

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, February 20, 2007 at 6:30 p.m.
At the Village Center

Mayor Mike Wozniak called the meeting to order at 6:30 p.m.

ROLL CALL

Councilmembers Bonnie Blum, Harriet LaMair, Doug Tisdale, and Klasina VanderWerf were present on silent roll call. Also present were Interim City Manager Eric Ensey, City Attorney Thad Renaud, Finance Director Karen Proctor, Police Chief John Patterson, Public Works Director Jay Goldie, Parks, Trails, and Recreation Administrator Paul Burkholder, and City Clerk Karen Losier.

PRESENTATION

Chief John Patterson commended retiring Police Officer Angel Strickland for seventeen years of service that she has given to the City. He highlighted the many different special duties she has taken on over the years in the police department, as well as her involvement with the schools and community. Mayor Wozniak honored Ms. Strickland with a plaque commemorating her years of service to the City.

AUDIENCE PARTICIPATION PERIOD

Kim Scott, 4501 S. Monroe Lane, spoke on behalf of his wife Mary Scott, whose Floodplain Development Permit application was denied at the February 6, 2007 City Council meeting. He brought copies of a handout which was distributed to Council and staff. He said that staff had not told him that he was required to obtain any additional permits. He asserted that most owners with ponds in the City probably do not have water rights.

Mr. Scott requested that if Ms. Scott has to start over with this process, all costs incurred by staff in their review be the responsibility of the City until there is a vote on the application's merits. He asked Council to direct staff to expedite the process due to the circumstances.

Mayor Wozniak responded that Council was limited in what they could discuss with him because the applicant was still within the 30 day appeal window.

CONSENT AGENDA

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

- Approval of the Cherry Hills Village Gift Fund Program
- Expenditure of Funds – City Tree Inventory
- Approval of Intergovernmental Agreement with DRCOG for the City's Elevator Inspection Program

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

The following items were removed from the Consent Agenda:

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Councilmember LaMair stated that normally PTR opposes trail vacations, but they are in support of the Rady trail vacation given the additional space that the City will receive. Discussion took place that a public hearing would be held at the March 20, 2007 Final Reading.

Councilmember Tisdale moved, seconded by Councilmember Blum, to approve Council Bill Council Bill 02, Series 2007 – A bill for an ordinance vacating the City's interest, if any, to an easement for a non-motorized public trail located between Lot 12, Cherry Hills Meadow and Lot 14, South Broadway Heights Addition on First Reading.

The following votes were recorded:

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

The motion passed unanimously.

NEW BUSINESS

Muller Engineering Traffic Analyses of the City and County of Denver's Belleview Transit Station Development and the City of Englewood's Kent Place/Denver Seminary Development Projects Surrounding the Village.

Mr. Goldie first presented the traffic analysis related to the Kent Place/Denver Seminary Development. He stated that the City of Englewood is expected to approve the Kent Place Development. He also said the Colorado Department of Transportation ("CDOT") has approved the realignment of a longer left turn lane on southbound University at Hampden.

Mayor Wozniak inquired why CDOT had approved a traffic light north of Hampden on University when Cherry Hills Country Club and Glenmoor Country Club have been requesting traffic lights for years. Mr. Ensey responded that University north of Hampden is no longer considered a state highway and therefore it is Englewood's, rather than CDOT's, jurisdiction.

Councilmember Tisdale asked if staff had received information regarding how the traffic light's timing cycle would be determined and Mr. Goldie responded that he would gather light cycling information for Council.

Mr. Goldie presented the traffic analysis related to the Belleview Transit Station Development. He stated that several affected jurisdictions had met to discuss the issue and agreed to conduct a comprehensive traffic study that would benefit all the jurisdictions.

Councilmember Blum requested that staff meet with CDOT again regarding traffic congestion issues related to the development.

Councilmember LaMair questioned how much impact the City's input would have on a Denver traffic issue. Mayor Wozniak responded that the City is a good neighbor to Denver and wants to participate in the process and also wants them to understand consequences of their actions on adjacent neighbors.

Mayor Wozniak pointed out that a shared traffic analysis would not include City-owned streets. Mayor Wozniak stated that he supports staff working with surrounding

municipalities, but suggested that staff pull out the City's 2002 traffic study for ideas on how the City wants to address internal traffic issues. He requested that the 2002 Traffic Study be included in March 6, 2007 council packets.

REPORTS

Members of City Council

Councilmember Blum stated that the Master Plan Committee had taken a really thorough look at the consultant candidates and felt good that Gould Evans was the best fit.

Councilmember Tisdale noted the departure of Villager newspaper reporter Ashley Wein and thanked her for doing a fine job covering City issues. Her replacement, Jon Lloyd, was in the audience and introduced himself. Councilmember Tisdale also mentioned that the DRCOG retreat would be this weekend.

