

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, June 19, 2007 at 6:30 p.m.
At the Village Center

Mayor Mike Wozniak called the meeting to order at 6:35 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 Interim City Manager Eric Ensey, City Attorney Thad Renaud, Finance Director Karen Proctor, Police Chief John Patterson, Public Works Director Jay Goldie, Parks, Open Space & Recreation Administrator Paul Burkholder, and City Clerk Karen Losier.

PRESENTATIONS

Presentation of Sergeant John Reynolds as Police Officer of the Year by the Colorado Law Enforcement Officer's Association

Mayor Wozniak presented Sgt. Reynolds with a plaque honoring his recognition as 2006 Police Officer of the Year, which he received as a result of his attempted rescue of a Denver Water employee who had lost his life in a water main break accident in October of 2006.

Mayor Wozniak said that Sgt. Reynolds epitomizes the word "hero" and that the City was lucky to have someone so strong in character on its police force.

AUDIENCE PARTICIPATION PERIOD

Jim Muhm, 4951 South Holly Street, provided the Council with a report on the state of the City's trails. He gave an overall grade of 'B,' and ranked the following subcategories as follows:

Maintenance:	B
Cleanliness:	A-
Enhancements:	A
Construction/Reconstruction:	D

Mr. Muhm reported that the trails were in good shape regarding mowing and other maintenance. He stated that there is very little trash on the trails now that more trashcans have been made available. He mentioned that an exception to this is the intersection of two trails near the Glenmoor maintenance yard where items blow out of their trash bin. He encouraged the City to start enforcing the anti-littering ordinance. Mr. Muhm stated that he was pleased with the recent addition of the Leede trail. He added that he had ranked trail construction below average because it sometimes takes months or even years to get a trail repaired. Mayor Wozniak commended staff's work to keep the City's trails well maintained this year.

Tom Hoffman, 3921 South Dahlia Street, stated that he was unable to attend the June 13, 2007 meeting regarding Dahlia Street Traffic Calming. He stated that he felt, of the three traffic calming options that were suggested at the meeting, the worst possible solution would be Option C which would include an island at the top, a small island at the bottom, and a white paint stripe to designate a pedestrian/bicycle lane, because it would do nothing to address speeding. He said he felt that Option B would address pedestrian safety, but would do nothing to address speeding cars. He stated that the majority of Dahlia Street residents, including himself, support Option A. Mr. Hoffman

said that placement of police decoy cars and the speed trailer on Dahlia Street have not been effective at reducing traffic speeds. He also stated that he did not think it was a legitimate concern that drivers might use alternate City streets as a result of traffic calming on Dahlia Street.

Annie Achee, 6 Sedgwick Drive, spoke on behalf of the Devonshire Heights Homeowner's Association ("HOA") regarding traffic issues at Colorado Boulevard and Holly Street as well as Quincy Avenue and University Boulevard. She expressed concern that the development at the northwest corner of University Boulevard and Hampden Avenue will cause further traffic congestion to Hampden Avenue and therefore Devonshire Heights. She also noted that drivers heading northbound on Colorado Boulevard cut through the church parking lots in order to take a left onto Hampden Avenue. She also noted that one of the church properties is overrun with weeds which need to be addressed.

Susan Harris, 5 Sedgwick Drive, stated that she was the HOA president for Devonshire Heights and that she is alarmed by the number of traffic accidents at Hampden Avenue and Sedgwick Drive. She pointed out that drivers traveling eastbound in the far right lane of Hampden Avenue do not realize the lane is ending and run into the Devonshire Heights brick wall. She added that some drivers turning southbound onto Sedgwick Drive from westbound Hampden Avenue misjudge the speed of oncoming eastbound traffic and cause collisions.

CONSENT AGENDA

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

- Approval of Minutes – June 5, 2007
- Contract for Services – CTL
- Expenditure of Funds – 2007 Trail Overlay Project

The motion passed unanimously.

UNFINISHED BUSINESS**Presentation and Discussion of University Boulevard Crossing Study prepared by Muller Engineering**

Mr. Goldie presented the University Boulevard Crossing Study, as prepared by Muller Engineering. He stated that the Council had approved the soils report expenditure of funds which was contained in the presented report. He introduced Mike Dungan of Muller Engineering, the City's engineering consultant.

Mr. Dungan outlined changes that had been made since the previous report. He pointed out three newly presented options which include a pedestrian bridge at Quincy Avenue with elevator access at an estimated cost of \$1,799,900, a Quincy Avenue underpass with stairs at an estimated \$3,563,325, or a Quincy Avenue underpass with stairs and ramps at an estimated \$4,997,175.

Mr. Muller stated that his firm recommends an at-grade crossing at the south end of St. Mary's Academy with a pedestrian bridge at the intersection of Quincy Avenue and University Boulevard. He said that there is a great deal of concern that there could be a street collapse, due to information presented in the soils report. Mr. Muller also mentioned that there had been a death in an underpass in the City of Denver earlier this year. He stated that the intersection of University Boulevard and Quincy Avenue was simply not a good location for an underpass, and that there were concerns relating to safety, cost, and the fact that the proposed location falls in the floodplain.

