

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

July 8, 2019

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

Zachary Urban	David Larry Kueter	Leah Dozeman
George Pond	Larry Mathews	Janeece Hoppe

Absent: Kristi Davis (excused) and Amanda Weaver (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Police Chief, Daniel Brennan; Community Development Director, Ken Johnstone; City Treasurer, Chris Miller; other staff, guests and interested citizens.

PROCLAMATIONS AND CEREMONIES

Chief Dan Brennan Retirement

Mayor Starker read the proclamation recognizing **Chief of Police Dan Brennan** for his 42 years of dedicated service in law enforcement. The last 14 and a half years have been with the City of Wheat Ridge Police Department.

John Camper, Director of the CBI and current chair of the Colorado Association of Chiefs of Police, read a summary of Chief Brennan's many achievements through the years and presented to him an award for his leadership, innovation and collaboration.

Chief Brennan expressed thanks for the honors and said he feels humbled by it. He thanked his staff, the City managers, members of the PD and the commitment they bring to the job every day, elected officials past and present, and the citizens and stakeholders in the community. It has been a pleasure and honor to serve this community. He also thanked his wife and family for their support.

First opportunity for public input on the 2020 Budget

Mayor Starker announced this would be taken under Citizens Right to Speak

APPROVAL OF Council Minutes of June 24, 2019 and Study Session Notes of May 6, 2019

There being no objections, the City Council minutes of June 24, 2019 and Study Session Notes of May 6, 2019 were approved as published.

APPROVAL OF AGENDA**CITIZENS' RIGHT TO SPEAK**

Perry Minkler (WR) said she and her husband are considering moving from WR because their new neighbors at 4005 Independence Ct. have 11-12 vehicles, tow trucks, inoperable vehicles that are being traded out of the home, towing vehicles in and out of the home. The CSO's have talked to them, but the problem isn't fixed. There's also another neighbor running a junk businesses out of his home. She implored the City to take some action.

Cloridus Winegart (WR) reported that at 4005 Independence people moved in last month with several large U-Haul trucks. It looks like a car junk yard. They have a traffic signal in their back yard and there are many vehicles. They're even using the church parking lot for junk cars and tow trucks. It's a mess and is lowering the value of neighboring homes. This property is constantly busy - moving things day and night, pounding, clanking, metal on metal. She hopes something can be done. She verified the house at 3930 is also a problem. He had his two Akia dogs taken away- only after they bit a Denver officer with her dog. This man also sells cars from his property.

Councilmember Mathews reported that complaints have been filed about this property and CSO's are working on it. There has been some mitigation, but there are still things to address. Mr. Goff said he will check in the morning to see why this isn't finished yet.

1. CONSENT AGENDA

- a. Motion to award the purchase of and subsequent payment for twenty-five mobile data computer replacements in the amount of \$79,000.00 to Malor and Company, Inc. in New York, New York [*budgeted*]

Councilmember Hoppe introduced the Consent Agenda.

Motion by Councilmember Hoppe to approve the Consent Agenda item a.); seconded by Councilmember Urban; motion carried 6-0.

PUBLIC HEARING AND ORDINANCES ON SECOND READING

2. Resolution No. 39-2019 – A Resolution approving a major subdivision plat with right-of-way dedication for property zoned Planned Residential Development (PRD) and located at 4440 Tabor Street (Case No. WS-18-03 / Clear Creek Terrace)

The applicant requests approval of a major subdivision with right-of-way dedication for an approximately 2.09-acre property to establish lot lines, tracts, easements, and right-of-way dedication for a 26-unit townhome development.

Councilmember Dozeman introduced Resolution 39-2019.

Mayor Starker opened the public hearing and swore in the speakers.

Staff Presentation - Planner **Scott Cutler**

- Mr. Cutler entered into the record the case file, the subdivision regulations, and the contents of the digital presentation.
- He testified that all posting and notification requirements had been met.
- The 2.09 acres just east of Tabor Street and north of 44th is vacant.
- Surrounding uses and zoning are mixed.
- Proposed townhome subdivision includes:
 - 26 lots across 5 buildings (three 6-unit, two 4-unit)
 - 4 tracts that are commonly maintained,
 - ROW dedication on Tabor Street, with added pavement and sidewalks
 - Utility and drainage easements with landscaping
- City Council approved this rezoning on April 8; 26 units are allowed
- Planning Commission reviewed and approved the Specific Development Plan (site plan and architectural design plan) on June 20.
- This subdivision is the last step in the process.
- An adjacent proposed development to the southeast has separate ownership and different zoning. If both move forward, there is the potential for cross-access and multiple access points to better distribute traffic and help with emergency access.
- Easements for sanitary, drainage, water, utility and access are in the plat.
- Traffic
 - A traffic trip generation analysis was done for this and the adjacent parcel. The estimate of 16 trips in peak hours for the maximum potential of 44 units (for both developments) is well below the requirements for turn lanes.
 - Public Works concludes that no further traffic analysis is necessary and additional lanes are not appropriate.
 - There are plans for Tabor Street in the future to have a center turn lane.
- Outside agencies can serve the property and have no concerns.
- The 15-day public notice for this hearing generated no phone calls or letters.
- Staff and the Planning Commission recommend approval.

Public Comment No one came forward to speak.

Council Questions

Councilmember Dozeman asked the purpose of the subdivision.

