

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF GLENDALE, COLORADO

February 2, 2021
7:00 p.m.

Mayor Dunafon led attendees in the Pledge of Allegiance.

1. Call to Order and Roll Call. Mayor Dunafon called the regular meeting of the Council to order. Veronica Marvin, City Clerk, called roll. The following Council Members were present: Rachel Binkley, Storm Gloor, Dario Katardzic, Lindsey Mintz, Ryan Tuchscherer, and Mayor Pro Tem Rigoni. City Attorney Matt Giacomini, City Manager, Linda Cassaday and members of City Staff also attended the meeting.
2. Approval of Agenda. Council Member Mintz moved to approve the agenda. This particular motion requires no second. There was unanimous consent of the Council.
3. Preliminary Staff Matters. There were none.
4. Public Comments. There was none.
5. Consent Items
 - a. Minutes of the January 5, 2021 Regular Meeting
 - b. Renewal of Hotel and Restaurant Liquor License for Chatham Cherry Creek HP Leaseco LLC dba: Hyatt Place Denver/Cherry Creek, 4150 East Mississippi Avenue
 - c. Renewal of Liquor Store License for YKIM Corporation dba: Cherri Plaza Liquors, 4611 East Mississippi Avenue
 - d. Renewal of Hotel and Restaurant Liquor License for NF Colorado LLC dba: Native Foods Café, 680 South Colorado Boulevard, Bldg. C
 - e. Report of Changes for Glendale Restaurant Concepts LLC dba: Mile High Men's Club, 4451 East Virginia Avenue. HWL-3 LLLP replaces VCG Holding Corp

Council Member Katardzic motioned to approved consent items. Mayor Pro Tem Rigoni seconded the motion and the motion passed unanimously.

6. Public Hearing on Ordinance No. 1, Series of 2021, An Ordinance Of The City Council Of The City Of Glendale, Colorado, Adopting By Reference And Amending The 2018 International Building Code, 2018 International Fire Code, The 2018 International Energy Conservation Code, The 2018 International Existing Building Code, The 2018 International Fuel Gas Code, The 2018 International Plumbing Code, The 2018 International Mechanical Code, The 2018 International Residential Code, The 2018 International Swimming Pool And Spa Code, The 2018 International Property Maintenance Code, The 2020 National Electric Code, The 2019 National Fire Protection Association 13 Standard, The 2019 National Fire Protection Association 13r Standard, The 2020 National Fire Protection Association 25 Standard, The 2019 National Fire Protection Association 72 Standard, The Colorado Conveyance Regulations 7 Colorado Code Regulations 1101-8 That

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Utilize And Amend Secondary Codes Of 2013 American Society Of Mechanical Engineers A17.1 Standard, 2011 American Society Of Mechanical Engineers A18.1 Standard, 2005 American Society Of Mechanical Engineers A17.3 Standard, And 2013 American Society Of Civil Engineers 21 Standard And Repeal Existing Ordinance Sections Relating To Previous Standards. Mayor Dunafon read the matter into the record and opened the public hearing. Deputy City Manager, Chuck Line, Director of Public Works, Josh Bertrand, and Glendale Fire Marshall, Chris Roozing, made presentations on the new building codes. Mayor Dunafon closed the public hearing. Council Member Mintz motioned to approve the ordinance. Mayor Pro Tem Rigoni seconded the motion, and the motion passed unanimously.

Council Member Mintz made a report on pandemic statistics and shared testimonials from several Glendale Chamber businesses. (report attached)

Mayor Dunafon announced that he and Council Member Mintz would be leaving the meeting and handed the gavel to Mayor Pro Tem Rigoni.

7. Discussion Item

a. Review the Next City Council Meeting Agenda for February 2, 2021. Linda Cassaday, City Manager, added an amendment on Sales Tax Code and Short Term Rentals. Captain Gross added a resolution on Hazard Mitigation.

