



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Minutes - Final

City Council

Tuesday, January 15, 2019

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. Presentation

5. Public Comment

JJ Margiotta - Waste Water Treatment Plant

Jeff Pasquale - New business owner in Littleton. Thank you to Economic Development team.

Rachel Burkhart - Design Standards

Don Bruns - Opposed to Next Generation Advisory Board

Jeanie Erickson - Opposed to Next Generation Advisory Board / Property at Columbine Square

Pam Chadbourne - Opposed to Next Generation Advisory Board / regarding downtown designs - not in favor / Posting of notices and agendas.

Brenda Stokes - Applaud City Council for due diligence on short-term rental issues / Consider establishing a moratorium on safe injection sights.

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.

6. Consent Agenda Items

- a) [Resolution 01-2019](#) A resolution specifying where notices of public meetings are posted and identifying the newspaper where notices and other information required to be published will be printed

approved

- b) [Resolution
06-2019](#) A resolution to appoint Ethan Feldman as municipal court judge for a two-year term and provide a compensation adjustment based on his 2019 performance evaluation
approved
- c) [Resolution
07-2019](#) A resolution to ratify the amended Downtown Littleton Design Standards extending the boundary of Subdistrict 3
approved
- d) [Ordinance
04-2019](#) An ordinance on second reading amending Title 10, Chapter 1, Subsection 8 of Littleton's Zoning Code regarding the Preliminary Project Plan Process (P4)
approved on first reading
- e) [Ordinance
01-2019](#) An ordinance on second reading amending Title 3, Chapter 2 of the Littleton City Code pertaining to alcohol beverages
approved on first reading
- f) [Ordinance
03-2019](#) An ordinance on second reading approving a two-year lease for the South Platte Water Renewal Partners (SPWRP) - Beichle Farm Property
approved on first reading
- g) [Ordinance
02-2019](#) An ordinance on second reading amending Ordinance No. 39 Series of 2018 known as the Annual Appropriation Bill for all municipal purposes for the fiscal year beginning January 1, 2019 and ending December 31, 2019
approved on first reading
- h) [Resolution
03-2019](#) A resolution approving the Littleton Land Rover - Jaguar expansion final plat, case number FP18-0002
approved
- Aye:** 7 - Council Member Cole, Mayor Brinkman, Mayor Pro Tem Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey and Council Member Schlachter
- i) [Resolution
02-2019](#) A resolution approving a police recruit training agreement with the Highlands Ranch Law Enforcement Training Foundation (HRLETF) academy for recruit police officer training
approved
- j) [Resolution
05-2019](#) A resolution to approve an Intergovernmental Agreement with Arapahoe County for participation in a combined Records Management System
approved

- k) [Resolution 08-2019](#) A resolution authorizing an Intergovernmental Agreement between the city and the Colorado Department of Transportation for reimbursement of costs associated with the engineering design of a permanent water quality facility adjacent to SH 85 (Santa Fe Drive) and north of Main Street also known as Skunk Hollow
approved
- l) [ID# 19-010](#) Approval of the December 18, 2018 regular meeting minutes
approved

Approval of the Consent Agenda

Mayor Pro Tem Valdes moved and Council Member Schlachter seconded to approve consent agenda items 6(a) thru 6(i). 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

7. General Business

- a) [ID# 19-009](#) FAA NextGen Denver Metroplex Update

8. Ordinances on Second Reading and Public Hearing

- a) [Ordinance 58-2018](#) An ordinance on second reading amending Title 11, regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10, for Condominium Subdivisions

Mayor Brinkman opened the public hearing at 7:36 p.m.

Pam Chadbourne - Opposed

Scott Haselwood - In favor

Mayor Brinkman closed the public hearing at 7:41 p.m.

Council Member Driscoll moved and Mayor Pro Tem Valdes seconded to approve the ordinance on second reading amending Title 11, regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10, for Condominium Subdivisions.

Council Member Elrod moved and Council Member Driscoll seconded to amend the ordinance on second reading to amend that a lot or parcel may be administratively platted only twice. The vote on the amendment is 7-0. The motion to amend carries unanimously.

Vote on the amended main motion is 7-0. The motion, as amended, 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

- b)** [Ordinance 59-2018](#) An ordinance on second reading conveying The Bradley House property to South Metro Housing Options

Mayor Brinkman opened the public hearing at 7:51 p.m.

Kyle Henderson, Vice Chair of South Metro Housing Options - In favor

Mayor Brinkman closed the public hearing at 7:52 p.m.

Mayor Pro Tem Valdes moved and Council Member Cole seconded to approve the ordinance on second reading conveying The Bradley House property to South Metro Housing Options. 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

- c)** [Ordinance 32-2018](#) An ordinance on second reading regarding an amendment to the official zoning map to change the zoning of a 5.05-acre area known as 2717, 2727, and 2767 W. Belleview Ave. from B-2 Community Business District to B-3 General Business District with a condition that the subject properties have a maximum Floor Area Ratio (FAR) of 2:1

Item was withdrawn by the applicant prior to the meeting

- d)** [Resolution 04-2019](#) Appeal of a decision by the Historical Preservation Board regarding a certificate of historic appropriateness application for an automated teller machine for the Littleton Mixed Use Building, 2679 West Main Street

Mayor Brinkman opened the public hearing at 8:15 p.m.

