

City Council Meeting Minutes

CITY OF WHEAT RIDGE, COLORADO

7500 WEST 29TH AVENUE, MUNICIPAL BUILDING

January 9, 2023

Note: This meeting was conducted both as a virtual meeting and hybrid, where some members of the Council or City staff were physically present at the Municipal building, and some members of the public attended in person as well. Eight members of Council were present in Council Chambers for this session. 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 7:00 p.m.

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

ROLL CALL OF MEMBERS

Judy Hutchinson	Scott Ohm	Rachel Hultin	Janeece Hoppe
Amanda Weaver	Korey Stites	Leah Dozeman	Valerie Nosler Beck

Also, present: City Attorney Gerald Dahl; City Clerk, Steve Kirkpatrick; Chief of Police, Chris Murtha; Administrative Services Director, Allison Scheck; Interim Director of Comm. Development, Lauren Mikulak; Assistant to the City Manager, Marianne Schilling, Sustainability Coordinator Mary Hester, other staff, guests and interested citizens.

APPROVAL OF MINUTES

The City Council Minutes of October 10, 2022, November 28, 2022, December 12, 2022, and the Study Session notes of December 19, 2022 were approved as published.

APPROVAL OF AGENDA

Without objection or correction, the agenda stood as announced

PROCLAMATIONS AND CEREMONIES

Youth Art Scholarships Awards

These scholarships encourage our youthful artists to continue developing their skills and enjoying their passion for the arts. A Committee of residents selected the winners. Page Piper, Executive Director of Local Works, described the significance of the awards. This year two seniors from Wheat Ridge High School were selected based on portfolio reviews: Peyton Paren and Rebecca Southern. They each received a scholarship for \$1000 toward their future studies.

Law Enforcement Appreciation Day

Mayor Starker presented the proclamation to Officer Molly Stark. He cited several examples of recent heroic acts by local officers in the past year, actions that saved others' lives while costing 2 officers their lives and several others serious injuries.

Radon Awareness Month

Lauren Mikulak, Interim Director of Community Development, accepted the proclamation. The Mayor highlighted the dreadful risk of radon exposure and the fact that mitigating radon is relatively easy – if discovered by monitoring and testing within our homes. Home radon testing is inexpensive, easy to conduct and life-saving. Ms. Mikulak reported that Jeffco Health provides radon test kits for \$10.

PUBLIC'S RIGHT TO SPEAK

Edward Fleeger, MD, a retired physician who has lived in WR for many years. He commented on an event that happened on January 5, 2023, when the University of Colorado and Inter Mountain Healthcare announced a joint venture. Their efforts are focused on attracting and keeping the best physicians and surgeons.

Joseph Krowns, , came to ask Council to mitigate the noise at 38th and Wadsworth caused when young adults make noise until all hours in the parking lot at Caine's Chicken Restaurant. Their employees on that night shift make a lot of unwelcome noise. He has complained previously, but the issue continues. H would like to speak with the CM from that district because no one is responding to the residents' complaints.

Mandy Erickson, came to support Mr. Krowns' comments. The problem is damaging the nearby residents' quality of life.

Note about Wheat Ridge Speaks:

Members of the Public 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 address a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech)

No comments appeared in Wheat Ridge Speaks for this session.

1. CONSENT AGENDA

CM Hultin introduced the consent agenda.

- a. Motion to approve payment to Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2023 property/casualty premium in the amount of \$372,363.16

Issue

The Colorado Intergovernmental Risk Sharing Agency (CIRSA) provides property/casualty coverage for the City of Wheat Ridge. The annual payment due for 2023 is \$372,363.16.

- b. Motion to approve payment to Pinnacol Assurance for 2023 workers' compensation premium in the amount of \$263,946

Issue

Pinnacol Assurance provides workers' compensation coverage for the City of Wheat Ridge. The annual payment due for 2023 is \$263,946 made over nine payments, January through September.

