

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

**June 6, 2022**

Mayor Bud Starker called the Study Session to order at 6:32 p.m.

This meeting was conducted both as a virtual meeting and hybrid, where some members of the Council or City staff were physically present at the Municipal building, and some members of the public attended in person as well. A quorum of members (eight) of Council were present in Council Chambers for this session.

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

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

Council members present Scott Ohm, Amanda Weaver, Judy Hutchinson, Korey Stites, Valerie Nosler Beck, Janeece Hoppe, and Leah Dozeman. CM Hultin excused herself.

Also present: City Clerk, Steve Kirkpatrick; City Attorney, Gerald Dahl (virtually); City Manager Patrick Goff; Ken Johnstone; Director of Administration, Allison Scheck; Special Assistant to the City Manager, Marianne Schilling; interested citizens and guests.

**Public's Right to Speak**

No one came forward to speak this evening.

**Note about Wheat Ridge Speaks:**

Members of the public 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 the public 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.

*No comments appeared in Wheat Ridge Speaks for this session of Council.*

**1. 38th West Street Improvements (Kipling Street to Youngfield Street)**

Discussion of this item began at approximately 6:34 pm.

**Issue**

"Re-examine and Advance Sidewalks on 38<sup>th</sup> Avenue" was identified as one of Council's priorities in the 2021-2022 Strategic Plan. This priority has been divided into

two separate geographic areas: 1) 38<sup>th</sup> West (Kipling Street to Youngfield Street); and 2) 38<sup>th</sup> East (Wadsworth Boulevard to Harlan Street). Ken Johnstone gave a brief reprise of previous actions and the Council's request for an update on progress to date and next steps to implement the project plan.

### **Staff Reports**

Project Supervisor Mark Westberg, spoke on the city's prior action including a ballot issue that failed in 2008, the planning effort along with Localworks in 2017 where speed zones and rapid rectangular flashing beacons were installed at key pedestrian crossings to improve pedestrian safety. The selected locations were determined and guided by the feedback solicited from the stakeholders and community residents. They are requesting that City Council give direction on:

- What the public wants are for 38<sup>th</sup> West
- What the public needs are for 38<sup>th</sup> West, both now and in the future.
- The initial design effort will include a traffic analysis of both the current and future conditions
- Evaluate the safety and capacity of the existing street to convey both current and future traffic
- Acquisition may be necessary in some of areas with inadequate ROW depending on the final selected street cross-section(s)

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

Councilmembers asked detailed questions about several topics, engaging in discussion among themselves and with staff, who answered their questions in detail:

- Several CM thanked the staff and the consultants for their report and more so for their hard work.
- CM asked numerous, detailed questions of Mr. Nguyen and Mr. Westberg, responding to their detailed analysis of the needed improvements and plans to gather residents' and other stakeholders' input.
- CM expressed a desire to specifically involve the staff and parents at Kellerstrand Elementary Schools.
- CM also appreciated the staff's position that all along the 38<sup>th</sup> Avenue corridor there may be different needs for design and construction of drainage, sidewalks, cycling ramps, etc. at different points.
- CM expressed a desire to also remember that this corridor is a residential street for most of its length.

- CM also hoped that staff can pursue several avenues for funding the project, not just Federal funds, but also other sources. The City may need to find two or even three funding sources.

## **2. Campaign Finance Code: Fairness, Transparency, Impartiality**

Discussion of this item began at approximately 6:58 pm

### **Issue**

A formal election complaint was received during the 2021 local election. During an investigation of this complaint and a review of campaign finance law, several loopholes in the campaign finance code were identified that the City Clerk is recommending that Council close with new ordinances.

### **Staff Reports**

City Clerk Steve Kirkpatrick (CC) spoke on the issue including items from the City Attorney's office which were to provide:

1. A detailed analysis of Council's options with respect to campaign finance ordinances that will not impinge upon anyone's First Amendment rights while leveling the playing field in terms of who is campaigning or petitioning and who is financing their efforts.
2. A legal analysis about three changes the City Clerk is proposing to the City Code that would require the following actions.
  - a. When two or more electors (registered voters) ask the Office of the Clerk to approve either an initiative or referendum petition form, they will also be required to file simultaneously as an appropriate type of Political Committee as defined in current law before they begin circulating their petition.
  - b. When two or more persons engage in public acts, again as defined in current law, that either support or oppose a candidate or support or oppose a ballot initiative, then those persons shall file as an appropriate type of Political Committee as defined in and required by current law.
  - c. When two or more persons register a Political Committee per either a or b above, those two (or three or...) *persons are individually, severally, and personally liable for timely filings of campaign finance reports and for paying any fines levied by the Office of the City Clerk (\$50 per day per current law) for late filing or refusal to file campaign finance reports per current law.*

Where writing potential ordinances will require some time and effort to craft language that will withstand judicial review. Ample time exists for the City Attorneys to draft these

three ordinances and bring them forward for Council's consideration prior to the 2023 municipal elections (or sooner if events create more urgency).

Finally, this discussion is not about collecting fines as the CC is empowered to waive fines in all or in part when proper filings are submitted late. This discussion is about empowering the CC to enforce transparency, impartiality, and accountability in elections.

**Councilmembers had questions and comments:**

CC came prepared to ask Council for guidance on the detailed questions and potential issues related to any policy decisions or ordinances. City Clerk Kirkpatrick and CM engaged in a detailed discussion.

Mr. Dahl and Clerk Kirkpatrick reviewed a range of options (six in all) Council has in terms of actions we might take with respect to the proposed ordinances.

CM supported the proposed drafting of ordinances.

CM Hoppe proposed a consensus to direct the Clerk and City Attorney to bring forward at a future Study Session proposed ordinance language to implement Clerk Kirkpatrick's recommended changes to campaign finance Code.

**Consensus attained.**

**3. Strategic Plan Update**

Discussion of this item began at approximately 7:46 pm.

**Issue**

City Council met on February 20, 2021, to hold a strategic planning retreat. Eight priorities were established to be implemented over a two-year period. A series of study sessions have been held where staff presented information, work plans, ideas and sought clarification on some of the items from the City Council. This memorandum provides a short description of the priority and status of the eight priorities.

**Staff Reports**

Mr. Goff, Ms. Scheck, and Ms. Schilling spoke on the priorities established in the most recent Strategic Plan (2021):

- New efforts in engagement in Government; Understanding city processes
- Implement Bulk plane in all residential zone districts
- Re-examine, advance sidewalks on 38<sup>th</sup> avenue
- Review the vision, mission, and funding of Localworks
- Streamlining permit processes
- Commercial corridor code review
- Policy on non-conforming accessory dwelling units

- Develop solutions and work with partners to address homelessness.

Mr. Goff forecast that a bulk plain ordinance will appear for second reading this August. He also announced that there will soon be an update on the 38<sup>th</sup> Avenue project for the east side of the City, from Wadsworth to Sheridan Blvd.

Ms. Shilling gave a detailed report on our efforts to assist people experiencing homelessness.

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

Councilmembers asked detailed questions about several topics, engaging in discussion among themselves and with staff, who answered their questions in detail:

- CM thanked the staff for their work and their update presentation.
- CM expressed their excitement for the ongoing efforts to improve communication through dialogue with our residents.
- CM commented that our City archives need an evaluation of what records are available, how far into history they go, and which records should have priority in terms of making the records accessible, readable and understandable.

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

Gary Community Ventures, formerly the Piton Foundation, has begun circulating a petition for a statewide earmark of income tax revenue to building affordable housing. Mr. Goff was asked to gather the sentiments of the Council on this proposal.

#### **5. Elected Officials' Report(s)**

City Clerk Steve Kirkpatrick announced that primary election ballots dropped into the mail today. He reminded residents how the newly redesigned primary election process works. Voters registered as unaffiliated (independent) will receive two ballots, one for the Republican and one for the Democratic primaries. Voters may return either ballot, but only one of the two ballots.

CM Stites announced that he and CM Weaver will hold their next D III meeting on Saturday, June 11, at the new apartments in the Clear Creek Crossing project. He also announced the forthcoming District III meeting dates, including a dumpster day, and displayed a postcard that will go to all district residents with the details.

CM Ohm commented on other bills proposed at the state legislature to provide more affordable housing. He also asked about the status of piles of downed tree limbs still stacked in Anderson Park. Mr. Goff provided an update on plans to mitigate the piles.

CM Weaver asked Mr. Goff a question she received from a constituent about a broken water tap, given that we have so many water companies serving the City. The resident is asking if and how the City can help. Mr. Goff gave a specific and detailed answer.

CM Hutchinson commented on an elderly lady who went missing in Anderson Park and was finally found in good shape 8 days later.

CM Nosler Beck asked about the feasibility of offering residents a turf replacement option. Staff commented that they would investigate the possibilities. She also commented that the Anderson Park Pool is the only outdoor pool open in our area at present, so it is very crowded. She commented that there is sometimes a wait to enter the pool due to the lack of lifeguards. We desperately need to hire more, and we train lifeguards. She and Mr. Goff emphasized the need to hire more lifeguards, and the City will train people who need to get qualified.

CM Ohm asked for a future study session on irrigation and turf replacement, in connection with CM Nosler Beck's comments on turf replacement.

CM Dozeman this Saturday June 11 at Five Fridges Farm is the art festival sponsored by Local Works at Five Fridges Farm. She also noted that Ridge Fest is on June 18<sup>th</sup>. She also announced that there is free coffee at 7230 W. 38<sup>th</sup> Ave tomorrow to raise money for the Foothills Animal Shelter.

The Mayor thanked everyone for a productive meeting, and encouraged us to drive, cycle and walk carefully to protect one another. Coffee with the Mayor is this Saturday at Vignola's at 9 AM.

The Mayor also congratulated Mr. Goff on his 20<sup>th</sup> anniversary as a City employee.

### **ADJOURNMENT**

The Study Session adjourned at 8:40 p.m.

APPROVED BY CITY COUNCIL ON June 27, 2022.



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Steve Kirkpatrick, City Clerk



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Rachel Hultin, Mayor Pro Tem