



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Minutes - Draft

City Council

Tuesday, September 4, 2018

6:30 PM

Council Chamber

Regular Meeting

1. Roll Call

Present: 7 - Council Member Cole, Mayor Brinkman, Mayor Pro-Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter

2. Pledge of Allegiance

3. Approval of Agenda

4. Public Comment

If you wish to address the city council under Public Comment, please sign-in on the public speaker form, before the call to order for this meeting. Each speaker will be limited to three minutes. The city council is not authorized by the Colorado Open Meetings Law to discuss comment or take action at the meeting on any issue raised by public comment that is not part of tonight's agenda. The Mayor may refer the matter to staff to obtain additional information and report back to the Council as appropriate.

Rebecca Askew - (Reading from a prepared statement) - We have observations after the August 29th public meeting on the proposed gun store and shooting range in Southpark and we are aware of only one city council member who has talked with us about concrete actionable steps that the council can take to address one of the main concerns, the inevitable noise problems that the shooting range will generate. We are encouraged because of this council member though discouraged in terms of the council as a whole. The council as the elected representatives of the City of Littleton should be giving direction to the city administrator not taking direction from others who have a more narrow vision of what should be done to help Southpark residents. Administration who has told us there is nothing much that they can do as it relates to the legitimate concerns of Southpark owners and residents. We also have a few observations leading up to and after the meeting. The city administration changed the ground rules for conducting the public meeting. Before the public meeting we were told that the format of the meeting would include question and answer time. Instead, on the night of the meeting, the city changed the question and answer session to submitting a written question format which significantly curtailed the exchange of information in the meeting. Writing down questions allows the city to manage the question and direct its answers. It appears that the city doesn't want its citizens involved in the permitting process and this project is not mentioned at all online ... missing documents.

Christine Berg - (Continuation of reading from a prepared statement) - The city had no answer as to why this public record was missing. These are kind of concerns that engender mistrust; we are merely asked to believe that the city is going to make sure we're safe. We should believe that this non-transparent process is going to address

our concerns and get correct structural details related to safety toxicity and noise, traffic, and parking issues, and providing for our safety on the streets and neighborhood around the proposed gun site. We believed city council should be in charge of this review. The council should direct the process to ensure that it includes public scrutiny and council oversight. The administration should be charged with collecting and presenting information to the city council, not managing the process, particularly with our current concerns. This project goes far beyond mere technical issues of zoning. It is a political process that needs the council's involvement. It appears that the city sees itself as having no responsibility to the citizens of Southpark. The city has admitted that it shares responsibility for this zoning mistake and for not having updated its zoning laws in the 20 years since residents and schools moved into the area, yet the city offers no solutions. It appears that there is no entity to protect the legitimate safety concerns of Southpark schools and residents, nor of our property values or our quality of life. There's no one to protect us if the city council doesn't step forward quickly. We urge the city council to take a leadership role to make this permitting process transparent, to address legitimate concerns about safety and noise, to intervene in concrete ways that are able to be understood and monitored. We need your help now.

Jim Mascolo - (Reading from a prepared statement) - A number of us were at the public meeting last Wednesday and I was left with a few strong impressions from that meeting. First, the city administration, although purportedly experts on zoning, didn't understand the implications of the Southpark planned development regulations they've had in place for the last twenty years and admitted as much at the meeting. Second, the city doesn't want to talk with its citizens in an open manner even to the extent that they'll change the meeting rules just before a meeting starts, all in an effort to control and avoid difficult questions. Finally, and most surprisingly, the city considers itself to be absolutely powerless to do anything about the situation in Southpark. They would like us to regard zoning as a force of nature which we, the common citizens, can't possibly understand but what I believe we do understand is such things as leadership, vision and genuine concern for citizens safety, property values and quality of life; things the city administration doesn't seem to have an interest in, so we are badly in need of help from the council. We need the council to take back control of this process from the city administration and actually sit down with us or on our behalf in a very concrete way to start addressing issues related to this project such as noise, parking, and ventilation. We've heard already from a couple members of the council, we'd like to hear from more of you. We don't subscribe to the powerlessness and pessimism of the city administration. Finally we would also like the city council to investigate why this city administration seemingly has changed or in fact ended its cooperation in the permitting and approval process with Southpark Owners Association (SPOA). The city has undermined SPOA and its ability to decide what kinds of developments are appropriate for Southpark and that's bad news for everyone in Southpark.

Les Beecher - (Reading from a prepared statement) - I'm here to object to the city's granting a permit to allow a business, Triple J, to operate a shooting range in my neighborhood. I'm not protesting gun ownership. The city should never have allowed an incompatible business, a shooting range, where my neighbors and I will hear gunshots anytime during the day and into the night. Several failures on the city's part have led to this unfortunate situation. The city failed to enforce its own permit guidelines and has allowed Triple J to move forward with their construction without a proper permit. A homeowner facing neighbors legitimate complaints could not build a chicken coop without a permit, yet Triple J began its construction of a firing range before it got its permit and in the face of neighbors objections, The city failed through its economic development department, as far as i understand that, to recommend another suitable location for Triple J to set up its operation. The city failed to hold public meetings to

introduce Triple J and its intentions to those of us most affected. Are city officials trying to sneak something by us I wonder? We've heard apologies from Mr. Relph and other city officials for their admitted lack of foresight and lack of enforcement of city policies. I'd like to hear Mr. Relph and those city officials apologize to Triple J for revoking their application out of respect for the residents of the city who have a right to peace and quiet and safety for themselves and their children and their neighbors. That would be a city and its officials worthy of my respect and support.

Dan Radulovich - Concerned and disappointed that this council removed the primary residence clause residential from the short-term rental ordinance that's currently drafted. Would hope that this council sees itself as protectors of the citizens of Littleton. This ordinance does very little to protect the citizens in their neighborhoods and communities. This ordinance allows for these communities to be eroded because it allows commercial business in a residential zone. Occupancy requirements are inadequate.

Julie Radulovich - Also here to talk about short-term rentals. Gave many ideas to the city and shared ideas with city. A lot of feedback was not incorporated into the ordinance. Add back in primary residence. There is not a limitation on how often a house can be rented out. Safety checks need to be more often than once per year.

Christof Demont-Heinrich - Has lived in the area of Triple J for one year; waited two years to get a town home there. I do not want to have to move because of a business that does not belong in this location, and is currently 'squatting' illegally according to Southpark HOA, forces me out due to noise. Having a gun range in this Southpark area is a profound quality of life issue. What about veterans with PTSD who live and/or work in the area? Noise ordinance must not only consider decibels, but also frequency, repetitiveness and duration of noise. We did not choose to live near a shooting range; The range is being imposed upon us.

Jeanie Erickson - Pedestrian accident four years ago at Federal and Prentice. Not one crosswalk on Federal between Belleview and Bowles. - no crosswalk on Federal and Bowles. Acknowledged the agenda item this evening for a pedestrian signal at Federal and Berry. Has taken four years for this action, which is awful. Prentice or Federal Circle would be a more appropriate location for the pedestrian crosswalk/signal.

5. Consent Agenda Items

- a) [Resolution 47-2018](#) A resolution approving a Memorandum of Understanding for use of the 18th Judicial District Juvenile Assessment Center
approved

- c) [Ordinance 33-2018](#) An ordinance on first reading authorizing an intergovernmental agreement between the city and the Colorado Department of Transportation for reimbursement of costs associated with the installation of a pedestrian activated crossing/traffic light in both directions of Federal Boulevard at Berry Avenue
approved

- d) [ID# 18-293](#) Approval of the August 21, 2018 regular meeting minutes
approved

Approval of the Consent Agenda

Council Member Schlachter moved and Council Member Fey seconded to approve consent agenda items a, c, and d. The vote is 7-0. The motion carries unanimously.

Aye: 7 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter

Items Removed from the Consent Agenda

Aye: 7 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter

6. General Business

7. Ordinances on Second Reading and Public Hearing

8. Comments / Reports

a) City Manager

The reason it took so many years to get a crosswalk on Federal at Berry is the challenges faced getting right-of-way access from Denver Water. Could not proceed under CDOT regulations without the right-of-way.

City Attorney

No report

b) Council Members

Council Member Elrod - Asks for council support to direct staff to bring forward a look at various organizations and funds that could help support us in some acquisition or preservation strategies around open space.

Council Member Fey - District III community meeting to be held on Saturday, September 29 at 9:30 a.m. at the Littleton Historical Museum. A tour of the outdoor farm museums will follow the agenda.

Council Member Schlachter - 1) Attended the Naturalization ceremony held in the Council Chamber last week. Awesome, heartwarming, and great to see the council chamber packed with people who have taken the time and effort to become new citizens. 2) Attending a ceremony held by Adams County Economic Development for the new Air and Space port at the Front Range airport. Idea for this project originated in Littleton.

Council Member Cole - 1) Naturalization Ceremony is one of the highlights of annual events in Littleton; 2) Gun safety concerns; 3) Infrastructure concerns, some of which are not ours, i.e. a retaining wall on the south end of the cemetery.

Council Member Driscoll - 1) Thanked citizens for coming to discuss issues within

the city (Triple J, short-term rentals, crosswalk, etc...). Appreciates input; 2) Schatzi's Oktoberfest in Bega Park next week, 14th through 16th; 3) Littleton Business Chamber will be celebrating their first anniversary at McKinner's Pizza on September 21.

Mayor Pro Tem Valdes - No report

c) Mayor

No report

9. Adjournment

Mayor Brinkman adjourned the meeting at 7:19 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.