



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
JULY 18, 2022**

1. Call to Order - 6:15 p.m.

This Arvada City Council meeting was a hybrid meeting using webinar technology. Mayor Pro Tem Jones, Councilmember Fifer, Councilmember Marriott, Councilmember Moorman, Councilmember Simpson and Councilmember Smith were all present in chambers. Mayor Williams was present on Zoom.

Members of the public were given notice with instructions on how to participate with public comment.

2. Moment of Reflection and Pledge of Allegiance

3. Roll Call of Councilmembers

Those Present: Mayor Marc Williams, Mayor Pro Tem David Jones, Councilmember Bob Fifer, Councilmember John Marriott, Councilmember Randy Moorman, Councilmember Lauren Simpson, Councilmember Lisa Smith.

Also Present: Mark Deven, City Manager; Rachel Morris, City Attorney; Lorie Gillis, Deputy City Manager; Linda Haley, Deputy City Manager; Bryan Archer, Director of Finance, Ryan Stachelski, Director of Community and Economic Development and Kristen Rush, City Clerk.

4. Approval of Minutes – June 27, 2022 City Council Meeting

The minutes stand approved.

5. Recognition and Communication – none

6. Presentations –

A. Arvada Parks Advisory Committee Presentation

Max Koxholt, Chairman of the Arvada Parks Advisory Committee (APAC), and Jackie Marquis, Chairman Pro Tem gave this presentation and said that they have recommendations for the new Arvada park located between W 57th Avenue and Ralston Road along the Garrison Street bike path. In addition to the park naming discussion, Mr. Koxholt discussed the results of a Speak Up Arvada survey conducted in 2021 regarding equestrian use of Arvada's trails.

B. Arvada Arts and Culture Commission Presentation

Emily King, Chairman and Judy Gardner, Chairman Pro Tem of the Arvada Arts and Culture Commission

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(AACC) Ms. King and Ms. Gardner summarizing their recent work and strategic priorities for the coming year. Discussion topics included: updates related to the Arts and Culture Master Plan, current budget limitations, and recommended priorities for City Council related to arts and culture in Arvada.

7. Public Comment –

- A. Wendy Spencer, Arvada resident, addressed council regarding crime in Arvada
- B. Sunny Germaine-Pickett, Arvada resident, addressed council regarding crime in Arvada
- C. Ed Tomlinson, Arvada resident, addressed council regarding crime in Arvada
- D. Daniel Mondragon, Arvada resident, addressed council regarding DEI
- E. Sherry Glennon, Arvada resident, addressed council regarding crime in Arvada

8. New Business

A. Consent Agenda –

- 1. R22-049 A Resolution Authorizing an Agreement Between the City of Arvada and J. Napolitan & Co., Accepting a Permanent Drainage Easement Generally Located at 6651 West 52nd Avenue
- 2. R22-050 A Resolution Amending and Restating Plan Documents and Authorizing Adoption Agreements for the Executive Defined Contribution Retirement Plan, City Manager Retirement Plan, City Attorney Retirement Plan, and Municipal Judge Retirement Plan

Councilmember Marriott moved that R22-049, A Resolution Authorizing an Agreement Between the City of Arvada and J. Napolitan & Co., Accepting a Permanent Drainage Easement Generally Located at 6651 West 52nd Avenue; R22-050, A Resolution Amending and Restating Plan Documents and Authorizing Adoption Agreements for the Executive Defined Contribution Retirement Plan, City Manager Retirement Plan, City Attorney Retirement Plan, and Municipal Judge Retirement Plan, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith
The Motion was Approved

B. Resolutions –

- 1. R22-051 A Resolution Authorizing an Intergovernmental Agreement Between the Colorado Department of Transportation and the City of Arvada Regarding the Community Mobility Planning and Implementation (CMPI) Set-Aside of the Surface Transportation Block Grant Program (STBG)

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

Councilmember Marriott moved that R22-051, A Resolution Authorizing an Intergovernmental Agreement Between the Colorado Department of Transportation and the City of Arvada Regarding the Community Mobility Planning and Implementation (CMPI) Set-Aside of the Surface Transportation Block Grant Program (STBG), be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith

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The Motion was Approved

C. Ordinances (First Reading) - none

9. Other – Motion to Call Special City Council Meeting

Councilmember Fifer moved to call a special meeting on Tuesday, August 9, 2022, at 8 a.m. for the sole purpose of an executive session Pursuant to C.R.S. 24-6-402(4)(f) regarding a personnel matter so that City Council can conduct City Manager interviews.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith
The Motion was Approved

10. Public Hearings -

A. CB22-061 An Ordinance Vacating A Portion Of Right Of Way as Platted with Candelas Medical Filing No. 1 Subdivision, Located North West Of West 91st Drive, the City Of Arvada, County Of Jefferson, State Of Colorado (Ordinance No. 4808)

Mayor Pro Tem Jones opened the public hearing on CB22-061.

Rob Smetana, Manager of City Planning and Development, reviewed this ordinance with council.

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

Councilmember Fifer moved that CB22-061, An Ordinance Vacating A Portion Of Right Of Way as Platted with Candelas Medical Filing No. 1 Subdivision, Located North West Of West 91st Drive, the City Of Arvada, County Of Jefferson, State Of Colorado, be approved on final reading, number 4808 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith
The Motion was Approved

B. CB22-062 An Ordinance Amending Article IV, Engineering Code of Standards and Specifications, of Chapter 78, Public Improvements, of the Arvada City Code, Thereby Repealing the Existing Engineering Code of Standards and Specifications for Design and Construction of Public Improvements dated January 12, 2016 and Adopting a New Code Titled Engineering Code of Standards and Specifications Dated July 26, 2022 (Ordinance No. 4809)

Mayor Pro Tem Jones opened the public hearing on CB22-062.

Jacqueline Rhodes, City Engineer, reviewed this ordinance with council.

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

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Councilmember Marriott moved that CB22-062, An Ordinance Amending Article IV, Engineering Code of Standards and Specifications, of Chapter 78, Public Improvements, of the Arvada City Code, Thereby Repealing the Existing Engineering Code of Standards and Specifications for Design and Construction of Public Improvements dated January 12, 2016 and Adopting a New Code Titled Engineering Code of Standards and Specifications Dated July 26, 2022, be approved on final reading, numbered 4809 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith
The Motion was Approved

- C. A Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- D. A Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5 percent building facade located within the Frontage Zone when the LDC requires a 60 percent building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- E. A Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- F. A Major Modification from the Land Development Code subsection 5-1-6-2.B.3.c to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- G. A Major Modification from the Land Development Code subsection 5-1-2-6-F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

Mayor Pro Tem Jones opened the public hearings on the Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, the Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5 percent building facade located within the Frontage Zone when the LDC requires a 60 percent building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO; the Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO; the Major Modification from the Land Development Code subsection 5-1-6-2.B.3.c to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370

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W. 52nd Avenue, in the City of Arvada, CO and the Major Modification from the Land Development Code subsection 5-1-2-6-F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

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

Sworn Testimony: Tasha Boulevard, Representing applicant
Katie Sanchez, Representing applicant
Lisa D. Hamilton-Fieldman, Arvada resident, in opposition
Holi Fieldman, Arvada resident, in opposition

Did not speak but wanted their name entered into the record:
Jim Kaferly, Arvada resident, in opposition

Mayor Pro Tem Jones closed the public comment portion of the hearing.

Councilmember Marriott moved that the Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be approved. This motion is based on the Finding of Fact adopted by Planning Commission.

The following votes were cast on the Motion:
Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson
Those voting No: Smith
The Motion was Approved

Councilmember Marriott moved that the Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5 percent building facade located within the Frontage Zone when the LDC requires a 60 percent building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be approved. This motion is based on the Finding of Fact adopted by Planning Commission.

The following votes were cast on the Motion:
Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith
The Motion was Approved

Councilmember Marriott moved that the Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be approved. This motion is based on the Finding of Fact adopted by Planning Commission.

The following votes were cast on the Motion:
Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson
Those voting No: Smith
The Motion was Approved

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Councilmember Marriott moved that the Major Modification from the Land Development Code subsection 5-1-6-2.B.3.c to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be approved. This motion is based on the Finding of Fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson

Those voting No: Smith

The Motion was Approved

Councilmember Marriott moved that the Major Modification from the Land Development Code subsection 5-1-2-6-F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be approved subject to the following condition: Additional architectural elements, such as spandrel glass windows and/or a mural be provided on the Wadsworth Boulevard building elevation to increase the perceived transparency as required by Subsection 5-1-2-6F of the LDC. These enhancements shall be included with the formal Site Plan application

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith

The Motion was Approved

12. Public Comment - Five Minute Limit – none

13. City Council Reports –

- A. Councilmember Marriott discussed a ribbon cutting he attended at Pilatus Aircraft at Rocky Mountain Metropolitan Airport
- B. Councilmember Simpson invited everyone to the Northern Jefferson County Town Hall meeting on Saturday from 9:30 to 11:00 a.m., via Zoom. Sign up information is on her Facebook page.
- C. Councilmember Moorman reported on the partnership the Sustainability Committee had with the Festivals Commission to have a Zero Waste event at the Arvada on Tap event.
- D. Councilmember Moorman said that he and Councilmember Smith are hosting a Potluck Picnic and invited everyone to attend on July 30 at Volunteer Firefighter Park from 12-2 p.m.
- E. Councilmember Moorman addressed comments made during about public safety
- F. Councilmember Fifer said he would like to see a Whataburger in Arvada.
- G. Mayor Pro Tem Jones discussed the opening of Freedom Street Social in Candelas and encouraged everyone to go see it.
- H. Mayor Williams thanked everyone that has expressed concern for his mom and said that she is doing much better.

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14. City Manager Reports –
 - A. Mark Deven, City Manager, discussed the upcoming workshops on July 25.
15. City Attorney Reports – none
16. Adjournment at 9:10 p.m.

Marc Williams

Marc Williams, Mayor

SEAL:

Kristen Rush

Kristen R. Rush, City Clerk

