

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue
December 2, 2019

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

Council members present: Amanda Weaver, Judy Hutchinson, Valarie Nosler Beck, Korey Stites, Zachary Urban, Rachel Hultin, and Leah Dozeman

Absent: Janeece Hoppe (excused)

Also present: Deputy City Clerk, Robin Eaton; City Manager, Patrick Goff; City Attorney Gerald Dahl, Community Development Director, Ken Johnstone; Parks and Recreation Director, Karen O'Donnell; other staff, guests and interested citizens.

Citizen Comment on Agenda Items

(Summary)

Debra Young (WR) spoke with council about the group home that is adjacent to hers and again wishes she had received notification before they moved in. This group home is more like an Airbnb or transient home. Single family homeowners should be advised when a group home moves in for without regulations, these types of group homes could have double the amount people in them than they already do.

Colette Beneski (WR) is the neighbor of Ms. Young, who also had spoken with city council, is distraught about having the home in the neighborhood. The increase in traffic makes it dangerous for the children and parking is hard to find, even on Sundays. The character and quality of the area has gone down and wishes more regulations were in place to help the citizens of the neighborhoods

Lorrie Odom (WR) thanked the city council for the ordinance to help curb youth vaping and she strongly supports the measures that are being reviewed. She gave statistics on how youth vaping can lead to smoking and how it disrupts the young mind before it matures. Other local towns, cities and counties have passed new regulations and thinks Wheat Ridge should as well.

Barbara St. John (WR) is very concerned about this issue and had called the high school to see what they have been doing about it. She wants to keep all tobacco products out of the hands of children.

Lynette Namba (WR) thanked the Council, Mayor, and guild members and supports making effective tobacco policies for numerous reasons. Youth vaping leads to other

health issues and addictions plus enacting a tobacco license gives the city leverage for compliance checks.

Rhonda Valdez is the nurse at Wheat Ridge high school that Ms. St. John had spoken to. She listed the programs that they have at the high school with many efforts, one that includes social justice issues. Just as Lakewood did, she hopes that Wheat Ridge follows suit with additional tobacco laws.

1. Refugee Resettlement in Wheat Ridge – Request for Consent

Representatives from the International Rescue Committee, on behalf of the Ethiopian Community Development Council's African Community Center, Lutheran Family Services Rocky Mountain Refugee and Asylee Programs and the International Rescue Committee in Denver, have requested time with City Council to provide an update on a recent Executive Order issued by President Trump wherein state and local governments are given new authority regarding initial refugee resettlement.

City Manager Patrick Goff presented background for the discussion.

Jennifer Wilson and Victoria Francis spoke on the issue and gave presentations on the item.

Questions and discussion by council followed

Councilmember Urban received consensus to bring a resolution forward on December 9, 2019.

2. Regulation of Group Homes

The City's current zoning regulations, in Chapter 26 of the Wheat Ridge Code of Laws, treat groups of any number of unrelated handicapped individuals living together as a "family." Group homes of any size for such individuals may therefore locate in the same zone districts in which a single-family dwelling is a permitted use without a formal review or application process. City staff believes the location of larger group homes, of any type, in residential districts without a review process could result in land use impacts that are incompatible with the surrounding properties.

The City Attorney's Office has advised it is permissible, but not required, under state and federal law, to regulate the zoning of group homes for the handicapped and disabled, including imposing a numeric limitation on the size of such homes. Staff therefore recommends the preparation of an ordinance to create zoning regulations for residential group homes for the handicapped and to make all residential group home zoning regulations generally consistent.

City Attorney Dahl provided background for the discussion.

Questions and discussion by council followed

Councilmember Weaver received consensus to bring a council bill forward to include but not inclusive of creating a cap on maximum occupancy for eight residents, a special use permit above eight persons, address available parking for staff members, quarterly license certification inspections to include state and county licensing, proximity for the transportation of the residents and proximity for density of the residences not having too many such homes together in the same area.

Mayor Starker requested a short break be taken which reconvened at 8:41 p.m.

3. Youth Vaping/Tobacco Use Policy Discussion

Tobacco and youth vaping is on the rise in Wheat Ridge and the Jefferson County region. Based upon previous Council direction, staff is presenting options to be considered for a youth vaping and tobacco policy.

Assistant to the City Manager, Marianne Schilling presented background for the discussion.

Ms. Khanh Nguyen from Jefferson County Public Health services gave witness to the process and procedures that have taken place throughout the county.

Council questions and discussion followed

Councilmember Weaver received consensus to move a council bill forward to require a tobacco retail license.

Councilmember Hultin received consensus to bring a council bill forward to have a recommended cost of implementing the licensing program and those fees are in line to cover staff costs and as well as all coverage for the program.

There was consensus to move a council bill forward to have the minimum age to purchase tobacco be the age of 21

There was a consensus to move a council bill forward to have the minimum age to sell tobacco be the age of 18.

Consensus was received to move a council bill forward that requires all tobacco products not be allowed to be self-service and have better language as to what "behind the counter" would mean.

Councilmember Stites received consensus to get more information on whether or not to require a new tobacco retail licensee be at least 500 ft. or more from schools and to grandfather in existing tobacco facilities that are within those feet restrictions.

Consensus was received to move a council bill forward that no tobacco products would be allowed to be sold via a mobile conveyance vending business.

Consensus was received to move a council bill forward to include that all tobacco licensees have pro-active enforcement compliance checks.

Consensus was received to bring back recommendations to provide language and penalties for selling tobacco without a license, what defines a sale, along with language that speaks of education.

Discussion followed

4. Staff Report(s) none

5. Elected Officials' Report(s)

Councilmember Hultin first requests Kudos for the snow removal efforts by city personnel. Secondly she notices that often sidewalks are being closed due to plowing by commercial entities. She requests for possible additional enforcement actions to look into the problem. Mr. Goff reported that this issue is already illegal in the City but there can be additional discussions on the issue to become more proactive.

Councilmember Weaver thanked everyone who attended the meeting, where two of the issues are very near to her heart. She appreciates citizen's input on items and encourages more citizens to contact their city councilors as to what makes their quality of life better or what they are thinking about.

ADJOURNMENT

The Study Session adjourned at 10:02 pm.

APPROVED BY CITY COUNCIL ON January 13, 2020



Robin Eaton, Deputy City Clerk



Janeece Hoppe, Mayor Pro Tem