

**RECORD OF PROCEEDINGS**

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Minutes of the  
City Council of the City of Cherry Hills Village, Colorado  
Held on Tuesday, April 16, 2013 at 6:30 p.m.  
At the Village Center

Mayor Pro Tem Russell Stewart called the meeting to order at 6:30 p.m.

**ROLL CALL**

Mayor Pro Tem Russell Stewart, Councilors Mark Griffin, Scott Roswell, Klasina VanderWerf, and Katy Brown were present on silent roll call. Also present were City Manager John Patterson, City Attorney Linda Michow, Deputy City Manager and Public Works Director Jay Goldie, Finance Director Karen Proctor, Police Chief Michelle Tovrea, Police Commander Patrick Weathers, Human Resource Analyst Kathryn Barlow, Parks, Trails & Recreation Administrator Ryan Berninzoni, Street Superintendent Ralph Mason, and City Clerk Laura Smith.

Absent: Mayor Doug Tisdale, Councilor Alex Brown

**PLEDGE OF ALLEGIANCE**

Sophie Carpenter, Sarah Davis, and Katie Richardson, of the Cherry Hills Elementary School 4<sup>th</sup> Grade Destination Imagination Regional Winning team led the Council in the pledge of allegiance.

**AUDIENCE PARTICIPATION PERIOD**

None

**CONSENT AGENDA**

Mayor Pro Tem Stewart removed Item 5c from the Consent Agenda.

Councilor Roswell moved, seconded by Councilor Griffin to approve the following items on the Consent Agenda:

- a. Approval of Minutes – April 2, 2013
- b. Contract for Services with Martin Marietta Materials, Inc.

The motion carried unanimously.

**ITEMS REMOVED FROM CONSENT AGENDA**

Mayor Pro Tem indicated that he had removed Item 5c, the Emergency Operations Plan, from the Consent Agenda in order to recognize and thank Ms. Rose Lynch for all her efforts in putting the plan together.

Ms. Lynch noted that the plan satisfied all federal requirements, aligned with the state and county plans, and followed recommendations from the Colorado Municipal League.

Councilor Roswell added his thanks for Ms. Lynch's work.

Chief Tovrea thanked Ms. Lynch on behalf of the Police Department and noted that through Ms. Lynch's connections the Police Department would be participating in an emergency preparedness exercise in Englewood.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve Item 5c.

The motion carried unanimously.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**Council Bill 6, Series 2013; Amending Section 6-3-110 of the Municipal Code Concerning Security Guard License Renewals (first reading)**

City Clerk Smith presented Council Bill 6, Series 2013 on first reading. She explained that the bill would amend the Code to allow staff to implement a simpler renewal process for security guard licensing. She noted that the City's four security guard businesses were required by the current Code to complete an entire application for renewal just as if they were new applicants. She indicated that staff believed a simplified renewal process would save staff and applicant time. She noted that applicants would still be required to report any changes to their application information and that the Police Chief would retain the discretion to deny a license if an applicant was not following the Code.

Councilor VanderWerf asked why staff had switched from a one page renewal application to the full application.

City Clerk Smith explained that administration of security guard licenses used to reside in the Police Department and that police staff had only required renewal applicants to complete one page of the application. In 2012 administration moved to the City Clerk's office and upon review of the Code staff determined that renewals required the entire application to be completed.

Mayor Pro Tem Stewart asked if any of the guards were armed.

City Clerk Smith confirmed that none of the guards in the City were armed.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve Council Bill 6, Series 2013; amending Section 6-3-110 of the Municipal Code regarding security guard license renewals on first reading.

The following votes were recorded:

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

Vote on the Council Bill 6-2013: 5 ayes. 0 nays. The motion carried.

**Modification of Premises by Libertybell Holding LLC DBA South Philly Cherry Hills**

City Clerk Smith explained that South Philly Cheese Steak at 1400 E. Hampden Ave. Suite 100 had applied for a modification of premises to allow them to serve alcohol on their patio. She noted that Council had approved a similar application for the pizzeria in

2010, and that staff believed South Philly's application was complete and met all requirements.

Councilor Roswell asked if the City had any issues with alcohol being served on the pizzeria's patio over the years.

City Clerk Smith replied that the City had not had any issues.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve the application for a modification of premises for the Hotel & Restaurant Liquor License held by Libertybell Holding LLC, DBA South Philly Cherry Hills at 1400 East Hampden Avenue Suite 100 in the City of Cherry Hills Village.

The motion passed unanimously.

Council Bill 7, Series 2013; Approving a Supplemental Appropriation of Funds for the Repair and Replacement of Certain Asphalt Streets for Fiscal Year 2013 (first reading)

Deputy City Manager and Director Goldie explained that Council Bill 7, Series 2013 was simply an accounting procedure for pass-through costs from Denver Water and Winwood Drive homeowners. He noted that the funds would be reimbursed to the City.

Councilor Roswell asked if the City had utilized this procedure previously.

Deputy City Manager and Director Goldie confirmed that they had.

