

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Monday, October 3, 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, 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 Commander Pat Weathers, Finance Director Doug Farmen, Human Resources Manager Kathryn Ducharme, Planning Manager Paul Workman, Parks and Recreation Coordinator Emily Black, and City Clerk Laura Gillespie.

Absent: Mayor Pro Tem Katy Brown and Councilor Afshin Safavi

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

COMMANDER WEATHERS RETIREMENT PROCLAMATION

Mayor Stewart read a proclamation reviewing Commander Weather's accomplishments at the City during his 40 years of service and congratulated him on his retirement.

Councilor Blum congratulated Commander Weathers.

Councilor Sheldon thanked Commander Weathers for his service.

Councilor Gallagher congratulated Commander Weathers on a remarkable career.

Councilor Weil congratulated and thanked Commander Weathers.

Mayor Stewart noted all the Commander did to keep the department running and keep moral up.

City Clerk Gillespie indicated there would be a sergeant promotional ceremony and Commander Weathers' retirement ceremony on Wednesday October 19th.

Commander Weathers stated he was humbled and thanked everyone for the kind words and accolades; he spoke about starting his career at Cherry Hills Village; he noted some of his most memorable experiences; the most special was when the Pope was there in 1993 and gave the officers a special blessing; he had been able to work every assignment the Police Department offered; it had been an honor to work there, a very fulfilling and rewarding career; the best thing about working in the City were the residents they served; their generosity, support, and kindness they had extended over the years; he could not work or ask to work in a better community.

AUDIENCE PARTICIPATION PERIOD

Mark Derbyshire, 4950 S. El Camino Drive, explained the Federal Communications Commission had been working for the last four or five years to improve cellular services across the country; about two years ago they held the largest public auction for spectrum in the history of cellular service; the cellular companies would be spending between \$90 and \$100 billion to gain new spectrum; the good news for Cherry Hills

RECORD OF PROCEEDINGS

Village was that was scheduled to take effect in December 2023; there would be increased coverage and speed; the reason this was taking awhile to do was that the increased cellular spectrum was being taken away from satellite communications and existing satellite dishes were being effected by that; the FCC had a plan to fund the conversions necessary prevent cellular interference to the satellite world; he for a long time had operated a large array of satellite dishes at his residence; he applied for funding two years ago; he had been preparing to make these changes toward the end of next year; he got a call about a month ago from SCS which was the largest satellite operator in the world; they were working with some of the cellular companies to try to get that schedule moved up, with the idea that the new service for the Denver area might be offered in the next two or three months if they could coordinate getting all these satellite dishes up to snuff so they could work alongside the new cellular service; his interest in this was to try to make this possible; he did not have a cell phone; SCS was interested in helping him get his satellite dishes fixed up to be ready for the cellular service; he was working with City staff; when he started 12 or 15 years ago he had 15 satellite dishes; now he had ten to try to conform with City ordinances; he had worked with City staff over the years; he was not asking for anything but one of the things he was facing was pressure from SCS to convert his satellite dishes; once those dishes were converted it opened up Cherry Hills Village and most of the southeast Denver area because he was the last blocker for the transition; he asked for support from the City; there would probably be an expectation of being quick from the cellular companies to make this happen or they just would not do it; the benefit for him was to get his satellite dishes converted; the benefit for the community was much earlier service for improved cellular speeds and access; he hoped to minimize the impact to his neighbors so there would be less impact from the satellite dishes visibly than there was now by reducing the number of dishes; this would also hopefully help the City by reducing the nonconformance that he was causing.

Laura Hamilton, 4290 S. Hudson Parkway, stated she was on the corner of Holly and Quincy where it jogged to Hudson; she had lived there for 12 years; her first request was the City pay more attention to that intersection; there was a lot of traffic, garbage, flags, and construction; she was at the forefront of everything going on; she requested better communication with the neighbors; they had no idea what was going on; the companies were parking all over, urinating in the bushes, leaving their trash, ringing the doorbells saying the electricity was going off twice a day and more than that; it was confusing to say the least; for a long time she had picked up the trash; there was so much traffic and pedestrians there too; she asked for more regular upkeep of that corner and maybe even some beautification; she was all in favor of the rural nature of Cherry Hills, but that intersection was basically like an urban intersection; she noted the intersection of University and Quincy had plantings; her intersection might be the second busiest intersection in the whole neighborhood; secondly, she applied for an was granted a permit to put up a privacy fence and gate; the stated cost on the permit was \$30,000; it probably cost her \$70,000 for an electric gate, privacy fence, and some plantings in the right-of-way; she had the only plantings in that intersection; unfortunately now most of her plantings were dead; one of the many utility companies working in the area cut the irrigation line when she was out of the country this summer and caused all her plants to die; the cost from her landscaping company was about \$9,000; she requested funding to get her plants replanted or for the City to do it themselves or for the City to beautify the area; she contacted the City regularly to cut down little trees that grew in the area; she would like to not have to proactively call; she believed the City was negligent on some level by granting her a permit and not telling her about the projects going on; she believe there should have been some coordination.

