



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
AUGUST 7, 2017**

1. Call to Order – 6:35 p.m. – Council Chambers
2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

Those Present: Mayor Williams, Mayor Pro Tem Bob Fifer, Councilmember Don Allard, Councilmember Nancy Ford, Councilmember David Jones, Councilmember John Marriott, Councilmember Mark McGoff

Also present were: Mark Deven, City Manager; Bill Ray, Deputy City Manager; Lorie Gillis, Deputy City Manager; Chris Daly, City Attorney; Jim Sullivan, Director of Utilities; Bob Manwaring, Director of Public Works; Bryan Archer, Director of Finance; Rita McConnell, Director of Community Development and Kristen Rush, City Clerk.

4. Approval of Minutes of the July 10, 2017, City Council Meeting

The minutes stand approved as amended.

5. Public Comment –

- A. Keith Sorci and Bill Orchard, Arvada Gardeners, addressed council regarding the Arvada Community Garden Golden Jubilee

Councilmember Ford presented the Arvada Community Garden with a recognition for providing 50 years of appreciated service to Arvada's gardening community.

- B. State Senator Andy Kerr introduced himself to the community
- C. Cheri Wissel, Arvada Resident, addressed council regarding the structure of the Urban Renewal Authority
- D. Mindy Mohr, Arvada Resident, addressed council regarding homelessness in Arvada
- E. Cindi Kreutzer, Arvada Resident, addressed council regarding the charter amendment citizen petition that is currently circulating in the city.
- F. Robin Kupernik, Arvada Resident, addressed council regarding affordable housing
- G. Harriett Hall, Arvada Resident, addressed council regarding homelessness and the charter amendment citizen petition that is currently circulating in the city
- H. Nancy Young, Arvada Resident, addressed council regarding the Urban Renewal Authority Board Meeting on August 2, 2017.

6. New Business

- A. Consent Agenda
 1. R17-075

A Resolution Approving a Fifth Amendment to an Employment Agreement by and between the City of Arvada and Mark G. Deven as City Manager

2. R17-076 A Resolution Approving a Twenty-Fourth Amendment to an Employment Agreement with Christopher K. Daly, City Attorney
3. R17-077 A Resolution Approving a Fourth Amendment to an Employment Agreement with David Cooke, Presiding Municipal Judge
4. R17-078 A Resolution Authorizing an Agreement By and Between the City of Arvada and the Regents of the University of Colorado, a Body Corporate, for and on Behalf of the University of Colorado Denver, College of Architecture and Planning, and the Hometown Colorado Program, in an Amount Not to Exceed \$120,000.00

Councilmember Marriott moved that R17-075, A Resolution Approving a Fifth Amendment to an Employment Agreement by and between the City of Arvada and Mark G. Deven as City Manager; R17-076, A Resolution Approving a Twenty-Fourth Amendment to an Employment Agreement with Christopher K. Daly, City Attorney; R17-077, A Resolution Approving a Fourth Amendment to an Employment Agreement with David Cooke, Presiding Municipal Judge, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff

The Motion was Approved.

Resolution R17-078 was removed from the consent agenda.

Rita McConnell, Community Development Director, reviewed this resolution with council.

Councilmember Marriott moved that R17-078, A Resolution Authorizing an Agreement By and Between the City of Arvada and the Regents of the University of Colorado, a Body Corporate, for and on Behalf of the University of Colorado Denver, College of Architecture and Planning, and the Hometown Colorado Program, in an Amount Not to Exceed \$120,000.00, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff

The Motion was Approved.

B. Resolutions (Staff Presentation May Precede Resolution)

1. R17-079 A Resolution of the City Council of the City of Arvada, Colorado Pertaining to Certain Undeveloped Land Owned by the City and Known as the Pomona Parcel

Mark Deven, City Manager, Reviewed the resolution with council.

Jack Tillman, Arvada Resident, President of the Lake Arbor Homeowners Association, addressed council regarding the resolution.

Councilmember Marriott moved that R17-079, A Resolution of the City Council of the City of Arvada, Colorado Pertaining to Certain Undeveloped Land Owned by the City and Known as the Pomona Parcel, be approved.

