



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
SEPTEMBER 19, 2022**

1. Executive Session – 5:00 p.m.
 - A. Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Code Enforcement Complaints Concerning 8520 Lamar Drive

Councilmember Marriott moved to go into Executive Session for Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Code Enforcement Complaints Concerning 8520 Lamar Drive

The following votes were cast on the Motion:

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

The Motion was Approved

1. Call to Order - 6:00 p.m.

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

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

2. Moment of Reflection and Pledge of Allegiance

Mayor Williams gave a statement regarding the tragic death of Officer Dillon Vakoff in the line of duty on September 11, 2022

Police Chief, Link Strate, thanked council and the community for their continued support of the department.

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 Linda Haley, Deputy City Manager; Bryan Archer, Director of Finance; Ryan Stachelski, Director of Community and Economic Development; Rachael Kuroiwa, Chief Communications Manager and Kristen Rush, City Clerk.

4. Approval of Minutes – none

5. Recognition and Communication –

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A. Recognition of the Arvada Community Emergency Response Team During National Preparedness Month - presented by Councilmember Jones

Councilmember Simpson said that the Arvada Community Emergency Response Team (CERT) is a volunteer emergency response team that was started in 2017 in partnership with the City of Arvada and the Arvada Fire Protection District. Arvada CERT Members are trained to be ready for disasters and will be better able to help themselves and their neighbors respond to and recover from emergencies. Training is held twice a year for interested residents, and includes topics such as:

- Emergency preparations that can be made in everyone's home
- Fire safety, utility control and small fire suppression
- Light search and rescue
- Emergency medical treatment
- Disaster psychology
- Terrorism
- Incident command system

CERT members then become part of this specialized team which helps our local first responders on special projects related to emergencies and disasters. In 2021, Arvada CERT completed over 3,400 hours of service to our community. Missions included assisting with the COVID-19 vaccine point-of distribution for first responders, searching for missing persons with Arvada PD, smoke alarm blitzes and canvassing neighborhoods after structure fires with Arvada Fire. Arvada CERT continued their annual support of community events such as the Independence Day Fireworks, Car Fest, and Trick-or-Treat Street. The City of Arvada is a more engaged, prepared and resilient community with Arvada CERT members as our residents.

In honor of National Preparedness Month, members of Arvada CERT are on hand to accept the recognition of the City Council.

B. Recognition of Arvada "Neighborhood Heroes" - Presented by Mayor Pro Tem Jones

Councilmember Jones said that tonight we are recognizing three Arvada "Neighborhood Heroes".

Laney Kelly is one of the pool monitors at the Leyden Rock community pool and the daughter of Sarah and Jason Kelly, Leyden Rock residents. She graduated from Ralston Valley High School this year. On Sunday, July 17, Laney was at the pool doing her job when she noticed a child struggling after stepping off a ledge in the pool. Even though Laney isn't a lifeguard, she leapt into the pool and grabbed the struggling child. The child needed a couple of sharp blows to his back to expel inhaled water and thankfully he is fine. Even though Laney is not a lifeguard, she truly avoided a tragedy by being very attentive to what was going on in the pool and not hesitating when the need for action arose. We would like to recognize and thank Laney for her heroic actions that truly made a difference in someone's life.

Dean Hegney is a Leyden Rock Resident. On August 10, several fires were started by a passing train in Barbara Gulch and the flames came within 50 feet of homes on the east side of the neighborhood. Arvada fire response came quickly and saved those homes, setting up a line of defense with over 20 firefighters, multiple engines and several firehoses behind those homes primed and ready to go in case of a flare up. Dean was using a skid steer to redo the landscaping of his front yard and leapt into action. He used his

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skid steer to cut firebreaks and then to actively put out the fire by driving right over the flame, crushing it with his tracks. We would like to recognize and thank Dean for his heroic actions that possibly saved many homes from the fire.

Andrew Roads, an adult Leyden Rock Resident, was at the community pool on August 12 when his wife noticed two boys roughhousing. One had a bloody nose and was unresponsive. Andrew pulled him out of the pool, saw he wasn't breathing, and began CPR. The child was revived after 15-20 compressions. An ambulance was called and the child was taken to the hospital for observation. Andrew truly was a lifesaver on that day.

C. Proclamation for Childhood Cancer Awareness Week - Presented by Councilmember Moorman

Councilmember Moorman said that the City Council will proclaim the week of September 25 to October 1, 2022 as Childhood Cancer Awareness Week in Arvada.

6. Presentations – none

7. Public Comment –

- A. Mandy Malozzi, Arvada resident, addressed council regarding gun violence
- B. Jen Wohlers, Golden resident, addressed council regarding gun safety
- C. Nancy Young, Arvada resident, invited everyone to attend the annual cemetery tour on Saturday, September 24.
- D. Holly Bristol, Arvada resident, addressed council regarding gun legislation
- E. Paul Brunson, Arvada resident, addressed council regarding gun legislation
- F. Hailey Pouchot, Arvada resident, addressed council regarding gun legislation
- G. Brett Vernon, Arvada resident, addressed council regarding emergency routes in Leyden Rock.
- H. Karen Vernon, Arvada resident, addressed council regarding emergency routes in Leyden Rock.
- I. Julian Pecca, Arvada resident, addressed council regarding crime in his neighborhood. Lighting in Tennyson Knolls park
- J. Doug Resnick, Arvada resident, addressed council opposing potential gun legislation.

8. New Business

A. Consent Agenda –

- 1. R22-063 A Resolution Approving an Agreement By and Between The City of Arvada and Arvada Lodging Associates, LLC for the Grant of a Revocable Encroachment License to Accommodate the Hotel Patio to extend Within Public Right of Way at the intersection of West 56th Place and Vance Street
- 2. R22-064 A Resolution Authorizing a Six Month Extension of Two Leases By and Between the City of Arvada and the United States Postal Service For the Lease of the Building at 5885 Allison Street and for the Lease of the Parking Lot at 5886 Ammons Street
- 3. R22-068 A Resolution Authorizing a Construction Contract Agreement by and between the City of Arvada and Diamond Contracting Corp. for 2022 Water Main Replacement and Castlegate Waterline Project in an Amount Not to Exceed \$2,881,702.00, Project Nos. 22-WA-01 & 21-WA-03

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4. R22-069 A Resolution Granting A Non-Exclusive Public Utility Easement To The Public Service Company Of Colorado (Xcel Energy) To Construct, Operate, Maintain, Repair, And Replace Utility Lines At The Arvada Center
5. R22-070 A Resolution Granting An Exclusive Public Utility Easement To The Public Service Company Of Colorado (Xcel Energy) For An Exclusive Easement To Construct, Operate, Maintain, Repair, And Replace Utility Lines At The Arvada Center
6. R22-071 A Resolution Granting A Non-Exclusive Access Easement To The Public Service Company Of Colorado (Xcel Energy) At The Arvada Center
7. R22-072 A Resolution Granting A Non-Exclusive Fire Lane And Emergency Access Easement At The Arvada Center To The Arvada Fire Protection District
8. R22-073 A Resolution Authorizing an Employment Agreement Between the City of Arvada and Lorie Gillis as City Manager
9. R22-074 A Resolution Expressing the Intent of the City to be Reimbursed for Certain Expenses Relating to the Construction of Certain Water Improvements
10. R22-075 A Resolution Expressing the Intent of the City to be Reimbursed for Certain Expenses Relating to the Construction of Certain Wastewater Improvements
11. R22-078 A Resolution Accepting an Annexation Petition, Concerning Union Estates Property, Generally Located at 12016 West 82nd Avenue, Finding Said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for November 7, 2022, 6:15 p.m. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and is Considered Eligible for Annexation

