



SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD JULY 19 2021

1. Executive Session - Third Floor Conference Room - 5:00 p.m.
 - A. Legal Advice, Pursuant to C.R.S. 24-6-402(4)(b) Relating to the LDC Appeal Process

Councilmember Simpson moved to go into Executive Session for Legal Advice, Pursuant to C.R.S. 24-6-402(4)(b) Relating to the LDC Appeal Process

The following votes were cast on the Motion:

Those voting Yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

2. Call to Order - 6:20 p.m.

This Arvada City Council meeting was held in the City Council Chambers and remotely using webinar technology. Mayor Williams, Mayor Pro Tem Miller, Councilmember Fifer, Councilmember Ford, Councilmember Marriott, Councilmember Jones and Councilmember Simpson were present in the council chambers. Members of the public were given notice with instructions on how to participate with public comment.

3. Moment of Reflection and Pledge of Allegiance
4. Roll Call of Councilmembers

Those Present: Mayor Marc Williams, Mayor Pro Tem Dot Miller, Councilmember Bob Fifer, Councilmember Nancy Ford, Councilmember David Jones, Councilmember John Marriott, Councilmember Lauren Simpson

Also Present: Mark Deven, City Manager; Rachel Morris, City Attorney; Lorie Gillis, Deputy City Manager; Ryan Stachelski, Director of Community and Economic Development; Bryan Archer, Director of Finance and Kristen Rush, City Clerk.

5. Approval of Minutes of the June 23 and June 28, 2021 City Council Meeting

The minutes stand approved.

6. Recognition and Communication - none
7. Presentations - none

8. Public Comment

- A. Jennifer Engleman, Arvada resident, addressed council regarding Kipling Townhome Project
- B. Ken Nelson, Arvada resident, addressed council regarding the Kipling Townhome Project

- C. Eric Symek, Arvada resident, addressed council regarding the Kipling Townhome Project
- D. Terry Rintala, Arvada resident, addressed council regarding the Kipling Townhome Project
- E. Dennis Connor, Arvada resident, addressed council regarding traffic on Wadsworth
- F. Monica Merel, Arvada resident, addressed council regarding speed bumps on Carr Street
- G. Dar-Lon Chang, Arvada resident, addressed council regarding the Geos Neighborhood gas lines
- H. Kate Haug, Arvada resident, addressed council regarding traffic on Carr Street in Scenic Heights
- E. Tom D'Agostino, Arvada resident, addressed council regarding various issues in Arvada
- F. Vickie Walbridge, Arvada resident, addressed council regarding waste hauling

9. New Business

A. Consent Agenda

- 1. R21-093 A Resolution Granting a Non-Exclusive Public Utility Easement to the Public Service Company of Colorado (Xcel Energy) for the Construction of Utility Lines in Holistic Health and Fitness Park

Councilmember Marriott moved that R21-093, A Resolution Granting a Non-Exclusive Public Utility Easement to the Public Service Company of Colorado (Xcel Energy) for the Construction of Utility Lines in Holistic Health and Fitness Park, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

B. Resolutions –

- 1. R21-094 A Resolution Authorizing an Intergovernmental Agreement Between the City of Westminster and the City of Arvada Regarding the Resurfacing of Garrison Street – 88th Avenue South to City Limit

Mark Deven, City Manager, reviewed this resolution with council.

Councilmember Fifer moved that R21-094, A Resolution Authorizing an Intergovernmental Agreement Between the City of Westminster and the City of Arvada Regarding the Resurfacing of Garrison Street– 88th Avenue South to City Limit, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

- 2. R21-095 A Resolution Authorizing the Second Revision to the City of Arvada City Council Strategic Plan 2020-2025

Mark Deven, City Manager, reviewed this resolution with council.

Mayor Pro Tem Miller moved that R21-095, A Resolution Authorizing the Second Revision to the City of Arvada City Council Strategic Plan 2020-2025, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

C. Ordinances (First Reading)

1. CB21-025 An Ordinance Authorizing an Additional Appropriation to the Community Development Fund for Fiscal Year 2021 (Public Hearing to be set for August 2, 2021 at 6:15 p.m.)

Mayor Pro Tem Miller moved that CB21-025, An Ordinance Authorizing an Additional Appropriation to the Community Development Fund for Fiscal Year 2021, be approved on first reading, ordered published in full, and a public hearing set for August 2, 2021 at 6:15 p.m.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

10. Other - none

11. Public Hearings

- A. Public Hearing for Second Substantial Amendment to 2020 Community Development Block Grant Annual Action Plan

Mayor Williams opened the public hearing for the Second Substantial Amendment to 2020 Community Development Block Grant Annual Action Plan.

No one wishing to speak for or against, the public hearing was closed.

No action was taken. A resolution recommending City Council approval of the substantial amendment to the 2020 CDBG Annual Action Plan will be submitted at a later date.

- B. CB21-021 An Ordinance Adding Section 62-62, Interference with Staff, Faculty, or Students of Educational Institutions, of Article II, Miscellaneous Offenses, of Chapter 62, Offenses, to the Arvada City Code (Ordinance No. 4767)

Mayor Williams opened the public hearing on CB21-021.

Nora Steenson, Deputy City Attorney, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Ford moved that CB21-021, An Ordinance Adding Section 62-62, Interference with Staff, Faculty, or Students of Educational Institutions, of Article II, Miscellaneous Offenses, of Chapter 62, Offenses, to the Arvada City Code, be approved on final reading, numbered 4767 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

- C. CB21-022 An Ordinance Amending Section 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, and Section 58-41, Classification of Violations, of Article II, Trial by Jury, of Chapter 58, Municipal Court, of the Arvada City Code (Ordinance No. 4768)

Mayor Williams opened the public hearing on CB21-022.

Nora Steenson, Deputy City Attorney, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Ford moved that CB21-022, An Ordinance Amending Section 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, and Section 58-41, Classification of Violations, of Article II, Trial by Jury, of Chapter 58, Municipal Court, of the Arvada City Code, be approved on final reading, numbered 4768 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

- D. Ratification and Approval of CP2021-0003, A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation Pertaining to 15812 W. 64th Avenue from LDR (Low Density Residential) to MDR (Medium Density Residential)
- E. R21-096 A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land into the City of Arvada, Colorado, 15812 W. 64th Avenue
- F. CB21-023 An Ordinance Annexing Certain Land Into the City of Arvada, 15812 W. 64th Avenue in the County of Jefferson and State of Colorado (Ordinance No. 4769)
- G. CB21-024 An Ordinance Rezoning Certain Land Within the City of Arvada, from Jefferson County A-2 (Agricultural) to City of Arvada R-13 (Residential 13), and Amending the Official Zoning Maps of the City of Arvada, Colorado, Located at 15812 W 64th Avenue from Low Density Residential to Medium Density Residential. (Ordinance No. 4770)

Mayor Williams opened the public hearing on CP2021-0003, R21-096, CB21-023 and CB21-024.

Rob Smetana, Planning Manager, reviewed this item with council and stated that the posting logs and mailing affidavit have been received and are in order. Mayor Williams made them a part of the official record, along with the staff report.

Sworn Testimony: Alina Randall, representing applicant

Mayor Williams closed the public hearing.

Councilmember Jones moved that Ratification and Approval of CP2021-0003, A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan

Land Use Designation Pertaining to 15812 W. 64th Avenue from LDR (Low Density Residential) to MDR (Medium Density Residential), be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

Councilmember Jones moved that R21-096, A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land into the City of Arvada, Colorado, 15812 W. 64th Avenue, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

Councilmember Jones moved that CB21-023, An Ordinance Annexing Certain Land Into the City of Arvada, 15812 W. 64th Avenue in the County of Jefferson and State of Colorado, be approved on final reading, numbered 4769 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

Councilmember Jones moved that CB21-024, An Ordinance Rezoning Certain Land Within the City of Arvada, from Jefferson County A-2 (Agricultural) to City of Arvada R-13 (Residential 13), and Amending the Official Zoning Maps of the City of Arvada, Colorado, Located at 15812 W 64th Avenue from Low Density Residential to Medium Density Residential. (Ordinance No. 4770)

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

H. Major Modification from the Land Development Code Subsection 3-1-3-8 C.1.a for Caliber Collision, Generally Located at 6782 Fig Street

I. Major Modification from the Land Development Code Subsection 3-1-3-8 C.1.c for Caliber Collision, Generally Located at 6782 Fig Street

Mayor Williams opened the public hearing on the Major Modifications 3-1-3-8 C.1.a and 3-1-3-8 C.1.c from the LDC for Caliber Collision

Rob Smetana, Planning Manager, reviewed this item with council and stated that the posting logs and mailing affidavit have been received and are in order. Mayor Williams made them a part of the official record, along with the staff report.

Sworn Testimony: Cole Hauberg, representing applicant

Wade Norris, with questions only

Mayor Williams closed the public hearing.

Councilmember Fifer moved that the Major Modification from the Land Development Code Subsection

3-1-3-8 C.1.a which requires vehicle repair to be conducted within a completely enclosed building to allow Caliber Collision, generally located at 6782 Fig Street, to store vehicles outside of the building within a fenced storage area for 83 vehicle stalls, be approved. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

Councilmember Fifer moved that the Major Modification from the Land Development Code Subsection 3-1-3-8 C.1.c which states that storage of vehicles on the premises shall not exceed 15 days to allow Caliber Collision, generally located at 6782 Fig Street, to store vehicles for 60 days, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

- J. Conditional Use Application to Allow Light Industrial Uses Within a New Commercial Flex Building Located in a CG (Commercial, General) Zoning District for Center Land at Indiana Business Park, Generally Located at 14763 W. 65th Way and 6595 Holman Street

Mayor Williams opened the public hearing on the Conditional Use Application for Center Land at Indiana Business Park.

Rob Smetana, Planning Manager, reviewed this item with council and stated that the posting logs and mailing affidavit have been received and are in order. Mayor Williams made them a part of the official record, along with the staff report.

Sworn Testimony: Jeff Weeder, representing applicant
Nancy Young, Arvada resident, in opposition

Mayor Williams closed the public hearing.

Councilmember Jones moved that Conditional Use Application to Allow Light Industrial Uses within a new commercial flex building located in a CG (Commercial, General) zoning district for Center Land at Indiana Business Park, Generally Located at 14763 W. 65th Way and 6595 Holman Street, be approved. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

12. Public Comment - Five Minute Limit - none

13. City Council Reports

A. Councilmember Marriott said that he visited the Babe Walls Exhibit along Ralston Creek Trail under Lamar Street and encouraged everyone to go see it.

B. Councilmember Ford noted the passing of Frances Evans, a long time resident and volunteer

in Arvada.

- C. Mayor Pro Tem Miller reported on the Blues and BBQ Festival this year and said that the event raised \$100,000 for Habitat for Humanity.
- D. Mayor Williams discussed comments made tonight during the public comment portion of the meeting.

14. City Manager Reports

- A. Mark Deven, City Manager, reviewed the upcoming Workshop Schedule.

15. City Attorney Reports – none

16. Adjournment at 8:00 p.m.

Marc Williams, Mayor

SEAL:

Kristen R. Rush, City Clerk