

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

June 25, 2012

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

Absent: Tracy Langworthy

Also present: City Clerk, Janelle Shaver; City Treasurer, Larry Schulz; City Manager, Patrick Goff; City Attorney, Gerald Dahl; Community Development Director, Kenneth Johnstone; staff and interested citizens.

1. Noise Ordinance Discussion

Citizen comments

Moe Keller had a handout for council and discussed the points it contained. She feels the ordinance is being rushed. She has concerns about the wording as it relates to a special events permit.

Laura Jenkins expressed concern about changes to noise ordinance. When she testified at the liquor Authority meeting on April 26, they were told to use the noise ordinance. That hasn't worked with a new business in her area. She is concerned that businesses can take advantage of the noise ordinance.

Steve Keller thanked Council for addressing the noise ordinance. Until now we have not had to worry about noise on a commercial street nearby. Living near a commercial street does not mean that a neighborhood should be subjected to a routine occurrence of concerts or loud music. He thinks 8 times a year is too much, and recommended that the special use permits allowed only twice a year.

John Marriott said he supports the concept of allowing amplified music in the noise ordinance. As Chair of the Wheat Ridge Business district he related how they have tried to create a certain feel on 38th Avenue with events. They would like to have regular events. Perhaps we need to redefine noise on a commercial street. He urged Council to keep the businesses in mind and allow freedom and flexibility for businesses so they can do what is necessary to help their businesses.

Staff report:

Mr. Dahl went through the ordinance and permits form. This relates to the City's noise ordinance. The City's noise ordinance applies, except when a permit is approved. Penalties follow code enforcement standards.

Questions Council needs to settle are:

- How many times a year will the permits be allowed?

- What are the time restrictions for the permits?
- For the notice of pending event, do you want it to go to properties within 300 feet, 600 feet?

This is a sound only permit. On the last page it provides that staff will address a sound only permit. If you want to do other things, that will require broadening the scope of the permit.

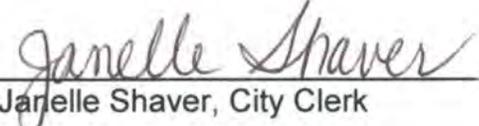
Due to the shortness of the study session and the number of citizens who spoke there wasn't much time for Council to discuss the ordinance.

Mr. DeMott reported having talked to a lot of people in his district, but it's not just the new bar on 44th. There is the monthly art walk and the monthly cruiser crawl on 38th Avenue -- with bikes going bar to bar. 4-5 times per year is reasonable, and with all the sunshine we have it's not just a 3 month season -- more like a 4-5 month season. Perhaps we could limit to once a month, 4-5 times a yr. We don't want to pit citizens against businesses and put the police department in the middle. Right now people could do this 365 days a year. He suggested we could still have 1st reading tonight and address the particulars before 2nd reading.

Mr. Reinhart mentioned that the 45 waiting period in the ordinance means nothing much can happen this summer anyway, so why the rush? He is concerned that there are so many issues that still need vetting.

At Mr. Starker's suggestion it was agreed to take this up next week at the July 2 study session.

The study session was adjourned at 6:55 PM.


Janelle Shaver, City Clerk