

**RECORD OF PROCEEDINGS**

Minutes of the  
 City Council of the City of Cherry Hills Village, Colorado  
 Held on Tuesday, September 5, 2006 at 6:30 p.m.  
 At the Village Center

Mayor Mike Wozniak called the meeting to order at 5:19 p.m.

**ROLL CALL**

Councilmembers Bonnie Blum, Harriet LaMair, Russell Stewart, Doug Tisdale, and Klasina VanderWerf were present on silent roll call. Also present was City Clerk Jennifer Pettinger.

Councilmember Scott Roswell was absent.

**EXECUTIVE SESSION**

Councilmember Tisdale moved, seconded by Councilmember LaMair, to hold an executive session for the purpose of discussing personnel matters in accordance with the provisions of C.R.S. §24-6-402(4)(f).

The following votes were recorded:

Harriet LaMair	yes
Doug Tisdale	yes
Bonnie Blum	yes
Russell Stewart	yes
Klasina VanderWerf	yes

The motion passed unanimously.

Council adjourned to an Executive Session at 5:20 p.m.

City Clerk Jennifer Pettinger did not attend the Executive Session.

Councilmember Scott Roswell arrived at 5:20 p.m.

The Executive Session adjourned at 6:10 p.m.

**STUDY SESSION**

Councilmember Roswell moved, seconded by Councilmember VanderWerf to adjourn to a study session for a presentation by South Metro Fire Rescue District.

The motion passed unanimously.

Council adjourned to a study session at 6:10 p.m.

The Study Session adjourned at 6:37 p.m.

**ROLL CALL**

Councilmembers Bonnie Blum, Harriet LaMair, Scott Roswell, Russell Stewart, Doug Tisdale, and Klasina VanderWerf were present on silent roll call. Also present were Finance Director Karen Proctor, Police Chief John Patterson, Public Works Director Jay

Goldie, Interim City Manager Eric Ensey, City Attorney Thad Renaud, and City Clerk Jennifer Pettinger.

### **PRESENTATIONS**

Mayor Wozniak congratulated Chief John Patterson and the Cherry Hills Village Police Department for being a finalist for the International Association of Chiefs of Police's 2006 Community Policing Award.

### **AUDIENCE PARTICIPATION PERIOD**

Dermod Downs, 3337 Shoshone Street, gave Council a proposal from Rob Gary of 3701 S. Colorado Boulevard. He spoke to Council about the concerns Mr. Gary has regarding the drainage bridge south of Covington on Colorado Boulevard. Mr. Downs related that Mr. Gary would like to pay for improvements in regard to the trail and culvert if the City would repave the trail and maintain the right-of-way.

Mayor Wozniak requested Mr. Downs and Mr. Gary work with staff regarding any improvements.

Pat Boulding, 1415 E. Tufts Ave., stated her concerns with the major construction sites that surround three sides of their home. She spoke about parking concerns and urged Council to enact stringent parking rules in regard to construction sites. Ms. Boulding also spoke about the disregard one contractor has for construction hour rules. She also stated her disgust at portable bathrooms that have been placed on the street and in direct view of their front window. Ms. Boulding presented pictures of the portable bathroom. She stated she understands the Police Department is orientated to problem solving but feels there needs to be consequences for violators. Ms. Boulding stated she would like to see a zero tolerance policy for construction violations. She also stated she would like a temporary moratorium placed on building permits.

Mayor Wozniak advised Ms. Boulding that staff is working on amendments to the building code.

Ms. Boulding asked who was responsible for adhering to the code. City Attorney Thad Renaud stated our code allows for the property owner, permit holder, and offender to be cited for any violations.

Mark Boulding, 1415 E. Tufts Ave., requested Council place a moratorium on building permits and implement a zero tolerance policy on violations. He also suggested staggering the number of permits issued, to alleviate a concentration of building projects such as they are experiencing.

Mayor Wozniak stated his concerns with placing a moratorium on building permits.

Discussion was held.

Councilmember Roswell empathized with the Boulding's and stated he was astonished at the conduct of the contractors.

Councilmember Tisdale suggested the contractor be cited under 18-10-20 in regard to the conditions surrounding the portable toilets.

**CONSENT AGENDA**

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

- Approval of August 1, 2006 Minutes
- Approval of August 22, 2006 Minutes
- Approval of August 24, 2006 Minutes

The motion passed unanimously.

**ITEMS REMOVED FROM CONSENT AGENDA**

Item 4 d was removed from the Consent Agenda.

- Approval of Village Center Information Technology Report and Recommendations

**Approval of Village Center Information Technology Report and Recommendations**

Finance Director Karen Proctor presented the request for approval of Village Center Information Technology Report and Recommendations.

Councilmember VanderWerf asked if the investment can be transferred to a new cite.

Ms. Proctor introduced Dawn Lutz and Brad Wherry of TSI. Ms. Lutz stated that all the equipment can be moved except for the cabling which is approximately \$24,000.

Councilmember Tisdale moved, seconded by Councilmember Blum, to approve option "A" for the one time cost as stated at or approximately \$154,962.15, together with the estimated monthly recurring service cost for the solution as proposed in the report as prepared by Technetronic Solutions, Inc.

The motion passed unanimously.

**ORDINANCES, RESOLUTIONS AND PLATS****R12-06, A Resolution Amending Resolution 10, Series 2006 Concerning the Village Center Project and the Establishment of the Citizen's City Center Committee**

Interim City Manager Eric Ensey presented R12-06, A Resolution Amending Resolution 10, Series 2006 Concerning the Village Center Project and the Establishment of the Citizen's City Center Committee.

Discussion was held.

Councilmember Stewart moved, seconded by Councilmember Roswell, to approve R12-06, A Resolution Amending Resolution 10, Series 2006 Concerning the Village Center Project and the Establishment of the Citizen's City Center Committee.

The motion passed unanimously.

**R13-06, A Resolution of the City Council Supporting Open Space**

Councilmember Klasina VanderWerf presented R13-06, A Resolution of the City Council Supporting Open Space.

Discussion was held regarding the resolution.

Councilmember Tisdale moved, seconded by Councilmember Roswell, to table R13-06, A Resolution of the City Council Supporting Open Space to the next meeting for further drafting and review by Councilmember VanderWerf and City Attorney Renaud.

The motion passed unanimously.

R14-06, A Resolution Concerning Senate Bill 90

Chief John Patterson presented R14-06, A Resolution Concerning Senate Bill 90.

Councilmember Tisdale asked if City Attorney has reviewed and approved. City Attorney Thad Renaud stated he had reviewed and approved the resolution. Councilmember Tisdale requested a signature block indicating review and approval by the City Attorney be added to all resolutions.

Mayor Wozniak noted a formatting error on the policy.

Councilmember Tisdale moved, seconded by Councilmember LaMair, to approve R14-06, A Resolution Concerning the Cooperation of Cherry Hills Village Police Officers with State and Federal Officials in the form as submitted.

The motion passed unanimously.

R15-06, A Resolution Concerning the Appointment of Members to the Citizen's City Center Committee

Mayor Wozniak presented R15-06, A Resolution Concerning the Appointment of Members to the Citizen's City Center Committee. He thanked all the residents who applied.

Councilmember Scott noted how impressed he was with the qualifications of all the candidates.

Discussion was held.

Council directed Interim City Manager Ensey to compile background information for the committee prior to their first meeting.

Councilmember Stewart moved, seconded by Councilmember Roswell, to approve R15-06, A Resolution Concerning the Appointment of Members to the Citizen's City Center Committee with the nomination of Alex Brown, William Lorton Cook, David Cooper and Richard Diecidue.

The motion passed unanimously.

**REPORTS**

**Mayor's Report**

Mayor Wozniak thanked Council and Staff for their participation and preparation in regard to the retreat.

### Proposed Resolution Opposing Amendment 38

Mayor Wozniak advised Council he would like a resolution opposing Amendment 38 to be presented at the next meeting. He encouraged Council to become familiar with Amendment 38.

Discussion was held.

### **Members of City Council**

Councilmember Stewart offered his assistance in developing a staging plan, to be required, in regard to construction sites.

Councilmember Blum asked the status of the full time code enforcement officer position. Mr. Ensey stated he is working on the position's job description.

Discussion was held concerning construction site concerns.

Councilmember Tisdale related concerns about dead tree limbs on the High Line Canal. Public Works Director Jay Goldie stated the city maintains a portion of the High Line Canal, but the trees are maintained by the Denver Water. Mr. Goldie stated staff will address these concerns with Denver Water.

Councilmember LaMair also related concerns regarding the mowing along the High Line Canal. Mr. Goldie stated staff met with Denver Water regarding their mowing plan. He explained Denver Water's mowing plan.

Discussion was held regarding the High Line Canal maintenance.

Councilmember Tisdale requested Denver Water's contact, for High Line Canal's maintenance, be published on CIVIC.

Councilmember LaMair reported on the Parks, Trails and Recreation Commission meeting.

Councilmember Roswell asked staff for an update at the next council meeting regarding the construction issues that were raised tonight.

### **Members of City Boards and Commissions**

Kevin Iverson reported on the Planning and Zoning Commission meeting.

### **City Manager & Staff**

#### Financial Reports

The Financial Reports were included in Council packets. There were no questions from members of the City Council.

#### Departmental Monthly Reports

Departmental Monthly Reports were included in Council packets. There were no questions from members of the City Council.

Proposed 2007 Budget

Interim City Manager Ensey stated a copy of the proposed 2007 budget was placed on the dais tonight. Mr. Ensey asked Council to review the proposed budget prior to the scheduled study session on September 19 and October 3. He noted a public hearing will be held on October 17 for the proposed budget.

Traffic Study – Continuum Development at Belleview Station

Interim City Manager Ensey presented a report on the Continuum Development at Belleview Station traffic study.

Discussion was held.

Urban Area Security Initiative (UASI) Grant

Chief John Patterson announced that the Urban Area Security Initiative (UASI) Program has awarded the city a \$55,000 grant for the purchase and installation of two bi-directional amplifiers in 2007. Chief Patterson noted that one amplifier will be placed at the Village Center and the second location has not been determined.

**City Attorney**

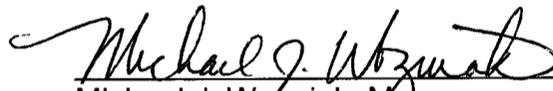
There was none.

**ADJOURNMENT**

A motion was made by Councilmember Tisdale, seconded by LaMair to adjourn the meeting at 8:12 p.m.

The motion passed unanimously.

The meeting adjourned at 8:12 p.m.

  
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Michael J. Wozniak, Mayor

  
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Jennifer Pettinger, CMC, City Clerk