



CITY OF ARVADA

SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD JANUARY 26, 2009

I CALL TO ORDER: Mayor Bob Frie called the meeting to order at 5:30 p.m.

II. MOMENT OF REFLECTION AND PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS:

Those Present: Mayor Bob Frie, Mayor Pro Tem Lorraine Anderson, Councilmember Don Allard, Councilmember Aaron Azari, Councilmember Bob Dyer, Councilmember Marc Williams

Councilmember Williams moved to excuse Councilmember McGoff from the meeting.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, Williams

Absent: McGoff

The Motion was Approved.

Also present were: Craig G. Kocian, City Manager; Bill Ray, Deputy City Manager; Chris Daly, City Attorney; Mike Elms, Community Development; Jim Root, Public Works; Clark Johnson, City Manager's Office; and Christine Koch, City Clerk.

IV. APPROVAL OF MINUTES OF THE JANUARY 12, 2009 CITY COUNCIL MEETING

Council members asked that revisions be made to the public hearing minutes for the Stocke-Walter rezoning and be brought back to City Council for approval.

V. PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA

VI. STUDY SESSIONS

A. Presentation on Arvada Delegation to Jinzhou, China – City Council Chambers

Mr. Kocian introduced this item and said that in October of 2008, a delegation of city officials, Arvada Urban Renewal Authority officials, and members of Arvada Sister cities International visited Jinzhou, China.

Mr. Kocian introduced Bernie Burgmaier and Bruce Nickerson, who reported on the trip to China. Ms. Burgmaier thanked all those who went on the trip and City staff members who helped put the trip together. She said Jinzhou, China is now our Sister City. Mr. Nickerson presented a slide show of the trip and talked about events along the way.

Mayor Pro Tem Anderson and Councilmember Azari talked about their experiences in China.

Mr. Nickerson said the real focus on this trip was to create a relationship between City officials and the Sister City group on a more personal basis. He said a lot of great friendships were made. Mr. Nickerson said there has been a lot of good communication back and forth, including a student penpal program, discussions about a student exchange program, a possible future visit from the Jinzhou group, as well as several presentations made to groups around this area.

Mr. Nickerson discussed the economic development aspects of the relationship.

Councilmember Azari discussed the similarities between the agricultural and horticultural practices in Jinzhou and Colorado and the benefits to both cities of learning from the other's practices.

B. City's Reserve and Discussion of Appropriation Levels and Related Issues

Vik Runkle, Director of Finance, presented this study session. She said the purpose of reserves is to have an appropriate cash flow to pay our obligations on time and to have monies established in cash of emergencies. She said reserves also demonstrate to outside agencies that the City has good fiscal management. Ms. Runkle said each fund has its own reserve requirements. She said the General Fund requirement is a total of 8 percent, 3 percent Tabor and 5 percent other. She reviewed the requirements for the various funds.

Ms. Runkle then discussed how the reserves could be increased. She said first we would look to the Internal Service Funds to determine if transfers, on an ongoing basis, could be reduced which would then lower expenditure needs. She said we are doing this now for the 2010 budget process. She said we are also reviewing the balances in those funds to determine if adjustments can be made. Ms. Runkle then reviewed the fund balances, as of December 31, 2008, for each of the internal service funds.

Ms. Runkle then reviewed the City's cash situation and identified available cash that could be used without any current reservations. She said once we close the books, we expect these could be higher. She said special Revenue or Enterprise Funds are not included as they have to be used for purposes within those funds. She said there is \$28,261,148 in General Governmental funds; \$4,000,000 in the Risk Management fund; \$13,608,939 in Internal Service Funds (less the Risk Management fund), for a total of \$45,870,087.

In summary, Ms. Runkle said if there were significant, unforeseen negative economic influences, we would first look at ways to decrease expenditures. She said overall, we are confident that most of our expenditures will be under budget for 2008, even though we have not yet "closed" the 2008 books.

C. Motorcycle Noise

Jim Keating, Police Department, presented this study session. Mr. Keating said there are nearly 70,000 motorcycles registered in the seven county Denver metro area and that in 2008 the Arvada Police Department responded to over 94,000 calls for service. He said of that number, 1,338 were for noise complaints and that 50 of those were specifically for motorcycle noise. Mr. Keating said 56 tickets for violations of the noise ordinance were issued in 2008 but that none were on motorcycles. He said Chapter 38 of the City Code addresses noise issues, but primarily pertains to stationary noise, and that as written, it cannot be practically applied to moving vehicles.

Mr. Keating said current remedies are included in CRS 42-4-225 which addresses motor vehicle mufflers but that the wording issues result in courts dismissing many of the charges brought under this statute. Remedies are also included in the Model Traffic Code, which is patterned after the state statute section and carries the same wording issues. He said city staff surveyed 22 cities in ten different states in addition to the Denver metro area and that all had some type of ordinance pertaining to motor vehicle noise. Most of these fell into one of three categories: general noise ordinances, ordinances based on noise decibel limits or ordinances based on equipment. He said the Arvada City Code, in Chapter 38, addresses general noise and prohibits loud and unnecessary noise. He said it is subjective in nature but difficult to prosecute. In the second category, dealing with decible measure, that the Arvada City Code requires special equipment and training but has no practical application to moving vehicles. In the third category, both the state statutes and the Model Traffic Code address ordinances based on equipment and that they are objective in nature so they are practical to enforce and prosecute. He said the vague wording may render the statute un-enforceable.

Mr. Keating said proposed remedies could take several directions, including adopting the Federal law requiring an Environmental Protection Agency (EPA) stamp on the mufflers of all motorcycles manufactured after 1982, which is the approach that Denver has adopted.

City Council directed staff to draft an ordinance based on Denver's adoption of the EPA's requirement for the stamp on the mufflers.

VII. COUNCIL REPORTS - None

VIII. CITY MANAGER REPORTS


A. Clark Johnson discussed SB09-108, the "FASTER" (Funding Advancements for Surface Transportation and Economic Recovery Act of 2009) bill.

IX. CITY ATTORNEY REPORTS - None

X. PUBLIC COMMENT LONGER THAN THREE MINUTES - None

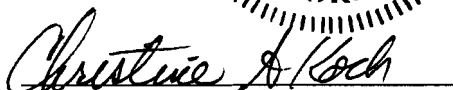
XI. ADJOURNMENT at 9:00 p.m.





Robert G. Frie

SEAL:



Christine A. Koch, City Clerk