



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
MARCH 18, 2019**

1. Executive Session – Third Floor Conference Room
 - A. Instructions to Negotiators CRS 24-6-402(4)(e) Pertaining to the Jefferson Parkway Highway Authority Business and Policy Issues

Councilmember Miller moved to go into Executive Session for Instructions to Negotiators CRS 24-6-402(4)(e) Pertaining to the Jefferson Parkway Highway Authority Business and Policy Issues

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

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, Councilmember Dot Miller.

Councilmember Fifer moved to excuse Councilmember McGoff from the meeting.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

Also present were: Mark Deven, City Manager; Nora Steenson, Deputy City Attorney; Rachel Morris, Deputy City Attorney; Bryan Archer, Director of Finance; Burt Knight, Director of Public Works; Ryan Stachelski, Director of Community and Economic Development; Jim Sullivan, Director of Utilities; Ben Irwin, Communications Manager and Kristen Rush, City Clerk.

4. Approval of Minutes of the March 4, 2019, City Council Meeting

The minutes stand approved.

5. Recognitions and Communications
 - A. Presentation of After Prom Checks presented by Councilmember Ford

Councilmember Ford said that each year at this time City Council acknowledges the partnerships of school staff, parents, local businesses, Arvada School Resource Officers and others who join together to create a free, safe place for high school students to meet

after prom. With elaborate decorations and creative themes the high schools are transformed into imaginative places for the students to gather. All night and into the early morning they can eat, play games, win prizes and safely party with friends at no cost. These After Prom parties provide a safe alternative to high-risk behaviors.

Each school has a committee of parent volunteers who spend countless hours collecting donations, planning, preparing for and staffing these events. It is estimated that each school hosts nearly 500 students (impacting nearly 2,500 teens) at After Prom parties.

Tonight we recognize the committee representatives from our local high schools that are committed to making these events a success on behalf of young people in Arvada and present each of the committees a cash donation.

Arvada High School
Arvada West High School
Pomona High School
Ralston Valley High School
Standley Lake High School

B. Proclamation for Parkinson's Awareness Month presented by Councilmember Jones

Councilmember Jones said that Parkinson's disease is the second most common neurodegenerative disease in the United States. The symptoms vary from person to person and the exact cause is still unknown. As research continues, new technologies and treatments are being approved. In Arvada, Pedaling for Parkinson's hosts an indoor cycling class at the Apex Center; Parkinson's-specific exercise programs are offered at the Apex Center and the Duncan Family YMCA; and Homewatch CareGivers hosts the Arvada Parkinson's Support Group.

Representatives from the Arvada Parkinson's community were present to accept the proclamation.

C. Recognition of American Legion Post #161 Centennial Celebration presented by Councilmember Miller

Councilmember Miller said that the American Legion is turning 100, and Post 161 in Arvada is planning to celebrate. The organization as a whole traces its roots to March 15-17, 1919, in Paris, France, in the aftermath of World War I. The American Legion was federally chartered on September 16, 1919, and quickly became an influential force at the national, state and local levels, dedicated to service to veterans, strong national defense, youth and patriotism.

Post 161 was chartered on May 15, 1928. The post was named for two local heroes who gave their lives defending our nation during World War I. Corporal William Wallace Wilmore Jr, an Arvada resident, US Army, Company C, 354th Infantry Regiment, 89th Division, died in battle on the French front on September 13th, 1918. Private Benjamin A. Richter, a Wheat Ridge resident, was a member of Battery E, 341st Field Artillery was killed in action on September 15th, 1918 in France. Both were laid to rest in France.

Wilmore-Richter Post 161 is proud to have donated the eagle statue outside City Hall. The post carries the colors to start the Harvest Festival Parade. It sponsors Legion baseball, an oratorical contest for high school students, and a Boy Scout troop. Once a month Post 161 hosts the Community Roundtable.

Members of Arvada's Wilmore-Richter Post 161 are on hand to accept the certificate honoring the American Legion's centennial celebration.

6. Public Comment –

- A. Allen Best and Cathy Casper, Arvada Residents, addressed council regarding the intersection at 57th and Yukon
- B. Kristin Hill, Arvada Resident, addressed council regarding the Jefferson Parkway
- C. Nancy Wylie, Arvada Resident, addressed council regarding the Jefferson Parkway
- D. Nicholas Schweiker, Arvada Resident, addressed council regarding the Jefferson Parkway
- E. Jeff Stan Knee Chef Ski, Arvada Resident, addressed council regarding the Jefferson Parkway
- F. Scott Synder, Arvada Resident, addressed council regarding the Jefferson Parkway
- G. Don Figgins, Arvada Resident, addressed council regarding the Jefferson Parkway
- H. Brett Vernon, Arvada Resident, addressed council regarding the Jefferson Parkway
- I. Jeri Raabe, Arvada Resident, addressed council regarding the Jefferson Parkway
- J. Laura Norman, Arvada Resident, addressed council regarding the Jefferson Parkway
- K. Bobby Martinez, Arvada Resident, addressed council regarding the Jefferson Parkway
- L. Mike Raabe, Arvada Resident, addressed council regarding the Jefferson Parkway
- M. Wendy Federoff, Arvada Resident, addressed council regarding the Jefferson Parkway

