

CITY COUNCIL MINUTES

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

August 28, 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

Monica Duran	Janece Hoppe	Zachary Urban	George Pond
Tim Fitzgerald	Larry Mathews		

Members Absent: Kristi Davis (excused), Genevieve Wooden (excused)

Also present: City Clerk, Janelle Shaver; City Manager Patrick Goff, City Attorney, Jerry Dahl; Administrative Services Director, Heather Geyer; Purchasing and Contracting Division, Jennifer Nellis; and interested citizens.

APPROVAL OF Council Minutes of July 24, 2017 and August 14, 2017 and Study Session Notes of August 7, 2017

There being no objections, the minutes of July 24, and August 14, 2017 and Study Session notes of August 7, 2017 were approved as published.

PROCLAMATIONS AND CEREMONIES

CITIZENS RIGHT TO SPEAK

Dorothy Archer (WR) asked Council once again to put on a study session agenda the discussion about the 35ft flat roof houses that still exist in all residential zones except R1-C and R-2. It is of great concern to many people. She would like to see this addressed before the election.

Coral Tolman (Westminster) is in 4H; she does shooting, public speaking, and sewing. She thanked Councilmember Urban for purchasing her grand champion turkey at the recent Jefferson County Fair. She thanked everyone for their support and encouragement; she appreciates what Council does.

Joe DeMott (WR) thanked the City for its support for the Carnation Festival. It gets better every year. He gave special thanks to the Parks and Public Works Departments, and incredible thanks to the Police Department. He also publicly thanked the sponsors, vendors and volunteers. He offered personal thanks to the Festival Board members: Ruth Baronowski and Leah Dozeman (for running the parade), Walt Pettit, Dave Pettit

and Mike Papantonakis from the Rotary, Ron Benson and Gail Schrag from the Optimists, Juanita Gutierrez from the Wheat Ridge Art League, and the City staff members who help on the board too. ~ He announced the WRBD has added the Façade Plus program to their revitalization incentive program. It will match up to \$35K for large facade improvement projects. The WRBD is having an open house on September 7 at Infinitus Pie 5807 W. 38th Ave (Fenton) from 4-6pm. All are invited to come meet the WRBD board members and find out about the grant programs. ~ He reminded folks to come to Ridgefest September 9th on 38th Ave at Stevens Elementary. More food, music, and fun.

APPROVAL OF AGENDA

Councilmember Urban asked that Item 3 be addressed before Item 2. If Item 2 passes, a discussion and vote on Item 3 would be moot.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

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

Staff and the City Treasurer propose amending the current language in Section 5-41 of the Building Code so as to provide clarification on the definition of project valuation and total cost. This will supply greater clarity for the business community. These amendments are common practice among other cities.

Councilmember Hoppe introduced Council Bill 17-2017.

City Clerk Shaver assigned Ordinance 1628.

Mayor Jay opened the public hearing.

Staff Presentation none

Public Comment none

Council questions

Councilmember Urban clarified that this ordinance will not cause roofing and related fees to go up. Ms. Geyer concurred.

Mayor Jay closed the public hearing.

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 second reading, and that it takes effect 15 days after final publication; seconded by Councilmember Duran; carried 6-0 .

DECISIONS, RESOLUTIONS AND MOTIONS

3. Motion to approve payment to Insight Public Sector in the amount of \$76,958.42 for the Annual Renewal of the Microsoft Enterprise Agreement

This is a scheduled and budgeted replacement of obsolete Microsoft software licenses at all sites and the support and maintenance that is inherent with upgrades or new software. The annual renewal of licensing and support will cost \$76,958.42.

Councilmember Duran introduced Item 3.

Staff presentation - none

Citizen comment – none

Council Questions

Councilmember Mathews suggested \$76K seems a lot for updates. Ms. Geyer said this is not just for updates; this is our regular licensing agreement citywide. It includes desktops, surface tablets, and our server equipment. Ms. Nellis added that this agreement was negotiated through Nasbo, a national purchasing cooperative that negotiates contracts for cities and states nationwide.

Councilmember Urban asked what the procurement process was to contract with Insight. Ms. Nellis noted this is a five-year agreement that came from a formal process four years ago. In 2018 we would look at having a formal process again or revert to the Nasbo agreement to see what state their negotiations are in. We will look at both.

Councilmember Mathews ask how many city employees are there? 231.875 FTE, plus a few hundred part time. Why do we need 350 sets of Microsoft office? Where are the other 100? The licenses include all mobile equipment, surface tablets, desktops, server units, and training laptops.

Councilmember Urban asked what the benefit is for paying with a credit card (as stated in the memo). Ms. Nellis doesn't expect this would be paid for by credit card, but Accounts Payable would decide that – and they are the only ones with a card capable of handling that level of purchase. I.T. is capped at a much lower level.

Councilmember Urban made the point that if Item 2 passes this is the last time Council will get to review a purchase of this amount.

Motion by Councilmember Duran to approve payment to Insight Public Sector in the amount of \$76,958.42 for the annual renewal of the Microsoft Enterprise Agreement; seconded by Councilmember Fitzgerald; carried 6-0.

