

CITY COUNCIL MINUTES

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

February 27, 2017

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	Janece Hoppe	George Pond
Kristi Davis	Tim Fitzgerald	Larry Mathews	Genevieve Wooden

Also present: City Clerk, Janelle Shaver; City Treasurer, Jerry DiTullio; City Attorney, Jerry Dahl; City Manager, Patrick Goff; Chief Daniel Brennan; Parks & Recreation Director, Joyce Manwaring; guests and interested citizens.

APPROVAL OF Council Minutes of February 13, 2017 and Special Notes of February 13, 2017

There being no objections, the minutes of February 13, 2017 and the Special Notes of February 13, 2017 were approved as published.

PROCLAMATIONS AND CEREMONIES none

CITIZENS' RIGHT TO SPEAK none

APPROVAL OF AGENDA

1. CONSENT AGENDA

- a) Resolution 05-2017 – approving action by Jefferson County Open Space to subordinate the Reverter Clause pertaining to the Recreation Center property at 4005 Kipling to permit the placement of cellular antennas *[non park/rec use; rooftop utility easement; yearly revenue \$25K with yearly increase of 2%]*
- b) Motion to approve the annual Police Radio System Contract Payment to the City of Lakewood in the amount of \$35,519 for Police Radio System Maintenance Services *[budgeted and approved; agreement began in 2005]*

Councilmember Pond introduced the Consent Agenda.

Councilmember Duran asked to pull item a) from the motion.

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

Councilmember Duran asked if the \$25K yearly fee would be put into the Rec Center maintenance fund. Mr. Dahl reported it would; the funds do *not* go into the General Fund.

Councilmember Mathews asked if the antenna would be a regular tower or a stealth antenna. Ms. Manwaring reported there are several antennae and they will all be screened.

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

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

2. Council Bill 01-2017 – An Ordinance amending 22-56 and 22-66 of the Wheat Ridge Code of Laws to codify an increase in the City's Sales and Use Tax Rate pursuant to voter approval granted on November 8, 2016

It is necessary to amend the Code of Laws by ordinance in order to implement the increase in sales and use tax approved by the voters on November 8, 2016. Ballot question 2E increased the tax by one-half of one cent, to 3.5% of the purchase price.

Councilmember Wooden introduced Council Bill 01-2017.

City Clerk Shaver assigned Ordinance No. 1614

Mr. Dahl explained the need for the ordinance.

There were no questions from Council and no public comment.

Mayor Jay opened the public hearing.

Mayor Jay closed the public hearing

Motion by Councilmember Wooden to approve Council Bill 01-2017, an ordinance amending Section 22-56 and 22-66 of the Wheat Ridge Code of Laws to codify an increase in the City's sales and use tax rate, pursuant to voter approval granted on November 8, 2016, on second reading and that it takes effect immediately upon adoption, seconded by Councilmember Urban; carried 8-0.

ORDINANCES ON FIRST READING

3. Council Bill 02-2017 – Authorizing the issuance by the City of Wheat Ridge, Colorado of its Sales and Use Tax Revenue Bonds, Series 2017A, and providing other details in connection therewith

Councilmember Urban introduced Council Bill 02-2017.

This ordinance authorizes the issuance of sales and use tax bonds to finance the four projects approved with the passage of ballot issue 2E by the electorate on November 8, 2016. The City's debt will be increased by up to \$33M with a repayment cost of less than \$38.5M. Wheat Ridge taxes will be increased up to \$3.7M annually in the first fiscal year and by whatever amounts each year thereafter for 12 years or when \$38.5M is raised, whichever comes first.

The bonds will be sold to an underwriter through a negotiated sale process. The bonds shall mature, bear interest from their dated date to maturity, and be sold, all as provided in the Sales Certificate, provided that:

- The aggregate principal amount of the Bonds shall not exceed \$33,000,000;
- The maximum total repayment cost of the Bonds shall not exceed \$38,500,000;
- The maximum annual repayment cost of the Bonds shall not exceed \$3,700,000; and
- The Bonds shall mature no later than December 1, 2028.

Motion by Councilmember Urban to approve Council Bill No. 02-2017, an ordinance authorizing the issuance by the City of Wheat Ridge, Colorado of its Sales and Use Tax Revenue Bonds, Series 2017A and providing other details in connection therewith on first reading, order it published, public hearing set for Monday, March 13 at 7:00 p.m. in City Council Chambers, and that it take effect immediately upon adoption; seconded by Councilmember Hoppe; carried 8-0.

DECISIONS, RESOLUTIONS AND MOTIONS

4. Motion to approve Board and Commission Appointments

Councilmember Davis introduced Item 4.

A question had arisen and Mr. Dahl advised that a councilmember whose spouse or family member is being considered for appointment to a board should recuse him/herself on that vote as it involves a "personal interest" as described in the Charter.

At-Large Appointments

Motion by Councilmember Davis to appoint

Michael Griffeth to the Board of Adjustment [At-Large], term to expire 3/2/20; and **Larry Richmond** to the Board of Adjustment [At-Large], term to expire 3/2/20; seconded by Councilmember Pond; carried 8-0.

Motion by Councilmember Davis to appoint **Nathan Hoppe** to the Building Code Advisory Board [At-Large], term to expire 3/2/20; seconded by Councilmember Duran; carried 7-1 with Councilmember Hoppe abstaining.

