



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD  
NOVEMBER 19, 2018**

1. Call to Order – 6:00 p.m. – Council Chambers
2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

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

Councilmember Fifer moved to excuse Councilmember Miller from the meeting.

The following votes were cast on the Motion:

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

Those Absent: Miller

The Motion was Approved

Also present were: Mark Deven, City Manager; Lorie Gillis, Deputy City Manager; Chris Daly, City Attorney; Bryan Archer, Director of Finance, Ryan Stachelski, Director of Community and Economic Development, Rob Smetana, Planning Manager and Kristen Rush, City Clerk.

4. Approval of Minutes of the October 29 and November 5, 2018, City Council Meetings

The minutes stand approved as amended.

5. Recognitions and Communications
  - A. Proclamation for Small Business Saturday - presented by Councilmember Ford

Councilmember Ford said that The Saturday after Thanksgiving (November 24, 2018) is known as Small Business Saturday. The Arvada Chamber of Commerce, the Arvada Visitors Center, the Arvada Economic Development Association (AEDA) and Olde Town Arvada – Business Improvement District are partnering in a promotion asking people to shop Arvada Small Businesses this holiday season, highlighting the national shopping holiday – November 24 which is referred to as Small Business Saturday.

Small businesses create jobs, boost Arvada's economy, and preserve neighborhoods. Each purchase made in Arvada goes to pay for City services such as police, parks, and street maintenance. Keeping the dollars in Arvada helps create and retain quality jobs. Small businesses are the nation's largest employer and account for the majority of job growth. Next time you make a purchase, remember Shop Arvada!

Members of AEDA, Arvada Visitors Center, Arvada Chamber of Commerce, Olde Town Arvada Business Improvement District and a variety of small businesses were present to accept this proclamation for Small Business Saturday.

6. Public Comment –

- A. Erin Hensley, along with members of the Green Team from St. Anne’s Catholic School, addressed council regarding waste, recycling and sustainability.
- B. Robin Kupernik, Arvada Resident, addressed council regarding single hauler trash.
- C. Alison Wisneski, Representing the Festivals Commission, invited everyone to attend Cheers for the Holidays.
- D. Nancy Young, Arvada Resident, addressed council regarding the Land Development Code re-write, accessory dwelling units and parking.

7. New Business

A. Consent Agenda

- 1. R18-119 A Resolution Accepting a Pedestrian Access Easement from Jefferson County School District R-1 within Candelas Filing No. 4, Amendment No. 1
- 2. R18-120 A Resolution Authorizing an Agreement by and between the City of Arvada and Iron Woman Construction & Environmental Services, LLC, for the Sanitary Sewer Main Replacement Project, in an Amount Not to Exceed \$1,571,186.00, Project No. 18-SR-01
- 3. R18-121 A Resolution Authorizing an Agreement Between the City of Arvada and FirstBank for the Provision of Loans Through the Essential Home Repairs Program
- 4. R18-122 A Resolution Authorizing a Construction Contract by and between the City of Arvada and Colt & Steel Corporation for Highway 93 Lakes Drainage Modifications in the Amount of \$156,161.55, Project No. CSB-18WA06
- 5. R18-123 A Resolution Authorizing the Release of Jefferson County’s Reversionary Interest as to Limited Areas on Certain Real Property Owned by the City of Arvada for Construction of a Public Right-of-Way Adjacent to the Sabell Metropolitan District Development
- 6. R18-124 A Resolution Authorizing an Agreement by and between the City of Arvada and Muller Engineering Company for Engineering Design Services for West 72nd Avenue Between Kipling Street to Simms Street in an Amount Not to Exceed \$2,915,584.00, Project No. 18-ST-30
- 7. R18-125 A Resolution Authorizing an Agreement between the City of Arvada and Dewberry Engineers, Inc. for Professional Services Relating to the Civil Engineering Design of Ralston Water Treatment Plant, Zone 5 Pump Station Project in an Amount Not to Exceed \$363,600.00, Project No. 18-WA-11

Mayor Pro Tem Marriott moved that R18-119, A Resolution Accepting a Pedestrian Access Easement from Jefferson County School District R-1 within Candelas Filing No. 4, Amendment No. 1; R18-120, A Resolution Authorizing an Agreement by and between the City of Arvada and Iron Woman Construction & Environmental Services, LLC, for the Sanitary Sewer Main Replacement Project, in an Amount Not to Exceed \$1,571,186.00, Project No. 18-SR-01; R18-121, A Resolution Authorizing an Agreement Between the City of Arvada and FirstBank for the Provision of Loans Through the Essential Home

Repairs Program; R18-122, A Resolution Authorizing a Construction Contract by and between the City of Arvada and Colt & Steel Corporation for Highway 93 Lakes Drainage Modifications in the Amount of \$156,161.55, Project No. CSB-18WA06; R18-123, A Resolution Authorizing the Release of Jefferson County's Reversionary Interest as to Limited Areas on Certain Real Property Owned by the City of Arvada for Construction of a Public RightofWay Adjacent to the Sabell Metropolitan District Development; R18-124, A Resolution Authorizing an Agreement by and between the City of Arvada and Muller Engineering Company for Engineering Design Services for West 72nd Avenue Between Kipling Street to Simms Street in an Amount Not to Exceed \$2,915,584.00, Project No. 18-ST-30; R18-125, A Resolution Authorizing an Agreement between the City of Arvada and Dewberry Engineers, Inc. for Professional Services Relating to the Civil Engineering Design of Ralston Water Treatment Plant, Zone 5 Pump Station Project in an Amount Not to Exceed \$363,600.00, Project No. 18-WA-11, be approved.

The following votes were cast on the Motion:

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

Those Absent: Miller

The Motion was Approved

B. Ordinances (First Reading)

1. CB18-049 An Ordinance Amending and Restating the City of Arvada Retirement Plan and Trust (Public Hearing to be set for December 3, 2018 at 6:30 p.m.)
2. CB18-050 An Ordinance Authorizing the Acquisition of Certain Property Along Alkire Street, Generally from West 78th Avenue to West 75th Place for the Construction of Street, Sidewalk, Utility, Drainage, and/or Related Improvements as Part of the Improvements for Leyden Creek from Indiana Street to 72nd Avenue, UDFCD No. 14-08.08A, Arvada Project No. 17-DR-02 (Public Hearing to be set for December 3, 2018 at 6:30 p.m.)

Mayor Pro Tem Marriott moved that CB18-049, An Ordinance Amending and Restating the City of Arvada Retirement Plan and Trust; CB18-050, An Ordinance Authorizing the Acquisition of Certain Property Along Alkire Street, Generally from West 78th Avenue to West 75th Place for the Construction of Street, Sidewalk, Utility, Drainage, and/or Related Improvements as Part of the Improvements for Leyden Creek from Indiana Street to 72nd Avenue, UDFCD No. 14-08.08A, Arvada Project No. 17-DR-02, be approved on first reading, ordered published in full, and a public hearing date be set for December 3, 2018 at 6:30 p.m.

The following votes were cast on the Motion:

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

Those Absent: Miller

The Motion was Approved

8. 3<sup>rd</sup> Quarter Financial Presentation

Bryan Archer, Finance Director and Lisa Yagi, Deputy Finance Director reviewed the 3rd quarter 2018 financials. Mr. Archer and Ms. Yagi discussed revenue and expenditure highlights of the major funds including: General Fund, Parks, Tax Increments, Capital Projects, Water, Wastewater,

Storm Water, Golf, Hospitality and the Internal Service Funds and an update on the current investment market.

9. Public Hearings

- A. CB18-044 An Ordinance Approving the Second Amendment to the City of Arvada Deferred Compensation Plan (Ordinance No. 4661)

Mayor Williams opened the public hearing on CB18-044.

Deborah Nielson, Controller, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Fifer moved CB18-044, An Ordinance Approving the Second Amendment to the City of Arvada Deferred Compensation Plan, be approved on final reading, numbered 4661 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: Miller

The Motion was Approved

- B. CB18-045 An Ordinance Approving a Conditional Use Permit to Allow for a Light Industrial Use (Warehousing and Distribution) for Factory Motor Parts, 6510 Wadsworth Boulevard, Suite 100 (Ordinance No. 4662)

Mayor Williams opened the public hearing on CB18-045

Rob Smetana, Planning Manager, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Pro Tem Marriott made them a part of the official record, along with the staff report.

Mayor Williams swore those in wishing to speak.

Sworn Testimony: J.R. Morrison, Representing Applicant

Ron Hilton, Representing Applicant

Mayor Williams closed the public hearing.

Councilmember Ford moved that CB18-045, An Ordinance Approving a Conditional Use Permit to Allow for a Light Industrial Use (Warehousing and Distribution) for Factory Motor Parts, 6510 Wadsworth Boulevard, Suite 100, be approved on final reading, numbered 4662 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, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

- C.      CB18-046      An Ordinance Approving a Conditional Use Permit to Allow for a Live-Work Use in the P-1 (Professional Office) District for Lantern Home Group-Live/Work, 7901 Ralston Road (Ordinance No. 4663)

Mayor Williams opened the public hearing on CB18-046

Rob Smetana, Planning Manager, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Pro Tem Marriott made them a part of the official record, along with the staff report.

Mayor Williams swore those in wishing to speak.

Sworn Testimony:      Diane Howard, Representing Applicant  
Chris Howard, Representing Applicant

Mayor Williams closed the public hearing.

Councilmember Fifer moved that CB18-046, An Ordinance Approving a Conditional Use Permit to Allow for a Live-Work Use in the P-1 (Professional Office) District for Lantern Home Group-Live/Work, 7901 Ralston Road, be approved on final reading, numbered 4663, 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, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

- D.      CB18-047      An Ordinance Amending Section 98-68, Reports by Vendor; Payment of Tax, of Article III, Sales and Use Tax, of Chapter 98, Taxation, of the Arvada City Code Pertaining to Vendor Fees (Ordinance No. 4664)

Mayor Williams opened the public hearing on CB18-047.

Mark Deven, City Manager, reviewed this ordinance with council.

Sworn Testimony:      Cyndi Kreutzer, Arvada Resident, for the ordinance

Councilmember Marriott moved that CB18-047, An Ordinance Amending Section 98-68, Reports by Vendor; Payment of Tax, of Article III, Sales and Use Tax, of Chapter 98, Taxation, of the Arvada City Code Pertaining to Vendor Fees, be approved on final reading, numbered 4664 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: Miller

The Motion was Approved

- E. CB18-048 An Ordinance Amending Section 98-70, Exempt Sales, and Section 98-78, Exemptions, of Article III, Sales and Use Tax, of Chapter 98, Taxation, of the Arvada City Code Pertaining to Agreements to Effectuate Exemptions (Ordinance No. 4665)

Mayor Pro Tem Marriott moved to remove CB18-048 from the agenda.

The following votes were cast on the Motion:

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

Those Absent: Miller

The Motion was Approved

11. City Council Reports
- A. Mayor Williams thanked Councilmember Jones for all his work regarding the application to Jefferson County for drilling at Rocky Flats.
  - B. Mayor Pro Tem Marriott reminded everyone of Small Business Saturday and encouraged everyone to shop Small Business Season in Arvada.
  - C. Councilmember Fifer wished everyone a Happy Thanksgiving and thanked staff, Police and Fire for all of their work.
  - D. Councilmember Jones wished everyone a Happy Thanksgiving and thanked staff, Police, Fire and the community for all of their work.
  - E. Councilmember Ford encouraged everyone to see "Elf" at the Arvada Center.
  - F. Councilmember Ford reminded everyone of the Fine Art Market Show and Sale between December 1 and December 18 at the Arvada Center.
  - G. Councilmember Ford reminded everyone that December 16 is Colorado Gives Day.
  - I. Mayor Williams wished everyone a Happy Thanksgiving and encouraged everyone to take advantage of spending time with loved ones.
12. City Manager Reports –
- Mark Deven, City Manager, reviewed the upcoming workshop schedule with council.
13. City Attorney Reports – none
14. Adjournment at 7:25 p.m.

SEAL:



Marc Williams, Mayor

Kristen R. Rush, City Clerk