

City Council Meeting Minutes

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

June 28, 2021

Note: This meeting was conducted both as a virtual meeting and hybrid, where some members of the Council or City staff were physically present at the Municipal building, and some members of the public attended in person as well. All eight members of Council were present in Council Chambers for this session. Before calling the meeting to order, Mayor Starker stated the rules and procedures necessitated by this meeting format.

Mayor Starker called the Regular City Council Meeting to order at 7:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ROLL CALL OF MEMBERS

Janeece Hoppe Judy Hutchinson Zachary Urban Rachel Hultin
Korey Stites Valerie Nosler Beck

Also present: City Clerk, Steve Kirkpatrick; City Treasurer Chris Miller; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Administrative Services Director, Allison Scheck; Police Chief Chris Murtha; Director of Community Development, Ken Johnstone; Director of Parks and Recreation, Karen O'Donnell; Assistant to the City Manager, Marianne Schilling; Scott Cutler, City Planner; Kiva Hummel, Director of Civic Engagement from the National League of Cities; other staff, guests and interested citizens.

Councilmembers Weaver (traveling out of the country) and Dozeman (ill) did not attend.

PROCLAMATIONS AND CEREMONIES

All- America Award Proclamation

Councilmembers Nosler Beck and Hultin stood to thank those who worked so hard on this Award application. They explained what the Award means and how distinguished Wheat Ridge is as one of ten Award recipients for 2021 among more than 2,300 cities in America.

An audience of some 40 people enjoyed one of the three videos Wheat Ridge submitted to the AAC Award Jury. On the video soundtrack the City Poet read a poem entitled *Tree City*.

Congressman Ed Perlmutter, a Wheat Ridge native, sent a congratulatory note the City, which Councilmember Nosler Beck read. Senator Hickenlooper sent a video

congratulating the City, noting that Wheat Ridge continued to achieve great things during the pandemic.

Mayor Starker read the proclamation and thanked all of those who worked so hard on winning the AAC Award, and what an accomplishment the Award represents, followed by a standing ovation from about 40 people who attended.

Ms. Kiva Hummel congratulated the City and recapped the process the City completed to win the AAC Award. The jury was very impressed with our inclusiveness, short- and long-term strategy and our teamwork.

She presented the official plaque that will be displayed in City Hall.

Park and Recreation Month Proclamation

Mayor Starker Proclaimed the month of July as Parks and Recreation Month in the City of Wheat Ridge. The proclamation summarized all of the benefits and return on effort that municipal recreation provides to residents of our City.

Ms. O'Donnell and several Parks and Recreation staff came forward to accept the proclamation, and congratulations for outstanding work in providing our residents access to recreational facilities and to clean, inviting city parks during the pandemic.

Thomas Abbott Proclamation

Mayor Starker read a proclamation expressing the City of Wheat Ridge's appreciation to Thomas Abbott, who has dedicated 35 years of service with an unwavering commitment to the City's Boards and Commissions. Mr. Abbott came forward to accept the proclamation, which detailed his many, many contributions as a member of our boards and commissions. He has served consistently and reliably on a variety of our boards and commissions selflessly contributing to the quality of life in our City.

Juneteenth Proclamation

Mayor Starker proclaimed June 19, 2021 as Juneteenth in Wheat Ridge, commemorating the end of slavery in America. On June 19, 1865 Federal troops arrived at the port of Galveston, TX, where the locals had continued to practice enslavement despite the Emancipation Proclamation, signed by President Abraham Lincoln on January 1, 1863. With the arrival of the Federal troops, the freedom of the last people subjected to slavery in the United States was finally assured.

This holiday commemorates the events of June 19, 1865 and recognizes the history of African American people's contributions to our great nation. Members of Wheat Ridge for Equity attended to accept the proclamation and further describe the significance of this newly declared National Holiday.

In 2018 the people of Colorado voted by a 65% majority to remove the phrase, "...involuntary servitude or slavery except upon conviction of a crime," from our State Constitution.

APPROVAL OF MINUTES

Without objection or correction, the City Council Minutes of June 14, 2021; Special Study Session notes of June 14, 2021 and City Council Study Session Notes of June 21, 2021 were approved as published.

APPROVAL OF AGENDA

Without objection or correction, the agenda stood as announced.

PUBLICS' RIGHT TO SPEAK

Derrick Nedzel, 4460 Yarrow St. He came to represent his neighborhood and seek help with constant problems related to vehicular traffic moving at excessive rates of speed along their streets. He and his neighbors are circulating a petition to present to the City. He specifically asked for speed bumps.

Guy Nahmiach, 3850 Ward Road. He came to thank the people of Wheat Ridge, the City executives and other staff for their help making the Neighborhood Gazette, according to the recent resident survey, the most popular and often used source of local news and information.

Note about Wheat Ridge Speaks:

Citizens may visit the Wheat Ridge Speaks website and enter written comments of up to 1,000 words on any Council agenda item. The deadline for citizens to submit comments is 12:00 Noon Mountain Time on the day of a Council session so that Council members, other elected officials and City Staff have time to review the comments before the meeting on Monday evening.

The City Clerk's Office transcribes those Wheat Ridge Speaks comments into these minutes, placing each comment along with the record for that agenda item, including items that address a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech).

The following comments related to tonight's agenda items appeared in WR Speaks:

I live on the 4400 block of Yarrow Street. Our residents group has been trying to get speed bumps installed on our block for two years. We have submitted the required list of signatures from the owners of property on the block. The Wheat Ridge Police confirmed the speeding problem on our block last year. Our block is a major right of way from 44th avenue to the Yukon Court Apartments, so we have more traffic than a normal block in Wheat Ridge and we regularly have cars going full blast down our street, 50-60 mph is not uncommon. After two years of waiting, we need the city's help in getting speed bumps installed. Our neighboring streets already have speed bumps, and resident on the 4400 block of Zephyr told us theirs were installed very quickly after the city received the request.

The block residents and I are concerned that once the Wadsworth project is started, our request will go to the bottom of the priority list.

June 27, 2021, 1:12 PM

Derrick Nedzel
4460 Yarrow St

Wheat Ridge, 80033

My name is Valarie Abney and I live at 4455 Yarrow. Many of my neighbors and I attended an informational meeting 2 and a half years ago about installing speed humps on our street. We have completed all requirements and have been patient. Our patience is running out. The problem is now much worse with speeding cars and motorcycles all day and all night. 6 of us have volunteered to come and speak at the meeting to the Mayor about this as we are losing confidence that unless we begin to actively pursue this nothing is going to happen. 2 and a half years is more than enough time to help us with this. We would like to see it done as soon as possible.

June 26, 2021, 1:32 PM

Valarie Jeanne Abney

4455 Yarrow St.

WHEAT ridge, 80033

CONSENT AGENDA – No items this evening.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

Discussion began at approximately 7:50 PM

1. Resolution No. 34-2021 – A Resolution approving a major subdivision with two (2) lots and dedication of a public street at 4100 Wadsworth Boulevard in the Mixed Use – Commercial (MU-C) zone district

Councilmember Urban introduced Resolution No. 34-2021.

Issue

The applicant is requesting approval of a major subdivision on property located at 4100 Wadsworth Boulevard. The purpose of the request is to subdivide the property into two lots. As part of the subdivision, Staff is requesting dedication of right-of-way to accommodate a full-width public street on the eastern portion of the property, designated as Vance Street.

Mayor Starker opened the public hearing, and announced that this hearing is quasi-judicial, and all who testify by their act of testifying acknowledge that they are bound by law to speak the truth.

Staff Presentation

Scott Cutler gave a detailed presentation and entered into the records the case for a major subdivision that was previously heard and approved by the Planning Commission. Among many details, he explained that this subdivision approval does not involve a zoning change. He discussed the changes in right of way (ROW) along nearby streets by dedicating more streets as access to the proposed subdivision.

Public Comment

No one came forward to speak.

Council Questions and comments

Councilmember Hultin asked how the plan includes some ROW that are streets and others are allies. Mr. Cutler gave a detailed response.

Councilmember Hutchinson asked how the construction on this property will impact nearby homes and businesses. She expressed concerned about residents' safety. Who in the City will oversee the construction process to ensure compliance with Code, especially building code and public safety considerations? Mr. Goff responded to her concerns with details about who, how and when oversight will occur during construction.

Mayor Starker closed the public hearing.

Motion by Councilmember Urban to approve Resolution No. 34-2021 – A Resolution approving a major subdivision with two (2) lots and dedication of a public street at 4100 Wadsworth Boulevard in the Mixed Use – Commercial (MU-C) zone district 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. The developer shall enter into a Subdivision Improvement Agreement with the City at the time of recordation of the subdivision plat.
2. The applicant shall pay the required fees-in-lieu of parkland dedication at time of building permit, if residential development occurs.
3. Minor corrections to the plat labelling and symbology as requested by the Engineering Division shall be made prior to recordation of the plat mylar:

seconded by Councilmember Hultin, motion carried 6-0.

ORDINANCES ON FIRST READING

Discussion began at 8: pm.

2. Council Bill No. 10-2021 - An Ordinance amending Chapters 2 and 26 of the Code of Laws of the City of Wheat Ridge to prohibit tents and makeshift

structures within the floodplain and to amend the floodplain permitting and variance processes.

Councilmember Hoppe introduced Council Bill 10-2021.

Issue

Mile High Flood District (MHFD) regulations specifically prohibit tents and makeshift structures in the floodplain due to numerous public safety issues. Staff is requesting that Council amend the City's floodplain regulations in Chapter 26 to adopt similar regulations.

In addition, staff is seeking to improve the approval process for Class II Floodplain Permits and the appeal process of Floodplain Manager's decisions. Among the changes, staff is proposing to remove the Board of Adjustment (BOA) as the review and approval body for floodplain permits and to add the Building Code Advisory Board (BCAB) as the body to hear appeals.

Motion by Councilmember Hoppe approve Council Bill 10-2021- an ordinance amending Chapters 2 and 26 of the Code of Laws of the City of Wheat Ridge to prohibit tents and makeshift structures within the floodplain and to amend the floodplain permitting and variance processes., on first reading for the sole purpose of ordering it published for a public hearing set for July 12, 2021 at 7 p.m. as a virtual meeting and in City Council Chambers, 7500 W. 29th Avenue, if allowed to meet in person on that date per COVID-19 restrictions and that it take effect upon adoption; seconded by Councilmember Stites; motion carried 6-0.

3. Council Bill No. 11-2021 – An Ordinance adopting section 16-70 of the Wheat Ridge Code of Laws concerning pedestrian use of roadway center medians, and in connection therewith amending section 16-113, sales and solicitation in certain places prohibited

Councilmember Hultin introduced Council Bill 11-2021.

Issue

The City owns two buildings along Wadsworth Boulevard that were purchased in order to provide the necessary right-of-way for the Improve Wadsworth project. These two buildings need to be demolished in order for the street improvements to be constructed. Staff is requesting authorization from Council to demolish the buildings.

Motion by Councilmember Hultin to approve Council Bill 11-2021- an ordinance approving the disposal by demolition of city-owned buildings associated with the Improve Wadsworth Project, on first reading for the sole purpose of ordering it published for a public hearing set for July 12, 2021 at 7 p.m. as a virtual meeting and in City Council Chambers, 7500 W. 29th Avenue, if allowed to meet in person on that date per

COVID-19 restrictions, and if approved, that it take effect upon adoption; seconded by Councilmember Urban; carried 6-0.

DECISIONS, RESOLUTIONS AND MOTIONS

CITY MANAGER'S MATTERS

Nothing new this evening.

CITY ATTORNEY'S MATTERS

Nothing tonight.

ELECTED OFFICIALS' MATTERS

Councilmember Hoppe thanked all who worked so hard on the All-American City Award, which took hard work and close collaboration among the team.

Councilmember Nosler Beck announced a clean-up June 30 7:30 – 11:30 AM at 44th and Kipling.

Councilmember Stites thanked Mr. Abbot once again.

He also commented that we all need to take care with fireworks. If you can find it in Wheat Ridge, buy it in Wheat Ridge.

Councilmember Hultin thanked our Parks and Recreation staff for all their hard work. She reported progress on our application for grants to further enhance our recreational offerings.

City Clerk Kirkpatrick announced information related to the upcoming November 3 election.

Mayor Starker thanked Mr. Abbott. He also thanked all who worked so hard on the AAC application.

ADJOURNMENT TO SPECIAL STUDY SESSION

The meeting adjourned at 9:03 pm.



Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON July 12, 2021



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 by contacting the City Clerk's Office, as well as copies of Ordinances and Resolutions.