- c. Motion to approve monthly payments to Colorado Employer Benefit Trust (CEBT) for 2023 medical, dental, employee assistance program and life insurance membership billing in an amount not to exceed \$2,335,000

Issue

The City offers employees a number of benefits in order to attract and retain a high-quality workforce. In 2023, the City joined the Colorado Employer Benefit Trust (CEBT) to provide a greater choice of medical plans along with dental, vision, employee assistance program (EAP) and life insurance coverage. January through December billing is estimated and budgeted in the amount of \$2,335,000. Staff requests approval of the estimated 2023 total expenditure so that monthly payments can be made in a timely manner.

- d. Resolution No. 01-2023 - a resolution designating the municipal building main entrance display cabinet as the official public notice posting location and the Jeffco Transcript as the official newspaper of general circulation for the city publications in 2023

Issue

Due to the level of recruiting, policy work and employee needs, work for the City's Human Resources division has increased to an unsustainable level. The addition of a full-time Human Resources Business Partner is necessary to help meet the organization's needs and retain current staff.

- e. Resolution No. 03-2023 – a resolution amending the Fiscal Year 2023 Renewal Wheat Ridge Bond Projects Fund to reflect the approval of a

supplemental budget appropriation in the amount of \$153,531 for the purpose of extending the contract for professional services to AECOM Technical Services, Inc. in an amount not to exceed \$1,987,068 and approving subsequent payments for ongoing program management services for the Investing 4 the Future Program

Issue

On January 27, 2017, the firm AECOM Technical Services, Inc. (AECOM) was selected through the City's procurement process to provide multi-year professional engineering and land use planning services for the 2E Bond Fund, "Investing 4 the Future", projects and to serve as an extension of staff, as needed, for review and assistance in the delivery of private development projects in the Clear Creek Crossing and Wheat Ridge Ward Station areas as well as construction management for the Improve Wadsworth Project. The scope and related fees for AECOM services in 2023 have been negotiated and City Council action is requested for the approval of the AECOM contract amendment and extension and a budget supplemental specifically for the Ward Road Station Area Projects.

Motion by CM Hultin to approve Consent Agenda Items a.), b.), c.), d.), and e.), seconded by CM Weaver, motion carried 8-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

There were none tonight

ORDINANCES ON FIRST READING

2. Council Bill No. 01-2023 – An Ordinance approving the First Amendment to the Site Lease Agreement with Verizon Wireless for use of the Municipal Building cellular tower.

CM Dozeman introduced Council Bill 01-2023

Issue

The City entered into lease agreements with three cellular companies for replacement of the Municipal Building cellular tower. Those leases contemplate a start date of February 14, 2023. Because of supply chain delays, the leases must be amended to allow additional time for this work. Approval of this ordinance will extend the commencement date deadline to June 1, 2023, and also grants authority for minor changes to the lease as needed.

Motion by CM Dozeman to approve Council Bill 01-2023, an ordinance approving the First Amendment to the Site Lease Agreement with Verizon Wireless for use of the Municipal Building cellular tower on first reading, order it published, public hearing set for Monday, January 23, 2023 at 7 p.m. as a virtual meeting and in City Council

Chambers if allowed to meet in person on that date per COVID-19 restrictions, and that it take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter.; seconded by MPT Stites; motion carried 8-0

3. Council Bill No. 02-2023 – An Ordinance approving the First Amendment to the Site Lease Agreement with T-Mobile West LLC for use of the Municipal Building cell tower

CM Weaver introduced Council Bill 02-2023

Issue

The City entered into lease agreements with three cellular companies for replacement of the Municipal Building cellular tower. Those leases contemplate a start date of February 14, 2023. Because of supply chain delays, the leases must be amended to allow additional time for this work. Approval of this ordinance will extend the commencement date deadline to June 1, 2023, and also grants authority for minor changes to the lease as needed.

Motion by CM Weaver to approve Council Bill 02-2023, an ordinance approving the First Amendment to the Site Lease Agreement with T-Mobile West LLC for use of the Municipal Building cell tower on first reading, order it published, public hearing set for Monday, January 23, 2023 at 7 p.m. as a virtual meeting and in City Council Chambers if allowed to meet in person on that date per COVID-19 restrictions, and that it take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter; seconded by CM Hoppe; motion carried 8-0

4. Council Bill No. 03-2023 – An Ordinance approving the First Amendment to the Amended and Restated Site Lease Agreement with New Cingular Wireless PCS, LLC for the use of the Municipal Building cell tower.

CM Hutchinson introduced Council Bill 03-2023

Issue

The City entered into lease agreements with three cellular companies for replacement of the Municipal Building cellular tower. Those leases contemplate a start date of February 14, 2023. Because of supply chain delays, the leases must be amended to allow additional time for this work. Approval of this ordinance will extend the commencement date deadline to June 1, 2023, and also grants authority for minor changes to the lease as needed.

Motion by CM Hutchinson to approve Council Bill 03-2023, an ordinance approving the First Amendment to the Amended and Restated Site Lease Agreement with New Cingular Wireless PCS, LLC for the use of the Municipal Building cell tower on first

reading, order it published, public hearing set for Monday, January 23, 2023 at 7 p.m. as a virtual meeting and in City Council Chambers if allowed to meet in person on that date per COVID-19 restrictions, and that it take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter; seconded by MPT Stites; motion carried 8-0

DECISIONS, RESOLUTIONS AND MOTIONS

5. Resolution No. 02-2023 – a resolution adopting the Wheat Ridge Affordable Housing Strategy and Action Plan as a guiding document to address housing affordability in Wheat Ridge

CM Hoppe introduced Resolution 02-2023.

Issue

Addressing affordable housing is one of the City and State's most pressing issues. The Colorado Department of Local Affairs awarded the City a grant in October 2021 to complete an Affordable Housing Strategy and Action Plan. This resolution would adopt the Strategy as City policy to guide future decisions around affordable housing.

Staff Presentation

Senior Neighborhood Planner Jeff Hirt presented the staff report where City Council provided guidance on this project throughout 2022. Most recently, City Council reviewed the draft Affordable Housing Strategy and Action Plan ("Strategy") on December 5, 2022, and unanimously supported the action items as presented at that meeting.

City staff and the consultant team czb, LLC developed this Strategy in close consultation with City Council and other stakeholders. The Strategy kicked off in early 2022 and City Council provided direction at study sessions in May, August, and December of 2022. Notable steps in the process included:

1. City Council support via Resolution 45-2021 for a grant application for the Strategy (September 13, 2021)
2. DOLA grant award to City (December 2021)
3. City Council study session with czb to kick off project, share aspirations, and review scope of work (May 2, 2022)
4. Analysis and strategy development (Summer 2022) that included:
 - a) Focused interviews with over 20 housing developers to ensure findings and recommendations were grounded in market realities;
 - b) Opportunities for community input that included an open house, survey, and various public communications about the project; and

- c) Project briefings to the Planning Commission (July 7, 2022), Wheat Ridge Housing Authority (July 7, 2022), and Race and Equity Task Force (May 26, 2022)
- d) City Council extended study session that included a deep dive on why housing is so expensive in Wheat Ridge and included an opportunity to provide input on the draft framework for the Strategy (August 5, 2022)
- e) City Council study session to review the draft Strategy (December 5, 2022)

Public Comment

No one came forward to speak.

Council Questions and comments

CM Hoppe asked whether there will be an online webpage where residents can learn more about the Strategy. Mr. Hurt gave a detailed and affirmative answer.

CM Hultin asked Staff about the impact of the affordable housing amendment that passed in the ballot box last November. Mr. Hurt gave a detailed answer.

CM Nosler Beck commented that a high priority for the state legislative session that convened today.