Councilmember Ford moved to amend the resolution in the second to last whereas clause to include language that states whereas, notwithstanding the forgoing recital the city

council wishes to express it has no intention, to include, *now or in the future*, to either change the nature of the status of or existing uses on the unencumbered area.

The following votes were cast on the Motion for Amendment:

Those voting Yes: Fifer, Ford, Jones,

Those voting No: Williams, Allard, Marriott, McGoff

The Motion Failed.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff

The Motion was Approved.

2. R17-080 A Resolution Authorizing Intergovernmental Agreements by and between the City of Arvada and the Counties of Adams and Jefferson for the Regular Municipal Election on November 7, 2017

Mark Deven, City Manager, Reviewed the resolution with council.

Mayor Pro Tem Fifer moved that R17-080, A Resolution Authorizing Intergovernmental Agreements by and between the City of Arvada and the Counties of Adams and Jefferson for the Regular Municipal Election on November 7, 2017, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff

The Motion was Approved.

C. Ordinances (First Reading)

1. CB17-024 An Ordinance Repealing and Reenacting Chapter 42, Fire Prevention and Protection of the Arvada City Code, Through Adoption by Reference of the 2015 International Fire Code Published by the International Code Council, and Establishing Penalties for Violation Thereof (Public Hearing to be set for August 21, 2017 at 6:30 p.m.)
2. CB17-025 An Ordinance Repealing and Reenacting Chapter 18, Buildings and Building Regulations, of the Arvada City Code Through the Adoption of General and Administrative Provisions and the Adoption, by Reference, of the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Energy Conservation Code, the 2015 International Existing Building Code, the 2015 International Fuel Gas Code, the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2009 International Property Maintenance Code, the 2014 National Electrical Code, and the Adoption of Penalties for Violations Thereof (Public Hearing to be set for August 21, 2017 at 6:30 p.m.)

Mayor Pro Tem Fifer moved that CB17-024, An Ordinance Repealing and Reenacting Chapter 42, Fire Prevention and Protection of the Arvada City Code, Through Adoption by Reference of the 2015 International Fire Code Published by the International Code

Council, and Establishing Penalties for Violation Thereof; CB17-025, An Ordinance Repealing and Reenacting Chapter 18, Buildings and Building Regulations, of the Arvada City Code Through the Adoption of General and Administrative Provisions and the Adoption, by Reference, of the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Energy Conservation Code, the 2015 International Existing Building Code, the 2015 International Fuel Gas Code, the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2009 International Property Maintenance Code, the 2014 National Electrical Code, and the Adoption of Penalties for Violations Thereof (Public Hearing to be set for August 21, 2017 at 6:30 p.m.), be approved on first reading, ordered published in full, and a public hearing date be set for August 21, 2017 at 6:30 p.m.

8. 2017 Mid-year Financial Presentation

Bryan Archer, Finance Director and Debra Nielson, Controller, gave an overview and said revenues are on pace to meet or exceed the budget. Mr. Archer reviewed expenditures and said they are in line with budgets and that large capital projects are underway. He gave an update on some of the 2017 City Council strategic results. Ms. Nielson reviewed the revenues and expenditures for the various funds, along with investments. Mr. Archer said City Council will receive the proposed budget and on September 18 a study session will be held. He said first reading of the budget related items will be October 2 with the public hearings on October 16, and that at the September 18 study session City Council will receive a presentation on the pay plan.

9. Public Hearings – 6:30 p.m.

- A. R17-081 A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land Into the City of Arvada, Colorado, Trinity Storage Annexations No. 1 and No. 2, 15350 State Highway 72
- B. CB17-021 An Ordinance Annexing Certain Land Into the City of Arvada, Trinity Storage Annexation No. 1, 15350 State Highway 72 (Ordinance No. 4599)
- C. CB17-022 An Ordinance Annexing Certain Land Into the City of Arvada, Trinity Storage Annexation No. 2, 15350 State Highway 72 (Ordinance No. 4600)
- D. CB17-023 An Ordinance Rezoning Certain Land Within the City of Arvada, Trinity Storage, from Jefferson County SR-2 (Suburban Residential) to City of Arvada PUD-BP (Planned Unit Development-Business/Professional), and Amending the Official Zoning Maps of the City of Arvada, Colorado, 15350 State Highway 72 (Ordinance No. 4601)
- E. Trinity Storage Preliminary Development Plan, 15350 State Highway 72

