

**STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
Hybrid - Virtual Meeting**

January 3, 2022

Mayor Bud Starker called the Study Session to order at 6:32 p.m.

This meeting was conducted both as a virtual meeting and hybrid, where some members of the Council or City staff were physically present at the Municipal building, and some members of the public attended in person as well. A quorum of members (seven) of Council were present in Council Chambers for this session.

Mayor Starker welcomed the Council, other elected officials, staff and interested citizens.

Mayor Starker also explained the virtual/hybrid meeting format, how citizens will have the opportunity to be heard, and the procedures and policies to be followed.

Council members present Scott Ohm, Amanda Weaver, Judy Hutchinson, Korey Stites, Valerie Nosler Beck, Leah Dozeman, and Rachel Hultin. CM Hoppe excused herself.

Also, present: City Clerk, Steve Kirkpatrick; City Attorney, Gerald Dahl; Director of Administration, Allison Scheck; several staff from Jefferson County Public Health (listed below under item 1) interested citizens and guests.

Citizen's Right to Speak

No one came forward to speak.

Note about Wheat Ridge Speaks:

Citizens may visit the Wheat Ridge Speaks website and enter written comments of up to 1,000 words on any Council agenda item. The deadline for citizens to submit comments is 12:00 Noon Mountain Time on the day of a Council session so that Council members, other elected officials and City Staff have time to review the comments before the meeting on Monday evening.

The City Clerk's Office transcribes those Wheat Ridge Speaks comments into these minutes, placing each comment along with the record for that agenda item.

No comments appear in WR Speaks related to this session.

1. Jefferson County Public Health Update

Discussion of this item began at approximately 6:33 pm

Issue

Jefferson County Public Health (JCPH) is a nationally accredited health department committed to promoting health and preventing injury and disease for the residents of Jefferson County, Colorado. JCPH monitors and diagnoses the health concerns within

the communities of the County and promotes policies, practices, and behaviors to assure County residents stay healthy. With the support, policy oversight and mandates of the Jefferson County Board of Health, JCPH staff implements numerous programs to:

- Prevent and control contagious diseases and epidemics
- Investigate health and safety hazards
- Protect the environment
- Prevent foodborne illness
- Link people to health care services
- Promote active living and healthy eating
- Advocate and enforce laws that protect the health and safety of everyone

Staff Reports

Allison Scheck announced the purpose of this item and listed a few of the numerous programs and services that JCPH provides. JCPH staff provided the following updates, with a plethora of data and information in PowerPoint presentations:

1. COVID – Christine Billings
2. Mental health and substance use treatment – Michael Miller, Sara Sweeterman and Amanda Davis
3. Food insecurity – Allyson Goto
4. Alcohol and substance use – Michael Miller
5. Housing
6. Vaping and tobacco – Katie Lazar and Donna Viverette.

Councilmembers and the Mayor had detailed questions and comments about the JCPH presentations.

COVID

- Help us understand the difference between quarantine and isolation.
- What changes in school policy would you recommend due to the virulent transmissibility of the Omicron variant?
- Which masks are recommended as acceptably protective?
- In addition to the hospitalization and morbidity data by vaccination status, are there data to indicate the difference in infection rates by vaccination status?
- Are home Covid tests reliable and are the results included in the public health data?
- When will the public have access to more tests?
- How do hospitalization rates now compare to the height of the 2021 surge statistics?

Mental Health/Substance Abuse Treatment

- Please, explain the purpose of the suboxone vending machines.
- When you are both experiencing homelessness and substance addiction, how do we connect those people to the resources they need?

Alcohol and substance abuse

- How many police agencies are participating in your joint program for substance abuse treatment?
- Tell us more about the LEAD program you described.
- Council had detailed questions about the Opioid settlement funds awarded to the State and how that will flow to the County and City.
- How can members of the community donate to agencies or programs that help with these matters?

Food Insecurity

- A lot of this work mirrors the work Councilmembers Hultin, and Hoppe are doing with the Bridge Program.

Vaping and Tobacco

- No comments or questions followed the presentation.

Councilmembers thanked both City staff and JCPH staff for their briefings and for their professionalism while addressing the pandemic.

Councilmember Nosler Beck asked whether anyone is working on water quality issues in Clear Creek; several residents have asked about contamination from human waste along the waterway. JCPH provided the information they had and will follow-on.

2. **Liquor Licensees' Festival Permit**

Discussion of this item began at approximately 8:27 pm

Issue

Senate Bill 21-082 was signed by Governor Polis in 2021 allowing alcohol beverage license holders to hold festivals for alcohol beverage retail activity. To sponsor a festival, an applicant must obtain a permit from the state. C.R.S. § 43-4-404(1)(b)(I) conveys to the Wheat Ridge Liquor Board the authority to require a festival sponsor to obtain a local festival permit in addition to the state permit. Curiously, the statute allows any liquor licensee to apply for a festival permit, whether or not the licensee is located within the City. The Wheat Ridge Liquor Board has made clear its desire to require a local festival permit, under certain restrictions, and is seeking input from City Council on the attached resolution and Festival Permit Application.

Staff Reports

City Attorney Gerald Dahl presented to Council a summary of the Senate Bill, draft resolution to be presented to the City of Wheat Ridge Liquor License Authority board and proposed application process to hold an Alcohol Festival permit.

Items that were discussed include:

- Current code
- Practice of other Front Range municipalities
- Best practices for local ordinances
- Potential next steps and recommendations
- Councilmembers, City Clerk Kirkpatrick and Mr. Dahl discussed the details of the answers to seven questions submitted to Council by City Attorney Rivera, (who serves as counsel to the Liquor Authority Board).

Councilmembers asked for the following **consensuses**, to offer policy guidance to the Liquor Authority Board, based upon questions Mr. Rivera:

1. Should all festival permit applications be required to meet the requirements of the City's special event application and requirements, not just festival permits intended to be used on City property?

Consensus: Yes – all festival permits subject to the full special event permitting requirements. 7/0

2. Should Festival permits be limited to persons holding a valid City of Wheat Ridge liquor license?

Consensus - Permit non-WR liquor licensees as primary sponsor; request the Liquor Licensing Authority Board to create a differential fee structure for festival permits issued to in-city Wheat Ridge liquor licensees (low fee), vs. out-of-city licensees (higher fee) – Yes 7/0

3. Should the number of licensees permitted to participate in/sponsor a Festival be limited? If so, how? Consensus - No. 7/0

4. Should the number of Festivals permitted per festival licensee be limited to a number less than nine (9)?

Consensus – Separate permit required for each festival event. In-city licensees may have up to 4 festivals in a calendar year. Licensees that hold liquor licenses issued by a municipal authority other than the City of WR licensees are permitted 2 festivals in a calendar year. 6/1

5. Should Festival sponsors be required to obtain a local permit for each Festival? Consensus: Yes (see above) 7/0

6. Which food service requirements apply to the Festival? Consensus: Must abide by all food safety laws. 7/0

7. What is the process to approve a Festival permit? Consensus: Application to Liquor authority, processed through the City Clerk's office. 7/0

8. Additional consensus - Liquor Authority to add requirement that the Authority may include any additional term or condition in the granted festival permit, to address local and special conditions. to promulgate additional terms and conditions. 7/0

9. Hultin consensus - add language to the application that states that it includes a complete list of participating licensees, that the prime licensee is responsible for the accuracy of the list of participating licensees, and for their actions. 7/0

Scott Ohm - will individual licensees display unique permits? During any Festival will each licensee need to display a permit for the Festival visible to the public at each licensee's location within the Festival?

Jerry Dahl - does Council want to see this again or can the Liquor Authority proceed?

No - Council would like a report back in the future as to how this went.

Consensuses attained.

3. Staff Report(s)

Discussion began at 9:35 pm,

Ms. Scheck reported on our assistance to the victims of the massive fire in Boulder County on December 30-31.

4. Elected Officials' Report(s)

Councilmember Hultin commented that recently someone felled several trees in Anderson Park. She urges anyone who sees someone cutting our trees to immediately contact the WR PD.

Councilmember Hutchinson and the Mayor commented on the immediate needs of those impacted by the fires, for basic necessities including drinking water.

Councilmember Weaver urged us all to have a plan and preparations in the event of an immediate evacuation order, including saving animals as well as saving any records, keepsakes or other property when evacuating.

Councilmember Nosler Beck has been conferring with other municipalities elected councilmembers to have a regional plan for helping other municipalities in the possible compact that are facing a disaster.

Clerk Kirkpatrick thanked Public Works for their recent efforts following the snowstorm last weekend.

ADJOURNMENT

The Study Session adjourned at 9:45 PM.

APPROVED BY CITY COUNCIL ON January 10, 2022.



Steve Kirkpatrick, City Clerk



Rachel Hultin, Mayor Pro Tem