

City Council Meeting Minutes

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

July 26, 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 7:01 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
Amanda Weaver Korey Stites Leah Dozeman Valerie Nosler Beck

Also, present: City Clerk, Steve Kirkpatrick; City Attorney, Gerald Dahl; City Manager, Patrick Goff; City Treasurer, Chris Miller; Administrative Services Director, Allison Scheck; Police Chief Chris Murtha; Brandon Altenburg, Parks and Recreation; other staff, guests and interested citizens.

PROCLAMATIONS AND CEREMONIES

APPROVAL OF MINUTES

Without objection or correction, the City Council Minutes of July 12, 2021, Special Study Session of July 12, 2021, and City Council Study Session Notes of July 19, 2021 were approved as published with one correction made by City Clerk Kirkpatrick, to add Mr. DiTullio's comments to the July 12 Special Study Session notes on the proposed tree programs.

APPROVAL OF AGENDA

Without objection or correction, the agenda stood as announced.

PUBLIC'S RIGHT TO SPEAK

- a. First Opportunity for Public input on the 2022 Budget.

No one came forward to speak.

ISSUE:

Development of the 2022 budget is underway. An important phase of this process is inviting the public to provide input to City Council prior to the presentation of the 2022 proposed budget. This public input opportunity is the first of two; the second opportunity for public input will be during the regular City Council meeting on Monday, August 23, 2021. Members of the public are also able to provide input via the City's community engagement platform at www.WhatsUpWheatRidge.com

No citizens spoke to Council this evening on subjects not on the agenda.

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 agenda items were posted:

Item #1 - Council Bill No. 12-2021, an ordinance amending Chapter 7 of the Wheat Ridge Code of Laws concerning elections

Claudia Worth

I am hoping that there will be no changes to our election requirements! If it is required, the ballot could contain A place for the last 4 digits of the Soc. Sec. #

July 23, 2021, 2:01 PM

Item #4 - Resolution No. 37-2021, a resolution amending the Fiscal Year 2021 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$14,940 and to approve the Acknowledgement of Award Conditions with History Colorado's State Historical Fund planning and assessment rehabilitation work at the Pioneer Sod House."

Claudia Worth

I have been involved with the Soddy since it was saved. I am not sure what is wrong with the plaster inside, but it seems the plaster was put on at the restoration in 1983. The sod should be O.K.! If there are holes to the outside, it is probably from little creatures. In 2017. The valley had an infestation of Rats from the building of the of Wheat Ridge Animal Hospital. The plaster and sod would naturally absorb moisture over the years. Using the wood stove which we are no longer allowed to use would have controlled the humidity. There are a few extra sod blocks in the tool shed. Please share assessment with the Historical. SOCIETY! WEHAVE KEPT ALL THE INFORMATION ABOUT THE HISTORY OF THE SODDY THANK YOU

July 23, 2021, 2:22 PM

Item #5 - Resolution No. 38-2021, a resolution amending the Fiscal Year 2021 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$30,000 for the purposes of funding a Hazardous Tree Removal Grant Program for private property

Claudia Worth

I hope you will notify property owners before you take down any trees. I recommend that all people involved with trees in Wheat Ridge read the book The Hidden life of Trees.

July 23, 2021, 2:29 PM

1. CONSENT AGENDA

Discussion began at approximately 7:02 PM

Councilmember Hultin introduced the consent agenda.

- a. Motion to approve installation of traffic calming devices on Yarrow Street between 44th Avenue and 46th Avenue in accordance with the Neighborhood Traffic Management Program (NTMP)
- b. Motion to approve installation of a traffic calming devices on Ammons Street between 41st Avenue and 44th Avenue in accordance with the Neighborhood Traffic Management Program (NTMP)

Motion by Councilmember Hultin to approve Consent Agenda Items a.), and b.)

Seconded by Councilmember Weaver, motion carried 8-0.

Public Comment

Josie Mares, resident 4385 Ammons St. came to comment on speed bumps planned for installation on tonight's Consent Agenda. She is concerned that when children leave the nearby elementary school and walk by her home, they have no sidewalk on which to walk, ride, or skateboard. Children have to walk in the street, and she is worried that this represents a risk to the elementary aged children. She believes that because of the heavy local traffic on her block there is an unmitigated risk to the children.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

Discussion began at approximately 7:15 PM

2. Council Bill No. 12-2021 - An Ordinance amending Chapter 7 of the Wheat Ridge Code of Laws concerning elections

Councilmember Nosler Beck introduced Council Bill 12-2021.

Issue

This ordinance will revise the City's election chapter to conform to revisions in state election laws Mayor Starker opened the public hearing.

The Mayor reviewed the procedures. No citizens appeared in chambers to address this issue. There were none who wanted to speak through the Zoom format.

City Clerk Steve Kirkpatrick assigned Ordinance No. 1718

Staff Presentation

City Attorney Gerald Dahl spoke to the council bill and explained that the sole purpose of the changes in this proposed ordinance are to align with CRS and Federal election law.

City Clerk Kirkpatrick commented that this proposed ordinance will not change the way residents run for office or how our voters cast their ballots.

Public Comment

No one came forward to speak.

Council Questions and comments

Councilmembers had no further questions or comments.

Mayor Starker closed the public hearing.

Motion by Councilmember Nosler Beck to approve Council Bill No. 12-2021 - an ordinance amending Chapter 7 of the Wheat Ridge Code of Laws concerning elections, seconded by Councilmember Stites, motion carried 8-0.

ORDINANCES ON FIRST READING

Discussion began at approximately 7:20 PM

3. COUNCIL BILL NO. 13-2021 – AN ORDINANCE AMENDING CHAPTER 22 OF THE WHEAT RIDGE CODE OF LAWS, CONCERNING TAXATION, AND IN CONNECTION THEREWITH, APPROVING AN AGREEMENT WITH THE COLORADO DEPARTMENT OF REVENUE FOR USE OF THE DEPARTMENT’S SALES AND USE TAX SOFTWARE SYSTEM.

Councilmember Urban introduced this proposed Ordinance.

Issue

The Colorado Department of Revenue (DOR) recently developed and launched a software application, “SUTS” (Sales and Use Tax Software), to facilitate the collection of state and local taxes and to capture previously unreported or under-reported state and local taxes. In order to join the majority of Colorado home rule municipalities and adopt SUTS as a platform, some amendments to chapter 22 of the City’s Code are required along with the approval of a user agreement with the State of Colorado

Motion by Councilmember Urban to approve Council Bill No. 13-2021, an ordinance amending Chapter 22 of the Wheat Ridge Code of Laws, concerning taxation, and in connection therewith, approving an agreement with the Colorado Department of Revenue for use of the Department’s Sales and Use Tax Software System, on first reading, order it published, public hearing set for Monday, August 9, 2021 at 7:00 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 fifteen days after final publication. Motion seconded by Councilmember Hultin; motion passed 8-0.

DECISIONS, RESOLUTIONS AND MOTIONS

Discussion began at approximately 7:21 PM

4. **Resolution No. 36-2021 - A Resolution amending the Fiscal Year 2021 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$13,797 and to approve the Acknowledgement of Award Conditions with History Colorado's State Historical Fund for planning and assessment work at the Richards-Hart Estate**

Councilmember Hutchinson introduced Resolution 36-2021.

Issue

The City was awarded funding from History Colorado's State Historical Fund Planning Grant program for planning and assessment rehabilitation work at the Richards-Hart Estate. This Resolution will amend the General Fund budget to accept the grant in the amount of \$13,797 and will approve the Acknowledgement of Award Conditions.

Staff Presentation

Parks and Recreation Grant and Special Project Administrator Brandon Altenburg gave a detailed presentation on the grant process and scope of work to be involved.

Public Comment

No one came forward to speak.

Council Questions

Councilmembers had no comments or questions, having thoroughly reviewed and discussed the proposed action in two previous Study Sessions.

Councilmember Hultin thanked the staff for their work to get this grant.

Motion by Councilmember Hutchinson to approve Resolution No. 36-2021, a resolution amending the Fiscal Year 2021 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$13,797 and to approve the Acknowledgement of Award Conditions with History Colorado's State Historical Fund for planning and assessment work at the Richards-Hart Estate, seconded by Councilmember Hoppe, motion carried 8-0.

5. **Resolution No. 37-2021 - A Resolution amending the Fiscal Year 2021 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$14,940 and to approve the**

Acknowledgement of Award Conditions with History Colorado's State Historical Fund planning and assessment rehabilitation work at the Pioneer Sod House

Councilmember Dozeman introduced Resolution 37-2021.

Issue

The City was awarded funding from History Colorado's State Historical Fund Planning Grant program for planning and assessment rehabilitation work at the Pioneer Sod House. This Resolution will amend the General Fund budget to accept the grant in the amount of \$14,940 and will approve the Acknowledgement of Award Conditions.

Staff Presentation

Parks and Recreation Grant and Special Project Administrator Brandon Altenburg presented the issues and prior actions that included the Wheat Ridge Parks and Recreation Commission, Wheat Ridge Cultural Commission, Wheat Ridge Historical Society, and individual Historical Society members submitted letters of support for this project proposal and application in May-June 2021.

Public Comment

No one came forward to speak.

Council Questions

Councilmember Hoppe thanked the staff for all of their hard work and support.

Councilmember Dozeman asked when the next grant from this same fund may come before Council. Staff gave a detailed answer.

Motion by Councilmember Dozeman to approve Resolution No. 37-2021, a resolution amending the Fiscal Year 2021 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$14,940 and to approve the Acknowledgement of Award Conditions with History Colorado's State Historical Fund planning and assessment rehabilitation work at the Pioneer Sod House., seconded by Councilmember Nosler Beck, motion carried 8-0.

6. Resolution No. 38-2021 - A Resolution amending the Fiscal Year 2021 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$30,000 for the purposes of funding a Hazardous Tree Removal Grant Program for private property

Councilmember Weaver introduced the Resolution.

Issue

Consensus was reached by City Council at the July 12, 2021 special study session to appropriate \$30,000 in funding for a hazardous tree removal grant program for trees on

private property. Funding for this program is not included in the 2021 budget; therefore, a supplemental budget appropriation is required to appropriate the necessary funding.

Staff Presentation

Parks and Recreation Director Karen O'Donnell and Manager of Parks, Forestry and Open Space Zachary Lovato spoke to the program that was approved by council as to how the program will provide 50% matching grants up to \$1,500 per property. Where many times, the cost of hazardous tree removal is cost prohibitive to private property owners. Thus, the tree hazard remains in place.

By incentivizing hazardous tree removal, the private property owners not only mitigate their own liability to themselves and neighbors, but also create the opportunity to plant new replacement trees.

The Hazardous Tree Removal Grant Program would stipulate that only one tree removal is eligible every 5 years, and the tree must be removed by a tree care contractor that holds a license in good standing with the City. The City will also provide a list of pre-qualified tree service providers, but the property owner will not be required to utilize those contractors as long as the contractor of choice meets the aforementioned criteria.

Public Comment

No one came forward to speak.

Council Questions

Councilmember Nosler Beck asked staff how trees will be selected, declared dead? Mr. Goff explained that we will have an arborist evaluate each tree.

Councilmember Weaver commented that this program is only targeted for trees on private residents' property and not other locations.

Motion by Councilmember Weaver to approve Resolution No. 38-2021, a resolution amending the Fiscal Year 2021 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$30,000 for the purposes of funding a Hazardous Tree Removal Grant Program for private property, seconded by Councilmember Urban, motion carried 8-0.

CITY MANAGER'S MATTERS

Our third public meeting on the Lutheran Legacy Campus Plan will be held in Chambers on Tuesday, August 3 at 5:30 PM. It will be a virtual meeting as well as open to the public.

Mr. Goff also commented on the fourth wave of CoVid-19 currently in the news. The county is monitoring this situation and to date we have no worrisome trends. We will continue to monitor this situation, as will the county and state health authorities.

CITY ATTORNEY'S MATTERS

Nothing tonight.

ELECTED OFFICIALS' MATTERS

City Clerk Kirkpatrick reminded the public that there will be a Candidates' Orientation on Thursday, July 29th in Chambers at Noon to 1:00 p.m. The session is also virtual and will be recorded on Zoom and made available for viewing on the City's website.

Councilmember Nosler Beck supported the Clerk's comments on running for office.

Councilmember Hutchinson reported on a visit to Inner City Health Center open house at 38th and Kendall. She commented on the excellent services for both children and older residents. Medicare will cover the cost for those who need the assistance from the Center.

Councilmember Dozeman thanks Mr. Guy Nahmiach for his work on the Carnation Festival, which several members reminded us is August 13 and 14, 2021. She also announced a one mile run on Saturday morning, August 13, during the Festival. The course is a certified mile for those runners who are interest. Her cousin is on the USA rugby team currently competing in Tokyo.

Councilmember Hultin recognized Parks and Recreation for their work to make the sidewalk on the south side of Happiness Gardens such a pleasant place. She also commented on the Neighborhood Traffic Management Program and suggested it might be time for Council to revisit that program and consider any additions or changes, especially the feeder streets into major corridors. She proposed that Council add this program to a future Study Session for review; several other Councilmembers supported her suggestion.

Councilmember Stites echoed Mr. Goff's comments on the Lutheran Legacy Campus meeting. The next District III meeting that Councilmembers Stites, and Weaver are planning will occur sometime in August. If you can find it in Wheat Ridge, buy it in Wheat Ridge.

Mayor Starker attended a tree planting ceremony this morning in memory of Meredith Recker, a long-time City employee.

Take care on one another and drive with care.


ADJOURNMENT

The meeting adjourned at 7:43 pm.



Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON August 9, 2021



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 DVDs of the meetings are available for listening or viewing by contacting the City Clerk's Office, as well as copies of Ordinances and Resolutions.