District I Appointments

Motion by Councilmember Duran to appoint **Diane Robb** to the Cultural Commission, term ending 3/2/20; and **Cynthia Sanchez** to the Building Code Advisory Board, term ending 3/2/20; seconded by Councilmember Hoppe; carried 8-0.

District II Appointments

Motion by Councilmember Davis to appoint **Lily Griego** to the Board of Adjustments, term expiring 3/2/20; **Millie Nadler** to the Cultural Commission, term to expire 3/2/20; **Patricia Ennis** to the Parks and Recreation Commission, term ending 3/2/20; and **Chad Harr** to the Planning Commission, term to expire 3/2/20;

Councilmember Urban asked for division of the question -- to have the Planning Commission appointment be a separate vote.

Councilmember Urban seconded the motion for the other appointments; carried 8-0.

Motion by Councilmember Davis to appoint Chad Harr to the Planning Commission, term to expire 3/2/20; seconded by Councilmember Wooden;

Lengthy discussion followed regarding appointing people whose applications were received after the published deadline (as was the case with Mr. Harr) and whether that was a valid consideration.

Motion by Councilmember Urban to amend the motion by inserting the name Vivian Vos for the name of Char Harr; seconded by Councilmember Duran.

More discussion followed.

Councilmember Urban's motion to amend, replacing the name Chad Harr with the name Vivian Vos carried 6-2, with Councilmembers Fitzgerald and Davis voting no.

More discussion followed.

Motion as amended appointing Vivian Vos to the Planning Commission carried 7-1, with Councilmember Davis voting no.

District III Appointments

Motion by Councilmember Pond to appoint **Jerith Gronske** to the Cultural Commission, term ending 3/2/20; **Tom Abbott** to the Board of Adjustment, term ending 3/2/20; and **Kathy Koniz** to the Parks & Recreation Commission, term ending 3/2/20;

seconded by Councilmember Fitzgerald; carried 8-0.

District IV Appointments

Motion by Councilmember Wooden to appoint

Carol Mathews to the Cultural Commission, term ending 3/2/20; seconded by Councilmember Urban; carried 7-1, with Councilmember Mathews abstaining.

Motion by Councilmember Wooden to appoint

Donna Kimsey to the Planning Commission, term ending 3/2/20;

Liz Veeder to the Parks & Recreation Commission, term ending 3/2/20;

Christine Taraskiewicz to the Parks & Recreation Commission, term ending 3/2/20; and

Paul Hovland to the Board of Adjustments, term ending 3/2/20;

seconded by Councilmember Mathews; carried 8-0.

5. Motion to Ratify Mayoral Reappointment of Thomas Abbott to the Housing Authority representing District III, Term to expire March 2, 2022

Councilmember Fitzgerald introduced Item 5.

Motion by Councilmember Fitzgerald to ratify the Mayoral Reappointment of Thomas Abbott to the Housing Authority representing District III, term to expire March 2, 2022; seconded by Councilmember Pond; carried 8-0.

CITY MANAGER'S MATTERS

Mr. Goff reported the City has received a federal highway safety improvement program grant for \$2.6M for the Wadsworth project. The City will have to match that with 10%, or \$260,000. ~ He also noted that the grant we received for a new street sweeper has to go through a federal "buy America" waiver process - which is lengthy. We may not get the street sweeper until the end of the year.

Mr. Mathews asked when Council might be seeing some designs for the Wadsworth project. Mr. Goff said it is still in the EA process. Additionally, a new person at the state in charge of historic properties has identified three new properties that are potentially historic in nature; this could delay the process by as much as 18 months. That said, the EA is being delayed by 6 months and should be finished by the end of the summer.

CITY ATTORNEY'S MATTERS

ELECTED OFFICIAL'S MATTERS

Jerry DiTullio reported the financial report for December 2016 will be coming out in a few days; it will be on the website. Also, a new financial report is being generated to

track revenue and expenses for the Fruitdale School project. ~ He also suggested there be no deadline for applications for boards and commissions.

Janelle Shaver reported that the Liquor Authority has scheduled a Show Cause Hearing for Big Willy's bar on W. 44th Avenue to consider liquor license violations and other improprieties related to the liquor license. The hearing will be Thursday, March 9 at 9:00am in Council Chambers. If councilmembers have questions about it they can contact her or the Deputy Clerk.

Monica Duran thanked the speakers and citizens who came to her district meeting at the Seniors Resource Center on Saturday. Those who came appreciated all the good information. There was a good turnout

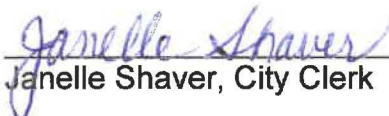
Zach Urban shared he would be meeting tomorrow at 4:00 in the lobby conference room with Congressman Perlmutter's youth advisory council (about 10 students from Jefferson and Adams Counties) to discuss housing and homelessness.

Tim Fitzgerald announced that he and Mr. Pond would be having a District III meeting at the Rec Center on Saturday, March 18 at 9:30am.

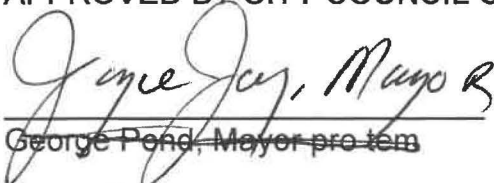
Joyce Jay announced there will be no Coffee With The Mayor this Saturday due to the Council retreat. She will resume in April.

ADJOURN TO SPECIAL STUDY SESSION

The City Council Meeting was adjourned at 7:59 p.m. A Special Study Session followed.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON March 13, 2017


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.