

City Council Meeting Minutes

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

June 13, 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. 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 7:00 p.m.

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

ROLL CALL OF MEMBERS

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

Also, present: City Manager, Patrick Goff; City Attorney Gerald Dahl; City Treasurer, Chris Miller; Administrative Services Director, Allison Scheck; Police Chief, Chris Murtha; Director of Parks and Recreation, Karen O'Donnell; Deputy City Clerk, Robin Eaton, other staff, guests and interested citizens.

APPROVAL OF MINUTES

With minor corrections, the Study Session Notes of April 18, 2022 (amended version), May 16, 2022, and City Council Minutes of May 9, 2022, were approved as published.

APPROVAL OF AGENDA

Without objection or correction, the agenda stood as announced

PROCLAMATIONS AND CEREMONIES

This item began at 7:02 PM.

Juneteenth Proclamation – June 19, 2022

Mayor Starker read the Proclamation where this nation was founded on the principles stated in the Declaration of Independence, one being that all men are created equal with unalienable rights of life, liberty, and the pursuit of happiness. Juneteenth commemorates African American freedom, as June 19. Where President Abraham Lincoln signed the Emancipation Proclamation which paved the way for the 13th Amendment to the Constitution of the United States, formally abolishing slavery in the United States of America. He had invited Anissa Valdez to join him and accept it.

Afterwards she thanked everyone in recognizing the day for freedom and spoke to where this proclamation is yet another step closer to making changes by helping to recognize everyone's ancestry, for it's the time of freedom for all.

PUBLIC'S RIGHT TO SPEAK

Guy Nahmiach came in to express his thanks to the Mayor for joining him recently at a function that was also attended by other local Mayors where many local issues were discussed. He also wanted to thank the City, its staff and others who came out and supported a recent, sold-out art function called Art in the Barn. He has no doubt that art is alive and well, here in Wheat Ridge..

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).

No comments appeared in WR Speaks for this session of Council.

1. CONSENT AGENDA

Discussion began at approximately 7: PM

CM Hultin introduced the consent agenda.

- a. Motion to award the 2022 Street Resurfacing Bid and approve subsequent payments to Martin Marietta Materials of Lakewood, Colorado in the amount of \$1,851,702.51, with a contingency amount of \$277,755.32 for a total not to exceed amount of \$2,129,457.83

Issue

Annual street resurfacing is conducted to provide needed maintenance treatments to a number of selected streets by priority in accordance with the citywide maintenance plan. Resurfacing is intended to extend the life of pavement on streets that are structurally sound. For the 2022 project, Youngfield Street from 32nd to 44th Avenue, Harlan Street from 32nd Avenue to 44th Avenue, Oak Street north of 26th to Twilight Drive and 43rd Drive west of 44th Avenue. Street resurfacing is the first of a three preventive maintenance projects that the City will implement this year.

Bids were opened on April 19, 2022, and three came in lower and one higher than the engineer's estimate. As a result, Staff is recommending that the lowest responsive

bidder, Martin Marietta Materials, be awarded a contract for the bid schedules one through seven in the amount of \$1,851,702.51.

- b. Resolution No. 28-2022 - a resolution authorizing acceptance of the Colorado Regional Opioid Intergovernmental Agreement with the counties of Clear Creek, Gilpin, and Jefferson, and other participating local governments within those counties for the establishment of the Region 10 Regional Council.

Issue

This resolution authorizes the Mayor to sign the Colorado Regional Opioid Intergovernmental Agreement ("IGA"). The IGA is between the three Region 10 counties, and seventeen participating local governments, including the City of Wheat Ridge, located in each of the three Region 10 counties. The IGA details the procedures to establish a Regional Council for Region 10, designates Jefferson County as Region 10's fiscal agent, and establishes that the participating local governments intend to request and administer opioid settlement funds in a manner consistent with the Colorado Opioids Settlement Memorandum of Understanding (MOU) signed by the Mayor on November 8, 2021

- c. Motion to approve a Lease Agreement by and between Jefferson County Housing Authority and City of Wheat Ridge for office space at 7490 W. 45th Avenue

Issue

City Staff has negotiated a five-year Lease Agreement, with the option to extend for one-year, with Jefferson County Housing Authority for office space at 7490 W. 45th Avenue. This Lease will resolve the immediate need for additional office space for city employees while a facility assessment and master plan are completed to determine longer-term facility needs.

Motion by CM Hultin to approve Consent Agenda Items a.), b.), and c.), Seconded by CM Stites, motion carried 8-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

None

ORDINANCES ON FIRST READING

- 2. Council Bill No. 09-2022 – An Ordinance approving the rezoning of property located at 10101 W. I-70 Frontage Road North from Commercial-One (C-1) to Mixed Use-Commercial Interstate (MU-C Interstate)

CM Dozeman introduced Council Bill 09-2022 at 7:13 pm.

Issue

The applicant is requesting approval of a zone change from Commercial-One (C-1) to Mixed Use-Commercial Interstate (MU-C Interstate) for property located at 10101 W. I-70 Frontage Road North. The zone change will result in a zoning that enables revitalization and redevelopment of the site by expanding permitted uses.

Motion by CM Dozeman to approve Council Bill 09-2022, an ordinance approving the rezoning of property located at 10101 W. I-70 Frontage Road North from Commercial-One (C-1) to Mixed Use-Commercial Interstate (MU-C Interstate) on first reading, order it published, public hearing set for Monday, July 11, 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 take effect 15 days after final publication; seconded by CM Nosler Beck; motion carried 8-0.

3. Council Bill No. 13-2022 – An Ordinance amending Section 16-107 of the Wheat Ridge Code of Laws concerning harassment and stalking

CM Hoppe introduced Council Bill 13-2022 at 7:15 pm.

Issue

Council Bill 13-2022 amends the local definition of criminal harassment to comply with a recent decision of the Colorado Supreme Court.

Motion by CM Hoppe to approve Council Bill 13-2022 - an ordinance amending Section 16-107 of the Wheat Ridge Code of Laws concerning harassment and stalking on first reading, order it published, public hearing set for Monday, June 27, 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 take effect 15 days after final publication; seconded by CM Hultin; motion carried 8-0.

4. Council Bill No. 10-2022 – An Ordinance approving a Site Lease Agreement with T-Mobile West, LLC for use of the municipal cell tower

CM Ohm introduced Council Bill 10-2022 at 7:16 pm.

Issue

The City owns and operates a cellular tower at City Hall and has three lease agreements with cellular companies for use of the tower. The existing tower is no longer structurally sound and needs to be replaced to accommodate upgrades of cellular equipment on the tower. New Cingular Wireless, Verizon Wireless, and T-Mobile drafted a cost-sharing agreement, which will fund the demolition of the existing cellular tower and the construction of a new cellular monopole at the same location. Approval of this ordinance will allow the City to finalize the Site Lease Agreement with T-Mobile West, LLC.

Motion by CM Ohm to approve Council Bill 10-2022 - an ordinance approving a Site Lease Agreement with T-Mobile West, LLC for use of the municipal cell tower on first reading, order it published, public hearing set for Monday, June 27, 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 take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter; seconded by CM Stites; motion carried 8-0

5. Council Bill No. 11-2022 – An Ordinance approving a Site Lease Agreement with Verizon Wireless for use of the municipal cell tower

CM Hutchinson introduced Council Bill 11-2022 at 7:18 pm.

Issue

Mayor Starker waived the reading of the issue statement.

Motion by CM Hutchinson to approve Council Bill 11-2022 - an ordinance approving a Site Lease Agreement with Verizon Wireless for use of the municipal cell tower on first reading, order it published, public hearing set for Monday, June 27, 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 take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter; seconded by CM Hoppe; motion carried 8-0

6. Council Bill No. 12-2022 – An Ordinance approving a Site Lease Agreement with New Cingular PCS, LLC for use of the municipal cell tower

CM Stites introduced Council Bill 12-2022 at 7:20 pm.

Issue

Mayor Starker waived the reading of the issue statement

Motion by CM Stites to approve Council Bill 12-2022 - an ordinance approving a lease with New Cingular PCS, LLC for use of the municipal cell tower on first reading, order it published, public hearing set for Monday, June 27, 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 take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter; seconded by CM Weaver; motion carried 8-0

DECISIONS, RESOLUTIONS AND MOTIONS

7. Motion approving a Temporary Site License Agreement with T-Mobile West, LLC

CM Weaver introduced the Motion at 7:21 p.m.

Issue

The City owns and operates a cellular tower at City Hall and has three lease agreements with cellular companies for use of the tower. The existing tower is no longer structurally sound and needs to be replaced to accommodate upgrades of cellular equipment on the tower. During the timeframe required to demolish the existing cellular tower and construct a new monopole tower, the three cellular carriers have requested permission to occupy space in the City Hall parking lot to house their cell-on-wheels units to provide uninterrupted cellular service.

Staff Presentation

Nothing on this item.

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

Public Comment

No one came forward to speak.

Council Questions

There were none

Motion by CM Weaver to approve a Temporary Site License Agreement with T-Mobile West, LLC, seconded by CM Stites, motion carried 8-0.

8. Motion approving a Temporary Site License Agreement with Verizon Wireless

CM Nosler Beck introduced the Motion at 7:24pm.

Issue

Mayor Starker waived the reading of the issue statement

Staff Presentation

Nothing on this item

Mayor Starker reviewed the procedures for public comment where no citizens appeared in chambers to address this issue

Public Comment

No one came forward to speak on the zoom format

Council Questions

There were none.

Motion by CM Nosler Beck to approve a Temporary Site License Agreement with Verizon Wireless, seconded by CM Hutchinson, motion carried 8-0.

9. Motion approving a Temporary Site License Agreement with New Cingular Wireless PCS, LLC

CM Hoppe introduced the Motion at 7:25 pm.

Issue

Mayor Starker waived the reading of the issue statement

Staff Presentation

Nothing on this item

Mayor Starker reviewed the procedures for public comment where no citizens appeared in chambers to address this issue

Public Comment

No one came forward to speak.

Council Questions

None tonight

Motion by CM Hoppe to approve a Temporary Site License Agreement with New Cingular Wireless PCS, LLC, seconded by CM Stites, motion carried 8-0.

10. Resolution No. 29-2022 - A Resolution amending the Fiscal Year 2022 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$98,534.60, and a transfer from the Central Charges budget in the amount of \$90,000, for the purposes of awarding a contract and approving subsequent payments in the amount of \$188,534.60 to Stantec Architecture Inc. for the development of a 10-year Facilities Master Plan

CM Ohm introduced Resolution 29-2022 at 7:26 p.m.

Issue

The City has reached its occupational limits to house employees comfortably, effectively, and equitably. Its facilities have been well maintained; however, a majority of the portfolio is cramped, outdated, and burdened by deferred maintenance. To date, there have been no such efforts to evaluate the condition of the entirety of the City's owned and occupied portfolio, nor development of a plan for what comes next for its facilities to meet the challenges of an evolving working environment and workforce. This motion will award a contract in the amount of \$188,534.60 to complete a 10-year Facilities Master Plan for the City to Stantec Architecture Inc.

Staff Presentation

Director of Parks & Recreation, Karen A. O'Donnell along with Kion Gibbs, the new Facility Manager, gave a brief background on the item where he spoke of the Facilities Master Plan, which will create a roadmap to implement the options that will best serve the City, its employees and community. This Facilities Master Plan process will review existing documentation related to the City's facilities and departments; interview each department to determine gaps between existing footprints and future needs; assess the condition of each facility and its systems; and develop prioritized projects listed for implementing recommended options from asset repairs/replacement to renovations, remodels, and new facilities.

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

Public Comment

No one came forward to speak.

Council Questions

There were none

Motion by CM Ohm to approve Resolution No. 29-2022 - a resolution amending the Fiscal Year 2022 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$98,534.60 and a transfer from the Central Charges budget in the amount of \$90,000 for the purposes of awarding a contract and approving subsequent payments in the amount of \$188,534.60 to Stantec Architecture Inc. for the development of a 10-year Facilities Master Plan, seconded by CM Hoppe, where discussion ensued.

The motion carried 8-0

CITY MANAGER'S MATTERS

Mr. Goff informed Council that Evergreen Development (Clear Creek Crossing) had contacted him about moving the alcohol facilities around in the development over towards the west, nearer to the lake with a better view of the mountains. They are also inquiring about entering into an Entertainment District-Common consumption area through the city. He asked if there would be a consensus from the council to look into the matter.

Discussion on the matter ensued

Mayor Starker asked for a consensus on the matter and through a show of hands consensus was obtained

CITY ATTORNEY'S MATTERS

He has received requests for a current list of litigations, which he does annually and updates the database regularly. From now on, he will make an effort to report on them quarterly.

He also wanted to remind everyone of the separation of powers, which varies between the different sections of municipal court, administration, and legislature which are varied and distinct. He requests that any inquiries for litigation items to please send those to him directly.

ELECTED OFFICIALS' MATTERS

Deputy City Clerk Eaton sent out condolences to CC Steve Kirkpatrick and his family for the recent loss of his mother-in-law who was an integral part of their family, and who will be sorely missed. Mayor Starker also wanted to share in the expression of those condolences.

CM Stites spoke about meeting with other officials at the ribbon cutting for the new Christian Brother Automotive center located at 38th and Kipling. The owners are past WR Farmers, and he welcomes them back to the city. He enjoyed his time with others at the Art in the Barn event and that it feels good to get out in the community once again.

CM Dozeman expressed her thanks to Five Fridges Farm, the Art in the Barn event, WR Art League, and WR Creates where she hopes to attend more such wonderful events. It was great to see everyone there.


CM Ohm met with JeffCo executives who said that they would like to explore more partnerships with the city, its youth, and professionals in the city.

CM Hultin spoke of the upcoming JeffCo Sub-Regional Forum is meeting this Wednesday where among other items they will be looking at multiple transportation funding for projects in the city. She thanked the staff for applying for the funds. She also want to reach out and thank everyone for their support of her during some recent trying times.

Mayor Starker spoke about having a great second Saturday With the Mayor at Vinnola's Italian Market and Deli, and thanks to all of the citizens that came out. They will have another such event on the second Saturday in July. He also was pleased to be at the opening of the new Christian Brothers Auto center where it is great to have a returning Wheat Ridge Farmer to be located in such a beautiful building. He also was appreciative for the Art in the Barn event and will enjoy the art he purchased for a long while.

ADJOURNMENT

The meeting adjourned at 7:49 pm



Robin Eaton, Deputy City Clerk

APPROVED BY CITY COUNCIL ON June 27, 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.