

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, November 5, 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, Al Blum, 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 Chief Michelle Tovrea, Finance Director Jessica Sager, Community Development Director Chris Cramer, Parks and Recreation Coordinator Emily Black and City Clerk Laura Gillespie.

Absent: none

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

Earl Hoellen, 3 Vista Road, stated the news of City Manager Thorsen's retirement next May was bittersweet. He noted he was grateful for the time City Manager Thorsen had given to the City and the fabulous job he had done and was happy for his retirement. He explained four years ago Council had embarked on an ambitious capital projects program, with a new Public Works facility, a new City Hall, and the redevelopment of John Meade Park, and needed a city manager with the skills to oversee these projects. He noted during the interview process Council interviewed many qualified individuals but the decision was easy after speaking with City Manager Thorsen. He added it was clear their decision had been well placed as now the Public Works and City Hall projects were completed successfully and the Park project was well underway. He indicated City Manager Thorsen could not have done it alone and relied on a talented staff who had previously worked under conditions that were less than ideal. He stated in addition to the capital projects, City Manager Thorsen had reestablished a culture of trust and mutual respect and had provided leadership to empower the talented staff. He indicated it was of paramount importance that Council find a new city manager who could embrace and enhance the culture so the talented and capable staff could continue to run the City in an efficient, professional and successful way. He stated working with City Manager Thorsen had been one of the highlights of his time on Council.

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

Mayor Pro Tem Brown moved, seconded by Councilor Gallagher to approve the following items on the Consent Agenda:

- a. Approval of Minutes – October 15, 2019
- b. Resolution 30, Series 2019; Accepting a Bench Donation from the Firman Family

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- c. Resolution 31, Series 2019; Approving an Intergovernmental Agreement with the Board of County Commissioners of the County of Arapahoe Regarding 2019 Contribution of Arapahoe County Open Space Program Funds for A High Line Canal Pedestrian Bridge at Hampden
- d. Resolution 32, Series 2019; Reappointing a Member and Appointing a New Member to the Planning and Zoning Commission
- e. Resolution 33, Series 2019; Appointing John F. Welborn as the Municipal Judge and Karen Barsch as an Alternate Municipal Judge and Setting the Term for Each Municipal Judge Appointment
- f. Professional Auditing Services Agreement

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Resolution 34, Series 2019; Endorsing the Plan for the High Line Canal

Coordinator Black presented Resolution 34, Series 2019 for Council's consideration. She explained this was the culmination of a long process by the High Line Canal Conservancy (HLCC), Denver Water, and all the jurisdictions along the Canal. She reminded Council of Resolution 6, Series 2017 supporting the High Line Canal Vision Statement. She explained the Plan was a long-range implementation plan to make the vision for the Canal a reality. She added the Parks, Trails and Recreation Commission (PTRC) had reviewed the Plan at their October 10, 2019 meeting and recommended that Council endorse the Plan. She introduced High Line Canal Conservancy Executive Director Harriet LaMair to present the Plan to Council.

Harriet LaMair, Executive Director of the High Line Canal Conservancy (HLCC) explained the importance of the High Line Canal, the planning process, and the highlights of the Plan. She indicated the Plan intended to provide practical guidelines and suggestions for local jurisdictions. She reviewed landscaping and tree care; access and signage; safety and crossing enhancements; neighborhood improvements; and Character Zone Plans. She explained many community members in Cherry Hills Village did not want much change to their section of the Canal, but some items for improvement for that section included safety, access, landscaping, signage and wayfinding, and stormwater. She noted the number and location of signs might be a sensitive issue in the City. She added the old drainage at Three Pond Park could be an opportunity to teach about historical irrigation. She explained the HLCC would be running a large capital campaign to help fund the maintenance of the Canal.

Councilor Gallagher asked about the width of the Canal that would eventually be maintained by the City, the transition to local maintenance, and how stormwater would be held and released in the Canal.

Deputy City Manager/Director Goldie replied the entire right-of-way that would eventually be maintained by the City was about 100 feet. He noted the City had already begun working with Denver Water, the HLCC, and Arapahoe County on tree maintenance along the Canal so transitioning to City management would be easier.

Ms. LaMair added the Canal would transition to local maintenance over the next 10 years and the HLCC would have funding to incentivize local maintenance. She added

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the governance discussions included a minimum standard of support. She indicated Denver Water had committed to continual ownership of the Canal. She explained Mile High Flood District (MHFD, formerly Urban Drainage and Flood Control District) had modeled each section of the Canal and would identify the places where water would naturally spill out after it had been retained for the required 72 hours versus during a 100 year flood. She added Greenwood Village would be seeking public input on three different designs of weirs. She explained MHFD would oversee the stormwater management of the Canal.

Councilor Gallagher asked which municipalities had already approved the Plan.

