

# **Arvada City Council Workshop, January 12, 2015**

Notes taken by Susan Shirley

The three topics of this workshop are: Affordable Housing, E-Cigarettes, and Miniature Goats.

All Councilmembers were present: Mayor Marc Williams, Mayor Pro Tem Mark McGoff, and Councilmembers Don Allard, Bob Dyer, Bob Fifer, Jerry Marks, and John Marriott.

## **Affordable Housing**

At issue is the extreme difficulty with which first-time homebuyers and/or low to moderate income buyers enter the housing market. Not only are there virtually no "starter" homes, there are almost no homes at all for sale in Arvada under \$250,000.

Ed Talbot, Executive Director of the Arvada Housing Authority, proposes a partnership between the City and a nonprofit, the Colorado Housing Assistance Program (CHAC) to provide assistance with down payments and closing costs. These loans would go to qualified buyers, who might also be able to use additional funds, such as gifted money from parents, for example.

CHAC would service all loans, although the funds provided by the City would ultimately go back to the City, with interest.

Councilmembers were divided as to the usefulness of this program in a market with so little inventory. It was mentioned several times that there are currently only 14 homes available for under \$300,000 in Arvada, including townhomes and condos.

And therein, says Councilmember John Marriott, is a big part of the problem: New home builders can't deliver single-family homes for much under \$300K right now, but in the current construction defect environment no one wants to build condos or townhomes.

City Manager Mark Deven asked Councilmembers if they are generally supportive. Councilmember Fifer said he sees benefits and thinks it's worth a shot. Councilmember Jerry Marks said although this help would be a drop in the bucket, he is not opposed and thinks it is one way to spread the wealth. Councilmember Mark McGoff said as long as it's not burdensome to staff he sees no harm, although it seems like "not much will happen" if the program goes forward.

Councilmember Don Allard does not support the program. Councilmembers Bob Dyer and John Marriott advised caution with the wording of agreements and that not too much money gets tied up in what might not be an effective program. Mayor Marc Williams said he is a little bit concerned it might just be window dressing, but that the City recognizes there is a real problem; he directed Deven to bring a proposal to Council in April.

## **E-Cigarettes**

E-Cigarettes are a fast-growing form of nicotine delivery as well as delivery of THC, the active ingredient in marijuana. Vaping is not prohibited in Arvada, even in locations where smoking is banned, although individual business owners may allow or disallow vaping within their establishments. Donna Viverette and Bob Doyle of Jefferson County Public Health spoke in favor of strong limits on areas where e-cigarettes could be used. They provided statistics indicating potential harm from secondhand vapor, including metal and formaldehyde exposure. They also stated that there is currently a dramatic increase in the use of e-cigarettes by teenagers, who now are more likely to use e-cigarettes than regular cigarettes. But far from a "safe" alternative to smoking, Viverette and Doyle stressed that the e-cigarettes are not regulated as to content, that they can contain varying amounts of nicotine, and that users are inhaling benzene, formaldehyde, toluene, and other undesirable chemicals.

Councilmembers were divided on the question of regulation. Strongly in favor of regulation is Councilmember Fifer, who said he thinks the research supports safety concerns. He pointed out that Arvada's 2008 smoking ban is one of the strictest around; when that is added to the ban on recreational pot sales, why not also include full support of a ban on e-cigarettes? Councilmember Marks agreed, saying the technology is new and needs to be added to the wording of the 2008 ban; Councilmember McGoff said it's not a civil liberties issue, it's just a clarity of definition, to add vaping to the definition of what's not allowed in areas where smoking is banned.

On the fence were Councilmember Dyer and Mayor Williams; Dyer said he would like more information, but is not convinced he would vote in favor of a ban; Williams said he thinks banning vaping in all places where smoking is banned might go too far; he is not convinced there is a sufficient threat for that.

Councilmembers Marriott and Allard were not in favor of a ban; Marriott said we allow people to do a lot of things that aren't necessarily good for them, and many of those things don't rise to the level of having a legislative body take action. He said protections have to be balanced against civil liberties. Allard said he does not want a ban.

This issue may resurface later; this was only a workshop to bring information to Councilmembers for discussion.

## **Miniature Goats**

These goats can be either "Pygmy" goats or "Dwarf" goats. The discussion in this workshop centered around whether to allow miniature goats to be kept in residential areas. Two years ago the City voted to allow chicken-and-beekeeping within the city; a representative from Animal Control said there have been no complaints about bees and only ten inquiries about chickens, mostly about roosters, which are not allowed. At the time of the vote to allow bees and chickens, it was decided to see how that went, and then discuss adding goats to the mix.

Most communities don't allow male goats in non-farm areas. Female miniature goats are comparable to dogs in size, have a calm temperament and like to be in pairs; the ordinance, if passed, would require two goats to be kept, not one. Goats eat vegetation and are good for "mowing" grass, because they don't harm the roots. However, they eat ALL vegetation, and need to be confined away from neighboring yards; to this end, the yards where they are kept will need a 6 foot fence. They produce milk, which could be used for personal consumption but not for sale. And their areas, if kept clean, should not be objectionable in terms of odors. The goats would not be allowed to be slaughtered. Lots would need to be large, as there are 35-foot setbacks required from dwellings. HOAs could prohibit goats if they wished.

Councilmember Marriott asked about the wording regarding fences, which in the draft says "6-foot solid fence." A city staff member said that's so billy goats don't butt a hole in the fence. Marriott pointed out that there won't be any billies, and that solid fencing would mar the appearance of many neighborhoods, so if that's not a necessary requirement it should be taken out. He said logically, it should be the same requirements as for dogs. Marriott is in favor of allowing the goats. Councilmember Fifer is "OK with it," as long as it doesn't place a burden on animal management staff. Councilmember McGoff said goats are no problem, they are not noisy or disruptive. Councilmember Marks joked that he is in support of goats as long as they aren't vaping. Councilmember Allard has no opinion. Councilmember Dyer said he's met some miniature goats, which were very sweet and which his wife likes a lot. He doesn't see a problem as long as the owners are responsible; however, he said there are problems with dogs and cats where you find irresponsible owners. Mayor Williams said he is fine with allowing them.

Comments from City Manager:

The Jefferson County School district requests Arvada's participation in the Jeffco 2020 visioning process, beginning January 28 for four half-days. Mark Deven asked if any councilmembers wished to participate; as none did, Deven is the designee.

There will be no City Council meeting January 19 because of the Martin Luther King, Jr. holiday. Mayor Williams said there is a draft bill to address the construction defects law, which he said is a huge problem and would be a good topic for a future workshop. He hoped the state legislature will address the problem.

The meeting adjourned at 8:00.