

## **Arvada City Council Meeting, October 20, 2014**

Notes taken by Susan Shirley

In attendance were Mayor Marc Williams and Councilmembers Don Allard, Bob Dyer, Bob Fifer, Jerry Marks, and John Marriott. Mayor Pro Tem Mark McGoff was absent and excused.

At 6 p.m., attendance by citizens was 25, and at 7 p.m. it was 19.

Minutes from the October 6 meeting were approved with no changes.

Recognitions:

Blues & BBQ, from their website:

"The Duke Street Kings' 17th annual Blues & BBQ for Better Housing Block Party was held July 13, 2014. Folks from all over the Denver Metro area headed for Olde Town Arvada for the best little Blues Festival west of the Mississippi. Over the last 16 years this festival has donated over \$100,000 dollars towards building homes for families in need.

Last year we raised \$25,000! Which allowed us to be a Silver Sponsor for the 2013 Jimmy and Rosalyn Carter Build.

You can still sign up to work on the house we are fixing. For more information, go to bluesnbbq.com."

Ranger Miller was at this evening's meeting to receive the recognition from Councilmember Jerry Marks, and to present a check for \$27,500 to a representative of Habitat for Humanity.

Warbirds Over the Rockies: this international event, previously held in Ault, Colorado, brought together modelers, historians, and people who love aircraft, for a fun weekend in September. Some very elaborate and authentically detailed model aircraft engaged in airshows featuring over 150 pilots. Councilmember Bob Fifer presented the recognition for this to Brian O'Meara, who told Council the event had raised over \$25,000 for Colorado Mental Health.

Winners of the Star Spangled Scholars Essay Contest: This year's Harvest Festival included a new feature, the Star Spangled Scholars Program. This program is intended to promote students' understanding of the history of the American flag, using hands-on approaches, as well as an essay contest. The winners of the 2014 essay contest are:

Lauren Sissom, grades 6-8, First Prize

Kalob McConnell, grades 9-12, First Prize

Brianne Wolle, Grand Prize

Renee Nelson, Chair of the Harvest Festival, presented special festival T-shirts to members of Council, a certificate of recognition to Linda Ferguson, who is the creator of the Star Spangled Scholars program, and a certificate of appreciation to Councilmember Bob Dyer for his many years of service and dedication, leadership, and personal touch as the city's liason with the Festivals Commission.

Public Comment:

Steven Howards, owner of the A. L. Davis Block and the Pierce Block, addressed Council about a parking situation in Olde Town. He began by saying that people have lived in those buildings for over 100 years. Suddenly, six months ago, when the parking changes were initiated in Olde Town, the tenants of those buildings found it very hard to accommodate to the parking rules. The buildings were built before the need for parking and have none of their own; therefore, the tenants have had to play "musical chairs" with their cars, getting up in the middle of the night to move the cars to different spaces. One tenant has a two-week-old baby and a five-year-old child. That family has had to pay hundreds of dollars in tickets, and their car was towed just today. Howards has attempted to negotiate with some of the nearby businesses and churches, to no avail. He said that he also owns property in Capitol Hill and in Congress Park, and the residents of those areas receive residential parking permits allowing them to park in the area unmolested by the city. He requested Council to take immediate action to allow that sort of permits to be issued here, saying that without some help, the buildings will eventually house only retail and office tenants, leaving out a key element of a diverse community, which is full-time residents.

Mayor Williams responded that immediate action is not what Council does, but that staff needs to look into the matter and give Council their thoughts, and see if anything can be done to help the situation.

Nancy Young spoke in reference to the 2015 budget which was on the agenda for this meeting. She said, "The proposed budget and appropriations...do not meet your primary objective: Taking Lasting Care, particularly of Arvada's infrastructure." The reason for Young's objection is the city's "ongoing failure to properly maintain Arvada's existing street system." Young said that the line item, Street Maintenance, allowed for only \$4.5 million for streets, with the other \$5.5 million going for beautification and snow/ice removal.

So, of the total \$191 million appropriation, actual street maintenance makes up 2.3%, compared with 19% going toward water, wastewater, and stormwater resources.

Young enumerated the costs of failure to maintain streets, such as more costly repairs down the line as well as costs to citizens of repairs to cars, and increased accidents.

Finally, Young said, "It's a complete mystery to me why Arvada gives away millions of dollars to create new developments, but fails to provide safe, properly maintained roads."

A resident of Rainbow Ridge spoke, saying he is 69 years old and has lived in Arvada since 1965, and has owned property here since 1973. He strongly opposes two of the city's programs for helping low-income residents: the sales tax rebate of approximately \$85 given yearly to qualified residents, and the loan program which helps elderly and disabled residents to make needed repairs which allow them to remain in their homes. The man said that he is "tired of welfare," and that Arvada is not a bank or a charitable institution. He said that this is not the city money, but the taxpayers' money, and that it is wrong to spend money in this way. He was also concerned about the costs of administering those programs.

## Consent Agenda:

R14-137 renews the agreement between the City and the Elks Club, in which the Elks allow the public use of a portion of their parking lot in Olde Town, in exchange for maintenance of that lot by the City. This agreement has the same terms as the one which is expiring, and is valid through October of 2019. R14-138 is to provide \$41,040 in funding for an interviewer at Ralston House of child and teen victims of abuse.

R14-139 is to approve an update to the City's building valuation tables, which have become outdated since the recovery from the recession has begun. The update will lead to an increase in permit and use tax revenue.

R14-140 accepts an easement from APEX for a sanitary sewer line for the Sunset Mesa Subdivision, near 80th and Simms.

R14-141 approves a \$66,050 purchase order for a 24" duel solenoid control valve for the water treatment plant, from Pipestone Equipment of Golden.

R14-142 is to authorize a construction contract between the City and Symmetry Builders of Boulder, for installation of an 8-foot wide concrete trail along the north side of W. 74th Ave., between Carr Street and Carr Drive, as well as a bridge over the Croke Canal. The contract amount is \$467,623.

R14-143 authorizes an agreement between the City and the Farmers' High Line Canal and Reservoir Company, for the bridge over the Croke Canal.

The consent agenda passed on a 6 to 0 vote.

## Resolutions:

R14-144 is for a \$6,430,393 contract between the City and Kiewit Building Group of Centennial, for excavation, utility, and foundation work for the Olde Town Parking Structure. Representatives of Trammel Crow and Kiewit were on hand to give presentations.

The design of the transit facility is meant to have a "timeless feel" which is contemporary but still fits with the characteristics of Olde Town. Materials include stacked stone, precast panels with masonry veneer, pavers and plantings strategically placed for maximum effect. The tower containing the elevator will be steel, reminiscent of other steel structures in the area, such as the Water Tower. A gabion wall is planned, which is a retaining wall featuring stone and landscape plants. The Flour Mill's parking lot will be replaced with a plaza, which could host such gatherings as a farmers' market. Councilmember Bob Fifer had some serious concerns about the ingress and egress points, including the need to drive through the theater parking lot in some situations, as well as possible inadequacy of the turn lane for cars into the facility from southbound Olde Wadsworth.

City Manager Mark Deven offered to spend some time with any councilmembers who had concerns, walking them through the detailed explanation of the logistics. Mayor Marc Williams said that "we can play traffic engineer, but we have traffic engineers who spend lots of time" on these problems. Fifer said, "I'm not trying to be an engineer, I'm being a citizen who would use the facility." Councilmember Bob Dyer said that he has had some experience with several garages over the years, particularly the one in Boulder, and that based on that experience he believes the setup here in Arvada will work well. He said he thinks people will figure out what they need to do, and get used to things fairly quickly. Dyer said the two exits should be adequate. Fifer said he is not worried about the number of exits, but about what people have to do to get to the exits. Williams said that because of the decision to build the parking facility into the hillside, other things need to be adjusted.

Kiewit's presentation had to do with what we can expect for Phase I, which starts now. We will very soon see construction fences and access roads, a fire access lane around the theater, a trailer complex east of Vance, and construction parking in the Vineyard Church lot. November will see utility locates, minor adjustments in design, and earthwork activity into spring of 2015. Phase 2 is expected to be completed in spring of 2016.

A vote was taken, and R14-144 was approved, 6 to 0.

R14-145 allows an intergovernmental agreement between the City and the Urban Drainage and Flood Control District, with each party contributing \$400,000 for Leyden Creek flood control improvements. This item passed, 6 to 0.

Ordinances, First Reading: Public Hearings for this item will be November 3, 2014 at 6:30 p.m.:

CB14-044 is for an ordinance placing an 18-month moratorium on permits for Cyber Cafes in Arvada. This type of cafe is a hybrid between a gambling venue and an internet cafe, and the gaming aspect of that is what the City prefers to study before making any final decisions as to whether it would be allowed and, if so, how it would be regulated. This was approved to go on to public hearing, on a 6 to 0 vote.

Public Hearings:

CB14-038 is to appropriate \$191,615,037 for Fiscal Year 2015.

R14-146 adopts the 2015 Budget.

R14-147 adopts the 2015 Capital Improvement Fund and allocates for specific projects in 2015.

R14-148 approves the Arvada Urban Renewal 2015 budget.

Director of Finance Bryan Archer explained that this will be the first year of the city's transition from a line-item budget to a performance-based budget. He noted that the citizen's capital improvement committee has been seated, and will meet over the next six to nine months to help decide which improvements are most necessary.

Increases in payroll will be a 3.5% raise for police officers, and a 2% raise for all other city employees. There will be 12.7 new positions added: four positions each in the police department, utilities, and building activity, as well as a part time support position.

Spring cleanup is scheduled for 2015, and for every odd year over the next ten years.

The water, wastewater, and stormwater increases will collectively add about \$1.46 a month to the typical residential water bill.

City Manager Mark Deven, referring back to the public comments, noted that additional money for the streets is one of the items being considered by the citizens' capital improvement committee, and that staff also has concerns about maintaining the streets.

Deven continued, saying the sales tax rebate is administered through the city's finance department, as it has been for at least five years. It is meant to offset the sales tax paid by the city's most needy residents. Councilmember Fifer said that when he was first on the Council, the amount budgeted for street maintenance was \$3 million, which went up to \$5 million later, but now has dropped down to \$4.5 million. Bob Manwaring, Director of Public Works, referenced a 2012 study done by a consultant, which said the city would need to spend \$17 million per year just to bring the streets up to "fair" condition; Manwaring said that staff believes it could be accomplished for about \$10 million per year. There was discussion about the home repair program, with Mayor Williams saying that the loans provide the ability to maintain quality within the neighborhoods, rather than having some properties deteriorate and bring down the entire neighborhood. Councilmember Fifer agreed, and added that there is a lack of senior housing and resources in Arvada; the loans allow some senior citizens to remain in their homes longer.

Mayor Williams said that, with respect to the sales tax rebate, Arvada is one of the Colorado cities which charges sales tax on food, but recognizes that that tax places serious hardship on some individuals, thus the rebate.

In reference to Nancy Young's concerns about street maintenance, Williams said that he didn't believe it was a good comparison to say that the utilities receive such a larger proportion of the budget than street maintenance. Utilities generate funding, roads do not. Williams asked staff to respond to Young's statement that Arvada gives away money to developers. City Manager Deven said that in certain development projects, tax increment financing or other sales tax arrangements are made. In each case that is done to help reimburse the developers for needed improvements they have to pay for. Deven said if the city didn't make deals, development would not happen, and development brings in money to the city.

Votes were taken on the budget items. CB14-038 passed, 6 to 0. R14-146 passed 5 to 1, with Councilmember Don Allard casting the lone "no" vote. R14-147 and R14-148 passed 6 to 0.

CB14-039 certifies the city's mill levy for valuation year 2014. The estimated \$4,850,000 is for the Jefferson and Adams County Boards of County Commissioners. There is no change this year in the mill levy, and it remains at 4.31 mills. Councilmember Bob Dyer said that has been the same since about 1992, and it is one of the lowest mill levies around.

This item passed, 6 to 0.

CB14-040, -041, -042, and -043 are for water department increases of 2% for water and stormwater rates, and 3% for wastewater and water tap fees. These passed, 6 to 0.

Public Comment: The same resident from Rainbow Ridge, as well as his daughter, reiterated concerns about the city's assistance programs, saying, "you think you're helping them, but you're not helping them," and the city should not be a bank--that's why we have banks, churches, etc. The daughter is a clinical psychologist with a PhD from UCLA, who said that, in her opinion, real help comes from education, job skills, and getting business involved.

Reports from City Council:

Councilmember Fifer reported on FirstNet, a program to improve public safety by facilitating communication among first responders during emergencies. He said that when the Boston Marathon bombing happened, texting and videos "crushed communication" and made it difficult for responders to coordinate efforts. FirstNet is an effort to bypass that by giving responders a private network. Fifer said Colorado is on the forefront of that effort and is gaining national attention for that. Fifer also announced that, by the end of this month, it will be possible to watch live streaming of city council meetings on cell phones, without having to be at City Hall.

Councilmember Bob Dyer spoke briefly about the AEDA breakfast, where attention was given to Fuzzy Tacos, Wadsworth Controls, and Faustson Tool, a woman-owned, high-tech milling company which makes close tolerance machine parts, such as for the aerospace industry.

Councilmember Jerry Marks announced his next District 1 meeting, on November 13 at the Lake Arbor police substation, from 6 to 8 p.m.

Councilmember John Marriott reported on the Arvada Chamber of Commerce governor's forum, which he said was "first rate," and one of the only debates among the contenders which included all of the candidates.

Request to cancel October 27 City Council Workshop: approved. There will be no workshop next week, as Council will be conducting interviews for boards and commissions.

Reports from City Manager: The next workshop is scheduled for November 10.

The meeting adjourned at 8:05.