

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, May 4, 2021 at 6:30 p.m.
Electronic Meeting

The City Council held a study session at 5:32 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, Afshin Safavi, 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 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 Blum to approve the following items on the Consent Agenda:

- a. Approval of Minutes – April 20, 2021

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Amending the City Council Rules of Procedure

City Clerk Gillespie presented proposed amendments to the City Council Rules of Procedure for Council's consideration. She indicated Article 9 of the Rules stated amendments to the Rules shall be submitted in writing at a regular meeting and shall be acted upon no sooner than at the next meeting of Council as an agenda item, so based on Council's direction tonight staff would bring the amendments back for approval by resolution at a future meeting. She explained the proposed amendments aligned the Rules with current practices, added reference to the Electronic Participation Policy, and clarified the timing of public hearings for proposed ordinances when timing was not explicitly determined elsewhere in the Charter, Municipal Code, or State Statute; the Rules were last amended in 2016.

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Councilor Blum asked if the amendments could be approved tonight.

City Clerk Gillespie replied Article 9 of the Rules allowed for approval by unanimous affirmative recorded vote of all members of Council but staff did not have a resolution prepared to approve the amendments tonight.

Councilor Blum suggested adding the words “secular or religious” to the new sentence in Section 3(A) so that it read “Regular meetings that fall on a major secular or religious holiday shall be rescheduled or cancelled.”

Mayor Pro Tem Brown suggested leaving the Council packet day in Section 7(B) on Friday but continuing to aim for Wednesday.

Councilor Weil stated he preferred to change the Rules to say Wednesday since that was the current practice.

Councilor Safavi encouraged residents to educate Council and staff if there were additional religious holidays that Council should consider for rescheduling Council meetings.

Council Bill 4, Series 2021; A Bill for an Ordinance Amending Article I of Chapter 2 of the Municipal Code to Establish a Process to Address Complaints Arising Out of Municipal Campaign Finance Matters

City Attorney Guckenberger presented Council Bill 4, Series 2021 for Council’s consideration on first reading. She noted the Fair Campaign Practices Act was embodied in the Colorado Constitution and State Statute. She indicated based on recent lawsuits and legislation, complaints pertaining to municipal campaign finance matters should now be filed with the local municipality rather than with the Secretary of State. She explained the proposed ordinance established a process for the City Clerk to resolve complaints involving municipal finance matters. She reviewed the process outlined in the proposed ordinance.

Councilor Blum asked if a hearing officer had been identified and who would bear the cost.

City Attorney Guckenberger replied the hearing officer would be the City’s cost. She noted a large volume of campaign finance complaints were not anticipated for the City, but her office had a list of people they could recommend to serve as a hearing officer.

Mayor Pro Tem Brown asked if the hearing officer would be chosen now or when a complaint was received.

City Attorney Guckenberger replied either option was acceptable. She added identifying the hearing officer prior to receiving a complaint kept the process more objective.

City Manager Cramer added identifying a hearing officer now prevented any delay in the process during a campaign.

Mayor Pro Tem Brown agreed but added the independence of the hearing officer could not be determined until the parties involved in the complaint were known. She suggested having multiple people identified as potential hearing officers.

Councilor Gallagher asked how many campaign finance complaints had occurred in the City in the last fifteen years.

City Clerk Gillespie replied over the last eleven years the City had received inquiries about campaign finance forms, but no official complaints had been filed.

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Councilor Safavi recalled he had received many questions about his campaign finance forms during his campaign and asked about the difference between questions, complaints, and harassment.

City Attorney Guckenberger replied often questions were needed for someone to determine if they believed a violation had occurred and if they wanted to file an official complaint, but this process could be used in unintended ways.

Mayor Pro Tem Brown moved, seconded by Councilor Weil, to approve Council Bill 4, Series 2021; a Bill for an Ordinance Amending Article I of Chapter 2 of the Municipal Code to Establish a Process to Address Complaints Arising out of Municipal Campaign Finance Matters on first reading.

The following votes were recorded:

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

Vote on the Council Bill 4-2021: 6 ayes. 0 nays. The motion carried.

REPORTS

Mayor's Report

Mayor Stewart reported he attended the April 21st Mayors Munch with Greenwood Village Mayor Lantz and the discussion included the stalled Belleview Interchange; the April 23rd CML executive board meeting set dates for the June 21st annual business meeting, the September 22nd – 24th annual conference, and discussed the law enforcement accountability act, House Bill 21-1250, in addition to the other two dozen major bills; the Metro Mayor's Caucus transportation mobility committee discussed the transportation bill, Senate Bill 21-260, and Mayor Stewart summarized the highlights of the bill and its supporters; the May 3rd Arapahoe County tax reauthorization committee meeting discussed the possible need to alter the formula of the sales tax to address operational needs of existing open space; the Metro Mayors Caucus would meet May 6th; and the Arapahoe County Mayors, Managers, Commissioners group would meet May 7th.

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 reported former Greenwood Village Mayor Ron Rakowsky had received the DRCOG John V. Christensen award.

Councilor Safavi reported he was excited that Colorado was becoming more encouraging to biotech and pharmaceutical companies.

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City Manager & Staff

City Manager Cramer asked for Council direction for a possible 75th Anniversary event this year.

Mayor Pro Tem Brown replied she was supportive if an event could be held this year but if it could not then the planning should not extend into next year.

City Manager Cramer stated staff would send Council the updated version of the Quincy Farm RFP tomorrow. He asked Council for feedback by Friday in the hope it could be posted soon. He reported staff received final payment for the Cherry Hills Country Club renovation building permit.

Director Sager reported staff had tested the AV system in the Council Chambers to ensure the repairs from last year were still intact, and the City was ready to resume hybrid meetings.

Councilor Blum asked about the Glenmoor HOA fence issue.

Deputy City Manager/Director Goldie replied staff had been working with the HOA and explained although staff preferred to have holes in the fence to direct pedestrian traffic to the trail, the HOA did not want the holes in the fence and since it is their property on either side of the fence, the City would have the homeowner close the openings they had made in the fence.

Parks Coordinator Black reported a section of the High Line Canal (HLC) within the City was closed several days this week for hazard tree maintenance by Denver Water. She indicated staff had put up signs at the access points explaining the closure and detours and was coordinating with the High Line Canal Conservancy to communicate the closure. She reported the City was coordinating with Denver for the opening of the HLC underpass at Colorado and Hampden; the celebration event was tentatively scheduled for June 5th with a "first ride" with kids from the University Hills neighborhood; she would keep Council updated as more details were determined. She reported staff was tentatively planning for a grand opening of John Meade Park and Alan Hutto Memorial Commons on June 26th focused on kid's activities, in accordance with public health guidelines.

Councilor Gallagher asked about trail signage particularly as bicyclists entered the City through the new underpass.

Parks Coordinator Black replied the HLC wayfinding sign package was in the final design stage and those signs all included the speed limit; those signs still had to be fabricated but staff hoped they would be installed this summer. She indicated the Parks, Trails and Recreation Commission (PTRC) would be discussing City trail signs at their May 13th meeting, based on PTRC's and Council's e-bike and speeding conversations. She explained the plan was to have signs posted next to the underpass for trail users entering the City, specifically regarding speed and e-bikes.

Councilor Safavi asked how information on the signs would be changed in the future if needed.

Parks Coordinator Black replied stickers could be put on the signs to update the information.

Councilor Gallagher asked if signage would specifically address bicyclist etiquette.

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Parks Coordinator Black replied multiple signs in the wayfinding sign package would include that information as well as the yield triangle showing bicyclists yield to pedestrians and everyone yields to equestrians.

Mayor Pro Tem Brown asked if the signs could be read by bicyclists as they sped by.

Parks Coordinator Black replied the High Line Canal Conservancy was also working on their etiquette campaign to get bicyclists to slow down.

Mayor Stewart asked staff to send the information about the HLC closure through NotifyMe on the City website.

Councilor Blum asked if masks would be required for the May 18th meeting.

City Manager Cramer replied based on the current public health orders, masks and limited numbers of audience members to ensure social distancing would be required for the May 18th meeting.

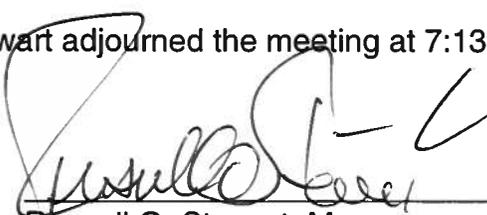
City Attorney

City Attorney Guckenberger had no report.

ADJOURNMENT

Hearing no objection Mayor Stewart adjourned the meeting at 7:13 p.m.

(SEAL)



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk

