

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue
October 1, 2018

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

Councilmembers present: Monica Duran, Tim Fitzgerald, Zachary Urban, George Pond and Larry Mathews.

Absent: Leah Dozeman, Kristi Davis, Janeece Hoppe

Also present: Deputy City Clerk, Robin Eaton; City Manager, Patrick Goff; City Attorney, Gerald Dahl; Chief of Police, Daniel Brennan; Parks and Recreation Director, Joyce Manwaring; guests and interested citizens.

CITIZEN COMMENT ON AGENDA ITEMS

Guy Nahmiach (WR) wants to make notice that the Parks and Recreation commission will be making recommendations on the revised ordinance. He hates to quote Avril Lavigne but why make it so complicated. There is no need to differentiate between 3.2 fermented beer and malt liquor, beer is beer. Everyone want laws and ordinances that are easy to understand, digest and read. We want them to walk to the neighborhood park, eat pizza and have a beer. Ordinances are supposed to be easily enforced by Officers, including not having to test the alcohol content of beer, even home-made beer.

1. Prohibiting the Feeding of Wildlife Ordinance – Joyce Manwaring

This ordinance amends Chapter 4, Chapter 16, and Chapter 17. The City Code of Laws does not currently define wildlife and waterfowl and food, or prohibit the feeding of wildlife except for specifically, foxes and coyotes.

Ms. Manwaring along with Natural Resource Manager Margaret Paget explained the issue.

Chief Brennan stated that the new ordinance, if approved, would bring us more in compliance with State Division of Wildlife and the U.S. Fish and Wildlife Service concerning the hazards of feeding wildlife.

Discussion and questions from Council followed:

- Hazards including more predators where animals are congregated
- Transmission of diseases
- High nutrient level of excrement creating water quality issues
- Park signage to include referencing the ordinance
- Private property to be included along with City property

Councilmember Pond received consensus 5-0 to move forward with the ordinance.

2. Ordinance Amending Chapter 17- Consumption of Fermented beverages in City Parks

The code of laws for the City of Wheat Ridge regarding permitting the consumption of Alcoholic Beverages in a park or recreation area currently follows the State definition and law, which refers to the percent of alcohol by weight, allowing not more than 3.2%.

Ms. Manwaring along with Mr. Dahl explained the issue as to how City codes will need to change to stay compliant with new State Liquor laws.

Discussion and questions from Council followed:

- Amend proposed ordinance to add the word beer, in addition to the fermented malt beverage. To indicate what simply is allowed.
- Is drinking in the park an enforcement problem currently with the WRPD
- Wine, Whiskey and Malt Liquors are allowed only under a special event permit
- Provisions on what type of control features are required to have alcohol in the parks

Councilmember Pond received consensus 5-0 to move forward with the ordinance.

3. Electrical Assisted Bicycles – Joyce Manwaring

Park Rules and Regulations do not allow motorized vehicles on City trails. Due to the increased popularity and use of electric bicycles, there is a demand by riders to allow this usage.

Ms. Manwaring introduced and spoke about the issue, including the current code.

Discussion and questions from Council followed:

- Only allowing Class I & II types of electrical bicycles
- Speed limits
- Signage or trail markings for the bikes

Mayor Starker received consensus 5-0 to move forward with the ordinance.

4. Staff Report(s)

Patrick Goff noted that through the Colorado Municipal League that we are encouraged to take a stand against Amendment 74 on this year's ballot. This constitutional amendment would require just compensation if private property has reduced fair market value by government laws or regulations. The CML believes that any municipal action or inaction could change fair market values and trigger many lawsuits against the City.

Discussion followed

October 1, 2018

Page 3

Consensus to move forward with a draft Resolution to oppose this amendment.

Lastly, there is a joint meeting with the school district at 12:00 PM on October 10 at Stevens Elementary.

5. Elected Officials' Report(s)

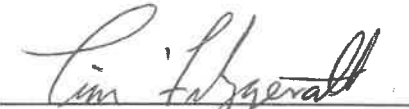
Larry Mathews would like to see that all city council tentative agenda schedules be posted conspicuously somewhere on the City website pages. Most recently noticed is the short timeframe where the Bulk plane will be heard by Council on October 15.

ADJOURNMENT: The Study Session adjourned at 7:48 p.m.



Robin Eaton, Deputy City Clerk

APPROVED BY CITY COUNCIL ON October 8, 2018



Tim Fitzgerald, Mayor pro tem