Mayor Williams opened the public hearing for Trinity Storage Annexation No. 1., Trinity Storage Annexation No. 2 and Rezoning Certain Land Within the City of Arvada, Trinity Storage, from Jefferson County SR-2 (Suburban Residential) to City of Arvada PUD-BP

Rita McConnell, Director of Community Development, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Williams made them a part of the official record, along with the staff report.

Mayor Williams swore those in wishing to speak.

Sworn Testimony: Paul Duncan, Representing Applicant
Dennis Weingardt, Arvada Resident, in opposition
Marjorie Weingardt Lakewood Resident and Arvada Property Owner, in
opposition
Esther Kettering, Representing Applicant
Mark Delgado, Representing Applicant
Todd Lion, Representing Applicant

Mayor Williams closed the public comment portion of the public hearing.

Councilmember Jones moved that R17-081, A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land Into the City of Arvada, Colorado, Trinity Storage Annexations No. 1 and No. 2, 15350 State Highway 72, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

Councilmember Jones moved that CB17-021, An Ordinance Annexing Certain Land Into the City of Arvada, Trinity Storage Annexation No. 1, 15350 State Highway 72, on final reading, numbered 4599, and ordered published by title only.

This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

Councilmember Jones moved that CB17-022, An Ordinance Annexing Certain Land Into the City of Arvada, Trinity Storage Annexation No. 2, 15350 State Highway 72, be approved on final reading, numbered 4600, and ordered published by title only.

This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

Councilmember Jones moved that CB17-022, An Ordinance Rezoning Certain Land Within the City of Arvada, Trinity Storage, from Jefferson County SR-2 (Suburban Residential) to City of Arvada PUD-BP (Planned Unit Development-Business/Professional), and Amending the Official Zoning Maps of the City of Arvada, Colorado, 15350 State Highway 72, be approved on final reading, numbered 460100, and ordered published by title only.

This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

Councilmember Jones moved that Trinity Storage Preliminary Development Plan, 15350 State Highway 72, be approved subject to the attached updated conditions of approval. With the additional conditions of toning the colors in the visible window doors and garage doors to fit with the non primary color scheme as well as the consideration for the night light ordinance with the exterior sign being further reduced from 30 percent to somewhere near zero.

This motion is based on the findings of fact adopted by Planning Commission that was modified with the August 3, 2017 memo pertaining to condition number one.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

9. Public Comment – Five Minute Limit -

10. Reports from City Council -

Councilmember McGoff reported on the 15th anniversary of Majestic View Nature Center Celebration

Mayor Pro Tem Fifer reported on the Arvada on Tap event held this past weekend.

Mayor Williams reported that his record for the .5K race, a fundraiser for the Ralston House, was destroyed this year by Councilmember Jones and said that it was a great turn out this year.

Mayor Williams noted the passing of Betty Youse, a long time Arvada resident and community volunteer. Betty and her husband, Duane, just celebrated their 58th anniversary.

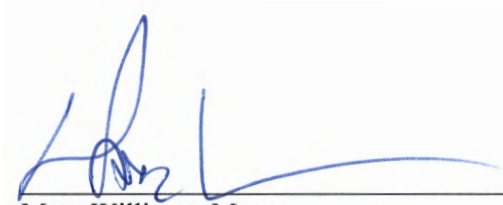
Mayor Williams said today is his parents 62nd Wedding Anniversary and wished them a great anniversary.

11. City Manager Reports -

A. Mark Deven, City Manager, reviewed the upcoming workshops schedule.

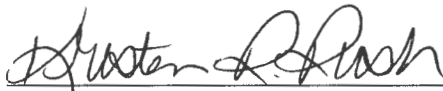
12. City Attorney Reports - None

13. Adjournment at 8:30 p m.



Marc Williams, Mayor

SEAL:



Kristen R. Rush, City Clerk

