AURORA BUSINESS ADVISORY BOARD

Minutes of the Regular Meeting
Monday, May 15, 2023

Board Members Present:
Mr. Walls, Ms. Fender, Mr. Lyles, Mr. Fryberger, Ms. Reding, Mr. Patel, Ms. Horiuchi, Mr. Boyd

Board Members Absent:
Excused Absence: Ms. Pace, Ms. Woodson, Mr. Sarwal

Council Members Present: Mayor Mike Coffman

Others Present: Mr. Vaughn, Mr. Edwards, Ms. Vasconez, Ms. Lephart, Mr. Nosh

Guest Presenters: Commander Wright

CALL TO ORDER
Mr. Walls called the meeting to order at 11:02 AM

APPROVAL OF THE MINUTES
Mr. Walls moved without objection to approve, the April 17, Minutes. Mr. Patel seconded the motion.

MAYOR MIKE COFFMAN
Mayor Coffman addressed several issues: The recent legislative session, mentioning that he, Mayor Hancock, and Mayor Suthers of Colorado Springs had come together to propose an agenda aimed at reducing crime in the state, which has support from the Governor. He highlighted the several measures passed, such as making all auto theft a felony, providing grants for license plate readers, increasing the number of juvenile detention beds, and prohibiting "ghost guns," which are non-serialized firearms. However, he was disappointed that the legislature did not pass a measure to prevent gun rights restoration for certain crimes reduced from felonies to misdemeanors. Regarding homelessness, Mayor Coffman expressed frustration about the jurisdictional issues surrounding certain areas. All nine of the photos in the Colorado Sentinel exposé on the camping ban were from areas not within Aurora's jurisdiction. The area south of 225 and Parker Road, facing Cherry Creek State Park is in unincorporated Arapahoe County, these areas are outside of the City of Aurora’s jurisdiction which makes it a difficult area to abate. Despite this, Aurora’s outreach teams were offering those homeless individuals services and potential places to stay such as in the pallet homes and offering treatment that is needed for them to get back on their feet. The mayor also mentioned a forthcoming proposal to expedite the cleanup process of homeless camps by adding more resources, emphasizing the need to get people off the streets and into treatment facilities. He also shared his plans to visit Colorado Springs to learn more about their specialized law enforcement department dealing with homelessness, which has a small detachment that is familiar with individuals experiencing homelessness on a personal level. He wanted to observe their effectiveness firsthand.
He also mentioned Aurora's commitment to housing affordability. Mayor Coffman led the city to be the first in Colorado to sign up for a recent initiative incentivizing the city to increase their affordable housing inventory annually. The initiative had been passed not by the legislature but by a public vote. He stated that this provided a clear direction for the city.

COMMANDER STEVEN WRIGHT
Commander Wright explained the fireworks ordinance in the City of Aurora, stating that it permits the use of certain fireworks during a specific time with the Fire Chief's approval. The Fire Chief has agreed to allow the selling of fireworks to start on June 15th, 2023. The Fire Chief's decision to allow fireworks is usually based on fire bans, which consider data such as fuel moisture content and energy release components of vegetation. This data comes from the University of Colorado and dictates whether a fire ban will be enacted. He also pointed out a potential discrepancy in the ordinance: the possibility of allowing the sale but not the use of fireworks in the city during a fire ban. Historically, this has been a problematic area as it seemed contradictory to permit the sale of something that would be illegal for residents to use. He also highlighted that illegal fireworks often come from Wyoming and end up being used in Aurora. He asked the group for their thoughts on the matter and encouraged them to ponder this issue.

Mr. Walls sought input from Joel Boyd and Martin Lyles, who manage large commercial spaces, on whether they allow firework sales on their properties. Mr. Boyd confirmed that they typically lease space to firework vendors. He found it ironic that they permit firework sales but not use on the property, sharing that they often have to ask individuals lighting fireworks in their parking lot to leave. Although fireworks cannot be used on the property, the firework vendors pay a substantial fee to the Aurora Town Center to be temporary vendors. He also mentioned that on the Fourth of July, their parking lot becomes a viewing spot for the city's firework display, causing them to seek ways to manage the large crowds, such as providing food trucks and a live DJ. Martin Lyles shared that they never participated in any firework sales at their Southlands location. Commander Wright agreed with Mr. Boyd's explanation of the complex issue they face every year, mentioning a meeting with TNT Fireworks and their lobbyists about their wish to sell their product, regardless of usage restrictions. He shared that the city's sales tax from fireworks doesn't cover the cost of the weekend of overtime for police and fire services during the fireworks season. Commander Wright explained that they haven't previously permitted the sale of fireworks while banning their use, but with a new Fire Chief, there's a current discussion to allow this if necessary.

Mr. Walls expressed his interest in gathering more feedback for Mr. Wright to ensure he has ample information to take to Aurora Fire Department discussions. He also sought clarity on when a ban would be implemented. Commander Wright expressed his interest in a position from the BAB and opinions on this topic to present to council members to help make informed decisions. Mr. Boyd explained that the fireworks that are sold are not the same fireworks that are being seen on the streets and the people that are being kicked off the property are not the ones that are buying from the tents that are inspected by the fire department. Commander Wright assured that the tents that can operate and sale are mostly compliant within the ordinance. He added that there are concerns of causing fires, with the recent Marshall fire.

Commander Wright clarified that a ban on use and sale would only occur under a fire ban. Shannon Fender then asked about enforcement mechanisms for firework usage. Commander Wright shared that while every officer is aware of the legality and enforces it as needed, most enforcement involves education and confiscation of illegal fireworks rather than issuing fines. The fire department also provides 6-10 inspectors and arson investigators that can issue fines alongside the
police department. He admitted, however, that enforcement can be challenging due to the vast number of fireworks used and the safety risks to fire personnel during enforcement.

Shannon Fender asked a follow-up question to Commander Wright, asking about instances of harm related to the use of fireworks. She asked if there were injuries or fires associated with it or if it was seen more as a nuisance. Commander Wright responded by saying that there are minor injuries, mostly from sparklers and due to intoxicated people handling fireworks. There are fewer fires, but the call volume of the fire department and police department increases significantly.

Commander Wright then added a disclaimer about the June 15th deadline, saying that while the fire ban was a major factor in the Fire Chief's decision, other factors could influence the decision too. These could include civil unrest, resource deployment elsewhere in the state, and the Fire Chief's assessment of the city's resources and potential for handling the call volume.

Mr. Walls then proposed that the Board give Commander Wright an official statement on their perspective regarding the sale of fireworks when their use might not be allowed. He suggested they take a vote on this issue in their May meeting, then corrected himself to say they should do it in the current meeting since it was already May. He explained that they wouldn't have time before the June 15th deadline if they waited until their June meeting. He called for a vote and further discussion to provide Commander Wright with a clear business perspective to take into his discussions with the fire department.

Mr. Vaughn gave additional information on fireworks vendors, indicating that usually there are between 13 and 17 vendors each year. About half of those are affiliated with TNT Fireworks and a quarter with Phantom Fireworks, with a few independents. He also mentioned the city received a total of $27,000 in sales tax from them last year. He explained the June 15th deadline was created to give vendors a chance to make fewer investments before a potential fire ban announcement. TNT Fireworks was a significant advocate for this deadline, despite the risk of investing more in setup if the ban was enforced. He also clarified that while they often receive complaints about vendors selling illegal fireworks, these are generally misunderstandings due to the packaging, making the fireworks appear more exciting than they are.

Mr. Walls then shared his opinion that if the vendors are responsible for their sales, he would be in favor of allowing them to continue. He pointed out that many families found it easier to buy their supplies locally and suggested that allowing the sale of fireworks could also bring additional foot traffic to shopping centers. He requested further feedback from the board before making a motion.

Mr. Vaughn brought up that there had been an occasion when there was a ban in Aurora but not in Arapahoe County. He noted that this created confusion as consumers might see fireworks being sold and assume they were also legal to use.

