

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, May 5, 2020 at 6:30 p.m.
Virtual Meeting

Mayor Russell Stewart called the meeting to order at 6:32 p.m.

ROLL CALL

Mayor Russell Stewart, Mayor Pro Tem Katy Brown, Councilors Randy Weil, Afshin Safavi, Al Blum, Mike Gallagher, and Dan Sheldon were present on roll call. Also present were City Manager Jim Thorsen, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Kathie Guckenberger, Police Chief Michelle Tovrea, Finance Director Jessica Sager, Community Development Director Chris Cramer, Parks and Recreation Coordinator Emily Black and City Clerk Laura Gillespie.

Absent: none

AUDIENCE PARTICIPATION PERIOD

None

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

Mayor Pro Tem Brown moved, seconded by Councilor Weil to approve the following items on the Consent Agenda:

- a. Approval of Minutes – April 7, 2020
- b. Resolution 9, Series 2020; Reappointing Members to the Board of Adjustment and Appeals
- c. Resolution 10, Series 2020; Reappointing Members to the Parks, Trails and Recreation Commission
- d. Resolution 11, Series 2020; Reappointing Members to the Cherry Hills Village Art Commission
- e. Resolution 12, Series 2020; Reappointing a Member to the Quincy Farm Committee

The following votes were recorded:

Safavi	yes
Weil	yes
Brown	yes
Gallagher	yes
Sheldon	yes
Blum	yes

Vote on the Consent Agenda: 6 ayes. 0 nays. The motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

None

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UNFINISHED BUSINESS

Council Bill 4, Series 2020; Amending Section 16-4-10 of the Municipal Code Concerning Off-Street Parking Requirements (second and final reading, tabled from April 7, 2020 meeting)

Director Cramer presented Council Bill 4, Series 2020 on second and final reading. He noted this issue was first discussed by Council as part of the Code Modernization project. He explained the amendment would clarify Section 16-4-10 of the Code regarding parking requirements. He indicated the Code already identified when component parts of a land use should be considered for calculating parking requirements and when they should not, so the current wording created confusion.

Councilor Blum asked if the amendment would change the parking requirements and impact the need for variances.

Director Cramer replied there would be no change to the parking ratios. He indicated this amendment would clarify how the ratios were calculated. He noted the need for a variance would depend on individual proposals.

Councilor Sheldon thanked staff for reviewing the proposal with him and indicated while he had concerns with this amendment over the past several months, he was now comfortable with the changes. He thanked staff and the public for being patient with him.

Mayor Pro Tem Brown stated this amendment was not in response to any individual request or organization in the Village, rather it was to clarify how the City would calculate parking for any applicant. She added this was not so much a change as it was codifying the City's current practice. She noted the timing might correspond to a potential request but the intent was to make clear how the City would treat everyone in the Village fairly and equitably.

Councilor Weil asked if the amendment would impact other land use categories besides Places of Assembly.

Director Cramer replied it would also impact service stations.

Mayor Stewart agreed with Mayor Pro Tem Brown's statements and noted the amendment had come about through the Code Modernization project as an ambiguity that needed to be resolved.

Councilor Gallagher moved, seconded by Councilor Safavi to approve Council Bill 4, Series 2020, amending Section 16-4-10 of the Municipal Code concerning off-street parking requirements, on second and final reading.

The following votes were recorded:

Safavi	yes
Weil	yes
Brown	yes
Gallagher	yes
Sheldon	yes
Blum	yes

Vote on Council Bill 4-2020: 6 ayes. 0 nays. The motion carried.

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NEW BUSINESS

Resolution 13, Series 2020; Approving a Second Amendment to the Agreement with Urban Drainage and Flood Control District Regarding Greenwood Gulch

Deputy City Manager/Director Goldie presented Resolution 13, Series 2020 for Council's consideration. He explained the proposed second amendment would add another \$100,000 in grant funds from Urban Drainage to the John Meade Park redevelopment project. The funds would be transferred from a project on Little Dry Creek that had gone dormant due to lack of interest by the property owners.

Councilor Sheldon asked if staff would contact the property owners to advise them the funds were being transferred.

Deputy City Manager/Director Goldie replied they could but that the funds had been dormant since 2014 and the homeowner's project had been completed outside of the grant.

Councilor Gallagher asked for more information about the Little Dry Creek project.

Deputy City Manager/Director Goldie explained that per City policy property owners had to use private money to match Urban Drainage funds for these types of projects, as well as provide a drainage easement to Urban Drainage to receive the grant funds. He indicated it was not uncommon for City residents to decide to pay for the project themselves to avoid the required easement.

Councilor Gallagher asked about the City portion of the project to shore up the footings on the bridge.

Deputy City Manager/Director Goldie replied the City had done that project in-house with City staff.

Mayor Pro Tem Brown thanked staff for securing the additional grant funds for the John Meade Park redevelopment project.

Councilor Weil agreed and noted the agreement did not make many demands on the City.

Mayor Stewart noted in Greenwood Village the city paid the other portion of the project cost so that might result in some confusion for Cherry Hills Village residents. He added there was still a lot of work to be done along Little Dry Creek and funds might be available through the Arapahoe County Open Space and Trails Advisory Board.

Mayor Pro Tem Brown moved, seconded by Councilor Weil to approve Resolution 13, Series 2020; approving a second amendment to the Agreement with Urban Drainage and Flood Control District regarding final design, right-of-way acquisition, and construction of drainage and flood control improvements for Greenwood Gulch at Quincy Avenue.

The following votes were recorded:

Safavi	yes
Weil	yes
Brown	yes
Gallagher	yes
Sheldon	yes
Blum	yes

Vote on Resolution 13-2020: 6 ayes. 0 nays. The motion carried.

REPORTS

Mayor's Report

Mayor Stewart reported the draft letter from the Arapahoe County Commissioners to Tri-County Health Department (TCHD) that he had staff distribute to Council was now moot as TCHD had announced they would move Arapahoe County to Safer-at-Home status on May 9th. He noted the County had been concerned about mandatory masks and suggested an opt-in option instead. He stated resident Dr. Harwood had contacted Council about the huge demand from food banks and noted Councilor Blum would discuss that issue further in his report. He indicated the City Master Plan and Quincy Farm Master Plan would both likely be delayed due to COVID-19 as public input was integral to both projects. He reported the City had received a letter from late Quincy Farm resident Candy Grey's brother stating they would terminate the lease on June 30th but requested permission to hold a memorial for Ms. Gray on the property at a later date. He reported City Council meetings would likely be held virtually for the foreseeable future as the 10-person limit on gatherings would restrict any in-person meeting.

Members of City Council

Councilor Blum reported a resident had contacted Council about encouraging Cherry Hills Village and Greenwood Village citizens to help with the drastically increased need of food banks. He indicated Mayor Stewart had prepared a resolution that would be presented at the next meeting for Council to support these efforts. He asked Director Sager to report on possible FEMA funds through Arapahoe County.

Councilor Sheldon asked about the applicant for Cherry Hills Country Club's floodplain variance application and how ex-parte communication was limited.

City Attorney Guckenberger clarified ex-parte communication with anyone about the application was prohibited regardless of the applicant.

Councilor Gallagher asked if staff had any thoughts of renting out the east side of Quincy Farm again.

Mayor Thorsen replied he would address that in his report.

Mayor Pro Tem Brown reported she had received a few comments from residents requesting additional speed enforcement on Dahlia and Mansfield.

Chief Tovrea noted the traffic team had conducted spring training, the motorcycles had been deployed this week, and officers were out doing traffic enforcement. She indicated she would pass the information on to the officers and put up the speed trailer in that area.

Councilor Weil reported Connie Garcia of DRCOG had passed away of cancer in April. He indicated he had been appointed to the DRCOG Performance and Engagement Committee. He noted DRCOG had some funding opportunities that he would discuss with the Mayor and City Manager.

Councilor Safavi recognized and thanked doctors, nurses, police officers, fire fighters, grocery store workers, biotech and diagnostics workers.

City Manager & Staff

Chief Tovrea reported the department motorcycles had started patrolling and the e-citation system was fully operational. She stated on April 23rd a rash of mailbox thefts and trespasses had been reported in the area of Mockingbird Lane, Quincy and Downing. She asked Council to advise their constituents to check their mail every day,

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and noted that some of the thefts had occurred on locking mailboxes. She added that a vehicle had also been stolen in that area. She indicated staff was getting the word out on social media warning about mail theft and added there was likely an increase in mail thefts because of stimulus checks. She reported officers had been very visible on the City trails both on foot and on bicycles and had received almost all positive comments. She added extra patrol was particularly focused at crowded trail heads. She reported the new officer, Nicole Troncoso, began training on April 20th and the department was very excited to have her on board. She noted she recently had her eighth anniversary with the City and indicated she was very proud of the Police Department and thanked Council for their support.

Deputy City Manager/Director Goldie reported his staff would transfer to normal shift next week while adhering to safety protocols. He noted they had been receiving a lot of requests for speed mitigation, but accurate traffic counts could not be collected while schools and businesses were closed. He indicated construction at John Meade Park was continuing.

Director Cramer reported building permit revenue was down but staff had five virtual pre-application neighborhood input meetings scheduled and were expecting increased revenue from those projects shortly. He indicated staff was working on several land development applications in various stages including three from Cherry Hills Country Club and the relocation of the Crown Castle facility from 120 Meade Lane. He stated he was proud of his department's ability to conduct business as usual during this time. He reported the Planning and Zoning Commission would hold a virtual study session next week to discuss survey topics and questions for the Master Plan Update project.

Director Sager reported Arapahoe County had confirmed it would be passing down funds from FEMA to local municipalities, but the distribution and amounts were yet to be determined. She noted initial reports from the Treasury indicate the funds would be limited to reimbursements for personal protective equipment; local business assistance; and residential food delivery and mortgage assistance. She indicated she would update Council once she had more information. She stated the City was also eligible to apply for reimbursements directly from FEMA and she had set up an account and the City had been assigned a contact person for that process should the City decide to use it. She indicated the City had not yet met the minimum threshold for reimbursement. She reported sales tax revenue was up 6% from this time last year, but revenue from use tax, building permits and court fines was down. She noted staff continued to closely monitor expenditures to help offset the revenue shortage. She stated staff expected May sales tax to further decrease but building permit revenue to increase because of some larger permits under review. She indicated she and Human Resources Analyst Ducharme were reviewing the checklist from Tri-County Health Department and preparing City Hall to open to the public next week.

Councilor Safavi asked staff to share the checklist.

City Manager Thorsen reported the plan was to have all staff in the office and City Hall open to the public on Monday. He indicated masks would be required for anyone entering City Hall and sanitizer would be available. He noted the May 13th Municipal Court date had been cancelled and pleas offered where possible. He explained staff's plan for the May 27th Court session included a 10-person limit in the Court room, masks, screens for the prosecuting attorney and clerk, and sending home anyone with symptoms. He replied to Councilor Gallagher's question that staff would at least wait until the Quincy Farm Master Plan was complete to consider a new tenant for the east side of Quincy Farm.

Councilor Safavi stated the COVID-19 pandemic was expected to last another 12 to 24 months, with 60-70% of the population getting infected, which meant the City could expect two thirds of its staff to get infected. He noted the City already operated with a small staff and asked about the plan if the City was short staffed due to infected staff

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members. He suggested the City to set up an antibody testing system to see which employees were already immune.

City Manager Thorsen replied staff had contingency plans for being short staffed and asked Chief Tovrea to discuss the Police Department's plan.

Chief Tovrea explained the Police Department's plan for being short staffed included cancelling all PTO, implementing 12-hour shifts, and accepting backup of mutual aid from other organizations in the Central Area of the Arapahoe County Area Command Emergency Operations Center. She noted the department had already implemented service modifications to limit the amount of one-on-one interaction with the public; the County decontaminated the Police Department building and all department vehicles once a week through May; and the department had policies in place for officers to quarantine if a family member was ill.

Councilor Safavi recommended that if one or two officers became sick then all officers should be tested within two to three days.

Chief Tovrea indicated she would coordinate with Human Resources Analyst Ducharme to set up a plan for testing.

City Manager Thorsen added testing was a good idea for all of staff if someone became sick.

City Attorney

City Attorney Guckenberger had no report.

ADJOURNMENT

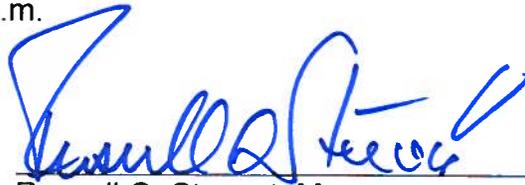
Mayor Stewart noted the number of hospitalizations and ventilators in use were relatively low and therefore hopeful.

Councilor Blum reported he and Councilor Gallagher would be conducting virtual interviews tomorrow for the Parks, Trails and Recreation Commission opening.

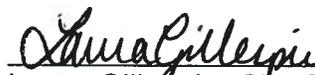
Mayor Pro Tem Brown moved, seconded by Councilor Sheldon to adjourn the meeting.

The motion passed unanimously.

The meeting adjourned at 7:31 p.m.



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk