

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

December 9, 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	Judy Hutchinson	Amanda Weaver	Leah Dozeman
Rachel Hultin	Korey Stites	Janeece Hoppe	Valerie Nosler Beck

Also present: City Clerk, Steve Kirkpatrick; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Division Chief Lorenz; Community Development Director, Ken Johnstone; other staff, guests and interested citizens.

APPROVAL OF Study Session Notes of November 18, 2019

The City Council minutes of the Study Session Notes of November 18, 2019 were approved as published, with two changes. Ms. Hoppe asked that the minutes for item regarding massage service businesses reflect in the consensus “that the first reading only occur following public outreach to stakeholders in that business sector”. Ms. Hultin asked that the minutes also reflect that licensing fees will represent a significant portion of the revenue for regulating massage businesses. Ms. Hultin also wanted to add this sentence with respect to Ms. Howard’s comments during Citizens Right to Speak. “Ms. Howard also mentioned that the Foothills Animal Shelter depends on the revenue from individuals licensing their pets to fund the majority of their annual overhead budget.”

Without objection, the changes to the minutes is entered into the record.

PROCLAMATIONS AND CEREMONIES

Presentation of Patrol vehicle Unit 1 Renovation video by Division Chief Lorenz commemorating the first police car put into service in Wheat Ridge in 1969 began at 7:47 pm.

APPROVAL OF AGENDA

Without objection, the Agenda for this meeting was approved.

CITIZENS’ RIGHT TO SPEAK

Chris Chidley (WR) spoke on two issues. He asked that the City review for further consideration and possible Code changes ordinances related to subdivisions of fewer than three lots.

He also urged Council to enact ordinances raising the legal age to purchase tobacco products and vaping products to 21. He expressed strong concerns related to the health of young residents, not only because of possible nicotine addiction but also because of recent epidemics of health problems from vaping.

Roger Loecher (WR) rose to speak about RoW purchases along Wadsworth Boulevard to acquire property for the Wadsworth redevelopment and widening project. He distributed 25-foot retractable tape measures to all present on Council and staff. Then he asked that each person measure 25 feet from their front porch toward the street, to see how much of their property they would have to sacrifice to allow a street expansion.

He also expressed concerns that continuous flow interchanges at street intersections will create more problems than they solve, in his opinion.

1. CONSENT AGENDA

Councilmember Hutchinson introduced the Consent Agenda.

- a. Resolution No. 64-2019, a resolution approving a contract with the Colorado Department of Transportation regarding improvements at the intersection of State Highway 72/Ward Road and W 52nd Avenue
- b. Resolution No. 65-2019, a resolution approving the restatement of the City of Wheat Ridge Money Purchase Pension Plan for designated police department employees

Motion by Councilmember Hutchinson to approve Consent Agenda Items a.) And b); seconded by Councilmember Mr. Urban; motion carried 8-0.

PUBLIC HEARING AND ORDINANCES ON SECOND READING

2. Council Bill 20-2019 – An Ordinance approving conveyance of real property to the City of Arvada, and in connection therewith approving termination of an easement agreement and conveyance of real property to the City

The Mountain Gateway project in the City of Arvada on the west side of Robb Street requires additional right-of-way (ROW) to construct Robb Street. The City of Arvada is also requesting that easements rights be extinguished. In addition, the Mountain Gateway project will be dedicating property to the City in order to expand the Ridge Road Regional Pond to provide the required storm water detention.

Councilmember Nosler Beck introduced Council Bill 20-2019.

City Clerk Kirkpatrick assigned Ordinance 1678

Mayor Starker opened the public hearing. No citizens came forward to address this proposed action.

Staff Presentation

Addressed the location and description of the parcels impacted by the proposed change effected in the ordinance (and the ordinance in the next agenda item). .

Public Comment No one came forward to speak.

Council Questions

None were asked.

Mayor Starker closed the public hearing.

Motion by Councilmember Nosler Beck to approve Council Bill 20-2019, an ordinance approving conveyance of real property to the City of Arvada, and in connection therewith approving termination of an easement agreement and conveyance of real property to the City on second reading, and that it take effect immediately upon Council adoption, seconded by Councilmember Urban; motion carried 8-0.

3. Council Bill 22-2019 – An Ordinance amending the Wheat Ridge Code of Laws concerning contributions to the Police Pension Fund

The 2020 budget, authorized by City Council on October 14, 2019, appropriates funds to increase the City's contribution to sworn employees' pension by 0.5% for a total contribution of 10.5%. As the current contribution (10%) is specified in the City's code along with an equal match by employees, a code amendment is necessary to operationalize Council's intent.

Councilmember Stites introduced Council Bill 22-2019.

City Clerk Kirkpatrick assigned Ordinance 1679

Mayor Starker opened the public hearing. No one came forward to comment.

Staff Presentation

Mr. Goff explained the change in already included in the 2020 City Budget and the reason why an Ordinance is required to implement the increase in police pension contribution by the City.

Public Comment No one came forward to speak.

Council Questions

Mr. Urban asked how this change compares with other cities. Mr. Goff stated that the average among nearby cities is 11.5-12.0%, and that the plan is to increase the City's contribution by 0.5% each year for the next 2 fiscal years.

Mayor Starker asked for an explanation of the changes to the ordinance related to plan participants' contributions, and Mr. Goff explained the reasons and purpose.

Mayor Starker closed the public hearing.

Motion by Councilmember Stites to approve Council Bill 20-2019, an ordinance amending the Wheat Ridge Code of Laws concerning contributions to the Police Pension Fund on second reading, and that it effect 15 days after publication, seconded by Councilmember Hoppe; motion carried 8-0

ORDINANCES ON FIRST READING

4. Council Bill 22-2019 – An Ordinance approving the annexation of land located in Section 17, Township 3 South, Range 69 West of the sixth principal meridian, County of Jefferson, State of Colorado (Case No. ANX-19-01).

Improvements to 52nd Avenue have been identified and prioritized as an infrastructure project for the Wheat Ridge · Ward Station area and were specifically listed in the ballot language for the 2016 2E sales tax bond measure. Jefferson County owns two segments of the northern portion of 52nd Avenue right-of-way between Ward Road and Tabor Street, consisting of approximately 1.14 acres. Annexation of the Jefferson County right-of-way into the City of Wheat Ridge will simplify the design, construction and future maintenance of this segment of 52nd Avenue. Jefferson County submitted an annexation petition to the City on October 11, 2019. The annexation process is dictated by state statute, and this ordinance is a required step for approval.

Councilmember Hultin introduced Council Bill 22-2019.

Motion by Councilmember Hultin to approve Council Bill 22-2019 - an ordinance approving the annexation of land located in Section 17, Township 3 South, Range 69 West of the sixth principal meridian, County of Jefferson, State of Colorado (Case No. ANX-19-01), on first reading, order it published, public hearing set for Monday, January 13, 2019 at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Councilmember Urban; carried 8-0.

5. Council Bill 23-2019 – An Ordinance approving the initial zoning of property recently annexed into the city and located in Section 17, Township 3 South, Range 69 West of the sixth principal meridian, County of Jefferson, State of Colorado to Industrial Employment (I-E), Mixed Use – Commercial Transit Oriented Development (MU-C TOD), and Mixed Use – Neighborhood (MU-N) (Case No. WZ-19-08 / 52nd Ave Zoning)

Jefferson County is requesting approval of Industrial Employment (I-E), Mixed Use – Commercial Transit Oriented Development (MU-C TOD), and Mixed Use – Neighborhood (MU-N) zoning for right-of-way located along the north portion of 52nd

Avenue, between Ward Road and Tabor Street, comprising 1.14 acres of land. This property is concurrently being considered for annexation. The zoning is proposed to match the zoning of the adjacent properties on the south side of 52nd Avenue that are currently within the City of Wheat Ridge boundary.

The property being considered for annexation and zoning will be used only for infrastructure improvements as part of the City's Investing 4 the Future bond program and will be deeded to the City of Wheat Ridge.

Councilmember Urban introduced Council Bill 23-2019.

Motion by Councilmember Urban to approve Council Bill 23-2019 - an ordinance approving I-E, MU-C TOD, and MU-N zoning on property being considered for annexation to the City of Wheat Ridge, on first reading, order it published, public hearing set for Monday, January 13, 2019 at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication; seconded by Councilmember Stites; carried 8-0.

