

CITY COUNCIL MINUTES

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

April 25, 2016

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	Kristi Davis	
Tim Fitzgerald	George Pond	Genevieve Wooden	Larry Mathews

Absent: Janeece Hoppe

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Chief Daniel Brennan; Public Works Director, Scott Brink; Parks & Recreation Director, Joyce Manwaring; other staff, guests and interested citizens.

APPROVAL OF MINUTES OF April 11, 2016 and Study Notes of April 4, 2016

There being no objection, the Minutes of the Regular City Council Meeting of April 11, 2016 and the Study Session Notes of April 4, 2016 were approved as published.

PROCLAMATIONS AND CEREMONIES

Arbor Day and Tree City USA

Mayor Jay read a proclamation designating Friday April 29th as Wheat Ridge Arbor Day and encouraging citizens to participate by planting a tree or shrub.

Zach Wehr from Colorado State University presented to the City a plaque of recognition for its 37th year as a Tree City USA. Only 91 cities in Colorado are Tree Cities. On hand to receive the plaque were City Forester **Margaret Paget** and Parks Manager **Rick Murray**. Ms. Paget thanked the Council for its support of trees over the years and invited the public to Lewis Meadows Park this Friday at 10am for the ceremonial planting of an Arbor Day tree. Mr. Murray thanked the Council and Mayor for their support, Zach Wehr for coming, and Joyce Manwaring for her dedication, support and guidance.

National Small Business Week

Mayor Jay read a proclamation declaring May 1-7 as National Small Business Week. **Dot Miller**, president of the WR Chamber of Commerce, received the proclamation and thanked the City for recognizing the importance of small businesses.

Volunteer Appreciation Month – Police Department

Mayor Jay read a proclamation declaring the month of April as National Volunteer Appreciation Month. **Chief Brennan** commented on important work that a group of 17 volunteers does to help the police department. Last year they contributed over 4,725 hours of volunteer service, which amounts to \$100K worth of donated effort. He shared that they provide essential help at all City events; one retired DA's investigator works cold cases; some help in the records division. There is also an extensive Police Chaplain program which offers support to our officers – including even gestures like bringing in Thanksgiving dinner for three shifts of officers who had to work. Volunteers **Ed Running**, **John Corder**, **John Mancuso** and **Chaplain Scott Moore** were present for a big round of applause.

Citizen Recognition – Bob Murphy

Mayor Jay presented a Certificate of Appreciation to Citizen **Bob Murphy**. For years Bob has taken it upon himself to clear snow off the sidewalks up and down the south side of 38th Avenue between Wadsworth and Kipling. Mr. Murphy said he is honored for just helping those who couldn't shovel or the high school kids who couldn't get to their bus stop. He regrets that physically he is no longer able to do it safely. Mr. Murphy received a huge round of applause.

CITIZENS' RIGHT TO SPEAK

Michael Illo (WR) is sorry about the fire at the Mayor's house and is glad no one was hurt, but is very concerned about the way some people are treated when they come in to speak about their concerns. He believes after he spoke two weeks ago his character was attacked. Things were said that were off topic of what he said, and not true. He was accused of saying things he did not say. He gave examples. It's hard to listen to that and not be able to respond and defend himself. He's been corrected for talking about something he saw with his own eyes, but has seen other citizens say things that are inaccurate, and nothing is said. He sees this as a form of intimidation and censorship. He believes he and others have been treated hostilely – not based on the technical quality, truthfulness or accuracy of what they're saying, but whether or not the content politically supports a particular special interest. (6 minutes; extra time donated)

Bill Cosselmon (WR) commented on the row of doors at Compass Construction. He suggested they are unsightly and their removal would help revitalize the area.

Fred Walker (WR) thanked Larry Mathews for his willingness to stand up on 2B. Many voted against it because they believe the geography of the area doesn't support trying to make it imitate Arvada's Olde Town. He hopes other councilmembers will vote with Mr. Mathews. ~ He's also been playing tennis at Panorama Park for over 30 years. The courts are in very bad shape. Patching cracks a couple years ago has actually made it

worse; now the balls bounce unpredictably. Whenever you can get something in the budget to resurface them he and all the WR tennis players would surely appreciate it.

Alan Krenak (WR) would like to set up a meeting with code enforcement and have councilmembers attend. He has documentation back to 2000 related to problems he's had with the City. He spoke specifically about documents back to 2009 and provided a set of pictures for Council to see.

Mayor Jay thanked all the folks who have come to her aid and support since a fire destroyed much of her home and its contents. She listed WestMetro Fire, WRPD, Wheat Ridge Animal Hospital for caring for her cat, fellow elected officials, City staff members, the staff member who set up a Go Fund Me page to cover what insurance doesn't, a group of kids who set up a lemonade stand and more. The list of thank you's is long and the support has made this very hard thing easier.

APPROVAL OF AGENDA

ORDINANCES ON FIRST READING

1. Council Bill 08-2016 – An Ordinance approving a Zone change from Planned Commercial Development to Planned Industrial Development and a request for approval of an Outline Development Plan for Property located at 12700 W. 44th Avenue (Case No. WZ-15-10)

Councilmember Wooden introduced Council Bill 08-2016.

This request is concurrent with a request for approval of a Specific Development Plan which will be considered for approval by resolution at the same public hearing for the ordinance on second reading. The plan for this PID is to build a high-quality, indoor self-storage facility.

Motion by Councilmember Wooden to approve Council Bill 08-2016 — an ordinance approving a Zone change from Planned Commercial Development to Planned Industrial Development and a request for approval of an Outline Development Plan for Property located at 12700 W. 44th Avenue (Case No. WZ-15-10) on first reading, order it published, public hearing set for Monday, May 23, 2016 at 7:00 pm in City Council Chambers, and that it take effect 15 days after final publication; seconded by Councilmember Mathews; carried 7-0.

DECISIONS, RESOLUTIONS AND MOTIONS

2. Motion to award the 2016 Overlay Project Base Bid and Bid Alternatives 1 and 2 to Martin Marietta Materials, Westminster, Co., in the amount of \$1,655,969 with a contingency of \$82,800 for a total amount not to exceed \$1,738,769 (ITB-16-10)

Councilmember Duran introduced Item No. 2

- The 2016 overlay project includes:
 - Overlay of 44th and selected side streets, including concrete/handicap ramping
 - Striping maintenance of prioritized high-volume streets
 - Spot pavement patching citywide
- This is the last of the three preventative maintenance projects for this year.
- Overlay is expected to extend the life of the streets 7-15 years.
- Asphalt and concrete rehabilitation at Anderson Park, the Richards-Hart Estate and the Active Adult Center, and speed hump installation are in the Bid Alternatives.
- Six bids came in – all higher than estimated; staff recommends this lowest of the bids

There was no staff report or questions from Council.

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CITY MANAGER'S MATTERS

Mr. Goff announced a number of upcoming events:

- Arbor Day – this Friday at Lewis Meadows Open Space (33rd & Union) at 10am
- Kite Flite Festival this Saturday at Anderson Park from 11am-4pm
- Final open house for Cre8 Your 38 this Wednesday at 6:30pm at the Rec Center.

He also reported that plans are being made to meet with one of the primary stakeholders - the businesses on 38th Avenue on Thursday, May 12. Two meetings are scheduled -- 9am and 6pm. The purpose is to report back to all the property and business owners on the 38th Avenue Corridor what the outcomes of the Cre8 Your 38 process were and give them an opportunity to comment before staff comes back before City Council on May 16. The location is yet to be determined – hopefully somewhere on the corridor. Invitations will be sent out to all business and property owners along 38th Avenue.

CITY ATTORNEY'S MATTERS

ELECTED OFFICIALS' MATTERS

George Pond said he hopes to see everyone at the Kite Flite this Saturday. There are free kites from 11-11:30.

Kristi Davis announced the first of her constituent meetings will be May 5 at Clancy's from 5:30-7pm. People are invited to come share their ideas. She will provide snacks, iced tea and water.

Tim Fitzgerald announced the District 3 constituent meeting will be on May 21 at Rec Center at 9:30am.

Larry Mathews personally thanked Mr. Murphy for all the effort he has put in on 38th Avenue. He has watched Mr. Murphy for years and really appreciates everything he has done for us.

DISCUSSION ITEMS

Public Comment

Vivian Vos (WR) spoke about the DIRT task force. She strongly encouraged that an updated list should be done by citizens only – citizens who are not strongly identified with any special group, so that ordinary citizens can offer input on how the City's effort and time should be spent. She suggested a small number (5, 7, or 9 members) so it can be done quickly without reinventing the wheel. She hopes the meetings will be posted on Channel 8 and open to the public. She suggested the Grange as a very neutral place for meetings. She also asked if landbanking could be explained so citizens understand it.

1. Recommended Tax and Licensing Code Amendments

This topic is being rescheduled to May 9 so the City Treasurer can participate.

2. Public Improvements at Gold's Center (26th & Kipling)

Mr. Goff provided background information.

- Property was sold; a developer is making improvements and looking for new tenants.
- The City wants to help with streetscaping on 26th and on Kipling. No sidewalks; not an attractive corner. Developer agrees; is open to cooperating with the City.
- Corner is major city entryway -- identified for future monument sign. 2016 CIP budget has money for monument signage. This could be one of those projects.

- Been working with developer getting bids and quotes for streetscape. Bids coming in at \$300K for sidewalks and landscaping on both streets. No City budget for it.
- Modification to the building isn't major enough to require streetscaping, but the developer would like to do it and is hoping the City will help.
- Owner has been working with Localworks (Britta Fisher, Director) and WR Business District (Councilmember Fitzgerald serves on that). Has gotten some grants and applied for some loans.

Council questions

- The bid is only for streetscaping. Monument sign will be a separate bid and budget. Mr. Brink is in contact with company who made the large sign at I-70 and Kipling. Will see about a smaller version of that. \$50K is in the monument sign budget this year.
- Some undergrounding of electricity will be worked into the bid so lighting can included with the sign.
- City's focus is sidewalks, landscaping and signage only; owner to do all asphalt work.
- Doing only the hard corner for \$100K is an option. Another \$200K will complete the rest of the streetscaping down both streets.
- The WR Business District has given owners some matching grants. Owner working with Localworks and the City; is very amenable to improvement. Owner is spending \$600k on improvements.
- Tenants are as yet unknown. Will be retail.
- What has Localworks put in? **Britta Fisher** reported that Localworks has contributed \$13,750 towards improvements to the building to date to include façade, signage and landscape improvements. WRBD asked her to go back to owner and see what else could be done. Localworks has a \$50K low interest loan on building improvements. Depending on what Council opts for tonight they are willing to increase that amount.
- It's unlikely the owner could get a private loan for landscaping.
- Mr. Goff reported the City has \$100K in the budget for public improvements like this, but noted there are other projects this money could go for. It's Council's choice.
- The owner has spent \$189K of their own money; they have not drawn down all the \$50K loan funds or the \$13,750 matching grant. The City will have invested \$385K in the property through loans or otherwise; this includes the monument sign.
- The property owner will be responsible for sidewalk maintenance such as snow removal.
- CDOT has not been involved yet.
- This corner has always been designated for an entryway monument sign.
- The access point on Kipling closest to the intersection will be closed.
- Was ESTIP considered? Mr. Art said the retail business under consideration will have relocation costs of \$300K and would look to ESTIP or BDZ for reimbursement of a portion of that.

Council comments and opinions were given.

Councilmember Duran received consensus to direct staff to begin negotiations with the property owner for a mixed plan of financing for streetscaping associated with the redevelopment of the NW corner of 26th & Kipling. Mr. Goff will bring back options.

3. DIRT Task Force Recommendations

Mr. Goff gave opening remarks about a process for updating the DIRT task force list. Time is short; if Council wants to put something on the ballot, any recommendations for a ballot issue should be to Council by the June 6 study session.

A lengthy interactive discussion followed. Highlights of the discussion included:

Councilmember Pond suggested the task force would meet 4-5 times in the next month. ~ He suggested an odd number (to break ties) is not necessary. He'd prefer councilmembers communicate with the applicants and be able to select a fresh face of their choice.

Councilmember Duran would like to see fresh faces - citizens who aren't entrenched in a particular group. She'd also like to see a list of projects that have been done that are not on the DIRT list. She favors nine members. ~ She agrees that staff should be at the meetings. There should be orientation and an application process.

Councilmember Urban would like to see the categories whittled down. Some of the categories aren't critical. ~ He thinks the Chair should be someone who knows what's going on.

Councilmember Mathews noted there is a long list of projects we have completed since 2007 that were not on the DIRT list. We *have* been doing things. He spoke to organization so we can complete an area rather than do spot projects here and there. He favors a critical path schedule. A priority list with timeline would be good - including a cash flow timeline. Prioritizing is important.

Councilmember Davis feels the task force should be citizens, but staff should be available to provide background information and perspective. She prefers having people who are interested and doesn't oppose having people associated with special interest groups. They should be told their task is to represent the whole city; they need to be objective and put their personal agenda aside while they're on this committee.

Councilmember Wooden thinks it's important to have some staff attendance at the meetings for purposes of information. She suggested including a business owner. Selection will be hard; if necessary we can pick names out of a hat. We should provide priorities and guidelines for them. They should commit to five meetings.

There was agreement the committee could select its own Chair.

Following discussion there was consensus for

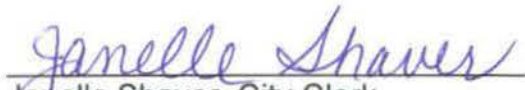
- Each councilmember to pick someone from their district
- The task force will be limited to residents of Wheat Ridge
- There will be a simple application available on the website and in the Clerk's office which can be submitted to the Clerk's office until 5:00pm this Friday.

- A special meeting can be called for next Monday after the study session for the purpose of making appointments.

ELECTED OFFICIAL'S MATTERS

Genevieve Wooden has asked Mr. Dahl to instruct the Council about what councilmembers may and may not do and/or support as it relates to ballot questions.

The Regular City Council Meeting was adjourned at 9:05 pm.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON May 9, 2016


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.