

STUDY SESSION NOTES

CITY OF WHEAT RIDGE, COLORADO

City Council Chambers 7500 W. 29th Avenue

June 5, 2017

Mayor Joyce Jay called the Study Session to order at 6:30 p.m.

Council members present: Monica Duran, Zachary Urban, Janeece Hoppe, George Pond, Genevieve Wooden

Absent: Kristi Davis (excused), Larry Mathews (excused), Tim Fitzgerald (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Jerry Dahl; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; other staff, guests, and interested citizens

CITIZEN COMMENT ON AGENDA ITEMS

Joe DeMott (WR), as board president representing the Wheat Ridge Business District, spoke on Item 3.

- For 20 years the WRBD has given matching grants to businesses for various façade and property improvements. They have also done large project grants. Historically grants totaled \$90K/year, but in recent years it has been much less and the WRBD hasn't asked for increased funding for several years.
- Construction costs have quadrupled since the grant program started, but the grant maximums have not. The WRBD board has unanimously agreed to increase their funding maximums.
- They'd like to work with City Council to encourage these major commercial renovations to upgrade and modernize facades while doing major storm repairs. WRBD funds do not cover repairs, but business owners have indicated that major renovations are impossible when coupled with storm repairs. More funds are needed.
- The WRBD is proposing a temporary expanded Facade Plus program.
- They do have current funding and will be carrying out this year's grant program.

1. Staff Report(s) none

2. Municipal Court Judge contract renewal

Judge Christopher Randall addressed the Council. He reported briefly about his hours and duties. He is here for court Monday, Wednesday and Thursday for 10-11 hours and half day on Tuesday for the department directors meeting and other administrative duties. The rare jury trial is held on the last Thursday of the month. He noted Wheat Ridge is one

of few municipal courts that handles domestic violence. They are few, but time-consuming.

Mr. Goff explained an ordinance is necessary and 1st reading is scheduled for June 12.

Questions from City Council and discussion followed.

- The Court's goals and mission are primarily procedures for the clerks: payment plans, sentences, probation, warrants, etc. We are one of the few municipalities with a probation department.
- Customer service improvements have been changes enacted by the staff. Office equipment upgrades are part of a citywide project. They would like to get court dedicated software.
- Judge Randall explained the process for handling domestic violence cases. Except repeat offenders, most all DV offenders are placed on probation. Treatment is done by state certified providers.
- Judge Randall noted that the salary comps presented do not take into account the fact that he is a department director (CO Springs is the only other city he can think of with that arrangement), the volume of our docket (homelessness, drugs, hotels, emergency room, detox), and we handle more than traffic cases.

Mr. Dahl reported that our contract arrangement is similar to other jurisdictions where the judge is an integral part of the organization, serving as a department head and is more of an employee -- rather than an hourly contract employee. There is also consideration of the size and nature of the docket.

- Judge Randall believes we have a heavier docket because of geographic location -- accessibility, Denver to the east, the parks, the creek, lots of retail (mostly theft). There is a good number of WR offenders, but also outside people -- transient, underemployed, etc.
- Our collection rate is as good as or better than other cities. New state laws 1) prevent the courts from issuing warrants for failure to pay, and 2) also leans toward alternative sentencing (treatment, counseling, community service, etc.). We can, and will soon be contracting with a collection agency. Per Mr. Dahl, the rate for the collection agency will be negotiated -- likely around 25%.
- Judge Randall also works for Thornton a couple times a year. In the immediate future, he will be spending extra hours in Thornton due to health issues for their judge. He also spends about 4 hours a month working with the E-470 Tollway court.
- A new law allows municipal courts to handle DUR cases. Also, beginning in August municipalities will expunge juvenile criminal records (previously a responsibility of the state). This will add another half day a week.
- Mr. Dahl explained some changes that will be added to the contract Council has now: 1) Correction of language to be consistent with the Charter; 2) Some code of ethics and ex parte contact language the Judge has provided; and 3) Addition of some protective language for the City related to IRS requirements.
- Judge Randall noted he is past president of the Municipal Judges Association; he's an old-timer with a fair amount of experience.

- Code and criminal cases receive the same due process; a jury trial is always an option. For animal and code cases and abatement processes, the Judge strives for compliance rather than dragging things out and running up court costs.

