

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, February 4, 2014 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, 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, Community Development Director Rob Zuccaro, Police Chief Michelle Tovrea, Human Resource Analyst Kathryn Barlow, Parks, Trails & Recreation Administrator Ryan Berninzoni, and City Clerk Laura Smith.

Absent: Councilor Alex Brown

PLEDGE OF ALLEGIANCE

Blake Holst (President), Eva Maxey, Sophia Grossman, Ashton Manley, and Georgia Kane of the Cherry Hills Village Elementary School Student Council led the Council in the pledge of allegiance.

**DIALOGUE WITH MORRIS PRICE, DISTRICT DIRECTOR FOR CONGRESSWOMAN
DIANA DEGETTE**

Mr. Price indicated that he appreciated the invitation to attend a Council meeting and noted that the Congresswoman sends her regards. He explained that the First Congressional District included Denver, Englewood, Littleton, Columbine, Ken Caryl, Glendale, Cherry Hills Village, Sheridan, and Bowmar; contained 735,000 people; and was the third most economically diverse District in the country. He noted that he and the Congresswoman had a very productive meeting with the Mayor and Councilmembers on January 24th and discussed safety in schools, public roads, and public lands. He indicated that beyond the legislative issues their role was to be the people's voice to the government and to the 65 federal agencies. He invited constituents to visit him at his office at 6th and Grant in Denver.

Mayor Tisdale indicated his appreciation for the opportunity for a dialogue with Congresswoman DeGette and noted that they had discussed federal funding opportunities for open space acquisition, which was one of the most important issues to City residents. He noted that Councilors VanderWerf and A. Brown were also present at the January 24th meeting at Pino's Pizzeria.

MEMBERS OF CITY BOARDS AND COMMISSIONS

Public Art Commission

Councilor VanderWerf noted that Commissioners Teresa Harbaugh and Doug Smooke were also present, while Chair Ann Polumbus and Commissioner Gay Warren were out of town. She explained that the Art in Public Places Master Plan (APPMP) directed the Public Art Commission (PAC) to present its annual work plan to the City Council. She indicated that she would present the PAC's accomplishments, detail some proposed changes to the APPMP, and present the PAC's 2014 work plan.

Councilor VanderWerf explained that the PAC was formed in the summer of 2011 and had been in existence for just over two years. In that time, they had placed three major sculptures in the Village and held public ceremonies to dedicate them. She noted that these sculptures were on loan to the City for a minimum of one year at no charge to the City except for installment costs. They had acquired a major painting completed and gifted to the City by renowned local artist Duke Beardsley (a Cherry Hills Village Elementary School class attended the dedication); the City was gifted a small bronze sculpture which the PAC placed with the help of the Parks, Trails, and Recreation Commission; the PAC implemented an art project for students from the three schools within CHV to paint their designs on snow plows (this idea came from Manager Ralph Mason and was a huge success); and Commissioner Warren had donated a painting to the City which was displayed in the Joint Public Safety Facility. The PAC visited all the potential sites for public art identified by staff in the City and evaluated them based on visibility and appropriateness for different types of art. They visited the McNichols Building to look at a Denver art collection and learn about Denver's public art program. They participated in a national call for entries website called CaFE to find artists interested in loaning outdoor art to the City. In 2013 they held a successful fund raiser which netted \$10,025 for the Art Donation Account; researched and acquired an art hanging system for the Community Room in JPSF; developed a process for accepting art shows in the Community Room; hosted two art shows and receptions in the Community Room, one featured the Inca Street Artists, the other resident and artist Peter Roosevelt who donated all of the profits, totaling \$12,750, to the Art Donation Account.

Mayor Tisdale asked about the PAC's budget.

Councilor VanderWerf replied that it had been \$10,000 in 2012 and 2013 and is \$15,000 for 2014. She noted that many residents had donated to the Art Donation Account, as well as the Commissioners on the PAC. She indicated that the PAC's enthusiasm translated into many new tasks for staff, and thanked staff for their help and noted they were hard working and energetic. She explained that the PAC was made up of practicing artists, a member of the Museum Board, collectors, curators, and a docent. She indicated that she was not as involved in the art world as the rest of the PAC and that her role on the PAC was to respond to the artwork as a regular resident. She added that the PAC represented Districts 2, 4, 5, and 6.

Councilor VanderWerf explained that in addition to the changes identified in the copy of the APPMP included in the Council packet, the PAC wished to add a section that would outline how they ensured transparency of art and art location selection. This included posting agendas and holding open meetings; posting minutes on the City website; posting PAC goals; Crier articles regarding PAC activity, dedications and art shows; an annual fundraiser; articles in the Villager Newspaper; and bringing art selections and costs to the City Council for formal approval.

Councilor VanderWerf reported that the PAC's work plan included placing a sculpture by a Colorado artist on the Village Center campus, location to be determined depending on the sculpture. The PAC would seek assistance from Arvada Center Curator Colin Parson and would use the CaFE website as well as approach Colorado artists personally. She noted that Sally and Ray Duncan had agreed to host another fundraiser and added that this would be a wonderful opportunity for Council to see residents' support for the PAC if they are able to attend. She reported that the PAC was working to have art shows in the Community Room of the Joint Public Safety Facility every two months and already had two resident artists scheduled, John Douthit and Sherry Helmstaedter, and were in communication with the Colorado Watercolor Society about a show later in the year. She indicated that the PAC hoped to have one show per year that included a big reception and invitation of residents. She noted that it was common

practice for the host to take a percentage of the art sales and while the PAC has not done this in the past they were considering charging 10% for resident artists and 20% for non-residents. These funds would go into the Art Donation Account. She indicated that artists attended PAC meetings to present examples of their artwork and this would provide another opportunity to invite the public to PAC meetings. She reported that the PAC planned to repeat the snow plow painting in the fall. She indicated that the PAC's long term goals included purchasing a significant piece of art for the City using the Art Donation Account Funds, and setting up a system that would allow people to use their smart phones to get more information about pieces of art around the City. She concluded that the PAC viewed artwork in the Village as a whole and sought diversity in art, some representational and some non-representational, and did not want art clustered in any particular location in the Village.

Councilor K. Brown asked about the Art Donation Account.

Councilor VanderWerf explained that the Art Donation Account was to be used exclusively for the purchase of a piece of art for the City, and was separate from the \$15,000 that Council had approved in the 2014 Budget for the Art Commission. The \$15,000 would be used for the cost of art installations and similar expenses. She indicated that an art installation cost approximately \$7,000.

Councilor Griffin thanked the PAC for their dedication and hard work and indicated that the Commission was a wonderful addition to the City.

Councilor VanderWerf replied that it was a credentialed and committed Commission.

Mayor Pro Tem Stewart asked when the Duncan fundraiser would be held.

Councilor VanderWerf replied that an exact date was not yet set but that it would be in the summer.

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 – January 21, 2014
- b. Intergovernmental Agreement for the Technical Advisory Committee

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

REPORTS

Members of City Council

Councilor VanderWerf reported that the Quincy Farm Visioning Committee (QFVC) had met that morning and were making progress on finalizing their report, which they would present to the Parks Trails and Recreation Commission (PTRC) prior to presenting to Council. She noted that QFVC planned to present their final report to Council in April. She also reported that she had been rear-ended last week and appreciated the Police Department's quick response to the accident and professionalism.

Councilor Roswell had no report.

Mayor Pro Tem Stewart reported that the first meeting of the Utility Line Undergrounding Study Committee would be February 19th at 9am at the Village Center.

Councilor Griffin reported that the Board of Adjustment and Appeals (BOAA) would meet on Thursday, and noted that they had approved the variance application presented at their January meeting.

Councilor K. Brown reported that the PTRC was working with two land use applications that would be coming to Council in the near future. She noted that because of their quasi-judicial nature she had refrained from attending these meetings. She thanked Chief Tovrea for representing the City at the funeral of Jefferson County Sheriff Deputy Sergeant Baldwin on Monday.

Mayor's Report

Mayor Tisdale reported that he attended the Wednesday January 22nd Municipal Court session. He met with Colorado Supreme Court Chief Justice Nancy Rice to discuss legislative proposals impacting the judiciary. He conducted the first ever review of Municipal Court Judge Turre's, and noted that Judge Turre had been serving for 37 years and no changes were proposed. He attended the Belleview Avenue Interchange System Study Executive Committee meeting. He noted that the name of the group had been changed to clarify the extent of the study. On January 24th he and Councilors VanderWerf and A. Brown met with Congresswoman Diana DeGette at Pino's Pizzeria. He noted that this was the second official visit of the Congresswoman with City representatives and that they had discussed federal funds for open space. Representative Daniel Kagan held a Town Hall meeting at the Joint Public Safety Facility on January 27th. He conducted the first ever review of the City's Prosecuting Attorney on January 29th, and noted no changes were proposed. He met with CLA Connect representative Denise Denslow to discuss outsourcing proposals. He met with CRL Associates representative Maria Garcia Berry regarding transportation improvement projects. He attended the monthly South Metro Mayors meeting on January 31st. He joined Chief Tovrea at Arapahoe County Sheriff J. Grayson Robinson's retirement celebration. He met with South Metro Fire Rescue Chief Qualman and with Arapahoe County Open Space Director Shannon Robinson. He met with Colorado State Senate President Morgan Carroll regarding pending legislation that would impact HOAs. He would attend the Metro Mayors Caucus tomorrow. He had advised Director Zuccaro to clarify that the newly adopted Green Building Standards were not mandatory when describing the program to residents.

Mayor Tisdale indicated that the Metro Mayors Caucus would be voting on whether or not to support the Republican National Convention bid for the 2016 Presidential Nominating Convention to be held in Denver and asked for Council's direction. He noted that the Metro Mayors Caucus had supported the Democratic National Convention bid in 2008.

Council agreed to support the bid.

Mayor Tisdale noted that further discussion regarding the City's open space policy was scheduled on the February 18th Council agenda and asked Council if they preferred a public forum or a more formal public hearing, notice of which would need to be published in the Villager.

Council agreed to hold a public forum on open space policy on February 18th.

City Manager & Staff

City Manager Patterson reported that HR Analyst Barlow had obtained her certification as a Senior Professional in Human Resources. He and Deputy City Manager/Director Goldie had visited potential sites for the Public Works facility and were in the process of forming a Memorandum of Understanding with Denver Water on one of those sites. Deputy City Manager/Director Goldie and Sergeant Wilson had attended the Southmoor Vista HOA meeting where one of the primary issues was stop signs. The City would be submitting two grant applications to Arapahoe County Open Space, one for \$150,000 for bank stabilization at Woodie Hollow Park, and one for \$50,000 for a consultant for John Meade Park. He noted that he was impressed with Judge Turre, Court Clerk Jessica Sager, and Prosecuting Attorney Andy Ausmus. The Police Department had led a lock-down exercise at Cherry Hills Village Elementary School that went very well. Public Works and Parks staff were busy with snow operations. Chief Tovrea had extended a conditional job offer to a new police officer. Staff anticipated that Channel 22 would be streaming on the website by mid-February. Deputy City Manager/Director Goldie was discussing speed bumps with Albion Street residents. The small bronze sculpture Chainsaw had been installed on January 24th. Chief Tovrea had participated in the commander selection process at Littleton.

City Attorney

City Attorney Michow reported that the City had received a letter regarding excise and sales tax for the BMW Golf Tournament which estimated that the City would receive approximately \$450,000. She noted that Director Proctor would meet with representatives regarding excise and sales tax next week. She noted that House Bill 14-1132 would allow municipalities to alter the hours of operation for liquor license establishments. She indicated that Councilor VanderWerf had a second Executive Session to add.

Councilor K. Brown asked about the process for the City to address the requests in the letter for the BMW Golf Tournament.

City Attorney Michow replied that the requests would be addressed as part of the Special Event Permit process and Development Agreement.

ADJOURNMENT

Councilor VanderWerf moved, seconded by Mayor Pro Tem Stewart to proceed into Executive Session pursuant to C.R.S. Sec. 24-6-402(4)(a) for the purpose of discussing matters related to the acquisition of real property and pursuant to C.R.S. Sec. 24-6-402(4)(e) to develop strategy for negotiations and to instruct negotiators relating to possible acquisition of such real property and further an additional Executive Session pursuant to C.R.S. Sec. 24-6-402(4)(b) for purposes of receiving legal advice concerning the interpretation and application of the City's Code of Ethics, and immediately following to stand adjourned.

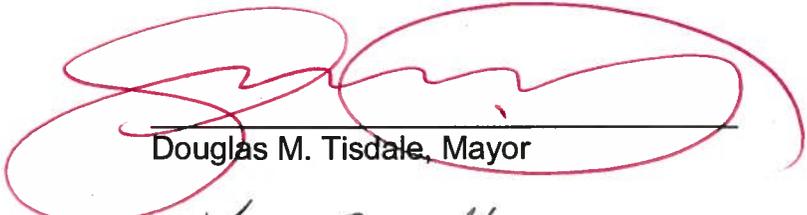
The following votes were recorded:

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

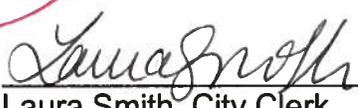
Vote on Executive Session: 5 ayes. 0 nays. The motion carried.

The regular meeting adjourned at 7:30 p.m.

The executive session adjourned at 8:20 p.m.



Douglas M. Tisdale, Mayor



Laura Smith, City Clerk