

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, September 15, 2015 at 6:30 p.m.
At the Village Center

Mayor Laura Christman called the meeting to order at 6:30 p.m.

ROLL CALL

Mayor Laura Christman, Councilors Mark Griffin, Earl Hoellen, Alex Brown, Mike Gallagher, Klasina VanderWerf, and Katy Brown were present on silent roll call. Also present were Interim City Manager and Public Works Director Jay Goldie, City Attorney Linda Michow, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Police Chief Michelle Tovrea, Human Resource Analyst Kathryn Ducharme, Special Projects Coordinator Emily Kropf, Public Works Project and Right-of-Way Manager Ralph Mason, and City Clerk Laura Smith.

Absent: none

PLEDGE OF ALLEGIANCE

Joe Miller, Cooper Bellas, Davis Hummel and Kyle Kim from the Cub Scout Pack 55 Weblows II led the Council in the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

None

CONSENT AGENDA

Councilor VanderWerf removed Item 5d from the Consent Agenda.

Mayor Pro Tem A. Brown removed Item 5e from the Consent Agenda.

Mayor Christman removed Item 5f from the Consent Agenda.

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

- a. Approval of Minutes – September 1, 2015
- b. Resolution 38, Series 2015; Affirming the Cancellation of the November 3, 2015 Special Municipal Election in Accordance with Section 2-1-50 of the Cherry Hills Village Municipal Code
- c. Resolution 39, Series 2015; Appointing Members to the Planning and Zoning Commission

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

Item 5d. Contract for Services with Stanley Consultants, Inc.

Interim City Manager/Public Works Director Goldie explained that staff had solicited proposals, interviewed three firms, and recommended Council approve the contract for services with Stanley Consultants for the trail inventory and long-range maintenance and repair program. He indicated that the main intent of the contract was for the

consultants to research all City and County records to collect all City trail easements and rights-of-way onto one map.

Councilor VanderWerf indicated that it was a terrific project that had been needed for a long time and she was pleased that the City had received a grant from Arapahoe County Open Space for the project. She noted that the bid from Stanley Consultants was lower than the budget and asked what would happen to the excess funds and how that would interact with the County grant.

Interim City Manager/Public Works Director Goldie replied that the City was required to provide a match of a minimum of 10% and any excess funds from the grant would be returned to the County after the audit of the project.

Mayor Christman noted that the scope of work included presentations at three public meetings before the Parks, Trails and Recreation Commission (PTRC) and City Council, and asked if there was a contingency in case more meetings were needed.

Interim City Manager/Public Works Director Goldie noted that staff included a contingency in the budget for the project and some of those funds could be used for additional presentations if necessary.

Mayor Christman asked if the consultants could provide a per meeting cost.

Interim City Manager/Public Works Director Goldie replied he would contact the consultants to get that information.

Mayor Christman indicated that she expected this project to generate significant public input.

Councilor K. Brown asked why there would be significant public input if the consultants would just be documenting the City's existing trail easements.

Mayor Christman replied that the long-range planning portion of the project might generate public input.

Interim City Manager/Public Works Director Goldie added that the consultants would help staff develop the rules and regulations surrounding parks and trails as the beginning to development of a Parks and Trails Master Plan.

Mayor Christman asked that the consultants be instructed not to contact any organizations related to the High Line Canal without first discussing the issue with Council. She noted that many aspects of the Canal were controversial.

Councilor Hoellen asked what the consultants could ask that would trigger a response that the City would be concerned about.

Mayor Christman replied that the long term use of the Canal was controversial.

Councilor Hoellen indicated that the consultants should not be making representations, presentations or disclosures on behalf of the City.

Interim City Manager/Public Works Director Goldie noted that the Canal was not part of the scope of this project as it was so complex in itself. He indicated that staff would instruct the consultants not to engage with the Canal or its associated organizations.

Councilor K. Brown asked if this project might uncover any City rights to the Canal that were previously unknown.

Mayor Christman replied that would be done through other projects.

