

Arvada City Council Meeting, October 7, 2013

Notes taken by Susan Shirley

Councilman Allard was absent due to illness.

Mark McGoff began by reading a proclamation that October is Housing America Month. He said that there is a real need for low income and affordable housing, that 5.9% of rural homes are substandard, and that public housing is home to over two million people. He spoke favorably about the Block Grant and Section 8 programs which allow housing assistance to many low income people including female-led households and the disabled. Mr. Talbott accepted a plaque on behalf of Housing America.

There was a short but not very illuminating discussion in regard to the Municipal Judge mentioned at the end of the September 16 city council meeting, and also changes and corrections for the minutes of that meeting.

This was followed by public comment about Park Place Olde Town (PPOT.) The first speaker, James Beckman, is a former city councilman from Frisco, Colorado. He gave his opinion that public controversy and public involvement, even if it includes anger, shows a good job on the part of a city council, and that the way to defuse angry people is to bring them into the process. He went on to say that he believes the rules regarding building height were changed after the submission of the project and that he doesn't believe that was the correct way for that to be handled. Mayor Williams said that it is normal for rules to change as part of the development code along the way.

Geoffrey Bruce spoke next. He said that during this year's dispute over the Walmart, he was told by the city council that the majority of polling indicated the public was in favor of a Walmart. It was later discovered that the poll in question was not a citizen's poll but involved paid pollsters who can earn anywhere from \$3 to \$12 per signature. He asked if that is reasonable to consider such a poll a measure of the public's true sentiment. He then requested that City Council not put staff in charge of changes which will dramatically alter Arvada for generations to come.

He was followed by Betty Araya, speaking on behalf of Save Arvada Now (SAN.) She reminded the council that design rules are important for protecting the character of an area such as Olde Town. Then she told the council that SAN has consulting party status for the Section 106 investigation. Betty pointed out that the State Historic Preservation Officer issued a decision last spring that PPOT would have an adverse effect on the area, and she said that SAN "regret(s) that the city of Arvada approved this development even after that finding was made."

Nancy Young thanked Mr. Deven for his response to her six months' worth of inquiries about the revocable permit. She reiterated that the permit violates the land transfer deed to the city of May 15, 1919 (public record, if anyone wants to look at it) which gave the land to the public for use as a park to be named McIlvoy Park. She pointed out that the revocable permit has overtones of a Bernie Madoff scheme. The revocable permit includes space for nine sidewalks for access to and from PPOT, all with shrubberies in between. In addition, there will be limited ability for this revocable permit to be revoked, and that third parties (for example, citizens of Arvada) will have no rights whatsoever to revoke. Ms. Young expressed her belief that this is "unconscionable and clearly violates McIlvoy's restrictions."

Mayor Williams responded by asking Mr. Deven if any of the access points are to be gated. Mr. Deven said no.

Cindi Kreutzer spoke on behalf of Stop Arvada Walmart (SAW.) She said that it is very important that we do whatever we can to maintain the unique character of Arvada. She believes that the demolition of the Masonic Lodge and five-story apartment building will "permanently degrade the historic legacy" that is Arvada's.

Mark Atwater described the festivities planned for the weekend's upcoming Arvada Scarecrow Festival, of which he is co-chair.

Public comment was followed by Resolutions R13-123 through -130, with the exception of -129 which they dealt with separately. These resolutions concern construction contracts, the water treatment plant, and hiring a forensic interviewer for the Ralston House. The resolutions passed 6-0.

Resolution 13-129 was examined separately. It provides for an increase in a maintenance contract between the City and WL Contractors, from the previous \$460,000 to \$1,341,000. John Feruzzi of the traffic control department demonstrated on a city map, the areas where fiber in conduit will be, or has been installed. In the area along West 58th from Sheridan to Wadsworth, the work was done concurrently with other road replacement. There will also be conduit installed from Wadsworth to Kipling along 80th, and around 8100 Vance at the police substation. There was discussion about why the work was done prior to receiving official approval and it was generally agreed that it is not a good idea to cut a brand-new roadway to install something underneath, so it was a good idea to apply common sense in this case and do both operations simultaneously.

Bob Fifer commented that Arvada is one of the first communities to pursue the federal government's objective of broadband accessibility to homes. It is very difficult, he said, for the private sector to fund such a large-scale project. Mr. Fifer also asked about the \$129,000 for the work on 80th in the original contract. He was informed by staff that if that was not amended, the city would run short of funds for scheduled maintenance.

The resolution passed, 6 to 0.

Resolution 13-131 was also about fiber optic cable, involving an intergovernmental project with the State of Colorado, which will not carry a cost to Arvada. It also passed, 6 to 0.

Resolution 13-132 involves a contract with Tower 1 Construction to build restrooms and a concession stand at Long Lake Park. The total cost of this project is not to exceed \$660,000, which will be borne, in part, by APEX (\$130K) Edge Soccer (\$30K,) and Arvada Midget Football (\$20K.) A large portion of this cost is for running water and sewer lines, not just the buildings. This resolution passed, 6 to 0.

Resolution 13-133 renews the long-standing lease of the non-profit Horse Protection League. The Horse Protection League is 100% volunteer operated, has been around since 1994 and has a mission of seeing to the rescue, care, and welfare of horses, ponies, donkeys and mules. A brief video shown by the group stated that there are record numbers of these animals suffering from neglect, starvation, abandonment and abuse; the volunteers nurse them back to health and find adoptive homes for them. They have several programs for military veterans and their families, at-risk teenagers, and veterinary students. For more information, their website is thehorseprotectionleague.com; they are at 17999 W.

60th Avenue, and their address for donations (they had significant flood damage) is P.O. Box 741089, Arvada, 80006. They do have regular days the public can visit.

Annie Oden, the League President, thanked the City Council for their support, without which they could not have rescued over 100 horses.

Mark McGoff pointed out that there is an added benefit to the city beyond the \$400 per month they pay for rent of their property, which is that the group also helps maintain very important historic structures on the property.

The resolution for the lease agreement passed 6 - 0.

Resolution 13-134 was authorization for a contract between the city and Arrow J Landscaping Co., for work planned for Memorial Park. There has long been friction between neighborhood residents and the disc golfers who also use the park. Mr. Deven discussed the efforts to create a design to address those concerns, meetings between residents and the disc golf associations, and putting the project up for bid. There is a block grant and trust fund providing monies for these changes.

Shelley Cook mentioned that many trees in Memorial Park have been marked with ribbons, but that those trees are not to be removed; the ribbons are only to help with the changing of the park's layout.

Mr. McGoff asked a representative of the landscape firm why the bid came in at more than the architect's estimate, which he said is highly unusual. The answer given was that there is currently an escalation of all phases of development, and today's bidding environment is very competitive. Things just cost more now than when the plans were drawn, in other words.

The cost is \$1,037,129, the project starts when funds are made available, and golf will be closed until the finish of the project, expected in spring 2014.

The resolution passed, 6 - 0.

Ordinances, first reading, read by Mark McGoff, concerned funding for 2014, a mill levy for the county, utilities and wastewater rates and water fees. There will be a public hearing on these matters October 21, 2013 at 6 p.m.

This passed, 6 - 0.

Susan Shirley then spoke on behalf of Citizens for a Better Arvada, about PPOT. She said that CBA believes PPOT does not fit within the historical context of Olde Town, and that other options should be explored; for example something along the lines of the Mission Meridian Village in California, which has a density of 40 dwelling units per acre yet blends in with its surroundings. CBA will be a consulting party for the Section 106 review.

Mention was made of Rachel Zenzinger's upcoming "Councilor on Your Corner," Tuesday, October 8 at Indian Tree Golf Course. It is open to all residents and the subject will be the update to the Comprehensive Plan.

Ms. Zenzinger also said that she is soliciting feedback on the restructuring of how DRCOG does business.

There followed a discussion among the council members about linking the two key transit stations along the Sheridan NW corridor and the Fast Tracks system, and about whether or not it would be a good idea to focus on two separate areas of transportation needs at one time.

Mark McGoff commended the Parks Department on finessing community involvement in improvements to Britain Park at 69th and Eaton. He said that the department took into account everything the neighborhood participants had to say, and that the neighbors love the park design as approved. There were approximately sixty residents involved in the process.

Mark Deven said there is a workshop scheduled on Arvada Center Task Force recommendations. There will be a public meeting about that on October 30. Mr. Deven said that an article in the Arvada Report neglected to mention that the city wants to solicit input about community values; that the city wants to know, specifically, "if the task force is to move forward, what community values and interests need to be included in any agreement?" He would like to have input before the November 25 workshop.

Next week there will be no workshop. The next City Council Workshop is October 28. It will feature Healthy Places, Community Corrections, Municipal Court Judge and Committee, Pay plan recommendations, and a request by the Action Center for capital program expansion.