

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, July 17, 2012 at 6:30 p.m.
At the Village Center

Mayor Doug Tisdale called the meeting to order at 6:30 p.m.

ROLL CALL

Mayor Doug Tisdale, Councilors Mark Griffin, Russell Stewart, Alex Brown, Scott Roswell, and Klasina VanderWerf were present on silent roll call. Also present were Deputy City Manager and Public Works Director Jay Goldie, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Police Chief Michelle Tovrea, Human Resource Analyst Kathryn Barlow, Parks, Trails & Recreation Administrator Ryan Berninzoni, Street Superintendent Ralph Mason, and City Clerk Laura Smith.

Absent: Councilor Harriet LaMair

AUDIENCE PARTICIPATION PERIOD

Mr. Sam Kauffman, 1424 E. Stanford Avenue requested that the City Council consider a petition to restore the walkway along E. Stanford Ave. between S. Downing St. and S. Lafayette St. that had been enjoyed by residents since 1954. He explained that an adjacent homeowner was going to build a fence that would cut into the walkway. He stated that the petition to restore the walkway signed by approximately 90 residents had been presented to the Parks, Trails and Recreation Commission on June 14, 2012. He indicated that he was before Council to follow up on the petition and see what was being done.

Mayor Tisdale thanked Mr. Kauffman for his comments and noted that the City Council was not in a position to respond to them at that time. He asked Mr. Kauffman to leave a copy of the petition with the City Clerk and directed staff to follow up with Mr. Kauffman.

PRESENTATION

Mayor Tisdale congratulated Crew Chief Ralph Mason on his 30 years of service working for the City. He noted that Mr. Mason had written an article regarding the City's snow removal program that was recently published in Colorado Municipalities Magazine.

Director Goldie presented a plaque to Mr. Mason and indicated that it was a great pleasure to present a small token of gratitude to Mr. Mason in recognition for his 30 years of commitment to the people of Cherry Hills Village. He noted that the work produced by Mr. Mason and his crew was some of the most visible and criticized functions that the City is charged with. For the past 30 years, Mr. Mason had worked not only to improve City streets but also to forge a positive relationship with all the residents he has come in contact with. Mr. Mason has accomplished this through mutual respect and admiration.

Mr. Mason thanked the Council and previous Councils for their support, and noted that it was important and special that his family and members of his crew were present.

CONSENT AGENDA

Mayor Tisdale removed Items 5a and 5d from the Consent Agenda.

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

- b. Resolution 13, Series 2012; Updating the Construction and Excavation Standards and Permit fees for Work in Public Rights-of-Way
- c. Winwood Drive Paving Request

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

Item 5a Approval of Minutes – June 19, 2012

Mayor Tisdale corrected “Occupancy” to “Occupation” on page 7 of the draft minutes, and corrected the name “Allers” to “Ehlers” on pages 1 and 7 of the draft minutes.

Mayor Pro Tem Stewart moved, seconded by Councilor Griffin to approve the June 19, 2012 City Council minutes as amended.

The motion carried unanimously.

Item 5d Resolution 14, Series 2012; A Resolution Reappointing Teresa Harbaugh to the Public Art Commission

Mayor Tisdale acknowledged that Ms. Harbaugh was present at the meeting and thanked her for her significant and tireless contribution to the Public Art Commission.

Councilor VanderWerf moved, seconded by Councilor Brown to approve Resolution 14, Series 2012 reappointing Teresa Harbaugh to the Public Art Commission for a three year term expiring the third Tuesday of July, 2015.

UNFINISHED BUSINESS

Public Hearing - Council Bill 9, Series 2012; Amending Section 16-1-10 and 16-5-10 Concerning the Short-Term Rental of Single-Family Dwellings and Rental of Single-Family Dwellings for Commercial Use (second and final reading)

Director Zuccaro presented Council Bill 9, Series 2012 on second and final reading. He explained that two changes had been made to the bill since first reading on June 19th. The first corrected a typographical error to change “prohibit” to “prohibited” in the third Whereas clause of the bill. The second was to use the phrase “single family dwelling unit” throughout the bill as recommended by the City Attorney. Director Zuccaro noted that the draft minutes from the June 12, 2012 Planning & Zoning Commission meeting were included with the staff memo.

Mayor Tisdale opened the Public Hearing at 6:43 p.m.

John Moorehead, 26 Viking Drive, indicated his support of the bill. He noted that the definition of short-term rental in the bill included “to a family”, and pointed out that it should not matter to whom the property was rented or leased. He also noted that the permitted uses section of the bill used the term “rental” instead of “short-term rental”, and referred to “commercial use” without defining that term. He stated that his neighborhood appreciated Council’s responsiveness to this issue.

Mayor Tisdale asked for further public comments. Hearing none, the Public Hearing was closed at 6:49 p.m.

Mayor Tisdale indicated his agreement that the prohibition of short-term rentals should not be limited to families. He suggested that the phrase "to a family" be removed or replaced with "to any person". He noted that the time frame was generally consecutive days in ordinances from other municipalities and indicated his support of that change to the bill. He suggested that the definition of short-term rental be changed to read "the rental or leasing of a single-family dwelling unit" to change the definition from a noun to a verb. He stated that he saw no issue with the proposed wording of Section 2 of the bill which discussed permitted uses. He explained that the wording was intended to amplify and restate the existing law prohibiting commercial use.

Councilor Roswell agreed that there was no need to amend the language in Section 2. He also agreed that the phrase "to a family" should be deleted from and "consecutive" added to the definition. He deferred to Mayor Pro Tem Stewart as to the other wording changes suggested by Mayor Tisdale.

Councilor VanderWerf noted that she had expressed concerns that allowing a minimal number of exceptions to the prohibition was a legitimate amendment to the bill, but that she had determined her concerns to be unfounded after reaching out to residents who declined to express their support to Council.

Mayor Pro Tem Stewart asked if the prohibition would apply to Buell Mansion, zoned as O-1.

Director Zuccaro replied that it would not.

Mayor Pro Tem Stewart indicated his agreement with Mayor Tisdale to change the wording of the definition in the bill to read "Short-term rental means the renting or leasing of a single-family dwelling unit" and to delete "to a family".

Mayor Tisdale summarized that with the changes discussed the definition would state "Short-term rental means the renting or leasing of a single-family dwelling unit for a period of less than ninety (90) consecutive days, other than a house exchange for which there is no payment."

Councilor VanderWerf asked if the bill would allow anyone other than the homeowners to occupy the house in a situation other than a home exchange.

Mayor Tisdale replied that the bill would not prevent a caretaker from occupying a home while the owners are on vacation.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve Council Bill 9, Series 2012 on second reading; A Bill for an Ordinance amending Municipal Code Sections 16-1-10 and 16-5-10 concerning the short-term rental use of single-family dwellings and rental of single-family dwellings for certain commercial uses as outlined in Exhibit A to the July 17, 2012 staff memorandum with the following amendments: such that the definition proposed for short-term rentals shall be short-term rental means the renting or leasing of a single-family dwelling unit for a period of less than ninety (90) consecutive days, other than a house exchange for which there is no payment.

The following votes were recorded:

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

Alex Brown

yes

Vote on the Council Bill 9-2012: 5 ayes. 0 nays. The motion carried.

City Council Rules of Procedure

City Clerk Smith indicated that the amendments discussed at the last meeting had been incorporated into the draft rules of procedure and that the draft had been reviewed by Mayor Pro Tem Stewart.

Mayor Tisdale suggested that an Article 10 be added to indicate that Robert's Rules of Order will apply to the extent helpful, relevant, and not inconsistent with the rest of the rules.

Mayor Pro Tem Stewart indicated that he would like to consider this change.

Mayor Tisdale directed staff to bring the rules of procedure back for Council's consideration at the next meeting.

NEW BUSINESS

Special Improvement District #7 Bond Refinancing Opportunity

Director Proctor presented options for refinancing the Special Improvement District #7 bonds. She explained that the district was created for the purpose of constructing, installing and acquiring water system improvements consisting of water mains and service lines, control valves, fire hydrants and other infrastructure necessary to provide a permanent water supply to the properties located within the service area of the Holly Mutual Water Company. The issuance of special assessment bonds of the City to finance the project was approved in the November 3, 1998 election. The costs were assessed upon each lot within the District boundaries. The assessment is for twenty years and the first year of collection by Arapahoe County was in 2001, with the final payment due in December of 2020. Director Proctor noted that the current outstanding balance of the bonds were \$776,000, at an interest rate of 5.98%. The City was contacted by RBC Capital Markets about the opportunity to refinance the bonds at an interest rate of 2.00%. This would result in a savings of approximately \$125,000. The savings could be passed onto the homeowners, approximately \$2,840 per household, or it could be deposited into a surplus and deficiency fund for the City. Refinancing debt at a lower interest rate is expressly authorized under TABOR and no election is required. Director Proctor presented three options to Council. The first was to do nothing; the second was to use \$176,000 of the current SID #7 fund balance to pay off the bond principal early, which would reduce payments for three years before they returned to current levels; and the third was to pay off \$176,000 and refinance the remaining bond at 2% interest, which would result in a sustained decrease in payments. She indicated that staff recommended the third option and was seeking Council's approval to return with a Council Bill at the next meeting. She noted that Christen Villalobos of RBC Capital Markets was present for questions.

Councilor Griffin asked how many residents were in the district.

Director Proctor replied approximately 44 residents.

Councilor VanderWerf asked how likely it was that a deficiency fund would be needed.

Director Proctor replied that the funds would be restricted to use for other bond issues and thus they would not likely be needed.

Councilor VanderWerf asked if a combination of passing on savings to homeowners and creating a deficiency fund could be implemented.

Councilor Brown noted that there were two parts to the decision. First, did Council want to restructure the debt payment, and second did they want to pass on all, most, or none of the savings onto the property owners. He suggested holding a community meeting to get input from affected residents.

Councilor VanderWerf asked if the district had a representative who could weigh in on this issue.

Councilor Brown suggested that a letter should be sent to every affected property owner. He explained that working with property owners would allow for a smoother process. He noted that refinancing the bonds through RBC Capital Markets would involve disclosure.

Councilor Griffin commented that refinancing was a positive economical choice. He noted that because the bond was small, the cost of issuing was inordinately high, approximately \$56 per bond, and indicated that opportunities to lower the cost should be examined. He explained that the normal process would be to put the bonds out to bid, but that deference should be given to RBC because they brought the opportunity to the City. He noted that he would give this bond a very high rating, although it was not a rated bond. He indicated that he would like to explore having residents purchase the bonds if it could be done simply.

Mayor Pro Tem Stewart asked who currently held the bonds.

Councilor Griffin replied that the bonds were bank-qualified.

Mayor Pro Tem Stewart asked if RBC was involved in the initial issuing of the bond.

Councilor Griffin replied that they were not.

Christen Villalobos of RBC Capital Markets introduced herself.

Councilor Griffin asked Ms. Villalobos for suggestions to keep the legal costs at a minimum. He noted that the estimated legal costs for refinancing would be \$12,500.

Ms. Villalobos replied that RBC could revisit the legal costs and would provide a more accurate estimate if Council decided to move forward with the refinancing. She noted that if the refinancing required amended assessments then additional legal costs would result.

Councilor Griffin asked about what disclosure was required in order to sell the bonds to residents.

Ms. Villalobos replied that she would have to consult with a colleague for the answer to that question. She noted that there was less disclosure with a bank than with individuals.

Mayor Tisdale thanked Ms. Villalobos for her participation and time. He noted that both he and Director Proctor had inquired with the City Attorney to confirm that there was no requirement for a public bid to choose an investment firm for bond refinancing in the City Charter or Code.