8. On-Going Updates

- a. Denver Regional Council of Governments – DRCOG (Binkley and Tuchscherer)
- b. Colorado Municipal League – CML (Gloor and Mintz)
- c. Transportation Solutions (Inga Phillip, Chamber Member)
- d. Regional Transportation District – RTD (Gloor)
- e. Green Committee (Katardzic)
- f. Infinity Park (Linda Cassaday)
- g. Glendale 180 (Mike Gross)
- h. Technology & Communications (Katardzic and Mintz)

9. Department Reports

10. Public Comments. There were none.

11. Council Reports

12. Other Business. There was none.

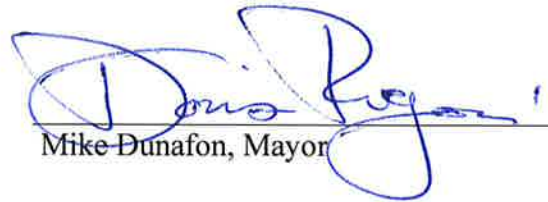
13. Items for Press Release. There were none.


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- 14. Executive Session. Not needed.
- 15. Adjournment. The meeting adjourned at 8:15 p.m, after a motion by Council Member Tuchscherer.

Dated: 3/2/21


Mike Dunafon, Mayor

ATTEST:

Veronica Marvin, City Clerk

I am extremely excited to be able to share some information and testimonials with you today. To peel back the onion, because the freedoms granted us by the Constitution matter.

2020 was a year in which our Government and unelected officials told us not once, but on many occasions whose jobs, businesses and livelihoods were essential. They told us that parents must choose between a career and their children's education. They told us we can't gather and see our families over the holidays (while doing it themselves might I add). They told us that a founding principle of this great nation, the freedom to worship as you please, was not allowed. All this in the name of "public safety" from a virus that has a 98.9% survival rate in CO among people who were tested and confirmed positive and that, on average, the people that die from have OVER 2.5 other co-morbidities. According to the CDC's website, doctors **DID NOT** list another contributing factor for only 6% of people who died from COVID nationally. Ergo, 96% of the deaths due to COVID were exacerbated by other co-morbidities and pre-existing conditions.

From multiple sources regarding lockdowns: Any medical therapy is supposed to be tested for both efficacy *and* safety. There have been several studies examining the effectiveness of the lockdowns in combating the spread of the COVID-19 virus, with mixed conclusions. So far, however, none of these studies or models have analyzed the safety side of the lockdown therapy. Even Dr. Anthony Fauci admits this side of the equation has not been accounted for in the models now driving our world. In other words, these experts are leaving out all the other dangers on public safety that lock downs create.

According to recent data I pulled from CDHPE:

- 8% of available hospital beds are occupied by confirmed and suspected COVID patients in CO. **8%**
- In December, CO's unemployment rate jumped to it's highest numbers since June at 8.4%. In January of 2020, CO's economy was booming with a historically low unemployment rate of 2.4%. Did you know unemployment by itself has detrimental effects on public health, increasing risk of heart disease and stroke?
 - A study just released by a group of South African actuaries estimates that the net reduction in lifespan from increased unemployment and poverty due to a national lockdown will exceed the increased lifespan due to lives saved from COVID-19 by the lockdown by a factor of thirty to one.
- In the Glendale area, we have had **262** cases of COVID 19 from Jan 2020-current according to Tri-County health
- A study commissioned by the International Health, Racquet and Sports club Association reported in October used statistics from CDHPE to study the infection rate of US gyms. It covered 32 weeks of CO gym attendance data, representing nearly 8.5 million check-ins and found **NO LINK** to 59 outbreaks reported by CDHPE (mind you, an outbreak as defined by CDHPE is 2 or more cases). In other words, not only do gyms have a national infection rate of .0023%, but fitness is essential to a healthy lifestyle, especially in combating a virus that targets people with conditions like obesity and diabetes.
 - Here is a statement from Zone fitness of Leetsdale: Especially being a new business at the time of Covid it's affected us tremendously. Members and prospective members are afraid of health clubs. The mask and occupancy has cut our member base by 75%. People refuse to take group fitness classes in enclosed spaces with the fear of contacting the virus. We've had to eliminate most departments heads and all salary positions except for mine.
- According to the CDHPE's website, CO has seen 97% fewer flu hospitalizations this year. As of Dec 22, the state has only reported 12 flu-related hospitalizations compared to 471 at this time last year
- In 2016, Colorado held 7.7% of the nation's tourism jobs and the same article from CDHPE stated that the following year tourism was expected to generate more CO jobs than ANY OTHER INDUSTRY. In the same year, the hospitality industry was CO's second-largest employer. These two industries were among the hardest-hit due to government and health department-imposed lockdowns

- An interesting fact I came upon in my research is that small, independent restaurants are not represented in Washington. Postmates, Door Dash and large global quick serve chains pollute DC with lobbyists.

WE MUST CONSIDER ALL THE IMPACTS WHEN WE LEGISLATE.

By isolating people are we truly increasing public safety? These statistics beg to differ.

- Overdose deaths in the US are on track to break an all-time record.
 - In Colorado, overdose deaths as of October have increased by 28% and we have also set a record for overdose deaths in one year.
 - Between January and May in 2020, Denver saw a 282% increase in fentanyl-related overdose fatalities compared to 2019.
 - A statement from Dr. Jim Caruso, who is the Coroner for the C&C of Denver, stated, “Drug overdoses are exceeding every metric that we’ve seen for the last decade.”
 - According to records I gathered from the GPD, Glendale went from 4 deaths due to overdose or suicide in 2019 to 12 in 2020.
 - Vandalism cases are up from 185 to 240 in Glendale
 - In Denver, Homicides were up 39% in 2020 and January is showing that 2021 will be up on 2020.
- Experts across the United States are warning of a new epidemic—a mental health epidemic
 - Nationally, CO has the third highest prevalence of mental health illness according to an annual report by Mental Health America.
 - That same report also finds CO as having the nation’s highest percentage of adults with substance abuse disorder and the third highest percentage of adults considering suicide.
 - An August poll by the Colorado Health Foundation found that from Nov 11-Nov 23, about 46% of Coloradans reported symptoms of depression or anxiety.
 - I urge you to ask the question, “In a state that ranks among the highest in the nation for the prevalence of mental health, are we, as PUBLIC SERVANTS, helping or hurting our constituents when we refuse to openly question or stand up against lockdowns that demand isolation?”
- .

I would also like to share these miscellaneous statistics with you as you are making your own opinions about what I am presenting:

- According to Pew Research, 68% of parents are worried about their students falling behind in school.
- According to NWEA, a research-based not-for-profit organization that creates academic assessments for students pre-K-12, fall assessments have shown:
 - Elementary and Middle school students have fallen measurably behind in math (this number being around 5 to 10 percentage points) while a disproportionately large number of poor and minority students were not even IN school for the assessments

Amy Barnhorst, a community health expert at the University of California writes:

The economic consequences of the shutdowns will disproportionately affect the most vulnerable — people living just above the poverty line, people with chronic medical and mental illness, people of color from poorer communities. They will also be the ones with the least say in all this. For those who can work from home, afford a laptop for every kid, and pay the delivery fees for takeout and grocery delivery, not reopening for an extended

period is the obvious choice. We can avoid almost any coronavirus exposure risk by sacrificing relatively little. ... Haircuts may not be essential for people getting them, but they're certainly essential for hairdressers

I recently sent a letter to businesses in the Glendale Chamber asking them how the restrictions leveled by both elected and unelected officials have affected them. Here are some of the responses:

Hello Lindsey

I am a small business owner in your little city. I have over 100 people working in my business, many of them parents of kids of all ages; from tiny babies to young men and women. I know we are all hurting for money and afraid for our livelihoods. But it is hard to even compare money concerns with the health and lives of ourselves and neighbors and loved ones.

However, there is way more to the shutdown problem than paychecks. Families are breaking up. Kids are losing going on 2 years of school. With the loss of school comes the loss of self direction and positive energy and the ability to build relationships. For years, we have been trying to limit ourselves and our children when it comes to electronics. Now look! It is all we have!