Ms. LaMair replied the Plan had been approved by Denver, Denver Water, Arapahoe County, Littleton, Centennial, and South Suburban Parks and Recreation; Aurora was preparing a letter of approval; Douglas County was waiting until everyone else approved it; and Greenwood Village had it on a future agenda for consideration. She noted the HLCC would return to Council to discuss naming opportunities on the new signage for fundraising.

Councilor Gallagher asked what would be done with the current signs after the new signs were installed.

Ms. LaMair replied it had not been decided yet but the HLCC might auction them off to fundraise for the Canal.

Councilor Gallagher thanked Ms. LaMair and her staff for all her hard work.

Ms. LaMair thanked Cherry Hills Village for their support.

Councilor Safavi thanked Ms. LaMair and suggested the history of the Canal would be very interesting for local school children.

Ms. LaMair replied the HLCC had a video and would love to show it in classrooms.

Councilor Sheldon asked for confirmation that Denver Water had agreed to continue ownership of the entire Canal right-of-way for the foreseeable future.

Ms. LaMair confirmed that was correct. She added seven jurisdictions had leases for use of the Canal and after consideration it was determined it was more appropriate for Denver Water to retain those leases than for the HLCC to hold them.

Councilor Sheldon asked for confirmation that each jurisdiction would get a seat in the new governance structure.

Ms. LaMair confirmed that was correct. She added the HLCC would staff the board.

Councilor Sheldon asked about the maintenance obligation for each jurisdiction as discussed at the PTRC meeting.

Ms. LaMair replied Denver Water had decided they would continue ownership of the High Line Canal and would retain the right to run water for irrigation in order to maintain the Canal as a public park. She indicated the maintenance would transition over the next 10 years from Denver Water to the local jurisdictions. She added the HLCC would provide incentives for local jurisdictions to take over maintenance before 10 years. She indicated the HLCC was looking at options to help local jurisdictions with the maintenance such as combined contracts and funding.

Councilor Sheldon asked what funding the City should include in its 2020 budget for the Canal.

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Ms. LaMair suggested including funding for a stormwater study would be useful. She noted it shouldn't be too expensive because much of the engineering had already been done.

Councilor Sheldon indicated they had discussed \$15,000 or \$20,000.

City Manager Thorsen noted the funds needed would depend on the detail of the study but the City did have funds in the 2020 budget for a stormwater study.

Ms. LaMair noted the HLCC had funding through the grant they had received from the Pisces Foundation.

Mayor Stewart indicated the City had already begun looking at the stormwater for their section of the Canal. He noted costs included a long term maintenance obligation and an up front capital obligation for the initial engineering.

Ms. LaMair added the HLCC was also planning fundraising to help with the infrastructure costs and Cherry Hills Village had the opportunity to partner with private citizens.

Mayor Stewart indicated Arapahoe County was a good source for grants as well.

Councilor Sheldon asked for confirmation that the City did not need to include funding in its 2020 budget for maintenance of the Canal.

Ms. LaMair suggested the City could include a couple thousand dollars in its 2020 budget for clean up events such as the one being organized by PTRC Vice Chair Fred Wolfe.

Councilor Sheldon asked if there were limitations to horseback along the Canal due to the underpasses.

Ms. LaMair replied the various underpasses were constructed and being planned to allow horses but Denver did not allow horses although Aurora did. She suggested perhaps in the future horses would be allowed only on the Canal in Denver.

Councilor Sheldon thanked Ms. LaMair and her team and staff and noted the Plan was incredible and the Canal was an asset to the community.

Mayor Stewart thanked Ms. LaMair for taking on this huge project, securing funding from non-governmental sources, and for getting all the jurisdictions to work together despite different needs and priorities.

Councilor Sheldon moved, seconded by Councilor Weil to approve Resolution 34, Series 2019, Endorsing the Plan for the High Line Canal.

The motion passed unanimously.

Public Works Facility Efficiency Review

Deputy City Manager/Director Goldie explained when the Public Works facility had been completed Council had requested periodic efficiency reviews of operations from the new facility. He indicated staff was continually improving their schedules and working to reduce trips between the Public Works facility and the City. He noted new equipment purchases were helping achieve that goal. He explained it was difficult to compare aspects like fuel usage because the Public Works and Police Departments used to share fuel. He added staff did not have the time to make use of vehicle tracking software.

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Councilor Blum asked how much the new loaders and graders had cost and which budget they had come from.

Deputy City Manager/Director Goldie replied they had cost \$10-\$15,000. He explained the 2019 budget had included equipment for Streets and the 2020 budget included equipment for Parks.

Councilor Gallagher asked if the Department's move to the new facility had affected turnover or morale for staff.

Deputy City Manager/Director Goldie replied it had no impact on turnover and morale was high as the new facility provided a lot more space which made operations much easier. He explained in the old facility staff often had to move several pieces of equipment in order to get to the equipment they needed and that was no longer the case. He noted it was harder for all of staff to get together now that they were spread out between three buildings but they had several staff events throughout the year to help with that.

Councilor Weil asked about security at the new facility.

Deputy City Manager/Director Goldie replied staff had not had any issues since moving in and installing the new fence, gates and cameras.

Councilor Safavi encouraged Deputy City Manager/Director Goldie and his staff to come up with one idea each to increase efficiencies.

Deputy City Manager/Director Goldie noted every day was different but the current construction on Oxford Lane severely limited the routes staff could take from the facility into the City, except for during snow events.

Mayor Stewart indicated the mayor of Sheridan had stated the Public Works facility was a great neighbor.

REPORTS

Mayor's Report

Mayor Stewart reported he had attended the CML Executive Board meeting; had met with a resident of Parkway Drive about the road being used as a through street from Hampden to Mansfield and onto Belleview, and the possibility of closing the road; had met with Jordan Sauers, Senior Advisor for Neighborhood Engagement for Mayor Hancock, about the HLC Underpass, Hampden study, and the Belleview Interchange; had met with Crown Castle to review coverage maps, and noted the same type of tower proposed in the City was at Kipling near C470, and a tower had been proposed at the church at Holly and Belleview but had not been approved by Greenwood Village; and had met with a resident about sales tax and the confusion that arose because the City did not have its own zip code. He noted that software was being developed so that companies like Amazon could pinpoint the correct sales tax rate based on GPS rather than zip code. He suggested that Council decide how best to discuss sales and use tax with residents. He indicated he would attend the Mayors Munch next week, reminded Council of the December 5th holiday volunteer appreciation party, and noted the election was tonight.

Members of City Council

Councilor Safavi had no report.

Councilor Weil thanked City Manager Thorsen for his service. He reported Cherry Hills Farm was close to a final proposal for the security shelter. He indicated he had met with DRCOG Executive Director Doug Rex at City Hall and the Mayor and City Manager had

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joined for a tour. He reported DRCOG's work session tomorrow would include a Metro Vision update, a discussion on transportation structure issues and front range rail, and health issues.

Mayor Pro Tem Brown reported a recent event in the City had raised issues about the interpretation of the Municipal Code regarding short term rentals and party houses and the City Attorney had found a discrepancy in the newly adopted Chapter 16. She suggested the topic might be appropriate for a study session as the Council might want to amend the Code to make the intention clearer.

Councilor Gallagher reported Quincy Farm Committee member Klasina VanderWerf had agreed to write a series of Crier articles for the City's 75th anniversary.

Councilor Sheldon indicated he was sorry to see City Manager Thorsen leave but excited for him.

Councilor Blum agreed that City Manager Thorsen would be missed. He added two Greenwood Village council members had complimented the new City Hall recently.

Mayor Stewart congratulated the appointed and reappointed members to the Planning and Zoning Commission and noted there was now a vacancy on the Quincy Farm Committee.

City Manager & Staff

City Manager Thorsen thanked Planning and Zoning Commissioner Hoellen and Council. He indicated it would be hard to leave but felt it was the right time. He added the City had accomplished a lot in a short time with a tremendous Council and exceptional staff. He reported staff would be conducting a traffic study and holding community meetings to review possible options for Parkway Drive. He added traffic options would also be presented at community meetings for Dahlia Street.

Deputy City Manager/Director Goldie reported staff had received several requests from residents for composting services and the company Colorado Compost had recently expanded their service area to include the City. He explained staff was planning partnership opportunities next year similar to Waste Management's hazardous waste program. He noted information was on the City's website about the service.

Police Chief Tovrea reported the Police Department had gone live with their new records management system and she was proud of her entire staff. She noted the Department would do their annual watch selection process on Wednesday. She stated she had been at Caribou Coffee that morning for Coffee with a Cop. She explained an arrest in Greenwood Village would likely clear several burglaries in Cherry Hills Village. She thanked Commissioner Hoellen and noted City Council and staff had done a great job choosing City Manager Thorsen and he would be difficult to replace. She added he would be leaving the City and staff better then how he found them.

City Attorney

City Attorney Guckenberger noted staff would wait to see the outcome of a District Court decision on the recent legislation regarding municipal campaign finance before making any changes to the Municipal Code. She echoed the other statements that it had been a pleasure to work with City Manager Thorsen.

Mayor Stewart also thanked City Manager Thorsen.

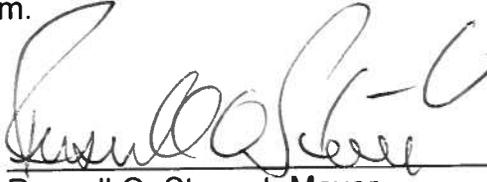
ADJOURNMENT

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

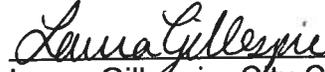
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The motion passed unanimously.

The meeting adjourned at 7:51 p.m.



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk