

**STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO**

July 16, 2012

Mayor DiTullio called the Study Session to order at 6:30 p.m. Council Members present: Davis Reinhart, William "Bud" Starker, Kristi Davis, Joyce Jay, Mike Stites, and George Pond. Members absent: Joseph DeMott and Tracy Langworthy.

Also present: City Clerk, Janelle Shaver; City Treasurer, Larry Schulz; City Manager, Patrick Goff; Police Chief, Daniel Brennan; Community Development Director, Ken Johnstone; Public Works Director, Tim Paranto; Administrative Services Director, Heather Geyer; staff, and interested citizens.

PUBLIC COMMENT ON AGENDA ITEMS

Nancy Snow addressed some issues she had regarding the adoption of the 2010 Model Traffic Code. For the misuse of handicapped parking passes she encouraged Council to adopt the fine schedule provided in state statutes, which has stiffer penalties, rather than allowing our municipal judge to decide the fines.

Moe Keller had a handout containing concerns in the draft noise ordinance. She said the definition of unreasonable noise is good. The wording that allows for an amplified sound event is confusing and seems to allow a special use permit for amplified sound every day of the year, and exempt these events from the noise ordinance. That is a great concern for the neighbors. Regarding amplification, it isn't the amplification itself that's the issue, it's the volume of the noise – whether it's a barking dog or a band. It also appears that enforcement is only for amplified sound and does not apply to all the other violations of noise. The neighbors have questions about what is a mobile noise source. Arvada, Golden, Lakewood, and Denver all have specific language addressing mufflers, pipes, etc. The problem of cars and motorcycles that either don't have mufflers, or have modified mufflers is not addressed in the ordinance. She encouraged Council to consider these comments.

Steve Keller spoke on the noise ordinance. He referenced an email Council has about Wednesday evening, July 11, when their neighborhood experienced the most significant noise disturbance they've had in 34 years – with the exception of some 4th of July fireworks. It was motorcycles. In that light he emphasized the importance of including vehicular noise. He also pointed out that amplified sound at restaurants and outdoor events only needs to reach the patrons of the business, not further away.

Laura Jenkins reported that she has researched noise ordinances in cities in northern Colorado, cities our size, and adjacent cities. She encouraged Council members to research some of these other towns. In many cases amplified sound is not allowed; if it is – decibels are given or there is a designation of distance. The one protection the neighbors had – distance, has been done away with now and that is scary to them.

APPROVAL OF AGENDA

To accommodate interested citizens that were present, it was agreed to discuss the noise ordinance (Item 6) right after the school presentation (Item 2).

1. Elected Officials' Report(s)

Treasurer Larry Schulz went over an Investment Status Report that he passed out.

2. Jefferson County Schools Presentation

Representatives from Jefferson County School District presented to City their proposal for a Mill Levy Override and Bond election in November 2012. Speakers included:

Cindy Stevenson, Superintendent	Jill Fellman, School Board
Griff Wirth, Principal, WR High School	Warren Blair, Principal, WR 5-8
John Martinez, Principal, Wilmore-Davis Elementary	

Handouts in the packet included:

- R-1 Budget Highlights 2012-2013
- Jeffco: Just the Facts – May 2012
- Jeffco Fast Facts
- Proposed 2012 Bond scope, May 23, 2012
- Mill Levy Override and Bond Ballot Questions

R-1 superintendent Cindy Stevenson focused on the grim financial situation for R-1. She detailed examples of how the principals are doing more with fewer resources. Things in jeopardy include class size, 396 teachers' jobs, 85 librarians, music programs, outdoor lab, and instructional coaches. In 2013-14 more deductions will come and there will be no more federal money and no more reserves available. Of note is that Jeffco schools are tied for second in graduation rate of the 50 largest school districts in the nation.

Jill Feldman asked for the City's endorsement of the ballot issues they will be putting before the voters this fall. The \$39 million Mill Levy will be used to sustain staffing and programs. The \$99 million in Bonds will be for deferred maintenance on buildings.

Council members had questions and shared their thoughts. Guests joined in the discussion.

Ms. Stevenson reported she has a resolution available if Council would like to use it.

3. (Original Item 6) Amendment to the Current Amplified Sound Ordinance

Mr. Dahl explained the changes he prepared to the current noise ordinance that would cover amplified sound. Chief Brennan went over some aspects of the changes. He

recommended that after this noise issue is addressed that Council consider addressing the topic of Special Events in general and include noise in that process. A lengthy discussion addressed various questions and observations made by council members.

There was consensus to have staff make further changes to the ordinance, include the definitions of events and assemblage, and add an administrative permit process for larger events. The issue of mufflers will be addressed in a separate ordinance in the traffic code at a later date. Before going to 1st reading these changes will be discussed at a special, short study session next week after the Council meeting on July 23.

Mayor DiTullio left the meeting at approximately 8:25 PM. After a 5 minute break Mayor Pro Tem Mike Stites resumed the meeting.

4. Staff Report(s)

a) Closure of City Parking Lot – 38th Ave. Events

The owners of Right Coast Pizza have requested a permit to use the City-owned parking lot next to their business for four special Saturday events during the summer of 2012. Council approval will be required. Council was supportive of this but doesn't want them to use the date that competes with the Carnation Festival. Mr. Paranto will ask Right Coast Pizza to change their September 25 date and he will prepare the required Right-of-Way Use Permit for the next council meeting. There was a suggestion that Right Coast contact neighboring businesses so they can also plan something on those dates and times if they wish.

b) Architectural and Site Design Manual Update

Ken Johnstone reviewed the new version of the Architectural and Site Design Manual and thanked planner Sarah Showalter for her work on this.

- Content hasn't changed that much, but he thinks the new version is more organized and user-friendly.
- Most of the updates deal with architectural requirements and design standards for industrial, commercial and residential – removing the one-size-fits-all model.
- It expands the applicability for façade modifications which will be friendlier to new businesses.

No formal action is technically required, but given the policy significance of what this document applies to staff asked for a consensus from Council to print this document and begin using it. Council agreed.

5. Foothills Animal Shelter IGA

Heather Geyer asked for consensus to approve a new IGA for the county animal shelter. The IGA merges the previous IGA's that established Table Mountain Animal Shelter and implemented the Dog License Program into one IGA.

Highlights of the new IGA include:

- Officially changing the name of the shelter to Foothills Animal Shelter
- Establishes a capital reserve of \$500,000
- Establishing an operating reserve equivalent to 25% of annual operating expenses – roughly about 3 months of operating expenses.
- Allocate the Dog License Program revenue (net of administrative costs incurred by the County who currently administers the program) to the operations of FAS
- Allocate the annual City assessments to the annual debt services obligation

Council agreed to proceed with the resolution to approve the IGA.

6. Discussion of 2010 Model Traffic Code

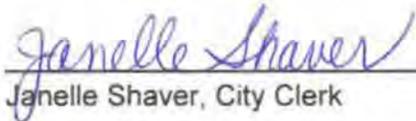
Chief Brennan presented the most recent Colorado Model Traffic Code. The City traditionally re-adopts this every few years and we have not done this since 2003. As a Home Rule municipality this allows us to adopt a Code that is current with state statutes. He noted the 13 amendments that staff is suggesting. He addressed Mrs. Snow's suggestions during public comment and reminded Council that Wheat Ridge, by charter, adopts its own fine schedule. The chief would like to put this into effect by November 1. This will give staff time to update the tables and records management, and use up old citations (tickets) before new ones are ordered.

There was consensus to have first reading next Monday, July 23.

Additional Note Proposed City ballot issue

Mr. Dahl explained that in writing the ballot question for popular vote election of the mayor, clerk, and treasurer he discovered that the wording for electing city council members actually did not provide for winning by popular vote. Mr. Dahl will create wording that will provide for popular vote for all municipal elected offices.

The study session was adjourned at 9:05 p.m.



Janelle Shaver, City Clerk