

**STUDY SESSION NOTES  
CITY OF WHEAT RIDGE, COLORADO  
Virtual Meeting**

**May 3, 2021**

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

This meeting was conducted as a VIRTUAL MEETING.

No members of the Council or City staff were physically present at the Municipal building for this meeting; the public did not attend in person.

Mayor Starker welcomed the Council, other elected officials, staff and interested citizens.

The Mayor also explained the virtual meeting format, how citizens will have the opportunity to be heard, and the procedures and policies to be followed.

Council members present Zach Urban, Amanda Weaver, Judy Hutchinson, Korey Stites, Rachel Hultin, Leah Dozeman, Valerie Nosler Beck, Janeece Hoppe.

Also present: City Manager, Patrick Goff; City Attorney Jerry Dahl; City Clerk, Steve Kirkpatrick; City Treasurer, Chris Miller; Chief of Police, Chris Murtha; Director of Administration, Allison Scheck; Director of Community Development, Ken Johnstone; Director of Planning, Lauren Mikulak; Judge Chris Randall; Senior Neighborhood Planner, Jeff Hirt; Public Information Officer, Sara Spaulding; Assistant to the City Manager, Marianne Schilling; and Ashley Holland, Neighborhood Engagement Specialist; other guests and interested citizens.

**Citizen's Right to Speak**

No one came forward to speak tonight.

**Note about Wheat Ridge Speaks:**

Citizens may visit the Wheat Ridge Speaks website and enter written comments of up to 1,000 words on any Council agenda item. The deadline for citizens to submit comments is 12:00 Noon Mountain Time on the day of a Council session so that Council members, other elected officials and City Staff have time to review the comments before the meeting on Monday evening.

The City Clerk's Office transcribes those Wheat Ridge Speaks comments into these minutes, placing each comment along with the record for that agenda item, including items that include a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech).

No comments appeared in Wheat Ridge Speaks for this session.

**1. Contract Renewal – Judge Municipal Court**

Discussion began at 6:32 pm, Approx. :02 minutes into the recording of the session.

## **Issue**

The City Charter creates a municipal court and directs the city council to appoint a presiding judge. The Charter requires that all municipal judges have been on the bench or have practiced law for a period of years.

The Charter states that Council shall appoint a Presiding Judge for a term of two (2) years. By charter, the duties of the judge are to supervise court personnel and submit a yearly budget. The Supreme Court establishes a mandate as well: to justly determine all ordinance violations, ensure criminal law procedures, administer cases fairly, and follow city, state, and federal laws and constitutions.

## **Staff reports**

Presiding Judge and Department Director for the Wheat Ridge Municipal Court, Chris Randall gave an overview of his qualifications, philosophy, and sentencing to name a few items.

He also spoke of the challenges for municipal court, those included topics of:

- Local Control
- Homelessness
- Substance abuse
- Inability to collect restitution
- Jail bed limitations
- Mandatory personal recognizance bonds

He then spoke about his many accomplishments and how it was a team effort to do so and would have been impossible to do without the assistance of the court administrator, court staff, IT, or city staff.

## **Councilmembers had questions and comments:**

Councilmembers commented:

The manner in which the judge operates his courtroom creates mutual respect for the Court, the City and our citizens.

What kinds of offenses can be heard virtually? His Honor gave a detailed answer.

Thanked the judge for his input and the context he provides when Council considers various ordinances, because his thinking helps laypersons better understand the dynamics that drive Council to act and the options Council has.

Which lower-level felonies fall into the category that allows only a citation to the offender and no arrest? His Honor and Chief Murtha gave a relevant response.

Councilmembers will fulfill their Charter obligation to pass an Ordinance re-appointing Judge Randall; first reading on May 10 and second reading on May 24.

## **2. Strategic Plan workplan**

Discussion began at 6:46 pm, approximately :16 minutes into the session.

City Manager Patrick Goff gave an overview of how the Mayor, City Council and staff work together periodically to develop and update a strategic plan that includes a vision, goals and strategic priorities. On February 20, 2021 a retreat was held to update strategic priorities for 2021 and 2022.

He then listed the eight vision topics and goals and strategic priorities that are developed and undated on a regular basis and listed the dates for upcoming staff updates.

### **a) New efforts in engagement of the community**

#### **Issue**

At the strategic planning retreat on February 20, 2021, City Council identified new efforts of community engagement and education as a priority for the next two years. Staff is requesting feedback on a proposed workplan to realize this priority.

#### **Staff reports**

Director of Administration, Allison Scheck spoke of how prior to the retreat, councilmembers took a survey to identify priorities for discussion. Between the survey and the discussion, staff recorded the following notes associated with this priority:

- Implement community-building initiatives
- Increase community understanding of City functions
- Get the community involved in City programs
- New efforts of engagement
- Wheat Ridge 101
- Tracking development progress
- Increased civic involvement
- Communicate how we gather thoughts, needs and opinions with the community

Based on these notes, staff's understanding of the priority is to continue efforts to educate the community about how their local government works and to broaden community engagement in City processes.

Mr. Goff introduced Ms. Scheck, who summarized the current programs practices and initiatives. She listed the staff members present that have worked on these efforts.

Ms. Scheck's report, supported by an audio-visual presentation, detailed the staff efforts to increase and expand community engagement and concluded with plans for upcoming activities and new ideas for more.

Ms. Scheck then suggested five ideas for more community engagement going forward. She addressed each of these ideas one by one, explaining the reasons for each

suggestion and how each would further the Strategic Plan priority for better community engagement.

**Councilmembers had questions and comments:**

Councilmembers asked detailed questions about several topics, including:

Please, explain the acronym GIS.

Mr. Johnstone explained that GIS is a software mapping tool that allows the staff and public to navigate the City and see various layers of detail about our infrastructure, zoning, utilities.... It allows a user to ask for much more information than a smart device location and directions map.

What other government entities have GIS and what information do they share with the public?

Councilmember Weaver, who teaches GIS at Metropolitan State University of Denver, strongly supported adding more GIS staff in order to improve our service to both our residents and others who need the information.

When we increased the letter notice requirement from 300 feet to 600 feet, did that information go only to the property owner or to the renters, such as in the case of an apartment complex? Mr. Johnstone describe our current process.

The proposed series of videos from the staff report, explaining how our government works, is an excellent idea and will have a number of good uses.

The current efforts are very impressive. All of the ideas presented are absolutely worthy of the effort to implement them. Too often citizens do not understand the context of a Council action or the purpose of city staff efforts, and the more we can do to help people understand what is happening and how it impacts them and their families the better.

Is there a way to coordinate the process of recruiting board and commission volunteers with the other community engagement efforts, to reach more potential recruits?

How can we do a better job of communicating information, like community events, for those who do not have or do not use smart devices or computers? Can we find more places to broadcast this information using handbills or with signs in places where our older residents who do not go online are more likely to see it?

Several Councilmembers expressed their strong support for all of the ideas Ms. Scheck presented.

Perhaps we can place an electronic bulletin board in strategic places to announce information of public interest, especially public meetings and hearings.

Councilmember Hoppe proposed a consensus to bring forward an action or actions to Council that will implement all five of these ideas.

Consensus attained.

Ms. Hoppe proposed a consensus that staff bring forward in a study session soon a proposed ordinance that would add rental property residents in the public hearing notices required by current ordinances.

Consensus achieved.

#### **b) Implement bulk plane in all residential zone districts**

Discussion on this topic began at approximately 7:32 pm.

#### **Issue**

In 2016, the City Council adopted, by ordinance, new zoning regulations in Chapter 26 of the Code pertaining to “bulk plane.” During the 2021 City Council strategic planning session, the potential to adopt such regulations in all residential zoning districts was identified as a priority.

#### **Staff reports**

Director of Community Development, Ken Johnstone began a presentation with a discussion describing of how the City has historically has only regulated single- and two-family homes in three ways:

1. By limiting the size of footprint of the home,
2. By limiting the overall height of the home, and
3. By requiring minimum separation, or setbacks, from the perimeter property lines.

That in 2016, the City added a fourth type of regulation called “bulk plane” which essentially requires that as homes get taller, they must be located further from their perimeter property lines and thus further from neighboring homes. The addition of bulk plane regulations came after a series of study sessions and public hearings.

Bulk plane regulations were created in 2016 in reaction to infill construction that was occurring mostly in East Wheat Ridge. At the time, staff recommended City Council consider applying the bulk plane regulations in all residential zone districts. In zone districts with larger lots and larger setbacks, the bulk plane would not have a significant impact, but on smaller lots it would ensure that single- and two-family development is scaled back as it gets taller regardless of zoning. Because East Wheat Ridge is predominantly zoned R-1C and R-3 (with predominately smaller lots), City Council implemented bulk plane regulations in only those two zone districts.

Mr. Johnstone would like council to confirm its direction whether to draft an ordinance applying the regulations across all residential “R” zone districts across the City. At City Council’s direction, a draft ordinance could go directly to Planning Commission and then to City Council first reading and public hearing in first or second quarter 2021.

### **Councilmembers had questions and comments:**

Councilmembers asked detailed questions about several topics, including:

Our previous discussions and actions on Bulk plane were aimed at ensuring that our future development keeps the character and culture of the cityscape.