Councilor Hoellen noted that this project would involve a record and title search at the Arapahoe County offices.

Interim City Manager/Public Works Director Goldie confirmed that was correct.

Mayor Christman asked if the result would show where trails were open and where they were impeded by fences.

Interim City Manager/Public Works Director Goldie replied that staff was hoping this project would show the full extent of the City's trail system including encroachments. He noted that much of the GIS work had been done by the City's intern and that was one reason the cost of the consultants would be less. He added that the City's intern would work directly with the consultants through the completion of the project.

Mayor Christman asked for the name of the City's intern.

Director Zuccaro replied the City's intern was Nate Silverstein.

Councilor Hoellen asked about Sections 12 and 13 of the contract.

City Attorney Michow replied that the contract was based on a standard form.

Councilor Hoellen asked that Section 12 be amended so that the City keeps any work products developed and Section 13 be amended so that the City is the only party with the right to terminate.

City Attorney Michow agreed and noted that she and Interim City Manager/Public Works Director Goldie had already begun an internal dialogue on standard forms for the City.

Councilor Griffin moved, seconded by Councilor K. Brown to approve the contract for services with Stanley Consultants Inc. in the amount of \$47,000 with the changes that have been notated.

The motion passed unanimously.

Item 5e. License Agreement with Denver Water for Irrigation of Three Pond Park

Mayor Christman asked about the expense for the license.

Interim City Manager/Public Works Director Goldie replied it was \$2,000.

Mayor Christman asked if Denver Water could terminate the license at any time.

Interim City Manager/Public Works Director Goldie replied that was correct.

Mayor Christman asked if staff recommended this license at the request of Denver Water.

Interim City Manager/Public Works Director Goldie replied that this was not a new process and that the City currently had several similar licenses with Denver Water.

Mayor Pro Tem A. Brown asked if PTRC had been involved in the tree planting design.

Interim City Manager/Public Works Director Goldie that they had.

Mayor Pro Tem A. Brown expressed concern with the effect on the mountain view that planting trees in area 3 would have. He asked that PTRC review the tree planting design and give input on location and species.

Mayor Christman asked if Denver Water cared where the trees were planted.

Interim City Manager/Public Works Director Goldie said that they did not. He indicated that staff could complete the license process with Denver Water and consult separately with PTRC on the tree design.

Councilor Hoellen clarified that the \$2,000 cost was for legal fees and installation costs rather than specifically for the license.

Interim City Manager/Public Works Director Goldie agreed that the \$2,000 was Denver Water's costs to issue the license.

Councilor Gallagher asked if PTRC would recommend locations for the trees to City Council.

Mayor Pro Tem A. Brown replied he did not feel it was necessary that the tree planting design come back to Council after PTRC's review.

Mayor Pro Tem A. Brown moved, seconded by Councilor VanderWerf to approve the License Agreement between the City of Cherry Hills Village and Denver Water to cross the High Line Canal with directionally bored 4" conduit at Three Pond Park.

The motion passed unanimously.

Item 5f. Contract for Services with CUES Mapping Services for Sanitary Sewer Pipeline Profiling

Interim City Manager/Public Works Director Goldie explained that staff has been working for years to find the most cost effective and least intrusive method to repair and replace sections of the sanitary sewer main "trunk line" that runs along Little Dry Creek from Belleview north to Quincy Avenue with additional sections north of the Cherry Hills Country Club. The location of the trunk line along the creek and through private property makes the repair and replacement of this line difficult and expensive to perform. Staff did not receive any bids for the work the last time they had been requested. A new technology that has started to emerge for sanitary sewer analysis is mapping and inclination assessment of the line. This process is more accurate at showing the elevation differences within the pipe and helps to pinpoint actual sags and deflections to minimize the amount of pipe that may need to be replaced. Staff feels that the process will help reduce the cost of repairing and replacing the trunk line and help to minimize disturbance to many private properties. Staff feels that the cost of the service will be more than recouped due to the reduced amount of pipe replacement that will be determined by this analysis.

Councilor Griffin asked about previous mapping of the lines.

Interim City Manager/Public Works Director Goldie replied that this technology was different. He added that staff videos and cleans the main trunk line each year, and the other lines on a three year rotation.

Mayor Christman asked if the City would be reimbursed for the cost of this project by charging the other districts that use the main trunk line.

Interim City Manager/Public Works Director Goldie replied that the City would bill the other districts on a per tap basis.

Mayor Christman asked how those payments were recorded in the budget.

Interim City Manager/Public Works Director Goldie replied that they were included with service fees in the sewer and water fund revenues.

Councilor Griffin noted that the main trunk line was 7,000 feet long and only eight inches wide.

Interim City Manager/Public Works Director Goldie confirmed that was correct.

Councilor Hoellen agreed that eight inches wide seemed small for a main line.

Interim City Manager/Public Works Director Goldie replied that they had not reached capacity yet even with the smaller width. He noted that the Cherry Hills Village Sanitation District's (CHVSD) line connects to the City's main trunk line and that helped to offset some of the capacity.

Councilor Griffin asked about the contract with CHVSD that was expiring soon.

Interim City Manager/Public Works Director Goldie replied he would check on the contract.

Councilor Gallagher asked if this project would include an assessment of the main trunk line.

Interim City Manager/Public Works Director Goldie replied that the assessment would allow staff to pinpoint the specific areas of the main trunk line that need replacement so that smaller portions would have to be dug up saving the City time and money.

Councilor Griffin asked if repairs to the portion of the main trunk line that goes through the Cherry Hills Country Club would be done in the winter.

Interim City Manager/Public Works Director Goldie replied that staff had evaluated and repaired the portion of the line through the Country Club in 2008 and 2009 when the grounds were already torn up in preparation for the US Women's Open Tournament. He confirmed that any future repairs would be done in February.

Mayor Christman asked if staff could confirm that any issues with the City's main trunk line were not responsible for sewer backups on private property.

Interim City Manager/Public Works Director Goldie confirmed that the City's trunk line was not responsible for any backups and the last backup caused by issues with the City's trunk line had been 10 years ago.

Councilor Hoellen asked that Sections 12 and 13 be amended in the same manner as had been discussed for the contract with Stanley Consultants Inc.

Mayor Pro Tem A. Brown moved, seconded by Councilor Gallagher to approve the Contract for Services with CUES Mapping Services for a maximum expenditure of

\$23,600.00 for the mapping and inclination assessment on the City's trunk line as outlined in the scope of work and proposal submitted by CUES Mapping Services, with revisions to Sections 12 and 13 of the agreement as discussed.

The motion passed unanimously.

UNFINISHED BUSINESS

Council Bill 5, Series 2015; Approving a Supplemental Appropriation for the High Line Canal Conservancy (second and final reading)

Director Proctor presented Council Bill 5, Series 2015 on second and final reading. She explained that staff had contacted Arapahoe County regarding Council's question on the signature of the draft IGA and found that the Arapahoe County Board of County Commissioners had passed Resolution 150211 delegating Shannon Carter authority to sign IGAs related to the Open Space Programs. She noted that no changes had been made to the bill since first reading.

Mayor Pro Tem A. Brown moved, seconded by Councilor VanderWerf to approve on final reading Council Bill 5, Series 2015 for a Supplemental Appropriation in the amount of \$10,000 for a contribution to Arapahoe County for the High Line Conservancy efforts to help fund a long term visioning process.

The following votes were recorded:

Gallagher	yes
Griffin	yes
A. Brown	yes
VanderWerf	yes
K. Brown	yes
Hoellen	yes

Vote on the Council Bill 5-2015: 6 ayes. 0 nays. The motion carried.

Discussion Regarding South Dahlia Speed Hump Installation Request

Councilor VanderWerf explained that she had asked for this issue to reappear on the agenda not necessarily for a revote but in order to give additional background information and policy recommendations. She noted that resident Debra Reiss was present as a representative of the neighborhood. She indicated that she had not anticipated any issue with the initial request and so had mistakenly not prepared strong and informed arguments in support of the request. She explained that she had not fully grasped the importance of speaking to the original rationale and spirit behind the Traffic Calming Policy. She noted that there had been two previous Village traffic studies during her time on Council. She indicated that while the new traffic study that the City was proceeding with would provide good information, it would also likely show that due to the configuration and nature of the Village's road system, it is not exceedingly resilient and there are not many options to address the Village's significant traffic problems. She noted that the City was a small town with primarily residential streets, which was something Villagers were proud of. A number of these streets had purposefully been left as country lanes, and many streets lead into state highways which carry huge volumes of regional traffic. She predicted that the new traffic study would show that traffic had increased since the last study, even before the full impact of the new Belleview Station was realized. She indicated that supporters of the Traffic Calming Policy did so in the spirit of trying to give residents living on neighborhood streets some recourse and control to handle the traffic problems that they deal with daily

given what the City can do is fairly limited. She expressed her dismay that some of Council's reasons for not approving the request had been personal bias against speed humps in general or because they could cause damage to cars. She noted that this section of Dahlia Street was a dead end and most of Council would never have occasion to drive on this road. The people who would be affected by the speed hump are the same ones who had made the request. She added that what drivers hate about speed humps was precisely what makes them effective. Speed humps forced drivers to slow down in order to avoid the negative effects. She indicated that signs are not equivalent as a deterrent to speeding as they cannot guarantee a bad consequence for failing to comply. She stated that she felt she had let her neighborhood down and that Dahlia Street was part of her extended neighborhood. She indicated that she uses the two trail crossings on Dahlia but does so in the mornings and so does not experience the cut-through drivers from Belleview during evening rush hour. She added that she had experienced construction traffic on Dahlia in the mornings and noted that it did not respect the character of the road, the neighborhood, the pedestrians or the equestrians along the road. She explained that Dahlia Street had an interesting configuration with a rise, then a dip, and then a hill. She indicated that the trail crossing was located in a dip between the rise and the hill and cars often went very fast through the dip. She added that the road was not wide and there was not a level shoulder because of the drainage swell. She noted that Dahlia Street trail crossings were host to riders from the Village Club and from the neighborhood. She recommended that Council not retract the Traffic Calming Policy without understanding the full intent and spirit behind its establishment and its purpose and value. She noted that while some members of Council were against reconsideration of the speed hump request, she suggested that the South Dahlia Street neighborhood ask the City to conduct a speed study at the City's expense per the Traffic Calming Policy to determine whether there was a need for speed mitigation measures. She asked Debra Reiss to speak as neighborhood representative about the facts of living on Dahlia Street and submit photos of the challenges those residents face.

Debra Reiss, 4789 S. Dahlia Street, submitted photos to Council and stated that she represented the Mooneys, the Wagners, the Schucks and the Fitzpatricks. She explained that the residents of this neighborhood wanted a speed hump because the street had a blind hill and drivers tended to speed. She related a personal experience with an accident due to the blind hill. She noted that the gravel road helped to mitigate some of the speeding but if the road was paved, as the residents planned, then there would be nothing to prevent drivers from speeding. She added that the residents could not rely on the speed signs to regulate speed. She indicated that two of the neighbors only supported paving the road if a speed hump was approved, and so there was some debate because the speed study had to be done after the street was paved but before the speed hump could be approved. She stated that it was a safety issue for horses, children and pedestrians. She added that the neighborhood had been working on this project with City staff since March and had not made the request for a speed hump lightly.

Karen Moulton, 4801 S. Dahlia Street, added that the gravel road was currently somewhat an impediment to speeding but if the road is paved the speed problem would worsen. She explained that because of the blind hill a horse sees a car before the rider does, and that is not a safe situation. She indicated that the speed hump was needed to improve safety.

Mayor Christman noted that she had driven the section of Dahlia under discussion and indicated that the other streets in that area such as Fairfax and Birch likely have the same issues. She indicated that she was concerned with safety and consistency. She noted that the concern of cut-through traffic was echoed all over the Village. She indicated that if speed humps were effective then perhaps they should be applied to all

areas with cut-through traffic. She clarified that she was not against speed humps but wanted to ensure consistency across the Village. She asked staff about the cost of installing a speed hump.

Interim City Manager/Public Works Director Goldie replied that the City's policy required a deposit of \$1,500 but that actual cost ranged from \$500-\$800.

Mayor Christman indicated that was not a high cost and if speed humps were effective as traffic calming measures the City should determine the best locations and install them consistently.

Councilor Hoellen agreed and indicated the broader question was how to deal with roads as a community. He noted that apart from the safety issue speed humps created a less welcoming and open community. He recommended the City conduct a speed study and install a speed hump if the safety issue was supported by the study.

Mayor Christman suggested that drivers might go twice as fast after passing the speed hump and wondered if placing a speed hump in one location would increase the speed problem in another location.

Councilor K. Brown indicated that safety was everyone's top priority. She noted that similar concerns on the northern section of Dahlia had resulted in installation of the City's only sidewalk years ago. She noted that a more effective way of increasing safety in mixed-use traffic was to separate pedestrians and equestrians from cars, but that would be an enormous shift for the Village and likely controversial. She added that cost was not an issue but that effectiveness was an issue. She agreed that a broader look at traffic issues City-wide was advisable.

Mayor Pro Tem A. Brown indicated he had been surprised by the amount of discussion at the last meeting. He noted that the street in question was not part of a larger grid and was only used by the neighbors. He added that the neighbors had shown a strong level of support for the speed hump that met the City's policy requirements. He noted that the City's policy requirement of 80% support was a high bar. He indicated that neighborhood support was a better approach than Council deciding where to install speed humps. He noted that the policy was designed to let residents define the character of their streets. He added that the effectiveness of speed humps was difficult to determine. He indicated that the City's patrol officers had a high demand on their time and it would be difficult to allocate that time for more patrol of this specific street. He stated that the policy was written correctly as is.

Councilor Gallagher indicated that he was familiar with the area in question and that the residents knew their neighborhood well. He stated that there was clearly a blind hill and it was very likely that paving the street would result in increased speed. He added that the potential issues were significant. He indicated that there was not much walking space off the road because of the ditch. He noted that a speed hump in this neighborhood would only affect eight households.

Mayor Christman indicated that if speed humps were effective then there were many areas throughout the community that could benefit from them.

Councilor Gallagher noted that the concern was that the street was going to be paved and therefore speeds would increase.

Councilor VanderWerf suggested that this portion of Dahlia Street could be a test case for the effectiveness of speed humps. She agreed with Mayor Pro Tem A. Brown that neighborhoods throughout the City were unique and when residents were supportive of

a speed hump Council could respond to that. She indicated there would be value in a study that examined the City's worst offenders. She added that the tools available to the City and residents for speed mitigation were limited.

Ms. Moulton noted that she understood the need to make City-wide policies but that there was a great diversity of zoning throughout the City.

Councilor K. Brown replied that other more densely populated areas of the City had requested speed humps in the past but because they had much larger impact areas many more residents were required by the City's policy to support the installation of a new speed hump. She indicated that as Mayor Christman had said there were many areas throughout the City that might benefit from a speed hump.

Mayor Christman indicated that increased cut-through traffic speed was an issue throughout the Village and the new traffic study would help explain the speeding and cut-through traffic issues throughout the City.

Interim City Manager/Public Works Director Goldie clarified that the traffic study would examine cut-through traffic, speeding and traffic volumes, but not on dead-end streets like the section of Dahlia under discussion. He indicated that speed hump effectiveness was controversial and undetermined and staff preferred that any new speed hump be supported by the residents rather than its necessity being determined by staff.

Ms. Reiss explained that drivers drove much faster than the speed limit through her neighborhood. She noted that all residents were in support of paving the road and seven of the eight residents were in favor of the speed hump. She indicated that while there was not necessarily a lot of traffic the blind hill and speeding created a dangerous situation. She noted that many of the drivers on the road did not live in the neighborhood. She explained that she had many discussions with Ralph about this issue. She indicated that this was a unique neighborhood and while a speed hump may not be a perfect solution the residents believed it would help.

Councilor K. Brown asked about the speed study that was part of the City's Traffic Policy.

Interim City Manager/Public Works Director Goldie explained that the study consisted of a manual count.

Councilor K. Brown noted that the standard practice was for staff to conduct a speed study and then based on the results the City would pay for installation of a speed hump or the residents could pay for installation. She suggested that the City could conduct the study to determine what the issue actually was.

Mayor Christman asked how long it would take for staff to conduct a speed study.

Interim City Manager/Public Works Director Goldie replied about a week.

Councilor Gallagher encouraged staff to conduct a speed study and then Council could revisit the issue after the results were determined.

Councilor VanderWerf indicated she hoped the study produced the desired effect for the neighborhood.

NEW BUSINESS

None

REPORTS

Mayor's Report

Mayor Christman asked Interim City Manager/Public Works Director Goldie to report on the meeting regarding a traffic light at Glenmoor and Belleview Avenue.

Interim City Manager/Public Works Director Goldie replied that Mayor Pro Tem A. Brown would report on the meeting.

Mayor Christman reported that Nancy Petry's house had been given historic designation and suggested including an article in the Crier.

Members of City Council

Councilor Hoellen had no report.

Councilor K. Brown reported that she had attended the Centennial Airport Noise Roundtable meeting two weeks ago and had been chosen to represent the Roundtable at the annual Noise Conference in Nashville. She noted that this conference was held in conjunction with the National League of Cities conference and asked Council to let her know if they would like her to try to attend any sessions.

Councilor VanderWerf reported that the Barn Party was September 19th, the Barn Tour September 20th, the Exotic Car Show September 27th, and the Public Art Commission's fundraising event sponsored by Wells Fargo at the Cherry Hills Country Club September 30th.

Councilor Hoellen asked if Council would receive invitations.

Councilor VanderWerf replied that invitations had been mailed but the City did not have a complete list of residents and residents could pick up invitations at the Village Center.

Mayor Pro Tem A. Brown reported that he, Interim City Manager/Public Works Director Goldie, and Director Zuccaro had sat through presentations by three firms for the traffic study. Interim City Manager/Public Works Director Goldie was following up with the top candidate. He and Interim City Manager/Public Works Director Goldie had met with two engineers from CDOT, a staff member and a Council member from Greenwood Village, the president of the Glenmoor HOA, and deputy manager of the Glenmoor Country Club to discuss the proposed traffic light at Glenmoor and Belleview. He explained that CDOT used eight categories to determine if a new traffic light was warranted. He indicated that while the numbers of cars on Belleview was staggering there was not enough traffic on Steele to meet the necessary threshold. CDOT had agreed to revisit the data and analyze it as one lane instead of two lanes on Steele. He noted that a new traffic light had recently been installed at Niagara but that was to help construction traffic and was in anticipation of increased traffic. He indicated that the group had discussed the possibility of lane configuration on Belleview to allow for a U-turn. He explained that the group had not come to a resolution but would continue to work on the issue. He noted that the appropriation for the project was in the City's draft 2016 budget and was in Greenwood Village's budget as well. He indicated that it had been a productive and helpful meeting and that the issue was a challenging one.

Mayor Christman asked if CDOT acknowledged increased traffic on Belleview.

Mayor Pro Tem A. Brown replied that the traffic numbers on Belleview were only half of the equation and that traffic numbers on the side streets were the other half. CDOT had acknowledged that Belleview was at full capacity but were worried about coordination between the proposed new light and the traffic light at University and Belleview.

Mayor Christman noted that this was a big issue for all homes off of Belleview.

Mayor Pro Tem A. Brown noted that there was the opportunity at other side streets to turn left and sit between lanes, but CDOT was not sure the width existed for that option at the Glenmoor intersection.

Councilor Griffin reported that he had ridden with Sergeant Paula Balafas last Friday and encouraged everyone to do a ride-along with the Police Department as it was very educational. He noted that he was pleased with Director Proctor's report that showed an increase in County property tax revenues of \$46 million which would result in an additional \$343,000 in revenue for the City.

Director Proctor added that the increase was 16%.

Councilor Griffin noted that the City had weathered the financial crisis well. He reported that the next Board of Adjustment and Appeals meeting would be in October.

Councilor Gallagher reported that the PTRC had discussed the proposed fence ordinance but had not reached a consensus with the Planning and Zoning Commission, so the two groups would continue work before making a recommendation to the Council. He added that fences along trails were currently proposed to be allowed at six feet with 75% openness.

Director Zuccaro added that proposal was for fences along public trails, parks and open space.

Councilor Gallagher added that the City's intern had done an outstanding job on research for the proposal and presentation to the PTRC.

Councilor K. Brown thanked Mayor Christman for hosting the Council & Commissions brunch on Sunday.

Members of City Boards and Commissions

None

City Manager & Staff

Interim City Manager/Public Works Director Goldie reported that Director Proctor had distributed the draft 2016 budget on the dais for Council's consideration prior to the October 6th study session. He distributed the long term capital plan timeline to complete the Council's priority projects by 2018. He noted that staff was still working on matching the draft 2016 budget to the long term capital plan. He indicated that information about grant application timelines were at the bottom of the plan. He reported that the temporary performance pad at the Alan Hutto Memorial Commons was 99% complete.

Councilor Hoellen indicated that he had worked with staff on the long term capital plan and asked Council to review the plan.

Mayor Christman asked about the 2016 budget.

City Clerk Smith replied that first reading was November 17th and second reading was December 9th.

Mayor Christman asked about the study session for the budget.

City Clerk Smith replied that the study session would be held October 6th at 6 p.m.

Mayor Christman asked if the study session could be scheduled from 6 to 7 p.m. instead of just until 6:30 p.m.

Director Zuccaro replied that the public hearing for that evening had been noticed for 6:30 p.m.

Interim City Manager/Public Works Director Goldie noted that Council had approved Item 5c and therefore there was a vacancy on the PTRC. He indicated that City Clerk Smith had past applicants she would contact and that staff would post notice of the opening on the City website and in the Crier. Staff requested volunteers from Council to conduct interviews of applicants.

Mayor Christman and Councilor K. Brown volunteered.

City Attorney

City Attorney Michow had no report.

EXECUTIVE SESSION

Mayor Christman noted that Council may return to open session after the executive session.

Mayor Pro Tem A. Brown moved, seconded by Councilor K. Brown to enter 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 pursuant to CRS 24-6-402(4)(b) for the purpose of seeking legal advice concerning the Cooper v. Cherry Hills Village litigation.

The following votes were recorded:

Griffin	yes
A. Brown	yes
VanderWerf	yes
K. Brown	yes
Hoellen	yes
Gallagher	yes

Vote on the Executive Session: 6 ayes. 0 nays. The motion carried.

The Executive Session began at 8:13 p.m.

OPEN MEETING

Mayor Christman reconvened the regular meeting at 9:46 p.m. She explained that Council would now give Director Zuccaro direction related to applications for fence permits. She indicated that if an application was submitted for a fence along a road, public park, open space or trail, including on-street trails, it would be held pending the ordinance that was currently in process.

Councilor Griffin asked if a motion was needed.

City Attorney Michow replied that a motion was not needed.

The meeting adjourned at 9:47 p.m.



Laura Christman, Mayor



Laura Smith, City Clerk