

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD, COLORADO

Hybrid Meeting

Lakewood Civic Center
480 South Allison Parkway
November 22, 2021
7:00 P.M.
Council Chambers & Zoom

To watch the Council meeting live, please use either one of the following links:

City of Lakewood Website: <https://www.Lakewood.org/CouncilVideos>

or

Lakewood Speaks: <https://lakewoodspeaks.org/>

To join the City Council Meeting for Public Comment:

By Computer: <https://lakewood.zoom.us/j/92452943958>

By iPad, iPhone, or Android device on the Zoom App, enter webinar ID: 924 5294 3958

By Telephone: 720-707-2699

Webinar ID: 924 5294 3958, #

Participant ID: #

Press *9 to Request to Speak, you will be prompted when to speak.

Press *6 to Unmute

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ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PLEDGE OF ALLEGIANCE

ITEM 4 – STATEMENT OF CONFLICT OF INTEREST

ITEM 5 – APPROVAL MINUTES OF CITY COUNCIL MEETINGS

Regular Meeting	October 25, 2021
Regular Meeting	October 11, 2021
Regular Meeting	September 27, 2021
Regular Meeting	September 13, 2021
Regular Meeting	December 14, 2020

ITEM 6 – PUBLIC COMMENT

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

ITEM 7 – INDUCTION CEREMONY

ITEM 8 – RECESS – RECEPTION FOR INCOMING/OUTGOING CITY COUNCIL MEMBERS

ITEM 9 – GENERAL BUSINESS

ITEM 10 – MAYOR AND CITY COUNCIL REPORTS

- A. COUNCIL MEMBERS BY WARD
- B. MAYOR

ITEM 11 – ADJOURNMENT



**MINUTES
REGULAR MEETING OF CITY COUNCIL
CITY OF LAKEWOOD**

7:00 P.M

October 25, 2021

Minutes are action minutes only with links on each item for easy reference to the meeting video.

ITEM 1 - CALL TO ORDER

[View video recording here](#)

Mayor Paul called the VIRTUAL MEETING to order at 7:00 p.m.

ITEM 2 - ROLL CALL

Those present were:

- Mayor Adam Paul, Presiding
- Charley Able
- Mike Bieda
- Barb Franks
- Karen Harrison
- Ramey Johnson
- Jacob LaBure
- David Skilling
- Anita Springsteen

Absent: Sharon Vincent

Others in attendance:

- Kathy Hodgson, City Manager
- Ben Goldstein, Deputy City Manager
- Alison McKenney Brown, City Attorney
- Bernadette Y. Salazar, Deputy City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 - PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited, and there was a moment for silent reflection.

ITEM 4 - STATEMENT OF CONFLICT OF INTEREST

[View video recording here](#)

ITEM 5 - PUBLIC COMMENT

[View video recording here](#)

Comments received via telephone:

Lenore Herskovitz – Ward 1 – talked about her support for Cathy Kentner, a City Council Candidate.

Eva Frickle – Ward 4 – spoke about an email she sent to Council members regarding ethics and transparency.

Joshua Comden – Ward 1 – spoke about the need for a citizen review board for the Police Department.

Sarah Claus – Ward 1 – talked about the personal relationship between Council member Able and Council Candidate Cathy Kenter and comments made last week by Council member Springsteen.

Comments received via Lakewood Speaks: None.

ITEM 6 - EXECUTIVE REPORT

Kathy Hodgson, City Manager, said the next City Council meeting will be November 22, 2021 and that it would be in person.

CONSENT AGENDA

[View video recording here](#)

ITEM 7 - RESOLUTION 2021-49 - APPROVING THE 2022 OPERATING PLAN, 2022 BUDGET, AND THE RE-APPOINTMENT NOMINATION OF SONYA ESTES AND THE APPOINTMENT NOMINATION OF JACK HECHINGER TO THE BOARD OF DIRECTORS FOR THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT

Public comment: None.

Motion

Mayor Pro Tem Skilling made a motion for the adoption of Resolutions, all of which are included in the consent agenda items introduced into the record by the Deputy City Clerk. The motion was seconded.

Vote on Consent Agenda:

AYE: Paul, Able, Bieda, Franks, Harrison Johnson, LaBure, Skilling, Springsteen

NAY: None

ABSENT: Vincent

Result

The motion passed 9 - 0

END OF CONSENT AGENDA

ORDINANCE ON FIRST READING AND PUBLIC HEARING

[View video recording here](#)

ITEM 8 – 2ND PUBLIC HEARING/ORDINANCE O-2021-26 – ADOPTING A REVISED BUDGET FOR THE YEAR 2021 FOR THE CITY OF LAKEWOOD, COLORADO, AND FURTHER ADOPTING THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2021, AND ENDING ON DECEMBER 31, 2021, ESTIMATING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY LEVYING TAXES FOR THE YEAR 2021, TO DEFRAID THE COSTS OF MUNICIPAL GOVERNMENT OF THE CITY OF LAKEWOOD, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022, AND ESTIMATING THE AMOUNT OF MONEY TO BE DERIVED FROM OTHER REVENUE SOURCES, SETTING FORTH THE APPROPRIATIONS FOR EACH FUND

Holly Bjorklund, Chief Financial Officer, gave a review of the 2021 Revised and the 2022 Proposed Annual Budget.

