

**RECORD OF PROCEEDINGS**

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Minutes of the  
City Council of the City of Cherry Hills Village, Colorado  
Held on Tuesday, October 4, 2011 at 6:30 p.m.  
At the Village Center

City Council held a study session on the proposed 2012 budget at 6:00 p.m.

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 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, Parks, Trails & Recreation Administrator Ryan Berninzoni, Crew Chief Ralph Mason, and City Clerk Laura Smith.

Absent: none

**AUDIENCE PARTICIPATION PERIOD**

State Senator Linda Newell expressed her excitement and gratefulness to Council for considering the Conflict Resolution Month (CRM) Proclamation. She explained that Colorado was the only state which designated the entire month of October as Conflict Resolution Month instead of a single day and noted that it takes more than a day to teach conflict resolution skills. She noted that she had brought literature to promote CRM and welcomed Council to attend her conflict resolution town hall meeting. She also presented Council with a book about conflict resolution.

Mayor Wozniak thanked Senator Newell for coming and thanked her for her service to the State. He noted that Council had received a good presentation from one of the Village residents at their last meeting promoting CRM.

Mary Zinn added that the City would be joining other counties, cities, the Governor and the state legislature in their support of CRM. She asked to take a picture of Senator Newell with Mayor Wozniak.

**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 20, 2011
- b. Proclamation 1, Series 2011; A Proclamation Designating the Month of October 2011 as Conflict Resolution Month

The motion carried unanimously.

**ITEMS REMOVED FROM CONSENT AGENDA**

None

**UNFINISHED BUSINESS**

Council Bill 11, Series 2011; A Bill for an Ordinance Amending Section 4-4-130(b)(1) and 4-4-310(a) to Adjust the City Sales Tax Vendor Fee (second and final reading)

City Clerk Laura Smith presented Council Bill 11, Series 2011 on second and final reading. She indicated that no changes had been made to the proposed bill since first reading and that the staff memo had been updated with the implementation date of March 1, 2012 if the changes were approved.

Councilor Brown moved, seconded by Councilor VanderWerf to approve Council Bill 11, Series 2011; A Bill for an Ordinance of the City of Cherry Hills Village Amending Section 4-4-130(b)(1) and 4-4-310(a) Concerning the City's Sales Tax Vendor Fee to Reduce the Vendor Fee from 5% to 2.5% and to Impose a Cap of \$150.00 on the Vendor Fee, 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 11-2011: 6 ayes. 0 nays. The motion carried.

Recreation Reimbursement Program

Public Works Director Jay Goldie presented a report on possible changes to the recreation reimbursement program. Director Goldie explained that on August 16, 2011 City Council was presented with a modification to the current recreation reimbursement program that would make more recreational opportunities eligible for reimbursement. Council had suggested that one way to make sure the program would not go over budget would be to keep all the reimbursement requests until the end of the year and then reimburse based on the number of requests received. Director Goldie explained that current administrative staffing levels would be inadequate to handle this workload. He noted that the proposed program would potentially be easier to administer because almost no reimbursement would be turned away and therefore staff would spend less time explaining the program rules. However, this would potentially increase the number of requests to process. Staff recommended that if the new policy is adopted that the amount of reimbursement be reduced to \$300.00 per household per year and that the budget for the program be increased by \$40,000 for 2012. Director Goldie indicated that staff felt the current program was fair and equitable and gives residents flexibility in their recreational choices. He recommended that the only change to the program be the inclusion of recreational activities from the Richie Center at the University of Denver.

Councilor VanderWerf asked if the staff time spent on the administration of the program was due to time needed to process each request.

Director Goldie replied that it was and that much of the time was needed to process and review each receipt and often to call either the resident or the organization to get clarification or the proper documentation.

Councilor VanderWerf suggested there might be a way to streamline the process.

Mayor Pro Tem suggested that the City have residents scan their requests.

Councilor LaMair suggested staff enter all of the information into Excel and go through the regular process throughout the year but hold the checks until the end of the year.

Mayor Wozniak noted that these were all good suggestions but that unfortunately it was simply a labor-intensive program.

Mayor Pro Tem Stewart indicated that he appreciated the staff memo and agreed that the City has not received many complaints that were not related to the Richie Center. He indicated his support for the proposal to add the Richie Center and keep the rest of the program the same. He asked how staff had come up with the addition of \$40,000 to the 2012 budget for the program.

Director Goldie replied that it had balanced the budget.

Councilor Roswell agreed that many of the complains were related to the Richie Center but that other complaints were related to the fact that the City does reimburse activities at Greenwood Village Athletic Club, which is often perceived as a private club even though it was actually a special district. He stated that he was comfortable reducing the per-household reimbursement to \$300 instead of \$500 and with including the Richie Center in the program.

Councilor Brown indicated that he was supportive of approving non-profits one at a time and supported keeping the per-household amount at the current level of \$500.

Mayor Pro Tem Stewart agreed with Councilor Brown and noted that Council could revise the program mid-year if needed.

Mayor Wozniak asked if there was anything in the South Suburban exclusion court decision that specified an amount.

Mayor Pro Tem Stewart replied that there was not.

Councilor VanderWerf asked if the City had settled on \$500 based on the City of Greenwood Village's program.

Director Goldie confirmed that was correct.

Councilor LaMair expressed concern that addition of the Richie Center would spur more arguments from residents regarding other organizations that are not currently included. She suggested that staff create a memo outlining the process to appeal staff decisions.

Director Goldie explained that staff time was being steadily reduced as the program was enforced consistently.

Mayor Wozniak indicated the difference between Greenwood Athletic Club and the Arapahoe Tennis Club was somewhat artificial.

Councilor Brown agreed that it was a curious result but indicated that Greenwood Athletic Club's legal status was the same as South Suburban's due to its forming a special district.

Councilor LaMair added that there were no letters of recommendation required for membership at Greenwood Athletic Club. She emphasized that public funds should never be spent on private organizations.

Mayor Wozniak indicated that Council appeared to be in agreement and directed staff to add the Richie Center and to keep the rest of the program the same.

## **NEW BUSINESS**

None.

## **REPORTS**

### **Members of City Council**

Councilor Griffin reported that he had received a newsletter from Denver Water in the mail and had read about a program where Denver Water had worked with a Homeowners Association in Centennial resulting in a 40% decrease in their water bill. He suggested the City might look into setting up a similar program.

Mayor Wozniak commented that this type of program might only work with large areas.

Director Goldie stated that the City did have older water systems that would need to be upgraded eventually but was not sure if the City's systems were large enough for this type of program.

Councilor Griffin also reported that some corporations have incentive programs that reward employees if they find cost-saving measures and suggested the City look into adopting a similar program.

Councilor LaMair reported that she had done some research with staff's help into forming a board or committee that would help to manage the Cat Anderson property once it transferred into City property. She stated that she had spoken to a woman from Colorado Open Lands who had been very helpful in sharing ideas for such a group.

Mayor Pro Tem Stewart had no report.

Councilor Roswell reported that the Old Cherry Hills neighborhood had a successful Oktoberfest celebration. He also asked Deputy Chief Sansing to present a report at the next meeting on the presence of City police on Halloween.

Councilor VanderWerf reported that the Young at Art show and competition for Cherry Hills Village Elementary students would be held at Glenmoor Country Club tomorrow evening.

Councilor Brown had no report.

### **Mayor's Report**

Mayor Wozniak reported that staff had received notice of a building permit application for a new home that would bring in approximately \$180,000 in revenue. He also reported that Officers Sesok and Lynes had been helpful in apprehending an armed robber in Greenwood Village. He reminded Council that officers are not limited by jurisdiction when responding to a 911 call. He reported that he would attend a Metro Mayors Caucus tomorrow where Governor Hickenlooper would be discussing the state of the State budget and transportation issues. He reported that the Gateway Battered Women's Shelter had requested a contribution from the City and asked Finance Director Karen Proctor to present a report on the history of the City's contributions and a staff recommendation at the next Council meeting.

Mayor Wozniak reported that a City-wide sensitivity training would take place in a few weeks handled by City Attorney Fellman's firm. He also reported that City Manager Patterson would be attending a seminar on interpersonal communication skills from Mountain States Employers Council. He reported that, effective today, John Patterson had resigned from the Chief of Police position and would stay on as full-time City Manager. He noted that it had been a grand experiment to combine the Chief of Police and City Manager positions as a cost-saving measure and that Council had finally determined that it was too much for one person to handle both positions. He explained that the Deputy Chief and Commander would maintain their titles and that he would bring a recommendation to Council at the next meeting as to how to proceed with filling the Chief of Police position. He thanked City Manger Patterson for his hard work.

City Manager Patterson thanked Council and indicated it had been an honor to serve the City as Chief of Police and that he looked forward to continuing full-time as City Manager.

### **Members of City Boards and Commissions**

There were no reports.

### **City Manager & Staff**

Director Goldie reported that Ralph Mason and Josh English had won state and regional awards in the You-Show-Us Innovation Contest by LTAP for their design of a safety cage for the back of a pick-up truck. They would be going to Rapid City, South Dakota to receive their awards.

### Photo Red Light System Update

Deputy Chief Sansing reported that Councilor Brown had asked for an analysis of the photo red light system at University and Belleview in response to the recent negative press surrounding these systems in the Metro Area. He noted that he followed news about these systems around the country every day and concluded that much of the negative press was correct. He stated that the system was a tool to change behavior and as such worked better in some locations than in others. He explained that he was very pleasantly surprised with the results from the City's system and believed that they were so positive because Belleview is a commuter road and the same people drive it everyday which allowed the system to influence their behavior. He noted that traffic accidents decreased 73% from 2008, when the system was implemented, to 2010. He commented that the revenue from the system was a perk but that it was not about the money and in fact he would prefer the City receive no revenue from the system because that would mean no violations or accidents were occurring.

Councilor VanderWerf asked if any city had removed a photo red light system after it was successful, and if so what they had seen as a result.

Deputy Chief Sansing replied that he was not aware of a case like that but noted that the City of Greenwood Village had also seen a decrease in accidents in some of the intersections where they had installed photo red light systems.

Councilor Griffin noted that the amount of revenue the City was receiving from the system was minimal in relation to the budget and that the statistics were irrefutable. He commented that the Villager Newspaper should publish a story on the success of the system.

Councilor Roswell asked if staff believed any other intersections in the City could benefit from a photo red light system.

Deputy Chief Sansing replied that there were several under consideration, the principal one being University and Hampden. However because they are state highways the Colorado Department of Transportation (CDOT) would have to agree to install the system and would have to be convinced by accident numbers. He indicated that there were surprisingly few accidents at that intersection that were due to red light violations. Also, CDOT has said they will be redesigning the intersection in conjunction with the development of Kent Place on the northwest corner of that intersection.

Councilor Brown noted that another benefit of the success of the system was that the decrease in violations meant that there were more patrol cars on the street instead of tied up at the intersection writing accident reports.

Mayor Pro Tem Stewart added that the cost savings from reduction in bodily injuries was also substantial.

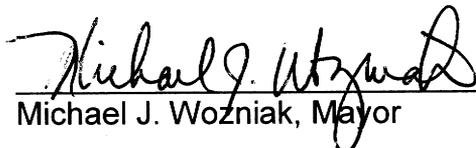
Deputy Chief Sansing added that fewer accidents also resulted in fewer insurance rate increases for those involved.

#### **City Attorney**

City Attorney Fellman had no report.

#### **ADJOURNMENT**

The meeting adjourned at 7:25 p.m.

  
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Michael J. Wozniak, Mayor

  
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Laura Smith, City Clerk