Councilmember Hoppe received consensus to have the City attorney prepare an ordinance renewing the Judge's contract for another two years. Mr. Dahl will include various pay-raise options.

3. Contract Building Inspection Services/WRBD Emergency Appropriation

Contract Building Inspection Services

Mr. Goff explained that Councilmembers Urban and Duran requested discussion on two issues:

1. A special appropriation for added contract labor for customer services related to the recent hailstorm.
2. An emergency appropriation of \$300,000 for the WR Business District for expansion of the Localworks BUBL and HIP loans and WRBD's business improvement grants.

Councilmember Urban outlined the issues.

- Feedback from constituents and businesses indicates concerns about the building permit process and a probable backlog on inspections.
- After the 2009 storm, \$120,000 was appropriated for extra employees to cover the customer service needs.
- Request for increased funding for WRBD as explained earlier by Mr. DeMott.

Ken Johnstone outlined issues the Building Division is facing due to the hail and the steps being taken to address the overwhelming number of roofing permit applications.

- This storm is probably worse in scope than 2009 because the affected area is larger.
- Depending on size, the average cost of a residential permit is running just over \$200.
- There should be adequate revenue to cover the cost of extra contract employees.
- The influx of permits began on May 26th. Applications were averaging 70 per day, but have now increased to between the low 80's to over 100. We did 95 today.
- We have a contract with Charles Abbott & Associates, a reputable California firm with Colorado offices. They are working with us to provide extra inspectors. We will need 3 more full time inspectors for the foreseeable future. We have one full time inspector in house.
- There are 13,500 residential structures in the city, plus several thousand commercial structures.
- We have one permit tech right now, and were in the process of filling the other position. One tech can do about 70 permits a day. Abbot provided a helper for one week, and is working to get someone long term for us. With two individuals we could do 140 per day. This will likely last 6 months to a year.
- We do next day inspections and require mid roof inspections (middle of the process).

He explained the permit and mid-roof inspection process and the various steps that have been taken to handle the large volume of permits.

- Have suspended online permitting because we couldn't keep up with them.
- Temporarily suspended the two-hour timeline inspection windows.
- Have allowed some flexibility in the mid-roof inspection process.
- We installed a ticket (number) system for the queueing, which starts as early as 5am.
- Have been limiting one contractor to four permits per day. Tomorrow we will go to a limit of two per day. (Example: Today permitting was cut off at 7:10 am because we already had 95 permits to process.) The rationale is that it's more fair to give 2 permits a day to 40 contractors, than 20 permits a day to 4 contractors.
- Considering reinstating on-line permitting, but don't want to create false expectations, since even on-line applications take time to process.
- We have contracted with Abbott to bring in a contract permit tech and three inspectors (for a total of four). Staff expects the funding will be available (\$250-300K).
- Outreach to other cities indicates we are keeping up pretty well, numberwise. Our financial system, ADG, is old and not as user friendly or web enabled as some, but we're making due. A new system is about \$1M and we have been saving for it.
- Mr. Johnson knows having to wait seven hours is not good customer service, but he thanked the contractors for being cordial and understanding in a bad situation.
- The storm in 2009 required a supplement of \$120K. Staff will return with the supplemental needs for this event.
- Staff may be asking Council to lift the 7pm limit for work hours and change to "7am to sunset".

Matching grant program

This is a request for temporary expansion of the WRBD grant program with an emergency allocation of \$300,000 to supplement their current matching grant program and possibly expand it to residential properties as well.

Councilmember Urban noted this is not for storm recovery, but to allow for additional improvements while they are doing storm repairs. There will be a significant amount of revenue from this storm.

Discussion followed.

Councilmember Hoppe offered:

- Architectural upgrades are a good idea for our aging commercial building stock.
- She is on the WRBD board and advised that the matching funds for grants are being handled prudently. (See Cress, Compass Construction, Dairy Queen)
- Even a portion smaller than \$300K would help. The current allocation is \$45K.
- BUBL and HIP loans are through Localworks, that has its own directors and program. WRBD is managed by Localworks, but has its own board of directors.
 - BUBL (Building Up Business Loans) are for structural projects, up to \$50K, 0% interest first year, 4% interest remaining four years
 - HIP loans are for adding square footage
 - The WRBD grants are for exterior building improvements up to \$5K.
 - All the funds come from the City.

