

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue

November 16, 2015

Mayor Jay called the Study Session to order at 6:30 p.m.

Council members present: Mayor Joyce Jay, Monica Duran, Zachary Urban, Kristi Davis, Tim Fitzgerald, Genevieve Wooden, and Larry Mathews

Absent: George Pond

Also present: City Clerk, Janelle Shaver; City Manager, Patrick Goff; City Attorney, Gerald Dahl; Parks & Recreation Director, Joyce Manwaring; and interested citizens.

PUBLIC COMMENT ON AGENDA ITEMS

Herb Schilleriff (WR) expressed his surprise at the last Council meeting that the Council was planning to fill a vacancy by appointing someone who had just been defeated. The people of the District didn't want him; if they wanted him to represent them they would have voted for him.

Diane Robb (WR) shared her support for her friend and neighbor Janeece Hoppe to be appointed to fill the vacancy for District 1 City Council. Besides her qualifications, she can dream big and work hard towards accomplishing those goals.

Leah Dozeman (WR) spoke on behalf of the Carnation Festival board and asked that Council reconsider their direction to have the Circus removed from the festival. The Circus brings in a lot of people. She'd like them to reconsider and retract that order.

Vivian Vos (WR) spoke about the democratic process and encouraged Council not to appoint the loser of an election to fill a vacancy. She is glad others were given the chance to apply to fill the vacancy.

Cindy Gallespie (WR), owner of Pirate Vapor, would like Council to reconsider allowing sampling in shops such as hers. No one is exposed to second hand vapor, and there are no empirical studies that show vaping is harmful. Her business has suffered since the ban on sampling.

Kathi Johnson (Arvada) Her son owns the vapor shop on W 44th. She thanked the Councilmembers who came and visited their shop and saw that it has nothing to do with marijuana.

John Clark (WR) talked about how the attempt last Monday to appoint Bud Starker made him angry. There aren't words to describe how bad a decision that would be. The

candidate who lost should not be given the job. Four councilmembers shouldn't try to overturn the will of the people.

Fran Langdon (WR) addressed comments to the Councilmembers who attempted to appoint the losing candidate to fill the District 1 vacancy at the last meeting. She listed the arguments that were stated and described them as bizarre. She believes they owe apologies to Councilmembers Duran and Mathews for subjecting them to that behavior for their first meeting, and to Bud Starker for setting him up like that; they also owe Mr. Urban a debt of gratitude for trying to point how incorrect that would be. She believes their integrity suffered and the validity of any future Council decisions is at stake.

Scott Christopher (WR) praised the fact that there was going to be an open process for filling the District 1 vacancy.

Barbara Bang (WR) lives in District 1 and asked what the plan was to set up a process for filling vacancies. She was told the Charter specifies that the Council appoints a replacement. She feels strongly that the Charter should be changed to allow voters to have a say when a vacancy like this occurs.

Rachel Hultin (WR) is glad there are four candidates who applied to serve. She thinks the vacancy should be filled by someone who has good qualifications. She doesn't think anything in the past should be considered – only their qualifications today. She believes it should be someone who can listen, has experience and leadership, and already has relationships. Someone without those relationships won't be able to help us move forward. She expressed support for Bud Starker and Janeece Hoppe.

APPROVAL OF AGENDA

1. Review of Candidates for Council District I Vacancy

Mayor Jay announced that one of the candidates had withdrawn. The three remaining applicant each spoke.

Janeece Hoppe addressed the Council and listed her qualifications. She's lived here four years. She helped start Live Local and is on the board of the WR Business District. She owns three businesses here including a construction company. Integrity is important to her. She is a problem solver and has experience in policy making, contract and legal negotiations, and finance and business management. She's a strong leader and a strong team member.

David Feiertag addressed the Council. He's lived here since 1995 and is currently on the Parks Commission. He is a chemical engineer and has experience building consensus on contentious issues. He loves living in Wheat Ridge. He wants safe streets and thriving businesses. He'd like to help the City move from an atmosphere of discord to discourse.

Bud Starker addressed the Council. He spoke generally about several issues he sees as great challenges and opportunities for the City. He's run his own business for 35 years. He doesn't think candidates who didn't win are losers.

Mayor Jay announced that the voting would take place at the next Council meeting.

2. Reconsideration of Ordinance No. 1584 – Smoking in Public Places

Mr. Goff explained the issue for reconsideration is whether or not to allow sampling of vapor in vapor businesses.

Mr. Dahl reviewed the options available to Council as described in the memo contained in their packets. One option is to create a third category for vapor shops and vaping.

Discussion followed with councilmembers sharing their thoughts and asking questions.

Mr. Dahl pointed out that there is legitimate uncertainty about whether vaping is allowed in vapor shops. Because of the various definitions he has concluded that the ordinance does in fact permit the sampling of vapor juice and has advised the Police Department of that opinion. He does believe that further amendment to the reconsidered ordinance would provide clarification.

Councilmember Davis received consensus to have Mr. Dahl amend the smoking ordinance to provide the clarity outlined for allowing sampling of vapor in vapor businesses.

A vote on this issue will take place on November 23 or December 14 when the changes are ready.

3. 2016 Carnation Festival Planning Update - Joe DeMott and Gina Hallisey

Joe DeMott explained that the goal of the current Festival board has been to focus on fun and family, and to engage as many community businesses and organizations as possible. They have strived for variety and he elaborated on that.

Regarding finances he explained how the circus has played a role in that. The Board is unclear what their funding from the City will be and they'd like clarification. The festival is a non-profit organization.

Gina Hallisey highlighted some of the financial information that had been provided to Council and distributed another handout for council to consider:

- The Circus engages all 5 senses and is a unique attraction that appeals to guests.

- It is family friendly.
- The Circus drives sponsorship: \$23,000 in cash and nearly \$10,000 in budget-relieving, in-kind donations from vendors directly related to the Circus attraction. Without the Circus many sponsors will leave.
- In 2015 the Circus had positive net revenue of \$5,036.
- Replacing the Circus with a new attraction would actually cost MORE (Details illustrating this were provided.)
- It's too late to replace a main attraction for 2015.

Discussion followed.

What did the City provide for 2015? \$50,000 + \$2,500 for the bands + \$22,000 in-kind (parks and police)

What is requested (already budgeted) for 2016? \$80,000 + \$1,500 for the bands+ \$22,000 in-kind (parks and police)

Benefactors of the Festival include: WR Rotary and Optimists; WR Active Adult Center; Seniors' Resource Center; WRHS band, cheerleaders, STEM program, and football; Green Mountain and Standley Lake HS bands; the Lutheran Foundation; WR Firefighters Foundation; Blood Hound Trackers; WRPD Bike Rodeo; and Juvenile Diabetes Research Foundation.

There was consensus to maintain approved funding without any requirement to remove the Circus.

4. Staff Report(s) none

5. Elected Officials' Report(s)

Monica Duran asked for a consensus to be able to make the motion for filling the District 1 Council vacancy on November 23. ~

Discussion followed .

- Kristi Davis stated she'd like to have the vote be a positive exercise, perhaps on pieces of paper like the voting for mayor pro tem, so that no one has to vote "against" anyone. Larry Mathews reminded his colleagues that there is a motion on the table that will need to be addressed.
- Zach Urban cautioned against the use of secret ballots and noted that Arvada had an issue about doing secret ballots.
- Mr. Goff concurred about the Arvada issue. He will have Mr. Dahl send Council some direction on the voting.

Tim Fitzgerald said appropriate staff is talking with developers for 26th and Kipling. Mr. Goff reported staff will be meeting with them on Wednesday. One topic will be how much the City is willing to contribute for the monument sign and landscaping. The budget is growing.

ADJOURNMENT

The Study Session adjourned at 8:10 p.m.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON December 14, 2015



George Pond, Mayor Pro Tem