

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, February 2, 2010 at 6:30 p.m.
At the Village Center

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

ROLL CALL

Mayor Mike Wozniak, Councilors Mark Griffin, Russell Stewart, Alex Brown, Scott Roswell, Klasina VanderWerf, and Harriet LaMair were present on silent roll call. Also present were Interim City Manager and Police Chief John Patterson, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Public Works Director Jay Goldie, Lieutenant Jody Sansing, Parks, Trails & Recreation Administrator Ryan Berninzoni, Crew Chief Ralph Mason and City Clerk Laura Smith.

Absent: none

AUDIENCE PARTICIPATION PERIOD

Mayor Wozniak invited audience comments about issues not on the agenda.

Jeff Welborn of 4901 S. Fairfax St. asked the City Council to place a temporary restraining order on a public utility project. He stated that a large electrical substation had been constructed on the Mooney property near Fairfax St. but far from the Mooney home. He described the substation as 4 feet by 3 feet by 7 feet, green, with the word "elbow" in large letters on the side. He stated that the City Code required equipment such as this to be at least six feet from a property or trail and should be screened. He stated that it was contrary to everything in the community and should not have to be placed where it is. He said Xcel was scheduled to start it up on Thursday and had given residents only 48 hours notice that they would be shutting down the electricity for two hours. He said that the last time this had happened Xcel had not given residents enough time to get an electrician out to their houses to shut down everything they needed to have shut down, and the result was costly. He said the installation of this equipment seemed like the first step in the subdivision process, but that if it was, then a public meeting should have been held. He asked Council to direct staff to ask Public Service to not start the generator until a public meeting could be held.

Mayor Wozniak asked City Attorney Ken Fellman to address what authority City Council had in this matter.

City Attorney Fellman asked if the Mooney property had been approved for a subdivision.

Community Development Director Rob Zuccaro replied that the property was eligible for a subdivision.

City Attorney Fellman stated that the Code allows for utility pedestals without City approval, including utility stations, electric...water and sewer. The Code states that the plans for the utility pedestals need to be approved, and that the equipment needs to be attractive, but does not define a utility station. The generator Mr. Welborn was referring to might be bigger than normal, but there is no clear language in the Code that would necessitate City approval of its installation.

Mayor Wozniak instructed staff to determine Council's jurisdiction over Xcel and whether they could suggest, mandate, or control anything about the installation of the generator.

Mr. Welborn stated that he would also like to know how many residences the structure was designed to serve. He clarified that he was not asking Council to issue a temporary restraining order, rather he was asking Council to do something of that nature in order to slow down the project to allow for electricians to come to the affected houses and to have a public hearing. He stated that the structure violates the spirit of the subdivision ordinance.

Councilor VanderWerf indicated that the property under discussion was a large acreage property with a single owner and feels like a subdivision. She indicated that 48 hours notice for shutting off the electricity has been very difficult and a large expense for some residents in her neighborhood.

Public Works Director Jay Goldie indicated that Xcel is permitted to work in the right of way according to the City's franchise agreement with them. He stated that staff has not been in touch with Xcel regarding this issue.

Mayor Wozniak directed staff to contact Xcel in the morning and get more information about the issue. He indicated that Council would address this issue further at the next meeting.

Councilor Brown indicated he would like to know if the Code required there to be any landscaping or screening of utility equipment and if it addressed the size of the equipment. He also wondered why this size equipment was necessary in this area.

Mayor Wozniak indicated that boxes of similar sizes were common in his neighborhood. He stated that Council could direct staff to request that Xcel delay starting the generator.

City Attorney Fellman asked Council to clarify what they were directing staff to do. He indicated that the City cannot require a stop work order but could request Xcel to postpone starting the generator as a courtesy to the City and residents. He also indicated that this issue would probably come before Council again in the future, and suggested that Council might want to amend the Code to require a separate approval process for generators such as this one.

Mayor Wozniak indicated that the City may not be able to regulate utility equipment of this nature because it is regulated by the Public Utility Commission.

City Attorney Fellman indicated that the City may be able to restrict utility equipment to a certain size.

Councilor Stewart suggested that Council invite someone from Xcel to the Council meeting.

Tom Napp, attorney for Lin Merga of 4800 S. Fairfax St., stated that he was there to underscore Ms. Merga's concerns related to this issue, as her driveway and home will be impacted by the generator on more than a daily basis.

David Jackson of the South Metro Fire Rescue (SMFR) District Board presented an update to Council about the District's activities. He stated that the big project over the past year had been a merger with Parker, and that the physical part of the merge was complete with no visible impact to service. He stated that this year the focus was to take

advantage of economic opportunities as they relate to cost and lower assets on commercial property that may be effective 2012.

Mayor Wozniak indicated that Chief Qualman of SMFR had invited Council to participate in the Inaugral Citizens Academy. He suggested that Councilor Roswell attend as the Council's liaison.

CONSENT AGENDA

Mayor Pro Tem Stewart moved, seconded by Councilor VanderWerf to approve the following items on the Consent Agenda:

- a. Approval of Minutes – January 19, 2010
- b. Prestige Towing Contract

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Traffic Calming Request, Oxford Place

Mayor Wozniak directed Council that there were printed emails that staff had received regarding this issue from Diane Miller, Lisa and Randy Swenson, and Susan Bowman in addition to the material that staff had provided in Council packets.

Mr. Goldie reported that residents had requested placement of an additional speed hump on Oxford Place. The process for a new speed hump begins with staff assessing the impact area. In this case staff determined the impact area to include 27 homes. Next, the residents who wanted the new speed hump had to get signatures from over half of the residents in the impact area, which they did. Next, staff conducted speed surveys along the area of the street where residents were requesting the addition of the speed hump. Staff coordinated with City police to use a speed trailer as well as contracted with All Traffic Data to use a speed rope. From this data staff determined that there was not a speeding problem along this street. The acceptable standard of traffic speed is when 85% of traffic speed falls within 5 miles above or below the posted speed limit. In the case of Oxford Place the posted speed limit is 25 mph, so acceptable speed would be if 85% of traffic was at 30 mph or less. The results of the speed survey showed that the average speed of traffic along this part of Oxford Place was between 19.5 and 23.5 mph, well below the posted speed. Because there was no supporting data for the necessity of a speed hump, the residents then had to get 80% of the affected residents to sign their petition in favor of the speed hump. This had been achieved in the first petition, so staff was now bringing the issue before City Council. If Council approved the process to continue, the next step would be for residents to hold a public neighborhood meeting and to come up with the money to pay for the speed hump. He stated that staff was recommending denial of the requested speed hump because it would be an unnecessary obstacle in the street and traffic moves at an acceptable rate. If Council approves the request, then staff will organize the public neighborhood meeting as the next step in the process.

Mayor Wozniak asked for public comment on the issue.

Lisa Swenson of 4620 E. Oxford Ave. stated that she was not anti-neighborhood, anti-child or anti-safety. She stated that she did not believe that the area needed any traffic calming, as there was low traffic volume at low speed through the street. She stated traffic was mostly from residents and the street was not on a commuter route. She stated the street was level, short, and there were three stop signs within 75 yards of the site of the proposed new speed hump, as well as a new traffic calming median and another speed hump. Furthermore, she stated that the street was shaded and that ice stays on the street all winter, and that another speed hump would only increase the problems that plows and other equipment already have on the street. She submitted a photo of the street for Council review. She stated that she believed public funds would be better spent some other way.

Ray Swenson of 4620 E. Oxford Ave. stated that he believed the designation of the impact area was too narrow and that there were many more than 27 homes impacted by the proposal. He stated that residents from Cherry St., Oxford, and Bellaire also transit to Quincy through their neighborhood. He stated that another speed hump would be a nuisance to Fire Department vehicles, to Police vehicles, to plowing, and to the neighborhood since the neighborhood does not need more traffic calming. He stated that when the first speed hump was put in he had to sell his car because it was too low to the ground and would scrape the speed hump. He stated that while speed humps have beneficial impacts in some cases, the proposed new one would not have any beneficial impact, and instead would be deleterious to cars and City vehicles.

Shannon Ponder Collins of 4070 S. Dexter St. stated that she along with her family and neighbors had been concerned about this issue for several years. She stated that the neighborhood in question, Mansfield Heights, is a higher density neighborhood than many other parts of Cherry Hills Village, and that there are many young children in the neighborhood. She stated that they had gotten the required 80% of the designated residents' signatures on their petition to support the new speed hump. She stated that the speed data wasn't accurate and that at one point both the speed trailer and the speed rope were out at the same time which would result in inaccurate data because people slow down when they see the speed trailer. She stated that if the request for a speed hump depended on data then they should get a fair assessment. She stated that there was an elementary school bus stop as well as a junior high school bus stop in the area, and that there are kids walking up and down the street all the time. Additionally she said that the problem of ice not melting in the winter makes the area even more dangerous, since ice might prevent a driver going too fast to stop for a child. She stated that it was an immediate problem to slow down traffic in the area to protect pedestrians and kids on bikes. She also stated that the new median in Dahlia was causing safety issues as well because there wasn't enough room for both pedestrians and cars. She said that on the north side of the street pedestrians can move onto side roads to let traffic pass, but that on the south side of the street there was not a good place for pedestrians to get off the road as the rocky canal was right there. She stated that other areas of the street had stop signs and speed humps to control the speed of traffic and that she was asking that her area of the street be similarly treated especially given the overwhelming support for a new speed hump that they had demonstrated in the neighborhood through their petition.

Christie Sands of 4740 E. Oxford Ave. stated that she was a new resident and hadn't wanted to get involved in the issue but had observed for herself that the area was dangerous for children. She stated there was a large blind spot to the west and that the pine trees at the end of Dexter shaded the street and caused ice to stay on the street throughout the winter. She stated that there were nine children on Oxford that are

always in the street, and that more children are in the street because of the bus stops. She said that the combination of children, ice, and speed created a dangerous situation. She stated that she had been in contact with Crew Chief Ralph Mason regarding the ice issue and he had told her that the City was limited in dealing with the ice because of drainage issues. She stated that a new speed hump would improve the situation. She thanked Mr. Goldie for all his help with this issue.

Sven Collins of 4070 S. Dexter St. stated that despite the opposition from staff, this street really did have a speeding problem. He stated that the speed tracking had been of cars going in and out of their driveway, which wasn't an accurate representation of the speed on the street. He stated that there was already a speed hump in the area so the impact to vehicles wouldn't be much more. He stated that you can't avoid speed humps in residential areas, so the impact to vehicles was not a valid reason not to install another one. He stated that cars slow down at the speed hump to the west on Oxford, then speed up to the stop sign, then speed up again and that they are in that speed zone. He stated that in response to the other resident's comment that public funds could be better spent, it was his understanding that since the City did not find a speed problem that the residents would need to pay for the speed hump.

Councilor LaMair indicated that she was sad to hear that the new median was causing a safety issue for pedestrians and asked staff if they could create a shoulder.

Mr. Goldie indicated that a sidewalk on the south side of Oxford had been budgeted for in 2010.

Councilor LaMair indicated that a speed hump would not solve the problem of speed in the neighborhood. She stated that children shouldn't be playing in the street. But she said that if the neighbors are concerned and if they can approve it in a neighborhood hearing and pay for it, then Council should approve their request to continue with the process. She asked staff what the negative impacts of the speed hump would be.

Mr. Goldie indicated that the data that Ms. Collins had referred to had been removed from the speed analysis. He stated that while speed humps do solve a speed issue right at the speed hump, they cause issues with snow plowing, police response and fire department response. He stated that speed humps reek havoc on equipment, especially on snow plows.

Mayor Pro Tem Stewart indicated that because 80% of the neighborhood signed the petition to approve the speed hump, he was leaning towards approving their request to try putting in a new speed hump to see if it solves the problem. He indicated that if it didn't work then it could be removed. He suggested that a stop sign might work better than a speed hump to control the speed on the street, and it would not create snow plow issues. He indicated that he agreed with Councilor LaMair to allow the process to continue forward.

Mr. Goldie indicated that he has always adhered to the idea of not using stop signs to control speed, but rather just to control traffic flow. Stop signs tend to be ignored if not installed properly.

Councilor Griffin asked staff about the trees that Ms. Sands had referred to.

Mr. Goldie replied that the trees were not in the right of way so the City had no control over them.

Councilor Griffin indicated that he understood the supporters of the speed hump wanted to protect their families and children, and that they had identified a problem. However,

he said that the staff report did not justify a new speed hump. He indicated that when his neighborhood had a similar problem their solution was to work with the Police Department to isolate the perpetrators and found them to be mostly teenagers. He indicated that his neighborhood had found this to be more effective than putting in a new speed hump. He suggested that Council rely on staff and follow their recommendation.

Councilor Roswell asked staff if the homeowners pay for the speed hump if the City was still responsible for the street maintenance.

Mr. Goldie indicated that the homeowners have to enter into a revocable permit process that designates the City to maintain it and gives the City the ability to remove it at any time.

Councilor VanderWerf asked staff where the cars are when the speed trailer picks up their speed, since people tend to slow down when they see one.

Mr. Goldie responded that the trailer records the speed when the radar first hits the oncoming car.

Councilor VanderWerf stated that she was inclined to agree with Councilor Griffin to follow the staff recommendation to reject the application for a new speed hump.

Councilor Brown asked if staff had considered any other treatment for the problem aside from a speed hump.

Mr. Goldie replied that they had not since staff did not see a need for any further speed reduction treatments in the area. He stated that there was already an existing speed hump, multiple stop signs, and a newly installed traffic median in the area, and that the speed survey had shown that the traffic speed in the area was acceptable.

Mayor Wozniak indicated that he had walked the area twice on Sunday and didn't observe speeding. However, he stated that the residents have shown relative unanimity supporting a new speed hump, and have listened to their neighbors, and suggested that Council allow the process to continue. He indicated that he questioned the setting of the defined impact area at 29 people and wondered if that was too small a subset of the neighborhood.

Mr. Goldie indicated that if Council approved the process to continue, the issue would be brought back to Council if it was approved at a neighborhood hearing. He indicated that the meeting would be open to the public. He asked Council if they were directing staff to re-do the petition process with a larger defined impact area.

Mayor Wozniak responded that staff did not need to re-do the petition, but directed them to expand the area when they sent notice of the public neighborhood meeting.

Councilor LaMair thanked the Swensons for attending the meeting.

Councilor LaMair moved, seconded by Mayor Pro Tem Stewart to approve the request for the installation of a speed hump at 4740 E. Oxford Avenue. The petitioners have collected the required 80% of signatures as outlined in the City's Traffic Calming Policy dated March 14, 2006. Furthermore, the project will need to be paid for by the petitioners as there are no documented speeding issues on this section of E. Oxford Avenue. Prior to installation of a speed hump the City will schedule a neighborhood meeting of the residents in the defined impact area. Staff will prepare a final plan after

the residents in the impact area have provided their input and submit the plan to City Council for final approval.

The following votes were recorded:

Mark Griffin	no
Harriet LaMair	yes
Russell Stewart	yes
Scott Roswell	yes
Klasina VanderWerf	no
Alex Brown	yes

Vote on Traffic Calming: 4 ayes. 2 nays. The motion carried.

Council Bill 2, Series 2010; A Bill for an Ordinance Amending Chapter 11 of the Municipal Code (first reading)

Mr. Goldie presented Council Bill 2, Series 2010 on first reading; a bill for an ordinance amending Chapter 11 of the Municipal Code to address a number of issues that are inconsistent throughout the City within the right-of-way as well as to give Code Enforcement Officers the ability to more effectively protect the City's investment in its rights-of-way. He stated that the City currently mows rights-of-way based on tradition as opposed to any logical method. He stated that staff was presenting three recommendations to Council in the proposed bill. The first was the stop mowing phase, in which staff would continue to mow as they had been during 2010 and send letters notifying residents that residents would be responsible for mowing their rights-of-way in 2011. In 2011 City Code Officers would give friendly reminders to residents who were not keeping their rights-of-way mowed to the required 10", and in 2012 they would give citations for code violations if rights-of-way aren't mowed.

Councilor LaMair asked if steep areas like the embankment ditch on Cherryridge would pose a problem for a lawn service to mow.

Mr. Goldie stated that such an area would be a standard area to mow for any mowing company and that they would probably use a weed whacker. He stated that the second recommendation from staff in the proposed bill was the addition of section 11-1-40 which would allow staff to maintain control of landscaping within the public right-of-way by requiring that residents get a permit from the City before installing certain landscaping within the public right-of-way.

Mayor Wozniak asked if sod was included in the definition of landscaping.

Councilor Brown indicated that there seemed to be a conflict between the prohibitions of Section 2 and the exceptions of Section 3.

City Attorney Fellman stated that Section 2, 11-1-40, starts by stating "Except as provided in 11-2-40", and 11-2-40 lists the landscaping that is allowed.

Mayor Wozniak asked if residents would be required to obtain a permit or just permission from the City as stated in 11-1-40.

Mr. Goldie stated that "permission" would be a permit.

Councilor VanderWerf asked how the requirement for a permit would be enforced.

Mr. Goldie responded that the City Code Officers would check if residents with landscaping in the public right-of-way had a permit.

City Attorney Fellman clarified that if residents did not have a permit for the landscaping in the public right-of-way, Code Enforcement would let Mr. Goldie know, and Mr. Goldie would contact the homeowner and most likely work out a permit with the condition that if the City needs to alter or remove any of the landscaping in the public right-of-way that they are free to do so.

Mayor Pro Tem Stewart directed staff to change "permission" to "permit" in 11-1-40 to clarify that homeowners would need a permit.

Councilor LaMair asked how mailboxes would be treated under the proposed bill.

Mr. Goldie stated that a mailbox on a post would be allowed, but that a pillar would require a permit.

Mr. Zuccaro stated that a pillar mailbox already required a building permit under the City Code, and is required to be at least three feet back from the street edge and cannot be in a ditch, among other requirements.

Mayor Wozniak indicated that mailboxes should be addressed in relation to the proposed bill but that they might be better referred to as structures rather than as landscaping, and to specify that mailboxes other than on posts require a building permit.

Councilor LaMair indicated that mailbox structures should be addressed in both sections.

Councilor Brown stated that part of the issue may be that residents are unsure of where the right-of-way is located in relation to their property.

Councilor LaMair indicated that this would be an education process that will take a long time, and that articles explaining this issue should be included in the Crier to raise public awareness.

Mayor Wozniak directed staff to change "permission" to "permit" and to include "mailbox" in the list of items not allowed in the public right-of-way in 11-1-40 of the proposed bill.

Mr. Goldie stated that the third recommendation in the proposed bill addressed damages that are caused in the public right-of-way by contractors and homeowners doing work that is somewhere else on the property, whether there is a right-of-way permit issued or not. This makes the homeowner responsible for any damages caused.

Councilor Brown asked staff what standards they had used to select the streets that the proposed bill would apply to.

Mr. Goldie responded that the proposed bill would apply to all the arterial streets in the City, while the City would continue to maintain those streets that the City uses as snow routes and that have on-street trails. Few residences front these streets and there is not a high density of driveways.

Councilor Brown asked if staff could see potential for the list of streets in the proposed bill changing in the future.

Mr. Goldie indicated that the list was unlikely to change.

Mayor Pro Tem Stewart moved, seconded by Councilor LaMair to approve on first reading Council Bill 2, Series 2010; A bill for an ordinance of the City of Cherry Hills Village amending Chapter 11 of the Code by adding Section 11-1-30, concerning the maintenance of any real property abutting a public right-of-way, adding Section 11-1-40 and amending Section 11-2-40(e), concerning the encroachment into any public right-of-way or easement and by adding Section 11-2-180, concerning damage to public rights-of-way or other City Property as amended as discussed this evening to require a permit and to specify mailbox in Section 11-1-40.

The following votes were recorded:

Harriet LaMair	yes
Russell Stewart	yes
Scott Roswell	yes
Klasina VanderWerf	yes
Alex Brown	yes
Mark Griffin	yes

Vote on the Council Bill 2-2010: 6 ayes. 0 nays. The motion carried.

Council Bill 3, Series 2010; A Bill for an Ordinance

Mr. Zuccaro presented Council Bill 3, Series 2010 on first reading. The proposed bill is aimed at clarifying who may authorize a building permit when there are multiple owners with an interest in the property. The proposed bill will require that the application be authorized by the owner or owners representing a majority interest in the property, or their authorized agent. Additionally, in cases where authorization of more than the majority interest is required, the proposed bill would require that such authorization be demonstrated by the applicant.

City Attorney Fellman clarified that the proposed bill would not require that every owner with an interest in the property sign the application, but rather that whoever signs the application be an authorized representative of the majority interest. This would allow the City to take issue with permits that are approved but that are not supported by a majority of the property owners with an interest in the property.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve Council Bill 3, Series 2010; A bill for an ordinance amending Chapter 18 of the Municipal Code, concerning Building Regulations, by amending Sections 18-1-20, 18-2-20, 18-3-20, 18-4-20, and 18-5-20, concerning amendments to the 2006 International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, and International Fuel Gas Code permit application authorization requirements, on first reading.

The following votes were recorded:

Russell Stewart	yes
Scott Roswell	yes
Klasina VanderWerf	yes
Alex Brown	yes
Mark Griffin	yes
Harriet LaMair	yes

Vote on the Council Bill 3-2010: 6 ayes. 0 nays. The motion carried.

Council Bill 4-2010; A Bill for an Ordinance

Finance Director Karen Proctor presented Council Bills 4 and 5, Series 2010 on first reading. She stated that staff had previously brought to Council's attention discrepancies between the City Code and City practice relating to sales tax and business licenses. Council Bill 4, Series 2010 proposes changing the Code to require a combined business/sales tax licenses only from businesses with a physical store front within the City. Council Bill 5, Series 2010 proposes changing the code to clarify that sales tax is not collected on deliveries into the City and not on services, and adds Home Occupation to the definition of a business. Staff recommends approval of the proposed bills to clarify the Code and to resolve the discrepancies between the Code and City practice.

Councilor Roswell moved, seconded by Councilor Griffin to approve Council Bill 4, Series 2010; A bill for an ordinance of the City of Cherry Hills Village amending Chapter 6 of the Cherry Hills Village Municipal Code, concerning business licenses, by amending Article 1, concerning requirements for obtaining business licenses, on first reading.

The following votes were recorded:

Scott Roswell	yes
Klasina VanderWerf	yes
Alex Brown	yes
Mark Griffin	yes
Harriet LaMair	yes
Russell Stewart	yes

Vote on the Council Bill 4-2010: 6 ayes. 0 nays. The motion carried.

Council Bill 5-2010; A Bill for an Ordinance

Councilor Roswell moved, seconded by Councilor Griffin to approve Council Bill 5, Series 2010; A bill for an ordinance of the City of Cherry Hills Village amending Chapter 4 of the Cherry Hills Village Municipal Code, concerning sales tax, by amending Article IV, concerning requirements for remitting sales tax to the City, on first reading.

The following votes were recorded:

Klasina VanderWerf	yes
Alex Brown	yes
Mark Griffin	yes
Harriet LaMair	yes
Russell Stewart	yes
Scott Roswell	yes

Vote on the Council Bill 5-2010: 6 ayes. 0 nays. The motion carried.

REPORTS**Mayor's Report**

Mayor Wozniak reported that Andy Love, the City's representative to the Centennial Airport Noise Roundtable, had recommended that the City no longer participate in the roundtable. Mr. Love feels that he has adequately addressed the two noise complaints

from last summer and that the City will be adequately represented by other members of the committee. Mr. Love has requested that Mayor Wozniak write a letter to the Arapahoe County Public Airport Authority with their final thoughts and ask to be kept in the loop. Mayor Wozniak stated that Mr. Love is an experienced aviator and has recommended that the City remove him from the roundtable and not replace the position, mainly because the Centennial Airport does not affect the City as much as it does other municipalities on the roundtable, and he has been impressed by the work done by the other communities on the roundtable. Mayor Wozniak noted that due to the distance of the City from the airport, the City was limited in what it could do to influence flight patterns. Mayor Wozniak and Mr. Love have been in contact with Greenwood Village and Centennial and have asked that the City be kept in the loop. Mayor Wozniak recommended that Council honor Mr. Love's request. He thanked Mr. Love for his hard work.

Mayor Wozniak also reported that he had received a letter related to Senate Bill 06090 that he would pass onto staff, requiring the City's written confirmation of an elected official certifying the City's cooperation on immigration issues.

He also reported that Greenwood Village Mayor Nancy Sharp is chairing the Joint Purchasing and Shared Services Committee. He indicated that the City may be able to save on costs by purchasing with other municipalities. He indicated that he would be returning with recommendations for Mr. Goldie relating to joint purchasing.

Members of City Council

Councilor Brown had no report.

Councilor VanderWerf thanked the Council for moving forward on the Belleview Underpass grant. She reported that staff had been working on a survey of the possible trail on Jim Muhm and Jean Arthur's property, but that the process had been halted due to various issues, including the fact that part of their driveway was an easement on another property and thus any trail on their property would not extend to Holly. She also reported that she had been in contact with Jim Taylor, a Littleton Councilmember, who serves on the board of Arapahoe County Early Childhood Council. A speaker is coming to town on March 4th and Arapahoe County is trying to get as many municipalities as possible for the event. They want to put municipal logos on the invitation, and Councilor VanderWerf recommended that the City's logo be included.

Mayor Wozniak indicated that he would be comfortable with having the City's logo on the invitation if someone from Council or staff would be attending the event.

Councilor VanderWerf indicated that she would attend the event.

Council agreed to have the City logo on the invitations.

Councilor Roswell reported that he and City Attorney Fellman had been working on a Memorandum of Understanding letter for Chief Qualman of South Metro Fire Rescue (SMFR). He reported that he would contact Chief Qualman about the SMFR's Citizens Academy. He also asked staff to give Council an update on the wireless project at the next meeting.

Mayor Pro Tem Stewart reported that coyotes had been a topic of discussion at his Home Owners Association meeting.

Councilor LaMair had no report but asked staff for an update on the gas pipeline replacement project along Quincy including the timeline, and the cost and impacts of the gas leak.

Mr. Goldie reported that the gas leak had cost Xcel a million dollars an hour, and that it had taken about 14 hours to contain. He stated that the City had billed Xcel for about three thousand dollars of staff time. He stated that he had increased Xcel's bond for the third time because of the damage done to the ditch along Quincy. He stated that the original bond had been \$10,000 and was now up to \$50,000, an amount that would allow the City to fix all the damage at no cost to the City. He stated that Xcel's permit had expired yesterday for the second time. He stated that the biggest complaints were regarding the staging near the Village Center as well as on Southmoor. The bond will also cover cleanup on Southmoor including new driveways.

Councilor LaMair asked why the project had been done in the winter.

Mr. Goldie replied that Xcel was using federal grant money for the project and that the grant money had needed to be spent immediately.

Councilor Griffin also asked for a staff report update on the cell phone coverage.

Mayor Wozniak directed staff to present an update at the next meeting.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

Interim City Manager and Police Chief John Patterson reported that there was a vacancy on the Planning and Zoning Commission and that the application deadline was Friday, February 12th. He asked Council to assist with the process.

Councilor Roswell indicated that he would help.

Chief Patterson reported that City Clerk Laura Smith would be holding a Candidate Information Session on Monday February 8th from 6 to 8 pm at the Village Center, and that it has been advertised through email and on the City website. He also reported that the City would be holding its annual Spring Clean up from March 29th to June 6th and its annual Community Shred Day on June 5th. These dates are posted on the City website.

Mayor Wozniak commended everyone on the new website. He stated it looks better and is easier to navigate than the old website.

Dahlia Hollow Weed Vegetation Thinning – Urban Drainage Project Update

Mr. Goldie reported that each year the City applies for funding for maintenance through the Urban Drainage and Flood Control District (UDFCD) to improve drainage ways and creeks throughout the City. The City has applied and received funding for work on the drainage way that runs through Dahlia Hollow Park from Dahlia Street to the High Line Canal. UDFCD will be removing overgrown vegetation, such as Russian Olives, and fix the channel. The City has also been approved for two grants of \$150,000 each through the UDFCD Capital Improvement Program for fiscal years 2011 and 2013 that would help stabilize banks. These grants require matching funds of 50% and staff has been working with homeowners on Little Dry Creek near Clarkson and Martin Lane. The City will be responsible for between 10-25% of the project if it does move forward.

Councilor LaMair asked if staff had notified the neighbors of this project.

Mr. Goldie confirmed that the nine neighbors that directly back up to Little Dry Creek had been sent letters.

Bellevue Underpass Grant Update

Mr. Goldie reported that the Bellevue Underpass grant is moving forward. Earlier last week Greenwood Village had some hesitation, but Chief Patterson was able to call Greenwood Village and speak to the City Manager and move the grant along.

City Attorney

City Attorney Fellman reported that the Colorado Municipal League and the Greater Metro Telecommunications Consortium is putting together a half-day program in April targeted at local officials and staff regarding all things telecommunication, including cell phone providers. He stated it might be beneficial for someone from the City to attend.

ADJOURNMENT

A motion was made by Mayor Pro Tem Stewart seconded by Councilor Griffin to move into Executive Session for the purpose of instructing negotiators as authorized by C.R.S. §24-6-402(4)(e), regarding a real property issue, and further for the purpose of discussing personnel matters as authorized by C.R.S. 24-6-402(4)(f), and further at the conclusion of the Executive Session stand to adjourn.

The following votes were recorded:

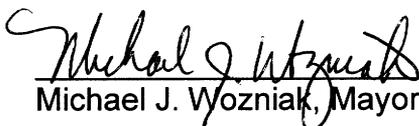
Alex Brown	yes
Mark Griffin	yes
Harriet LaMair	yes
Russell Stewart	yes
Scott Roswell	yes
Klasina VanderWerf	yes

Vote on Executive Session and adjournment: 6 ayes. 0 nays. The motion carried.

Mayor Wozniak requested that staff stay for the first Executive Session.

The meeting adjourned into Executive Session at 8:25 p.m.

The meeting adjourned at 9:00 p.m.


 Michael J. Wozniak, Mayor


 Laura Smith, City Clerk