

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, February 19, 2008 at 6:30 p.m.
At the Village Center

Mayor Mike Wozniak called the meeting to order at 6:03 p.m.

ROLL CALL

Councilmembers Bonnie Blum, Harriet LaMair, Mike Wozniak, Scott Roswell, Russell Stewart, and Klasina VanderWerf were present on silent roll call. Also present were City Manager Eric Ensey, City Attorney Ken Fellman, Finance Director Karen Proctor, Police Chief John Patterson, Public Works Director Jay Goldie, Planning Manager Rob Zuccaro, and City Clerk Melissa Formby.

Councilmember Doug Tisdale arrived at 6:06 p.m.

AUDIENCE PARTICIPATION PERIOD

There was no one from the audience who wished to speak.

CONSENT AGENDA

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

- Appointment of City Attorney and Contract for Services – Kenneth S. Fellman of Kissinger & Fellman, P.C.
- Expenditure of Funds – Public Works Department Truck Repair and Upgrades
- Expenditure of Funds – Parks Division Purchase of a 6 Inch Brush Chipper
- Expenditure of Funds – Parks Division Purchase of a 60 inch rear discharge John Deere mower and one bushel dump system for John Deere mower
- Letter of Agreement – Sequoia Voting Systems
- Intergovernmental Agreement – With Arapahoe County for a mail ballot election for the April 8, 2008 regular municipal election

The following votes were recorded:

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

Vote on the Consent Agenda: 6 ayes. 0 nays. The motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

The following items were removed from the Consent Agenda:

- Minutes – January 15, 2008

Approval of January 15, 2008 Minutes

Councilor Blum informed the City Clerk that page nine of the January 15, 2008 minutes mention a street light being discussed and said that these minutes should be referencing a fence, not a street light.

Councilmember Blum moved, seconded by Councilmember VanderWerf, to approve the January 15, 2008 minutes as amended.

The motion passed unanimously.

Council Bill 11-07; A bill for an ordinance amending Chapter 17 of the Municipal Code, concerning Subdivisions, by amending Section 17-3-420, concerning Variance Procedures

City Manager Eric Ensey presented CB 11-07, A bill for an ordinance amending Chapter 17 of the Municipal Code, concerning Subdivisions, by amending Section 17-3-420, concerning Variance Procedures.

Mr. Ensey stated the proposed bill was approved on first reading at the January 15, 2008 meeting subject to certain changes in the document. He added that each of the changes requested by Council have been incorporated into the bill.

Mr. Ensey added that under the proposed ordinance, Council has the express authority to approve a variance as to the minimum lot area requirements of Chapter 16. He mentioned that if a variance is granted then Council shall have the authority to grant a variance as to the minimum yard area.

Mr. Ensey also informed Council that the proposed ordinance also includes provisions to prevent this variance process from being used as a means by which to make an illegal nonconforming lot legal.

Councilor Stewart recommended changing word "cure" to "alleviate" in subsection d(3).

Mayor Pro-Tem Tisdale said the verbiage should give Council as much discretion as possible.

City Attorney Ken Fellman recommended using the word "alleviate" because it offers more flexibility.

Mayor Wozniak stated the purpose of the changes to the council bill were to give Council more discretion.

Councilor VanderWerf inquired as to the cost of building permits. She clarified that the cost of a building permit is based on a percentage of the cost of the project. She then asked if the cost of a project is the cost incurred by the company or the homeowner.

Mr. Ensey said the cost is based on materials and labor of the project which equals the project valuation.

Councilor VanderWerf asked if there is any way to confirm the calculations.

Mr. Ensey stated the International Building Code has put together a chart that shows the cost per square foot of construction related projects.

Councilmember Tisdale moved, seconded by Councilmember VanderWerf, to approve CB 11-07, A bill for an ordinance amending Chapter 17 of the Municipal Code, concerning Subdivisions, by amending Section 17-3-420, concerning Variance Procedures as indicated with the amendment as to subsection d(3) to replace the word cure with the word alleviate.

The following votes were recorded:

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

Vote on CB 11-07: 6 ayes. 0 nays. The motion carried.

Council Bill 1, Series 2008; A bill for an ordinance amending Section 2-4-130 of the Municipal Code concerning fees for jury service

Mr. Ensey presented CB 01-08, A bill for an ordinance amending Section 2-4-130 of the Municipal Code concerning fees for jury service.

Mr. Ensey stated they researched jury fees within other communities. Judge Turre is requesting \$10 and \$15, though the fees of other cities seem to be \$5 and \$10, which is staff's recommendation.

Mayor Pro-Tem Tisdale stated he believes this is a good middle ground and is comfortable with this change.

Councilmember Tisdale moved, seconded by Councilmember Blum, to approve CB 01-08, A bill for an ordinance amending Section 2-4-130 of the Municipal Code concerning fees for jury service.

The following votes were recorded:

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

Vote on CB 01-08: 6 ayes. 0 nays. The motion carried.

Council Bill 2, Series 2008; A bill for an ordinance authorizing a supplemental appropriation for fiscal year 2008 [for the evaluation of the City's sanitary sewer infrastructure]

Director of Public Works, Jay Goldie, presented CB 02-08, A bill for an ordinance authorizing a supplemental appropriation for fiscal year 2008 [for the evaluation of the City's sanitary sewer infrastructure].

Mr. Goldie recommended to Council that the project be fully funded, as the analysis is necessary to evaluate the sewer infrastructure that is owned by the City. Mr. Goldie stated Council approved the recommendation to move forward with this survey at the January 15, 2008 Council meeting. He added that regardless of what direction the City

goes in the future with the sewer districts, the information being generated by the analysis will be required. He added that if a new entity took over these districts, the information would be needed prior to turning over the districts' infrastructure. He also mentioned that if the City chose to keep the districts, the information gathered would be needed to properly manage the districts and meet the standards outlined by the State of Colorado.

Mayor Wozniak inquired as to difference in the cost involved for this analysis.

Mr. Goldie informed Council that the cost was originally budgeted for \$150,000 and staff is asking for an additional \$31,212 to cover the cost of the analysis. He added that \$971,000 is the amount that has been left un-appropriated at this time in the full.

Councilor LaMair asked who manages the sewer districts in Cherryridge, Cherrymoor and Cherry Hills Ranch.

Mr. Goldie stated the City currently owns and operates the three districts and the City of Englewood maintains them. He added that in the past there were over thirty sewer districts within the City, and when they began to consolidate, the Cherry Hills Village Sanitation District became the largest one. In the late eighties and early nineties the City began obtaining these districts. Cherryridge, Cherrymoor and Cherry Hills Ranch are the only three districts the City ended up with and the City doesn't collect enough fees and there is not enough money in these funds to cover any major problems that may arise.

Mr. Goldie said that Cherry Hills Village Sanitation District is interested in taking over these sanitation districts.

Mayor Wozniak stated the sewer lines would have to be inspected for safety before the Cherry Hills Village Sanitation District would take over.

Mr. Goldie stated that before the City of Englewood would consider inspecting the lines, a safety inspection would have to be done. He added that there is approximately 1000 feet of line that has not been cleaned in the last twenty years or so.

Councilor LaMair asked if the \$971,000 would be enough to keep up the system.

Mr. Goldie clarified that \$971,000 would not be enough if there were an emergency situation.

Councilmember Tisdale moved, seconded by Councilmember Stewart, to approve CB 02-08, A bill for an ordinance authorizing a supplemental appropriation for fiscal year 2008 [for the evaluation of the City's sanitary sewer infrastructure].

The following votes were recorded:

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

Vote on CB 02-08: 6 ayes. 0 nays. The motion carried.

Resolution 3, Series 2008; A resolution concerning the appointment of a member to the Board of Adjustment and Appeals (Ms. Laura Christman)

Mr. Ensey presented Resolution 03-08, A resolution concerning the appointment of a member to the Board of Adjustment and Appeals (Ms. Laura Christman).

Mr. Ensey informed Council that an opening for the position was posted on the website and an email was sent out to residents. An application was received from Laura Christman. He added that Ms. Christman is a great candidate as she has quite a bit of legal real estate experience. Mr. Ensey recommended Ms. Christman's appointment to the Board of Adjustment and Appeals.

Mayor Wozniak inquired as to whether Ms. Christman is still interested in serving on the BOAA because she expressed more of an interest in the Planning and Zoning Commission.

Councilor LaMair informed Council that upon discussing the matter with Ms. Christman, she indicated that she would like to wait until a Planning and Zoning opening is available.

Mayor Pro-Tem Tisdale asked how long the position could be vacant.

Mr. Ensey stated it is not urgent to fill the vacancy but said it is currently very difficult to get a quorum for the BOAA meetings.

Mayor Wozniak recommended that the application be withdrawn until an opening comes available on the Planning and Zoning Commission. He added that Ms. Christman be considered for a position on the Planning and Zoning Commission when a seat becomes vacant.

Councilmember LaMair moved, seconded by Councilmember Tisdale, to withdraw Mr. Christman's application.

The following votes were recorded:

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

Vote on withdrawing Ms. Laura Christman's application: 6 ayes. 0 nays. The motion carried.

Resolution 4, Series 2008; A resolution appointing election judges for the April 8, 2008 regular municipal election

Mr. Ensey presented Resolution 04-08, a resolution appointing election judges for the April 8, 2008 regular municipal election.

Mr. Ensey informed Council that the City is working directly with Arapahoe County for election services. He mentioned that Arapahoe County highly recommends using election judges that are already trained by the County and have assisted with previous County elections. Mr. Ensey added that two of the three election judges are not Cherry Hills Village residents. However, Ms. Peg Weisbrod of Cherry Hills Village will be acting as an election judge throughout the election process.

Councilmember Tisdale moved, seconded by Councilmember Stewart, to approve Resolution 04-08, Resolution 4, Series 2008; A resolution appointing election judges for the April 8, 2008 regular municipal election.

The following votes were recorded:

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

Vote on Resolution 04-08: 6 ayes. 0 nays. The motion carried.

Resolution 5, Series 2008; A resolution appointing a canvass board for the April 8, 2008 regular municipal election

Mr. Ensey presented Resolution 05-08, a resolution appointing a canvas board for the April 8, 2008 regular municipal election.

Mr. Ensey informed Council that staff is recommending the appointment of Judge James Turre and Judge Penny Coffman to sit on the canvass board. He mentioned that the Colorado State Statutes require one person to sit on the canvass board, but historically the City has always had two members and would like to appoint two members again.

Councilmember Tisdale moved, seconded by Councilmember VanderWerf, to approve Resolution 05-08, A resolution appointing a canvass board for the April 8, 2008 regular municipal election.

The following votes were recorded:

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

Vote on Resolution 05-08: 6 ayes. 0 nays. The motion carried.

Floodplain Development Permit and Amendment to Floodplain Boundary – Request by Mr. Jim Rubin for the property located at 5 Random Road (Public Hearing)

Mr. Ensey stated the applicant, Mr. Jim Rubin of 5 Random Road, is seeking approval of an amendment to the designated 100-year floodplain boundary. The request incorporates the findings of the 2003 "Flood Hazard Area Delineation, Little Dry Creek (ARAPCO) & Tributaries" report which is being used as a basis for the future revision to the Flood Insurance Rate Map (FIRM) that is scheduled to be approved by Federal Emergency Management Association (FEMA) some time in 2008. The applicant has also provided an additional survey that contains better topographic information than is included in the Flood Hazard Area Delineation Report (FHAD). Approval of this request would authorize the City to sign off on the applicant's Letter of Map Revision (LOMR) request that the applicant then sends to FEMA.

Mr. Ensey said section 16-17-80 of the City Code allows for amendments to floodplain boundaries provided that a competent engineering study and data is submitted that justifies the basis for such amendment. He added that the purpose of this request is to further pull the applicant's property out of the designated floodplain.

Mr. Ensey informed Council that staff is recommending the proposed amendment to the floodplain boundary be approved as proposed on the condition that FEMA approve the applicant's request. Staff has found that the study prepared for the applicant by WRC Engineering along with information contained in the 2003 FHAD provide the competent engineering data and study that justifies the approval of the proposed amendment. Specifically, the proposal is consistent with the information provided in the 2003 FHAD, which will be utilized as the foundation of the future revised FIRM that is being prepared by FEMA and Urban Drainage.

Mayor Wozniak asked if Muller Engineering has approved this request.

Mr. Ensey confirmed Muller Engineering's approval.

Councilor LaMair asked if there are any affects to the property located at 9 Random Road.

Mr. Ensey stated there would not be an affect on the 9 Random Road.

Councilor LaMair stated the approval would result in changing the floodplain boundaries of 9 Random Road.

Mr. Ensey said it may have an impact on the floodplain boundaries. He added the engineer for the applicant would be able to answer those types of questions.

Councilor LaMair inquired as to the number of floodplain development requests that have been approved.

Mr. Ensey stated the City has approved three or four floodplain development requests, one of which was done on Random Road.

Mayor Pro-tem Tisdale confirmed that the approval on the part of the City is strictly conditional upon an approval from FEMA.

Councilor Roswell asked if there is an application on file with the City or is one forthcoming related to development in the floodplain.

Mr. Ensey said the owner does have a landscaping project they would like to do. He added that if Council does not approve a floodplain boundary adjustment there would have to be a development permit within the floodplain to do work within that area.

Councilor Roswell inquired as to whether the applicant has filed a floodplain development permit request with the City.

Mr. Ensey stated an application for a floodplain development permit has not been submitted at this time. If the request is approved it would take that portion of the property out and then they could do work in that area.

Councilor Roswell inquired as to why if the report of FEMA has not been generated why the City isn't looking at the impact of all the properties that could potentially have a different floodplain line drawn across their property.

Mr. Ensey said the City could look at all the properties if they wanted to. He added that the City would have to put forward a LOMR request for the entire City and the City has not wanted to do that thus far.

Councilor Roswell said he is struggling with whether there is an appropriate justification for the City to look at these requests on a parcel by parcel basis.

Mayor Pro-Tem Tisdale inquired as to whether the owner would have additional expenses and/or exposure to flood insurance if they went through the floodplain development process that would have to be separately purchased as opposed to re-adjusting the flood plain boundary to pull the property out of the floodplain where no additional insurance would be required.

Mr. Ensey said Mr. Tisdale's comment is correct depending upon what they are proposing within that floodplain.

Nathan Torrey, WRC Engineering, Representative for Mr. Jim Rubin of 5 Random Road

Mr. Torrey informed Council that there is a small floodplain increase located at 9 Random Road. He added that they have gotten approval for this increase from the property owner of 9 Random Road.

Councilor LaMair asked why the property owner would have previously gone through the same process as what Mr. Rubin is requesting.

Mr. Torre stated the process Mr. Rubin is going through now is actually new mapping and new hydrology which shows what the 2003 FHAD was intended to show.

Mayor Wozniak stated the change in the floodplain boundaries in the City have been a long time coming and that the City has been waiting for FEMA to approve the FHAD. He added that this is an odd way of doing this, but recognized that it is also a service to our homeowners.

Councilor Blum asked if the City's approval has any weight with FEMA. She added that FEMA can approve this application without the City's approval.

Mr. Torrey discussed the process of FEMA's review of the 2003 FHAD.

Mayor Wozniak opened the public hearing.

There was no one who wished to speak. The public hearing was closed.

Councilor Roswell stated it troubled him that we see these requests in piecemeal. He added there is not an application before the City as to what they are going to do to their property and wonders if the boundary request change is justified at this time.

Mayor Wozniak questioned whether Councilor Roswell's concern is what the owner will do with the parcel.

Councilor Roswell stated he understands the basis of the request and is in agreement with the substance or the basis of the request, but wonders if there is a justification for the amendment, as required by the Code.

Mayor Pro-tem Tisdale added that maybe the justification is the reason for the change. He reads the ordinance as saying the basis in the engineering sense and justification from the engineering analysis point of view; and therefore there is justification.

Councilmember Tisdale moved, seconded by Councilmember Blum, to approve the requested amendment to the Floodplain boundary for the property located at 5 Random Road as has been applied for on the express and specific conditions that the applicant in fact receive approval of the letter of map revision from FEMA and in the event that such approval is not given by FEMA this approval is null and void and of no further force or effect, the approval by FEMA that we are requiring the applicant to seek by virtue of our conditional approval, our approval is based upon the finding of the application submitted and includes engineering data and a study that do in fact provide the basis for and a justification of this amendment, proof that the City Council would hereby authorize pursuant to this motion, the City Manager acting as the City's Floodplain Administrator to execute the applicants request to FEMA for the approval of the letter of map revision, the approval of the application is based on the finding that the proposal is consistent with the 2003 flood hazard area, the lineation prepared by the Urban Drainage and Flood Control District which is to be the foundation of the future FIRM currently being prepared by Urban Drainage and by FEMA and that the proposal is in fact consistent with section 16-17-80 of the City Code and as described further in the staff memorandum dated February 19, 2008.

The following votes were recorded:

Scott Roswell	no
Harriet LaMair	yes
Doug Tisdale	yes
Bonnie Blum	yes
Russell Stewart	yes
Klasina VanderWerf	yes

Vote on the Request by Mr. Jim Rubin: 5 ayes. 1 nay. The motion carried.

REPORTS

Mayor's Report

Mayor Wozniak informed Council that Paul Burkholder has resigned as the Parks, Trails and Recreation Administrator.

Mayor Wozniak thanked former City Attorney, Thad Renaud and his staff for the hard work they have done over the years.

Mayor Wozniak stated the Metro Mayors Caucus has been discussing transportation. He said there has been a lot of pressure to endorse this transportation issue and he has not endorsed it on behalf of the City because it is still in the very beginning stages. He added that he may send Council information on this matter within the next week or two. He said that because it is still in the beginning stages of discussion he would not be sharing any more detailed information at this point.

Mayor Wozniak informed Council that the Colorado Colfax Marathon is coming up and asked if anyone would be interested in taking part in the relay.

Mayor Wozniak commended the Police Department for their hard work during the visits from President Bush and Senator Clinton.

Members of City Council

Councilor VanderWerf stated that the Cherry Hills Land Preserve will hold their first history event on April 12th at Kent Denver from 3pm to 6pm.

Councilor VanderWerf informed Council that the celebration of the Anderson conservation easement is forthcoming and it could take place sometime in May. She added that the celebration will not be a public event and that Catherine Anderson will come up with a guest list.

Councilor VanderWerf mentioned that she attended the Municipal Issues and Trends Committee meeting at the Colorado Municipal League. She added that her committee made a recommendation to the executive committee to do a research proposal regarding trends in financing in local government.

Councilor Stewart informed Council that a determination has not yet been made in regards to South Suburban but mentioned that the judge did say he did not want to hear an oral argument.

Councilor Stewart also added that he has some people he would be recommending to sit on the Planning and Zoning Commission.

Councilor Blum mentioned she has received about 20 phone calls regarding coyotes. She added that her neighbors are concerned and feel that something should be done about the problem.

Councilor Blum asked for city staff to do some research about coyotes, particularly if they have a tendency to come back once removed.

Mayor Wozniak requested Mr. Ensey get some information on the coyote issue. He asked for it to be on the next agenda as a study session item.

Mayor Pro-tem Tisdale agreed that the coyote problem is getting worse. He mentioned that the coyotes are just not afraid of people. He added that the issue does need to be addressed.

Mayor Pro-tem Tisdale mentioned that the DRCOG meeting is scheduled for Wednesday, February 20th. He said they would be discussing the governor's Blue Ribbon Panel report from last month. He and Councilor LaMair will both be at the DRCOG retreat over the weekend.

Councilor LaMair stated she has been contacted about the coyote issue as well. She recommended a study session be scheduled to discuss the issue. She added it is too soon to spend a great deal of money to get rid of the coyotes when there are other ways to address the issue at this time.

Councilor LaMair added the Cherry Hills Land Preserve is going to have a meeting on March 6th about the Catherine Anderson donation and the process Council went through to make it happen.

Councilor Roswell apologized for missing the last council meeting. He encouraged the Parks, Trails and Recreation Commission to remember the Recreation aspect of the commission as there is discussion from residents that there seems to be a lack of recreational activities in the Village.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

Mr. Ensey informed Council the December 2007 un-audited financial reports as well as the January 2008 departmental monthly reports were included in this packet.

Mr. Ensey stated there will not be anymore financial reports until March 2008 as we are in the middle of the 2007 audit.

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.

Snow Removal on City Sidewalks

Regarding recent conversations about snow removal on Dahlia Street Mr. Goldie stated the original ordinance went into effect in a wholesale change in the codebook in 2003. He added there appeared to be a large amount of changes in 2003 to the code and this is where it appears it came from. He informed Council that there are two options for the removal of snow; a four-wheeler with a snow-plow attached to the front would cost about \$1000.00, the second option is a four-wheel drive mower currently used by the Parks Division in which the mower could have a plow put on the front which would cost about \$1750.00. Mr. Goldie added that it is more efficient for the operator to drive the machinery to the sidewalk rather than load it on a truck and drive it over. He said it would take about one hour to plow the sidewalk.

Mayor Wozniak asked if there would be damage to irrigation systems.

Mr. Goldie stated that the sidewalk was not meant for a plow. He said there would be damage no matter how careful staff may be when plowing. Staff does not recommend using crews to hand shovel, as they don't have the time or means to do so.

Mr. Goldie said that any snow accumulation would need to be removed from the sidewalk and it could not be delayed.

Mayor Wozniak asked if there are any sidewalks at Gandolfo's or the Cherry Hills Village businesses and if so, do the tenants have to shovel their own walks.

Mr. Goldie stated the tenants shovel the sidewalks in front of their businesses and added that Englewood plows the right of way in front of those businesses.

Councilor LaMair asked what the snow removal priorities are.

Mr. Goldie said the snow would be removed off the street first and then the sidewalk. He added that the snow from the sidewalk would be placed on each person's lawn.

Mayor Wozniak asked City Attorney Ken Fellman what liability the City has if the sidewalk is not plowed fast enough.

City Attorney Ken Fellman said there might be some liability. He added that if the City was behind with plowing because it was a unique sized storm there probably would not be a liability. He also said that if the City was behind because they just did not do the job on time then there might be some liability.

Mayor Wozniak directed Council to first decide if having the City remove snow from the Dahlia St. sidewalk is something they want to do. He added that they would have to decide which machine to go with if they do choose to use City resources for the plowing.

Mr. Fellman stated that part of this would fall under the Governmental Immunity Act. He stated he would look into the liability aspect and report back to Council.

Mayor Wozniak stated other cities would not have taken this sort of thing on because most cities do not plow private walks.

Councilor LaMair stated she feels that those who have private sidewalks should be responsible for shoveling their own walks. She added that it is unfair to make residents shovel the sidewalk at this time because it looks no different than any of the City's trails.

Mayor Pro-tem Tisdale stated it is the responsibility of the homeowner to clear the snow from the sidewalks in front of their houses. He asked for information from staff regarding the difference between a trail and a sidewalk.

Councilor VanderWerf stated the problem seems to be when the resident has to plow two and three times because the snow plow put the snow from the street back onto the sidewalk. She recommended we give residents more time to shovel the sidewalk.

Mayor Pro-tem Tisdale recommended the Chief look into appropriate discretion of the issue.

Mayor Wozniak asked Mr. Ensey to follow up with further information regarding the definitions and differences between a trail and a sidewalk.

Board and Commission Terms

Mr. Ensey informed Council of the vacancies on Boards and Commissions.

Mayor Wozniak requested the members whose vacancies will be up on the Planning and Zoning Commission be appointed to the Master Plan Advisory Commission.

Councilor Roswell asked if there is a requirement that commission members represent their districts. Mayor Wozniak stated it is more of a preference and not a requirement.

Update on Contact with Wireless Providers

Mr. Fellman informed Council that he has found out there is no trade association in Colorado for wireless providers. He was told that someone has a list of the providers, but it has not been distributed publically. He added that he gave them the City's information so providers will be aware of our interest.

Introduction of Rob Zuccaro, Planning Manager

Mr. Ensey introduced Rob Zuccaro. Mr. Zuccaro is the new Planning Manager.

Parks, Trails and Recreation Commission – Green Policy Task Force

Mr. Ensey let Council know that the Parks, Trails and Recreation Commission (PTR) has requested the City look into creating a Green Policy Task Force and would like Council to meet in the near future to discuss it.

Mayor Wozniak asked why PTR does not just act as the Task Force rather than creating a new group.

Mayor Pro-tem Tisdale asked why this group would fall under the PTR Commission. He recommended the Planning Manager and staff do research on the subject and present it to the Planning and Zoning Commission.

Councilor LaMair said she had done research on the subject prior to PTR bringing the idea to her attention. She recommended they bring it before Council so they could decide how to move forward with the request. She added that it should come out of Planning and Zoning as well as Public Works.

City Attorney

Mr. Fellman stated the Legislature is in session and changes will be coming before Council. He added he would provide Council with memorandums as to any of those changes.

He asked to set up a time to meet individually with Council members in order to get to know each other better, as well as discuss their expectations of him.

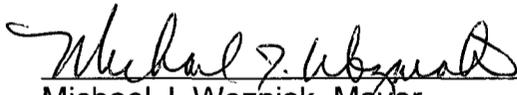
Mayor Wozniak mentioned the Executive Session had been cancelled for this evening as there was more information needed.

ADJOURNMENT

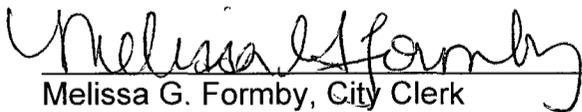
A motion was made by Councilmember Tisdale, seconded by LaMair to adjourn the meeting.

The motion passed unanimously.

The meeting adjourned at 7:51 p.m.



Michael J. Wozniak, Mayor



Melissa G. Formby, City Clerk