Earl Hoellen, 3 Vista Road, added his thanks to Director Farnen for his study session presentation; he was impressed with the additional information; he appreciated the graphical and tabular information presented; he thanked and congratulated Commander Weathers; he epitomized the professionalism and quality of the Police Department and law enforcement generally.

RECORD OF PROCEEDINGS

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

REPORTS

Mayor's Report

Mayor Stewart had no report.

Members of City Council

Councilor Blum had no report.

Councilor Sheldon asked Deputy City Manager/Director Goldie to explain the responsibilities of the City in the right-of-way from the back of the asphalt to the fence line of the homes that backed up to Quincy, with regard to maintenance, installation, and irrigation.

Deputy City Manager/Director Goldie explained that Quincy was one of the mains, and the City maintained the right-of-way behind the curb, unless it had been improved by residents; anywhere it was unimproved the City mowed on a schedule; those areas were not irrigated; the City did trash pick-up, mowing, and weed whacking; anytime the right-of-way had been improved by a resident, per the Code and the City's Construction and Excavation Standards, the City did not do any maintenance; as stated in the Code, if a resident improved the right-of-way it was at their own risk; the City had the right to the right-of-way and through their agreements and responsibilities to the utilities, they had the right to use the entire right-of-way.

Councilor Sheldon asked for confirmation that an electric fence, and landscaping and irrigation in the right-of-way would need permits.

Deputy City Manager/Director Goldie replied that limited landscaping in the right-of-way did not require a permit, such as less than four trees, a few bushes, irrigation if the work was done from the private property side and not from the street side; larger landscaping and anything that might interfere with use of the right-of-way would need to be permitted.

Councilor Sheldon noted if the landscaping were minor enough not to require a permit the City would not know about the project unless they happened to see it happening; he asked if a resident had to do a utility locate before planting in the right-of-way.

Deputy City Manager/Director Goldie replied that was correct.

Councilor Sheldon asked if staff would review other projects related to a permit application for landscaping in the right-of-way.

RECORD OF PROCEEDINGS

Deputy City Manager/Director Goldie replied that a fence or gate permit would go through the Community Development Department and landscaping would not be reviewed as part of that permit; a permit for landscaping in the right-of-way would go through the Public Works Department.

Councilor Sheldon thanked Public Works for the new flashers at the High Line Canal intersection at Quincy; he noted there was some tree that needed to be trimmed in that area.

Councilor Gallagher had no report.

Councilor Weil reported he attended a DRCOG meeting regarding water issues, broadband issues, ARPA funds; he would send the presentations through the City Clerk to pass onto Council.

City Manager & Staff

Director Farmen reported staff was looking at possibly passing on credit card payment fees to payors.

Parks Coordinator Black reported the City's tree contractor would be at Quincy Farm this week; on the dais was an invitation from the Art Commission for their fundraiser for the John Meade Park Sculpture on October 27th.

Planning Manager Workman reported the final open house for the Master Plan update was Wednesday afternoon.

City Manager Cramer echoed Mr. Hoellen's comments about the budget presentation; Director Farmen had worked to get software that enhanced the process and presented a more customer friendly budget; staff was working to become more efficient with various processes by utilizing new software and technology as an alternative to adding new FTEs.

City Clerk Gillespie reported the flu shot clinic and the drug take back event would be October 29th.

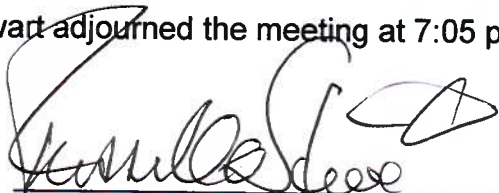
City Attorney

City Attorney Guckenberger had no report.

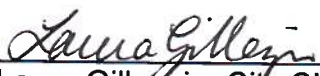
ADJOURNMENT

Hearing no objection Mayor Stewart adjourned the meeting at 7:05 p.m.

(SEAL)



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk