

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, June 6, 2006 at 6:30 p.m.
At the Village Center

Mayor Mike Wozniak called the meeting to order at 6:31 p.m.

ROLL CALL

Councilmembers Bonnie Blum, Harriet LaMair, Scott Roswell, Doug Tisdale and Klasina VanderWerf were present on silent roll call. Also present were Finance Director Karen Proctor, Police Lieutenant Pat Whitman, Public Works Director Jay Goldie, City Attorney Thad Renaud, and City Clerk Jennifer Pettinger.

Councilmember Russell Stewart was absent.

AUDIENCE PARTICIPATION PERIOD

Jason Matherly, 10 Random Road, spoke to Council about his concerns regarding the Scott property Public Hearing at the May 18th Council meeting. Mr. Matherly was upset that the applicant was allowed to speak after the public hearing was closed. Mr. Matherly admonished Councilmember Tisdale for allegedly not discussing the project with his constituents. Mr. Matherly also admonished Mayor Wozniak for reopening the public discussion and depriving the citizens of a fair vote. Mr. Matherly formally requested Councilmember VanderWerf reverse her decision to recuse herself or resign her council seat.

Mayor Wozniak explained quasi-judicial hearings to Mr. Matherly.

Discussion was held concerning Mr. Matherly's comments.

Jim Larson, 10 Vista Road, congratulated the new Councilmembers and Mayor Wozniak. Mr. Larson stated he felt Council is improving communications. Mr. Larson thanked City Clerk Jennifer Pettinger for her assistance with the e-mail listing. Mr. Larson shared his continued concerns regarding construction in the Village. Mr. Larson asked for continued discussions in regard to his and his neighbors concerns regarding construction.

Mayor Wozniak advised Mr. Larson that three of his suggestions are on tonight's agenda; hours of construction, construction parking and code enforcement position. Mayor Wozniak assured Mr. Larson staff is continuing to review their concerns.

Shannon Ponder, 4070 S. Dexter St., spoke to Council about her concerns regarding the proposed traffic improvements on S. Dahlia St. and the possible impact on Dexter Street. Ms. Ponder encouraged Council to view additional areas of concern and the impact on the entire area. Ms. Ponder also asked about the removal of speed humps on Dahlia Street.

Public Works Director Jay Goldie stated they will be reviewing and taking into consideration the impact improvements will have on the entire area. Mr. Goldie advised Ms. Ponder that he will research the speed humps on Dahlia and the reason for the removal.

Discussion was held concerning the Dahlia Street improvements.

South Metro Fire Chief Robert Rinne, 9195 E. Mineral Ave., introduced himself and his Deputy Rich McGowan to Council. Chief Rinne congratulated Council and stated he looks forward to working with them. Chief Rinne advised Council that South Metro has acquired a Mobile Command Center Vehicle. Chief Rinne stated he would like to give Council a demonstration of the vehicle.

Councilmember Roswell stated he will be attending the South Metro's Board meeting this week.

Councilmember Tisdale thanked Chief Rinne and encouraged the continued partnership with the City and emphasized the importance of the partnership.

PRESENTATIONS

Mayor Wozniak presented outgoing board member Scott Roswell with a Certificate of Appreciation for his service to the City. Mayor Wozniak also thanked outgoing board members Mark Rackley, Jane Nielsen and Al Wolf for their service to the City. Mayor Wozniak stated Mr. Rackley, Ms. Nielsen and Mr. Wolf were unable to attend and their certificates would be mailed to them.

CONSENT AGENDA

Councilmember Tisdale moved, seconded by Councilmember VanderWerf, to approve the following items on the Consent Agenda:

- Approval of May 16, 2006 Minutes
- Approval to retain the services of Mountain States Employers Council to assist in the City Manager search

The motion passed unanimously.

ORDINANCES, RESOLUTIONS AND PLATS

CB 02-06, A Bill for an Ordinance authorizing a supplemental appropriation of funds for the City's Master Plan project during the 2006 fiscal year (Final Reading)

Finance Director Karen Proctor and Councilmember Blum presented CB 02-06, A Bill for an Ordinance authorizing a supplemental appropriation of funds for the City's Master Plan project during the 2006 fiscal year on Final Reading.

Mayor Wozniak suggested traffic also be added to the Master Plan. Ms. Blum stated she thought it was an omission and would correct the list.

Councilmember Roswell stated his concerns regarding with allocating the funds prior to the contract.

Discussion was held.

Councilmember Blum moved, seconded by Councilmember Tisdale, to approve CB 02-06, A Bill for an Ordinance authorizing a supplemental appropriation of funds for the City's Master Plan project during the 2006 fiscal year on Final Reading.

The following votes were recorded:

Scott Roswell	no
Harriet LaMair	yes
Doug Tisdale	yes

Bonnie Blum	yes
Klasina VanderWerf	yes

The motion passed 4 yes and 1 no.

CB 03-06, A Bill for an Ordinance concerning Section 18-10-10 of the City's Code concerning construction times (Final Reading)

Finance Director Karen Proctor presented Council Bill 03-06; A bill for an ordinance concerning Section 18-10-10 of the City's Code concerning construction times on final reading.

Councilmember Tisdale suggested adding language to clarify the construction time for activities allowed on Sundays or Federal legal holidays.

Discussion was held.

Councilmember Tisdale moved, seconded by Councilmember Blum, to approve CB 03-06, A Bill for an Ordinance concerning Section 18-10-10 of the City's Code concerning construction times on Final Reading with the provision that:

- a. construction be correctly spelled in the title of the bill and
- b. In Section 18-10-10(2) the sentence added shall be modified with the addition of provided, however, any construction within such fully enclosed area on Sundays or Federal legal holidays be performed between the hours of 8:00 a.m. and 4:00 p.m.

The following votes were recorded:

Harriet LaMair	yes
Doug Tisdale	yes
Bonnie Blum	yes
Klasina VanderWerf	yes
Scott Roswell	yes

The motion passed unanimously.

Resolution 10-06; A resolution establishing the Village Center Citizen's Committee and its roles in reviewing the Village Center project

Councilmember Scott Roswell presented Resolution 10-06; a resolution establishing the Village Center Citizen's Committee and its roles in reviewing the Village Center project. Councilmember LaMair suggested tabling the Resolution until Councilmember Stewart is in attendance.

Discussion was held.

Councilmember Tisdale moved, seconded by Councilmember Roswell, to table Resolution 10-06; a resolution establishing the Village Center Citizen's Committee and its roles in reviewing the Village Center project.

The motion passed unanimously.

City Clerk Jennifer Pettinger asked for direction from Council regarding the current application process. Discussion was held.

Council was in agreement to extend the application deadline until July 5th. Council also requested Ms. Pettinger to place a draft version of the proposed resolution on the

website. Ms. Pettinger will contact each current applicant and advised them of the proposed changes and deadline extension.

REPORTS

Mayor's Report

Mayor Wozniak noted the e-mail communication is functional and approximately 70 individuals have signed up for the service.

Discussion was held.

Mayor Wozniak advised Council the Cherry Hills Village Police Department and Sgt. Jody Sansing will be awarded the American Spirit Award from the Colorado Chief's of Police Association tomorrow for their efforts in conjunction with the US Women's Open.

City and County of Denver's Proposed 200-foot Emergency Response Telecommunications Tower on the Denver Water Hillcrest Facility

Mayor Wozniak stated he and Councilmember VanderWerf attended a meeting in regard to the tower. Mayor Wozniak stated Denver is planning on locating the tower on the Four Points Sheraton Hotel at I-25 and Hampden. Mayor Wozniak thanked Glenn Decker for his efforts.

Arapahoe County Fair

Mayor Wozniak stated he and Interim City Manager Eric Ensey attended the Arapahoe County Mayors and Managers Association where a presentation on the Arapahoe County Fair was given. Mayor Wozniak requested a proposed sponsorship for the Arapahoe County Fair be placed on the next agenda.

3-1-1 Regional Advisory Council

Mayor Wozniak related the City & County of Denver is currently working on a 3-1-1 project for their city. The system will provide residents, businesses and employees a single point of access to non-emergency and municipal services. In an effort to provide this service regionally the City & County of Denver is forming a 3-1-1 Regional Advisory Council and would like a representative from Cherry Hills Village. Mayor Wozniak asked if no one from Council is interested in serving, that a request be placed on the City's website seeking a citizen volunteer to serve.

Mayor Wozniak also related that Geoff Wilson from Colorado Municipal League (CML) gave a legislative update. Mayor Wozniak stated that Sam Mamet from CML has offered to attend a Council meeting to give an update. Council was in agreement to request Mr. Mamet attend a meeting. Mayor Wozniak will ask Eric Ensey to coordinate his attendance.

Director of Public Works

Mayor Wozniak congratulated Jay Goldie on his appointment to the Public Works Director position.

Members of City Council

Councilmember Roswell congratulated Mr. Goldie and thanked him for his help with the Community Fair. He stated he will be attending the South Metro Fire Department Board meeting this week. Councilmember Roswell also stated he has been working with Karen Proctor and Eric Marburger from Mountain States Employers Council on the City

Manager position. He advised the position closes on June 30th. Councilmember Roswell noted that Councilmember Stewart had related to him that South Suburban Parks and Recreation Department has filed its reply brief in the court of appeals. Councilmember Roswell advised Public Works Director Jay Goldie that the Cherry Hills sign at Layton and Clarkson is missing.

Councilmember LaMair thanked Officer Angel Strickland, Scott Higgins, Jay Goldie, and staff members who worked on the Community Fair. Councilmember LaMair noted the first Parks, Trails and Recreation Commission will be held on June 15th at 7:00 p.m. She related she had attended a meeting with Kent Denver and Chief John Patterson and hopes to have a proposal presented at the next meeting. Councilmember LaMair asked to participate in the interviewing process for the Parks and Trails Administrator.

Councilmember Tisdale thanked Officer Angel Strickland. Councilmember Tisdale expressed his feeling that Officer Strickland is a tremendous asset to the City. Councilmember Tisdale thanked everyone who participated in the Community Fair. Councilmember Tisdale also thanked City Clerk Jennifer Pettinger for outstanding job she does in regard to the website and the e-mail information. Councilmember Tisdale expressed gratitude for the new energy the Councilmembers have brought to the City.

Councilmember Blum also thanked Officer Angel Strickland. She also commented on what a wonderful asset Officer Strickland is to the City. Councilmember Blum gave an update on the Master Plan process. Councilmember Blum stated her concerns with private street parking violations. Ms. Blum requested Council look at possible solutions to the problem.

Councilmember VanderWerf stated residents have been appreciative of the responsiveness and communication.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

Financial Reports

The Financial Reports were included in Council packets. There were no questions from members of the City Council. Finance Director Karen Proctor noted she and Councilmember Roswell are working on providing dashboard financials to Council. She stated financial training for Council will occur after the dashboard financials are in place.

Arapahoe County Annual Open Space Shareback and Grant Programs

A report on the Arapahoe County Annual Open Space Shareback and Grant Programs was included in Council packets. Discussion was held.

New Code Enforcement Officer

Mayor Wozniak explained his discussions with Interim City Manager Eric Ensey concerning a new code enforcement officer position. Mayor Wozniak related Mr. Ensey's concerns regarding a vehicle, office space and job description.

Discussion was held regarding code enforcement. Council directed staff to develop a draft job description for a new code enforcement officer.

Construction Parking

Finance Director Karen Proctor and City Attorney Thad Renaud presented the staff report concerning Construction Parking. Mr. Renaud explained the difficulty gaining compliance through sign posting. Mr. Renaud suggested adopting regulations in regard to the building code and a possible stop work order if compliance is not met.

Discussion was held. Council directed staff to draft an ordinance with the discussed changes.

Master Plan Interview Committee: Proposed Master Plan Outline

Mayor Wozniak noted the Master Plan has been previously discussed. No further comment was made.

City Attorney

Councilmember Tisdale moved, seconded by Councilmember Roswell, to convene in executive session for the purpose of (1) discussion of specific legal questions with the City Attorney for the purpose of receiving legal advice pursuant to CRS § 24-6-402 (4)(b) concerning the pending Lochmiller litigation; and (2) discussion for the purpose of developing strategy for negotiations and instructing negotiators pursuant to C.R.S. § 24-6-402(4)(e) to the Davis Partnership Architects contract.

The following votes were recorded:

Klasina VanderWerf	yes
Harriet LaMair	yes
Doug Tisdale	yes
Bonnie Blum	yes
Scott Roswell	yes

The motion passed unanimously.

Council adjourned to an Executive Session following a short break at 8:18 p.m.

The Executive Session adjourned at 9:00 p.m.

ADJOURNMENT

A motion was made by Councilmember Tisdale, seconded by Blum to adjourn the meeting at 9:00 p.m.

The motion passed unanimously.

The meeting adjourned at 9:00 p.m.

Michael J. Wozniak, Mayor

Jennifer Pettinger, CMC, City Clerk