

CITY COUNCIL MINUTES

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

November 27, 2017

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

Monica Duran	Zachary Urban	Kristi Davis
Tim Fitzgerald	George Pond	Leah Dozeman

Absent: Larry Mathews (excused), Janeece Hoppe (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Jerry Dahl; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; Parks Director, Joyce Manwaring; Treasurer, Jerry DiTullio; other staff, guests and interested citizens.

APPROVAL OF the Study Session Notes of October 16, 2017

There being no objection, the Study Session Notes of October 16, 2017 were approved as published.

PROCLAMATIONS AND CEREMONIES

HEAL Level 3 Presentation

Leslie Levine presented to Mayor Starker an award for the City of Wheat Ridge as an Elite City for the HEAL Cities and Towns Initiative. **Matt Anderson** from the Parks Department thanked Ms. Levine and her colleagues for their assistance, the elected officials for developing and approving HEAL policies, and the HEAL advisory committee - some of whom were present for pictures.

Presentation of 2017 Carnation Festival Plate

Joe DeMott, chair of the Carnation Festival, thanked all the City folks (Mayor, Council, Police Dept, Parks Dept and Public Works Dept) who work so very hard on the Carnation Festival every year. He presented to the City a 2017 Festival Plate. This year's plate design, called Rockin' Carnations, was contributed by contest winner Shirley Nakamoto. **Lisa Dozeman**, chair of the Parade, expressed gratitude for all the help with the Parade and the Festival.

CITIZENS' RIGHT TO SPEAK

Rolly Sorrentino (WR) addressed Councilmember Pond's concern at the last meeting that his girls could not play on the Anderson Park baseball field. Mr. Sorrentino noted that all three of his daughters played soccer, as did his wife. Any suggestion that his desire to save the baseball field is about soccer vs baseball, is wrong. He just wants to save our one and only, regulation, full-size, lighted baseball field. If there was only one regulation soccer field left in Wheat Ridge, and Mr. Pond was trying to save it, he would help him. He asked Mr. Pond to step up and offer a motion to reconsider the decision from the last meeting, and with this new council take another look at the plans and reconsider the opportunity to leave the baseball field in tack for awhile until the field could be upgraded, possibly upgrade the lights, and get some outside financial support to help maintain this one and only regulation field.

Rachel Hultin (WR) reported the Wheaties Academy is accepting applications for 2018. For anyone interested there will be a mixer at the Discovery Taphouse on Tuesday, December 5 from 6-8 pm. Applications will be taken online at www.wheaties.org through December 18. They will accept 16 - 18 people.

Cal Sravo (Arvada) said she came about 4505 Yarrow, and indicated she was present regarding a summons related to some previous councilmembers. Her goal was to encourage transparency; she asked councilmembers to identify themselves to her. The Mayor asked her to leave anything she had for councilmembers with the City Clerk.

APPROVAL OF AGENDA**1. CONSENT AGENDA**

- a) Resolution 43-2017 – Supporting reauthorization by the General Assembly of the Colorado Lottery Division in 2018 *[important funding for parks, trails, etc.]*
- b) Motion to adopt the 2018 City Council Meeting Calendar
- c) Resolution 44-2017 – amending the Fiscal Year 2017 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$350,000 for hailstorm repairs to City facilities and vehicles *[increases 2017 revenue by \$1,770,000 (insurance proceeds) and 2017 expenditures by \$350,000 (repairs)]*

Councilmember Fitzgerald introduced the Consent Agenda.

Motion by Councilmember Fitzgerald to approve the Consent Agenda items a), b) and c); seconded by Councilmember Pond.

Mr. Goff assured Councilmember Urban that Item c) monies are for insured claims only.

The motion carried 6-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

2. Council Bill 18-2017 – An Ordinance amending Chapter 5 and Section 16-115 of the Wheat Ridge Code of Laws to authorize temporary waivers from the limitation on hours of construction activity.

- Current regulations limit the hours for construction activity from 7:00 am to 7:00 p.m.
- Exemptions are allowed for emergency situations for public health, safety or welfare.
- It may be prudent to allow non-emergency waivers or exceptions to these limits.
- Legitimate reasons for a waiver might be the need to conduct continuous pours of concrete or the practicality of doing road construction during off-peak hours.
- The waivers would be granted by the Community Development Director.

Councilmember Pond introduced Council Bill 18-2017.

Clerk Shaver assigned Ordinance 1630.

Mayor Starker opened the public hearing.

Staff presentation

Ken Johnstone said the ordinance provides broad language that creates a process for the Community Development Director to grant exceptions for reasonable purposes. He gave examples. At Council's request the ordinance also requires that when any waivers are granted prompt written notice to property owners within 300 feet is required.

There was no public comment.

There were no questions from the Council.

Mayor Starker closed the public hearing.

Motion by Councilmember Pond to approve Council Bill 18-2017, an ordinance amending Chapter 5 and Section 16-115 of the Wheat Ridge Code of Laws to authorize temporary waivers from the limitation on hours of construction activity, order it published, and that it take effect 15 days after publication; seconded by Councilmember Duran; carried 6-0.

ORDINANCES ON FIRST READING

3. Council Bill 20-2017 – An Ordinance approving a Radio Tower Space License Agreement between the City and DMR Networks, Inc.

DMR Networks owns the radio tower site on North Table Mountain that is used by the cities of Wheat Ridge and Lakewood and Jefferson County. They have agreed to lease space at the tower site for the purposes of locating and operating Wheat Ridge Police Department radio communication equipment.

Councilmember Pond introduced Council Bill 20-2017.

Motion by Councilmember Pond to approve Council Bill 20-2017 - an ordinance approving a Radio Tower Space License Agreement between the City and DMR Networks, Inc. on first reading, order it published, public hearing set for Monday, December 11, 2017 at 7:00 p.m. in City Council Chambers, and that it take effect fifteen days after final publication; seconded by Councilmember Davis.

Councilmember Urban asked the City Attorney about the indemnification language and wanted to be sure it applies for the City. Mr. Dahl advised that full indemnification is accomplished.

The motion carried 6-0.

4. Council Bill 21-2017 – An Ordinance amending Section 22-66 of the Wheat Ridge Code of Laws regarding Use Tax applied to construction equipment and credit for Sales or Use Tax previously paid to another municipality

With the passage of ballot question 2E on November 8, 2016, it was necessary to amend the Code of Laws to implement this electoral decision. When Ordinance No. 1614 was approved on February 27, 2017 two code provisions in Section 22-66 were not changed to reflect the voter approved tax increase to 3.5%. This ordinance makes the appropriate change.

Councilmember Urban introduced Council Bill 21-2017.

Motion by Councilmember Urban to approve Council Bill 21-2017 - an ordinance amending Sections 22-66 of the Wheat Ridge Code of Laws regarding use tax applied to construction equipment and credit for sales or use tax previously paid to another municipality, on first reading, order it published, public hearing set for Monday, December 11, 2017 at 7:00 p.m. in the City Council Chambers, and that it takes effect upon adoption; seconded by Councilmember Duran; carried 6-0.

DECISIONS, RESOLUTIONS AND MOTIONS

5. Resolution 41-2017 – A Resolution approving Addendum #1 to the Intergovernmental Agreement by and between the City of Lakewood, the City of Wheat Ridge and the West Metro Fire Protection District for the Use and Maintenance of a Radio Communications System

The Cities of Wheat Ridge and Lakewood and the West Metro Fire Protection District own and share a radio site on an existing tower located on North Table Mountain near Golden. The location of this site provides improved radio signal strength for Wheat Ridge and Lakewood in areas that previously lacked adequate radio coverage. An amendment to the 2014 IGA is required to address responsibilities, frequency allocations and site costs for the new North Table Mountain site.

Councilmember Duran introduced Item 5.

Staff Presentation

Chief Brenna gave history of our radio service starting in 2005 with West Metro Fire. Per this new agreement Lakewood will keep the Green Mountain site, West Metro will keep the Mount Morrison site and Wheat Ridge will have the North Table Mountain site. This will provide coverage for the entire City and ensure that the City will always have radio coverage. It will also reduce our total cost to provide radio site leasing and maintenance fees to keep our on-site radio system working.