Comments received via telephone:

Joshua Comden – Ward 1 – talked about the Neighborhood Support Team and how it was similar to the Homeless Navigators. He wondered why they would be under different departments.

Council member Bieda proposed staff conduct research to see if a police substation would be a good fit for the Belmar Shopping Center. There was consensus for staff to move forward.

Mayor Paul asked for consensus from Council to direct staff to convene key stakeholders as to best direct the proceeds from the 2021 Westland Town Center parking lot sale to benefit that immediate area. There was consensus to move forward.

Motion

Mayor Pro Tem Skilling made a motion for the adoption of Ordinance O-2021-26, on second and final reading. The motion was seconded.

Vote on Consent Agenda:

AYE: Paul, Able, Bieda, Franks, Harrison Johnson, LaBure, Skilling,
NAY: Springsteen

ABSENT: Vincent

Result

The motion passed 8 - 1

ITEM 9 – GENERAL BUSINESS

[View video recording here](#)

Mayor Pro Tem Skilling proposed a motion that any ethic issues/questions regarding Council in the future or the current situation surrounding Council member Springsteen be sent to the Colorado Independent Ethics Commission for their recommendation on how to proceed. It was seconded.

AYE: Paul, Able, Franks, Harrison, LaBure, Skilling,

NAY: Springsteen, Bieda, Johnson

ABSENT: Vincent

Result

The motion passed 6 – 3

ITEM 10 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council Members reported on news from their Wards and any other City business with which they were involved.

ITEM 11 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 8:37 p.m.

Respectfully submitted,

Bernadette Y. Salazar, Deputy City Clerk



**MINUTES
REGULAR MEETING OF CITY COUNCIL
CITY OF LAKEWOOD**

7:00 P.M

October 11, 2021

Minutes are action minutes only with links on each item for easy reference to the meeting video

ITEM 1 - CALL TO ORDER

[View video recording here](#)

Mayor Paul called the VIRTUAL MEETING to order at 7:00 p.m.

ITEM 2 - ROLL CALL

[View video recording here](#)

Those present were:

- Mayor Adam Paul, Presiding
- Charley Able
- Ramey Johnson, arrived at 8:17 pm
- Jacob LaBure
- Sharon Vincent
- Mike Bieda
- Anita Springsteen
- Barb Franks
- Karen Harrison

Absent: David Skilling

Others in attendance:

- Kathy Hodgson, City Manager
- Ben Goldstein, Deputy City Manager
- Alison McKenney Brown, City Attorney
- Holly Bjorklund, Chief Financial Officer
- Robert Smith, Economic Development Director
- Bruce Roome, City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 - PLEDGE OF ALLEGIANCE

[View video recording here](#)

The Pledge of Allegiance was recited, and there was a moment for silent reflection.

ITEM 4 – STATEMENT OF CONFLICT OF INTEREST

7:05 pm – 7:16 pm - Recess in order to fix technical difficulties on Channel 8

ITEM 5 - PUBLIC COMMENT

[View video recording here](#)

Comments received via telephone:

1. Eva Frickle, Ward 4, spoke about conflict of interest for council members and encouraged disclosure when necessary.
2. Joshua Comden, Ward 1, talked about the creation of a civilian review board for the police department.
3. Lynn Judson, Ward 4, wanted Council to review the ordinance regarding the installation of cell towers in the City and on resident's private property without permission.
4. Shannon Guy, Ward 1 and 2, thanked the Ward 2 council members for their work on the blighted properties. She also thanked other Council members, Mayor Paul, Kathy Hodgson and all City Staff for their work on the Mayor's Inspiration Awards.
5. Tess Dougherty, spoke about Indigenous People's Day and inappropriate behavior on council.

Comments received via Lakewood Speaks: None

ITEM 6 - EXECUTIVE REPORT

[View video recording here](#)

City Manager Kathy Hodgson gave updates on:

1. Jefferson County Public Health initiated two public health orders. The first was on October 9, 2021 with an implementation date of November 1, 2021 for face coverings for all individuals 2 years or older at indoor spaces in government buildings excluding the recreation centers. Public Health Order 21-005 was released today, October 11, 2021. It was for weekly Covid tests for any employee, volunteer, or council member that has not had the Covid Vaccine.
2. Cider Days sold almost 15,000 tickets.
3. The election page has been activated. (www.lakewood.org/elections)
4. Bear Creek Park reallocation project was still in the feasibility stage. The first public scoping meeting would be held virtually on October 14, 2021 from 6 to 8PM.

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 7 – 1ST PUBLIC HEARING/ORDINANCE O-2021-26 – ADOPTING A REVISED BUDGET FOR THE YEAR 2021 FOR THE CITY OF LAKEWOOD, COLORADO, AND FURTHER ADOPTING THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2021, AND ENDING ON DECEMBER 31, 2021, ESTIMATING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY LEVYING TAXES FOR THE YEAR 2021, TO DEFRAY THE COSTS OF MUNICIPAL GOVERNMENT OF THE CITY OF LAKEWOOD, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022, AND ESTIMATING

THE AMOUNT OF MONEY TO BE DERIVED FROM OTHER REVENUE SOURCES,
SETTING FORTH THE APPROPRIATIONS FOR EACH FUND

[View video recording here](#)

Holly Bjorklund, Chief Financial Officer, gave a PowerPoint presentation on the 2022 proposed annual budget. She talked about the budget calendar and 2021 revised and proposed 2022 budget.

Kathy Hodgson, City Manager, spoke about the Neighborhood Support Team programs.

Robert Smith, Economic Development Director, gave an update on the Lakewood Reinvestment Authority 2022 proposed budget and Economic Development highlights.

Comments received via telephone:

1. John Claus, Ward 1, addressed potential conflicts of interest with members of City Council voting on the budget.

Comments received via Lakewood Speaks:

None

Motion

Council Member Harrison made a motion to accept Ordinance O-2021-26 on 1st reading and order the ordinance to be published in the Denver Post with 2nd Public Hearing set for October 25, 2021. It was seconded.

Vote

AYE: Mayor Paul, Council members Able, Johnson, LaBure, Vincent, Bieda, , Franks, Harrison

NAY: Council member Springsteen

ABSENT: Mayor Pro Tem Skilling

Result

Approved 8 - 1, the motion passed.

ITEM 8 – GENERAL BUSINESS

None

ITEM 9 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council Members reported on news from their Wards and any other City business with which they were involved.

ITEM 10 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Bruce Roome, City Clerk



**MINUTES
REGULAR MEETING OF CITY COUNCIL
CITY OF LAKEWOOD**

7:00 P.M

September 27, 2021

Minutes are action minutes only with links on each item for easy reference to the meeting video.

ITEM 1 - CALL TO ORDER

[View video recording here](#)

Mayor Paul called the VIRTUAL MEETING to order at 7:00 p.m.

ITEM 2 - ROLL CALL

Those present were:

- Mayor Adam Paul, Presiding
- Charley Able
- Ramey Johnson
- Jacob LaBure
- Sharon Vincent
- Mike Bieda
- Anita Springsteen
- Barb Franks
- David Skilling
- Karen Harrison

Absent: None

Others in attendance:

- Kathy Hodgson, City Manager
- Ben Goldstein, Deputy City Manager
- Alison McKenney Brown, City Attorney
- Bruce Roome, City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 - PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited, and there was a moment for silent reflection.

ITEM 4 - STATEMENT OF CONFLICT OF INTEREST

[View video recording here](#)

ITEM 5 - PRESENTATION – MAYOR’S INSPIRATION AWARDS

[View video recording here](#)

ITEM 6 - PUBLIC COMMENT

[View video recording here](#)

Comments received via telephone:

1. Lenore Herskovitz – Ward 1, talked about the court case between Colorado Christian University and the City. She would like to see more transparency from the City with litigation
2. Joshua Comden – Ward 1, in favor of a police civilian review board
3. Tess Dougherty - concerned about police accountability and talked about the STAR program that Denver has put into place
4. Unknown - in favor of police accountability and the STAR program that Denver had put into place

Comments received via Lakewood Speaks:

PIO Dan Stoutamire typing on behalf of James Mace: Let me take Council back to Feb. 25 of this year, I was badmouthed by the Mayor on that date after Council member Able brought up my name, all council brought up my name to discuss the sidewalk on 13th, because we didn't have a sidewalk there. Everybody thought I was complaining about that. I also witnessed the Mayor badmouth Council member Springsteen and then me for ten minutes, and I don't appreciate that as a longtime resident of Lakewood. We need to put in a petition to have the Mayor step down, it is time for a new person to take over. And the same for the LPD. It is time for a new chief. It is time for Lakewood to make some changes and get back to the quality of life that we used to know. It is time that this Council stop worrying about the pandemic and get back to in-person Council meetings because it is very difficult for people like me to call in or to use Lakewood Speaks. It is time for this Council to step back up and get back to in-person. If anyone has any questions you can email me at JamesLTLYouth@yahoo.com. In closing, we need to start a petition to get the mayor off Council, and citizens to step up and take our city back. September 22, 2021, 3:33 PM

ITEM 7 - EXECUTIVE REPORT

No report

CONSENT AGENDA

[View video recording here](#)

ITEM 8 - RESOLUTION 2021-45 - APPOINTING MEMBER TO THE CITY COUNCIL DEVELOPMENT DIALOGUE COMMITTEE

ITEM 9 - RESOLUTION 2021-46 - APPOINTING MEMBER TO THE CITY COUNCIL SCREENING COMMITTEE

ITEM 10 - RESOLUTION 2021-47 - APPOINTING A MEMBER TO THE HISTORIC PRESERVATION COMMISSION

ITEM 11 - RESOLUTION 2021-48 - APPOINTING MEMBERS TO THE LAKEWOOD ADVISORY COMMISSION

Public comment: None.

Motion

Mayor Pro Tem Skilling made a motion for the adoption of Resolutions, all of which are included in the consent agenda items introduced into the record by the City Clerk. The motion was seconded.

Vote on Consent Agenda:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Springsteen, Franks, Skilling, Harrison

NAY: None

ABSENT: None

Result

The motion passed 10 - 0

END OF CONSENT AGENDA

ITEM 12 – GENERAL BUSINESS

[View video recording here](#)

Mayor Pro Tem Skilling made a motion to cancel the regularly scheduled Study Session at 7:00 pm on October 4, 2021 to hold a Virtual Special Council Meeting at 7:00 pm on October 4, 2021, for the purpose of holding a public hearing regarding Metro Districts. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Springsteen, Franks, Skilling, Harrison

NAY: None

ABSENT: None

Result

The motion passed 10 - 0

ITEM 13 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council Members reported on news from their Wards and any other City business with which they were involved.

ITEM 14 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 8:28 p.m.

Respectfully submitted,

Bruce Roome, City Clerk



**MINUTES
REGULAR MEETING OF CITY COUNCIL
CITY OF LAKEWOOD**

7:00 P.M

September 13, 2021

Minutes are action minutes only with links on each item for easy reference to the meeting video

ITEM 1 - CALL TO ORDER

[View video recording here](#)

Mayor Paul called the VIRTUAL MEETING to order at 7:00 p.m.

ITEM 2 - ROLL CALL

Those present were:

- Mayor Adam Paul, Presiding
- Charley Able
- Ramey Johnson
- Jacob LaBure
- Sharon Vincent
- Mike Bieda
- Anita Springsteen
- Barb Franks
- Karen Harrison

Absent: None.

Others in attendance:

- Kathy Hodgson, City Manager
- Ben Goldstein, Deputy City Manager
- Alison McKenney Brown, City Attorney
- Holly Bjorklund, Chief Financial Officer
- Robert Smith, Economic Development Director
- Bruce Roome, City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 - PLEDGE OF ALLEGIANCE

[View video recording here](#)

The Pledge of Allegiance was recited, and there was a moment for silent reflection.

**ITEM 4 – PRESENTATION - SUSTAINABILITY NEIGHBORHOODS PROGRAM
ACCOMPLISHMENTS AND IMPACT**

[View video recording here](#)

Christy Cerrone, Sustainability Planner presented the PowerPoint to the Mayor and City Council.

Comments received via telephone:

None

Comments received via Lakewood Speaks:

None

ITEM 5 – PRESENTATION - SUSTAINABILITY ANNUAL UPDATE

[View video recording here](#)

Jonathan Wachtel, Sustainability Planning Manager and Caitlin Long, Senior Sustainability Planner presented their PowerPoint to the Mayor and City Council.

Comments received via telephone: None

Comments received via Lakewood Speaks: None

ITEM 6 - PUBLIC COMMENT

[View video recording here](#)

Comments received via telephone:

1. Curtis Neimeyer, Ward 3, was impressed with the sustainability ideas that the City was currently working on.
2. Tess Dougherty, spoke about the homeless problem in the Denver metro area.
3. Tom Keefe, Ward 5, commended Sustainability staff on their hard work.
4. Joshua Comden, Ward 1, spoke in favor of police civilian review boards.
5. Ameer Allen, Ward 2, spoke of diversity training for City Council members.
6. Celia Greenman, Ward 2, asked if there were any incentives for developers for maintaining mature trees when developing a site.
7. John Claus, Ward 1, questioned a conflict of interest between a Council member and a City Council candidate
8. Mahogany, Ward 3, spoke against Lakewood Police department
9. Lenore Herskovitz, Ward 1, spoke about the lawsuits the City was currently in and would like to see more transparency in the future.

Comments received via Lakewood Speaks:

None

ITEM 7 - EXECUTIVE REPORT

[View video recording here](#)

Kathy Hodgson, City Manager:

1. Further clarified about tree canopies and developer's responsibilities.

2. Congratulations to fleet manager Ramon Montoya and all his staff as they received the Blue Seal of Recognition from the National Institute for Automotive Service Excellence.
3. 2021 West Metro Veterans Fair will be this Thursday at the Lakewood Elks Lodge.
4. There will be a Budget and Audit Board meeting on Wednesday where the 2022 budget will be discussed.

CONSENT AGENDA ORDINANCES ON FIRST READING

[View video recording here](#)

ITEM 8 – RESOLUTION 2021-43 – *Removed from the consent agenda for future consideration on a date to be determined.*

ITEM 9 – RESOLUTION 2021-44 – APPROVING THE 2022 OPERATING PLAN AND PROPOSED BUDGET FOR THE LAKEWOOD-WEST COLFAX BUSINESS IMPROVEMENT DISTRICT (BID)

ITEM 10 – ORDINANCE O-2021-25 – CREATING CHAPTER 14.28 OF THE CITY OF LAKEWOOD, COLORADO MUNICIPAL CODE REGULATING METROPOLITAN DISTRICTS

ITEM 11 – APPROVING MINUTES OF CITY COUNCIL MEETINGS
Regular Meeting August 23, 2021

ITEM 12 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS
LAC Full Commission Meeting August 18, 2021

END OF CONSENT AGENDA

Comments received via Telephone: None

Comments received via Lakewood Speaks: None

Motion

Council Member Skilling moved for approval of the City Council minutes, acceptance of the minutes of the Boards and Commissions; and order all Ordinances introduced on first reading to be published in the Denver Post with public hearing set for the date included in the Ordinance; and for adoption of Resolutions except Item 8. It was seconded.

Vote

AYE: Mayor Paul, Council members Able, Johnson, LaBure, Springsteen, Vincent, Bieda, Franks, Harrison

NAY: None

Result

The motion passed 10 - 0

ITEM 13 – GENERAL BUSINESS

None

ITEM 14 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council Members reported on news from their Wards and any other City business with which they were involved.

ITEM 15 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 8:42 p.m.

Respectfully submitted,

Bruce Roome, City Clerk



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD**

7:00 P.M

December 14, 2020

Minutes are action minutes only with links on each item for easy reference to the meeting video.

ITEM 1 – CALL TO ORDER

Mayor Paul called the **VIRTUAL MEETING** to order at 7:08 p.m.

ITEM 2 – ROLL CALL – [View video recording here](#)

Those present were: Mayor Adam Paul, Presiding

Dana Gutwein
David Skilling
Jacob LaBure
Charley Able
Sharon Vincent
Mike Bieda
Ramey Johnson
Barb Franks
Karen Harrison
Anita Springsteen

Absent: None.

Others in attendance: Kathy Hodgson, City Manager
Tim Cox, City Attorney

Full and timely notice of this City Council meeting had been given and a quorum was present.

ITEM 3 – PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited, and there was a moment for silent prayer.

ITEM 4 – PUBLIC COMMENT

[View video recording here](#)

1. Michelle Lavine – Ward 3 – She spoke about her dissatisfaction with Council member Springsteen’s performance as a Council member and did not feel like she was representing the citizens or Ward 3.

Comments received via Lakewood Speaks:

1. Denise M. Luepschen, December 14, 2020, 11:12 AM

I'm concerned about the proposed development at 533 Van Gordon, one of the first developments of over 40 units that is coming under the Strategic Growth Initiative. Because it's big and these are the initial months under the SGI, 533 Van Gordon will set precedents. I fear these precedents do not serve the Lakewood citizens who voted for the SGI. I also think this developer's application (initially denied) has had a mysterious fluctuation of unit numbers which has only become publicly known as 232 in recent weeks. The whole process has been slipped until the good citizens are crazy-busy with holiday planning. This project's need hasn't been proven. Using a 2015 housing survey is an easy way to cheat – many, many units have already been built on Green Mountain since 2015, yet many, many jobs have been lost! We are nearly overrun with apartments on Green Mountain, and infrastructure such as roads is already inadequate. Housing is a drain on city resources, but commercial development more than pays for itself. Lakewood doesn't have the jobs for all these new apartments, but Denver probably does. Approval of this intensive development pleases the developer, pleases Denver (where more housing is readily available for big-city commutes on light rail), but absolutely ignores the pleas of Lakewood residents who have begged for years to halt the building of yet more apartments in the Union Corridor. All requirements of the SGI don't just get thrown out the window when December approaches and there are still some unused allocations. The City's oversight of all necessary notifications and comment opportunities has been inadequate. The total unit allocations kept shifting – when 300+ was denied, citizens heard about a much lower number, which eventually became 232. How many times does the developer get to come back with his plan? Does he plan to bank these units and go for the rest in 2021? Banking units in the surplus pool is not supposed to happen. Once City Council and the Planning Department get cozy with developers, making exceptions and ignoring very specific requirements and notifications, such disregard of the City's residents will become "the way it's done" despite all the hopes and intents of Lakewood citizens in voting for the SGI. Please do not approve the 232 allocations for development for 533 Van Gordon St.

ITEM 5 – EXECUTIVE REPORT

[View video recording here](#)

Kathy Hodgson, City Manager, gave her executive report:

1. The IT Director submitted a notice of retirement.
2. COVID-19 update.
3. Update on programs at the recreation centers and holiday classes/events.
4. Update on police body camera program.
5. Update on Retail Marijuana Ordinance.

Mayor Paul moved Item 16 from General Business.

Mayor Pro Tem Skilling made a motion to extend the Emergency Declaration.

[View video recording here](#)

MOTION TO EXTEND EMERGENCY DECLARATION – I MOVE TO EXTEND THE DECLARATION OF DISASTER IN THE CITY OF LAKEWOOD COLORADO RESULTING FROM THE CORONAVIRUS/COVID-19 PANDEMIC, PURSUANT TO SECTION 1.27 OF THE LAKEWOOD MUNICIPAL CODE, ORIGINALLY DECLARED BY PROCLAMATION OF THE LAKEWOOD CITY MANAGER ON MARCH 17, 2020, EXTENDED BY MAJORITY VOTE OF THE CITY COUNCIL ON MULTIPLE OCCASIONS, AND BY THIS MOTION EXTENDED AGAIN UNTIL DECEMBER 28, 2020, UNLESS EARLIER EXTENDED OR TERMINATED BY THE CITY COUNCIL

An amendment was proposed to change the extension date from December 28, 2020 to January 11, 2021.

Council member Able stated so moved. It was seconded.

Vote on amendment:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein
NAY: Springsteen
ABSENT: None

Result

The motion passed 10 – 1

Pro Tem Skilling made a motion to approve the Emergency Declaration as amended. It was seconded.

Vote on Motion to Extend Emergency Declaration, as amended:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein
NAY: Springsteen
ABSENT: None

Result

The motion passed 10 – 1

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

[View video recording here](#)

Deputy City Clerk Bernadette Salazar read the Consent Agenda into the record. The Consent Agenda consists of Items 6 through 8, inclusive.

ITEM 6 – RESOLUTION 2020-48 – ESTABLISHING CERTAIN FEES FOR THE CITY OF LAKEWOOD FOR FLAT FEE BUILDING PERMITS, BUILDING PLAN REVIEW AND INSPECTIONS

ITEM 7 – ORDINANCE O-2020-33 – AUTHORIZING THE SALE OF THE WESTLAND TOWN CENTER PARKING LOT IN ACCORDANCE WITH THAT CERTAIN OPTION

CONTRACT ENTERED INTO AS OF JUNE 16, 1992, BETWEEN THE CITY OF LAKEWOOD AND THE OWNERS OF THE WESTLAND MALL/WESTLAND TOWN CENTER

ITEM 8 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS

Lakewood Advisory Commission Executive Committee Meeting May 13, 2020
Lakewood Advisory Commission Executive Committee Meeting August 4, 2020
Lakewood Advisory Commission Executive Committee Meeting September 2, 2020
Lakewood Advisory Commission Full Commission Meeting June 17, 2020
Lakewood Advisory Commission Full Commission Meeting August 19, 2020
Lakewood Advisory Commission Full Commission Meeting September 16, 2020

Public comment: None.

Motion

Mayor Pro Tem Skilling moved for acceptance of the minutes of the Boards and Commissions; for adoption of Resolutions; and order all Ordinances introduced on first reading to be published in the Denver Post with public hearing set for the date included in the Ordinance, all of which are included in the consent agenda items introduced into the record by the City Clerk. The motion was seconded.

Vote on Consent Agenda:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Springsteen, Franks, Skilling, Harrison, Gutwein
NAY: None
ABSENT: None

Result

The motion passed 11 - 0

END OF CONSENT AGENDA

RESOLUTIONS

[View video recording here](#)

ITEM 9 – RESOLUTION 2020-49 – ADOPTING 2020 SALES & USE TAX RULES AND REGULATIONS

Public Comment: None.

Motion: Mayor Pro Tem made a motion to adopt Resolution 2020-49. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Springsteen, Franks, Skilling, Harrison, Gutwein

NAY: None

ABSENT: None

Result

The motion passed 11 - 0

ITEM 10 – CONTINUED RESOLUTION 2020-45 – AUTHORIZING ALLOCATIONS FOR 533 VAN GORDON STREET, LAKEWOOD, CO

Comments received via telephone: None.

Comments received via Lakewood Speaks:

1. David Wiechman, December 14, 2020, 11:58 AM

Analysis of the SGI/14.27 Law Authorization of “surplus” allocation must meet Two requirements (both criteria must be met - failure to satisfy one factor will invalidate the request) - (1) Must NOT prejudice the allocation process - a.) Developer argues “newer” projects are better than “old” projects - water efficiency, less polluting, etc. - This argument might be relevant in a one on one comparison between similar-sized new and older projects, but it doesn’t mean more development is good or less damaging just because it is newer. A SMALLER new project would also be efficient, but the smaller footprint would be less destructive than the current/LARGER proposed footprint. b.) Developer argues the development’s problems (higher density, loss of open space, infrastructure stress, etc.) will mean those problems can shifted from other parts of the City to this area. Moving problems around the City doesn’t excuse these prejudices to the allocation process. c.) Developer claims 533 VG won’t burden infrastructure - currently the vacant gym (Point Athletic Club) does not put any additional traffic on Union. However, any new/additional housing will add more traffic. The magnitude of the adverse impact will depend upon how large a project is approved. The larger the project the greater will be the adverse impact. In addition, there will be additional demands soon (new projects such as 66 S. Van Gordon and 730 Simms St.) which require we leave some room for more stress on infrastructure in coming years. AND (2) Allocations are available in the surplus pool - the shifting total of the unused allocations makes it difficult to assess this requirement. Potential Response/Rebuttal #1 Since they don’t want to “waste” any allocations by not using them, note that a year ago (December 2019), the City gave out another 605 building permits in order to beat the year-end deadline. Any unused 2020 allocations would just partially offset the 2019 over-allocations. Potential Response/Rebuttal #2 The law says allocations from the surplus pool are expected to be ready to go and therefore be used immediately. Any surplus allocations must be used by May 31, 2021. There is no provision for a “banking plan” for surplus allocations. 14.27.090 Issuance of Allocations D. Surplus Pool. "Acquisition of the final remaining allocation by a banking plan for a specific project during the surplus pool shall trigger the expiration of the banking plan at the end of the first allocation period in the following year." [Note - May 31, 2010] emphasis added

2. Deborah Romero, December 14, 2020, 11:57 AM

I agree with the previous comments. You elected officials are obligated first to the existing citizens of Lakewood, and we voted for limited growth. We do not need a massive apartment building on that corner with limited streets in the area. There is wonky stuff happening with that application anyway, so none of this should be approved tonight. Our horrible rezoning happened during the holiday season in 2012, and look at how much TROUBLE and EXPENSE that caused the City. Your second obligation is to future citizens, and your third obligation is to developers. I can't emphasize enough how bad it looks when the citizens voted for the Strategic Growth Initiative, and certain staff and elected officials do everything they can to subvert it in law and spirit. I have never heard a satisfactory explanation for that. Please DO NOT APPROVE THE DEVELOPER'S REQUEST FOR 533 VAN GORDON. Thank you.

3. David Wiechman, December 14, 2020, 11:57 AM

Should the request go to Planning Commission first? The Planning Dept. application said it is to go to P.C. Should the developer be allowed to have multiple attempts? It has already been denied. Should this issue be addressed during the holidays? Looks like it is being slipped when citizens aren't watching. (Councilors objected and asked for a continuation) Issue - Public Notice Process. Council needs to establish procedures to be used in public notices: (a) meeting agenda lists as "resolution" rather than "public notice", (b) official "public notice" did NOT disclose the actual request for 232 units. The notices just said "over 40 units" although city staff knew (or should have known) the actual request was 232 units as early as October 2. For six weeks the actual figure was withheld from the citizens until Saturday, November 14. (c) The sign on the fence outside of 533 Van Gordon says the public's opportunity to comment on the proposal to give 533 Van Gordon an exception to SGI's 40-unit limit was November 23. (d) A neighborhood resident (Lori Niquette) indicates she never received the required mail notice. (e) The Denver Post (November 26) carried some legal notices (the small print in the back) for PUBLIC HEARINGS on Dec. 14 for: (1) appropriation for Rooney Valley law enforcement training, (2) acquire land for sidewalk along 1st Avenue, (3) acquire land for sidewalk along Independence Ave. (4) replace traffic signals along Kipling, (5) revise Chapter 3.01 - tax code BUT NOTHING ABOUT THE SGI EXCEPTION HEARING (f) There is NO mention of this public hearing on the City website's Public Notice page.

4. James Kinney, December 14, 2020, 11:44 AM

The City of Lakewood does not have a usable study or report on which to base decisions as to the need for additional housing upon. The previous report is outdated, inaccurate and useless. It does not include the effect of the building boom that has taken place in Lakewood since the issuance of that report many years ago. Council should immediately task staff with the assignment of undertaking a new study and refrain from making decisions as to the need for new housing until that study and a report is completed and can be discussed by Council and the public.

5. Lenore Herskovitz, December 14, 2020, 9:28 AM

I was surprised to see that the Van Gordon property was back on the Agenda so quickly. Several weeks ago the topics of the Union Corridor and CCU were brought up as issues that needed to be addressed. The response was that these were not a priority. To those of us affected by decisions regarding these issues it is a priority. Yet Van Gordon gets another go round. I truly hope that any decisions made regarding this property follow the

directives in the Initiative regarding allocations and banking guidelines. We are watching and waiting for you to do the right thing.

6. Jaroslav Borysiewicz, December 13, 2020, 7:40 PM

Why is it so complicated? We've voted for restricted growth in Lakewood. Lakewood does not need any more housing units, any more storage units, etc. City council is supposed to take care of residents' interests, right? Please deny developers' requests, we do not want increased traffic, decreased property values and lower standard of living. Do not put more money into developers' pockets at the expense of Lakewood residents! Thank you in advance.

7. Lori Niquette, December 9, 2020, 12:55 PM

How many times do residential owners in the neighborhood have to say that the proposal for 533 Van Gordon is too many units and that it will look a lot more commercial than "The Point" ever did. It will also create a lot of traffic on an already very dangerous corner. I have previously questioned the traffic study. Who did it? And have they gone to the property and spent time near the entrance/exit to see what it's really like during the busiest times of day? There is only one driveway off of the 6th Avenue Frontage Road, and none off of Van Gordon. There has to be a better proposal than so many luxury apartments with high rents. All of the other apartments, condos, and townhouses in the area are more spread out, with separate entrances and closer parking to each unit. This is not New York City--it's suburban Lakewood, Colorado. I have made detailed comments to the City Council during the last two years. The only thing that has come out of it is that the number of units has been reduced a little. Lakewood can do better than this. Thank you for taking time to read this. I am a property owner within six blocks of the site, who has never personally received a notice of proposed development or hearings. Sending the notice to a "Neighborhood Organization" does not mean that the information is forwarded to the residents/owners of condominiums and townhouses. We are also concerned owners who want our neighborhood development to be the best use possible.

8. Jennifer Shay, December 8, 2020, 8:43 AM

I agree with the previous comment. Lakewood could be a world class city. Everything is in place but without leadership to recruit more employers, good paying jobs, and companies that want to invest in itself, its employees, and be a contributing part of the community this will not happen. Every day we hear about companies expressing interest in relocating to the Denver Metro Area. Why not Lakewood? I encourage Lakewood leadership to take a new approach to running Lakewood. One that benefits existing residents, creates jobs, and then provides a GOOD reason for more housing instead of the other way around.

9. Lynne Kinney, December 6, 2020, 2:29 PM

Regarding 533 Van Gordon Street - Either deny the request OR require the developer follow the law and build by May 31, 2021.

Motion: Mayor Pro Tem made a motion to adopt Resolution 2020-45. It was seconded.

Recess: 8:27 p.m.

Reconvene: 8:41 p.m.

Vote:

AYE: Paul, LaBure, Vincent, Harrison, Gutwein

NAY: Able, Johnson, Springsteen, Franks, Skilling, Bieda

ABSENT: None

Result

The motion passed 5 - 6

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 11-ORDINANCEO-2020-28—AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2020 CITY OF LAKEWOOD ANNUAL BUDGET IN THE AMOUNT OF \$60,000 AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS FROM THE PEACE OFFICER STANDARDS AND TRAINING BOARD ON BEHALF OF THE ROONEY VALLEY LAW ENFORCEMENT TRAINING FACILITY FOR INSTALLATION OF A PRE-CAST CONCRETE BALLISTIC WALL AT THE TRAINING FACILITY

[View video recording here](#)

Public comment: None.

Motion:

Mayor Pro Tem made a motion to adopt Ordinance 2020-28. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein

NAY: Springsteen

ABSENT: None

Result

The motion passed 10 - 1

ITEM 12-ORDINANCEO-2020-29—DECLARING THE INTENT OF THE CITY OF LAKEWOOD TO ACQUIRE INTERESTS IN PROPERTY FOR PUBLIC PURPOSES FOR THE CONSTRUCTION OF A SIDEWALK ALONG THE SOUTH SIDE OF 1ST AVENUE FROM GARRISON STREET TO CREIGHTON MIDDLE SCHOOL AND AUTHORIZING NEGOTIATIONS WITH PROPERTY OWNERS, ACCEPTANCE OF CONVEYANCE INSTRUMENTS AND, SUBJECT TO FURTHER CITY COUNCIL APPROVAL, CONDEMNATION OF REAL PROPERTY INTERESTS

[View video recording here](#)

Comments received via telephone:

1. Tracey Eastman - Lakewood Resident – spoke about his concerns about the width of the proposed sidewalk.

2. Tim McCulla – Lakewood Resident – was not in favor of the sidewalk on the south side and thought it would be better on the north side.

Motion:

Mayor Pro Tem made a motion to adopt Ordinance 2020-29. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Springsteen, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein

NAY: None

ABSENT: None

Result

The motion passed 11 - 0

ITEM 13–ORDINANCE O-2020-30–DECLARING THE INTENT OF THE CITY OF LAKEWOOD TO ACQUIRE INTERESTS IN PROPERTY FOR PUBLIC PURPOSES FOR THE CONSTRUCTION OF A SIDEWALK ALONG THE WEST SIDE OF INDEPENDENCE STREET FROM 6TH AVENUE FRONTAGE ROAD TO LAKEWOOD HIGH SCHOOL AND AUTHORIZING NEGOTIATIONS WITH PROPERTY OWNERS, ACCEPTANCE OF CONVEYANCE INSTRUMENTS AND, SUBJECT TO FURTHER CITY COUNCIL APPROVAL, CONDEMNATION OF REAL PROPERTY INTERESTS
[View video recording here](#)

Public comments: None

Motion:

Mayor Pro Tem made a motion to adopt Ordinance 2020-30. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Springsteen, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein

NAY: None

ABSENT: None

Result

The motion passed 11 - 0

ITEM 14 –ORDINANCE O-2020-31–DECLARING THE INTENT OF THE CITY OF LAKEWOOD TO ACQUIRE INTERESTS IN PROPERTY FOR PUBLIC PURPOSES FOR THE REPLACEMENT OF TRAFFIC SIGNALS AND INTERSECTION IMPROVEMENTS ALONG KIPLING STREET AND AUTHORIZING NEGOTIATIONS WITH PROPERTY OWNERS, ACCEPTANCE OF CONVEYANCE INSTRUMENTS AND, SUBJECT TO FURTHER CITY COUNCIL APPROVAL, CONDEMNATION OF REAL PROPERTY INTERESTS
[View video recording here](#)

Public comments: None.

Motion:

Mayor Pro Tem made a motion to adopt Ordinance 2020-31. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Springsteen, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein

NAY: None

ABSENT: None

Result

The motion passed 11 - 0

ITEM 15 –ORDINANCE O-2020-32–ADOPTING A REVISED CHAPTER 3.01 AND ANCILLARY MUNICIPAL CODE CHANGES

[View video recording here](#)

Public comments: None.

Motion:

Mayor Pro Tem made a motion to adopt Ordinance 2020-32. It was seconded.

Vote:

AYE: Paul, Able, Johnson, LaBure, Springsteen, Vincent, Bieda, Franks, Skilling, Harrison, Gutwein

NAY: None

ABSENT: None

Result

The motion passed 11 - 0

ITEM 16 – GENERAL BUSINESS

[View video recording here](#)

Mayor Pro Tem Skilling made a statement about a workplace harassment investigation that was the topic of the Executive Session that was held at 5:30 p.m. today.

Mayor Paul moved to after Item 5.

MOTION TO EXTEND EMERGENCY DECLARATION – I MOVE TO EXTEND THE DECLARATION OF DISASTER IN THE CITY OF LAKEWOOD COLORADO RESULTING FROM THE CORONAVIRUS/COVID-19 PANDEMIC, PURSUANT TO SECTION 1.27 OF THE LAKEWOOD MUNICIPAL CODE, ORIGINALLY DECLARED BY PROCLAMATION OF THE LAKEWOOD CITY MANAGER ON MARCH 17, 2020, EXTENDED BY MAJORITY VOTE OF THE CITY COUNCIL ON MULTIPLE OCCASIONS, AND BY THIS MOTION EXTENDED AGAIN UNTIL NOVEMBER 23, 2020, UNLESS EARLIER EXTENDED OR TERMINATED BY THE CITY COUNCIL

ITEM 17 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council Members reported their attendance at previous meetings and events and announced upcoming neighborhood meetings and events.

ITEM 18 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 10:08 p.m.

Respectfully submitted

Bernadette Y. Salazar, Deputy City Clerk