

CITY COUNCIL WORKSHOP SUMMARY
August 3, 2020

Meeting Convened: 5:30 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:09 p.m.

City Councilmembers present: Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phil Pe'a, Anna Stout, Rick Taggart, and Mayor Duke Wortmann.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Public Works Director Trent Prall, Development Engineer Rick Doris, Principal Planner David Thornton, Planning Technician Isabella Vaz, Deputy City Clerk Janet Harrell, Finance Director Jodi Welch, Senior Assistant to the City Manager Greg LeBlanc, and City Clerk Wanda Winkelmann.

Mayor Wortmann called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Presentation and Discussion on the Draft Patterson Road Access Control Plan

Mr. Prall noted that Patterson Road is a primary street in the city. The goal of access management is to optimize the performance of the corridor, improve the level of safety, reduce traffic congestion, and improve the overall functionality. The Access Control Plan (ACP) works to plan, coordinate, regulate, and design access to and from adjacent property including future development.

Janet Lundquist and Michelle Hansen, consultants with Stolfus and Associates, have been working for over seven months to inventory access points, count traffic, determine existing and future traffic demands, and perform a safety analysis for Patterson Road. Ms. Lundquist reviewed the elements of the draft plan and the overall project.

1. Study Area. The study area consists of approximately 7.0 miles of Patterson Road (F Road) between 1-70B (23.75 Road) and Lodgepole Street (30.75 Road).
2. Plan Goals. Effective and efficient travel, access, alternative modal choices, options for phasing, and compatibility.
3. Plan Development and Approach. Restrictions/changes to access points and out of direction travel. Additionally, several new streets will be proposed.
4. Public Involvement. Property owners, partner agencies, and the general public will be involved in this project.
5. Implementation. Cases that will trigger construction include an increase in traffic of 20% or more, a City project that is publicly funded, or safety/operational issues that can be mitigated.

6. Plan Adoption. The ACP will be presented to the Planning Commission and City Council, with public hearings being held in April 2021.

ACP's provide predictability to developers and landowners. Proposed access points were reviewed for 24 Road and Market Street, the new development at 25 ½ Road, and St. Mary's Hospital.

Discussion ensued about the timeliness of the ACP, the need to make improvements to Patterson Road, funding mechanisms for improvements, time frame for expansion, multi-modal transportation, combined vehicle and bicycle traffic, additional bike and walking paths, access to 24 Road and Market Street businesses, and U-turn movements for traffic.

b. De-Brucing Discussion

Mr. Caton introduced the topic. The Taxpayers Bill of Rights (TABOR), which was approved by voters in November 1992 amended the Colorado Constitution to, among other things, require voter approval on all tax increases in all taxing districts within the state. Included are tax rate increases, imposition of new taxes, and increases in property tax assessment ratios. The law also explicitly prohibits the implementation of certain types of taxes including new or increased real estate transfer taxes, local income taxes, state property taxes, and state income tax surcharges. TABOR also requires voter approval to change any existing spending limits or revenue growth limits.

"De-Brucing" is a term that refers to a process local governments across the State have approved in order to use all the tax revenue that comes in for public service and projects. Currently, 230 Colorado communities have de-Bruced, and the City is one of the only municipalities of its size and that provides a full scope of services that has not permanently de-Bruced.

Mr. Caton stated that since the City's 2020 Sales and Use Tax revenues are reduced due to the pandemic it will create a situation in which the TABOR "ratchet down" will require the City to refund tax collected in excess of a specific calculated TABOR limit that will further reduce 2020 City revenues. The other option is to ask voters if the City can retain it.

Discussion ensued about requesting a 15-year sunset or permanent de-Brucing, Gallagher Amendment question on the Statewide ballot in November, tax questions must still go to a vote, assumptions regarding reduced sales tax collected in 2020, specificity in ballot language regarding debt, and the timing of the ballot question.

Support was expressed to go forward with a ballot question for a permanent de-Brucing in November.

c. Tobacco & Vaping Discussion

City Manager Caton noted that there have been several discussions with City Council regarding a possible tax on tobacco and vaping products. Mr. Shaver reviewed the current draft ballot language of a \$4/pack tax and 40% tax on other tobacco products.

Discussion ensued about the amount of the tax per pack, the use of the tax proceeds for parks and recreation and enforcement of underage use, the timing of the ballot question, receiving feedback from the community regarding the amount of the tax, utilizing a graduated schedule for tax increases, and an ordinance regarding the distance to doorways for outdoor smoking.

Support was expressed for a tax question requesting a lower amount that would come forward for the regular municipal election in April 2021.

Agenda Topic 2. City Council Communication

There was none.

Agenda Topic 3. Next Workshop Topics

Mr. Caton stated that the August 17 workshop will be an update on recycling.

Agenda Topic 4. Other Business

Councilmember Norris mentioned the past request from the Avalon.

Adjournment

The Workshop adjourned at 7:09 p.m.