Councilmember Urban asked about the one hour for maintenance service. Chief Brennan explained how priorities are addressed. He noted we receive excellent radio maintenance services from the Lakewood radio technicians – better than from the private sector. Lakewood has experience accessing all three sites. Is there a back-up tower? All three entities will still be using all three towers; this just gives us ownership of a site and more buy-in of the radio service backbone.

Motion by Councilmember Duran to approve Resolution 41-2017, a resolution approving Addendum #1 to the intergovernmental agreement by and between the City of Lakewood, the City of Wheat Ridge and the West Metro Fire Protection District for the use and maintenance of a radio communications system, seconded by Councilmember Urban; carried 6-0.

6. Motion to approve payment to Motorola Solutions Inc. in the amount of \$137,836.40 for the purchase of fifty-two (52) APX-6500 Mobile Radios and Accessories

This purchase will replace 52 radios in the police vehicle fleet that were purchased in 2005. The current radios are quite old and can no longer be upgraded with software that is considered beneficial for public safety.

Councilmember Davis introduced Item 6. She noted that \$226K was included for this in the 2017 budget, so there will be a savings.

Chief Brennan made a few remarks about the purchase.

Councilmember Urban asked if the radios will be capable of encryption. Chief reported they are, and explained that is used only for tactical events.

Mr. Goff noted the funds for this are coming from the special Equipment Replacement Fund that was created for this purpose.

Motion by Councilmember Davis to approve payment to Motorola Solutions Inc. in the amount of \$137,836.40 for the purchase of fifty-two (52) APX-6500 mobile radios and accessories, seconded by Councilmember Dozeman; carried 6-0.

7. Motion to award Contract to Barker Rinker Seacat Architecture in the amount of \$352,255 for Anderson Park Renovation Design and Construction Documents

The scope of this contract includes design services for renovating the existing Anderson Building and Bathhouse as well as the existing Anderson Park.

Councilmember Dozeman introduced Item 7.

Staff Report

Joyce Manwaring reported this will be the single consultant contract for design services for the entire park renovation and construction documents.

Public Comment

Rolly Sorrentino (WR) noted he is a taxpayer and asked Council to vote no on this. This contract includes work that need not be done if the baseball field is retained. Not all of the earthwork is necessary and would allow other considerations to come into play – outside interests that might help save the baseball field.

Councilmember Davis asked what work has been done to relocate the baseball field. Ms. Manwaring reported no work has been done for that. It would be a comprehensive process to determine if space is available or if land would need to be acquired. Yes, staff considers this a valid request; the process just hasn't started yet. Regarding a timeline, Ms. Manwaring said she could put together an outline of necessary steps for Council after the first of the year.

Motion by Councilmember Dozeman to award Contract to Barker Rinker Seacat Architecture in the amount of \$352,255 for Anderson Park Renovation design and construction documents; seconded by Councilmember Fitzgerald.

Pond noted that the dimensions for a men's field do not accommodate women's sports. He will support finding another location in the city for a men's baseball field.

The motion carried 5-1, with Councilmember Urban voting no.

8. Motion to award a Contract for Professional Services in the amount of \$865,683 to AECOM Technical Services, Inc., Greenwood Village, CO, for the initial period of December 1, 2017- December 31, 2018 for ongoing program management services for the Investing 4 The Future Program

This contract is for management services for three 2E projects: the I-70hook ramps, the widening of Wadsworth, and infrastructure improvements in the Ward Station area.

Councilmember Duran introduced Item 8

Staff Reports

Mr. Brink explained the consultant is to be an extension of staff as we don't have the manpower and expertise for an interstate project. Services will include the review and management of these construction projects will include a good bit of private redevelopment. There will be land use cases and site development plans to review – making sure public and private construction is done correctly.

Councilmember Urban asked how we will interact with the public or other entities (RTD, CDOT, Denver Water). Mr. Brink said the consultant will be responsible for interaction with other agencies under the supervision of our staff. The consultant will do nuts and bolts work, but staff will be involved and keep Council updated. He noted they will be back in a year to update this, as this is only a one-year contract. Public notification is a big component of the contract.