7. New Business

- A. Consent Agenda
 - 1. R19-029 A Resolution Authorizing an Agreement By and Between the City of Arvada and American West Construction, LLC, for 27" to 42" Raw Water Main Replacement, in an Amount Not to Exceed \$1,362,530.00, Project No. CSB-19-WA-10
 - 2. R19-030 A Resolution Authorizing an Agreement by and between the City of Arvada and Supreme Roofing Done Right, LLC dba Supreme Roofing Systems for Roof Replacement on Arvada's Waste Water Treatment Facility in an Amount Not to Exceed \$205,208.00
 - 3. R19-031 A Resolution Authorizing an Agreement By and Between the City of Arvada and NV5, Inc., for Owner's Representative Services for the Parks Fleet Building Construction Project in an Amount Not To Exceed \$181,384.00

Councilmember Ford moved that R19-029, A Resolution Authorizing an Agreement By and Between the City of Arvada and American West Construction, LLC, for 27" to 42" Raw Water Main Replacement, in an Amount Not to Exceed \$1,362,530.00, Project No. CSB-19-WA-10; R19-030, A Resolution Authorizing an Agreement by and between the City of Arvada and Supreme Roofing Done Right, LLC dba Supreme Roofing Systems for Roof Replacement on Arvada's Waste Water Treatment Facility in an Amount Not to Exceed \$205,208.00; R19-031, A Resolution Authorizing an Agreement By and Between the City of Arvada and NV5, Inc., for Owner's Representative Services for the Parks Fleet Building Construction Project in an Amount Not To Exceed \$181,384.00, be approved.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

B. Resolutions

1. R19-032 A Resolution Authorizing an Intergovernmental Agreement for Public Improvements for the Candelas Medical Filing No. 1 Between the City of Arvada, Colorado and Jefferson Center Metropolitan District No. 1

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

Councilmember Fifer moved that R19-032, A Resolution Authorizing an Intergovernmental Agreement for Public Improvements for the Candelas Medical Filing No. 1 Between the City of Arvada, Colorado and Jefferson Center Metropolitan District No. 1, be approved.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

C. Ordinances (First Reading)

1. CB19-012 An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2019 (Public Hearing to be set for April 1, 2019 at 6:15 pm)

Mayor Pro Tem Marriott moved that CB19-012, be approved on first reading, ordered published in full, and a public hearing set for April 1, 2019 at 6:15 pm.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

8. Public Hearings

- A. CB19-008 An Ordinance Adding Section 62-36, Pedestrian Hindering the Flow of Traffic, Section 62-36.5 Pedestrian Use of Roadway Center Medians, and Section 62-37, Solicitation, to Chapter 62, Offenses, Repealing Other Sections of the Arvada City Code, and Establishing Penalties for Violations of the New Sections (Ordinance No. 4679)

Mayor Williams opened the public hearing on CB19-008.

Nora Steenson, Deputy City Attorney, reviewed this ordinance with council.

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

Councilmember Fifer moved that CB19-008, An Ordinance Adding Section 62-36, Pedestrian Hindering the Flow of Traffic, Section 62--36.5 Pedestrian Use of Roadway Center Medians, and Section 62-37, Solicitation, to Chapter 62, Offenses, Repealing Other Sections of the Arvada City Code, and Establishing Penalties for Violations of the New Sections, be approved on final reading, numbered 4679 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

- B. CB19-009 An Ordinance Repealing and Reenacting Section 58-72, Presiding Judge, and Adding Section 58-72.5, Clerk of the Court, to Article III, Municipal Judges, of Chapter 58, Municipal Court, of the Arvada City Code (Ordinance No. 4680)

Mayor Williams opened the public hearing on CB19-009.

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

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

Councilmember Ford moved that CB19-009, An Ordinance Repealing and Reenacting Section 58-72, Presiding Judge, and Adding Section 58-72.5, Clerk of the Court, to Article III, Municipal Judges, of Chapter 58, Municipal Court, of the Arvada City Code, be approved on final reading, numbered 4680 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

- C. CB19-010 An Ordinance Amending Section 30-4 of the Arvada City Code Pertaining to Council Districts (Ordinance No. 4681)

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

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

Councilmember Marriott moved that CB19-010, An Ordinance Amending Section 30-4 of the Arvada City Code Pertaining to Council Districts, be approved on final reading, numbered 4681 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

D. Wendy's at Candelas Preliminary Development Plan, 14857 Candelas Parkway

Mayor Williams opened the public hearings on Wendy's at Candelas Preliminary Development Plan.

Rob Smetana, Planning Manager, 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: Jonathan Power, Representing Applicant
Greg Macik, Representing Applicant
Jason Graber, Representing Applicant

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

Councilmember Jones moved that Wendy's at Candelas Preliminary Development Plan, 14857 Candelas Parkway E. Mountain Gateway Industrial Preliminary Development Plan, generally located at Southwest corner of Robb Street and Ridge Road, be approved subject to the attached updated condition of approval.

The following votes were cast on the Motion:
Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, Miller
Those Absent: McGoff
The Motion was Approved

E. Mountain Gateway Industrial Preliminary Development Plan, generally located at Southwest corner of Robb Street and Ridge Road

Mayor Williams opened the public hearings on Mountain Gateway Industrial Preliminary Development Plan.

Rob Smetana, Planning Manager, 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: Walter Cale, Representing Applicant
Ken Harshman, Representing Applicant
Kristina Manuel, Area Business Owner
Joe Coco, Representing Applicant

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

Mayor Pro Tem Marriott moved that Mountain Gateway Industrial Preliminary Development Plan, generally located at Southwest corner of Robb Street and Ridge Road, be continued to April 15, 2019.

The following votes were cast on the Motion:

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

Those Absent: McGoff

The Motion was Approved

- F. CB19-011 An Ordinance Rezoning Certain Land Within the City of Arvada, Village of Five Parks Flg. 6, from City of Arvada PUD-BP (Planned Unit Development-Business/Professional) to PUD-BPR (Planned Unit Development-Business/Professional/Residential), and Amending the Official Zoning Maps of the City of Arvada, Colorado, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street (Ordinance No. 4682)
- G. Village of Five Parks Outline Development Plan Third Amendment, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street
- H. Village of Five Parks Flg. 6 Preliminary Development Plan, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street
- I. Village of Five Parks Flg. 6 Preliminary Plat, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street

Mayor Williams opened the public hearings on CB19-011, Village of Five Parks Outline Development Plan Third Amendment, Village of Five Parks Flg. 6 Preliminary Development Plan and Village of Five Parks Flg. 6 Preliminary Plat.

Rob Smetana, Planning Manager, 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: Joe Jehn, Representing Applicant

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

Councilmember Jones moved that CB19-011, An Ordinance Rezoning Certain Land Within the City of Arvada, Village of Five Parks Flg. 6, from City of Arvada PUD-BP (Planned Unit Development-Business/Professional) to PUD-BPR (Planned Unit Development-Business/Professional/Residential), and Amending the Official Zoning Maps of the City of Arvada, Colorado, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street, be approved on final reading, numbered 4682 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, Miller

Those Absent: McGoff

The Motion was Approved

Councilmember Jones moved Village of Five Parks Outline Development Plan Third Amendment, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street, be approved. 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, Miller
Those Absent: McGoff
The Motion was Approved

Councilmember Jones moved that Village of Five Parks Flg. 6 Preliminary Development Plan, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street, be approved subject to the attached updated conditions of approval. 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, Miller
Those Absent: McGoff
The Motion was Approved

Councilmember Jones moved that Village of Five Parks Flg. 6 Preliminary Plat, Generally Located at the Southeast Corner of W. 86th Parkway & Indiana Street. 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, Miller
Those Absent: McGoff
The Motion was Approved

9. Public Comment - none

10. City Council Reports -

- A. Councilmember Ford invited everyone to her Meet and Greet on Wednesday, March 20 from 6:30 to 8:30 at Trinity Presbyterian Church.
- B. Councilmember Fifer complimented Nicholas Schweiker on his public comment tonight.

11. City Manager Reports –

Mark Deven, City Manager, reviewed the upcoming workshop schedule with council.

12. City Attorney Reports –

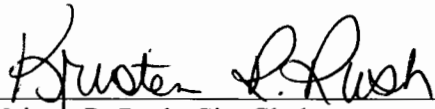
- A. Mayor Williams congratulated the city attorney's office for their work on the Rule 106 action and said that we received a favorable court decision last week and that it was a reaffirmation that the advice given from the city attorney's office in terms of how we proceeded in that hearing was the correct advice. Following their guidance the district court agreed with the procedural steps that were taken in that hearing.

13. Adjournment at 8:45 p.m.



Marc Williams, Mayor

SEAL:



Kristen R. Rush, City Clerk