Councilmember Marriott moved that R22-063, A Resolution Approving an Agreement By and Between The City of Arvada and Arvada Lodging Associates, LLC for the Grant of a Revocable Encroachment License to Accommodate the Hotel Patio to extend Within Public Right of Way at the intersection of West 56th Place and Vance Street; R22-064, A Resolution Authorizing a Six Month Extension of Two Leases By and Between the City of Arvada and the United States Postal Service For the Lease of the Building at 5885 Allison Street and for the Lease of the Parking Lot at 5886 Ammons Street; R22-068, A Resolution Authorizing a Construction Contract Agreement by and between the City of Arvada and Diamond Contracting Corp. for 2022 Water Main Replacement and Castlegate Waterline Project in an Amount Not to Exceed \$2,881,702.00, Project Nos. 22-WA-01 & 21-WA-03; R22-069, A Resolution Granting A Non-Exclusive Public Utility Easement To The Public Service Company Of Colorado (Xcel Energy) To Construct, Operate, Maintain, Repair, And Replace Utility Lines At The Arvada Center; R22-070, A Resolution Granting An Exclusive Public Utility Easement To The Public Service Company Of Colorado (Xcel Energy) For An Exclusive Easement To Construct, Operate, Maintain, Repair, And Replace Utility Lines At The Arvada Center; R22-071, A Resolution Granting A Non-Exclusive Access Easement To The Public Service Company Of Colorado (Xcel Energy) At The Arvada Center; R22-072, A Resolution Granting A Non-Exclusive Fire Lane And Emergency Access Easement At The Arvada Center To The Arvada Fire Protection District; R22-073, A Resolution Authorizing an Employment Agreement Between the City of Arvada and Lorie Gillis as City Manager; R22-074, A Resolution Expressing the Intent of the City to be Reimbursed for Certain Expenses Relating to the

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Construction of Certain Water Improvements; R22-075, A Resolution Expressing the Intent of the City to be Reimbursed for Certain Expenses Relating to the Construction of Certain Wastewater Improvements; R22-078, A Resolution Accepting an Annexation Petition, Concerning Union Estates Property, Generally Located at 12016 West 82nd Avenue, Finding Said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for November 7, 2022, 6:15 p.m. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and is Considered Eligible for Annexation, 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. R22-066 A Resolution Authorizing a Second Amendment to an Intergovernmental Agreement No. 500817 By and Between the City of Arvada and the City and County of Denver, Acting Through its Board of Water Commissioners

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

Councilmember Marriott moved that R22-066, A Resolution Authorizing a Second Amendment to an Intergovernmental Agreement No. 500817 By and Between the City of Arvada and the City and County of Denver, Acting Through its Board of Water Commissioners, be approved.

The following votes were cast on the Motion:

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

2. R22-076 A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Colorado Division of Homeland Security and Emergency Management for Hazard Mitigation Grant Program ("HMGP") Funding in the Amount of \$180,000.00

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

Councilmember Moorman moved that R22-076, A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Colorado Division of Homeland Security and Emergency Management for Hazard Mitigation Grant Program ("HMGP") Funding in the Amount of \$180,000.00, be approved.

The following votes were cast on the Motion:

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

C. Ordinances (First Reading) -

1. CB22-067 An Ordinance Repealing and Reenacting Chapter 91, Special Districts, of

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- the Arvada City Code (Public Hearing to be set for October 3, 2022 at 6:15 p.m.)
2. CB22-068 An Ordinance Authorizing the Acquisition of Certain Property Along Alkire Street, Generally from West 78th Avenue to West 80th Avenue for the Construction of Approximately 1,300 Linear Feet of 8 Foot Wide Sidepath and/or Related Improvements as Part of the Alkire Sidepath Tap Grant Project, Project No. 20-ST-26 (Public Hearing to be set for October 3, 2022)

Mayor Pro Tem Jones moved that CB22-067, An Ordinance Repealing and Reenacting Chapter 91, Special Districts, of the Arvada City Code; CB22-068, An Ordinance Authorizing the Acquisition of Certain Property Along Alkire Street, Generally from West 78th Avenue to West 80th Avenue for the Construction of Approximately 1,300 Linear Feet of 8 Foot Wide Sidepath and/or Related Improvements as Part of the Alkire Sidepath Tap Grant Project, Project No. 20-ST-26, be approved on first reading, ordered published in full, and a public hearing set for October 3, 2022 at 6:15 p.m.

The following votes were cast on the Motion:

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

9. Other – none

10. Public Hearings –

- A. Community Comments on the Application Process for the 2023 Community Development Block Grant 2023 Annual Action Plan and 2023 Human Services Funding Pool

Mayor Williams opened the public hearing on the Application Process for the 2023 Community Development Block Grant 2023 Annual Action Plan.

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

- B. R22-077, A Resolution Approving the First Amendment to Service Plan for Canyon Pines Metropolitan District (formerly known as Jefferson Center Metropolitan District No. 5)

Ryan Stachelski, Director of Community and Economic Development, reviewed this resolution with council.

Jennifer Ivey, Representing Canyon Pines Metropolitan District, reviewed this resolution with council.

Mayor Pro Tem Jones moved that R22-077, A Resolution Approving the First Amendment to Service Plan for Canyon Pines Metropolitan District (formerly known as Jefferson Center Metropolitan District No. 5), be approved.

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The following votes were cast on the Motion:

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

- C. CB22-063, An Ordinance Amending Certain Provisions Within the Land Development Code, of the City of Arvada Code (Ordinance No. 4810)

Mayor Williams opened the public hearing on CB22-063

Ryan Stachelski, Director of Community and Economic Development, and Rob Smetana, Manager of city Planning and Development, reviewed this ordinance with council.

Testimony: Gina Hallisey, Arvada Resident, Representing Ralston Valley Coalition
James Silvestro, Attorney representing Ralston Valley Coalition
Nancy Young, Arvada resident, in opposition
Douglas Raizh, Arvada resident, is support of RVC

Those against the issue but did not speak:

Victoria Bakar, Arvada resident
Tony Rawluk, Arvada resident
Janet Nonnon, Arvada resident
E.L. Yeuell, Arvada resident
Karen Gerbatsch, Arvada resident
Mike Raulch, Arvada resident
Maurenn Russ, Arvada resident
Linda Skeen, Arvada resident
Ellen Bothner, Arvada resident
Roger Buanell, Arvada resident
Donald Vaughn, Arvada resident
Vicki Barnett, Arvada resident
Anne Laffoon, Arvada resident
Peter Frost, Arvada resident
Pamela Smith, Arvada resident
Salley Smith, Arvada resident
Robert Smith, Arvada resident
Sally Payne, Arvada resident
Ray and Cathy Campbell, Arvada residents
Bart Nicholas, Arvada resident
Bruce Gaemer, Arvada resident
Erik Mathys, Arvada resident
Deborah Gander, Arvada resident
Brian Liekhus, Arvada resident
Jean Liekhus, Arvada resident
Margaret McCarthy, Arvada resident
Jim Maley, Arvada resident
Charles Booten, Arvada resident
Patrick Noon, Arvada resident

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Paul Lankford, Arvada resident
Nancy Tardy, Arvada resident

Mayor Williams closed the public hearing.

Councilmember Marriott moved that CB22-063, An Ordinance Amending Certain Provisions Within the Land Development Code, of the City of Arvada Code, be approved on final reading, numbered 4810 and ordered published by title only. This does not include the Call Up provision recommended by the Planning Commission.

Councilmember Moorman offered a friendly amendment to not include truck or truck trips at this time.

Councilmember Marriott did not accept the friendly amendment.

Councilmember Moorman withdrew his friendly amendment.

The following votes were cast on the main Motion:

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

Those voting No: Smith

The Motion was Approved

12. Public Comment - Five Minute Limit – none

13. City Council Reports –

- A. Councilmember Simpson offered her condolences and said that she wanted to echo the comments made by the mayor regarding Officer Vakoff.
- B. Councilmember Fifer offered his condolences in the passing of a young man in the Candelas Area on Sunday.
- C. Councilmember Moorman offered his condolences in the passing of Officer Vakoff and the young man in the Candelas area.
- D. Councilmember Moorman reported on the Rocky Flats Stewardship meeting that he attended.
- E. Councilmember Jones offered his condolences to the family of Officer Vakoff as well as the young man in the Candelas area and thanked the police officers for their service.

14. City Manager Reports –

Mark Deven, City Manager, reviewed the upcoming workshops with council.

15. City Attorney Reports – none

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16. Adjournment at 8:55 p.m.

Marc Williams

Marc Williams, Mayor

SEAL:

Kristen Rush

Kristen R. Rush, City Clerk