2. Resolution 30-2017 – A Resolution adopting a revised City Purchasing Policy and rescinding all prior Resolutions in conflict therewith

Councilmember Pond introduced Item 2.

Staff presentation ~ Jennifer Nellis

Three amendments to the City purchasing policy are recommended for Council approval:

1. Increase the purchasing card single transaction limit from \$3,000 to \$5,000
2. Revise the purchasing signature approval levels to the following:
 - a. Department Designee: Up to \$5,000
 - b. Department Director: Over \$5,000 up to \$25,000
 - c. City Manager: Over \$25,000 up to \$100,000
 - d. City Council: Over \$100,000
3. Revise the purchasing acquisition limits for goods as follows:
 - a. Combine goods and services purchasing types to simplify purchasing processes for staff city-wide
 - i. Allow discretionary purchases up to \$5,000
 - ii. Informal quotes (written) between \$5,000 up to \$25,000
 - iii. Formal bids and proposals over \$25,000
 - b. Establish a new category for professional services, awards based on qualifications per the Brooks Act, and defined as professional services provided by architects, engineers, landscape architects, surveyors and land surveyors
 - i. Discretionary selection among on-call consultants for tasks up to \$25,000
 - ii. Informal quotes or Request for Proposals (RFP's) among on-call consultants for tasks over \$25,000 up to \$50,000
 - iii. New formal Request for Qualifications (RFQ's) aka Statement of Qualifications (SOQ's) for consultant selection over \$50,000
 - c. Specific to CIP and construction
 - i. Allowing informal quotes for purchases over \$25,000 up to \$100,000
 - ii. Formal solicitations for anything \$100,000

Council questions followed.

- Councilmember Mathews had several questions about the p-card process.
 - As many as 175 employees have a card able to purchase \$3,000 - \$5,000.
 - Eliminating redundancy refers more to saving time.
 - Increased accountability is about the realignment of accountability – from Council to staff.
 - The watchdogs are Ms. Geyer, Ms. Nellis, the City Manager and the City Treasurer. The Mayor also signs off on all contracts.
- Councilmember Fitzgerald asked about accountability and oversight. Ms. Geyer explained how purchase orders are carried out. Reviews are done by the directors, then the City Manager, then Jen and Cindi in purchasing. Payments have another

set of checks and balances. If there is missing information it gets kicked back. Multiple reviews will continue. Mr. Goff noted that currently any purchase order over \$15K come to his desk for signature.

- Councilmember Urban had several questions:
 - How often staff uses a p-card for purchases in the range near \$3K? No number was available. If the p-card doesn't have the limit, an invoice is needed.
 - Is there any upper limit for a year time period per card? Ms. Nellis said they audit the p-card process and understand always purchasing from one vendor is a concern. The limit is defined "for the same item". There are reports through the Commerce Bank Control Pay system and the ADG Accounting System.
 - Is there an ability to track multiple payments to one vendor? Ms. Geyer said there are a number of tracking processes. She can't recall that happening -- maybe repeated purchases from Sam's Club by different departments.
 - Ms. Geyer explained all the eyes that review purchases -- supervisors, accounting, the Treasurer. The annual auditors also spot check purchasing for irregularities.
 - Which resolutions are being repealed? Mr. Dahl noted that this resolution will wipe out any past resolutions related to purchasing limits. Ms. Geyer added that this format is the same as the 2011 resolution which deals with purchasing limits. The most recent prior resolution will be rescinded; Mr. Dahl can add that to paragraph 5.
 - Councilmember Urban asked that Resolution 46-2011 be specifically rescinded.
- Councilmember Mathews restated his question from the prior study session as to why some of these limits are going up 400-500% -- what is the justification? Mr. Goff said the limits are tied to best practices -- not inflation. We want to be consistent in our market with what other cities do.
- Councilmember Pond received confirmation that this applies only to expenditures approved in the budget.

Motion by Councilmember Pond to approve Resolution No. 30-2017 -- a resolution adopting a revised City Purchasing Policy and rescinding Resolution No. 46-2011 therewith; seconded by Councilmember Hoppe.

Councilmember Mathews expressed concerns about eliminating the practice of bringing purchases to Council for approval. It helps all councilmembers stay in touch with how money is being spent.

Councilmember Pond believes these things are discussed when the budget is passed. He supports the idea of discussion, but not just to push more paperwork. He is sensitive to hearing people's concerns.

Councilmember Duran understands time concerns and efficiency, but she wants to see things and wants transparency. She believes that is Council's job.

Councilmember Urban believes the roll of Council is to be the last oversight. These things are important to citizens.

Motion by Councilmember Urban to amend paragraph 3c (city manager over \$25K up to \$35K) and paragraph 3b (City Council over \$35K); seconded by Councilmember Mathews.

Councilmember Hoppe said she supports discussion but thinks it's important to lessen the paperwork for staff. She would prefer a limit for the City Manager up to \$75K.

Mr. Urban's motion to amend tied 3-3, with Councilmembers Hoppe, Pond and Fitzgerald voting no. The mayor voted no and the motion failed 3-4.