My employees know more than 7 people who have committed suicide recently. Our society has been imposing more and more rules on us as individuals. With this virus, the rule making has become much worse....complicated and invasive causing violence and more fear. There are so many rules that it is impossible to figure them out, let alone follow them.

My business involves one on one interaction constantly. Being unable to see another person's face leads to misunderstandings and hard feelings, even physical altercations. This is crippling. We are getting more and more fearful of one another. We are "whole beings" and each piece of our lives affects every other part of our lives. For example, I am watching young teenage men in the families of my coworkers and even in my own family. Many Young men who, in 2019, were athletes with good grades and plans and dreams of college and ambitious careers are now confused and bored with no direction. Anyone who has raised a boy knows how important these young adult years are for a man. I fear we could lose a whole generation of men. Lindsey, sorry for the "ramble" but the "hot box" our rule makers are causing is having unintended consequences we have yet to realize or even imagine. Keep up the good fight. With your help, our community and community leaders can become more aware of "the jungle" that is becoming our existence. Only through leadership and thoughtful governance will we find the solutions. Thank you and we all appreciate you.

Do to the fear I feel of "bad governance", I am signing this.....

Anonymous

"I'm the owner of the Original Beaver Pond, Inc. DBA Dr Proctor's Lounge. We Have been struggling since the Covid-19 after we were closed for 3 months from March - June. We have currently been closed again since Nov. 20th, 2020 and have not received any information when we can reopen. We would appreciate any word on reopening. Also, if there are any Grants we could obtain please let us know. We sincerely appreciate the Grant we received from the City of Glendale during the first closure"

To say the past year has been difficult is an understatement. From full closures to limited capacities and the ever changing hours of operation, we've had to become incredible resilient and adaptable. Would we like to see more support from our government agencies? Yes, but then again who wouldn't. We are extremely appreciative of the support we've have received from Arapahoe County and the City of Glendale. As my mother once said, "never look a giV horse in the mouth". We understand that this is a pandemic and that things will be challenging for us as a small business owner but that says nothing of the troubles many Americans are facing.

If you were to ask me "what could be done" it is that Colorado will endure this pandemic and when we do, please don't stop the funding and sales tax credits. Give us some time after the economy starts running again to recoup losses that were incurred as part of the mandated shut down/limitations imposed on our business during the pandemic.

All the best-
David Peterson
Bull & Bush

"In response to your query about the impact of the public health measures around covid-19, I'm very fortunate to be able to say that my business has not been seriously impacted by them. So much of what I do is, and for quite some time has been, done remotely by phone, email, text and now, Zoom. In fact, I had two of my best months in recent years in April and June. As far as my mental health, like most people I'm heartily sick & tired of the restrictions and look forward to the time that they're no longer needed. It definitely takes extra effort to connect with others and maintain your balance."

Eric Sapir

Farmers Insurance

I also received this note (I must say that the individual did not state his business and if it is in Glendale):

You should be ashamed of yourself. I've lost love ones to this virus. I lost my decade-plus long career as a live sound engineer to the pandemic. Human beings cannot safely gather in significant numbers while this virus is present in our communities. Bottom line.

Don't blame the people looking out for public health— people whose job it is to ensure its integrity.

This individual did not state if he owns a business in Glendale or the surrounding area.

To this gentlemen I would respond that we live in a country founded on freedom and personal responsibility. If you are at-risk for a virus with a survival rate over 99% if you're under 69 and a 94.6% survival rate if you're 70 or older (according to the CDC), you have the freedom and responsibility to stay home. Those of us who are younger and/or healthy, we have the responsibility to help our neighbors, as Glendalians have done time and again. The government is telling us that they are "my brother's keeper." BUT, does the brother need to be kept?

I am going to end by reiterating a few points I touched on last meeting:

We are public servants. It is our duty to ensure that our citizens and the business owners that call Glendale home are allowed every right guaranteed to them under the US Constitution and trust that they will take the personal responsibility to make the decisions right for their health and safety.

I will leave you with a quote from Ben Franklin:

"They that can give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety."

Question everything and make sure, when you go to bed at night, you can tell yourself that you fought for the freedom and liberty of Glendale and our citizens.