

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue

February 3, 2014
Legislative Forum

Dinner was served and Mayor Jay called the Study Session to order at 6:45 p.m. Council members present: Jerry DiTullio, Bud Starker, Zachary Urban, Kristi Davis, George Pond, Tim Fitzgerald, Genevieve Wooden, and Tracy Langworthy.

Also present: City Clerk, Janelle Shaver; City Treasurer, Larry Schulz; City Attorney, Gerald Dahl; City Manager, Patrick Goff; Judge Randall; Chief Brennan; Administrative Services Director, Heather Geyer; Parks Director, Joyce Manwaring; Public Works Director, Scott Brink; Community Development Director, Ken Johnstone; Management Analyst, Nathan Moseley; guests and interested citizens.

Special Guest: State Representative Sue Schafer. State Senator Cheri Jahn was unable to attend.

PUBLIC COMMENT ON AGENDA ITEMS

Rachel Hultin (WR) commented on the Pierce Street Bike Improvements. She announced that the Active Transportation Advisory Group will be meeting tomorrow night at Colorado Plus at 6:30pm. This citizen-led group is trying to work with the City to help advance biking and walking investment. They've reviewed the study session packet and have the following feedback:

- Signage alone does not adequately create a bike facility that creates the strong north-south corridor they're hoping to create.
- Since they want strong bike route tie-ins to 38th Avenue, they want to make sure we're creating bike facilities that are friendly for less confident riders and families.

Adam Wilie (WR) moved here less than a year ago. He supports the bike/ped plan as he commutes on Pierce every day. There is opportunity for improvement, but it's also a great location to spend allocated dollars to create some safe routes for all travelers – bikes, pedestrians and vehicles.

Ron Keifel (WR) of WR Cyclery said their business heartily supports Pierce as a bike route.

Kristian Teegardin (Edgewater) said he commutes to work every day on Pierce; it's a major thoroughfare that connects his neighborhood to 38th Avenue. If there were more bike lanes he might ride his bike more.

APPROVAL OF AGENDA

1. Legislative Forum

After Mayor Jay's opening remarks Councilman Starker noted he's Wheat Ridge's representative on the CML Policy Committee. Councilmember Urban is the alternate. They meet 3-4 times a year. He will stay abreast of bills that affect local interest and report back to Council as needed.

Representative Sue Schafer had a handout and spent time going through a number of bills that either she sponsored or are a priority in the legislature.

Nathan Mosely noted a tri-fold flier for her that outlines the City's legislative priorities.

Patrick Goff spoke on bills affecting 1) brownfields tax credits and 2) the guarantee of special district sharebacks from TIF's (tax increment financing)

Councilmember Starker expressed concern about how new construction of multi-family housing has been crippled by litigation and liability for construction defects. There may be some legislation coming forward. This issue affects Wheat Ridge at our FasTracks station on Ward Road where multi-family, owned-occupied house is planned.

Chief Brennan appreciated Sue's support of the anti-bullying bill and the Safe-to-Tell bill. ~ He expounded on a bill that would put a 6 month limit on using passive surveillance records (auto license plate readers, community cameras, etc.). He explained how it would hamper crime investigation and homeland security issues.

Judge Randall and Jerry Dahl both spoke on HB 1061 concerning pay or serve warrants. The ACLU is pushing this as a civil rights issue taking the position that poor people should not be sent to jail for failure to pay fines. The Judge and Mr. Dahl both explained how municipal courts go through a long list of opportunities and choices for people to comply with, and only after repeated refusal to comply and consistent refusal to make any effort to fulfill even portions of their obligations are people ever sentenced to jail. Judge Randall also explained how it conflicts with city ordinances and could actually backfire, causing people to end up spending more time in jail than if they had just served that original short sentence.

Chief Brennan urged Rep. Schafer to support legislation to allow notification of a mental health hold release. ~ He also addressed a proposed ballot initiative concerning restrictions on pet euthanasia. An outside group has come to Colorado to make us a test case and make Colorado a no-kill state. Right now the State and Jefferson County have an 87% success rate on saving animals. Shelters work hard to get animals adopted. Restricting their ability to euthanize would have a severe impact on them. He brought this up because it's a concern about the initiative process.

Kathy Franklin, our sales tax supervisor and in-house expert, spoke about a potential threat to local control which would not allow cities to levy their own taxes. She explained the difference between standard definitions and a standard base. 69% of our

general fund comes from sales and use taxes. Standard definition is better for city revenue than standard base. With a standard base, where the state decides what can be taxed, we could lose 25% of our sales and use tax revenue.

Heather Geyer addresses a bill that would put a ban on pledging business personal property tax revenue. It would restrict our ability to use that revenue for bond financing/service. We think it's an attempt to get rid of business personal property tax, but it's also a very convoluted bill and we recommend your opposition.

Ken Johnstone mentioned a recently introduced bill regarding the phasing out of plumbing fixtures that aren't determined to be water conserving. They are just monitoring it, and will contact Rep. Schafer if necessary. The impact would be on consumers, but simplifies the City's role in inspection.

Clerk Shaver addressed some bills that affect liquor licenses and one that creates a Municipal Mail Election Code.

Treasurer Schulz thanked Kathy Franklin for her work on the CML Sales Tax Committee to work on those definitions. It's a huge task. He believes that standardized sales taxes and even state collection is a serious threat against home rule cities. ~ He noted that most banks don't take municipal investments. There is a bill that would allow more investment opportunities within municipalities. He will review it and send Rep. Schafer a summary.

2. Staff Report(s) ~ Patrick Goff

a) Council Retreat, Citizen Forums and Town Hall Meeting

Council Retreat

There was a general round table exchange about thoughts and preferences for a Council retreat. The consensus was for the 2-day format – Friday afternoon/evening and Saturday morning/afternoon. Tentative dates are Friday, March 21 and Saturday, March 22.

Citizen Forum

Mr. Goff asked Council if they wanted to have another Citizen Forum facilitated by Jon Johnson and Chris Fabian from the Center for Priority Based Budgeting. There was prolonged discussion. Agreement could not be reached about the format of the Forum and whether councilmembers should attend. Mr. Goff finally suggested cancelling it. He reported that staff is working on another City survey that will be mailed out to 3,000 randomly selected residents.

Town Hall Meeting

March 31st is scheduled for the 2014 Town Hall Meeting. A few Councilmembers gave their ideas for topics for the meeting.

Due to the lateness of the hour there was discussion about postponing some agenda items. It was agreed to postpone the Pierce Street Bike Improvements to a later date.

b) Retail marijuana license fees ~ Jerry Dahl

Council is authorized to set and adopt operating fees for the ongoing inspection, administration and enforcement of marijuana establishments.

Staff has estimated the amount of time the police and tax division would spend on administrative duties. Recommendation is for the following annual operating fees:

Retail Marijuana Store	\$500
Retail Marijuana Cultivation Facility	\$200
Retail Marijuana Products Manufacturer	\$200
Retail Marijuana Products Manufacturer	\$200

It was noted that:

- Other cities' fees are between 2 and 4 times what our staff is recommending.
- We will get half of what the state is charging for conversion fees (medical to recreational) and for new licenses.
- A separate licensing fee would be appropriate.

Council discussion followed which brought out:

- Liquor license fees are substantially higher than this.
- Council had agreed not to gouge the marijuana dealers on their fees
- We want to be business friendly, but we don't yet know the impact on City staff.
- Operating fees only cover administrative staff time for processing a license.
- Nothing has been calculated/included for added enforcement time.

Councilmember DiTullio received unanimous consensus to

- a) triple the recommended amounts for the operating fee, and
- b) use staff's recommended figures as the licensing fee.

3. First Bank Loan Options with Renewal Wheat Ridge

In April, 2008 Urban Renewal got a loan from 1stBank for the purpose of purchasing two properties at the southeast corner of 44th & Wadsworth. The outstanding loan balance \$2,271,114 and has a maturity date of April 15, 2014. Staff met with 1stBank to renegotiate the loan. Two options were presented.

Discussion followed.

Mr. DiTullio received unanimous consensus to go with Option 2.

4. Proposed Pierce Street Bike Improvements (Postponed to February 10th)

5. Elected Officials' Report(s)

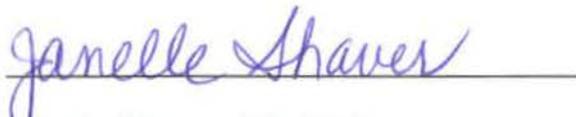
Tracy Langworthy reported that Wheat Ridge Aging Well received a grant for funding of senior services in Wheat Ridge. The money is to be spent on what the seniors want, not what City Council thinks they need. Four sessions will be held in the near future at senior locations -- the first one being tomorrow night at the Active Adult Center. She invited her colleagues to encourage seniors to come and offer input on how they'd like the money spent. Mr. Goff noted the grant is \$300,000+ each year for 3 years.

Kristi Davis reported that the urban renewal authority had spent time doing an Urban Renewal 101 to clarify their responsibilities. Jesse [Hill] will be coming to Council to give a report. ~ She's going to attend a 2-day conference next week which includes a field trip to some Denver urban renewal projects.

Jerry DiTullio noted that he and **Bud Starker** had met with staff about the East Wheat Ridge project. They'll be trying to engage the Housing Authority for a project in the area near the Richards-Hart Estate.

Genevieve Wooden informed the Council she and the Mayor had attended a meeting called HEAL (Healthy Eating Active Living) that is put on by the Jefferson County Health Department and Live Well Colorado. There is a "HEAL City" designation. She will be learning more about this as we already have a lot of these policies in place.

The Study Session adjourned at 9:20 PM.



Janelle Shaver, City Clerk