DECISIONS, RESOLUTIONS AND MOTIONS

6. Motion to award a contract and approve subsequent payments to MIG, Denver, CO, in an amount not to exceed \$175,000 for professional services for the 44th Avenue subarea plan

Funds were previously budgeted to complete a 44th Avenue subarea plan, and this priority was reaffirmed by the updated Neighborhood Revitalization Strategy (NRS) which identifies the corridor as a high priority planning effort. On October 18, 2019 the firm MIG was selected by the City's established procurement process to perform the required professional services for completion of the subarea plan.

Councilmember Dozeman introduced Item 6.

Staff Presentation

Mr. Johnstone explained the details of the proposed consulting contract and the reasons for it, including reasons for selecting the chosen consulting firm. He stated the funds are already in the 2020 City budget previously approved by the Council.

Public Comment – No one came forward with a public comment.

Council Questions

Ms. Hoppe asked for an explanation of the process for appointing hearing committees, and Mr. Johnstone explained the current state of developing and planning the implementation of the process.

Ms. Hultin asked questions about the traffic studies contemplated in this project, and asked whether multi-modal transportation is included in the study. The answer from Mr. Johnstone was affirmative.

Ms. Hultin also asked whether this project will also examine impacts of other current projects, including the Wadsworth Redevelopment. Again, the answer was affirmative.

Mr. Urban asked about the extent of the project, from which streets on each end. Mr. Johnstone answered.

Ms. Hoppe expressed a concern that the project also looks at inputs from various other commissions and groups.

Motion by Councilmember Dozeman to award a contract and approve subsequent payments to MIG, Denver, CO, in an amount not to exceed \$175,000 for professional services for the 44th Avenue subarea plan; seconded by Councilmember Nosler Beck; carried 8-0.

7. Motion to approve the at large, elected City official Mayoral appointment of Councilmember Janeece Hoppe to the Wheat Ridge Urban Renewal Authority Board.

The members of Wheat Ridge Urban Renewal Authority (the "Authority") are appointed by the Mayor subject to approval by a majority vote of the entire City Council. Former Councilmember Kristi Davis served on the Authority representing the at large, elected city official seat. Ms. Davis' City Council term expired on November 18, 2019. The Mayor is appointing Councilmember Janeece Hoppe to fill the vacant at large, elected City official seat.

Mayor Starker introduced Item 7. Councilmember. Urban moved to approve the Mayor's appointment, seconded by Councilmember Stites. Motion carried 8-0.

Motion by Councilmember Urban to approve the at large, elected City official Mayoral appointment of Councilmember Janeece Hoppe to the Wheat Ridge Urban Renewal Authority Board; seconded by Councilmember Stites; carried 8-0.

CITY MANAGER'S MATTERS

Mr. Goff announced that recruitment of a Police Chief is down to 2 candidates, who will appear at a public forum on December 18-19, in City Council Chambers.

CITY ATTORNEY'S MATTERS

Nothing.

ELECTED OFFICIALS' MATTERS

Ms. Hutchinson expressed appreciation for the holiday lighting now on display.

Ms. Nosler Beck thanked Local Works for the holiday lighting event, which she believed was enjoyable and interesting to everyone. She also congratulated Ms. Hoppe on appointment to the Urban Renewal Authority.

Mr. Urban and Ms. Dozeman echoed the sentiments previously expressed to Local Works. She also expressed appreciation for volunteer work on the Carnation Festival.

Ms. Hultin expressed appreciation for the renovation of Wheat Ridge Police Car #1. She also encouraged Wheat Ridge citizens to consider holiday shopping at local Wheat Ridge businesses.

Mr. Stites echoed the sentiments expressed previously about Local Works.

Ms. Hoppe also echoed these same sentiments. She also thanked the volunteers who made the evening special.

Mayor Starker also expressed his appreciation for all the work that went into the lighting ceremony last Saturday. He also expressed the hope that citizens will shop locally.

He also asked that drivers pay close attention to pedestrians, especially children, now that darkness falls about 5 PM.

ADJOURNMENT

The meeting adjourned at 8 pm.



Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON January 27, 2020



Janece 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.