

# **City Council Meeting Minutes**

## **CITY OF WHEAT RIDGE, COLORADO**

### **7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**April 24, 2023**

**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 6:30 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  
Korey Stites                  Leah Dozeman                  Valerie Nosler Beck

CM Amanda Weaver was absent to attending a professional academic event in Portugal.

Also, present: City Clerk, Steve Kirkpatrick; City Attorney Gerald Dahl; Chief of Police, Chris Murtha; Deputy City Manager, Allison Scheck; Director of Comm. Development, Lauren Mikulak; Assistant City Manager, Marianne Schilling, Director of Public Works, Maria DeAndrea, Stephanie Stevens and Mark Westberg, Senior Planners; Sustainability Coordinator, Mary Hester; Mark De la Torre and Jay Rankins of MIG consultants; other staff, guests and interested citizens.

#### **APPROVAL OF MINUTES**

The Study Session Notes of April 3, 2023 and City Council Meeting Minutes of April 10, 2023 were approved as published.

#### **APPROVAL OF AGENDA**

Without objection or correction, the agenda stood as announced.

#### **PROCLAMATIONS AND CEREMONIES**

##### **Mental Health Awareness Month**

The City of Wheat Ridge proclaimed May 2023 as Mental Health Awareness Month and called upon all residents, government agencies, public and private institutions, businesses, and schools to recommit our communities and resources to increasing awareness and understanding of mental health, providing appropriate and accessible

services for all community members, and making mental health a priority. Ms. Julie DiTullio, Senior Coordinator of Donor Relations at the Jefferson Center for Mental Health accepted the Proclamation and thanked the Mayor and Council for the Proclamation. Ms. DiTullio described how her agency has grown over the past 65 years, the services the Jefferson Center provides and their impact on the community. She emphasized the critical needs, especially among children and the underserved, and how we can work together to remove the stigma from suffering mental health issues.

### **Professional Municipal Clerks Week**

Mayor Starker read the proclamation declaring the week of April 30 through May 6, 2023 as Professional Municipal Clerks Week in Wheat Ridge. The proclamation highlighted the key role and essential services the clerks of all types make possible.

City Clerk Steve Kirkpatrick accepted the proclamation.

### **Asian Pacific American Heritage Month**

The City of Wheat Ridge declared May 2023 as the month that highlights the origin of Asian Pacific American Heritage, which dates back to the 95th Congress (1977-1978) when five joint resolutions were introduced proposing that a week in May be designated to commemorate the accomplishments of Asian Pacific Americans of all backgrounds and in pursuits and professions in which the API community has .

### **Recognition of Wheat Ridge High School Music Program**

Mayor Starker presented the proclamation to the Wheat Ridge High School Music Director, Ryan Plakorus, who recognized and acknowledged five WRHS students who were recognized by selection to regional and statewide choral groups.

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

There were none tonight.

### **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 Wheat Ridge Speaks for this session.

## **CONSENT AGENDA**

There were no items tonight.

## **PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

There were none tonight.

## **ORDINANCES ON FIRST READING**

1. Council Bill No. 08-2023 – An Ordinance amending Article IV of Chapter 26 of the Wheat Ridge Code of Laws, concerning requirements for the dedication of public parks and sites, and making conforming amendments therewith.

CM Nosler Beck introduced Council Bill 08-2023

### **Issue**

The proposed ordinance exempts deed-restricted affordable dwelling units from the parkland dedication or fee-in-lieu requirement established by Section 26-414 of the subdivision code. It also adds a definition of deed-restricted affordable dwelling units to Section 26-123 of the code.

**Motion** by CM Nosler Beck to approve Council Bill 08-2023, an ordinance amending Article IV of Chapter 26 of the Wheat Ridge Code of Laws, concerning requirements for the dedication of public parks and sites and making conforming amendments therewith, on first reading, order it published, public hearing set for Monday, May 8, 2023 at 6:30 p.m. as a virtual meeting and in City Council Chambers, and that it take effect 15 days after final publication; seconded by CM Hoppe, motion carried 7-0

2. Council Bill No. 09-2023 – An Ordinance approving the transfer of municipally-owned properties along Wadsworth Boulevard and adjacent streets between 35<sup>th</sup> Avenue and Interstate 70 to the Colorado Department of Transportation

CM Hultin introduced Council Bill 09-2023

### **Issue**

Wadsworth Boulevard is a state highway that is owned and maintained by the Colorado Department of Transportation (CDOT). The City has completed the right-of-way acquisition process for the Improve Wadsworth project. The next step is for Council to approve the disposal or transfer of right-of-way to CDOT by ordinance.

**Motion** by CM Hultin to approve Council Bill 09-2023, an ordinance approving the transfer of municipally-owned properties along Wadsworth Boulevard and adjacent streets between 35<sup>th</sup> Avenue and Interstate 70 to the Colorado Department of Transportation, on first reading, order it published, public hearing set for Monday, May 8, 2023 at 6:30 p.m. as a virtual meeting and in City Council Chambers, and that it take effect and that it take effect 15 days after final publication; seconded by MPT Stites , motion carried 7-0.

## **DECISIONS, RESOLUTIONS AND MOTIONS**

3. Resolution No. 21-2023 – a resolution adopting the 44th Avenue Subarea Plan as an amendment to the City's Comprehensive Plan, Envision Wheat Ridge

CM Dozeman introduced Resolution 21-2023

### **Issue**

The 44th Avenue Subarea Plan outlines a 20-year vision for the area between Clear Creek and I-70 and is based on twelve months of input from Wheat Ridge businesses, organizations, and community members. This plan addresses the need to develop comprehensive strategies that 1) promote revitalization and attract investment to the W. 44th Avenue corridor and 2) enhance the adjacent neighborhoods and the City as a whole. The plan reflects and builds upon input from the 2019 Neighborhood Revitalization Strategy and from the ongoing Let's Talk resident engagement program. Like the City's other subarea plans, this Plan will be adopted as an amendment to the City's comprehensive plan.

### **Staff Presentation**

Senior Planner Stephanie Stevens presented to council the prior actions and background on the issue where West 44th Avenue is one of the City's primary east-west corridors, and the 44th Avenue Subarea Plan is a long-range planning document for the western portion of the corridor. The plan focuses on W. 44th Avenue between Youngfield Street and Clear Creek (near Field Street) and more broadly includes the portion of the City between Clear Creek and I-70.

Ms. Stevens introduced Messrs. De la Torre and Rankins, who spoke about how the western segment of W. 44th Avenue is the primary connection between the eastern and western portions of the City and the primary connection to key destinations such as RTD's Wheat Ridge · Ward commuter rail station, Clear Creek Trail, the Clear Creek Crossing development at the City's far western edge, and numerous adjacent residential neighborhoods.

Also discussed were items such as:

- The combined public input with technical analysis
- The Let's Talk program
- The many varieties of engagement opportunities
- Recommendations
- Strategical implementation

### **Public Comment**

No one came forward to speak.

### **Council Questions and comments**

CM Hultin thanked the speakers for their presentation. She then asked two specific, technical questions, which Ms. Stevens answered in detail. She also asked that the project include more connectivity access all along 44<sup>th</sup> Avenue from the Clear Creek to Wadsworth.

CM Hoppe expressed her disappointment that this project did not address connectivity along 44<sup>th</sup> Avenue East of Wadsworth. Staff assured Council that there are plans to do so in the future.

**Motion** by CM Dozeman to approve Resolution No. 21-2023, a resolution adopting the 44th Avenue Subarea Plan as an amendment to the City's Comprehensive Plan, Envision Wheat Ridge, seconded by CM Nosler Beck, motion carried 7-0.

During discussion of the Motion, CM Nosler Beck noted that she agrees with CM Hultin and Hoppe that connectivity along 44<sup>th</sup> Avenue east of Wadsworth should be a priority going forward. CM Dozeman thanked the public for their involvement and ongoing feedback while the staff developed and revised the plan for the project.

4. Motion to accept rights-of-way from adjacent property owners along Wadsworth Boulevard and from adjacent streets between 35th Avenue and Interstate 70

CM Ohm introduced the Motion.

### **Issue**

Wadsworth Boulevard is a state highway that is owned and maintained by the Colorado Department of Transportation (CDOT). The City has completed the right-of-way acquisition process for the Improve Wadsworth project. Certain property owners along Wadsworth have conveyed to the City the necessary rights-of-way by warranty deed, quit claim deed, or court order for the Improve Wadsworth project. City Council needs to officially accept the rights-of-way as City property.

### **Staff Presentation**

Project Supervisor Mark Westberg gave a brief presentation, mostly related to assisting the City Attorney with the eminent domain acquisitions, and to prepare the necessary documents to transfer most of the acquired ROW to the Colorado Department of Transportation.

### **Public Comment**

No one came forward to speak.

### **Council Questions and comments**

CM Nosler Beck asked a detailed question about the safety of children who will leave Stephens Elementary when it closes in May and will be walking across 41<sup>st</sup>. Avenue now to attend their new school in the fall. Mr. Westberg gave a detailed response.

CM Hultin asked about cycling access and access for the disabled at several places along the construction corridor. Mr. Westberg gave a detailed timeline for progress along Wadsworth as the project progresses. CM Hultin thanked staff for the “stunning,” access to the Creek that just opened.

**Motion** by CM Ohm to accept rights-of-way from adjacent property owners along Wadsworth Boulevard and from adjacent streets between 35th Avenue and Interstate 70, seconded by CM Hoppe, motion carried 7-0.

5. Motion to accept the transfer of property from the Mile-High Flood District for a parcel of property along Lena Gulch on the east side of Parfet Street.

MPT Stites introduced the Motion.

### **Issue**

The owners of 3610 Parfet Street reached out to see if the City would be interested in acquiring the north portion of their property that encompasses Lena Gulch. Most of the area is paved with concrete and is not usable or maintained by the property owner. In addition, the area is within the floodplain for Lena Gulch, which is all floodway at this location. The floodway is the most restrictive portion of the floodplain as it conveys the flood flows for Lena Gulch. The City benefits from owning this parcel by having more of the floodway in City ownership for appropriate long-term maintenance, which will be completed by the Mile-High Flood District (MHFD). To facilitate the transfer of this property to the City, MHFD recently acquired the parcel. The Council needs to officially accept the property from MHFD in order for the transfer to take place.

### **Staff Presentation**

Project Supervisor Mark Westberg briefly summarized how the land survey of the existing parcel was completed in March 2022 and the parcel boundaries were finalized in June 2022. MHFD then started negotiating with the owners and their mortgage holder on acquiring the parcel.

Negotiations were completed in January 2023 with a final price of \$20,274 for the 6,219 square foot parcel. All of the pre-acquisition and acquisition costs were covered by MHFD using their Floodplain Acquisition Program.

### **Public Comment**

No one came forward to speak.

### **Council Questions and comments**

None, as Council was familiar with this item, which has been discussed by Council before.

**Motion** by MPT Stites to accept the transfer of property from the Mile-High Flood District for a parcel of property along Lena Gulch on the east side of Parfet Street, seconded by CM Hutchinson, motion carried 7-0.

6. Resolution No. 22-2023 – a resolution amending the Fiscal Year 2023 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$125,379.19 for the purpose of awarding a contract to HDR Engineering, Inc. for professional services to create and implement a community outreach and engagement strategy regarding residential waste management practices in Wheat Ridge

CM Hoppe introduced Resolution 22-2023

### **Issue**

The City is seeking a firm to create and implement a community outreach and engagement strategy regarding residential waste management practices in Wheat Ridge. Staff conducted a competitive solicitation process to select a consultant to manage this process. HDR Engineering, Inc. was selected at a cost of \$125,379.19

### **Staff Presentation**

Sustainability Coordinator Mary Hester presented to council that from previous study sessions, staff was directed staff to pursue the creation and implementation of a community outreach and engagement strategy to better understand what Wheat Ridge residents would like to see regarding waste management options within the City before pursuing any one option in greater detail.

Afterwards a team of staff members conducted a Request for Proposal (RFP) solicitation. Four firms provided proposals and staff interviewed three firms. After careful review and analysis, HDR Engineering, Inc. is the chosen vendor. In the proposal for HDR Engineering, Inc., the project schedule will span approximately eighteen months and will include four major task series:

1. Project Management
2. Public Engagement Plan
3. Public Outreach
4. Communication Materials

Ms. Hester stood by to answer questions from council.

### **Public Comment**

No one came forward to speak.

### **Council Questions and comments**

CM Hultin thanked Ms. Hester for her work. She then asked how we will use resources like What's Up Wheat Ridge to support other efforts to ensure community engagement.

CM Ohm commented that he is familiar with the firm named in the motion. He asked about the reputation of the firm as bids were scored and how the lowest bidder was not the winner. Mr. Goff gave a detailed answer based on the Best Value policy we use in purchasing.

Mayor Starker asked about the exact amount of the bid, and Ms. Hester answered.

**Motion** by CM Hoppe to approve Resolution No. 22-2023, a resolution amending the Fiscal Year 2023 General Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$125,379.19 for the purpose of awarding a contract to HDR Engineering, Inc. for professional services to create and implement a community outreach and engagement strategy regarding residential waste management practices in Wheat Ridge, seconded by CM Hultin, motion carried 7-0.

7. Motion to approve payment to Bank of Oklahoma for 2023 principal and interest payments in the amount of \$3,502,800 for the City of Wheat Ridge, Colorado Sales and Use Tax Revenue Bonds, Series 2017A.

CM Hutchinson introduced the Motion.

### **Issue**

On May 2, 2017, the City closed on Series 2017A Sales and Use Tax Revenue Bonds in the par amount of \$30,595,000 with a net premium of \$2,687,079 for a total of \$33,282,079. The City's first interest payment for 2023 is due June 1 in the amount of \$321,400 and the principal and second interest payment is due December 1 in the amount of \$3,181,400. Funds to cover the 2023 payments are budgeted in the 2023 2E Bond Fund budget.

### **Staff Presentation**

None was given; staff were available for questions.

### **Public Comment**

No one came forward to speak.

### **Council Questions and comments**

None on this item, having thoroughly reviewed it previously,

**Motion** by CM Hutchinson to approve payment to Bank of Oklahoma for 2023 principal and interest payments in the amount of \$3,502,800 for the City of Wheat Ridge, Colorado Sales and Use Tax Revenue Bonds, Series 2017A, seconded by MPT Stites, motion carried 7-0.



## **CITY MANAGER'S MATTERS**

Mr. Goff announced that the City had asked for two Congressionally directed funding and Senator Hickenlooper endorsed both and forwarded them to the appropriate committees. A decision is several months away.

Mr. Goff reported on discussions with Jefferson County about sheltering people during extreme weather conditions next winter. Glory of God Lutheran Church will again serve as a shelter location. He authorized a \$5000 grant to help defray costs.

## **CITY ATTORNEY'S MATTERS**

None.

## **ELECTED OFFICIALS' MATTERS**

CM Nosler Beck reminded all that on May 10<sup>th</sup> Willmore Davis will have their closing community gathering. Alumni can submit photos to the W-D Facebook page.

CM Dozeman shouted out to Jefferson Center for their fundraiser at the Mile-High Station last Thursday. The not only raised significant funds but also educated those who attended. She also noted that the Jeffco School Board is now meeting to look into secondary education and the future of those schools. She asked that we continue the conversation, and that residents get engaged.

CM Hultin echoed the recognition for the Jefferson Center, especially their efforts to help children and teens. This afternoon she attended the DRCOG meeting and reported that the organization is looking favorably on grants for civic improvements along 35<sup>th</sup> Ave and Tabor street.

CM Ohm reported on the Jefferson Center fundraiser and echoed his peers' favorable and appreciative comments. He also asked for residents to speak with Councilmembers about their opinions on Criterion.

MPT Stites recognized Representative Pettersen for her visit to City Hall today. He attended several recent ribbon cuttings, which indicate how robust our business community is. He asked us to remember if you can find it in WR, buy it in WR for Mothers' Day.

Mayor Starker reported he also attended the Jeffco Mental Health event last Thursday and expressed his appreciation. He attended several ribbon cuttings, and was especially gratified to help open the new center to train people in the construction trades. Next Coffee with the Mayor will be May 14; MPT Stites will sit in for the Mayor.

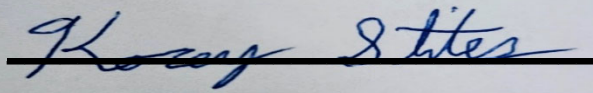
## **ADJOURNMENT**

The meeting adjourned at 8:00 pm exactly.

APPROVED BY CITY COUNCIL ON May 8, 2023.



Steve Kirkpatrick, City Clerk



Korey Stites, 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.