

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

**August 14, 2017**

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**

Zachary Urban	Janeece Hoppe	Kristi Davis	Tim Fitzgerald
George Pond	Larry Mathews	Genevieve Wooden	

Members Absent: Monica Duran (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Parks Director, Joyce Manwaring; Administrative Services Director, Heather Geyer; Planner Lauren Mikulak, sitting in for the Community Development Director; interested citizens.

**APPROVAL OF Council Minutes of June 26, 2017 and Study Notes of July 17 and Special Study Session Notes of July 24, 2017**

There being no objections, the minutes of June 26, 2017 and the Study Notes of July 17 and Special Study Session Notes of July 24, 2017 were approved as published.

**PROCLAMATIONS AND CEREMONIES**

**Second Opportunity for Public Input on the 2018 Budget**

The proposed 2018 budget will be presented to the Mayor and City Council on Monday October 2. A public hearing will be held on Monday, October 9, during which the City Council will consider adoption of the budget.

No one was signed up to speak on the budget.

**CITIZENS RIGHT TO SPEAK**

**Evan Clark** (WR) thanked Councilmember Urban for attending the 4H Fair, showing his lamb in the celebrity livestock showing, and supporting the kids in the 4H auction. He said the kids work hard -15 hours a day for five days, and then sadly have to let go of their animals on Sunday. The Fair would not be possible without support from people like Zach Urban who buy and support our animals. Kids put their hearts and souls into the animals and having someone buy them and appreciate them really does help.

**Ian Clark** (WR) shared that his blood, sweat and tears at the 4H Fair earned him Best of Breed Rabbit, Senior Goat Showmanship, and (toughest of all) Beef Showmanship. He expressed how hard it is to say goodbye to the animals they have worked with for 5 or 9 months. He thanked Zach Urban for doing so well in the celebrity livestock show and for purchasing animals and putting add-ons on several projects at the auction.

**John Clark** (WR) told how the kids in the 4H Fair put in 15-16 hour days the week of the Fair. ~ He liked the Carnation Parade and thanked Leah Dozeman for her hard work on that. He went to the Festival and bought cookies from the Seniors and lemonade from Pennington School. He thanked Councilmember Wooden for putting on the bench auction; it was run very well. He won the WRHS bench, and gave a shout out to Heine's Market for winning the Everitt bench. He congratulated Joe DeMott on a successful Festival. ~ He appreciated Councilmember Urban competing against other celebrities in the 4H livestock showing; he got 4<sup>th</sup> place. He hopes folks will come next year and support the kids. He wishes more WR kids were involved. 4H is about many things. He urged parents to get their kids off the couch. Give him a call if you're interested.

## **APPROVAL OF AGENDA**

### **1. CONSENT AGENDA**

- a) Resolution 28-2017 – Approving Action by Jefferson County Open Space to Subordinate the Reverter Clause on the Recreation Center Property at 4005 Kipling to permit a Drainage Easement *[necessary per Jeffco Open Space requirements]*
- b) Motion to approve the award of RFP-17-21 Insurance Broker Services to Insurance Management Associates, Inc. (IMA) of Colorado on a Commission-Based Agreement and to approve a one-year term with the option to renew for four additional one-year periods *[related to providing employee benefits]*
- c) Resolution 27-2017 – amending the Fiscal Year 2017 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$841,330 for On-Call Building Permit Inspections, Plan Review and other Support Services and Related Costs *[related to the May hailstorm]*

Councilmember Mathews introduced the Consent Agenda.

**Motion** by Councilmember Mathews to approve Consent Agenda Items a), b) and c); seconded by Councilmember Hoppe.

Councilmember Urban asked to pull Item c).

**Motion** by Councilmember Mathews to approve the Consent Agenda items a) and b); seconded by Councilmember Hoppe; carried 7-0.

**Motion** by Councilmember Mathews to approve the Consent Agenda items c); seconded by Councilmember Pond.

Councilmember Urban asked how much of the transfer of \$765K was specifically for inspections, as opposed to plan reviews and other support services. Lauren Mikulak responded that most of it is for permit technicians and inspectors. Originally only about \$30-35K was budgeted for plan review and electrical inspections.

Mr. Urban noted that inspections averaged \$30 in the 2009 storm and wondered about the costs this time. Ms. Mikulak noted that we are operating under an interim agreement; the permanent contract is still being negotiated to see if it will continue as an hourly rate or a cost per inspection.

Discussion continued about the amount of money based on the number of permits anticipated. Ms. Mikulak noted that most of the single family permits are in; they haven't seen much yet for multi-family/commercial; estimating is hard. Mr. Urban expressed concern for allocating so much compared with the 2009 storm. Ms. Mikulak posed that staffing levels may have been lower back then, and she expounded on current staffing level issues. As of Friday there will be no on-staff inspectors – only contract inspectors.

Councilmember Urban is concerned about allocating double what is being expected. Will we meet the demand by years end?

Mr. Goff reported that these current numbers are based on expectations for the rest of the year. The 2018 budget process will include anticipated extra revenue. He noted that this money goes into a special account, and any money that is not spent for inspections will return to the General Fund Reserves.

In response to Councilmember Mathews question, Mr. Goff said that yes, unused salary funds have been applied to the contract. Those funds are now depleted.

Councilmember Wooden noted the labor shortage right now. The fact that we won't have any inspectors on staff speaks to the market. There is great demand for inspectors; they are skilled people, from out of state, during an emergency. Unfortunately the cost is high.

The motion to approve Item c) carried 7-0.

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

2. Council Bill 15-2017 – An Ordinance granting a Permanent Drainage Easement to Equinox Properties, LLC, for the purpose of constructing a Stormwater Structure on City-Owned Property

Equinox Properties, LLC is expanding and conducting improvements to the Circle K located at 3805 Kipling Street. As part of these improvements a new storm water/drainage structure is required. This structure will be located in Lena Gulch on City-owned property, just south of the Recreation Center at 4005 Kipling Street.

Councilmember Pond introduced Council Bill 15-2017.

Mayor Jay opened the public hearing. There were no speakers to swear in.

No one from the public had signed up to comment.

Staff presentation

Ms. Manwaring said this is related to the reverter clause that was passed in the Consent Agenda. It allows this use (drainage) on land that was intended for park and recreation use. It grants a permanent easement.

Councilmember Mathews asked if there were any concerns about the size for future development by other owners. Mr. Dahl said he assumes the project is adequate in size to address any future redevelopment. If not, any future upsizing would require going back to Jefferson County Open Space and coming back to the City for revision.

Clerk Shaver assigned Ordinance 1627.

Mayor Jay closed the public hearing.

**Motion** by Councilmember Pond to approve Council Bill 15-2017, an ordinance approving a permanent drainage easement to Equinox Properties, LLC for the purpose of constructing a storm water structure on city-owned property on second reading and that it take effect fifteen days after final publication; seconded by Councilmember Fitzgerald; carried 7-0.

**ORDINANCES ON FIRST READING**

3. Council Bill 16-2017 – An Ordinance approving the rezoning of property located at 6025 W. 40<sup>th</sup> Avenue from Commercial-One (C-1) to Residential-One (R-1C) (Case No. WZ-17-05/Shadow Homes)

The proposed rezoning area includes two parcels totaling approximately one-third of an acre. The purpose of the zone change is to bring the property and its historical use as a residence into compliance with zoning regulations. Rezoning would also allow for the future construction of an additional home with an administrative subdivision review.

Councilmember Urban introduced Council Bill 16-2017.