Councilmember Wooden would prefer to see the money split between commercial and residential and be loans rather than grants (to ensure businesses have some skin in the game). Councilmember Hoppe reported 1) WRBD declined to include residential as it is not in their mission scope, 2) businesses are invested because the grants only partially fund the improvements, and 3) if Localworks wants to increase their residential HIP loans they can come in and ask for funding.

Mr. DeMott added that WRBD matches only up to 50%. A Façade Plus would be a tiered system up to \$10K.

Councilmember Pond offered support of the concept but would need more specifics, including a more accurate forecast of revenue.

Mr. Goff added some issues Council might consider in the discussion:

- We are at our reserve limit for our Fruitdale obligations and can't fulfill our obligation.
 - The upcoming closure of Walmart will impact our revenue projections for this year well into six figures. Even if they do move across the highway to Clear Creek Crossing, it will be 2 years. We may know by the end of June if that's going to happen.
 - Council has the option of lowering the reserves below the required 17%.
 - Staff needs more time to examine the revenue picture; it's too early to be sure.
- Councilmember Urban, using the 2009 storm for reference, outlined how this storm will provide significant revenue to the City. He would like to see that revenue tied to reinvestment for the business districts.
 - Councilmember Pond urged caution about planning how this money gets spent before we know how much it is.
 - Councilmember Wooden noted residents were hit too and urged care by the Council not to create a perception that it is showing favoritism to businesses.
 - Councilmember Duran was assured more facts and figures will be available in a few weeks; she encouraged councilmembers to remain open-minded.

Councilmember Urban asked for consensus to move forward in support of an emergency allocation of \$100K to the WRBD for Facade Plus – to be re-evaluated when the future revenue picture is clearer.

It was noted the WRBD does have some funds and could continue their program for a while. Following further discussion there was adequate support to move ahead with the allocation as more information is received.

4. Elected Official's Report(s)

Mr. Goff noted that July 3 is scheduled for a study session and July 4 is a holiday. There was immediate agreement to cancel the study session. Mr. Goff will put it on the agenda.

Genevieve Wooden reported the open house for the DeAngelis Center (Martensen) happened last week. She suggested Council do the active shooter simulation class.

Zachary Urban suggested Council receive some training about emergency protocol for Council chambers. Mr. Goff agreed that was a good point and reported that employees have received such training.

Mayor Jay reported that doing "Riding the Rails with the Mayors" left her in awe of all the growth. She also reported taking part in a grocery bagging event as a fundraiser for the food bank.

Monica Duran read the letter the City received today announcing Walmart's closure on July 7. Mr. Goff reported being told that a good portion of the employees will be relocated to Arvada. ~ Ms. Duran opened a discussion soliciting support for the Paris Agreement. Mayor Jay proposed a resolution of support. Mr. Pond supports it, but would like the WRESC to recommend it. Mr. Goff read the Mayors Climate Agreement that is available. Mr. Urban noted the deadline to sign the Paris Agreement is past and suggested the WRESC provide guidance and advice on this first – that a resolution was premature. He also questioned the net benefit to Wheat Ridge. Ms. Hoppe suggested general support was appropriate. There followed extended discussion about how important this is for our community.

There was consensus to proceed with a resolution supporting Mayor Jay signing the Mayor's Climate Agreement.

Ms. Duran reported getting phone calls about ADU's and wondered when that would be addressed. Mr. Goff explained that the storm has overwhelmed both the Building and Planning departments, and no one has the capacity do address ADU's now. There is also work to be done on the 2E projects. He suggested possibly in six months.

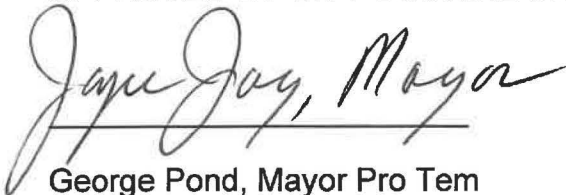
ADJOURNMENT

The Study Session adjourned at 8:59 pm.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON June 26, 2017



George Pond, Mayor Pro Tem