



CITY OF ARVADA

SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD FEBRUARY 2, 2009

AGENDA REVIEW SESSION – 5:30 p.m.

1. Call to Order by Mayor Bob Frie.
2. Review February 2, 2009 Agenda

City Council discussed the resolution for the Ralston.

Councilmember Dyer discussed the resolution for the Hometown development and the problem they are having with keeping their fences in place. Mr. Kocian said that is a Code Enforcement issue and staff will look into it.

Mr. Dyer also asked about the property just east of Fremont Elementary and said the fencing is down there. Mr. Elms said his staff is aware of those issues and that Stormwater is also working on it.

3. City Council Reports

Mayor Pro Tem Anderson said the Transportation Committee does not get very much direction from City Council on what they should be doing. She said at their last meeting they decided they would solicit comments from citizens on transportation and streets projects. She said she would recommend that the Transportation Committee look at the 2005 Transportation Report that was prepared and see if it should be updated. She also asked that members of City Council get any ideas they have they would like to see the committee working on to Mayor Pro Tem Anderson.

Mayor Pro Tem Anderson reported on the Rocky Flats meeting and discussed stimulus money.

Mayor Pro Tem Anderson handed out the official Stocke Walter historic district map. City Council discussed the three lots that are included on the official map, but were not included in the map at the public hearing. Randall Sampson, Assistant City Attorney, said City Council's motion was to rezone the historic district.

Mayor Pro Tem Anderson said the Cold War History Museum is working with the Arvada Center to put on an exhibit in 2010. She said she would like to use some of the \$100,000 the City received from Kaiser Hill. She said she would also like to form a council committee to look at ways to spend the \$100,000, possibly for public art. City Council concurred that Ms. Anderson will invite some members of the Arts Council to be on the committee with her and make recommendations to City Council.

Councilmember Dyer said Chief John Greer, AFPD, is negotiating with JCMD and Candelas for property for a new fire station located in the Candelas subdivision. Mr. Dyer said there have been

discussions between Police Chief Don Wick and Fire Chief John Greer about sharing a facility so that there could be a police sub-station on the west side of Arvada. Mr. Dyer said he feels a council member should be included in the discussions with the AFPD Board. City Council concurred that Mr. Dyer should be in on those discussions.

Mr. Kocian reminded City Council that they were invited to participate in the "Read Across America" program on February 27 at Warder Elementary School.

City Council asked that they receive the Land Development Code on a CD instead of their current notebooks.

I. **CITY COUNCIL MEETING: CALL TO ORDER:** Mayor Frie called the meeting to order at 6:30 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 Aaron Azari, Councilmember Bob Dyer, Councilmember Mark McGoff, Councilmember Marc Williams

Councilmember Williams moved to excuse Councilmember Allard:

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

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

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

The minutes stand approved as submitted.

V. **PETITIONS RECOGNITIONS AND COMMUNICATIONS**

A. **Recognition of All-State Orchestra Students – Councilmember Azari**

Councilmember Azari introduced Kevin Olschner (string bass) from Pomona High School and Luke Hill (violin) from Ralston Valley High School who have been selected to the 57th Annual Colorado All-State Philharmonic and Symphony Orchestras. Both students were presented with Certificates of Recognition.

B. **Recognition of All-State Band Students – Mayor Pro Tem Anderson**

Mayor Pro Tem Anderson introduced Austin Parker (euphonium) from Arvada West High School and Colleen Culbertson (trumpet) and Ian Sawyer (cornet) from Pomona High School who were

selected to the All-State Symphonic and Concert Band. The students were presented with Certificates of Recognition.

- C. Recognition of Steve Milke, Graphic Designer for the Arvada Report – Councilmember Dyer

Councilmember Dyer introduced Steve Milke, Graphic Designer for the Arvada Report who was instrumental in the Arvada Report receiving first place in the category of External Newsletter in the annual Savvy Awards competition sponsored by the City/County Communications and Marketing Association. Mr. Milke was presented a Certificate of Recognition from City Council.

- D. City Council recognized the Boy Scouts from Troop 167 who were present.
- E. City Council recognized the Boy Scouts from Troop 267 who were present.

VI. PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA

- A. Danielle Hastings, Historic Olde Town Arvada, addressed City Council and updated them on events in Olde Town. Two new merchants were invited to speak and were welcomed to the community.
- B. Nancy Bentzen, Festivals Commission, addressed City Council and invited them to the Chocolate Affair from 11:00 a.m. – 3:00 p.m. this Saturday in Olde Town.
- C. Brad Rupert addressed City Council and updated them on the latest Habitat for Humanity House in Arvada. He invited City Council to the site dedication this Saturday.
- D. Deborah Havens, Arts Council, addressed City Council and updated them on the Arts Council and events at the Arvada Center.

VII. NEW BUSINESS

- A. Consent Agenda
 - 1. R09-008 A Resolution Authorizing a License Agreement Between the City of Arvada and the BNSF Railway Company for a Utility Crossing for the Arvada Ridge Development
 - 2. R09-009 A Resolution Accepting a Warranty Deed from The Gilligan Family Limited Partnership for Right-of-Way for W. 69th Place, Adjacent to 7031 Indiana Street and Geos Neighborhood
 - 3. R09-010 A Resolution Authorizing a Recordkeeping Agreement Between the Interim City of Arvada Deferred Compensation Plan Board of Trustees and Great-West Retirement Services
 - 4. R09-011 A Resolution Authorizing a Recordkeeping Agreement Between the City of Arvada Executive Defined Contribution Plan Board of Trustees, the City Attorney Plan, the City Manager Plan and Great-West Retirement Services
 - 5. R09-012 A Resolution Authorizing a Purchase Order to Mountain West Printing in the Amount of \$80,058.00 for the 2009 Printing of The Arvada Report

6. R09-013 A Resolution Authorizing the City of Arvada to Purchase Chemicals for Water Treatment Plant Operations in an Amount Not to Exceed \$554,316.00 Annually

Mayor Pro Tem Anderson moved that R09-008, A Resolution Authorizing a License Agreement Between the City of Arvada and the BNSF Railway Company for a Utility Crossing for the Arvada Ridge Development; R09-009, A Resolution Accepting a Warranty Deed from The Gilligan Family Limited Partnership for Right-of-Way for W. 69th Place, Adjacent to 7031 Indiana Street and Geos Neighborhood; R09-010, A Resolution Authorizing a Recordkeeping Agreement Between the Interim City of Arvada Deferred Compensation Plan Board of Trustees and Great-West Retirement Services; R09-011, A Resolution Authorizing a Recordkeeping Agreement Between the City of Arvada Executive Defined Contribution Plan Board of Trustees, the City Attorney Plan, the City Manager Plan and Great-West Retirement Services; R09-012, A Resolution Authorizing a Purchase Order to Mountain West Printing in the Amount of \$80,058.00 for the 2009 Printing of The Arvada Report; R09-013, A Resolution Authorizing the City of Arvada to Purchase Chemicals for Water Treatment Plant Operations in an Amount Not to Exceed \$554,316.00 Annually, be approved.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

B. Resolutions (Staff Presentations May Precede Resolutions)

1. R09-014 A Resolution Authorizing the First Amendment to the Revised 2009 Biennial Operating and Capital Budget Authorizing Two New Positions for the Ralston House Satellite Facility

Mayor Pro Tem Anderson moved that R09-014, A Resolution Authorizing the First Amendment to the Revised 2009 Biennial Operating and Capital Budget Authorizing Two New Positions for the Ralston House Satellite Facility, be approved.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

C. Ordinances (First Reading)

1. CB09-007 An Ordinance Authorizing Three Intergovernmental Agreements By and Between the City of Arvada and the Apex Park and Recreation District: (1) A Facilities Lease Agreement Relating to the Lease of Properties for Recreational Purposes; (2) A Maintenance Agreement Providing for Park Maintenance and Facility Landscaping Services; and (3) A Field Programming Agreement Relating to Athletic Field Programming and Maintenance (Public Hearing to be set for March 2, 2009 at 7:00 p.m.)

Councilmember Williams moved that CB09-007, An Ordinance Authorizing Three

Intergovernmental Agreements By and Between the City of Arvada and the Apex Park and Recreation District: (1) A Facilities Lease Agreement Relating to the Lease of Properties for Recreational Purposes; (2) A Maintenance Agreement Providing for Park Maintenance and Facility Landscaping Services; and (3) A Field Programming Agreement Relating to Athletic Field Programming and Maintenance be approved on first reading, ordered published in full and a Public Hearing date be set for March 2, 2009 at 7:00 P.M.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

VIII. **OLD BUSINESS – 7:00 p.m.**

A. Public Hearing

1. Ralston Creek Professional Center, Preliminary Development Plan (Continued from January 5, 2009)

Mike Elms, Director of Community Development, stated that there was an error in the mailing notice sent out by the applicant and that this public hearing needs to be continued.

Councilmember Dyer moved that the Ralston Creek Professional Center Preliminary Development Plan be continued to March 2, 2009 at 7:00 p.m.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

IX. **PUBLIC HEARINGS**

- A. CB09-003 An Ordinance Amending Section 86-72, "Composition; Compensation; Term" of Division 2. "Board of Trustees" of Chapter 86, "Retirement" of the Arvada City Code to Reduce the Number of Trustees and to Replace Certain Appointees With a Council Appointed Citizen Trustee (Ordinance No. 4155)

Mayor Frie opened the public hearing on CB09-003.

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

Councilmember Anderson moved that CB09-003, An Ordinance Amending Section 86-72, "Composition; Compensation; Term" of Division 2. "Board of Trustees" of Chapter 86, "Retirement" of the Arvada City Code to Reduce the Number of Trustees and to Replace Certain Appointees With a Council Appointed Citizen Trustee be approved on final reading, numbered 4155 and ordered published by title only.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

- B. CB09-004 An Ordinance Authorizing an Intergovernmental Agreement Between the City of Arvada and Hometown Metropolitan District Nos. 1-4 (Ordinance No. 4156)

Mayor Frie opened the public hearing on CB09-004.

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

Councilmember McGoff moved that CB09-004, An Ordinance Authorizing an Intergovernmental Agreement Between the City of Arvada and Hometown Metropolitan District Nos. 1-4 be approved on final reading, numbered 4156 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Dyer, McGoff, Williams

Those voting No: Azari

Absent: Allard

The Motion was approved.

- C. R09-015 A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land Into the City of Arvada, Colorado, Grace Church, 6969 Sheridan Blvd.
- D. CB09-001 An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Grace Church, 6969 Sheridan Blvd. (Ordinance No. 4157)
- E. CB09-002 An Ordinance Rezoning Certain Land Within the City of Arvada, Grace Church, From Jefferson County A-2 (Agricultural) to City of Arvada R-L (Residential-Low Density), and Amending the Official Zoning Maps of the City of Arvada, Colorado, 6969 Sheridan Blvd. (Ordinance No. 4158)

Mayor Frie opened the public hearings on R09-015; CB09-001 and CB09-002.

Mike Elms, Director of Community Development, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Frie made them a part of the official record.

Mr. Elms reviewed this project with City Council.

Mayor Frie swore those in wishing to speak.

Mr. Rick Long, the Pastor of Grace Church, was present and discussed the church membership and the reasons for this application.

Mr. Harold Patterson reviewed the project, the existing facilities, parking, traffic, and the zoning of the lots around the church property. He discussed the mitigation efforts they have undertaken with neighbors and reviewed the site plan.

Joe Artmann addressed City Council in opposition to the project.

David Lahey, Engineering firm who did the traffic studies, addressed City Council and reviewed the results of those studies.

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

City Council asked the applicant about removal of the temporary building, concerns with traffic on 69th Avenue, the number of parking spaces, the flood plain, the size of the culvert, lighting in the parking lot, signalizing 69th & Sheridan, and posting of the property.

Councilmember McGoff moved that R09-015, A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land Into the City of Arvada, Colorado, Grace Church, 6969 Sheridan Blvd., be approved.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

Councilmember McGoff moved that CB09-001, An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Grace Church, 6969 Sheridan Blvd. be approved subject to the attached updated conditions of approval on final reading, numbered 4157 and ordered published by title only. This motion is based on the findings of fact adopted by the Planning Commission.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.

Councilmember McGoff moved that CB09-002, An Ordinance Rezoning Certain Land Within the City of Arvada, Grace Church, From Jefferson County A-2 (Agricultural) to City of Arvada R-L (Residential-Low Density), and Amending the Official Zoning Maps of the City of Arvada, Colorado, 6969 Sheridan Blvd. be approved on final reading, numbered 4158 and ordered published by title only. This motion is based on the findings of fact adopted by the Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Frie, Azari, Dyer, McGoff, Williams

Those voting No: Anderson

Absent: Allard

The Motion was approved.

X. CITY COUNCIL REPORTS

A. Councilmember Williams referred to the front page article in the Rocky Mountain News this weekend regarding a worker at Rocky Flats and asked City Council to pass a Resolution supporting Senator Udall in his efforts to help the Rocky Flats workers.

XI. CITY MANAGER REPORTS

A. Craig Kocian said both our delegate and alternate to the DRCOG Board have conflicts to Wednesday night's meeting and he would suggest an alternate be appointed this evening. He said it is staff's belief that the alternate needs to be a city council member.

Councilmember Dyer moved to appoint Councilmember Allard as the alternate to the DRCOG Board for a period of one week.

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was approved.


XII. CITY ATTORNEY REPORTS - None


XIII. PUBLIC COMMENT LONGER THAN THREE MINUTES - None

XIV. ADJOURNMENT at 8:45 p.m.



SEAL:


Christine A. Koch, City Clerk


Robert G. Frie, Mayor