

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

January 5, 2015

Mayor Jay called the Study Session to order at 6:30 p.m.

Council members present: Bud Starker, Zachary Urban, Tim Fitzgerald, George Pond, and Jerry DiTullio.

Absent: Kristi Davis, Genevieve Wooden, Tracy Langworthy

Also present: City Clerk, Janelle Shaver; Treasurer, Larry Schulz; City Manager, Patrick Goff; Chief Daniel Brennan; Commander Dave Pickett; Commander Jim Lorentz; Officer Mary McKenna; Community Development Director, Ken Johnstone; and interested citizens

PUBLIC COMMENT ON AGENDA ITEMS

none

APPROVAL OF AGENDA

1. Staff Report(s)

a. Sex Offender Registration Fee – Dave Pickett & Chief Brennan

Commander Pickett explained that WR charges the maximum for sex offender registration fees. Some neglect to pay either their initial registration fee(\$75) or the annual reregistration fee (\$25). This resulted in lost revenue of \$1,065 in 2012 and \$1,185 in 2013.

Two years ago state statutes changed the pursuit of outstanding sex offender registration fees from a criminal to a civil process. Registering jurisdictions have to sue in civil court for non-payment. Verbal requests for payment have been ineffective and other processes the City uses to collect unpaid fees would be ineffective in this matter. The proposed ordinance will allow the City to issue a summons to collect back fees.

Chief Brennan noted the issue reflects 12-13 sex offenders out of the 120-130 we have in the City any given month. The proposed ordinance is similar to something the City of Brighton enacted about a year ago and it has been effective for them.

Discussion followed.

- Non-payment would be a criminal misdemeanor, with a maximum penalty of \$999 or 90 days in jail at the judge's discretion.
- Sometimes offenders don't have the money when they register. Some don't pay; some move away; some are transient.
- Offenders who don't pay the fees are still listed.

Councilmember Starker received consensus to bring the ordinance forward.

b. Amendments to Section 16-156b; Interference with a police officer

Chief Brennan explained that an incident last year caused his department to have the City Attorney review its policies on harassment and disorderly conduct arrests involving police officers as victims. Last fall Council directed the City Attorney to address this. In reviewing Section 16-156 he determined that subsection (b) was likely overbroad and might prohibit free speech. This section has been removed, with some of the wording moved to subsection (c). Subsection (d) is amended to reflect current constitutional law requirements concerning investigatory stops. They're minor changes.

Councilmembers Starker and Urban had brief questions.

Councilmember Starker received consensus to move forward with the proposed amendments to the ordinance.

2. Code Enforcement Strategies – Chief Brennan

Chief Brennan gave a short power point presentation summarizing the City's nuisance codes and violations by category the last three years.

- About 17% of the nuisance code violations are "defacing property", i.e. graffiti.
- The other top code violations are littering, weed control, unlawful activities (storage, junk, debris, parking/vehicles, etc.), control of trees and shrubs, and unlawful acts (run-down property issues: peeling paint, broken windows, etc.).
- The southeast part of the City has a consistently high concentration of violations.
- 2014 Citizen calls for service – defacing property (282), weed control (98), littering (88), unlawful activities (65), and unlawful acts (46).
- 2014 Officer-initiated calls for service – weed control (663), littering [includes illegal signs: garage sale, political] (413), unlawful activities(385), unlawful acts (287), and defacing property (161) ~ The seasonal positions have enabled us to be more proactive.

The Chief outlined the tools in the strategy that are already in place.

- The East WR Community Policing Project (Sheridan to Harlan)
- Dumpster Program (east side of the City)
- Budget – focused overtime and small JAG grants for Community Policing Project
- Seasonal CSO's – Increasing from 3 to 7 positions in 2014 has really helped.
- Large Item Pickup Program
- Education and media – newsletter articles, brochures/handouts/flyers, website, Channel 8, Cody the Code Ranger, social media
- Senior Citizens – The Community Services Team can assist in finding resources for senior needs regarding nuisance code issues.
- Outside Partners – such as WR2020, Jewish Family Services, local churches, Jeffco Housing Authority and DRCOG
- Issue Groups – Members of the Police, Community Development and Public Works departments meet monthly to strategize on current cases.

In an effort to be more proactive staff makes the following recommendations:

- Rather than hire another FTE, convert 2 of the 7 seasonal positions to year-round, non-benefited contract positions.
- These two contract positions would focus solely on nuisance code enforcement in identified problem areas or corridors. (No parks or animal control duties.)
- Two residential neighborhoods and one commercial area would be identified for focus by these employees.
- The work would be data driven with a problem-solving approach. "Carrot and stick".
- Two contract employees for 30 hrs/wk @ \$16/hr = budget supplement of \$27,000.
- This would require adding one vehicle to the existing fleet – a standard utility pick-up truck with no animal control equipment. Cost \$35,000.

Ken Johnstone elaborated on potential strategies for commercial areas. He said this will be better addressed after the contract approach has been tested for a year.

Discussion followed.

Councilmember DiTullio asked for consensus to proceed with the contract employees and the new truck.

Councilmember Starker received consensus to move forward and authorize \$62,000 for these two items. Identification of specific areas of focus will come in the future.

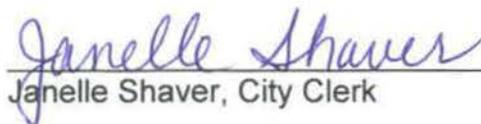
3. Elected Officials Reports/Matters

Jerry DiTullio brought up electric fences in commercial areas. He and Zach Urban would like to add to the January 12 agenda a motion to direct the City Attorney to prepare an ordinance allowing commercial grade electric fences.

Mayor Jay asked to add an agenda item for the next meeting to disband the Animal Welfare and Control Commission. George Pond joined in the request. Mayor Pro Tem Starker said he would add to the next agenda a motion to direct the City Attorney to bring back an ordinance sunsetting the Animal Control Commission.

ADJOURNMENT

The Study Session adjourned at 8:17 p.m.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON



Bud Starker, Mayor Pro Tem