Councilmember Hoppe is strongly in favor of applying Bulk plane to all residential zones.

We need to avoid creating new problems or taking actions that our residents oppose with one size fits all approach. For instance, would the same method apply to large lots as well as smaller lots?

Mr. Johnstone addressed questions about some specific properties recently developed or under development would be impacted by Bulk plane.

Because this issue is so important to so many residents, we should begin with a Study Session discussion as a first step to ensure that we hear from our community residents to allow more dialogue and outreach. Bulk plane is a good idea, but we need to avoid the pitfalls of a one size fits all approach.

If the owner of a flat-roofed mid-century modern home wanted to renovate, would Bulk plane require that the owner must go to a peaked room? Mr. Johnstone explained that Bulk plane would not require a peaked roof.

How will Bulk plane impact non-conforming structures? Mr. Johnstone noted that we plan to bring non-conforming structures to Council later this year. He also gave examples of the kinds of situations that would have to comply with Bulk plane when and if they are renovated, especially when “popping the top.” He and Ms. Mikulak discussed how to address these kinds of properties and planned structural changes.

Councilmember Hoppe proposed a consensus to bring Bulk plane for discussion at a future Study Session.

Consensus attained.

### **3. Staff Report(s)**

This item began at approximately 7:58 p.m.

- a) New FTE for building permit reviews

### **Issue**

The Building Division in the Community Development Department is experiencing record volumes of permit activity, as outline further in the background section of this memo. This is a trend over the past several years. While all building permits necessitate building division review and approval, a majority also require review by Engineering and Planning/Zoning.

Director of Community Development, Ken Johnstone spoke on how this is a significant aspect of the job duties of three of the planner staff positions in the Planning Division. Because of the volume of permits and various other priorities and projects underway in the Planning Division, it has been a struggle over the last few months to maintain our long established plan review customer service timeframes that commit us to reviewing residential permits in 2-4 weeks, a significant point of pride in the department. Based on the significant pipeline of permits we foresee over the next 2 years; we have a need to hire a temporary employee to meet the work volume and maintain customer service expectations.

This is a trend over the past several years. While all building permits necessitate building division review and approval, a majority also require review by Engineering and Planning/Zoning.

The Planning Division has not added a staff position since 2007, when a long-range planner was added to the team. That position was a specific recommendation of the original NRS, which recommended that the City develop a series of subarea plans and eventually a new citywide comprehensive plan. In 2017, the City made a switch to 100% contract employees in the Building Division. One of the advantages of that arrangement is that the contract team can (and does) ramp up (and occasionally down) their staffing to be responsive to the current volume of work.

#### **Councilmembers had questions and comments:**

Councilmember Hoppe proposed a consensus to bring forward an action or actions to Council that will add the necessary funds with a supplemental budget request to hire this position.

Consensus attained.

Mr. Goff reminded all of the forthcoming public meetings in the next fortnight, on homelessness and the future plans for the Lutheran Legacy Campus.

We will open the Anderson Park Poll this summer, on Memorial Day weekend. However, the statewide shortage of lifeguards may restrict our opening hours. We are conducting an extensive and aggressive recruitment process to find lifeguards (at \$14 an hour).

#### **Elected Officials' Report**

Councilmember Hultin attended the Lutheran Campus tour event this past weekend and the attendance was phenomenal. These steps are critical for the community to understand the myriad issues involved in planning the campus of the future.

Councilmember Dozeman reminded us that this Saturday is the Porches and Patios event.

Councilmember Hoppe was a part of the Jeffco event for high school student interns. She wanted to emphasize the value of Twelve Talks with Teens; a program that helps parents conduct discussion with their teens about a host of issues and concerns teens and their families face as students progress through middle and high school. Twelvetalks.com is their website.

The Mayor thanked the staff for their hard work on tonight's agenda items. He also reminded the public again that the community discussion on homelessness will be held tomorrow evening. This Saturday, May 8<sup>th</sup>, is the next Coffee with the Mayor. He also attended and appreciated the Lutheran Campus tours.

He thanked Kellerstrand Elementary School for inviting him to attend a recent discussion with students about local government. He found the experience interesting and was encouraged by the students' curiosity and the well-informed question that they asked.

**ADJOURNMENT**

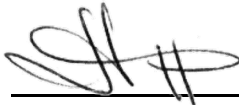
The Study Session adjourned at 8:13 p.m.

APPROVED BY CITY COUNCIL ON May 10, 2021



---

Steve Kirkpatrick, City Clerk



---

Janeece Hoppe, Mayor Pro Tem