

# CITY COUNCIL MINUTES

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

July 25, 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	Janeece Hoppe	Kristi Davis
Tim Fitzgerald	Larry Mathews	Genevieve Wooden	George Pond

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; Community Development Director, Ken Johnstone (sitting in for the City Manager); Police Chief, Daniel Brennan; Public Works Director, Scott Brink; Administrative Services Director, Heather Geyer; other staff, guests and interested citizens.

### APPROVAL OF MINUTES OF the Regular Meeting July 11, 2016 and Special Study Session Notes of July 11, 2016

There being no objections, the minutes and notes were approved as published.

### PROCLAMATIONS AND CEREMONIES

#### Arvada Food Bank Presentation

**Jill Fellman**, board president of the Arvada Community Food Bank, presented Chief Brennan with a plaque of thanks for his tremendous efforts with the Backpack Program. She gave statistics about the number of Wheat Ridge kids that benefit from the Backpack Program, the volunteer hours and the amount of food and money that is donated. **Chief Brennan** acknowledged all the volunteers who make it happen. **Sandy Martin**, executive director, along with **Abbie Miller** (Backpack coordinator) and board members **Steven Galbraith** and **Alan Albrandt**, presented Mayor Jay with a plaque of thanks to the City for its support.

### CITIZENS' RIGHT TO SPEAK

**Jesse Hill** (WR) appreciates the discussion on the building heights, but feels this should not be pushed over to the Planning Commission. It is Council's responsibility as this involves property rights. He gave some facts about east WR that lead to taller buildings – including sloping lots, a very high water table that precludes basements, and small lots. These taller houses are cases of form fitting function. For Council to see the real life applications of this issue, he offered to host an off-site study session at his residence.

**Roger Morin** (WR) noted that for the last six years Jeffco has the highest growth of DUI and DUID fatal crashes in the state. WR also has a higher number of DUI/DUID fatalities than would be expected for our population. 1) Jeffco needs to address this trend. 2) WR sells more alcohol and marijuana than its citizens need. 3) We want to be good neighbors to our sister cities, 4) Profiting from something our neighbors limit could be seen as opportunistic. 5) Societal costs of legalized drugs often outweigh the revenue obtained. He thinks it's appropriate for Council to discuss this.

**Mary Ellen Carlow**, grant manager for the Seniors Resource Center, thanked the City for its repeated generosity and shared that new grants have come in from DRCOG. She also invited the public to their 1<sup>st</sup> annual Food Truckin' event on Thursday, August 11 from 4pm – 8pm at the campus on Chase Street. There will be food and entertainment.

### **PUBLIC COMMENT ON SPECIAL STUDY SESSION ITEMS**

**Gene Shirley** (WR) said that ten years ago at a meeting one person spoke about having a storm water fee. He thinks Council should ask the citizens first. It would cost over \$100/yr per property. He noted that it was agriculture run-off that polluted Clear Creek, not urban drainage. Education is needed. We don't have to proceed with this expensive project. ~ He was told by a County official that the biggest problem with storm water drainage ponds is mosquitos. Some years tablets have to be put in to kill the larva. We now have three breeds of mosquitos spreading three different diseases.

**Britta Fisher** (WR) gave an update from the Ridge at 38 Leadership Committee on the proposed design for 38<sup>th</sup> Avenue. Councilmember Hoppe and Mark Westberg met with them last week and gave a presentation about the design. Ms. Fisher recommended some serious outreach and advised that elected officials need to talk to constituents – not only about what [is planned], but also why, and why now. She encouraged Council to talk about the compromise and why it's important for everyone to give a little.

### **APPROVAL OF AGENDA**

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

1. First Opportunity for Public Input on the 2017 Budget

Councilmember Davis introduced 2017 Budget.

A second opportunity for public input will be on Monday, August 22. The budget will be presented to the Council on October 17 for review and direction. A public hearing will be held on October 24, with final adoption scheduled for November 14.

Staff remarks

Heather Geyer noted there is no proposed budget available at this time. Staff would like to get input from the public before the budget is prepared.

Public comment

**Britta Fisher** (WR) spoke on behalf of Localworks and their budget requests.

- They have over 60 events a year and they are going well.
- Ridge at 38 events
  - The biggest progress is Ridge at 38 Events. They consume the most resources.
  - The past year over 18,000 people came to these events. The businesses are starting to see success.
  - They will refine the events and explore other opportunities.
  - Marketing for Ridge at 38 events is working. Indicators are great; efforts from business partners help.
  - Sales tax on the Ridge is up 70% since the restriping; citywide it's up 16%.
- Loan program
  - There's renewed interest in the program; larger loans are being requested.
  - Their maximum residential loan is \$30,000 (\$20,000 for general improvement; \$5,000 more (each) to add a bath or a bedroom). The \$5,000 piece should be \$10-12,000 to be an incentive – increasing their maximum loan to \$45-50,000.
- TLC is going gangbusters; now includes five neighborhoods. More funds are needed. More neighborhoods want it and commercial is an area we could grow.
- Dumpster Days and block parties are growing.
- Current and former councilmembers have asked how Localworks can get more for property investment funds. Can we build our own fund?
- For community outreach and engagement – the postcards are very popular. We need more of them, and more funds to include more partners. The partners may be able to help, but they have limited funds.
- They've had more requests for engagement in city processes.
- They have been pursuing corporate, foundation and other grants. Some involve requirements or suggestions of matching funds. They may pursue this.