Council advised staff to proceed with the refinancing.

Public Hearing – Request by Verizon Wireless for a Conditional Use Permit to Locate a Temporary Wireless Communication Facility at the Cherry Hills Country Club for the 2012 US Amateur Championship Golf Tournament

Director Zuccaro presented the request from Verizon Wireless for a Conditional Use Permit to install a temporary Wireless Communication Facility at Cherry Hills Country Club from August 3rd through the 23rd for the U.S. Amateur Championship Golf Tournament. The temporary facility would provide additional cellular capacity and coverage during the tournament. The facilities will consist of an 8 ft. by 24 ft. trailer containing the cellular equipment and an antenna that extends to an overall height of 37.5 ft. A diesel generator located on a trailer will also be installed at the site. The equipment is proposed to be located in a fenced maintenance yard approximately 340 ft. from the nearest property line to the north and 765 ft. from the nearest property line to the south. Staff will test decibel levels of the generator during the testing and calibration phase to ensure that it does not exceed the maximum noise levels allowed by City Code. Both the Planning & Zoning Commission and staff recommended approval of the request with the conditions that the generator shall not exceed the maximum noise levels outlined in the City Code, and that the applicant shall monitor wind speeds and the antenna mast shall be lowered if wind speeds exceed 60 mph.

Councilor Griffin asked if the residents near the proposed site had been notified of the request.

Director Zuccaro confirmed that a certified mailing to all adjacent property owners was a requirement of the application.

Mayor Pro Tem Stewart asked if Council had been ever been presented with an application for a temporary wireless facility before.

Director Zuccaro replied that he was not aware of any previous application for this type of mobile facility, but that the Country Club's special event permit had included a wireless television broadcasting facility.

Mayor Pro Tem Stewart asked about the intent of the proposed facility.

Director Zuccaro replied that the proposal was intended to increase capacity for Verizon during the tournament. He noted that the permanent facilities in the City may not have enough capacity for the attendees of the tournament.

Mayor Pro Tem Stewart asked if the proposed facility would have other carriers besides Verizon.

Director Zuccaro replied that it would not.

Councilor Roswell asked if combining the wireless facility with the television facility had been discussed.

Director Zuccaro replied that option was not explored and he believed that area was reserved exclusively for use by NBC.

Councilor Roswell asked for clarification on the generator.

Director Zuccaro replied that it was a diesel generator to produce electricity.

Mayor Tisdale asked if it would be possible to move the generator to the south side of the trailer in order to provide the neighbors to the north with additional sound buffering.

Director Zuccaro indicated he would defer to the applicant.

Kelly Harrison from Verizon Wireless stated that she would speak with her construction manager about the possibility of moving the generator. She explained that the trailer was brought on-site on a flatbed with a specific orientation, and the length of the cord to the generator might be an issue. She noted that Verizon had not looked into sharing the television station facility because that site was not optimally located for the best cellular coverage for the golf course.

Director Zuccaro reminded Council that the television station was located on the northwest corner of University and Quincy, whereas the proposed Verizon facility was located centrally on the course.

Ms. Harrison added that locating the Verizon facility somewhere else on the property would likely result in a taller facility to provide the same coverage. She noted that this was the first time the Country Club was allowing cell phones at a tournament and that they expected cellular use to be high. She added that Verizon was a sponsor of the tournament.

Councilor Roswell asked if the facility would support other carriers besides Verizon.

Ms. Harrison replied that it would be a single carrier facility, and that the Country Club had not been approached by other carriers.

Councilor Roswell asked if this facility would improve cell coverage beyond the tournament.

Ms. Harrison replied that the facility was intended to provide additional cell coverage for the tournament and was not planned to be a long-term facility.

Mayor Tisdale noted that Verizon had made a presentation regarding cellular coverage to the Greenwood Village City Council and had offered to do the same at Cherry Hills Village. He suggested that Council pursue a presentation and discuss long-term coverage at that time.

Councilor Griffin asked what safety precautions would be taken to ensure that the antenna was lowered in the event of 60 mph winds.

Ms. Harrison replied that the weather would be monitored around the clock while the antenna was erected and the construction manager would lower the antenna if winds approached 60 mph.

Mayor Tisdale opened the Public Hearing at 7:36 p.m. Hearing no comments, the Public Hearing was closed.

Councilor Roswell asked if there was a representative from the Country Club present at the meeting.

Mayor Tisdale replied that there was not.

Councilor Roswell indicated his disappointment with the noise impact the proposed facility might have on residents, in the lateness of the proposal coming to Council, in the

lack of discussion regarding combining the wireless facility with the TV station facility, and that the proposed facility would host only one carrier.

Mayor Tisdale noted that Verizon was a sponsor of the tournament, and that the proposed location had been chosen to provide optimal coverage to the area.

Mayor Pro Tem Stewart indicated his support of the proposal. He noted that the decibel level seemed reasonable.

Councilor Brown noted that the facility was temporary. He accepted the applicant's judgment as to the best location for the facility, and looked forward to the 20 day benefit to Verizon subscribers in the City.

Mayor Pro Tem Stewart suggested that Council should accept Verizon's offer to present to Council regarding coverage issues.

Councilor VanderWerf indicated that she was pleased that staff would test the decibel level.

Councilor Brown suggested that Mayor Tisdale's suggestion of moving the generator to the south side of the trailer be added as a third condition of approval.

Mayor Tisdale added "to the extent feasible".

Councilor Brown agreed that the Council understood if Verizon was unable to relocate the generator.

Mayor Pro Tem Stewart moved, seconded by Councilor Brown to recommend approval of the request by Verizon Wireless for a Conditional Use Permit to install a temporary Wireless Communication Facility at the Cherry Hills Country Club from August 3, 2012 through August 23, 2012, based on the findings outlined in the July 17, 2012 staff memorandum, with the following conditions: 1. The electrical generator shall not exceed the maximum noise levels outlined in Municipal Code Article XII. 2. The applicant shall monitor wind speeds and the antenna mast shall be lowered if wind speeds exceed 60 mph. 3. The applicant shall endeavor to position and adjust the position of the generator to reduce the noise level to the largest extent possible.

The motion carried unanimously.

Council Bill 10, Series 2012; Chapter 19 Stormwater Quality and Control Updates (first reading)

Director Goldie presented Council Bill 10, Series 2012 on first reading. He explained that the bill would correct deficiencies in the Stormwater Ordinance to ensure that the City will be completely compliant with the requirements of the Colorado Department of Public Health and Environment for MS4 entities. He noted that the modifications presented in the bill were not significant to the City's current processes.

Councilor Griffin asked about the City's normal procedure for testing stormwater affluent.

Director Goldie replied that due to the cost of the test, the City does not send stormwater to be tested at an off-site lab unless there is a major complaint. He explained that for minor complaints the stormwater was tested in-house for pool and hot tub cleaners. Residents were required to notify the City and de-chlorinate the water prior to discharging that water into the system. He noted that staff performed a visual check

in the event of a major storm and Code Enforcement was always on the lookout for any suspicious discharges.

Councilor Griffin asked if staff tested the stormwater for e coli and fertilizer.

Director Goldie replied that e coli was tested for in the off-site lab. He explained that fertilizer was not tested for because much of the stormwater ran over yards.

Mayor Pro Tem Stewart asked if emergency repairs were no longer exempt in Section 19-1-80.

Director Goldie explained that they were still exempt but that the language had been removed to avoid redundancy in the ordinance.

Mayor Tisdale suggested changing "which" to "that" in Section 19-1-110(f) and Section 19-1-130, and deleting a comma in Section 19-1-110(f).

Mayor Pro Tem Stewart moved, seconded by Councilor Griffin to approve on first reading Council Bill 10, Series 2012; updating Chapter 19 of the City of Cherry Hills Village Municipal Code to ensure compliance with all applicable state and federal regulations concerning the regulation of non-stormwater discharges with the language changes suggested by Mayor Tisdale.

The following votes were recorded:

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

Vote on the Council Bill 10-2012: 5 ayes. 0 nays. The motion carried.

REPORTS

Mayor's Report

Mayor Tisdale reported that he had attended the Colorado Municipal League's annual conference in Breckenridge, along with the City Attorney and the City Manager. He noted that the conference was well-attended. He explained that the City had received two loss prevention awards from CIRSA, one for the worker's compensation pool and one for the property/casualty pool. He indicated that he had been interviewed by Comcast's Colorado Newsmakers program.

He reported that Denver Mayor Hancock had expressed his thanks to the Cherry Hills Police Department for their help with Denver Police Officer Celena Hollis' funeral on June 30th at Denver First Church of the Nazarene.

He expressed kudos, congratulations and thanks to the Public Art Commission (PAC) for their event last Thursday.

Members of City Council

Councilor Griffin presented an article from the Denver Business Journal regarding the housing market, and noted that the lag time with the property assessments would continue to affect the City's revenues. He reported that he had a conversation with a

representative of the Colorado Department of Transportation (CDOT) regarding the "Do not block" section near St. Mary's Academy and Cherryridge Road. He also reported that the section of University Blvd between Hampden and I-25 was maintained by several different jurisdictions, but that after several conversations it would now be repaved.

Mayor Pro Tem Stewart had no report.

Councilor Roswell thanked the Police Department for their attention to a skunk complaint. He noted that he would follow up with Director Zuccaro regarding a resident's concern with the joint public safety facility.

Councilor VanderWerf reported that the PAC event had been successful and thanked Mayor Tisdale for his inspirational comments.

Councilor Brown reported that Sprint had provided his home with a free tower to improve cellular service.

Councilor VanderWerf suggested that residents should be made aware of this option.

Members of City Boards and Commissions

Teresa Harbaugh thanked the Council for their support of the PAC, especially the Mayor. She stated that the event had gone well and that the PAC's vision was evolving. She indicated that she was excited to be a part of the process.

City Manager & Staff

Deputy City Manager Goldie noted that department monthly reports and unaudited financial statements were included in Council packets.

Noise Ordinance

Chief Tovrea explained that in response to Council's inquiries at the last meeting she had reviewed the City Code for sections regarding noise regulation with the help of Directors Goldie and Zuccaro. She indicated that there were three sections of the City Code that regulated noise. First was Section 7-1-30(4), which regulated noise based on decibel levels. She explained that it was difficult for a police officer to maneuver and measure noise using a decibel meter. Next was Section 10-5-30(a)(6), which regulated noise as a form of harassment. She explained that it was difficult for a police officer to interpret and enforce this section. Finally was Section 10-9-20, which was the section most easily used and enforced by police officers. She indicated that police officers went through training to identify "unreasonable noise" and use their discretion to enforce the regulation. She explained that in many cases the public is not aware of City Code, and therefore the first time an officer responds to a noise complaint the offender will typically receive a warning. In the case of problem addresses and repeat offenders, officers follow a strict enforcement policy. Chief Tovrea indicated that the Police Department would use the noise ordinance in conjunction with the short-term rental ordinance and would continue to monitor any problem areas in the City.

Councilor Roswell thanked Chief Tovrea for the helpful review. He indicated that it was important that officers feel empowered to use their discretion to enforce the noise ordinance. He stated that he appreciated the Police Department's continued patrol of problem areas.

Councilor Griffin asked about noise enforcement for motor vehicles.

Chief Tovrea replied that she believed motor vehicle noise would be regulated under the Model Traffic Code. She indicated that she would research the regulations and relay the information to Council. She stated that she would like to take the opportunity to express her pride in the Cherry Hills Village Police Department for all their work related to the recent funeral and dignitary visits.

Report on Redistricting

Director Zuccaro reported that the Code stated that Council Districts should be reviewed after each Federal Census to ensure that the population numbers did not differ by more than 10% between districts. He explained that based on the 2010 Census there was a 39% difference between the largest and smallest Council Districts, and so the districts would have to be adjusted. He noted that there had not been a lot of development in the City between 2000 and 2010, and that the difference was likely due to different methodologies used in the 2001 redistricting process and this process. He suggested that staff could bring back several options for Council to consider.

Mayor Tisdale agreed to have staff return with redistricting options. He indicated that Council would prefer to keep districts the same as much as possible.

Councilor Brown suggested that Council could hold public hearings when considering staff's options.

Councilor VanderWerf noted that there was little danger of abuse since all Councilmembers were elected at-large.

Mayor Pro Tem Stewart indicated that the simplest changes would be the best.

Mayor Tisdale directed staff to not break up neighborhoods.

Little Dry Creek Bank Stabilization Project Update

Director Goldie reported that staff continues to coordinate bank stabilization efforts in the Martin Lane area. Staff has been in contact with residents throughout the planning stages of this project to make the process more inclusive and complete. A letter will go out to residents in the near future with initial cost estimates for their section of the creek. Staff is working with the Urban Drainage and Flood Control District (UDFCD) to set a deadline for residents to opt into the project and receive up to 50% funding through Urban Drainage. City policy is to not spend public funds to fix problems on private property, and so the City's financial participation will be limited to those areas that directly affect the public sanitary sewer lines. These funds have been budgeted for and will be expended from the Water and Sewer Fund.

Mayor Pro Tem Stewart noted that Greenwood Village uses Urban Drainage and public funds for bank stabilization throughout their city.

Councilor Griffin asked about the options residents had to pay for the bank stabilization.

Director Goldie replied that residents would have to have cash on hand to pay for the project.

Councilor Griffin asked if the project was voluntary for residents.

Director Goldie replied that it is, but that the City gave the opportunity to participate to all affected residents.

City Attorney

No report.

ADJOURNMENT

Mayor Tisdale noted that only Council, the HR Analyst, and the CIRSA representatives would be present for the first Executive Session, and only Council and the Deputy City Manager be present for the second Executive Session.

Mayor Pro Tem Stewart moved, seconded by Councilor Roswell that Council proceed into Executive Session pursuant to C.R.S. 24-6-402 (4)(b) and (e) for conferences with attorneys for the City for the purposes of receiving legal advice on specific legal questions related to employment matters, and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, and pursuant to C.R.S. 24-6-402 (4)(a) and (e) for determining positions relative to real estate matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, and further that immediately upon conclusion of the executive session the Council stand adjourned.

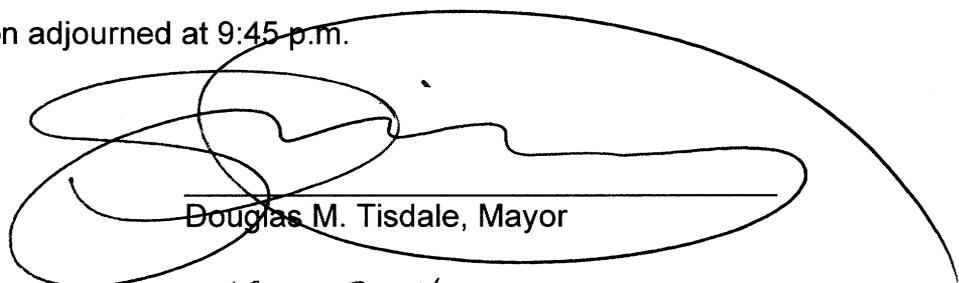
The following votes were recorded:

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

Vote on the Executive Session: 5 ayes. 0 nays. The motion carried.

The meeting adjourned into executive session at 8:30 p.m.

The executive session adjourned at 9:45 p.m.



Douglas M. Tisdale, Mayor



Laura Smith, City Clerk