

City Council Meeting, November 17, 2014

Notes taken by Susan Shirley

City Revenues Show Marked Increase; Expenditures in Line with Projections

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

At 6 p.m., attendance by citizens was about 32. At 7:30, it had fallen to 5.

Minutes from the November 3 meeting were approved with no changes.

Recognition:

Mayor Pro Tem Mark McGoff recognized recently retired Arvada Municipal Court Judge George "Mike" Graber. Judge Graber is an Arvada native and graduate of Arvada West High School as well as CU, DU, and the National Judicial College in Reno, NV. He is also a veteran of the United States Army, having served in Military Intelligence.

Judge Graber served on the municipal court bench for 39 years, beginning in 1975. He has also provided counsel for several governmental entities, and has paid special attention to teaching middle and high school students on such topics as political science, the consequences of drunk driving, and civic responsibility.

Judge Graber was introduced by another retired municipal judge, George Boyle, who retired at the end of June, 2013. Boyle worked with Graber for 35 years, and commended him on his impartiality, professionalism, compassion, and fairness. He said the two would collaborate, helping each other on questions of law. Boyle called Graber a valuable friend, who "helped run one of the best courts in the state, if not THE best."

Judge Graber thanked Council, and the "fabulous court staff, great city attorney, and great police department." He said that, in many gatherings of judges from around the region, Arvada receives compliments on the quality of its ordinances. He said it was an honor and a privilege to serve the City, and sitting as an Arvada municipal court judge was the highlight of his professional career.

Public Comment: None

Consent Agenda:

R14-154 is to approve the 2015 Operating Plan and Budget of the Indiana Marketplace Business Improvement District. This district was formed in 2008 to provide maintenance of a culvert which was built to divert the Croke Canal so that the Indiana Marketplace at 64th and Indiana could be built. By State law, City Council is the governing body of this district, and needs to approve an annual operating plan and budget.

R14-155 authorizes an agreement with Colorado Designs of Centennial, CO, for two neighborhood park projects totaling \$2,783,761. The two parks are Griffith Station Park at 52nd and Carr, and Britton Park at 69th and Eaton. Griffith Park will have a trolley station theme, and a link to the nearby InterUrban Trail, while Britton Park is designed to have great views and the preservation of existing native grasses, shrubs, and trees. Both parks will include playgrounds, shelters, walkways, and landscaping.

Both items were approved, 6 to 0.

Resolution:

R14-156 is to authorize an agreement with riding school owners Mikia and Harry Parker to operate the Arvada Indoor Equestrian Center at 7650 Indiana Street. The center will provide individual and group lessons, as well as opportunities for the public to use the facility. The Parkers will pay Arvada 1% of the facility's gross revenue.

The facility will be open Sundays, Mondays, and Wednesdays. Anticipated improvements include expansion of the riding area, better footing, improvement to the two auxiliary barns, and a viewing area in the main barn.

This item passed, 6 to 0.

CB14-049, concerning debt refinancing, has been temporarily shelved. There was no discussion of this item in tonight's meeting.

Other:

Third Quarter Financial Report: Revenue and highlights of the City's major funds, including the General Fund, Arvada Center, Parks, Tax Increment, Capital Projects, Water, Wastewater, Storm Water, Golf, Hospitality, and Internal Service Funds.

Director of Finance Bryan Archer presented a current look at the City's finances, saying that there has been historic revenue growth in many categories, and that the expenditures are in line with expectations. There have been a number of capital projects completed, including the Ralston Central Park, two police substations, replacement of all City computers, and the purchase of the final group of police Interceptor vehicles. Sales tax is up about 7.3% from last year, building revenues up a whopping 40% over last year, use tax up 11% and fees 3%.

For food, the two ends of the spectrum--fast food and health/specialty food--are dragging, but other types of restaurants are experiencing double-digit increases in revenue.

Building revenue is at \$7 million, the largest since 1998, said Archer. Other funds have generally positive growth. Tax increment funding is up 7.5% over 2013. This is to finance a third substation in the future.

Councilmember Don Allard noted that the Capital Improvement Projects administration costs were very high, out of line with the previous year. Assistant Director of Finance Lisa Yagi explained that some of the park costs were placed in that category in order to separate them from other park costs.

There is \$20 million in reserve for the transit hub.

There is also \$35 million in escrow for the Denver Water Board's Moffat Project, which is a controversial proposal to drain water from some of the rivers which currently flow to the Colorado River, diverting them for the use of the Denver area; the water would be pumped through a tunnel beneath the Continental Divide and flood some rural parts of Boulder County as the Gross Reservoir would be greatly expanded. Costs are estimated at \$360 million.

Councilmember Allard objected to the escrowed \$35 million being represented as part of the cash reserve, as it is not available for the City's use.

Public Hearings:

Item 09A, and R14-157 concern a public hearing on the City's application for HUD funding in the form of an estimated \$400,000 block grant. Tonight's vote was to approve a five-year plan covering the years from 2015 to 2019. The block grant program was established in 1975-76, and allows communities a lot of discretion as to how the funds are spent; Housing Director Ed Talbot said this recognizes that the "best decision making is done locally."

The funds cannot be used for political activities. They also can't be used for building new housing, as there are other programs for that. They must be used to benefit low to moderate income households, or for eliminating slums and blight, and in some cases, for emergency assistance.

R14-158 authorizes the expenditure of Human Services funds to the following organizations:

A Precious Child, \$5,000
Angel Eyes, \$1,000
Archway Housing, \$5,000
Audio Information Network, \$2,000
Colorado Homeless Families, \$1,000
FACES, \$5,000
Family Tree, Inc., \$8,000
Hope Neighborhood Initiative, \$10,000
Hope House GED program, \$5,000
ARMS Emergency Service Program, \$20,000
Jeffco Action Center, \$12,750
Project Angel Heart, \$17,000
Ralston House, \$15,000
Senior's Resource Center case management program, \$9,250
Special Olympics Colorado, \$5,000
STRIDE, \$4,500
Meals on Wheels, \$12,000

Arvada Community Food Bank, \$30,000
Carin' Clinic, \$20,000
Food Bank of the Rockies, \$3,000
Jefferson Center for Mental Health, \$22,000

These funds include \$135,000 from the General Fund, and \$75,000 of federal block grant money.

There was no public input on either of these items.

Councilmember John Marriott asked how the committee decides what amounts to allocate to each applicant. Talbot said there is a formula; a few applicants are screened out, the amount requested is taken into consideration, and the committee looks at which applicants are ranked highest using the formula and also at the amounts allocated in past years.

Councilmember Bob Fifer said he believes that next year there should be more emphasis on assistance to the aging population. Arvada has a high percentage of seniors, partly because this was a popular place to move to following World War II, and many of those people who came here, remained here and are now seniors. Mayor Pro Tem McGoff asked City Manager Mark Deven to look into that. Councilmember Bob Dyer said he thinks the funding is stretched about as far as it can be, that this program has been doing very well, and that he doesn't want this program to go the way of the neighborhood improvement grants. He thinks any intent to make changes in the way things are funded needs to be accompanied by clear explanations of what is meant in terms of help to the aging population.

Councilmember Allard asked the committee to give a written copy of its guidelines to councilmembers, saying it might be helpful in understanding how allocations are made.

City Manager Mark Deven said there will be a workshop on February 19 which will give more information on how the funds are allocated, and that next week's workshop will include addressing the needs of the aging population, which Deven called "significant." Deven said there is plenty of data out there from such organizations as DRCOG and Jefferson County Health Department. City staff will be making recommendations to Council about the needs of the aging population and the possibility of seeking additional funding from other sources. Deven said there is "time to turn this ship" and that's something that will need to be done.

R14-157 and R14-158 both passed on a 6 to 0 vote.

CB14-045 is to rezone the property at 5650 and 5660 W. 60th Avenue from light industrial to Clear Creek Industrial and Commercial Sub-District, in order to allow a recreational vehicle storage facility. The Planning Commission voted 4 in favor, with 3 absent.

Property owner and applicant Monty Purcella was sworn in and explained his proposal. The land is surrounded by other commercial properties. He will be storing only "nice, well-kept RVs," not junk cars. He said that his other, nearby, property is absolutely weed-free and that "that's the way we do business." Also, the property slopes away from the road to such an extent that the vehicles will be below eye level from 60th Avenue. Purcella noted that other RV storage fell victim to light rail expansion, leaving a high demand for the service.

There was no public input.

Councilmember Bob Fifer asked if the property will be fenced. Purcella said there will be an 8-foot chain link fence and barbed wire. The surface will be covered in a foot of crushed concrete, and LED lights, conforming to the new city standard, will be put in. Fifer asked if the neighbors behind the property are OK with that use, and Purcella said that is who he bought the property from, so yes.

This item passed, 6 to 0.

CB14-046 is to allow US Bank, at 9590 W. 58th Avenue, to build a drive-through in the southeast corner of their property, to replace their existing nearby drive-through, which is scheduled for demolition. The Planning Commission voted 4 in favor, with 3 absent.

Architect Jeanne Fielding described the proposed changes. The bank has occupied its site since the 1970s and is now having to replace its drive-through with a three-lane drive-through at the southeast corner. The six parking spaces on the west side of the bank will be replaced with landscaping. Streetscaping will be coordinated with AURA's plans for the area. Architectural details will complement the bank's existing building.

There was no public input, and after brief discussion about traffic flow, the item passed 6 to 0.

CB14-047 is to approve the request of Leyden Properties, Inc., to vacate a right-of-way in order for an emergency access lane to be built. The Planning Commission voted 7-0 in favor of the request.

There was no public input and no questions from councilmembers; the item passed 6 to 0.

CB14-048 is to approve an Italian restaurant and bakery with a drive through, Kneaders Bakery and Cafe, at the site of the former Denny's Restaurant, 7945 Wadsworth Blvd.

On October 7, 2014, the Planning Commission voted 4 in favor, with 3 absent, having received testimony in opposition from Randy Russo, owner of the French Bakery in that shopping center. Russo stated that other store owners might not have been represented because there was no neighborhood meeting, that there could be an adverse effect on existing businesses as well as a potential for traffic impact. Senior Planner Gary Hammond stated that, because the former business was also a restaurant, a neighborhood meeting was not deemed necessary.

Appearing at tonight's meeting to represent the bakery was Austin Smith, Entitlement Officer for Kneaders. He said that the business currently has 22 locations and is expanding into Colorado; this bakery will be the third location in the Denver area. Their store in the Parker area, he said, is doing very well. Their goal is job creation, and their main product is scratch baked breads and pastries, made fresh every day. The menu also includes salad, soup, sandwiches, and gift baskets.

The building will be finished in earth tones, and the existing landscape will be preserved as much as possible, especially the mature trees near the former Denny's building. Smith said a traffic study found no negative impact is to be expected.

There was no public input, and this item passed, 6 to 0.

Public Comment: None.

Reports from City Council:

Councilmember John Marriott commended the volunteers of the Festivals Commission for a great effort in the Wines for the Holidays event. Marriott estimated something like 400 people attended, and said he had a great time, giving a "big attaboy" to all involved in that production.

Councilmember Bob Fifer announced he will be attending the annual conference of the National League of Cities, for which he has been appointed to the Information Technology and Communications committee. He is also Vice Chair of FirstNet for the state of Colorado, and is active in DRCOG, in which he has been appointed to the governance committee. Fifer said he believes it's very important to advocate outside the city on the issues which are important to us.

Reports from City Manager: The November 24 workshop will include a discussion of the Municipal Court Probation Program, and the DRCOG Boomer Bond Initiative, part of a program of support for senior citizens.

Report from City Attorney: None

The meeting adjourned at 7:47.