Councilmember Roswell commented that the report appeared to be thorough, but he stated that he was very disappointed in the findings.

Councilmember VanderWerf asked if it was possible to locate an underpass north of the intersection. Mr. Dungan responded that it would not work since University does not begin to gain altitude until at least 300 feet north of the intersection, which would be north of Cherry Hills Village Elementary.

Councilmember Stewart questioned whether the recommendation would have changed if price were not a factor. Mr. Dungan responded that it would not have, as safety has always been the main concern.

Councilmember Tisdale pointed out that the Union Avenue Pedestrian Signal option was still estimated to cost \$108,550 which was a much more reasonable estimate, if CDOT approval could be obtained. Mr. Dungan responded that CDOT had stated that they would consider approval of the proposal.

Mayor Wozniak suggested that the Council take time to process the new information and make a decision at a future City Council meeting.

Councilmember Roswell asked if this information will be shared with the City's Master Plan consultant, and Mayor Wozniak asked staff to ensure that it would.

Council Bill 07, Series 2007 – A bill for an ordinance amending Chapter 11 of the Municipal Code, concerning streets, sidewalks and public property, by amending sections 11-3-10, 11-3-20, 11-3-40, 11-3-50, 11-3-50, 11-3-80, 11-3-90, 11-3-100, 11-3-110, 11-3-120, and 11-3-130, and by adding a new section 11-3-15, all concerning City parks and rights-of-way (Second and Final Reading)

Mr. Ensey presented Council Bill 07-07 on second and final reading. He reiterated that the proposed ordinance would provide a definition for the term "park" and would declare

that all parks currently held by the City shall be held and maintained in perpetuity in public trust for the use and benefit of the public. He added that the spelling of Woodie Hollow Park had been corrected, and that the language in Section 11-3-130 regarding Control of Dogs had been made consistent with the language in the Animal Control Code.

Councilmember Tisdale pointed out that under Section 11-3-130, it might make more sense to combine subsections (1) and (2) to read, "harasses or inflicts damage or injury by biting or jumping on any person, animal, property, or wildlife." Council collectively agreed to make the proposed modification.

Councilmember Stewart moved, seconded by Councilmember LaMair, to approve Council Bill 07-07, a bill for an ordinance amending Chapter 11 of the Municipal Code on final reading, as amended.

The following votes were recorded:

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

The motion passed unanimously.

Dahlia Street Traffic Calming Update (request to table until the July 17, 2007 meeting)

Mayor Wozniak noted that staff had requested the item be tabled until the July 17, 2007 City Council meeting. As a result, he tabled the item.

NEW BUSINESS**Resolution 04, Series 2007 – A resolution identifying the boundaries of John Meade Park**

Mr. Ensey presented Resolution 04-07 and described the boundaries of John Meade Park, which includes Lots 14, 15, and the part of Lot 16 not owned by South Metro Fire Rescue.

Councilmember Tisdale suggested that, following the phrase, "not owned by the South Metro Fire and Rescue District," the phrase "as of June 19, 2007" be inserted, in the event that there is a change in ownership.

Mayor Wozniak and Councilmember LaMair both expressed a desire to see a plat map to clarify the park's exact boundaries.

Councilmember Tisdale moved, seconded by Councilmember Blum, to table Resolution 04-07, until the Council can consider inclusion of the above-mentioned wording with whatever date is appropriate, and until the Council can review a plat map depicting the exact location of John Meade Park's boundaries.

The motion passed unanimously.

REPORTS**Members of City Council**

Councilmember Stewart reported that he had attended a meeting with the Colorado Department of Transportation ("CDOT") and its engineer, who are performing a traffic safety engineering study at the expense of the federal government. He stated that the report is focused on all traffic safety issues of residential streets within the community. He stated that they plan to conduct traffic counts in the next few weeks and should have a final report in September. He stated that Mr. Goldie would be the point of contact if more information needs to be conveyed to CDOT. Councilmember Blum questioned whether state highways were also being reviewed; Councilmember Stewart responded that it would be the ideal time for input, although this particular report would be limited to residential streets only. Councilmember LaMair asked how this would interface with the traffic portion of the Master Plan. Councilmember Stewart responded that perhaps the City could determine what it would like done and CDOT could offer assistance.

Councilmember Stewart added that federal funding was available for hazardous improvement projects, and he stated that the addition of an underpass/ overpass was a perfect example of the type of project that would qualify. He said that, if the City applies now, the grant money would be available in 2011 and he sees no downside to applying. Mayor Wozniak suggested that the Council keep this topic in mind when they consider the Dahlia Street issue at the next City Council meeting.

Councilmember Blum stated that she had attended the Master Plan HOA and Planning & Zoning Commission meetings last week and they had gone well. She said that approximately half of the HOAs were present and it was helpful to meet with them, as they did not have much prior knowledge of what the Master Plan process entails. She stated that it will be challenging to make the February deadline, but she thinks it will get done. Councilmember Tisdale stated that he was impressed with the skills, knowledge, and experience of the City's Master Plan consultant, Dave Knopick.

Councilmember Tisdale asked if Chief Patterson could facilitate contact with CDOT regarding traffic on Hampden Avenue east of Colorado.

Councilmember Tisdale reported that he had attended Denver Regional Council of Governments ("DRCOG") meetings regarding urban growth boundaries/areas. He said that the DRCOG area is more than 5000 square miles, and its urban growth area is 900 square miles. He explained that the urban growth allocation is based on each community, and the City's current urban growth area allocation is 5.8 square miles. He said that DRCOG had asked the City to voluntarily give up 3.3 square miles of its current urban growth area. He stated he had asked that the City get some form of compensation in exchange. Councilmember Tisdale asked staff to compute the total number of lots consisting of one acre or less, and the number of lots of more than one acre. Councilmember Tisdale said that he would ask the committee to table any action on reallocation of urban growth boundaries at this time. Councilmember Blum questioned whether a reallocation would be legally binding on our zoning map, and Mayor Wozniak responded that it would not, but would affect transportation funding.

Councilmember LaMair inquired about the condition of the Highline Canal. Mr. Burkholder reported that the back portions had been repaired and were in good condition.

Councilmember LaMair asked Chief Patterson to discuss the legality of photo radar. Chief Patterson explained that usage of photo radar is subject to several restrictions, including that it must be used by an officer and not mounted for unsupervised use. He explained that photo red-light, however, does not require an officer to be present. He stated that the City cannot install a photo radar system on Dahlia Street because of the restrictions.

Councilmember LaMair stated that the residents of Mansfield Heights were interested in traffic calming efforts on their street, and she requested that staff make recommendations based on their comments. Councilmember Blum added that she did not think the Council should take action regarding Dahlia Street traffic calming until a traffic study had been done and there was a good idea of what the ramifications of traffic calming efforts would be.

Mayor's Report

Mayor Wozniak reported that he had attended the Metro Mayor's Caucus last week where the Colorado Lieutenant Governor had reported on the state of the municipalities. He said he had asked the state to appoint a municipal liaison and they responded that they would take it under advisement.

Mayor Wozniak said that the FastTracks project was \$669,000,000 short of what voters had approved. He added that a proposal for a public/private partnership to finish the project would be forthcoming.

Mayor Wozniak reported that there were several City wellness efforts being made. He said that Councilmembers would be receiving an invitation from Mayor Nancy Sharpe of Greenwood Village to participate in a picnic run in September. He added that the City of Glendale plans to host a Glendale marathon as well.

He mentioned that resident Bill Rapson had requested that the Council consider enacting an ordinance that addresses flyers placed on resident doors and mailboxes. Discussion was held regarding commercial solicitation, and Mr. Renaud clarified that the City's code allows the distribution of printed material at the primary entrance of a private property or residence as long as the distributor does not attempt to personally contact the owner or occupant. Councilmember Tisdale pointed out that residents can post a "No Solicitation" sign to keep flyers from being left.

Mayor Wozniak pointed out that the Master Plan website was up and running.

Mayor Wozniak mentioned that he had met with Kim and Mary Scott of 4501 Monroe Lane who conveyed that they had not received any formal inquiries regarding the sale of their property. He said that it appeared that they may be submitting a subdivision application in the near future as a result.

He reported that the Arapahoe County Fair had asked for sponsorship for their 2007 fair. He asked staff to let the Council know what contribution had been made last year and to add it to the July 17, 2007 City Council agenda.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

Departmental Monthly Reports

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

2007 Arapahoe County Shareback Funds

Mr. Ensey stated that the City had received approximately \$126,000 in Shareback Funds. There were no questions from members of the Council.

2007 Arapahoe County Open Space Grant Awards

Mr. Ensey stated that the City had been awarded a grant for the Big Dry Creek Trail project which would complete the trail link between Lehow Avenue and South Broadway in Littleton. There were no questions from members of the Council.

Master Plan

Mr. Ensey stated that Mr. Knopick would be here again in July for a Master Plan Workshop with the Planning & Zoning Commission. He said that Councilmembers would be contacted via email regarding the specifics of the workshop.

City Attorney

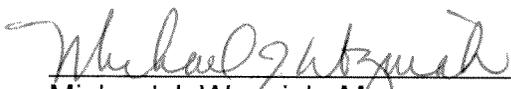
There was no report.

ADJOURNMENT

Councilmember Tisdale moved, seconded by Councilmember Stewart, to adjourn the meeting.

The motion passed unanimously.

The City Council meeting adjourned at 8:18 p.m.



Michael J. Wozniak, Mayor



Karen C. Losier, CMC, City Clerk