Mr. Walls asked if it would be possible, in the event of a ban, to require vendors to post a sign indicating that while the fireworks could be sold, their use was not allowed. Mr. Vaughn agreed that this would be a prudent measure. Commander Wright added that TNT Fireworks had previously offered to provide education, including printing information on their receipts, posting signs in tents, and training their employees to inform customers.

Mr. Walls then made a motion to allow the sale of fireworks in the City of Aurora, even in the event of a fireworks ban. Ms. Horiuchi seconded the motion. Mr. Walls asked if there was any discussion
on the motion, and he stated that all the discussion would be recorded and included in the meeting's minutes.

Ms. Horiuchi suggested that licensed vendors be listed on the city's website, along with educational information about the legality of using fireworks. She noted that she didn't expect there to be any licensed vendors in her district due to a lack of space but said people often asked the district if it was legal to buy fireworks from the vendors they saw.

Mr. Walls thanked Ms. Horiuchi for her comments and asked if there were any objections to the motion. Ms. Fender stated she wished to abstain from voting. Mr. Walls noted her abstention and, seeing no further objections or abstentions, announced that the motion carried. He informed Commander Wright that they would draft a letter detailing the BAB's position.

TREVOR VAUGHN
Trevor Vaughn discussed several issues. He spoke about the problem of shopping carts scattered around the city, an issue he's been tackling with major retailers and the Retail Council. He mentioned that they're considering several options to ensure that the carts are collected and returned to the stores. Next, he addressed the problem of delinquent business licenses. His office is working on identifying businesses that have failed to renew their licenses, which often happens when a business closes without notifying the city. Trevor also highlighted the selling of drug paraphernalia in some independent convenience stores, a trend that could encourage criminal activity. Although it is legal to sell these items under state law, his team has been successful in convincing one distributor to stop selling such items.

As for legislative topics, Mr. Vaughn discussed four bills that are awaiting the Governor’s signature. The first bans intoxicating hemp products, this to close loopholes that allowed for the exploitation of the Farm Bill and the state constitution. Senate Bill 23271 will make it illegal to market hemp products containing THC. The second modifies the Art Gallery Permit under the liquor code, allowing more retailers to serve complimentary drinks. The third eliminates business license fees for remote sellers only remitting sales tax, which responds to concerns raised after the Wayfair ruling. The final bill aims to improve the Sales & Use Tax Simplification System, with the state committing to a $5 million investment to enhance the interface.

Mr. Walls requested that the team be kept updated on the progress with the Sales & Use Tax Simplification System, expressing his agreement that the current system is difficult to navigate. Trevor responded that if you're not working in several jurisdictions, it's probably easier to log in locally, especially in Aurora. But, if you're shipping throughout the state, figuring out the SUTS System could be beneficial.

BAB AWARDS CEREMONY
Mr. Walls brought up the discussion on the BAB Awards Ceremony, mentioning that the Communications Department suggested having an In-Person Award Ceremony due to the significant work involved in producing a recorded version. He briefly discussed with Joel Boyd the possibility of holding the ceremony at the Town Center of Aurora and the logistics related to this. He summarized the discussion and asked Mr. Boyd for confirmation.

Mr. Boyd affirmed Mr. Wall’s summary and added that having a screen for viewing would be the main logistical challenge at the Town Center of Aurora. He suggested investigating the Fieldhouse as a possible venue, though this might incur a charge. He invited Mr. Walls to visit the site if he has
time. Mr. Walls accepted Mr. Boyd's invitation and said he would coordinate with Ms. Vasconez and other BAB Members for a site visit and to brainstorm ideas. He then referred to another potential location, Parkside Eatery, despite of its parking issues, and suggested other possible venues like the Stampede on Havana and the Hangar at Stanley Marketplace. Mr. Walls also brought up the idea of contracting Bonfire Events, an event planning company. He admitted this would be a challenging task for the BAB and sought any further thoughts or feedback.

Ms. Amonick gave a historical perspective of the event, reminding the board that it used to be held at external venues before the pandemic and that the BAB has a specific budget for it. She suggested places like Parkside, the Aurora Mall, or Stanley Marketplace, which could provide food options from the small businesses in their surroundings and thus, save costs for the BAB. She also mentioned that Communications is still willing to make the individual videos and emphasized the advantages of in-person events. She gave some caveats regarding potential issues, such as the upcoming city elections and the reluctance of certain departments to be involved in the planning. Ms. Vasconez confirmed Ms. Amonick’s statement that the Communications department is still willing to make the individual videos.