Councilmember Urban said he would prefer our signature levels to be at or below entities such as Arvada, Ft. Collins and Jefferson County. \$75K will put us higher than the City of Arvada and Westminster Fire, and on par with Larimer County. We don't have such large budgets.

Motion by Councilmember Hoppe to amend Paragraphs 3c and 3d by changing the limit for Council approval to "over \$75K"; seconded by Councilmember Pond; carried 5-1 with Councilmember Mathews voting no.

The main notion as amended carried 4-2, with Councilmembers Mathews and Urban voting no.

CITY MANAGER'S MATTERS

Mr. Goff announced a number of important dates:

- Sept 4 – No Council meetings due to Labor Day holiday
- Sept 6 - Crime Forum, Rec Center, 6-7pm; update from the Chief on crime trends
- Sept 11 - Environmental Sustainability Committee's first report to Council
- Oct 18 - Groundbreaking for Wheat Ridge Corners (38th & Wadsworth)
- Oct 19 - Ribbon cutting for the Fruitdale School apartments

CITY ATTORNEY'S MATTERS

none

ELECTED OFFICIALS' MATTERS

Janelle Shaver noted today was the deadline to file petitions to run for office. If candidates don't hear from her, they can assume their petition is sufficient. She will let candidates know by tomorrow morning if their petition needs curing. ~ She will be attending the Colorado Public Plan Coalition conference from Wednesday to Friday. ~ The lot drawing to determine ballot position will be held next Tuesday, September 5. Candidate orientation and campaign finance will be included. ~ She offered her thoughts and prayers to the hurricane victims in Texas. ~ She posed to Council the

possibility of sending a letter to the Liquor Enforcement Division Council and the Attorney General's Office regarding potential rule changes that would affect liquor licenses for community groups. There was some discussion. There was agreement to discuss this in detail before a letter is sent.

Monica Duran asked when the Sustainability Committee report would be. September 11 in a short study session after the Council meeting. ~ She asked if a bulk plane discussion is on a future study session agenda. Mr. Goff said it's on the list, but not on a specific agenda. He and Mr. Pond have discussed having this discussion along with other issues such as ADU's, rental properties, code enforcement, extended stay lodging, and short term rentals. Mr. Pond said he hesitates to have this discussion in isolation, but will look at scheduling it -- definitely this year. Mr. Goff didn't know if it would be before the election. Ms. Duran wants to make sure we don't forget about it -- noting this is important and can be discussed separately from Air B&B. Citizens have requested this separate discussion for several months; Council discussed it last year; she doesn't want this put off repeatedly because no one wants to deal with it before an election; she'd like to hear from citizens before the election. Mr. Pond will look at scheduling it.

Janeece Hoppe restated Joe DeMott's invitation for folks to come to the WRBD open house at I-Pie, 5807 W, 38th Ave, on September 7 from 4-6pm. If anyone knows any commercial property that wants help with a façade project, let them know. ~ She also announced the school superintendent has announced there will be no recommendation for any school closures until the 2019-2020 school year.

Zachary Urban encouraged people to attend the crime and safety meeting on Sept 6 at the Rec Center. ~ He noted that Aug 31 is Overdose Awareness Day to focus on the opioid addiction crisis. ~ On Sept 4, for his birthday, he has donated a lamb to the Lutheran Medical Center Foundation. It will be served all day at Colorado Plus, with all proceeds going to the Foundation. ~ He asked if there was any outcome on the drag racing event Aug 18-19. Mr. Goff had no update, but he will email Council tomorrow. Police are attempting to find the organizers. ~ Mr. Urban thanked the first responders from Colorado who are going to Texas to help. He has extended family in southern Texas and send them all his prayers.

George Pond thanked Councilmember Fitzgerald and the folks from District 3 who came out to talk about their questions last Saturday. They had a good discussion.

Tim Fitzgerald noted the Fruitdale Loft floor plans are available at hartmanelyinvestments.com/fruitdale. It is too early to make reservations, but you can take a look. Mr. Goff will make sure it's on the City's website.

Larry Mathews thanked staff and reassured them he has no personal feelings that something amiss is going on in purchasing and accounting. He is just looking at procedure and his questions are not aspersions.

Monica Duran reported that on the Hartman Ely website people can sign up to be on the waiting list.

Zachary Urban distributed to Council the Treasurer's August 21 bi-weekly report for the hail storm.

YTD there have been 5,035 permits submitted.

YTD 7,084 inspections performed -- compared to 1,029 in 2016


Total cost for contract labor --\$304,757

Revenue from processed permits -- YTD - \$2,088,098; Since the storm - \$2,065,641


Joyce Jay announced that Margie Seyfer will be giving up her position as chairman of the kite festival; it was rained out the last 2 years. A lot of work was put in and she will be hard to replace. ~ She also hopes people are thinking about sending a donation to the Red Cross for the Houston crisis.

ADJOURN TO SPECIAL STUDY SESSION

The City Council Meeting adjourned at 8:26pm.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON September 25, 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.