**Motion** by Councilmember Urban to approve Council Bill 16-2017 - an ordinance approving the rezoning of property located at 6025 W. 40<sup>th</sup> Avenue from Commercial-One (C-1) to Residential-One (R-1C), on first reading, order it published, public hearing set for Monday, September 11, 2017 at 7:00 p.m. in City Council Chambers, and that it take effect fifteen days after final publication; seconded by Councilmember Hoppe;

Councilmember Mathews asked about financial liability for developers when there is no discussion on 1<sup>st</sup> reading. Mr. Goff said developers are used to this process. City Attorney Dahl added that developers won't close on a property until after 2<sup>nd</sup> reading.

The motion carried 7-0.

4. Council Bill 17-2017 – An Ordinance amending Section 5-41 of the Wheat Ridge Code of Laws concerning Building Permit Fees.

An amendment to Section 5-41 of the Building Code is recommended in order to provide clarification on the definition of project valuation. As a result of a protest filed in 2017 with the City Treasurer, staff reviewed the administrative practices used in determining project valuation. At a recent study session staff and the City Treasurer proposed amending the current code language to provide greater clarity for the business community.

Councilmember Hoppe introduced Council Bill 17-2017.

**Motion** by Councilmember Hoppe to approve Council Bill 17-2017 - an ordinance amending Section 5-41 of the Wheat Ridge Code of Laws concerning building permit fees on first reading, order it published, public hearing set for Monday, August 28, 2017 at 7:00 p.m. in the City Council Chambers, and that it takes effect fifteen days after final publication; seconded by Councilmember Wooden; carried 7-0.

**CITY MANAGER'S MATTERS**

**Mr. Goff** thanked citizens and residents for their patience this weekend – there was a lot going on and a lot of road closures. He hopes the inconvenience wasn't too bad. We had two successful events Saturday – the closure of 38<sup>th</sup> Avenue for the great parade and then, an hour later, the closure of 32<sup>nd</sup> Avenue for the Colorado Classic Bike Race that came through. He also thanked the staff, Police, Public Works and Parks & Rec Departments for all their efforts.

**CITY ATTORNEY'S MATTERS**

none

**CITY CLERK'S MATTERS**

**Clerk Shaver** noted there is still plenty of time for candidates and potential candidates to pick up nomination petitions. The petitions must be turned in to the Clerk's office by 5:00pm on Monday, August 28. ~ She alerted candidates that the lot drawing for ballot placement will be on Tuesday, September 5. ~ Folks should also save the date for the Candidate and Issues Forum on Tuesday, October 3 to be held in Council Chambers. The public is invited to attend.

**ELECTED OFFICIALS' MATTERS**

**Janece Hoppe** noted that Treasurer DiTullio asked her to go over the bi-weekly report for roofing permits and inspections. She noted from May 8 through Aug 6 there has been \$1.7M collected for roofing permits.

**Zachary Urban** thanked everyone who came out for the parade and festival; his family had a great time. He appreciates the work by the police and staff to keep everyone safe and doing those road closures. ~ He noted the problems with the traffic signal at 44<sup>th</sup> &



Wadsworth. He's been in contact with CDOT and together with staff they are working to correct it by replacing the detection system.

**Kristi Davis** thanked the volunteers for the Carnation Festival. She noted a WRHS graduate did the fireworks. ~ She asked Mr. Clark to let him know when the 4H event is next year and congratulated his kids for all their hard work.


**Tim Fitzgerald** added that the unusual expenses in the roofing report have been \$233,000 for contract labor.

**Genevieve Wooden** thanked everyone who bid on the school benches for the auction at the Carnation Festival. Everitt Middle School won with \$400. All proceeds from the silent bidding will go to the art departments at the various schools. She also thanked the schools for participating in the project.

**Mayor Jay** thanked the citizens who turned out for the Carnation Festival and parade. ~ She announced a free demonstration of a driverless vehicle on Wednesday, August 16 from 10-3 at the Pepsi Center. It holds 12 people – six sitting and six standing, goes 12 miles per hour, and has no steering wheel. She thinks it will be fun.

#### **ADJOURNMENT**

The City Council Meeting adjourned at 7:38

  
Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON August 28, 2017

  
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.