Mr. Boyd inquired about the typical hours for the event to better plan for it. Ms. Amonick explained that in the past, it was a dinner event that lasted around three to four hours. However, they were thinking of moving towards a shorter event this time, possibly around an hour to an hour and a half. Mr. Walls agreed, suggesting they might have finger foods or appetizers instead of a full dinner, and they could potentially partner with Dry Dock for beverages. Ms. Amonick suggested they consider the People's Building as a potential venue, as it has seating for 150 in a stadium style and gallery space. She mentioned that they've done many events there in the past with local caterers providing finger foods. Ms. Reding affirmed that Dry Dock would be happy to partner for the event.

**COUNCIL CONTACTS**

Mayor Mike Coffman – Mr. Walls

Council Member Murillo – Mr. Fryberger - no updates

Council Member Sundberg – Mr. Patel - no updates

Council Member Medina – Ms. Woodson – no updates

Council Member Marcano – Ms. Pace - no updates

Council Member Coombs – Ms. Reding

Ms. Reding mentioned that she had encountered CM Coombs at South Dock a few weeks ago and had managed to schedule a lunch with her, which she considered a significant development.

**Council Member Bergan – Mr. Liles**

Mr. Lyles discussed the extensive residential growth happening in their area, notably near Southlands. He mentioned that they have identified nearly 2,000 homes under development, with
four subdivisions currently being constructed. This growth has been beneficial for lease renewals, and he shared some new establishments in the area such as Lululemon and the upcoming Nordstrom Rack, whose opening is slated for August 17.

**Council Member Gardner – Ms. Fender**

Ms. Fender mentioned that she did not have an update from CM Gardner. Mr. Walls suggested following up with the Council Member regarding the Arts and Entertainment Study that had been presented at a Council workshop. Shannon then revealed that she had spoken with CM Gardner about a different issue earlier in the week, and that he was out for some serious medical reasons. Mr. Walls confirmed this, noting that CM Gardner was in pain, but he believed that CM Gardner would bounce back quickly.

**Council Member Jurinsky - Ms. Horiuchi**

Ms. Horiuchi reported that on May 4, she and CM Jurinsky went to cover an event at the Stampede for Cinco de Mayo. She highlighted that CM Jurinsky has been actively working with various production companies and event organizers with the aim of bringing more live music to Aurora. Ms Horiuchi was surprised to learn that CM Jurinsky had connections with notable music artists like Ginuwine, Frankie J, and Baby Bash, and considered it significant that such big names were being brought to Aurora. She also mentioned that CM Jurinsky is collaborating with several out-of-state vendors and production companies to elevate the Stampede and bring bigger and better productions to Aurora. No specific updates were given, but Ms. Horiuchi emphasized CM Jurinsky's ongoing efforts to enhance Aurora's event offerings.

**Council Member Lawson – Mr. Sarwall - no updates**

**Council Member Zvonek – Mr. Boyd – no updates**

**ANNOUNCEMENTS**

**MISCELLANEOUS – CHAT**

* sent a chat · 11:31 AM  
The volume is very low…tried everything on my phone

* sent a chat · 11:34 AM  
I would prefer to wait to talk to CM Gardner before voting. Could we take an e-mail vote?

Carolyn Pace (she/her) Wompost sent a chat · 11:38 AM  
I apologize for my tardiness - flooding at the compost site keep me busy this morning

**Chance Horiuchi - On Havana Street sent a chat · 11:56 AM**  
Summit Event Center is another option

**Chance Horiuchi - On Havana Street sent a chat · 11:56 AM**  
or the vacant space at Southlands (former Bar Louie)
Great suggestion

Suggestions

Stampede --- Tuesday Night or Sunday are typically available for community gatherings

Mr. Walls moved to adjourn the meeting at 12:11 PM.

APPROVED:  

Garrett Walls, Chairperson