

# **City Council Meeting Minutes**

**CITY OF WHEAT RIDGE, COLORADO**  
**7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**January 10, 2022**

**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**

Judy Hutchinson	Scott Ohm	Rachel Hultin	Janeece Hoppe
Amanda Weaver	Korey Stites	Leah Dozeman	

CM Nosler Beck excused herself.

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; Police Division Chief Jim Lorentz; Director of Parks and Recreation, Karen O'Donnell; Assistant to the City Manager, Marianne Schilling; Lauren Mikulak, other staff, guests and interested citizens.

### **APPROVAL OF MINUTES**

Nothing for tonight's meeting.

### **APPROVAL OF AGENDA**

CM Hultin asked that item 1a be separated from the other items in the Consent Agenda for a separate deliberation. Otherwise, without objection or correction, the agenda stood as announced.

### **PROCLAMATIONS AND CEREMONIES**

This item began at 7:03 PM.

#### ***National Radon Action Month (NRAM)***

Mayor Starker supports the NRAM program, along with other cities, counties, and states across the United States. Testing for radon is easy, inexpensive and would have a major impact in preventing radon cancers and deaths.

Colorado Parks & Recreation Association Awards presentations. Karen O'Donnell announced the awards presented recently to Beth June of Wheat Ridge's Parks and Recreation staff and to Local Works for their work.

National Law Enforcement Appreciation Day – The Mayor read the proclamation in support and appreciation of our Wheat Ridge Police Department, both sworn officers and civilian staff. The Mayor presented the Proclamation to Cpl. Molly Stark of the WRPD. He recounted the sacrifices and losses police officers in the Metro area during the past year.

### **PUBLIC'S RIGHT TO SPEAK**

Danny Terlip came to raise awareness of waste management in the City. The quality of services currently offered does not meet the needs of the residents. Wheat Ridge residents must contract for their own waste services with several different vendors. This not only creates more traffic and pollution, along with safety issues, but also creates a widely varying service cost and quality.

April Novak, 2995 Ingalls St. Also came to address the question of refuse removal. She cited examples of inadequate services, public health issues and the dangers of having so many waste trucks in the City. We need citywide refuse removal, yard waste removal and recycling by all trash haulers. The current situation is unsafe, too expensive and needs attention from Council.

### **Note about Wheat Ridge Speaks:**

Members of the Public 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 comment related to agenda item 6 was posted:

I live on the corner of 52nd and Tabor (5210 Tabor) and was not provided a notice of this meeting and I only have 15 minutes to give feedback. We are directly impacted by the work and changes and I was under the impression that all homes were notified that were adjacent to the work. Was the other home in Rainbow Ridge notified?

January 10, 2022, 11:46 AM

**Patty Davies**  
5210 Tabor Street,  
Arvada, 80002

## **1. CONSENT AGENDA**

Discussion began at approximately 7:15 PM

CM Hoppe introduced the consent agenda.

- a. Resolution No. 01-2022 – a resolution designating the municipal building main entrance display cabinet as the official public notice posting location and the Jeffco Transcript as the official newspaper of general circulation for the city publications in 2022.

### **Issue**

State statutes require that each municipality annually establish the location for posting public notices, as well as the newspaper in which the notices will be published. Local government entities are also allowed to publish notices on-line for public meetings. These include meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of body is in attendance

CM Dozeman asked whether the Gazette might be used as the publication for public notices. A detailed discussion ensued, which considered a number of options

Mr. Dahl explained to Council its options for designating the official public notice newspaper. He advised that we not take action tonight without further research into both the Statute and publication options.

CM Hutchinson commented that we have too many residents who do not have computers or smart devices. Many of our residents need and want to read information in the newspaper.

CM Hoppe suggested that we delay any action. Mr. Goff urged Council to pass the current resolution and then reconsider it later.

On Motion by CM Hoppe, seconded by CM Stites, item 1 a) passed 7-0.

- b. Motion to approve quarterly payments to the Jefferson County Communications Authority for E-911 call-taking and police radio dispatch services not to exceed \$645,743 for 2022

### **Issue**

The Police Department is requesting authorization of payment to the Jefferson County Communications Authority (Jeffcom) in the amount of \$645,743, to be paid in quarterly amounts. This amount is the City's 2022 share of costs for the regional call-taking and dispatch center for police and fire agencies in Jefferson County.

- c. Motion to approve payment to Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2022 property/casualty premium in the amount of \$345,569.17

**Issue**

The Colorado Intergovernmental Risk Sharing Agency (CIRSA) provides property/casualty coverage for the City of Wheat Ridge. The annual payment due for 2022 is \$345,569.17

- d. Motion to approve payment to Pinnacol Assurance for the 2022 workers compensation premium in the amount of \$282,202

**Issue**

As approved in the 2022 budget, Pinnacol Assurance provides workers compensation insurance for the City of Wheat Ridge. The annual estimated premium due for 2022 is \$282,202.

- e. Motion to appoint Wanda Sang and Sunny Garcia to the Election Commission

**Issue**

The two positions on the Election Commission are due for appointment. Wanda Sang and Sunny Garcia currently serve on the Election Commission and both have reapplied. Both individuals meet the qualifications to serve, and both have extensive knowledge and experience with elections.

- f. Motion to appoint Kathy Plummer and Lindsay Burney to the Cultural Commission to fill vacancies, terms ending March 2, 2023

**Issue**

Due to the resignations of Shawna Black and Lisa Streisfeld, the District III and IV seats on the Cultural Commission are vacant. The terms of these positions expire on March 2, 2023

**Motion** by CM Hoppe to approve Consent Agenda Items b.), c.), d.), e.), and f.)  
Seconded by CM Stites , motion carried 7-0.

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

Discussion began at approximately 7:39 PM

- 2. Council Bill No. 24-2021 - An Ordinance approving the rezoning of property located at 12100 W. 44<sup>th</sup> avenue from Commercial-One (C-1) to Mixed Use-Commercial (MU-C) (Case No. WZ-21-10)

CM Dozeman introduced Council Bill 24-2021.

**Issue**

The applicant is requesting approval of a zone change from Commercial-One (C-1) to Mixed Use-Commercial (MU-C) for property located at 12100 W. 44<sup>th</sup> Avenue. The zone



change is compatible with the area and will allow a wider range of potential land uses in the future, including residential workforce housing.

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. 1730

### **Staff Presentation**

Stephanie Stevens, Senior Planner spoke to the council on the issue, where the property is located on the southeast corner of Van Gordon Street and W. 44<sup>th</sup> Avenue. W. 44<sup>th</sup> Avenue is one of Wheat Ridge's main east-west arterials, with the 44<sup>th</sup> Avenue Subarea Plan process slated to move forward in 2022. The I-70 interstate is nearby to the north. There is currently one access point into the site off W. 44<sup>th</sup> Avenue and two access points off Van Gordon Street.

The property is currently zoned Commercial-One (C-1). According to the Jefferson County Assessor, the property consists of 4 lots totaling 125,264 square feet (2.876 acres) in size, and it contains the Howard Johnson hotel built in 1985 which is currently operating. There is a restaurant component located on the first floor of the hotel that is currently vacant. The properties along this portion of W. 44<sup>th</sup> Avenue are in commercial, mixed-use, residential, and agricultural zone districts, and primarily contain commercial uses including a truck stop across the street to the north. Tabor Lake borders the site to the south.

The applicant is requesting the property be rezoned to MU-C, a zone district intended for major commercial corridors and at community and employment activity centers. It encourages medium- to high-density mixed-use development. In addition to residential and civic uses, it allows for a range of commercial and retail uses. The applicant has proposed to rezone the property to convert the existing 108-room hotel and restaurant into approximately 100 residential apartments. The project aims to generate workforce housing to serve the Wheat Ridge area.

### **Public Comment**

No one came forward to speak.

### **Council Questions and comments**

CM Hutchinson asked Ms. Stephens to comment on the economics of the proposed housing, how it will be priced and income levels likely to qualify.

Stewart Sloat, 2211 N. Broom St. Colorado Springs, one of the applicants for the zoning change responded in detail to CM Hutchinson's question.

Mark Nemger, Plan Mark Design LLC, Project Architect for the applicant responded to several of Council's detailed questions concerning rights of way, tree preservation and similar matters.

CM Weaver ask if there is a way to ensure that the residents who will live in the residences are or are not able to pay the prevailing market rates for the same residences. The applicant gave a detailed answer.

The Mayor asked whether the commercial tenant spaces have been leased. The applicant gave a detailed answer.

Mayor Starker closed the public hearing.

**Motion** by CM Dozeman to approve Council Bill No. 24-2021 - an ordinance approving the rezoning of property located at 12100 W. 44<sup>th</sup> Avenue from Commercial-One (C-1) to Mixed Use-Commercial (MU-C) on second reading, and that it takes effect 15 days after final publication, for the following reasons:

1. The Planning Commission has recommended approval of the rezoning after conducting a proper public hearing.
2. The proposed rezoning has been reviewed by the Community Development Department, which has forwarded its recommendation of approval.
3. The proposed rezoning has been found to comply with the criteria for review in Section 26-603 of the Code of Laws.

Seconded by CM Hoppe, motion carried 7-0

CM Hultin commented on how badly needed this kind of residential property is in Wheat Ridge.

CM Dozeman also endorsed the plans for this project.

CM Hoppe commented that this project addresses needs of those who fall into the gap between affordable and market rate housing.

3. Resolution No. 02-2022 – A Resolution approving a major subdivision at 4000-4066 Upham Street in the Residential-Three (R-3) zone district (Case No. WS-21-06 / Ridgetop Village Plat)

CM Hultin introduced Resolution No. 02-2022 at 7:50 pm.

### **Issue**

The applicant is requesting approval of a major subdivision on property located at 4000-4066 Upham Street. The purpose of the request is to subdivide the property into 22 lots, plus four tracts. The plat is required to allow each dwelling in the development to be owned separately, to establish common area tracts, and to establish the necessary utility and access easements.

Mayor Starker opened the public hearing at 7:58 p.m.

### **Staff Presentation**

Scott Cutler, Senior Planner reprised the item that was held during a Planning Commission meeting, at which the Commission approved a Planned Building Group (PBG) site plan for the property at the hearing on December 16, 2021. The approved PBG includes specific site details including site design, landscaping, architecture, parking, and lighting. City Code requires the Planning Commission to review the PBG at one public hearing, and their decision is final. City Council is required by code to review any major subdivision application but does not review the site plan application or other site details such as construction documents.

He detailed how the site is located on the east side of Upham Street, midway between W. 38<sup>th</sup> Avenue and W. 44<sup>th</sup> Avenue and is 82,849 square feet (1.9 acres) in size. It contains four (4) lots with one single-family home each. The existing homes were built in the 1920s-1950s and are in average/fair condition per the Jefferson County Assessor. The lots are double depth (a full city block deep) and approximately ½ acre each, which is oversized for the area.

New development on the site is required to comply with the R-3 development standards including setbacks/build-to, building height, architecture/materials, open space, parking, and lighting. The applicant is proposing to develop the site under the existing standards in R-3 and all proposed building forms, setbacks, and heights are permitted by the R-3 zoning. The permitted density calculation in the R-3 zone district is one (1) dwelling unit for every 3,630 square feet of land area, which equals 12 units per acre. Given a net lot size (gross acreage minus required right-of-way dedication) of 80,029 square feet (1.8372 acres), the property is eligible for 22 residential dwelling units.

### **Public Comment**

Rolly Sorrentino, 4175 Teller St. came to ask Council to reconsider this proposed resolution given the recent conflagration that destroyed the town of Superior and much of Louisville. Are these residences protected by sprinkler systems? Is there adequate parking for the proposed number of residences? How will large trucks make deliveries? What about emergency vehicles and fire trucks? This project has too little green space at a time when we need more. This development needs to be reconsidered before it is approved, especially because of parking along Upham St.

### **Council Questions and comments**

CM Hoppe asked about the details of the school district's approval. Specifically, she asked whether the drainage issues were adequately addressed. Staff gave a detailed reply.

Matt Hill, 5000 Quitman St., Denver, an applicant, addressed the question.

CM Ohm asked if there is any filtration or mitigation of runoff from the nearby area. Again, Mr. Hill gave a detailed answer.

CM Stites asked about garages. The applicant responded that there are 2 garage parking spaces for every unit.

CM Hultin asked about the reasons why this project has come to Council for approval. Mr. Cutler gave a detailed answer.

CM Hultin commented about the availability of both garage parking and driveway parking. She also asked about whether the plan meets the requirement for green space and trees. Again, Mr. Cutler gave a detailed answer.

CM Hoppe asked about the units facing Upham and the adequacy of setbacks. Mr. Cutler answered in detail. CM Hoppe then asked Mr. Dahl whether this subdivision plat meets all the legal requirements. Mr. Dahl replied in the affirmative in detail.

CM Weaver asked whether West Metro Fire had seen and approved this subdivision plan. Mr. Cutler replied in the affirmative.

Mayor Starker closed the public hearing.

**Motion** by CM Hultin to approve Resolution No. 02-2022 – A Resolution approving a major subdivision at 4000-4066 Upham Street in the Residential-Three (R-3) 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 applicant shall pay the required fees-in-lieu of parkland dedication at time of building permit.
2. The developer shall enter into a Subdivision Improvement Agreement and a Lot Sale Restriction Covenant Agreement with the City at the time of recordation of the subdivision plat.

Seconded by CM Dozeman, motion carried 7-0.

CM Hoppe commented that we are taking an action that meets community needs.

CM Ohm echoed those comments.

### **ORDINANCES ON FIRST READING**

4. Council Bill No. 01-2022 – An Ordinance approving the rezoning of property located at 9605 W. 38<sup>th</sup> Avenue from Residential-One (R-1) to Residential-One B (R-1B) (Case No. WZ-21-12)

CM Weaver introduced Council Bill 01-2022 at 8:20 pm.

#### **Issue**

The applicant is requesting approval of a zone change from Residential-One (R-1) to Residential-One B (R-1B) for property located at 9605 W. 38<sup>th</sup> Avenue. The zone change retains the single-family character of the neighborhood and could allow the oversized subject property to accommodate two single-family homes in the future.

**Motion** by CM Weaver to approve Council Bill 01-2022- an ordinance approving the rezoning of property located at 9605 W. 38<sup>th</sup> Avenue from Residential-One (R-1) to Residential-One B (R-1B) on first reading, order it published, public hearing set for Monday, February 14, 2022 at 7 p.m. as a virtual meeting and in City Council Chambers if allowed to meet in person on that date per COVID-19 restrictions, and that it takes effect 15 days after final publication; seconded by CM Hoppe; carried 7-0.

### **DECISIONS, RESOLUTIONS AND MOTIONS**

Discussion began at approximately 8:22 PM

5. Resolution No. 03-2022 - A Resolution recognizing historical assets on the Lutheran Legacy Campus and supporting a good faith effort to preserve, rehabilitate and/or reuse the Blue House, Tucker Tent, and the Chapel of the Good Samaritan

CM Stites introduced the Resolution.

#### **Issue**

On October 25, 2021 City Council adopted the Lutheran Legacy Campus Master Plan. During the public hearing, a City Council consensus motion was made to move forward a resolution recognizing the public's interest in retaining the Blue House, Chapel and tuberculosis tent.

#### **Staff Presentation**

Mr. Johnstone spoke on how the public feedback received during the Lutheran Legacy Campus Master Plan was wide-ranging and sometimes divergent, but the community found common ground with a shared interest in some of the older structures on the site. Many individuals expressed a strong desire to retain the three structures which have historical value: The Blue House, the Chapel of the Good Samaritan, and the Tucker Tent.



The Blue House is a two-story farmhouse with a basement which dates to 1902 and is the oldest permanent structure on the property. It is located adjacent to 38<sup>th</sup> Avenue and in its early years served as the administrative offices and hospital ward for the tuberculosis sanitarium that surrounded the house. In 1921, it was repurposed as an office and lab as well as a dormitory for nurses. In the early 1980s it functioned as a thrift store, and from 1985 until 1997, the Lutheran Auxiliary operated a tearoom with lunch service.

The Tucker Tent sits just south of the Blue House and is a relic of the tuberculosis sanitarium. It features wood and canvas walls with a shingled roof. From 1905 to 1921, the Lutheran Sanitarium relied on Tucker Tents to house and treat tuberculosis patients; the sanitarium started with 15 tents and grew to 29. The tents were decommissioned in 1921 when they were replaced with a more permanent facility.

The three structures are all privately owned, and none are listed on the register of historic places. The intent of this resolution is to recognize the public interest in these structures and to urge future buyers of the property to make a good faith effort to explore preservation, rehabilitation, and/or reuse of the structures.

### **Public Comment**

No one came forward to speak.

### **Council Questions**

CM Hultin asked if this resolution passes how will it impact the discussions with the City Planners and the Planning Commission. Mr. Johnstone gave a detailed reply.

CM Dozeman asked whether the historic structures addressed in this measure might be moved/relocated? She wants staff to look at the feasibility of moving the structures and still preserving them.

CM Hoppe asked whether the City owns any of these properties; Mr. Goff replied no.

CM Hoppe also thanked the staff for all of their hard work on this measure.

**Motion** by CM Stites to approve Resolution No. 03-2022, a resolution recognizing historical assets on the Lutheran Legacy Campus and supporting a good faith effort to preserve, rehabilitate and/or reuse the Blue House, Tucker Tent, and the Chapel of the Good Samaritan, seconded by CM Dozeman, motion carried 7-0.

6. Resolution No. 04-2022 - A Resolution establishing the street width for 52<sup>nd</sup> Avenue from Ward Road to Tabor Street, for Tabor Street from 52<sup>nd</sup> Avenue to Ridge Road, and for Ridge Road from Tabor Street to the city boundary east of Simms Place

CM Dozeman introduced the Resolution at 8:40 pm.

**Issue**

The street widths for 52<sup>nd</sup> Avenue, Tabor Street and Ridge Road were designated by Council on February 25, 2019, but construction didn't start within one year, so the street width designations must be reapproved by Council in accordance with Section 5.20 of the City Charter.

**Staff Presentation**

Mark Westberg, Project Supervisor described how council must designate the new width of the street in accordance with Section 5.20 of the City Charter.

After the street width was designated, the preparation of the construction plans continued until Fall 2020, when the decision was made to annex the portions of the 52<sup>nd</sup> Avenue ROW that were within Jefferson County. After the annexation process was completed, the construction plans were finalized and advertised for bids in March 2020, just as COVID was starting to impact the area. Largely due to COVID impacts, the bids were cancelled in late April 2020 and work on the Ward TOD projects was suspended. Subsequently, the remaining funding for the Ward TOD projects was transferred to Clear Creek Crossing to help complete the I-70 ramp project.

In early 2021, the City of Arvada expressed a desire to restart the Streets projects due to the large amount of development that was occurring in both cities in the nearby area. Using funding from Arvada's reimbursement for the design and ROW work completed prior suspending the projects, updating the construction plans for the Streets projects was started in June 2021. The construction plans needed to be updated due all the work that was completed by adjacent private development.

**Public Comment**

Dennis Hatfield came to address this proposal about 52<sup>nd</sup> Ave., where he lives. No one has given us definitive information on where this change will impact his property. He is concerned about fencing in place that may have to be removed. How much of our property will the City take? We have sprinkler systems, fruit trees and other improvements on this land. He recounted promises made by Council in the past, which have not been fulfilled. Please, let us know how much of our property you plan to take and whether we will be compensated for it. We feel we are in the dark. He urged Council to shelve this proposal tonight until the residents understand the full impacts.

Kimberley Reed, 5170 Tabor St. The resident came to protest the broken promises, water damage and lack addressing of residents' concerns. Her well has begun to drop, and she is afraid that her well water will dry up like her neighbors. Please, answer our questions.

Tess Tari, 5110 Swadley St., called to ask how the City can do all of the improvements, including sidewalks, gutters and storm drains, without taking private property in the process. She is very frustrated with this project and the lack of response to residents.

**Council Questions**

CM Hoppe asked whether the residents could protest after this evening. Mr. Dahl opined as to what procedures Charter requires for a protest.

She then asked what has changed since Council considered this issue and passed a resolution two years ago. Mr. Westberg gave a detailed answer. He also replied that the City is building all improvements on City property.

The Mayor asked Mr. Westberg to respond to Ms. Tari's comments on building on private vs. public right of way.

CM Dozeman asked whether the City would defray the cost of moving any fences along the edge of rights of way. Mr. Westberg replied that the City will defray those costs.

Mr. Westberg offered to hold a meeting with the residents in the area to respond to their questions and concerns.

CM Hutchinson commented that many of our residents live in properties that pre-date Wheat Ridge as an incorporated City. We need to address the issues people living in those older homes face today based on how the City is proceeding on all projects like this one.

Mr. Goff asked Mr. Westberg to reply to CM Hutchinson's concerns.

CM Weaver expressed her empathy for impacts on private property, the reality is that we cannot go back and undo what has been done.

**Motion** by CM Dozeman to approve Resolution No. 04-2022, a resolution establishing street widths for 52<sup>nd</sup> Avenue from Ward Road to Tabor Street, for Tabor Street from 52<sup>nd</sup> Avenue to Ridge Road, and for Ridge Road from Tabor Street to the City boundary east of Simms Street., seconded by CM Hoppe, motion carried 6-1, with CM Hutchinson voting nay.

7. Resolution No. 05-2022 - A Resolution approving a Memorandum of Understanding between the City of Wheat Ridge and the Jefferson Center for Mental Health for mental health co-responder services

CM Hutchinson introduced the Resolution at 9:10 pm.

**Issue**

The Wheat Ridge Police Department and the Jefferson Center for Mental Health (JCMH) have developed a Mental Health Co-Responder Program to provide the community with a mental health case manager clinician to consult with the City's police department, to act and follow up on referrals from the police, and ride with patrol officers on duty to provide services to persons in the community that are experiencing mental health crisis or substance use problems. The program is described in a Memorandum of Understanding. This Resolution approves that memorandum.

**Staff Presentation**

Chris Murtha, WR Police Chief, spoke briefly where the Wheat Ridge Police Department began developing a Case Manager Co-Responder Program which became operational September of 2019. This was a shared program with the Jefferson County Sheriff's Office, Golden Police Department, and Wheat Ridge Police Department in partnership with Jefferson Center for Mental Health through a DOLA grant. That grant ended in July 2021, and the City chose to continue to pay a portion of the cost to continue the program through December of 2021.

Mental health emergencies and assistance are high priorities for the City of Wheat Ridge. Recognizing the importance and value of the program, the City has developed a Memorandum of Understanding to continue the program with a full-time mental health clinician from JCMH with the City.

A written agreement for services provided between the City and JCMH has been developed and includes:

- a. a statement of the specific services to be provided.
- b. specific language dealing with financial agreements between the parties.
- c. specification of the records to be maintained concerning the performance of services by the provider agency.
- d. language dealing with the duration, modification, and termination of the contract.
- e. specific language dealing with legal contingencies.
- f. stipulation that the provider agency maintains control over its personnel.
- g. specific arrangements for the use of equipment and facilities; and
- h. a procedure for review and revision, if needed, of the agreement.

**Public Comment**

No one came forward to speak.

**Council Questions**

CM Hutchinson asked for follow-up on how well this service is working. Chief Murtha gave a detailed reply. Chief Lorenz has the data and will provide it to Council soon.

CM Hoppe commented that this program has been successful enough to encourage expansion the program, and we should move forward tonight.

**Motion** by CM Hutchinson to approve Resolution No. 05-2022, a resolution approving a memorandum of understanding between the City of Wheat Ridge and the Jefferson Center for Mental Health for Co-Responder services, seconded by CM Stites, motion carried 7-0.

8. Motion to award a contract and approve subsequent payments of \$90,400 to Berry Dunn for Enterprise Resource Planning (ERP) consultant services

CM Ohm introduced the Motion at 9:19 pm.

### **Issue**

At City Council's direction, staff has completed a competitive bidding process to select a consultant to analyze business practices and assist with the procurement of a new Enterprise Resource Planning (ERP) system. The procurement process is complete, and Berry Dunn is the recommended consultant based on expertise, experience, and cost.

### **Staff Presentation**

Whitney Mugford-Smith, Procurement Manager provided data on this issue, that was presented by Ms. Scheck, who explained that the ERP analysis was approved in the 2020 budget but placed on hold due to the pandemic

City Council approved a budget supplemental request for \$100,000 on June 14, 2021 to fund the ERP analysis. Berry Dunn's proposal includes a not-to-exceed fee of \$90,400 which includes the base proposal fee of \$84,900 plus travel incidental costs. Funding will be encumbered on a purchase order using 2021 funds.

An Enterprise Resource Planning (ERP) system is an integrated suite of business applications including financial software, sales and use tax remittance system, procurement program and personnel management programs that are used to power an organization. In Wheat Ridge, the building permitting, and court management programs are part of the ERP.

The City currently uses the American Data Group (ADG) solution which is a legacy system that has served the City well for a number of years. ADG's clients are typically very small organizations, and the product is not considered a mainstream offering in the ERP field. While functional, the system is not considered user friendly by customers nor staff and it is likely that Wheat Ridge has outgrown this solution

Berry Dunn possesses extensive experience with this kind of project, listing a number of municipalities, similar in size and scope to Wheat Ridge, as clients for similar projects.

### **Public Comment**

No one came forward to speak.

### **Council Questions**

None, since Council was already well acquainted with this matter.



**Motion** by CM Ohm to award a contract and approve subsequent payments to Berry Dunn in the amount of \$90,400 for Enterprise Resource Planning (ERP) consulting services, seconded by CM , motion carried 8-0.

Mayor Starker closed the public hearing

### **CITY MANAGER'S MATTERS**

Mr. Goff announced that Legal Pete's and a new Tavern have signed leases at Golds Marketplace. There will also be a new restaurant coming to the City soon and the identity of that business has to remain confidential at present.

He also alerted Council to the beginning of the bidding process to assess the adequacy of City Hall for our staff and the public. In the meantime, an office space has come available, and the City is looking into the possibility of leasing that space. He will come to Council soon with more details and a proposed lease.

### **CITY ATTORNEY'S MATTERS**

Nothing tonight.

### **ELECTED OFFICIALS' MATTERS**

CM Dozeman announced that the Wheat Ridge Grange is having their Annual Red and Green Chili dinner on Thursday, January 27<sup>th</sup>. Sign-up ends on January 17.

CM Ohm thanked Vinola's Bakery and Restaurant, for their excellent food and service for so many years. He commented on traffic flow during the Wadsworth expansion project and citizens comments he has heard. His experience has not been bad so far. He also noticed that speed alert machines are appearing in his neighborhood.

CM Hutchinson commented on people who come to Council to make comments and who leave comments on WR Speaks. She believes she sees less attachment and participation by the public recently.

CM Stites welcomed Illegal Pete's to District III (Gold's Marketplace). He also thanked those who helped their neighbors, especially the elderly, during the two recent snowstorms. He asked that businesses emphasize snow removal from the pavement in front of their businesses to help pedestrians and those with disabilities. If you can find it in Wheat Ridge, buy it in Wheat Ridge.

CM Weaver thanked the City for such great snow removal. It's Stock Show time, so please attend and support the Show as well as our agricultural industry. It's a lot of fun!

CM Hoppe asked if we are going to discuss going virtual for a while.

CM Hultin asked that we consider going virtual for the one meeting remaining in January and for the month of February, returning to live sessions on March 7, 2022. A discussion followed CM Hultin's proposal.

Council reached a **consensus** to meet virtually until March 7<sup>th</sup>.

CM Hultin also recalled the comments about refuse removal tonight and will add that to a future Study Session agenda. CM Stites asked that regulations about how long trash may be left at the curb be included.

CM Hultin reported that a relative is suffering from Stage 4 cancer caused by Radon. She encourages everyone to take advantage of radon testing, especially because radon is so prevalent in the Front Range including our City. The tests cost \$17 and \$27 for short-term and long-term tests, respectively.

There is a new Indian cuisine restaurant, Barbari, that CM Hultin highly recommends.

CM Nosler Beck asked that the Mayor read a eulogy for Coach Merl Shirley who was a coach and teacher at Wheat Ridge High School for more than 40 years. He touched the lives of the young adults he coached. He was an exemplary citizen and mentor to our young adults. He will be missed by so many, including the coaches who learned their sports and coaching under his tutelage. He included all of his players in his teams, Please, thank the coaches who you encounter today.

Mayor Starker thanked those who attended the Coffee with the Mayor last Saturday. We would rather meet in person, but safety first.

The Mayor proposed that CM Weaver be appointed to the Wheat Ridge Business District Board, along with the Mayor and CM Stites. Council approved by unanimous consensus.


### **ADJOURNMENT**

The meeting adjourned at 9:41 pm.



Steve Kirkpatrick, City Clerk

APPROVED BY CITY COUNCIL ON February 14, 2022



Rachel Hultin, 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.