Greg Reinke - In favor of ATM

Pam Chadbourne - Opposed to ATM

Vic Calondar, Bank of Colorado, President - In favor of ATM

Steve Williams - In favor of ATM

Mayor Brinkman closed the public hearing at 8:22 p.m.

Council Member Driscoll moved and Mayor Pro Tem Valdes seconded to overrule the decision of the Historical Preservation Board denying approval of a Certificate of Historic Appropriateness for 2679 West Main Street, the Littleton Mixed Use Building for the reason that the Historical Preservation Board abused its discretion in denying the application. The vote is 5-2 with Council Members Cole and Fey voting no. The motion carries.

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

Nay: 2 - Council Member Cole and Council Member Fey

- e) [Ordinance 54-2018](#) An ordinance on second reading amending Title 10 of the municipal code regarding short-term rentals

Mayor Brinkman opened the public hearing at 9:00 p.m.

David Tiprigan - Opposed

Katie Eide - Opposed

Elissa Tiprigan - Opposed

Jay Gosselin - Opposed

Michael Orf - Opposed

Pam Kennel - Opposed

Tyler Hardy - Opposed

Liz Byrde - In favor

Carol Brzeczek - Opposed

Greg Reinke - Opposed

Michael Price - Opposed

Stew Meagher - In favor

Dan Radulovich - In favor

Kevin Bound - Opposed

Howard Cannon - Opposed

Carolyn Cannon - Opposed

Carolyn Orf - Opposed

Milnor Senior - Opposed

Pam Chadbourne - Opposed

Angela Engel - Opposed

Council Member Elrod moved and Council Member Schlachter seconded to continue the January 15, 2019 regular meeting until 11 p.m. The vote is 5-2, with Council Members Cole and Driscoll voting no. The motion carries.

Karen Dana - Opposed

Georgia Embrechts - Opposed

Lance Ritchlin - Opposed

Leisa Knotts - Opposed

Erin Beffa - Opposed

Steven Williams - Opposed

Rick Acres - Opposed

Jim Kennel - Opposed

Paul Bingham - In favor

Daniel Curran - Opposed

Mayor Brinkman closed the public hearing at 10:28 p.m.

Mayor Pro Tem Valdes moved and Council Member Elrod seconded to continue the January 15, 2019 regular meeting until 11:30 p.m. The vote is 7-0. The motion carries unanimously.

Council Member Fey moved and Mayor Brinkman seconded to approve the ordinance on second reading amending Title 10 of the municipal code regarding short-term rentals.

Council Member Cole moved to table this item to the next regular meeting on February 5. The motion dies for lack of a second.

Council Member Elrod moved and Council Member Schlachter seconded to

amend section 10-4-18(B)2-B (page 6, line 6) would read "Must be a resident of the City of Littleton within three (3) miles of the subject property; and" and striking 10-4-18(B)3 pertaining to the primary residence requirement, retaining subsections 10-4-18(B)3 a-f as means for determining the three (3) mile requirement and retaining the paragraph immediately following items a-f. The vote is 3-4 with Mayor Brinkman and Council Members Cole, Driscoll, and Fey voting not. The motion to amend fails.

Council Member Driscoll moved and Council Member Schlachter seconded to amend section 10-4-18(B)3, lines 43-46 as follows: FOR THOSE SHORT-TERM RENTAL LICENSEES WHO HELD A VALID SALES TAX AND USE LICENSE AS OF JULY 16, 2018 OR FOR ANY OTHER PERSON WHO APPLIED AND OBTAINED A LICENSE ON OR BEFORE MARCH 15, 2019, SUCH LICENSEES SHALL NOT HAVE TO MEET THE PROVISIONS OF THIS SUBSECTION 3 UNTIL JANUARY 1, 2021. The vote is 5-2 with Council Members Cole and Fey voting no. The motion carries.

Vote on the main motion, as amended, is 3-4 with Mayor Pro Tem Valdes and Council Members Cole, Elrod, and Schlachter voting no. The motion fails.

Aye: 3 - Mayor Brinkman, Council Member Driscoll and Council Member Fey

Nay: 4 - Council Member Cole, Mayor Pro Tem Valdes, Council Member Elrod and Council Member Schlachter

9. Comments / Reports

I. City Manager

No report

II. City Attorney

No report

III. Council Members

Council Member Cole - No report

Council Member Driscoll - No report

Mayor Pro Tem Valdes - Responded to citizen concerns over "safe injection sites".

Agrees that this is not good for Littleton.

Council Member Schlachter - No report

Council Member Fey - No report

Council Member Elrod - No report

IV. Mayor

Appointed Council Member Fey to the CCC, working with the Envision Plan

10. Adjournment

Mayor Brinkman adjourned the meeting at 11:22 p.m.

Minutes certification

I hereby certify that the attached minutes are an accurate representation of motions

made and action taken at the January 15, 2019 regular meeting of the city council. I have also reviewed the video recording for the January 15, 2019 regular meeting of the Littleton City Council and certify that the video recording is a full, complete, and accurate record of the proceedings and there were no malfunctions in the video or audio functions of the recording.

DocuSigned by:

Wendy Heffner

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Wendy Heffner, City Clerk

Approved as submitted on February 5, 2019