

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
and of the Cherry Hills Village Southmoor Circle and Hudson Parkway
General Improvement District Board of Directors
Held on Tuesday, February 15, 2022 at 6:30 p.m.
City Hall

The City Council held a study session at 5:30 p.m.

Mayor Russell Stewart called the meeting to order at 6:30 p.m.

ROLL CALL

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

Absent: Councilor Afshin Safavi

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

Laura Christman, 18 Cherry Lane Drive, noted the only trail discussed during the study session regarding e-bikes was the High Line Canal; the City had many other trails; on the other trails bikes were limited to mountain bikes; speed was limited on a normal mountain bike but not on an e-mountain bike. She asked Council to consider if they wanted e-bikes all over the Village or just on the High Line Canal. She stated the speed limit signs and e-bike prohibited signs currently posted were very small, low, and infrequent; an officer told her last summer the reason he did not issue citations was that no one could see the speed limit signs and e-bike riders did not know they were prohibited. She could not find any sign stating the right-of-way priorities of equestrians, pedestrians, and bikes. She stated trying to encourage etiquette through education was not going to work; the City needed enforceable laws and needed to enforce them; many complaints had been received through the Master Plan process; the Arapahoe County mounted police were willing to patrol the High Line Canal and the trails at no cost to the Village.

Jenn Diffendal, 5701 E. Stanford Drive, thanked Council for their work; she was a former volunteer in the public safety building; everyone shared a deep love and commitment to their community; everyone had their own passions; their diversity in passions and expertise was always beneficial to the community; she hoped they could hear each other with respect; she understood citizens did not usually comment on how funds were allocated and that was the sole discretion and purview of the City Manager but she believed this was a special exception; her intention was to advocate for what should be the top priority in the recovery process which was the first responders; among all the hard working employees who justly deserved a bonus, only the police officers were first responders; they bore the brunt of the burden for the community during the pandemic; if the bonuses were being paid from regular City funds from a surplus as Councilor Blum had suggested then she would not be speaking tonight; the funds were from a grant from the American Rescue Plan Act and were meant to be COVID rescue and relief funds; their sole intent was to aid the City's recovery from the pandemic; it was about the City's values and priorities; ARPA funds were the once in a lifetime way to effect a payout for first responders but was not the last money the City would receive for infrastructure projects; the City should prioritize the premium pay category for first

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responders; they needed to know that the community saw them and their disproportionate sacrifice; she had volunteered over 600 hours with the Police Department, half before and half during the pandemic; it had been the unexpected honor of a lifetime; the City's first responders were not able to work remotely or limit exposure; they served without regard to risks; to maintain 24/7 patrol people had to be called back into work who were over-worked and over-tired; they lost vacation days and half of them contracted COVID causing massive staffing shortages; they banded together as a team and sacrificed everything for the good of the community; their response is to work harder without complaint; the community should not take their extraordinary service for granted; they were more than deserving of this money and it did not diminish from the service of the other employees; she asked for a special payout for each officer and personnel in the Police Department of \$10,000, inclusive of the \$4,000 being given to all employees; \$15,000 for Commander Weathers; and \$25,000 for Chief Tovrea; they had more than earned it and it was the right thing to do.

Eileen Weiss, 3711 S. Albion Street, stated she was a resident since 1976; she agreed with Ms. Diffendal's proposal; she asked Council not to be stingy; Ms. Diffendal's proposal would leave a balance of \$1.23 million in ARPA funds; Council was stewards of this money and it had been earmarked for first responders; it was a wealthy community and they would be proud if something so worthy could be done.

Kristen Youngdahl, 4211 S. Bellaire Circle, echoed Ms. Diffendal and Ms. Weiss; she had children at Cherry Hills Village Elementary School and there were officers there every day no matter the weather or COVID; she wanted to support the police officers; she was in support of Ms. Diffendal's proposal.

Rachel Melameth, 17 Sandy Lake Drive, stated she had been a member of the community since she was eight years old; she could describe numerous times the Police Department had been there for her and her family; she echoed all the previous comments; she expressed her thanks and appreciation.

Mark Griffin, 3236 Cherryridge Road, stated he was the president and chairman of the board of the Cherry Hills Village Police Foundation; he was an unapologetic advocate for the Cherry Hills Village first responders a.k.a. the Police Department; it was the responsibility of City Council to decide how to allocate the public ARPA funds; he suggested Council consider public input as to how to spend the funds; one of the purposes of the grant was to compensate first responders for their sacrifices during the COVID pandemic; City officers had sacrificed a great deal during this time; other communities had reportedly given great sums and suggested the City investigate that; the City's first responders had more challenges because of the City's relative small size of 23 officers; he suggested Council consider giving the first responders the \$10,000 bonus that Ms. Diffendal requested, or maybe more; he thanked Council for their service during this difficult time; he asked Council to consider carefully the public input for how the money should be spent to reward the first responders.

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

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

- a. Approval of Minutes – February 1, 2022

The motion passed unanimously.

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ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Council Bill 6-2022; Approving a Supplemental Appropriation in the American Rescue Plan Act Fund for One-Time Discretionary Employee Bonuses (second and final reading)

City Manager Cramer presented Council Bill 6, Series 2022 on second and final reading; the council bill would authorize a one-time discretionary bonus of \$4,000 to 46 current City employees; there had been no changes since first reading; if approved on second and final reading the supplemental appropriation would be in the amount of \$201,950.84; in order to receive the bonus employees must be currently employed and also employed by the City prior to December 31, 2021; the intent was as a thank you to employees who were with the City during COVID; the funding source was ARPA funds; Council had yet to go through the process of identifying and analyzing possible use for the remainder of the ARPA funds; there was always the option to consider additional bonuses at that time; the City was awaiting final guidance from a variety of sources; they had until the end of 2024 to earmark the funds and an additional two years to spend the funds; the past 22 months had been extremely challenging for everyone; everyone had been impacted differently, getting sick, caring for family members who got sick, dealing with remote school and daycares closing, and difficult work situations; hopefully to no one's surprise City employees have shown through and risen to the challenge; they demonstrated their commitment to the Village, performing tasks with these remarkable conditions at an extremely high level; it was one thing to make it through and do your job, it was another to do it at such a high level as City employees had done over the last 22 months; this bonus represented a tremendous thank you to all of them for sticking with the Village; this bonus was not intended to recognize contributions or hardships on an individual employee basis or a group basis; this was a collective thank you on behalf of the City to recognize sticking with the City for this time.

Councilor Blum indicated as everyone was aware he was an advocate for paying additional sums to employees from the City's budget surplus; he appreciated Director Sager and City Manager Cramer finding a way to use ARPA funds instead of the City surplus; as everyone was aware they had several years to determine how to spend the ARPA funds; there were a number of possible projects; he agreed with Mr. Griffin's suggestion of researching what other jurisdictions were doing regarding staff bonuses; he was in favor of the council bill; he appreciated the public input received tonight and thanked them for the passion they had shown in their support of the Police Department.

Councilor Sheldon suggested public input was important before decisions were made about how to spend the remainder of the ARPA funds; some of the possible projects included sewer upgrades, telecom cellular service, and undergrounding of utilities.

City Manager Cramer agreed.

Councilor Sheldon thanked the members of public for attending the meeting and giving their thoughts to Council.

Councilor Gallagher thanked the public commenters and their support of the Police Department; Council was very proud of the Police Department; he was in favor of the council bill; he understood Council's responsibility to make policy decisions; Council needed to consider all the projects listed by Councilor Sheldon when determining how best to use the ARPA funds; they had until 2024 to allocate funds and 2026 to spend funds; Council had time to consider allocating more funds to staff in the future; he supported the council bill as it was written.

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Mayor Pro Tem Brown agreed with the other comments made; she welcomed the children in the audience; Council appreciated the Police Department and other staff; they could never pay anyone what they were worth; the bonus amount could not be a strict reflection of contribution because there was not enough money on the planet to pay people what they had contributed to the community; hopefully the current bonus was a step in the right direction to acknowledge the sacrifices everyone has made; as the City further understood what was and was not allowed for the ARPA funds they should look at all the possibilities, and she agreed it was important to get public input; public funds carried a level of responsibility she was cognizant of.

Councilor Weil thanked the public for their comments; running the City well was a team effort; the team had demonstrated incredible resilience and adaptation with all the challenges COVID presented; the Master Plan process reached out to the community multiple times in multiple ways to ascertain the will and priorities of the community; he encouraged everybody to participate in that process; that process would give Council a clearer view of priorities than they had now; the council bill was a meaningful thank you to staff for going above and beyond over the past couple of years.

Mayor Stewart thanked City Manager Cramer and Director Sager for coming up with the proposal; the final rule from the Treasury Department had only been published in the Federal Register in late January and did not take effect until April 1st; this was all very new; there was a lot of analysis to be done on the final rule; Colorado Municipal League was working on interpretation; he planned to write about the final rule for his next article in the Crier; it was a big change from the interim rule; the final rule provided more flexibility; CML and National League of Cities were vocal in their feedback to Congress and the Treasury Department that municipalities needed more flexibility and the interim rule was too restrictive, and they listened; another potential use for the ARPA funds was the High Line Canal stormwater project; the ARPA funds could now be used for anything typically used for governmental services; he agreed it was an open process and they should get public input; he agreed with Councilor Weil on the Master Plan process; they had until 2024 to allocate the funds and 2026 to spend the funds; he appreciated all the public comments made tonight.

Mayor Pro Tem Brown moved, seconded by Councilor Blum, to approve Council Bill 6, Series 2022; a bill for an ordinance of the City of Cherry Hills Village amending the 2022 budget and approving a supplemental appropriation in the American Rescue Plan Act Fund for one-time discretionary employee bonuses on second and final reading.

The following votes were recorded:

Weil	yes
Brown	yes
Gallagher	yes
Sheldon	yes
Blum	yes

Vote on the Council Bill 6-2022: 5 ayes. 0 nays. The motion carried.

NEW BUSINESS

None

RECESS OF THE CITY COUNCIL TO CONVENE AS THE CHERRY HILLS VILLAGE SOUTHMOOR CIRCLE AND HUDSON PARKWAY GENERAL IMPROVEMENT DISTRICT BOARD

Mayor Stewart recessed the City Council Meeting and convened the meeting of the Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District Board.

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MEETING OF THE CHERRY HILLS VILLAGE SOUTHMOOR CIRCLE AND HUDSON PARKWAY GENERAL IMPROVEMENT DISTRICT BOARD

Mayor Russell Stewart, serving ex-officio as the GID Chairperson, called the meeting to order at 7:06 p.m.

ROLL CALL OF MEMBERS

The City Council for the City of Cherry Hills Village serving ex-officio as the Board of Directors of the Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District: Mayor Russell Stewart, Mayor Pro Tem Katy Brown, Councilors Randy Weil, Al Blum, Mike Gallagher, and Dan Sheldon were present on roll call.

Absent: Councilor Afshin Safavi.

The administrative staff of the City serving as the administrative staff of the GID: City Manager Chris Cramer, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Kathie Guckenberger, Police Chief Michelle Tovrea, Finance Director Jessica Sager, Parks Coordinator Emily Black, and City Clerk Laura Gillespie.

CONSENT AGENDA

Board Member Brown moved, seconded by Board Member Gallagher to approve the following items on the Consent Agenda:

- a. Approval of Minutes – February 1, 2022

The motion passed unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

The Southmoor Circle and Hudson Parkway General Improvement District Board meeting adjourned.

RECONVENE MEETING OF THE CHERRY HILLS VILLAGE CITY COUNCIL

The meeting of the Cherry Hills Village City Council reconvened at 7:07 p.m.

REPORTS

Mayor's Report

Mayor Stewart reported the final rule on the ARPA funds was interesting reading and he would report on that for his next Mayor's column in the Crier; he attended the Mayor's Munch on February 9th; he attended the CML Statehouse Report on February 11th; the

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legislation for competitive bids for Xcel was progressing; he would attend the CML legislative workshop on Thursday; he would attend the CML policy committee meeting on Friday.

Members of City Council

Councilor Blum had no report.

Councilor Sheldon had no report.

Councilor Gallagher had no report.

Mayor Pro Tem Brown had no report.

Councilor Weil had no report.

City Manager & Staff

Director Sager thanked Council on behalf of staff for approving the supplemental appropriation.

City Manager Cramer reported he had been notified today that the I-25/Belleview Interchange Project was starting back up with an amended scope to review a new alternative called "diamond plus"; the diamond plus alternative would probably have less cut-through traffic than the split diamond alternative but more than the SPUI alternative; staff would participate in that process vigilantly to ensure the City's perspectives were known.

Mayor Stewart asked if the diamond plus would have more or less cut-through traffic than the do-nothing option.

City Manager Cramer replied he did not know the answer but suspected the diamond plus would increase the odds of more cut-through traffic than the do-nothing option.

Councilor Sheldon asked if the engineering firm would present to Council.

City Manager Cramer agreed that made sense and would have the added benefit of providing the information to residents through the live stream and meeting recording.

Councilor Sheldon agreed; Council and City residents needed to fight; this project could result in a big increase in cut-through traffic.

City Manager Cramer reported staff's first annual Quincy Farm plan meeting with the Cherry Hills Land Preserve (CHLP) went very well; they had a good mutual understanding of the steps needed for CHLP to be able to submit their draft annual plan this summer; momentum was headed in a positive direction. He added staff hosted a meeting for the neighbors of Quincy Farm that CHLP attended; CHLP offered to set up another meeting and invite Dr. Skramstad; the neighbors' concerns, which Council was familiar with, had not gone away but the meetings were a step in the right direction. He reported the second Master Plan town hall meeting had been set for March 7th and would be advertised to residents.

Mayor Stewart asked about the Arapahoe County broadband project.

City Manager Cramer explained Arapahoe County had recently started a coalition for broadband and fiber to examine the issue on a regional level and economies of scale and network efficiencies; staff was in contact with the coalition but there had not been any concrete steps taken.

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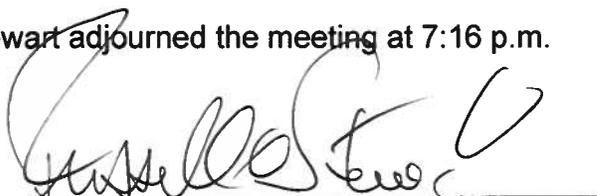
Mayor Stewart asked if the group would address cellular or 5G.

City Manager Cramer replied he believed it was similar to the Centennial approach where they made efforts to get fiber in the ground.

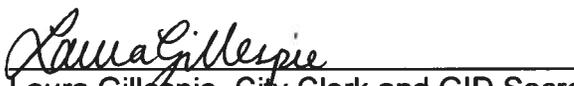
ADJOURNMENT

Hearing no objection Mayor Stewart adjourned the meeting at 7:16 p.m.

(SEAL)



Russell O. Stewart, Mayor and GID Chairperson



Laura Gillespie, City Clerk and GID Secretary