Councilor Roswell moved, seconded by Councilor VanderWerf to approve Council Bill 07, Series 2013 on first reading for the supplemental appropriation of \$95,782.00 to repair Birch Street and Dahlia Street due to water line repair projects and to pave Winwood Drive. As agreed these funds will be reimbursed to the City once these projects are complete.

The following votes were recorded:

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

Vote on the Council Bill 7-2013: 5 ayes. 0 nays. The motion carried.

## **REPORTS**

### **Mayor's Report**

No report.

### **Members of City Council**

Councilor VanderWerf reported that the Public Art Commission summer fundraiser party was set for Sunday June 23<sup>rd</sup> at the Duncan residence. She indicated that the Quincy Farm Visioning Committee (QFVC) had met that morning and were very impressed with the consultant chosen to assist the committee.

Councilor Roswell had no report.

Mayor Pro Tem Stewart noted that the City had been featured in a Wall Street Journal article and suggested the article be put on the City's website. He reported that the Boy Scouts would assist staff during the May 18<sup>th</sup> Shred and Clean Up day.

Councilor Griffin noted that staff would deliver trees as part of the Tree Program this week.

Councilor K. Brown reported that Mayor Tisdale had attended the Colorado Ballet Auxiliary Dancing with the Stars Gala along with many City residents and noted that it had been wonderful to see the community represented there.

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

Parks, Trails and Recreation Commission Chair Bill Lucas reported that dates had been set for the PTRC's summer events. Movie Night would be August 24<sup>th</sup>, the Exotic Car Show would be September 15<sup>th</sup>, and the Holiday Tree Lighting would be December 13<sup>th</sup>.

Councilor VanderWerf noted that the Cherry Hills Village Land Preserve was considering moving their Barn Tour event so as not to conflict with the Exotic Car Show.

### **City Manager & Staff**

City Manager Patterson noted that department monthly reports and unaudited financial statements were included in Council packets. He reported that Deputy City Manager and Director Goldie and Street Superintendent Mason had attended a meeting with Denver Water regarding a major project at Belleview and University that would require all-day closures. He indicated that the contract with Bishop Mundus Design Inc for consultant services for the QFVC would be presented for Council's consideration at the May 7<sup>th</sup> meeting. He reported that Councilor A. Brown, Deputy City Manager and Director Goldie, and he would conduct interviews May 9<sup>th</sup> for the public works consultant.

Councilor Griffin asked if the City would notify residents of the street closures at University and Belleview.

Deputy City Manager and Director Goldie replied that the City would require Denver Water to provide notice to residents and had approved a list for the notifications.

Chief Tovrea presented the Police Department Annual Report. She acknowledged Commander Weathers and his significance to the department. She explained that the department dealt with civil issues, traffic and crime. She noted the expectations for the department. She indicated this was the largest department in the City, with 26 full time staff in the department, 22 sworn and four non-sworn. She explained the patrol schedule, and discussed how the department had been short staffed for quite a while. She provided statistics on traffic, theft, criminal cases, animal control, code enforcement, and internal affairs. She explained the positions of Animal Control Officer, Code Enforcement Officer, Police Technician, and Police Clerk.

Councilor K. Brown asked if the department had to keep all property and evidence indefinitely.

Chief Tovrea replied that the department was required to keep some items permanently, but that others could be put up for auction or returned to the owners. She listed the department's many partnerships with other departments and organizations.

Councilor Griffin asked if any of the schools in the City had guards.

Chief Tovrea replied that they did not, but that department was working to make officers more visible at the schools, including daily visits, and had recently established Officer Heidi Berg as the School Resource Officer. She reviewed the department's accomplishments in 2012 and projects and goals for 2013. She explained the department's strengths, weaknesses, opportunities and threats.

Mayor Pro Tem Stewart asked about identity fraud cases in the City.

Commander Weathers replied that there had been fewer than twelve identity fraud cases in the City in 2012.

Councilor Roswell noted that he always heard good things about the department, and also had positive personal experience.

Mayor Pro Tem Stewart indicated that he appreciated the department's focus on the community.

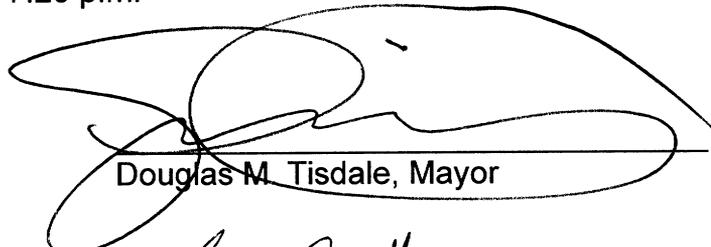
Councilor Griffin stated that Chief Tovrea had given an excellent report.

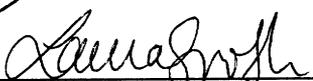
#### **City Attorney**

City Attorney Michow reported on pending legislation that might impact zoning decision appeals. She noted that she and Director Zuccaro would be holding a study session for the Board of Adjustment and Appeals to prepare them for an upcoming appeal.

#### **ADJOURNMENT**

The meeting adjourned at 7:20 p.m.

  
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Douglas M. Tisdale, Mayor

  
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Laura Smith, City Clerk