Mayor's Report

Mayor Wozniak stated that he had met with the new director at St. Mary's Academy and invited them to provide input to Muller Engineering regarding the proposed underpass/overpass. He also mentioned that, for a nominal charge, they had invited the City to use the new arts center for large-scale hearings in the future.

Mayor Wozniak brought up that he had met with the Buell Mansion HOA, who had expressed concern over some traffic safety issues. He said that Buell residents stated that they were currently having to turn northbound on University, cross three lanes of traffic, and then make a U-turn at Sunset to go southbound, which they felt was dangerous. Mayor Wozniak said that he had told the HOA that getting a southbound turn lane added to University was a CDOT issue. Councilmember Blum stated that the same problem exists at Glenmoor with residents wanting to head eastbound.

Mayor Wozniak stated that the Cherry Hills Country Club had requested a traffic light at the country club entrance due to a recent fatality. He said he had directed them to CDOT as well.

Mayor Wozniak also mentioned that he had received a letter from the Houlihans at 29 Huntwick Lane, complaining about snow that had been dumped by the City's Public Works department over the fence onto their property, causing damage to the fence adjacent to their property line. He gave the letter to Mr. Goldie for investigation into the matter.

Mayor Wozniak asked the City Attorney if we would be taking on liability by repairing a pothole that happened to fall within Denver's jurisdiction. Mr. Renaud responded that the likelihood of being sued was minimal, and that if anything arose, it would most likely be related to a claim of negligent repair. He did state that the City's insurer, CIRSA, would likely refuse to cover the claim. Councilmember Tisdale pointed out that we would have no governmental immunity.

Mayor Wozniak thanked Villager reporter Ashley Wein for doing a fine job reporting City issues.

Mayor Wozniak highlighted the February 14, 2007 Regional Transportation District ("RTD") public meeting regarding Bus Route 46. He stated that the turnout was low, probably due to it being held the evening of Valentine's Day. He said there were three RTD representatives present and approximately fifteen people who commented, several in support and several in opposition to the bus route. Mayor Wozniak said that RTD cited

a significant increase in boardings, from 589 per week in November 2006 to 930 per week currently. He said that RTD forecasts 1073 boardings in 2010 on an average single workday. Mayor Wozniak said that RTD asserted that ridership would continue to increase and that they have committed to continuing their review of ridership. He said that RTD would be hosting a public hearing again in May and that adjustments to bus routes are made in August and January each year. He said that RTD had made a commitment to bring updated ridership figures to Council again in eight weeks. Mayor Wozniak commended RTD for following through thus far on the commitments they made at the November 21, 2006 Council meeting.

Mayor Wozniak noted that the US Department of Commerce had requested that the City participate in the 2010 census, and he asked Mr. Ensey to begin the process.

Mayor Wozniak mentioned that the Colorado Healthy Living Summit was upcoming and proposed that representatives from the City attend.

Mayor Wozniak challenged Council, staff, and their families to form a team to participate in the Colorado Colfax Marathon, which will be on May 20, 2007.

Mayor Wozniak stated that he had attended the Metro Mayor's Caucus, which is working on renewable energy issues. He mentioned that the City will be hosting the caucus in March at the Cherry Hills Country Club.

Mayor Wozniak said that he had received a damage control proposal regarding the coyote problem. He stated that Greenwood Village Mayor Nancy Sharpe had offered to work together with the City and share costs if Cherry Hills Village was interested. Mr. Ensey also stated that staff has tried to educate residents about co-existing with coyotes.

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.

Departmental Monthly Reports

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

City Attorney

There was no report.

EXECUTIVE SESSION

Councilmember Tisdale moved, seconded by Councilmember VanderWerf:

- To hold an executive session for the purpose of discussions on the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest, pursuant to CRS §24-6-402(4)(a), and discussion for the purpose of determining positions relative to matters that may be subject to negotiations; developing

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strategy for negotiations; and instructing negotiators, pursuant to CRS §24-6-402(4)(e), concerning potential trail acquisition, and

- To adjourn the regular City Council meeting upon conclusion of the Executive Session.

The following votes were recorded:

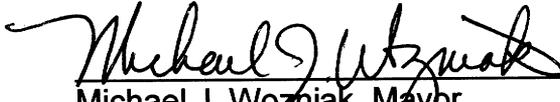
Bonnie Blum	yes
Klasina VanderWerf	yes
Harriet LaMair	yes
Doug Tisdale	yes

The motion passed unanimously.

Council adjourned to Executive Session at 7:57 p.m.

ADJOURNMENT

The Executive Session and regular City Council meeting adjourned at 8:24 p.m.



Michael J. Wozniak, Mayor



Karen C. Losier, CMC, City Clerk