

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, September 17, 2019 at 6:30 p.m.
At the Village Center

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, Afshin Safavi, Mike Gallagher, and Dan Sheldon were present on roll call. Also present were City Manager Jim Thorsen, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Kathie Guckenberger, Police Commander Pat Weathers, Finance Director Jessica Sager, Community Development Director Chris Cramer and City Clerk Laura Gillespie.

Absent: Councilor Al Blum

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

None

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

Mayor Pro Tem Brown removed Item 6a from the Consent Agenda.

ITEMS REMOVED FROM CONSENT AGENDA

Mayor Pro Tem Brown moved, seconded by Councilor Sheldon to approve the September 3, 2019 Minutes as amended.

The motion passed unanimously.

UNFINISHED BUSINESS

None

NEW BUSINESS

Approval of Contract for Services with Dynalectric for Glenmoor and Belleview Traffic Signal Installation

Deputy City Manager/Director Goldie presented the contract for the Glenmoor Traffic Signal for Council's consideration. He explained that the estimated cost of the project, including design and construction, had been \$400,000 and those costs had already been shared between the City, Greenwood Village, Glenmoor Country Club and the Glenmoor Homeowners Association. He indicated that bids had come in higher than expected, with total project costs coming to \$483,837, and staff had reached out to the other entities with a request to share the additional cost. He noted that each entity was referring the request to their particular board and it was likely to take several months

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before each partner could respond. He noted that this was an important safety project for the past 10 years and staff did not want to delay the project. He indicated that staff was requesting that Council approve an additional not to exceed amount of \$100,000 for the project. He noted that Greenwood Village was working with CDOT on the possibility of utilizing a new 5G signal pole and that Greenwood Village would pay for any additional costs for the poles if CDOT approved the design.

Councilor Safavi asked if there was a risk of the other entities not paying any additional amount after the City approved payment for the additional cost.

Deputy City Manager/Director Goldie agreed that was a risk.

Councilor Weil asked about the timing, cost and appearance of the 5G poles.

Deputy City Manager/Director Goldie replied that the 5G poles would need to be approved by CDOT and Greenwood Village was working on that process. He stated that the interior of the poles would be different than other poles but the exterior would be very similar to current 4G poles.

Mayor Pro Tem Brown asked for clarification on the cost of the project.

Deputy City Manager/Director Goldie replied that the design costs had already been paid, half by the City and half by Greenwood Village, and those costs were included in the original \$400,000 estimate. He added that the City was holding the funds from the other entities in an escrow account. He indicated that the additional \$83,837 would be covered by the \$100,000 for which staff was asking Council's approval.

Councilor Gallagher asked about the timing involved in ordering the regular poles as it related to Greenwood Village getting the approval for the 5G poles.

City Manager Thorsen explained that Greenwood Village was working diligently to get approval from CDOT for the 5G poles and they expected to receive approval by the end of the week. He added that if Greenwood Village did not receive approval then the City would order the regular poles so as not to delay the project. He noted that the contractor had a different source for the poles and hoped to get them sooner than originally anticipated.

Councilor Gallagher asked if there were any suppliers for the 5G poles.

City Manager Thorsen replied that there was no current supplier of 5G in the area that would use the poles now, but that Greenwood Village was planning for future needs.

Councilor Sheldon asked if staff had discussed the pricing with the contractor.

Deputy City Manager/Director Goldie replied that staff had spoken with the contractor but had determined that there was no movement on the bid.

Councilor Sheldon indicated that the traffic signal was needed, that it was a relatively small amount of money for the City to spend now and would hopefully be recaptured when the other entities completed their approval process.

Mayor Stewart noted that CDOT's initial resistance to the 5G poles came from the fact that they were unfamiliar with the technology and would have to maintain it.

Councilor Sheldon indicated that he would make the motion on behalf of Councilor Blum.

Councilor Sheldon moved, seconded by Mayor Pro Tem Brown to approve the Contract for Services with Dynalectric in the amount of \$453,122.00 for the installation of a traffic signal on Belleview Avenue and Glenmoor and Steele Streets, to authorize the City

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Attorney to make any non-financial changes to the final contract form, to authorize the Mayor to sign the Contract for Services when complete, and to authorize up to \$100,000 in surplus 2019-year end General funds to pay for design, construction and contingencies.

The motion passed unanimously.

City Council Liaison Assignments

City Clerk Gillespie explained that Mayor Pro Tem Brown was unable to attend DRCOG meetings and was requesting that another Councilor take over that liaison assignment.

Mayor Pro Tem Brown noted that she had discussed the liaison assignment with Councilor Weil who had expressed his willingness to take it over.

Councilor Weil confirmed.

Council expressed unanimous consent for the appointment.

Mayor Pro Tem Brown explained that DRCOG's next meeting was tomorrow night and they would be voting on what position DRCOG should take on Proposition CC, regarding DeBrucing the state with retained funds being used for transportation and education. She asked Council to provide direction to Councilor Weil as to what position DRCOG should take.

Mayor Stewart noted that it was a controversial position and that the Council typically did not take a position and remained neutral.

Mayor Pro Tem Brown indicated that she suspected there was strong sentiment among the members on DRCOG for approving any method of receiving transportation funding.

Councilor Sheldon agreed that the City should not take a position which he believed was distinct from being neutral.

Mayor Stewart added that it was a state issue rather than a municipal issue. He noted that Councilors could express their views on an individual basis but that he believed Councils had been wise in the past to not take a position.

Mayor Pro Tem Brown agreed but asked if Council believed that DRCOG should take no position.

Councilor Weil thanked Councilor Sheldon and Mayor Stewart for their direction.

Councilor Sheldon asked if most jurisdictions took a position.

Mayor Pro Tem Brown replied that many of them did and that for this issue many of them had large transportation projects but no funding. She added that several members of DRCOG were counties and that many entities were receiving no transportation funding from the state. She indicated that the vote would likely pass in favor of DRCOG supporting Proposition CC.

Mayor Stewart added that while many municipalities had already DeBruced, there was still support for TABOR at other levels.

Councilor Sheldon noted that Mayor Stewart was the primary liaison for several outside agencies and asked if it would make sense for other Councilors to take on some of the assignments that were not particular to mayors.

Mayor Stewart replied that it made sense for him to continue as the liaison for the CML Policy Making Committee because he was also on the CML Executive Board. He

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indicated that he was happy to continue as the liaison on the Arapahoe County Transportation Forum but if another Councilor wanted to take over that would be fine.

Councilor Gallagher volunteered to be the liaison for the Arapahoe County Transportation Forum.

Councilor Sheldon suggested that Mayor Stewart could be the alternate liaison for the Transportation Forum.

Council expressed unanimous consent for the appointments.

RECESS OF THE CITY COUNCIL TO CONVENE AS THE GID BOARD

Mayor Stewart recessed the City Council Meeting and called to order the Meeting of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board.

MEETING OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT BOARD

Mayor Russell Stewart, serving ex-officio as the GID Chairperson, called the meeting to order at 6:55 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 Charlou Park 3rd Filing General Improvement District: Mayor Russell Stewart, Mayor Pro Tem Katy Brown, Councilors Randy Weil, Afshin Safavi, Mike Gallagher, and Dan Sheldon were present on roll call.

Absent: Councilor Al Blum

The administrative staff of the City serving as the administrative staff of the GID: City Manager Jim Thorsen, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Kathie Guckenberger, Police Commander Pat Weathers, Finance Director Jessica Sager, Community Development Director Chris Cramer and City Clerk Laura Gillespie.

CONSENT AGENDA

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

- a. Resolution 5, Series 2019; A Resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board of Directors Adopting a Budget Calendar for the 2019 Budget
- b. Resolution 6, Series 2019; A Resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board of Directors Adopting a Budget Calendar for the 2020 Budget

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

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NEW BUSINESS

None

RECONVENE MEETING OF THE CHERRY HILLS VILLAGE CITY COUNCIL

The meeting of the Cherry Hills Village City Council reconvened at 6:58 p.m.

REPORTS

Mayor's Report

Mayor Stewart reported that he had met with Denver Councilor Kendra Black to discuss the City's concerns with the Belleview interchange plans. He thanked staff for their work on the Exotic Car Show. He indicated he had attended the Mayor's Munch and the High Line Conservancy Rally for the Canal-ly. He noted Jim Lochhead of Denver Water was very supportive of the High Line Canal Conservancy. He advised that construction was scheduled to begin early next year on the High Line Canal underpass at Hampden and Colorado. He reported that the Cherry Hills Land Preserve Barn Party and Trail Walk had been successful. He noted that there was a Code Modernization Steering Committee meeting on Thursday, a CML Executive Board Meeting on Friday, a High Line Canal Conservancy meeting on Friday, and that the City Attorney would attend the CML Law Seminar.

City Attorney Guckenberger confirmed and added that she would also attend the Colorado Communities Utilities Alliance Conference in October.

Mayor Stewart reported that he had good response to his Monday morning office hours at City Hall and issues that residents had brought forward included sales tax, the crosswalks on Holly north of Belleview, and cell coverage in Old Cherry Hills. He added that the new Arapahoe County jail was opposed by the ACLU.

Members of City Council

Councilor Safavi reported that he met with Chief Tovrea and Commander Weathers to review the Police Department budget. He complimented the Chief's running of her department. He reported that he had attended the Centennial Airport Community Noise Roundtable as the alternate liaison and that there had been zero noise complaints from the City. He noted that the Cherry Hills Land Preserve Trail Walk had been a good educational event for children and noted that a survey had been taken for Quincy Farm.

Councilor Weil reported that he had met with Deputy City Manager/Director Goldie and Parks Coordinator Black to review the Parks Department budget. He complimented staff on a well organized budget and noted that any increases were for projects that Council was already aware of. He thanked Deputy City Manager/Director Goldie and City Manager Thorsen for working with CDOT to establish the turn pocket entering Cherry Hills Farms.

Mayor Pro Tem Brown reported that she reviewed the Public Works budget with Deputy City Manager/Director Goldie and it was well done as usual. She agreed that the Car Show and Barn Party had been successes.

Councilor Gallagher thanked the Parks staff for cooking all day during the Car Show. He reported that Old Cherry Hills would be holding its annual Oktoberfest on September 29th.

Councilor Sheldon noted that the Barn Party had been successful and thanked Mayor Stewart for attending the Rally for the Canal-ly. He reported that the Charlou HOA had a neighborhood party last week. He noted that Swastika Acres had appeared in a newspaper legal notice and that although City staff have done everything they should to

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update records regarding the name change to Old Cherry Hills, it would take a long time for the County to process the change and in the meantime the original name might still appear in legal publications. He reported that he had met with Director Cramer on the Community Development budget and that the only changes for 2020 were the Master Plan costs and minor personnel cost adjustments.

City Manager & Staff

City Manager Thorsen reported that the High Line Canal Governance Committee continued to meet to discuss the best format and funding plan going forward. He thanked Director Sager for her work on the proposed 2020 budget. He noted that the proposed budget was currently balanced and staff would work hard to ensure it stayed balanced, despite some changes to Arapahoe County's estimate of property tax amounts.

Director Cramer reported that the Planning and Zoning Commission (P&Z) had reviewed the scope for the Master Plan consultant Request for Proposals. He noted that P&Z had agreed that the consultant should ask the community about the semi-rural vision and had expressed strong interest in their role in selection of the consultant. As a result, staff was recommending that a P&Z representative and a Council representative join City staff on the interview panel and make a recommendation to Council.

Councilor Sheldon volunteered to serve on the interview panel.

Council expressed unanimous consent for the appointment.

Deputy City Manager/Director Goldie reported that staff was working with the homeowner and contractor at 4660 E. Quincy Avenue to correct an issue with the driveway affecting the Quincy trail.

Director Sager reported that the proposed 2020 City budget and Charlou Park 3rd Filing General Improvement District (GID) budget were on the dais. She noted that the two budgets would be separated moving forward.

Deputy City Manager/Director Goldie reported that the utility undergrounding for the GID was well underway.

City Attorney

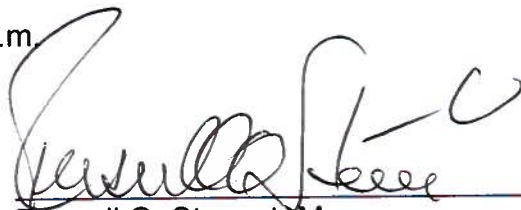
City Attorney Guckenberger reported that she was working with staff on several draft ordinances including the Code Modernization project and the landscaping noise amendments.

ADJOURNMENT

Mayor Pro Tem Brown moved, seconded by Councilor Sheldon to adjourn the meeting.

The motion passed unanimously.

The meeting adjourned at 7:26 p.m.



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk