

# CITY COUNCIL MINUTES

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

June 8, 2020

**Note:** This meeting was held virtually, using Zoom video-teleconferencing technology. As duly announced and publicly noticed, Council previously approved this format in order to continue with normal business and respond to the CoVid-19 Pandemic and the related public emergency orders promulgated by the President of the United States, the Governor of Colorado, and the Wheat Ridge City Council. Before calling the meeting to order, Mayor Starker stated the rules and procedures necessitated by this meeting format.

Mayor Starker called the Regular City Council Meeting to order at 7: p.m.

## **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

### **ROLL CALL OF MEMBERS**

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

Also present: City Clerk, Steve Kirkpatrick; City Treasurer, Chris Miller; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Police Chief Christopher Murtha; Administrative Services Director, Allison Scheck; Community Development Director, Ken Johnstone; Brandon Altenburg and Karen O'Donnell of Parks and Recreation, other staff, guests and interested citizens.

### **PROCLAMATIONS AND CEREMONIES**

Wheat Ridge Safety Month June 2020 – The Mayor read the proclamation, focused upon safety in the workplace and the community. He introduced Allison Scheck, Administrative Services Director, Chair of our local safety committee, which strives to foster safety through training, public education and cooperation with other safety organizations and efforts.

### **APPROVAL OF MINUTES**

Study Session Notes for April 6, 2020; April 20, 2020; May 4, 2020 and May 18, 2020. Council Minutes of April 13, 2020; and May 11, 2020.

Minutes were approved without objection as submitted.

### **APPROVAL OF AGENDA**

Approved without objection or changes.

**CITIZENS' RIGHT TO SPEAK**

**Kate Cook**, with LocalWorks Wheat Ridge, called to update the Mayor and Council on the agency's work, and changes made necessary in response to CoVid-19. She also announced several upcoming events over the summer. (Details available on the LocalWorks website.)

**Note about Wheat Ridge Speaks:**

Citizens may visit the Wheat Ridge Speaks website and enter written comments of up to 1,000 words on any Council agenda item. The deadline for citizens to submit comments is 12:00 Noon Mountain Time on the day of a Council session so that Council members, other elected officials and City Staff have time to review the comments before the meeting on Monday evening.

The City Clerk's Office transcribes those Wheat Ridge Speaks comments into these minutes, placing each comment along with the record for that agenda item, including items that include a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech).

The following comments appeared in Wheat Ridge Speaks for this Special Council Meeting:

I'd like to suggest future topics for City Council study sessions. Several months ago (pre-pandemic) the City was in the process of hiring a planning staff employee to work closely with residents of neighborhoods undergoing zoning changes, changes of use and other development considerations. Has this position been filled? If so, would it be possible to introduce this employee at an upcoming study session in order to discuss what the position's job duties are, how the position is supervised, how Wheat Ridge citizens can contact this person, and for what types of help this position offers?

I also remember that a new, part-time position to work with the Wheat Ridge homeless, and to coordinate homeless outreach with other Jeffco communities, was in process to be developed. Has this position been filled? If so, would City Council introduce this employee to Wheat Ridge citizens, and discuss, in some detail, what duties the position performs, how this position interfaces with other Jeffco entities, what types of outreach to the homeless it provides, and whether there are any future plans regarding long-range homeless solutions.

06/08/2020 10:21 am

**Kathryn M Havens**  
7060 West 39th Ave Wheat Ridge, 80033

**Item 2 – Zoning Variance at Clear Creek Crossing**

Please put a permanent wall where the temporary wall is on Clear Creek Dr. between Denny's and La Quinta. We have many young families with very young children in the neighborhood. They play outside and some ride their bikes on 33rd. The hole in the wall

leading directly to an I70 access and entrance ramp is asking for a child to be hurt or even killed.

06/08/2020 2:45 am

**Shirley M Coen**

13146 W 33rd Ave Golden, 80401

I am in support of amending the height density requirement for hospital campus use only in the Clear Creek Crossing redevelopment. SCL Health Lutheran Hospital continues to provide top-notch care for our community and surrounding area. Their decision to purchase the parcel in the new development aligns with their values:

- Caring Spirit - We honor the sacred dignity of each person.
- Excellence - We set and surpass high standards.
- Good Humor - We create joyful and welcoming environments.
- Integrity - We do the right thing with openness and pride.
- Safety - We deliver care that seeks to eliminate all harm for patients and associates.
- Stewardship - We are accountable for the resources entrusted to us.

By allowing the rooftop helipad in the structure, the hospital can house needed critical care, such as surgery and Cath Lab procedures with faster access, while maintaining the originally proposed footprint. The rooftop helipad also keeps the neighborhood noise quieter and fewer emergency vehicles traffic - benefits for neighboring residents.

I value Lutheran Hospital's effort in continuing to provide the best care possible, while being a good steward to the resources they have.

Maki DeLaet,

Wheat Ridge Resident, local business owner

06/08/2020 11:17 am

**Maki DeLaet**

11830 W. 35th Ave. Wheat Ridge, 80033

End of comments entered in Wheat Ridge Speaks for this Council session.

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**1. CONSENT AGENDA**

- a. Resolution No. 31-2020 – a resolution amending the fiscal year 2020 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$1,231,571 for the purpose of accepting the CARES Act local Government distribution from Jefferson County
- b. Motion to approve payment to Bank of Oklahoma for 2020 principal and interest payments in the amount of \$3,499,700 for the City of Wheat Ridge, Colorado Sales and Use Tax Revenue Bonds, Series 2017A

**Motion** by Councilmember Hoppe to approve both items on the Consent Agenda. Seconded by Councilmember Urban; after due deliberation the motion passed 8-0.

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

2. Council Bill No. 10-2020 – An Ordinance approving an amendment to the existing Planned Mixed-Use Development (PMUD) zoning to increase the allowable height for hospital uses at Clear Creek Crossing, generally located west of I-70, south of Hwy 58, and north of 32<sup>nd</sup> Avenue

Councilmember Stites introduced Council Bill 10-2020.

The Mayor opened the public hearing.

Mr. Goff introduced Mr. Dahl, who explained why this public hearing must be continued to the next Council meeting.

*The Mayor announced that the public hearing is being continued and will reconvene on June 22, 2020 at 7:00 PM during the next (virtual) Council Meeting because a properly filed protest automatically postponed this item to the next regularly scheduled Council meeting, per Charter and Code.*

Mr. Dahl explained that a motion/vote by Council is unnecessary to continue this item.

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

3. Resolution No. 33-2020 – a resolution of the Wheat Ridge City Council declaring that the City of Wheat Ridge is essential and urging Congress to allocate fair, federal emergency support to reopen and rebuild local American economies

Councilmember Dozeman introduced Resolution 33-2020.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law on March 27, 2020. This \$2.3 trillion economic relief package provides economic assistance for American workers and families, small businesses, and preserves jobs for American industries. The CARES Act established the \$150 billion Coronavirus Relief Fund to provide payments to State, Local and Tribal governments navigating the impact of the COVID-19 outbreak.

Only local governments with populations that exceed 500,000 are eligible to receive direct payments from the Relief Fund. Jefferson County's population exceeds 500,000 and the County received approximately \$101 million in funding, a portion of which the County desires to share with municipalities in Jefferson County. This IGA outlines the obligations of the City of Wheat Ridge in receiving these funds.

### **Staff Presentation**

Mr. Goff explained the reasons why the Council is asked to pass this resolution. Councilmember Hoppe further explained that this resolution sends an important message to our Colorado Congressional Delegation.

### **Public Comment**

No one came forward to speak.

### **Council Questions**

There were none.

**Motion** by Councilmember Dozeman to approve Resolution 33-2020, a resolution of the Wheat Ridge City Council declaring that the City of Wheat Ridge is essential and urging Congress to allocate fair, federal emergency support to reopen and rebuild local American economies, seconded by Councilmember Hoppe; motion carried 8-0.

4. Resolution No. 34-2020 – A Resolution amending the 2020 Open Space Budget to reflect the approval of a supplemental budget appropriation in the amount of \$120,000 to accept a grant from Great Outdoors Colorado in the amount of \$110,000 and a contribution from the Kullerstrand Elementary School PTA in the amount of \$10,000 for the purposes of approving proposals from Triple-M Recreation to replace playgrounds at Kullerstrand Elementary School in the amount of \$153,977.66 and Bonnie's Park in the amount of \$42,181.08.

Councilmember Weaver introduced Resolution 34-2020.

### **Staff Presentation**

Karen O'Donnell, Director of Parks and Recreation, introduced Brandon Altenberg, who has worked on this project from its beginnings. He explained the reasons for this resolution.

### **Public Comment**

No one came forward to speak.

### **Council Questions**

Councilmember Hultin thanked the staff for its work on this extraordinary project.

Councilmember Stites lauded staff for their hard work on this project, which finally provides a playground for Kullerstrand.

Councilmember Hutchinson also thanked staff and expressed her support.

Motion by Councilmember Weaver to approve Resolution 34-2020, a resolution amending the 2020 Open Space Budget to reflect the approval of a supplemental budget appropriation in the amount of \$120,000 to accept a grant from Great Outdoors Colorado in the amount of \$110,000 and a contribution from the Kullerstrand Elementary School PTA in the amount of \$10,000 for the purposes of approving proposals from Triple-M Recreation to replace playgrounds at Kullerstrand Elementary School in the amount of \$153,977.66 and Bonnie's Park in the amount of \$42,181.08, seconded by Councilmember Stites; motion carried 8-0

5. Resolution No. 32-2020 – A Resolution of the Wheat Ridge City Council permitting new liquor license applicants, during declared emergencies, to satisfy the needs and desires requirement in multiple ways.

Councilmember Urban introduced Resolution 32-2020.

### **Staff Presentation**

Mr. Rivera, counsel to the Liquor Authority Board, explained why this leeway is necessary to move new liquor license applications forward during the CoVid-19 pandemic. During the pandemic the usual practice of conducting door to door surveys to satisfy the statutory requirement to establish Needs and Desires is impractical. This resolution temporarily allows other means to establish Needs and Desires, as allowed by Colorado statutes.

### **Public Comment**

No one came forward to speak.

### **Council Questions**

Councilmembers asked to confirm that this resolution is temporary, and how the temporary change will end (when Council ends the declared public emergency period).

Motion by Councilmember Urban to approve Resolution 32-2020, a resolution of the Wheat Ridge City Council permitting new liquor license applicants, during declared emergencies, to satisfy the needs and desires requirement in multiple ways, seconded by Councilmember Hoppe; motion carried 8-0

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

Mr. Goff spoke about the homeless navigator position approved by Council in the 2020 budget. He explained why this position has been so difficult to fill; it's part-time. He is working with Golden and Edgewater to share the cost of one, full-time employee for all three cities. He has approved an exception to the hiring freeze for this critical position.

The Wheat Ridge Police Advisory Committee will hold a virtual dialogue with the community about our policing policies. This will also be an opportunity for the new Chief of Police, Chris Murtha, to begin meeting city residents. The session will be recorded for future use.

Councilmember Hultin announced that citizens who have questions for the forum tomorrow evening can submit those via email up to noon Tuesday, June 9<sup>th</sup>.

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

Nothing tonight.

### **ELECTED OFFICIALS' MATTERS**

City Clerk Steve Kirkpatrick reviewed the protests received today regarding the zoning variance ordinance for Clear Creek Crossing. All of them appear to have come from citizens who are non-residents of Wheat Ridge. Statutory and case law allow these non-residents to file their protests.

Kirkpatrick also acknowledged the current public policy dialogue with respect to policing policies and excessive use of force. While we have this essential and overdue discussion, he urged people to remember that the vast majority of sworn officers are dedicated professionals, and right now our Wheat Ridge Police Officers and staff need to hear from citizens that we appreciate their service to the community and protection of life and property.

City Treasurer Chris Miller foreshadowed forthcoming financial information he will submit to Council.

Councilmember Hoppe announced that Council will be hearing from the Community engagement specialist next week during the June 15<sup>th</sup> Study Session.

Councilmember Nosler Beck thanked staff for their work on technical issues with her email and asked for continued forbearance. She also thanked those who wear their masks in public.

Councilmember Dozeman asked for Council and Mayor's support to run for a position on the Colorado Municipal League Board of Directors. Councilmember Hoppe asked for consensus to support Councilmember Dozeman, and the consensus was unanimous, including Mayor Starker.

Councilmember Weaver announced that her goats will be back in the meadow in July.

Councilmember Hultin shared that she is excited by the issues of the times and welcomes the long-overdue discussion. We need to be listening to our citizens. She announced a Community Listening Forum on June 16<sup>th</sup>; more details will appear on the City's website quickly, by Wednesday at the latest.

She also thanked the citizens for wearing the masks in public.

Councilmember Urban echoed City Clerk Kirkpatrick's call to thank the Wheat Ridge Police Department for their service and protection.

Councilmember Urban also reported that 111 businesses applied for grants through the second round of grants under the Business Stabilization Program. Decisions on grants will come soon.

Councilmember Hutchinson echoed Kirkpatrick's thanks to the police force and urged people to be careful during this period of high fire danger.

Councilmember Hoppe reminded Council that we will discuss the homeless navigator position at next week's Study Session. She also asked about a temporary wall at Clear Creek Crossing, and Mr. Goff agreed to find more information and report to Council.

Mayor Starker thanked Kate Cook from LocalWorks for her presentation and hard work on behalf of Wheat Ridge. He thanked Ms. O'Donnell and Mr. Altenburg for their work on the Kullerstrand playground project.

He asked people to please join and participate in the community forum with the Police Chief tomorrow.

He also acknowledged the long-standing work and contributions to the City from Don Seyfer, who passed away recently. Mr. Seyfer's life and contributions to the City will be celebrated at a public event later this week, when the Mayor and other dignitaries will recount his many volunteer efforts on behalf of the City and our residents.

### **ADJOURNMENT**

The meeting adjourned at 7:57 pm.



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Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON June 22, 2020



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Janece 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 by contacting the City Clerk's Office, as well as copies of Ordinances and Resolutions.