They don't have hard numbers yet, but are willing to talk.

2. Council Bill 11-2016 – An ordinance approving a Zone Change from Commercial-One to Industrial-Employment for property located at 4949 Marshall St. (Case No. WZ-16-04 Sit Means Sit Denver Dog Training)

The purpose of the rezoning is to allow the use of the facility as a dog training and dog boarding facility -- Sit Means Sit. This will also require a Special Use Permit - the process for which would occur after the rezoning is approved.

Councilmember Urban introduced Council Bill 11- 2016.

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

Staff presentation

Ken Johnstone entered into the record the packet material, the City's comprehensive plan, zoning ordinance and the contents of the case file.

- The property is located on the west side of Marshall Street just south of Clear Creek.
- Staff believes that the zone change is consistent with the comprehensive plan.
- Historic use of the property is for auto repair and body work.
- The Planning Commission recommends approval.
- The zoning criteria is in the packet.

Clerk Shaver assigned Ordinance 1599.

There was no public comment or questions.

Mayor Jay closed the public hearing.

**Motion** by Councilmember Urban to approve Council Bill 11-2016, an ordinance approving a zone change from Commercial-One (C-1) to Industrial-Employment (I-E) for property located at 4949 Marshall St. 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 public notice requirements as required by Section 26-109 of the Code of Laws.
2. The requested rezoning has been reviewed and recommended for approval by the Planning Commission.
3. The requested rezoning has been found to comply with the "criteria for review" in Section 26-112.E. of the Code of Laws.

seconded by Councilmember Duran; carried 8-0.

3. Council Bill 12-2016 – An ordinance amending Articles II and VI of Chapter 5 of the Code of Laws concerning residential fire sprinkler requirements

The purpose of the ordinance is to complete the elimination of the requirement for homes to have a fire suppression system. This deletion is in keeping with other municipalities in the surrounding area.

Councilmember Duran introduced Council Bill 12- 2016.

Clerk Shaver assigned Ordinance 1600.

Steff presentation

Ken Johnstone reported that this requirement has been eliminated from our Code. It was the intention to also eliminate this requirement when the International Building Code was adopted. Reasons include:

- Sprinkler systems are expensive.
- Risk of system failure incurring significant water damage

- Systems require long term maintenance. If not kept up it could set up an unsafe expectation.

There were no public comment or questions from Council.

Mayor Jay closed the public hearing.

**Motion** by Councilmember Duran to approve Council Bill 12-2016, an ordinance amending Articles II and VI of Chapter 5 of the code of laws, concerning residential fire sprinkler requirements on second reading and that it take effect immediately; second by Councilmember Hoppe; carried 8-0.

### **DECISIONS, RESOLUTIONS AND MOTIONS**

4. Resolution No. 27-2016 – A resolution giving notice to the Jefferson County Clerk and Recorder of the City's intent to participate in the Coordinated Election to be held November 8, 2016

As the City has potential to refer a ballot question to the voters of Wheat Ridge this November, it is necessary to formally notify the Jefferson County Clerk and Recorder of the City's intent to participate in the coordinated election. It is logistically efficient and financially prudent to participate with the County.

Councilmember Pond introduced Resolution No. 27-2016.

**Motion** by Councilmember Pond to approve Resolution No. 27-2016, a resolution giving notice to the Jefferson County Clerk and Recorder of the City's intent to participate in the coordinated election to be held on November 8, 2016; seconded by Councilmember Urban; carried 8-0.

5. Approval to authorize payment of \$45,077.86 to the City of Edgewater for 26<sup>th</sup> Avenue Paving and Installation of Bicycle Lanes

This amount is the City's share of the paving and re-striping of 26<sup>th</sup> Avenue between Sheridan and Wadsworth Boulevards.

Councilmember Hoppe introduced Item 5.

Scott Brink had no staff report, but was available for questions. There were none.

**Motion** by Councilmember Hoppe to authorize the payment of \$45,077.86 to the City of Edgewater, for 26<sup>th</sup> Avenue paving and installation of bicycle lanes; seconded by Councilmember Duran; carried 8-0.

**CITY MANAGER'S MATTERS**

**CITY ATTORNEY'S MATTERS**

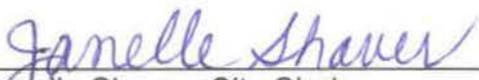
**ELECTED OFFICIALS' MATTERS**

**Kristi Davis** announced the Wheaties Academy is conducting a public art project that involves the community. Their goal is to distribute 300 1 ½ ft hearts for people to decorate and display in their yards or windows. They will be handing out the first set of hearts and instructions on Friday Night Live from 7-11pm this Friday on the Green on 38<sup>th</sup> Ave. For more information folks can contact Millie Nadler at [mnadler@macramedia.net](mailto:mnadler@macramedia.net). Ms. Davis challenged the Council and Mayor to participate.

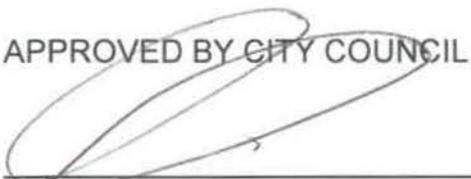
**ADJOURNMENT**

The Regular City Council Meeting adjourned at 7:59pm.

(The meeting was followed by a Special Study Session. See separate notes and audio.)

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

APPROVED BY CITY COUNCIL ON August 8, 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.