Motion by CM Hoppe to approve Resolution No. 02-2023, a resolution adopting the Wheat Ridge Affordable Housing Strategy and Action Plan as a guiding document to address housing affordability in Wheat Ridge, seconded by CM Hultin, motion carried 8-0.

CM Hoppe noted that the December 5, 2022 Council Study Session is the best detailed resource for the public to consult and better understand the Strategy.

MPT Stites commented that the housing stock is too small and we have a lot of older homes that need renovation.

CM Ohm thanked czb consultants for their expertise and hard work with our staff and the Council.

CM Dozeman commented that the multi-method, multi-phase approach helps everyone understand the challenging work ahead.

CM Hultin thanked czb again. The czb work has helped us better understand ourselves and our community. They understand that we have many neighborhoods have their own character and history. We will re-invest in our people as much as housing.

CM Hutchinson looks forward to seeing how we will work with property owners and neighborhood as the effort proceeds according to the Strategy.

Mayor Starker, who serves on several regional

CITY MANAGER'S MATTERS

Mr. Goff updated Council on some staffing changes in the City. Allison Scheck, will now serve as Deputy City Manager, and continue to direct the Administrative Services Dept. Ms. Scheck has proven her mettle and leadership skills again and again. Mariann Schilling is now to Assistant City Manager, reflecting her outstanding achievements and leadership. Mr. Goff discussed her new duties and responsibilities.

CITY ATTORNEY'S MATTERS

None

ELECTED OFFICIALS' MATTERS

CM Hutchinson wished everyone a happy New Year in good health. She has had several communications from residents about the caked snow and ice and the danger it presents to pedestrians, especially the elderly and disabled. We need more enforcement of our snow removal ordinances and more help from staff.

CM Nosler Beck has also received a number of ice and snow complaints. If you are able, please, help your neighbors clear theirs. The new Golds Marketplace is a wonderful addition to our community.

CM Hultin also received ice and snow complaints. Specifically, she has seen too many business owners plowing 6-foot piles of snow on our sidewalks. We need to act to prevent businesses from continuing these practices. Director of Public Works Maria D'Andrea commented on plans to work on the problem. She also commented on our press coverage of youth activities and accomplishments. She also commented on the physician's speech about CU and Inter Mountain Health.

CM Dozeman has also received a lot of calls from businesses that removed the snow only to have the City plows push it back on their sidewalks and parking lots. She thanked Local Works for the recent addition of a community calendar. She gave several examples of these activities. She also commented on the tactics the two healthcare organization will employ.

CM Weaver reminded all that the Stock Show is open!

CM Ohm commented on the snow removal issues and how mitigation of that condition and its attendant risks. There must be consequences for those who do not fulfill their responsibilities. He also commented on studies in other cities that gather useful data for reducing speeding and improving road quality. The City may be eligible for a grant to measure air quality from CDPHE.

CM Hoppe asked Mr. Goff to follow-up on the complaints about noise in the parking lot near Caine's Chicken. Mr. Goff commented that he will investigate what has happened and how to address this issue. She also asked Mr. Dahl about an article on term limits

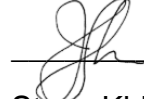
she saw from CML. He replied that he will review that court decisions to ensure our term limits are in line.

MPT Stites congratulated the art scholarship winners. He congratulated Ms. Scheck and Ms. Schilling on their promotions. He asked staff about snow removal policies and staff gave a detailed answer. He hopes that more side streets can be plowed when the snowfall demands it. He attended the ribbon cutting for Prospect Valley's new building and several major improvements it provides. He also reported on grants made recently by the Business District. If you can find it in WR, buy it in WR.

Mayor Starker congratulated the art scholarship winners. He thanked staff and czb for their work on the strategy approved tonight. No coffee with the mayor this month.

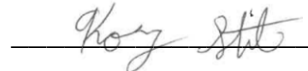
ADJOURNMENT to SECIAL STUDY SESSION

The meeting adjourned at 8:16 pm.



Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON January 23, 2023



Korey Stites, 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.