Councilmember Urban stated he would like to see the City be the face of the services and the interaction with the public – that interaction be with staff, not the consultants. He also asked what decision making powers they will have?

Mr. Brink assured that staff will be the front face. The consultants will do the nuts and bolts behind the scenes; City staff will be accountable to the public at meetings, etc.

Motion by Councilmember Duran to award a contract for professional services in the amount of \$865,683 to AECOM Technical Services, Inc., Greenwood Village, CO, for the initial period of December 1, 2017- December 31, 2018 for ongoing program management services for the Investing 4 the Future Program; seconded by Councilmember Davis; carried 6-0.

CITY MANAGER'S MATTERS

Mr. Goff announced that CDOT will be hosting a public meeting this Thursday on the design for the I-70 & Kipling intersection from 5-7pm at the Rec Center. ~ He also reported receiving official notice from FEMA that the City received an upgrade to Class 5 in the national flood insurance program. This will qualify some properties in the flood

plain to now receive 25% discount on their flood insurance. Very few cities in Colorado are Class 5 and he recognized the efforts of Mark Westberg for this classification.

CITY ATTORNEY'S MATTERS

Mr. Dahl told Council he had looked again at Item 3 on the indemnification process Mr. Urban asked about. He sees there are indeed some things that should be changed. That will be fixed before 2nd Reading, and he thanked Mr. Urban for catching this.

ELECTED OFFICIALS' MATTERS

Treasurer DiTullio

- He noted the new roofing permits and inspection report distributed to the council. He went through some of the numbers. He noted this report only includes residential roofs done by contractors. Commercial and homeowners' permits will be an additional source of revenue that will be added to the report next time.
- He thanked Councilmember Davis for adding Air B&B's to the survey. He recommended adding to the survey a question asking the public if they think Air B&B's should be subject to short term lodging tax, as is the case in Denver. We have at least 80 Air B&B's that we know of in the City; he thinks the lodgers' tax would be fair.
- He asked Council to consider using the extra revenue from the roofing permits for a matching grant program for dead and dying trees. Some are eyesores, some are dangerous and many people can't afford to have them cut down.

Clerk Shaver reported on her participation in the Risk Limiting Audit (RLA) on Nov 18 and Canvass on Nov 22. Both are required exercises related to the recent coordinated election.

Leah Dozeman announced a Pennington community stakeholders meeting this Wednesday, November 29 from 5-6pm at the school. Also that same night, the Jefferson County Business League is having a meet and greet for elected officials from 5:30 -7:30 at Rockley's Music.

Monica Duran invited residents to the holiday celebration on The Ridge hosted by Localworks on Saturday, December 2 from 3-7pm. ~ There will be a Gingerbread House decorating contest at the WR Library on December 9 from 1:30-3:30. To register for the contest go to the library or call 303-235-5275.

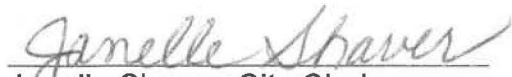
Kristi Davis said activities at the holiday lighting will include pictures with Santa, free horse-drawn hayrides, hot chocolate and cookies, crafters and artists selling wares at the Artisan Market, and some local restaurants providing food. Folks are encouraged to bring a non-perishable food item to the Grange for the local food bank.

Zachary Urban invited everyone to Anthony's M Vision Gold grand reopening since the hailstorm on December 1 from 6-9pm at 44th & Pierce. Also on Sunday, December 3 from 1-5pm the WR Co-op is having a holiday bazaar. They are at 7250 W 38th Ave.

Mayor Starker thanked the HEAL Team for the award, Ms. Dozeman for her work with the Carnation Parade, and Mr. DeMott for chairing the very successful Carnation Festival. ~ He reported he would be taping a TV segment on channel 31 this Thursday to promote our Christmas Festival on December 2. ~ He encouraged everyone to drive a bit slower these days with the early darkness and watch out for the children.

ADJOURNMENT

The City Council Meeting was adjourned at 8:23pm.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON January 8, 2018


Tim Fitzgerald, 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.