipling, 38<sup>th</sup> & Wadsworth, 38<sup>th</sup> & Kipling vacant pad).

### **CITY ATTORNEY'S MATTERS**

Mr. Dahl reported that the quiet title action has been completed for the Fruitdale School. The judge entered the order and the 1886 reverter clause no longer applies to the property. Grants applications are now being submitted.

### **ELECTED OFFICIALS' MATTERS**

**Genevieve Wooden** announced this is the last week to buy tickets for the STEAM/STEM gala on April 9. Tickets are available on the Wheat Ridge High School web site and should be purchased by March 31. Cartoonist Drew Litton is going to be at the gala and there will be a silent auction.

**Kristi Davis** noted the opening of Orangetheory, a new exercise facility, this summer in the Applewood Shopping Center.

**George Pond** thanked everyone who has participated in the open houses for Wadsworth and for 38<sup>th</sup> Avenue.

**Zachary Urban** announced the number for the Jefferson County child abuse hotline is 303-271-4357. The number for the statewide hotline is 1-844-CO4KIDS

**Janeece Hoppe** thanked those who have emailed and called her and come in to speak.

**Monica Duran** announced the IGA between West Metro and the WR Fire Department goes into effect April 1. At that time the administrative offices near 38<sup>th</sup> & Upham will be moving to 433 S. Allison. Permits will still be available at the Upham office until further notice, but all other administrative offices will be moving. Folks can contact Chief Olme at 970-520-4539 or Chief Lombardi 303-539-9512 if they have questions.

**Mayor Jay** announced Coffee with the Mayor this Saturday at Vinnola's from 9-11am.

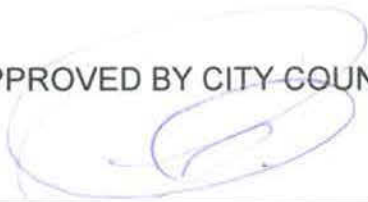


**ADJOURNMENT**

The Regular City Council Meeting was adjourned at 8:21pm.

  
\_\_\_\_\_  
Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON April 11, 2016

  
\_\_\_\_\_  
George Pond, 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.