

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, September 4, 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, Klasina VanderWerf, and Harriet LaMair were present on silent roll call. Also present were City Manager John Patterson, City Attorney Ken Fellman, 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: none

AUDIENCE PARTICIPATION PERIOD

None

CONSENT AGENDA

Councilor Griffin removed Item 5a Approval of the August 21, 2012 Minutes from the Consent Agenda.

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

- b. Resolution 16, Series 2012; Reappointing Members to the Planning & Zoning Commission
- c. Resolution 17, Series 2012; Amending the Municipal Records Retention Schedule
- d. Animal Shelter Committee Memorandum of Understanding

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

Councilor Griffin amended page 6 of the draft minutes to read "Councilor Griffin reported that he was glad that Mayor Tisdale had met the resident who had done research on Denver Water rates..."

Mayor Pro Tem Stewart moved, seconded by Councilor Griffin to approve the minutes from August 21, 2012.

The motion carried unanimously.

UNFINISHED BUSINESS

Council Bill 11, Series 2012; A Bill for an Ordinance Designating City Council District Boundaries (second and final reading)

Director Zuccaro presented Council Bill 11, Series 2012 on second and final reading. He explained that the proposed bill would repeal and reenact Municipal Code Section 2-1-20 for the purpose of establishing new City Council District boundaries based on 2010 US Census Redistricting Data. He noted that there had been no changes since first reading on August 21, 2012.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve Council Bill 11, Series 2012 on second reading, repealing and reenacting Municipal Code Section 2-1-20 for the purpose of establishing new City Council District boundaries based on 2010 US Census Redistricting Data, as proposed in Exhibit A to the September 4, 2012 staff memorandum.

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 11-2012: 6 ayes. 0 nays. The motion carried.

NEW BUSINESS

None

REPORTS

Mayor's Report

Mayor Tisdale noted that at the August 21, 2012 meeting Council had approved two forms of Proclamation 1, Series 2012 regarding Family Day on the Consent Agenda. One designated September 24, 2012 as Family Day, and the other designated the fourth Monday of every September as Family Day. He asked for Council's thoughts. Hearing no opposition he advised staff to move forward with both versions.

Mayor Tisdale reported that he had been asked by a resident if go karts are allowed in the City, and after discussion with the Chief of Police had determined that they are not.

Mayor Tisdale reported that he had met with residents regarding the vacated portion of E. Stanford that has been used as an ad hoc trail. He indicated that the meeting had been very productive and that the City was exploring resolutions to the issue. He noted that he had requested that former Mayor Jeff Welborn continue his involvement in this process as the lead Parks, Trails and Recreation Commissioner to come to a satisfactory resolution of the issue.

Members of City Council

Councilor Brown had no report.

Councilor VanderWerf reported that the Public Art Commission (PAC) would run an art auction during the upcoming Barn Party the evening prior to the second annual Barn Tour. She noted that about 20 artists would be participating. She added that the PAC was seeing a nice response to its Request for Entries, and that they would be making recommendations to City Council. She indicated that the PAC was receiving help

thinking through their approach from Tricia Robsen of the Denver Museum of Contemporary Art, who has a background in both contemporary and public art.

Mayor Tisdale indicated he was looking forward to the art auction and Barn Tour events.

Councilor Roswell commended Peter Savoie and Jim Rubin for volunteering for another term on the Planning & Zoning Commission.

Mayor Pro Tem Stewart had no report.

Councilor Griffin had no report.

Councilor LaMair indicated that she had decided to resign her Council seat effective in November when a new member could be appointed. She explained that this decision was for personal and professional reasons and that she was not able to dedicate the proper energy to a number of issues that she was responsible for as Councilmember.

She indicated that it had been a pleasure to serve on the City Council over the past six years. She stated that as she stepped down from this position she would not step away from what has inspired her to get involved in the first place: preserving and celebrating the very special place that is Cherry Hills Village. She indicated that the sense of place in the Village stems from its rural history and scenic vistas, waterways, fields and ponds. The High Line Canal, parks and trails are the basis of the community's social fabric. The parkways connect all parts and people in the community—they are the gathering place—they are the *Village Commons*; bringing the community together and giving it quality well beyond any physical structures.

Councilor LaMair made several suggestions for how the Village can preserve and celebrate its treasures:

1. Make a financial commitment to preserving open space. In long term planning discussions balance capital outlay to ensure equal commitment to protecting and enhancing our natural lands, trails and parks with physical building planning.
2. Capitalize on the Village's unique system parks and trails in ways that have not yet been explored. The Parks, Trails and Recreation Commission should consider and report to Council on how environmental educational lectures, classes and camps can be incorporated into the parks. Similarly, utilize Cat Anderson's gift to teach the community more about water in the west, environmental ethics, composting, and water wise gardening.
3. As the discussion of a new city center moves forward, please consider new ways of looking at buildings and their functions that serve multiple purposes and celebrate the Village's unique place. For example, can public works provide recycling and composting for residents? Could council chambers be in a beautiful community barn with state-of-the-art recording capacity, screens and a dais? Such a facility would be unique, reflect the community, serve as a wonderful gathering place for functions and celebrations and be a landmark in the Village.

She noted that she will continue to be active through her roles with the Cherry Hills Land Preserve, the High Line Canal Working Group and the Cat Anderson property. Through the Master Plan and the Residential Standards Development Committee the Village has laid a foundation for continued sensitivity to the balance between the rights of homeowners to build and the rights of their neighbors to the enjoyment of their property. The Council has proven that they understand this balance but they must continue to question how future development might take away from what it is that makes residents love this Village. The members of Council are the stewards

responsible for preservation and enhancement of the Village and must look forward and always consider the worst case scenarios. She indicated that she knows Council will continue to make prudent decisions on agenda items; however she challenges Council to also provide visionary leadership that will ensure a legacy of green and protect what it is that has created this special sense of place in the Village.

Mayor Tisdale indicated that Council would regretfully accept Councilor LaMair's resignation. He stated that Council would find an appropriate time in the future to express their appreciation for the incredible gift that she has been to the City as a gracious, sensitive, civil, intelligent and articulate spokesperson for the people of her District, the Village, Arapahoe County, and of Colorado.

Mayor Tisdale indicated that the City would make a formal announcement of the vacancy and requested that it be advertised in the Villager Newspaper and the Village Crier. He added that it would be posted on the website and Ch. 22 as well in order to solicit the greatest participation in the application process because Councilor LaMair's replacement would have large shoes to fill. He advised that the vacancy application would be placed in the September/October issue of the Village Crier which would be sent to residents the second or third week of October, and that the appointment would take place in November. He thanked Councilor LaMair for her willingness to serve until her replacement could be appointed.

Councilor LaMair reminded Council that the joint Cherry Hills Village/Greenwood Village City Council meeting for the High Line Canal presentation would be next Wednesday, September 12th at 6:30 pm at the Village Center. She encouraged everyone to attend.

Councilor Roswell noted that he had a pre-existing conflict that night and would not be able to attend.

Councilor LaMair reported that the Barn Party would be Saturday, September 15th and the Barn Tour would be Sunday, September 16th and noted that Kent Denver would be hosting a small farmers market. She indicated that all Council members were invited. She commented that she was working with Director Goldie, Administrator Berninzoni, and Commander Weathers on parking issues.

Members of City Boards and Commissions

There were no reports.

City Manager & Staff

City Manager Patterson thanked Councilor LaMair for her dedicated service to the City on behalf of the entire staff.

He noted that a study session would be held at the next meeting for a presentation and discussion with a representative from the Technical Advisory Committee regarding Denver Water rates. He added that staff would present the draft 2013 budget at the next meeting as well, and that a study session on the 2013 budget would be held at the October 2nd meeting. He reported that the Planning & Zoning Commission and the Parks, Trails and Recreation Commission continued to have one vacancy each. He commented that the September 12th joint meeting regarding the High Line Canal was an important issue as 3.2 miles of the Canal was within City limits and 90% of residents lived within one mile of the Canal. He reported that he and Chief Tovrea had met with the E-911 Authority to discuss possible use of Arapahoe County funds for Police Department communication equipment. He noted that these funds had previously been limited to call centers but that granting of funds to local entities would begin soon. He

explained that an example of use of these funds would be the replacement of Police Department radios to meet Federal regulations by 2015, which would cost approximately \$250,000.

Director Proctor updated Council on the Special Improvement District #7 bond refinancing. She reported that RBC had identified a buyer and that the bonds would be at an interest rate of 2.6% which entailed a positive savings for residents. She explained that the agreement, disclosure documents, and council bill were being drafted and that staff would be bringing these to Council in the near future.

City Attorney

City Attorney Fellman noted that it had been a privilege to work with Councilor LaMair.

He reported that a recent Federal regulation reduced local authority related to improvement of existing wireless facilities. He noted that the City had recently received the first application affected by this law, and that he was confident that a viable compromise would be reached.

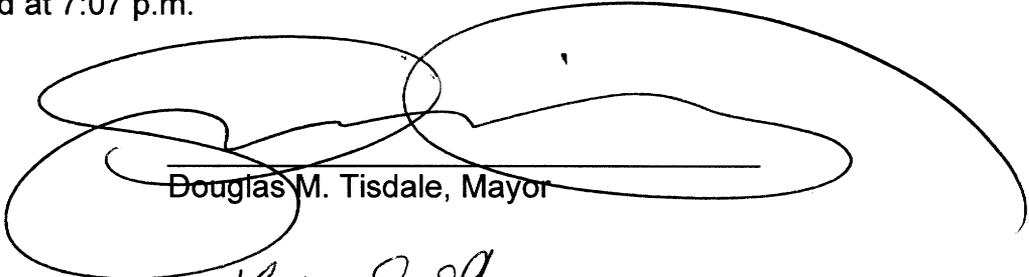
Mayor Tisdale indicated that the City would always be as flexible as reasonably possible with wireless providers in a continued effort to improve wireless coverage in the City. He asked if other cities have had similar experiences regarding the new Federal regulations.

City Attorney Fellman replied that the issue has not come up at the Greater Metro Telecommunications Consortium meetings but that he was aware of other jurisdictions having to deal with similar situations. He added that there had been no threats of litigation related to the regulations so far as he was aware.

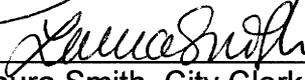
ADJOURNMENT

Councilor Roswell, seconded by Councilor LaMair moved to adjourn.

The meeting adjourned at 7:07 p.m.



Douglas M. Tisdale, Mayor



Laura Smith, City Clerk