

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, June 1, 2021 at 6:30 p.m.
Electronic Meeting

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, Afshin Safavi, 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, Senior Planner Paul Workman and City Clerk Laura Gillespie.

Absent: Mayor Pro Tem Katy Brown and Councilor Al Blum.

AUDIENCE PARTICIPATION PERIOD

None

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

Councilor Gallagher moved, seconded by Councilor Sheldon to approve the following items on the Consent Agenda:

- a. Approval of Minutes – May 18, 2021

The following votes were recorded:

Safavi	yes
Weil	yes
Gallagher	yes
Sheldon	yes

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

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NEW BUSINESS

Resolution 16, Series 2021; Adopting the 2021 Arapahoe County Hazard Mitigation Plan

Senior Planner Workman presented Resolution 16, Series 2021 for Council's consideration. He explained the resolution would adopt the 2021 Arapahoe County Hazard Mitigation Plan; the Plan was a collaboration between the County and municipalities to have a long term strategy for reducing the risks of hazards; FEMA required local Plans to be updated every five years to be eligible for federal and state assistance; the Plan addressed natural and human-caused hazards throughout the County with the expressed purpose of saving lives and reducing future losses by anticipating future events. He reviewed the voluntary action items identified for the City and noted they were subject to change over time.

Councilor Sheldon confirmed the Quincy Avenue utility line undergrounding project will be completed prior to the 2024 completion timeline identified in the Plan.

Senior Planner Workman replied that was correct.

Councilor Gallagher asked about funding for the action items.

Senior Planner Workman replied funding for the action items had been budgeted or would be requested.

Councilor Gallagher asked about the Belleview/Clarkson drainage improvement project.

Deputy City Manager/Director Goldie clarified the project had been budgeted in 2019 but because Greenwood Village had been unable to budget their portion, the project was no longer occurring.

Mayor Stewart asked if any of the action items would be eligible for American Rescue Plan Act (ARPA) funds.

City Manager Cramer replied staff was still waiting for guidance on how those funds could be spent, and currently it looked unlikely the funds could be spent on cellular broadband. He added the City would have until the end of 2024 to earmark how the funds would be spent and then until 2026 to spend the funds. He agreed some of these action items would likely be eligible.

Councilor Weil asked about the Belleview/Clarkson drainage improvement project.

Deputy City Manager/Director Goldie explained the project was cancelled but the action item list was created with the County before the project was cancelled.

Councilor Sheldon asked if identifying utility line undergrounding as an action item in the Plan would make it more likely to be eligible for ARPA funds.

City Manager Cramer replied he was not aware of undergrounding utilities as being an eligible expense regardless of its association with hazard mitigation.

Director Sager agreed and noted all the webinars she had attended listed water, sewer, internet broadband infrastructure, and COVID-19 personal protective equipment as eligible expenses. She added guidance was still forthcoming.

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Councilor Gallagher moved, seconded by Councilor Weil, to approve Resolution 16, Series 2021, a resolution of the City Council of the City of Cherry Hills Village approving the 2021 Arapahoe County Hazard Mitigation Plan.

The following votes were recorded:

Safavi	yes
Weil	yes
Gallagher	yes
Sheldon	yes

The motion passed unanimously.

Council Bill 5, Series 2021; Repealing and Replacing Article II of Chapter 6 of the Municipal Code Regarding Alcoholic Beverages (first reading)

City Clerk Gillespie presented Council Bill 5, Series 2021 on first reading. She explained the purpose of the proposed ordinance was to update the organizational structure of the article, update references to the Colorado Revised Statute, and update information about the fingerprinting process in accordance with state policies; in addition staff had received direction from Council at the May 18th study session regarding transferring to exclusive local control for special event liquor permits; increasing the limits for liquor tasting permits to the maximum allowed by state statute; and allowing administrative approval for modification of premises unless the application would increase the square footage of the premises by fifty percent or more. She noted the proposed ordinance removed the liquor fees from the Code and staff would bring an updated fee resolution to Council to maintain current fee amounts. She added based on Council's questions at the study session staff had researched Council's ability to deny a special event liquor permit in case of neighborhood protests, and per state statute the local licensing authority may deny the issuance of a special event permit on the grounds that the issuance would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws.

Councilor Sheldon moved, seconded by Councilor Weil, to approve Council Bill 5, Series 2021, repealing and replacing Article II of Chapter 6 of the Municipal Code concerning Alcoholic Beverages on first reading.

The following votes were recorded:

Safavi	yes
Weil	yes
Gallagher	yes
Sheldon	yes

Vote on the Council Bill 5-2021: 4 ayes. 0 nays. The motion carried.

REPORTS

Mayor's Report

Mayor Stewart reported he attended the May 19th Cherry Hills East HOA meeting at City Hall along with Councilor Blum, and noted the HOA requested the City consider a single source Village wide trash removal service, but there were a lot of issue with that and it would likely have to be approved at an election; the May 20th Metro Mayors Caucus meeting; the May 24th Arapahoe County sales tax reauthorization committee meeting, which would be recommending that the Board of County Commissioners place an issue on the November ballot to make the open space sales tax permanent, based on an overwhelmingly favorable response in polling; the May 25th virtual Buell Mansion HOA

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meeting, where Commander Weathers answered questions; today he met Mayor Lantz for lunch and they discussed various issues, there was no update on the Belleview/I-25 interchange project as Greenwood Village was still waiting to hear back from Denver. He indicated he would attend the June 3rd Metro Mayors Caucus meeting, Councilor Weil would attend the Arapahoe County transportation forum executive committee meeting, and Mayor Stewart would attend the High Line Canal Hampden underpass opening celebration. He noted the City would have to amend the Municipal Code to be in compliance with the new family daycare facilities law.

Members of City Council

Councilor Sheldon had no report.

Councilor Gallagher noted there was a new small parking lot for the High Line Canal on the south side of Belleview which would be open in a couple weeks.

Councilor Weil reported DRCOG passed their annual budget and was generally supportive of the transportation bill; RTD ridership was down about 40% from pre-COVID levels and RTD was exploring ways to stimulate ridership.

Councilor Safavi had no report.

City Manager & Staff

City Manager Cramer reported he would attend the Colorado City and County Managers Association Conference June 23rd-25th.

Director Sager reported the Treasury Department was accepting feedback on their final interim rule on ARPA funds until July 16th and many organizations were stressing the important of flexibility so that each municipality could use the funds in a meaningful way. She indicated staff would report any updates to Council.

City Clerk Gillespie reported the June 15th meeting would be held entirely in-person due to the quasi-judicial public hearing and the Public Affairs RFP had been posted last Friday with a submission deadline of June 25th.

Senior Planner Workman reported staff would be speaking to the Planning and Zoning Commission (P&Z) at their meeting next week about restarting the Master Plan process and staff would bring that item to Council on June 15th.

Parks Coordinator Black asked Council to let her know if they intended to attend the underpass ceremony on Thursday.

Mayor Stewart thanked staff for the paint and electronic recycling on May 22nd.

Deputy City Manager/Director Goldie noted it was a very good turnout.

City Attorney

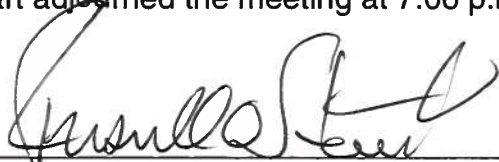
City Attorney Guckenberger reported she was working with staff on several issues that would be coming before City Council and P&Z; working on some contractual matters and construction standards with Public Works; and working on a summary of the legislative session for City Council and staff to be responsive to changes in state law.

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ADJOURNMENT

Hearing no objection Mayor Stewart adjourned the meeting at 7:06 p.m.

(SEAL)



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk