



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Minutes - Draft

City Council

Tuesday, January 16, 2018

6:30 PM

Council Chamber

Regular Meeting

1. Roll Call

Present: 6 - Council Member Cole, Mayor Brinkman, Mayor Pro-Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey

Absent: 1 - Council Member Schlachter

2. Pledge of Allegiance

3. Approval of Agenda

Council Member Fey added item 6(d) to General Business re: amended motion from previous meeting on LIFT board vacancies

4. Public Comment

Heather Duschell - Bring attention to the Littleton Pedestrian Safety Group to discuss pedestrian and bicycle safety issues in the city.

Jeanie Erickson - Littleton Pedestrian Safety Group would like to work with the City of Littleton. A friend was killed crossing Federal and we've been waiting three years for a crosswalk. Three years is too long. In the last three months there have been a least three incidents on Federal.

Linda Knufinke - Presented two options at last meeting regarding state property taxes and impact on South Metro Fire combination.

Pat Fitzgerald - Disappointed that Littleton Firefighters Union got what they paid for following contributions to three current members and one loser of city council totaling \$9,000.00. to move fire services to South Metro.

Don Bruns - Fire protection is foremost on citizens minds. Concerned that other viable option. Will cost of moving to South Metro impact other services within the city and its departments?

Carol Brzeczek - Each member of council took an oath to follow the charter. Feels that action was taken at a study session by "consensus" and concerned that there are no minutes of that meeting available to the public for action taken. *No formal action was/is taken/made at study sessions therefore there are no minutes other than the recorded video of the meeting.*

Pam Chadbourne - Sidewalk grants for a traffic signal on Federal. The area for the signal is in the wrong place - the curve on that street does not allow visibility of pedestrians. The

speed limit is 45 MPH. We need to either put up flashing lights before the curve or add a crosswalk / Upset about easements for Platte 56. Citizens/Public were not made aware of easements for new sewer requirements approved administratively but did the citizens pay for it? Wants to know. / Applaud council for the wildlife resolution and hopes it passes.

5. Consent Agenda Items

- a) [Resolution 07-2018](#) A resolution specifying the location where notices of public meetings are to be posted and the newspaper where notices and other information required to be published will be printed for 2018.
approved
- b) [Resolution 06-2018](#) A resolution authorizing the approval of an amendment to the 2016 Arapahoe County Community Development Block Grant Program Subgrantee Agreement for the Littleton Sidewalk Improvement Project
approved
- c) [Resolution 02-2018](#) A resolution approving a Police Recruit Training Agreement with the City of Lakewood to use the Jefferson County Sheriff's Office and Lakewood Police Department's Combined Regional Academy for recruit police officer training.
approved
- e) [ID #18-003](#) Approval of the December 19, 2017 regular meeting minutes
approved

Items Removed from the Consent Agenda

Aye: 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey

Absent: 1 - Council Member Schlachter

- d) [Ordinance 04-2018](#) An ordinance on first reading amending the municipal code to provide for the safety and protection of wildlife

Mayor Pro Tem Valdes and Council Member Fey removed item 5(d) from the consent agenda

Mayor Pro Tem Valdes moved and Council Member Driscoll seconded to approve an ordinance on first reading amending the municipal code to provide for the safety and protection of wildlife. The vote is 5-1 with Council Member Fey voting no. The motion carries.

Aye: 5 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll and Council Member Elrod

Nay: 1 - Council Member Fey

Absent: 1 - Council Member Schlachter

6. General Business

- a) [Resolution 03-2018](#) A resolution to vacate a 20-foot sanitary sewer easement for Platte 56.
- Council Member Elrod moved and Council Member Cole seconded to approve the resolution to vacate a 20-foot sanitary sewer easement for Platte 56. The vote is 6-0. The motion carries unanimously.**
- Aye:** 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey
- Absent:** 1 - Council Member Schlachter
- b) [Resolution 04-2018](#) A resolution to vacate a 10-foot sanitary sewer maintenance easement for Platte 56.
- Council Member Fey moved and Council Member Elrod seconded to approve the resolution to vacate a 10-foot sanitary sewer maintenance easement for Platte 56. The vote is 6-0. The motion carries unanimously.**
- Aye:** 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey
- Absent:** 1 - Council Member Schlachter
- c) [Resolution 05-2018](#) A resolution to vacate a 10-foot utility easement for Platte 56.
- Council Member Elrod moved and Council Member Fey seconded to approve the resolution to vacate a 10-foot utility easement for Platte 56. The vote is 6-0. The motion carries unanimously.**
- Aye:** 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey
- Absent:** 1 - Council Member Schlachter
- d) LIFT Board vacancies (added by Council Member Fey)

Council Member Fey addressed motion made at last regular city council meeting that passed 4-3 regarding LIFT Board vacancies. This is the same issue Council Member Fey addressed at the January 9, 2018 study session of city council. Council was answered by a confidential memo from the city attorney's office after the issue was raised at the January 9, 2018 study session.

7. Ordinances on Second Reading

- a) [Ordinance 34-2017](#) An ordinance on second reading amending Title 10 of the City Code to add Preliminary Project Plan

Mayor Brinkman opened the public hearing at 7:23 p.m.

Pam Chadbourne - Developers are not future businesses. I don't see developers making good decisions. The market and finance system has changed and they're usually out

within 8-10 years. If it doesn't "fit", the city is stuck with it. Staff should enforce code - that is their job. It is a profession. It is their duty. This is a stop-gap for that not happening. Let's have a rational approach where staff enforces our code and our design standards and guidelines. Do not shortcut the process. Please vote against this ordinance.

Carol Brzeczek - Did some research and noted that this code was written based on codes written in Longmont, Greeley, Aurora, and Arvada. Spoke to those communities. Arvada has used this process twice. Their process is more involved. Not sure if we are moving that way. What we are trying really hasn't been proven to be successful in Arvada. Spoke to Aurora - this is not in use but rather a sketchplan process. Also spoke to Longmont - this process is not in use there. Has concerns moving forward on something that has been predicated on something that really doesn't exist, at least not from my research. If you're going to do this, would you consider doing so on a trial basis before it becomes part of our code. Is concerned about the quasi judicial nature of decision making. Would like to see more specific language regarding what can/cannot be discussed during decision making process. What is the availability for citizen involvement in the process?

Mayor Brinkman closed the public hearing at 7:29 p.m.

Council Member Elrod moved and Council Member Driscoll seconded to approve the ordinance amending Title 10 of the City Code to add Preliminary Project Plan.

Council Member Fey moved and Mayor Pro Tem Valdes seconded to amend the main motion to include public comment in the Preliminary Project Plan so the developer gets complete and realistic input. The vote is 2-4 with Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll and Council Member Elrod voting no. The amendment to the main motion fails.

The vote on the main motion is 5-1, with Council Member Fey voting no. The motion carries.

Aye: 5 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll and Council Member Elrod

Nay: 1 - Council Member Fey

Absent: 1 - Council Member Schlachter

- b) [Ordinance 40-2017](#) An ordinance on second reading amending Title 8, Chapter 11, Section 8-11-2 of the Littleton City Code pertaining to filing of Special District Service Plans

Mayor Brinkman opened the public hearing at 8:11 p.m. and with no public comment, closed the public hearing at 8:12 p.m.

Mayor Pro Tem Valdes moved and Council Member Elrod seconded to approve the ordinance amending Title 8, Chapter 11, Section 8-11-2 of the Littleton City Code pertaining to the filing of special district service plans. The vote is 5-1 with Council Member Cole voting no. The motion carries.

Aye: 5 - Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey

Nay: 1 - Council Member Cole

Absent: 1 - Council Member Schlachter

- c) [Ordinance 42-2017](#) An ordinance on second reading amending Ordinance No. 23, series of 2017, known as the Annual Appropriation Bill

Mayor Brinkman opened the public hearing at 8:30 p.m. and, with no public comment, closed the public hearing at 8:30 p.m.

Council Member Driscoll moved and Council Member Elrod seconded to approve the ordinance amending Ordinance No. 23 Series of 2017, known as the Annual Appropriation Bill, for all municipal purposes for the fiscal year beginning January 1, 2018 and ending December 31, 2018. The vote is 6-0. The motion carries unanimously.

Aye: 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey

Absent: 1 - Council Member Schlachter

- d) [Ordinance 44-2017](#) An ordinance on second reading amending Title 1, Chapter 9, Sections 1-9-1 and 1-9-2 of the Littleton City Code

Mayor Brinkman opened the public hearing at 8:34 and, with no public comment, closed the public hearing at 8:34 p.m.

Council Elrod moved and Council Member Fey seconded to approve the ordinance amending Title 1, Chapter 9, Sections 1-9-1 and 1-9-2 of the Littleton City Code. The vote is 6-0. The motion carries unanimously.

Aye: 6 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod and Council Member Fey

Absent: 1 - Council Member Schlachter

8. Comments / Reports

a) City Manager

1) In regards to the safety committee discussed by members of the community during public comment, this is not a committee formed by the city however will have the Public Works Department to respond to the issue. / 2) Options for off-setting the cost of the fire protection with the South Metro proposal. We do not currently have a contract. / 3) The city did acquire a grant to build a pedestrian signal on Federal Boulevard. Hold up is right-of-way issues with Denver Water.

b) Council Members

Council Member Elrod - no report

Council Member Fey - 1) District III citizen meeting on January 20 from 9:30 to 10:30 a.m. to allow citizens to ask questions and express concerns. A second meeting is scheduled for April 20, 2018. / 2) Concerns about the cost of fire protection for citizens.

Council Member Cole - The crossarm of the traffic light at South Broadway and Dry Creek does not extend far enough, so the left hand turn is in the wrong lane.

Council Member Driscoll - Thanked those who came forward from the new Safety Committee. Staff take concerns seriously Council Member Driscoll - Thanked those who came forward from the new Citizen Safety Committee. Encourages council and staff to take those concerns seriously.

Mayor Pro Tem Valdes - follow up to signal arm issue on South Broadway and to pedestrian issue on Federal.

c) Mayor

1) Regarding fire - direction to staff was to pursue negotiations with South Metro. To date there is no agreement, no MOU. Staff is having ongoing conversations with South Metro and we anticipate that staff will bring those conversations back to council. / 2) In terms of the cost for fire, what we know is what we spend. What we've spent was largely based on the fact that we have a partnership with two other entities. That partnership no longer exists. That changes our costs completely. / 3) Bicycle Colorado is an advocate in the state for cyclists. Have worked with them in planning our bike routes and bike lanes. Through education, they hope to eliminate bicycle/vehicle accidents.

10. Adjournment

Mayor Brinkman adjourned the meeting at 8:52 p.m.

The public is invited to attend all regular meetings or study sessions of the City Council or any City Board or Commission. Please call 303-795-3780 at least forty-eight (48) hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting. For any additional information concerning City meetings, please call the above referenced number.