Mr. Johnstone offered three reasons: 1) Create individual lots, 2) Dedicate ROW for improvements/sidewalks on Tabor Street, and 3) Dedicate out lots and easements.

She expressed concern about accepting fees in lieu of parkland dedication, and not providing enough green space in these high density areas.

Mr. Johnstone related that no parks are planned in this area, so he believes the Parks Department feels the fees provide resources for capital investment to

existing parks in the area. Also, the amount of parkland this project would generate would be small and maintenance would not be financially reasonable. She inquired about things the Planning Commission brought up.

- Connecting Tabor to Clear Creek Trail? No plans.
- Separated bike lane on Tabor? Not a separate facility; isolated to this project.

She drives this corridor daily. Backed up traffic is already a problem and the Tabor light is timed awkwardly.

Jordan Jeffries of Public Works testified that the intersection is being monitored. A warrant study begins tomorrow to determine if a signal is necessary.

Councilmember Mathews noted the close proximity of the signal at the I-70 ramp.

Mr. Jeffries indicated another signal is possible just a few hundred feet away at Tabor.

Councilmember Mathews gave two local examples of close traffic signals on Wadsworth that cause traffic to bog down.

Mr. Jeffries said those are CDOT roads and he could not address them. If a light is put at 44th & Tabor the City will make sure it coordinates with other lights.

Councilmember Dozeman asked for a timeline for the townhome project.

Steven Sundberg (Chatfield address), representative for the owner, said the owner would like to start in 2-4 months.

Councilmember Mathews noted how the new signal at 38th & Yukon already interferes with traffic flow. That is not a CDOT road and he advised that traffic lights in close proximity are notoriously difficult to keep timed for good flow.

Mayor Starker closed the public hearing.

Motion by Councilmember Dozeman to approve Resolution No. 39-2019, a resolution approving a major subdivision plat with right-of-way dedication for property located at 4440 Tabor Street and zoned Planned Residential Development (PRD) for the following reasons:

1. City Council has conducted a proper public hearing that meets all public notice requirements as required by Section 26-109 and 26-407 of the Code of Laws.
2. The requested subdivision has been reviewed by the Planning Commission, which has forwarded its recommendation of approval.
3. The subdivision plat has been found in compliance with Article IV of Chapter 26 of the Code of Laws.
4. All agencies can provide services to the property with improvements installed at the developer's expense.

and with the following conditions:

1. Prior to recordation, the applicant shall pay the required fees-in-lieu of parkland dedication.
2. The developer shall enter into a subdivision improvement agreement and a lot sale restriction covenant agreement prior to recordation of the subdivision plat.

3. Prior to issuance of building permits, the developer shall provide homeowner's association covenants for review and approval by staff.

seconded by Councilmember Hoppe; carried 5-1, with Councilmember Mathews voting no.

DECISIONS, RESOLUTIONS AND MOTIONS

3. Motion to ratify Mayoral appointments to the Wheat Ridge Urban Renewal Authority

Motion by Councilmember Pond to ratify the District III Mayoral appointment of Marsha Hughes to Renewal Wheat Ridge, term to expire March 2, 2024; seconded by Councilmember Hoppe.

Ms. Hughes greeted those she already knows. She appreciates the opportunity to serve.

The motion carried 6-0.

CITY MANAGER'S MATTERS

Patrick Goff apologized for the heat in the room tonight. The HVAC system broke down this afternoon. A new part is on order. ~ He also announced the new Director for Parks & Recreation has been hired. She is Karen O'Donnell, a recreation manager from Commerce City, and she starts July 29.

CITY ATTORNEY'S MATTERS

ELECTED OFFICIALS' MATTERS

Clerk Shaver complimented Mr. Goff for recent safeguards that have been put in place at City Hall to increase employee safety. They are frugal yet effective, and much appreciated by all.

Larry Mathews congratulated Chief Brennan on his retirement. While they have not always agreed on methods, he knows in his heart that the Chief has always had the welfare of the City at the base of everything he has done. ~ He also thanked the constituents who had the courage to come forward tonight to peak about code enforcement issues. He appreciates them and noted there is a lot of work to do.

Zach Urban appreciates Chief Brennan's passion and dedication. Officers have shared they have a great deal of respect for him, and that says a lot. He thanked the Chief for all he's done.

Leah Dozeman echoed thanks to Chief Brennan for his service. She has enjoyed working with him on the Carnation Festival and Parade.

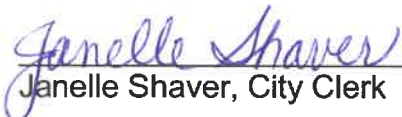
Janeece Hoppe thanked the Chief. She appreciates his leadership and openness about things happening in the community. He will be missed.

George Pond gave a District 3 shout out to Chief Brennan. He appreciates him on multiple levels, and is honored to be able to talk to him over the fence as a neighbor.

Mayor Starker added his thanks to Chief Brennan. His talents have been valuable to the City. He has been a good friend and mentor, and the Mayor looks forward to his continued contribution to our community. ~ He also gave a shout-out and thank you to the Recreation Department and their children's program for inviting him to yoga with goats. It was a great time.

ADJOURNMENT

The meeting adjourned at 8:48pm.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON October 28, 2019


Janeece Hoppe, 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.