

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, November 4, 2008 at 6:00 p.m.
At the Village Center

Mayor Mike Wozniak called the meeting to order at 6:13 p.m.

ROLL CALL

Councilors Klasina VanderWerf, Mark Griffin, Mike Wozniak, Scott Roswell, and Russell Stewart were present on silent roll call. Also present were City Manager Eric Ensey, Deputy City Attorney Nancy Cornish-Rogers, Police Chief John Patterson, Public Works Director Jay Goldie, and City Clerk Melissa Formby.

Absent: Harriet LaMair

AUDIENCE PARTICIPATION PERIOD

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

ITEMS REMOVED FROM CONSENT AGENDA

The following items were removed from the Consent Agenda:

- Resolution 23, Series 2008; a resolution concerning the appointment of the vacant District 3 City Council seat

Mayor Pro Tem Stewart moved, seconded by Councilor Roswell, to pull Resolution 23, Series 2008, in order to discuss the Council candidates and insert the appropriate name.

Discussion was held regarding the qualifications of the candidates. The Council mentioned what a wonderful and knowledgeable pool of candidates there were. The Council thanked the candidates and said the number of the candidates was a testament to the City staff.

Councilor Roswell moved, seconded by Mayor Pro Tem Stewart, to approve Resolution 23, Series 2008, concerning the appointment of Mr. Alex Brown to fill the vacant District 3 City Council seat.

Vote on Resolution 23, Series 2008. All Ayes. No Nays. The motion passed unanimously.

UNFINISHED BUSINESS

Cherrymoor Sanitary Sewer System- CB 21, Series 2008; a bill for an ordinance authorizing a supplemental appropriation for the repair and replacement of sanitary sewer lines for Fiscal Year 2008 on final reading.

Director of Public Works Jay Goldie presented CB 21-08, a bill for an ordinance authorizing a supplemental appropriation for the repair and replacement of sanitary sewer lines for Fiscal Year 2008.

Mr. Goldie informed the Council he has met with Cherry Hills Country Club as well as the Cherry Creek School District. He said the Country Club was very cooperative and he passed on their thanks to the Council for their consideration of this item.

He said the school district has agreed to abandon their current line that flows through the golf course. The school district has an agreement with Mr. Howard Johnson, who owns the property where the line runs through a part of his lot, and he is also willing to have it moved. He said both parties have agreed to split the cost including the move and abandonment of the line.

Mayor Wozniak asked if the amount of \$212,952.00 is a concrete number.

Mr. Goldie said the amount is not final, but assured Council the amount would not increase. He added there is about a 30% contingency in that number and he hopes the actual cost will be approximately \$50,000 less.

Councilor Roswell commended Mr. Goldie for taking the initiative to work with the country club and school district.

Mayor Wozniak asked what the next step is to move forward.

Mr. Goldie said staff is working with attorney Tim Flynn, of Collins, Cockrel, and Cole, to work out the sewer system billing situation as the sewer districts that flow up stream have not been billed in quite some time. Mr. Flynn is going to determine how to offset those billing costs; what can be billed, who can be billed, and what can be back billed. He said Mr. Flynn is working out agreement details and they will then sit down to figure out how to pay for it. He said staff hopes the funds can come out of the general fund and have the users slowly pay the funds back. He said that once the billing situation is resolved, the Cherry Hills Village Sanitation District (CHVSD) is willing to take over the sewer lines, though that may require an election.

Mayor Wozniak asked Mr. Goldie to provide Council with a report of steps that need to be taken.

Mayor Pro Tem Stewart requested staff begin working on a memorandum of understanding for CHVSD.

Mayor Wozniak asked that the memorandum of understanding include a financial piece as well.

Councilor Roswell moved, seconded by Councilor VanderWerf, to approve CB 21-08, a bill for an ordinance authorizing a supplemental appropriation for the repair and replacement of sanitary sewer lines for Fiscal Year 2008.

The following votes were recorded:

Scott Roswell	yes
Mark Griffin	yes
Russell Stewart	yes
Klasina VanderWerf	yes

Vote on CB 21-08: 4 ayes. 0 nays. The motion carried.

REPORTS

Mayor's Report

Mayor Wozniak asked for suggestions and recommendations as to who will take over former Councilmember Frew's position on the Parks, Trails, and Recreation

Commission, Tree City U.S.A, Denver Regional Council of Governments, and the Events Committee. He said he would be assigning those positions at the next City Council meeting.

Mayor Wozniak thanked Councilor VanderWerf for hosting the Volunteer Recognition party and added it was a wonderful event.

Mayor Wozniak informed the Council that he and Mr. Goldie had received some emails and letters from concerned citizens regarding the Goldsmith Fence Project and whose responsibility it is to maintain and repair it. He reminded the Council that the City does not believe the repair and maintenance of the fence is their responsibility, but the City would like to help with the situation. He asked City Manager, Eric Ensey to do a title search with the County and report back with any information at the November 18th City Council meeting.

Mayor Wozniak said the City would be hosting the Arapahoe County Metro Mayors and Managers meeting at Cherry Hills Country Club. He said that Northglenn Mayor, Kathy Novak, would be speaking as she was just elected President of the National League of Cities.

Mayor Wozniak asked Council for their thoughts regarding the vacancy on the Board of Adjustment and Appeals since Alex Brown had been appointed to the City Council. After discussion by Council, it was determined that a list of all 2008 Boards and Commissions applicants would be reviewed by the Council and discussed prior to the November 18th meeting, at which time an appointment would be made.

Members of City Council

Councilor VanderWerf had no report.

Councilor Roswell said he met with Councilman Jerry Pressley of Greenwood Village to discuss the traffic study that pertains to the Colorado Department of Revenue and potential stoplights at the intersection of Glenmoor and Belleview, as well as the intersection of Franklin and Belleview. He said he committed to discuss these items with new Councilmember Alex Brown.

Councilor Roswell stated he also met with the South Metro Fire District with regard to consideration of stations 37 and 38.

Councilor Roswell met with Ms. Proctor to discuss the Paid Time Off policy and said the item would be brought forward at the November 18th City Council meeting.

Mayor Pro Tem Stewart said the briefing on South Suburban would be filed within the next two weeks.

Councilor Griffin had no report.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

Financial Reports

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

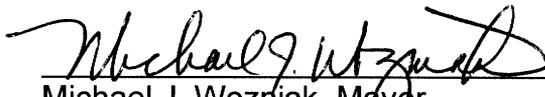
Mayor Wozniak said he received a letter from Grayson Robinson, the North Central Region for the State of Colorado Preparedness and Security Chair. He would like the City to consider participation in the All Hazards Emergency Preparedness and Security System. He asked Chief of Police, John Patterson, to review this request and report back to the Council.

City Attorney

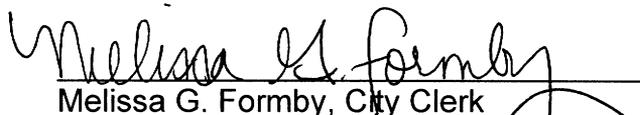
There was no report.

ADJOURNMENT

The meeting adjourned at 6:57 p.m.



Michael J. Wozniak, Mayor



Melissa G. Formby, City Clerk