

# CITY COUNCIL MINUTES

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

May 8, 2017

Mayor Jay called the Regular City Council Meeting to order at 7:06 p.m.

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

### ROLL CALL OF MEMBERS

Zachary Urban      George Pond  
Tim Fitzgerald      Larry Mathews

Members Absent: Monica Duran (excused); Janeece Hoppe; Genevieve Wooden; Kristi Davis

Also present: City Clerk, Janelle Shaver; City Manager, Patrick Goff; Public Works Director, Scott Brink; Police Chief Daniel Brennan; other staff, guests and interested citizens.

Clerk Shaver announced that a quorum was not present.

Mayor Jay announced the proclamations would proceed, but no official business would be undertaken.

## PROCLAMATIONS AND CEREMONIES

### Municipal Clerk's Week

Mayor Jay read a proclamation recognizing the week of May 7 through May 13 as Municipal Clerks Week and extended appreciation to Wheat Ridge Municipal Clerk, Janelle Shaver. Clerk Shaver thanked the Mayor for the proclamation.

### National Police Week

Mayor Jay read a proclamation designating the week of May 14-20 as National Police Week and May 15<sup>th</sup> as Police Officers Memorial Day. Chief Brennan honored the three Colorado officers who fell in the line of duty in 2016. A moment of silence was observed.

### Everett Middle School – 50-year recognition

Mayor Jay read a proclamation declaring May 8, 2017 as Everett Middle School Day. Everett Principal **Jeff Gomez** introduced former principals **Russ Ramsey** and **Kathy Norton**, and Spanish teacher of 21 years, **Angie Neve**. A celebration will be held at the school this Wednesday, May 10 with an open house from 4:30 to 6:45 and a ceremony in the cafeteria to follow. Everyone is welcome.

## CITIZENS' RIGHT TO SPEAK

**Stephanie Meadows** (WR) spoke of her concerns about the growing homeless population in Wheat Ridge and provided pictures for the councilmembers. She wants to help be a part of the solution. She highlighted her extensive background as a Homeless Outreach Officer for the Denver Police Department – including helping to write Denver’s enforcement procedures. She listed several factors that make the homeless camps unsafe for houses, the homeless and our parks. She would like to help by sharing her knowledge and experience with the homeless and her experience working with multiple departments.

Councilmember Davis arrived at 7:21pm.

**Shannon Fedrizzi** (Eagle, CO) owns a salon suite business in the City near I-70 & Kipling. A zoning law prevents her from leasing to a tattoo parlor unless a Special Use Permit is obtained. This two-month process takes too long. She asked if there is a way the antiquated law could be updated because she suggested tattoos are very mainstream now. She cited homelessness and crime as additional challenges for businesses in that area.

Addressing Ms. Fedrizzi’s concerns, Mr. Goff spoke to the 2003 ordinance requiring SUP’s for tattoo parlors. A process is available for an SUP. If there are no protests it could be approved administratively and could happen in less than a month. One protest would trigger Council approval. Additionally, changing the Code would require Council initiative and approval.

Mayor Jay declared the presence of a quorum and the meeting continued.

## **APPROVAL OF AGENDA**

## **DECISIONS, RESOLUTIONS AND MOTIONS**

1. Motion to Ratify Mayoral Appointment of the Wheat Ridge Environmental Sustainability Committee

The Wheat Ridge Environmental Sustainability Committee (WRESC) is being formed to involve the community in recommending and prioritizing environmental sustainability goals for City municipal operations and other community-wide sustainability efforts. The committee will serve as a forum for the community to offer input concerning:

- Green Building
- Education & Communication
- Energy Efficiency & Renewable Energy
- Solid Waste & Recycling
- Transportation
- Water

The Mayor and the Mayor Pro Tem will each contribute \$1,000 from their community outreach funds for initial meeting facilitation services and incidental expenses. The WRESC will report back to Council after three months if additional funds are needed.

Councilmember Pond introduced Item 1.

Mayor Jay noted that the number of committee members was increased from nine to eleven because there were so many good applicants and to accommodate drop-outs or scheduling conflicts.

#### Council questions

Councilmember Urban questioned 1) the necessity of ratifying committee appointments (which is not in the Code), 2) funding for this committee with no restrictions on sources of future funding and no cap, 3) appointment and funding should be done with two separate motions, and 4) there are no specific outcomes outlined.

Discussion about ad hoc committees followed.

- Mr. Goff cited a prior opinion by the City Attorney that the Mayor has the authority to appoint ad hoc committees. Ratification was not addressed. He noted that in the past ratification by Council of Mayoral appointments has been a courtesy.
- Previous ad hoc committees have not had restrictions about funding.
- The Committee will report back to the Council in three months.
- The \$2,000 is being used to pay for a moderator/facilitator.
- Previous ad hoc committees had very specific directives and outcomes. This committee is too big, too unfocused, and has no clearly defined targets.
- Concern there is already a desire to turn this into another full time employee as it is stated the Committee is to report back in three months *only if* they need more funding.
- There is no time limit for this ad hoc committee so future funding is a concern.
- Saving the planet is not under the City's purview; this is open-ended.
- City departments already address environmental and sustainability issues.
- There is an expectation that the Committee *will* report back in three months and it is reasonable to make a decision about its future at that time.
- The \$2,000 should be adequate for three months.
- Is a vote to ratify the appointments to the committee really necessary?

During discussion a consensus grew that Council ratification was probably not necessary for this committee to be appointed. The Committee can proceed and if it is later determined that ratification is necessary it can come back to the Council.

**Motion** by Councilmember Fitzgerald to pull this item from the agenda; seconded by Councilmember Mathews; carried 5-0.

2. Resolution 13-2017 – A resolution approving an Intergovernmental Agreement between the City of Wheat Ridge and the City and County of Denver concerning Engineering Services for the extension of a Denver Water Department Conduit

The construction for the I-70 hook ramps for Clear Creek Crossing (CCC) is within Denver Water's utility easement and conflicts with their plans to replace a large water main. Both projects are scheduled to occur at the same location and at the same time. Added cost to redesign Denver Water's work must be assumed by the owner/developer and/or the City. Denver Water developed this IGA, which has been reviewed by our City attorney, to provide for additional design services to extend the tunneling portion of the water main at an estimated cost of \$22,317.

Councilmember Fitzgerald introduced Item 2.

The City has been working with the Clear Creek Crossing (CCC) property owner and CDOT on the design and construction plans for the I-70 hook ramps that are needed for the development. At the same time Denver Water has plans to replace a large water main (Conduit 16) that runs between Ralston Reservoir and the Moffat Treatment Plant in Lakewood. This main crosses the CCC site diagonally, from northwest to southeast, before crossing beneath I-70. The IGA provides a means for redesigning Denver Water's work so as to avoid conflicts and allow both projects to proceed simultaneously.

Public Works Director, Scott Brink, provided further information.

- A CCC community meeting was held last week and was attended by about 150 people. Most concerns were about traffic.
- Denver Water has had this conduit replacement on their schedule for a long time. It involves quite a bit of tunneling and a large staging area is required. Their project will last several months and severely delay and negatively impact the CCC project.
- There are a lot of moving pieces to all of this, with both projects anticipated to begin this fall. Neither party can start sooner.
- Staff feels it is best to have the IGA in place so that (if necessary) Denver Water will move their bore-pit excavation at least 100 feet. The IGA provides the estimated cost for engineering services – if they are needed.

Mr. Goff added that the budget for this would come from the 2E funds. The cost of the hook ramps is expected to be less than \$10M, so there is enough money to cover this.

There was no discussion.

**Motion** by Councilmember Fitzgerald to approve Resolution No.13-2017, a resolution approving an Intergovernmental Agreement between the City of Wheat Ridge and the City and County of Denver concerning engineering services for the extension of a Denver Water Department conduit; seconded by Councilmember Pond; motion carried 5-0.

**APPROVAL OF Minutes of the City Council Meeting of April 24, 2017 and Notes of the Study Sessions of April 17 and April 24, 2017**

There being no objections, the Minutes of the Council Meeting of April 24, 2017 and the Notes of the Study Sessions of April 17 and April 24, 2017 were approved as published.

**CITY MANAGER'S MATTERS**

Mr. Goff reported receiving a text from the City Attorney, who was stuck at the airport in Colorado Springs due to the weather. Mr. Dahl confirmed that a Council vote is not required for a committee that is appointed by the mayor. ~ Regarding the severe hailstorm earlier in the day, he reported that inventory of damage to City facilities and property is underway. 60% of our fleet has some form of damage; nine patrol vehicles are available for service. He also noted already receiving a call to his house from a company in Florida offering to inspect his roof. People should be very careful about roofers calling and make sure they are using a reputable company.

**CITY ATTORNEY'S MATTERS**

none

**ELECTED OFFICIAL'S MATTERS**

**Janelle Shaver** shared information about the speakers at the Community Corrections conference she attended in Colorado Springs – a researcher from the University of Cincinnati who spoke about what works and what doesn't to change criminogenic behavior, and an empathy panel of domestic violence survivors who speak to convicted domestic violence perpetrators.

**Zach Urban** thanked Treasurer DiTullio for putting together the community meeting. ~ He read a checklist for consumers when dealing with roofing contractors.

- Only take bids from local contractors that YOU have called
- Only accept bids with price, scope of work and materials written on them
- Homeowners should have a 72 hour cancellation period
- Never sign anything that has a cancellation fee
- Request five local references the roofer has worked with over a year ago
- Ask for copies of the roofers workman's comp and liability insurance, and verify that they are current
- Make sure the name on the insurance matches the name of the roofer
- Make sure the roofer pulls a building permit and has the new roof inspected
- Don't pay for materials in advance
- It is illegal for a contractor to offer to pay, waive or rebate your deductible
- Never turn over any insurance checks or pay money until the work is completed
- Always work with local companies to avoid fly-by-night operations

Larry Mathews added to get at least three bids; competition is a big safeguard.

**George Pond** named the eleven people who will serve on the Sustainability Committee,



Eric Wilson (I)  
April Nowak (I)  
Karen Berry (I)  
Alexander Helling (II)

Amy DePierre (II)  
Dan Graeve (II)  
Robert Robinson (III)  
Adam Wylie (III)

Joy Opp (III)  
Heather Head (III)  
Andy Rasmussen (IV)

and thanked everyone who applied. He encouraged everyone to come watch the proceedings.

**Kristi Davis** agreed she don't want the Sustainability Committee to snowball into another full time employee, but thinks some small things can be done.

**Tim Fitzgerald** noted the amazing qualifications of the people on the Sustainability Committee.

**Larry Mathews** reported that he and Councilmember Duran had met with Ms. Meadows, who spoke under Public Comment. Due to her work with Denver law enforcement she is an expert on homeless issues. At the next study session Council will be asked for permission to let her give a short presentation and join the discussion.

**Joyce Jay** made note of the high level and variety of education of the folks who will serve on the Environmental Committee.

### **ADJOURNMENT**

The City Council Meeting was adjourned at 8:08 p.m.

  
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Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON May 22, 2017

  
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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.