

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, September 21, 2010 at 6:30 p.m.
At the Village Center

Council held a Study Session to review Draft Bulk Plane recommendations starting at 6:03 p.m.

Mayor Mike Wozniak called the meeting to order at 6:35 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, City Attorney Ken Fellman, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Public Works Director Jay Goldie, Deputy Chief Jody Sansing, Crew Chief Ralph Mason, and City Clerk Laura Smith.

Absent: none

AUDIENCE PARTICIPATION PERIOD

None

CONSENT AGENDA

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

- a. Approval of Minutes – September 7, 2010
- b. Approval of Addendum No. 4 to the Intergovernmental Agreement with the Denver Regional Council of Governments for the City's Elevator and Escalator Safety Inspection Program
- c. Resolution 16, Series 2010; Supporting a Locally-Administered Human Services System by Arapahoe County
- d. Resolution 17, Series 2010; Re-appointing Members to the Planning and Zoning Commission
- e. Darrell Weakland Bench Donation

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Council Bill 22, Series 2010; A Bill for an Ordinance Amending Chapter 10 of the Code to Prohibit in the City Certain Uses Related to Medical Marijuana

Deputy Police Chief Jody Sansing presented Council Bill 22, Series 2010 on second and final reading. He indicated that there had been no changes to the proposed bill since first reading on September 8, 2010.

Councilor Brown moved, seconded by Councilor VanderWerf to Council Bill 22, Series 2010; A Bill for an Ordinance of the City of Cherry Hills Village amending Chapter 10 of the Cherry Hills Village Municipal Code to prohibit in the City of Cherry Hills Village certain uses related to medical marijuana, on second and final reading.

The following votes were recorded:

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

Vote on the Council Bill 22-2010: 6 ayes. 0 nays. The motion carried.

NEW BUSINESS

None

REPORTS

Members of City Council

Councilor Brown reported that the asphalt overlay project had reached his neighborhood and that the public works staff had done well with the project. He also reported that he had received several emails from residents regarding the proposed tree preservation bill discussed at the last meeting. He indicated that some cities have signed working agreements with utility companies to avoid some of the issues with tree trimming that the City had seen this summer. He also suggested that a higher level of communication with residents regarding the budget may be beneficial, and offered to write a series of articles for the Village Crier to provide a depth of background to some of the financial challenges due to changes underlying revenue.

Councilor VanderWerf had no report.

Councilor Roswell reported that he had also received emails from concerned citizens regarding the proposed tree preservation ordinance.

Mayor Pro Tem Stewart had no report.

Councilor LaMair reported that construction on the water lines in her neighborhood would begin in October and was scheduled to be completed by December 31, 2010. She noted that the project had originally been estimated at \$1.3 million but was now down to \$899,000. She also commented that the residents' frustration with the Three Pond Park location for the portable restroom may have been triggered by the portable restroom that staff arranged at Three Pond Park for the High Line Canal Working Group tour.

Councilor Griffin encouraged Council to think of the 2011 budget as a two-step process, where the City could cut more expenditures now in preparation for a significant decrease in revenue in 2012, or could wait until 2012 to cut even more expenditures. He also reported that he, along with all of Council, had received an email from a resident who was concerned about horse manure.

Councilor VanderWerf commented that the City Code distinguished between dog manure and horse manure because dogs are carnivores and horses herbivores.

Mayor's Report

Mayor Wozniak reported that citizens near Three Pond Park had expressed their frustration with the Council's decision to place a portable restroom in the park. He indicated that Karen Barsch, the Parks, Trails, and Recreation Commissioner, had been helpful in addressing their frustrations. He stated that he had told the residents that the portable restroom was a one year appropriation and would have to be re-evaluated in 2011. He commented that Ms. Barsch had also met with some of these residents.

He reported that the 2011 budget was on the dais for Council to review and that a study session would be held at the next Council meeting to review the budget. He indicated that Interim City Manager Patterson and Ms. Proctor had worked hard on the budget but that there was a nearly \$600,000 deficit. He asked Council to look carefully at their sections of the budget to find areas that Council could discuss during the study session.

He reported that Parks, Trails, and Recreation Administrator Ryan Berninzoni's son was having serious health issues and asked Council to keep them in their thoughts and prayers.

He reported that he had attended a South Metro Realtors meeting along with other metro area mayors to discuss the potential implications of Proposition 101 and Amendments 60 & 61.

He reported that he had participated in the Greenwood Village Fitness Festival at Greenwood Village's request, which had been very positive with the participation of many Cherry Hills Village residents.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

Interim City Manager Patterson indicated that staff would address the horse manure issue. He also reported that there would be a study session on the 2011 Budget at the October 5, 2010 Council meeting. He indicated that departmental monthly reports and unaudited financial statements were in Council packets.

Mayor Wozniak commented that crime had increased slightly.

Mr. Patterson replied that there had been a high number of car break-ins, many of which were at Three Pond Park. He indicated that the Police Department had increased patrol of the area.

Mayor Wozniak commented that having a portable restroom facility at Three Pond Park might exacerbate the crime issues there.

Councilor Griffin asked if there was a pattern to the car break-ins.

Mr. Patterson replied that break-ins in the neighborhoods typically occurred at night, while break-ins at the parks typically occurred in daytime. He indicated that, in general, cars were left unlocked with valuables inside. A resident near the Three Pond Park parking lot had a video camera set up and the criminals could be seen to take only 30-

40 seconds on each car break-in. He also indicated that he had spoken to Public Works Director Jay Goldie and Mr. Berninzoni about posting No Parking signs on the east side of Colorado south of the Three Pond Park parking area.

Mayor Wozniak suggested that police officers ticket people parking in that area after the No Parking signs have been posted for awhile.

Councilor LaMair asked about the area on the north side of Quincy across from the Cat Anderson property.

Mr. Goldie responded that staff had reposted the area with No Parking.

Mr. Patterson also reported that the Quality Paving project along Quincy, Holly, and Colorado was coming to an end.

Mayor Wozniak thanked staff for their work on the paving project.

Ms. Proctor reported that she was working on a report detailing the impacts of Proposition 101 and Amendments 60 & 61 that she would present to Council at the October 5, 2010 study session.

City Attorney

City Attorney Fellman had no report.

ADJOURNMENT

Mayor Pro Tem Stewart moved, seconded by Councilor LaMair that the Council move into Executive Session for the purpose of discussing the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest as authorized by C.R.S. § 24-6-402(4)(a); and for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators as authorized by C.R.S. § 24-6-402(4)(e), regarding open space within the Village, and immediately upon conclusion of the Executive Session to adjourn the City Council meeting.

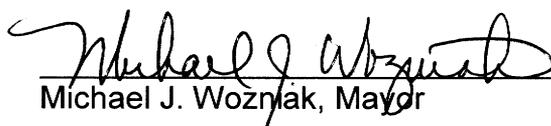
The following votes were recorded:

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

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

The meeting adjourned into Executive Session at 6:57 p.m.

The meeting adjourned at 7:46 p.m.



Michael J. Wozniak, Mayor



Laura Smith, City Clerk