

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

**January 27, 2020**

Mayor Starker 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**

Zachary Urban	Judy Hutchinson	Amanda Weaver	Leah Dozeman
Rachel Hultin	Korey Stites	Janece Hoppe	Valerie Nosler Beck

Also present: City Clerk, Steve Kirkpatrick; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; other staff, guests and interested citizens.

**APPROVAL OF Council Minutes of January 13, 2020**

There being no objections, the City Council minutes of January 13, 2020 were approved as published.

**APPROVAL OF AGENDA**

Without objection, the agenda was approved as submitted.

**CITIZENS' RIGHT TO SPEAK**

Mr. Bill Powell, 4110 Upham St., WR – rose to ask questions about right of way (ROW) acquisition of part of his property. He had questions about why his property appears to have been treated differently from his neighbors, and about the process the City has undertaken. Mayor Starker, Mr. Goff and Mr. Johnstone spoke with Mr. Powell about further meetings with him in the near future to explain and clarify his situation.

Ms. Kate Cooke, from Wheat Ridge Local Works, invited all elected officials, city staff and interested citizens to attend the Local Works Open House, the first of several in 2020, this Thursday, January 30, 2020, 5:30 – 7:30 PM, at Seyfer Specialties, 4509 Harlan St., WR.

**1. CONSENT AGENDA**

- a. Resolution 08-2020 - a resolution amending the fiscal year 2020 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$36,268 for the replacement of a Police department vehicle
- b. Motion to approve the purchase and payment of 2020 vehicle replacements and the purchase and payment for installation of lighting,

auxiliary and communications equipment in a total amount not to exceed \$456,544

- c. Motion to approve the purchase of Tandem Equipment Upfit to Auto Truck Group of Colorado Springs, Colorado at a total cost not to exceed \$111,879
- d. Resolution No. 09-2020 - a resolution approving an intergovernmental agreement between the City of Lakewood and the City of Wheat Ridge for Crime Lab/Crime Scene Services and authorizing payment of \$79,189
- e. Motion to approve payment for the purchase of a 2020 Caterpillar backhoe to Wagner Equipment Company of Aurora, Colorado at a total cost not to exceed \$124,239.03

Councilmember Dozeman introduced the Consent Agenda.

**Motion** by Councilmember Dozeman to approve Consent Agenda Items a.), b.), c.), d.) and e.); seconded by Councilmember Urban; motion carried 8-0.

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

- 2. Council Bill 01-2020 – An Ordinance amending the Wheat Ridge Code of Laws to amend references to the Public Works and Community Development departments, divisions, directors, and staff.

Councilmember Stites introduced Council Bill 22-2019.

In November 2019, City Council approved an ordinance which effectively modified the City's organizational chart moving the Engineering Division from the Public Works Department into the Community Development Department. Moving that division transfers certain responsibilities and duties to the Community Development Department, and this ordinance updates affected code sections to reflect the City's current organizational structure.

City Clerk Kirkpatrick assigned Ordinance 1683.

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

### **Staff Presentation**

Having discussed this proposed ordinance during study sessions and regular council meeting previously, and hearing no questions from Council or the Mayor, there was no further explanation from staff.

**Public Comment** – No one came forward to speak.

**Council Questions** – No questions from Council.

Mayor Starker closed the public hearing.

**Motion** by Councilmember Stites to approve Council Bill 01-2020; an ordinance amending the Wheat Ridge Code of Laws to amend references to the Public Works and Community Development departments, divisions, directors, and staff on second reading, and that it take effect immediately upon Council adoption and signature of the mayor, seconded by Councilmember Dozeman; motion carried 8-0.

### **ORDINANCES ON FIRST READING**

3. Council Bill 02-2020 – An Ordinance amending Chapter 26 of the Wheat Ridge Code of Laws, concerning residential group home and substance abuse clinic zoning requirements

Councilmember Hoppe introduced Council Bill 02-2020

The zoning code currently regulates a variety of non-traditional residential living arrangements, including group homes for the elderly and children as well as treatment clinics. The code fails, however, to recognize certain types of arrangements including group homes for disabled persons. The enclosed ordinance eliminates distinctions that no longer have a meaningful land use planning purpose and imposes neutral nondiscriminatory zoning regulations upon residential group homes for disabled persons.

**Motion** by Councilmember Hoppe to approve Council Bill 02-2020 - an ordinance amending Chapter 26 of the Wheat Ridge Code of Laws, concerning residential group home and substance abuse clinic zoning requirements, on first reading, order it published, public hearing set for Monday, February 10, 2020 at 7:00 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Councilmember Stites; carried 8-0.

(There were brief, technical difficulties with the dais voting hardware; to ensure that there is no question later about the vote, the Mayor and Ms. Hoppe asked that the Clerk poll the Council again. Upon that second polling, the vote was again unanimously in favor; motion passed 8-0.)

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

Mr. Goff discussed the closure of Lucky's Market, the reasons behind the closure, and next steps to find new business(es) to occupy that space. Lucky's Market owns the store, another party (the developer of that entire project at 38<sup>th</sup> Avenue and Wadsworth) owns the land, and the City has no real estate interest at that location. He also discussed the impact of the closing on our City revenue, and the staff's sense of urgency to move forward with a new plan.

Councilmember Nosler Beck ask whether there is a way for residents to share their concerns and ideas for a new use of the location. Mr. Goff answered affirmatively. He

explained that there will be a longer-term process to develop a new occupancy of the Lucky's building.

Councilmember Hultin asked for clarification of the impact the Lucky's closing will have on the other tenants and the status of building the residential housing under construction at the site. Delays in the construction of the residential units were mainly a result of a lack of labor, and a contractor's decision to review and change the structural design; the new design uses less concrete and still ensures structural integrity per a review by civil engineers.

A new restaurant is ready for a permit to move into one of the vacant spaces along Wadsworth Blvd.

Mr. Urban asked about the impact of possible Chapter 11 bankruptcy proceedings on the lease Lucky's has for land owned by the developer. Mr. Dahl enumerated several options the City would have if the legal proceedings impact or delay new development. Mr. Urban urged staff to watch the situation closely.

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

Nothing to report.

#### **ELECTED OFFICIALS' MATTERS**

City Clerk Kirkpatrick reported that the Clerk's Office has received a number of applications for positions on City boards and commissions. The deadline for submitting applications is Friday, January 31, 2020 at 5:00 pm. He asked that Councilmembers and the Mayor continue to recruit applicants and check with those who agreed to apply to ensure that their applications have already been submitted or will be on time.

Councilmember Hutchinson congratulated WR HS on its recent athletic accomplishments.

She also expressed concern about the widespread impact of the closure by Jefferson County of the Jefferson County Fairgrounds (due to budget constraints). Ms. Hutchinson discussed the many and varied uses for the fairgrounds throughout the year, urged people to attend upcoming public meetings about the closure and contact our Jefferson County Commissioners about the situation.

Councilmember Urban announced that Girl Scout Cookie season is drawing near and urged people to support the fundraiser. He also reminded people that Uncle Julio's Hacienda CO opens February 18<sup>th</sup> in the Applewood Shopping Center, along Youngfield St. He described his tour of the restaurant and his excitement about having another, new restaurant in Wheat Ridge.

Councilmember Nosler Beck urged people to attend and support the WRHS After-Prom Committee fund raiser. She encourage people to volunteer to prepare and provide food, suggesting pots of chili as an example.

Councilmember Hultin announced a public meeting on February 6, 6:00-7:30 PM at the WR Recreation Center to discuss bringing Artspace to WR. A nationally recognized program with a strong success record elsewhere, Artspace provides space for local artists to create their works.

Councilmember Weaver reminded people that Community Gardens season will open soon. Community Garden participation is open to all residents, and affords a great opportunity to grow locally produced food, meet other gardeners and positively impact our environment. She urged people to participate by planting a plot to grow food locally.

Councilmember Weaver also urged people to come meet your local farmers on February 20<sup>th</sup> in the Lutheran Hospital Atrium, 5:00-8:00 PM.

Ms. Hoppe urged people to attend the public hearing on the Jefferson Co. Fairgrounds, scheduled for tomorrow evening, January 28<sup>th</sup> 2020.

**ADJOURN TO SPECIAL STUDY SESSION**

The meeting adjourned at 7:37 pm.



Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON February 10, 2020



Janeece Hoppe, 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, or on YouTube. The Office of the Clerk also has copies of Ordinances and Resolutions.