

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, November 3, 2015 at 6:30 p.m.
At the Village Center

The City Council held a study session at 6:02 p.m. regarding the Master Plan Implementation Plan.

Mayor Laura Christman called the regular meeting to order at 6:37 p.m.

ROLL CALL

Mayor Laura Christman, Councilors Mark Griffin, Earl Hoellen, Alex Brown, Mike Gallagher, and Klasina VanderWerf 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, Parks, Trails & Recreation Administrator Ryan Berninzoni, and City Clerk Laura Smith.

Absent: Councilor Katy Brown

PLEDGE OF ALLEGIANCE

The City Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

None

CONSENT AGENDA

Councilor Hoellen removed Item 5c.

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

- a. Approval of Minutes – October 20, 2015
- b. Resolution 44, Series 2015; Approving an Intergovernmental Agreement with Arapahoe County for Dispatch Services in 2016

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

Item 5c Proclamation 1, Series 2015; Designating the Month of October 2015 as Conflict Resolution Month

Councilor Hoellen asked why the proclamation was being considered retroactively.

Mayor Christman replied that October was Conflict Resolution Month state-wide.

City Clerk Smith added that due to miscommunications between staff and Senator Newell's office the proclamation had not been presented for Council's consideration during October.

Council decided not to pass the resolution retroactively.

UNFINISHED BUSINESS

None

NEW BUSINESS

Contract for Services/Expenditure of Funds for Water Tap Excavation and Water Line Bore Under the High Line Canal at Three Pond Park

Parks, Trails and Recreation Administrator Berninzoni asked if Council had any questions about the contract.

Mayor Christman noted that this topic had been discussed by Council at previous meetings but this was the first time a formal contract was being considered.

Mayor Pro Tem A. Brown moved, seconded by Councilor Griffin to approve the contract for service between the City of Cherry Hills Village and C&L Water Solutions in the amount of \$17,400.00 to install a water tap, a directionally bored 4" conduit under the High Line Canal, meter pit and site restoration.

The motion passed unanimously.

REPORTS

Mayor's Report

Mayor Christman reported that the Halloween parade in Old Cherry Hills had been a great success and suggested that the City could provide information to other HOAs to facilitate similar events throughout the City.

Mayor Pro Tem A. Brown agreed that the City could communicate procedures and timelines in order to encourage other HOAs to organize similar community events.

Mayor Christman suggested the information could be put in the Village Crier. She reported that she would investigate City-sponsored farmers markets for next summer. She noted that the drone ordinance would be considered by Council on first reading at the November 17th meeting and noted that the industry estimated that between 700,000 and 1 million hobby drones would be sold nation-wide this Christmas.

Members of City Council

Councilor Gallagher reported that Old Cherry Hills had several community events throughout the year. He asked Chief Tovrea if these events were a drain on Police Department resources.

Chief Tovrea replied they were not so long as the proper permitting procedure was followed.

Councilor Gallagher noted that these events were a wonderful way to build community.

Councilor Griffin indicated that a similar community event was held in his neighborhood for Halloween. He reported that the Board of Adjustment and Appeals would meet on Thursday. He noted that City Clerk Smith had collected ballots for the election outside the Village Center today.

Mayor Pro Tem A. Brown reported that his neighborhood utilized a social media platform whose members were restricted by geographical area. He noted that Denver Water and Arapahoe County had both recently requested they be added to this platform in order to provide pertinent information to its users. He suggested that there may be other similar platforms throughout the Village and that the City may want investigate utilizing this form of communication.

Councilor VanderWerf reported that the Butterfield sculpture *Charlo* would be installed in front of the Joint Public Safety Facility at approximately 10am tomorrow morning. She noted that fundraising for the sculpture was going well.

Director Proctor noted that the Public Art Commission was approximately \$20,000 away from the purchase price.

Councilor Hoellen had no report.

Members of City Boards and Commissions

None

City Manager & Staff

Interim City Manager/Director Goldie reported that Xcel Energy had contacted staff regarding moving forward on undergrounding utility lines in the test section along Quincy Avenue west of Happy Canyon. He noted that lines on private property and CenturyLink lines complicated the issue. He added that Xcel's price quote had expired and the project would have to be re-bid.

Mayor Christman noted that the President of Xcel Energy had recently addressed the Metro Mayors Caucus and had reported that Xcel was working to update their infrastructure which was a costly undertaking. She added that she was working with Interim City Manager/Director Goldie to determine the cost for undergrounding utility lines in another community to compare to Xcel's prices for the City's project.

Interim City Manager/Director Goldie reported that Denver Water was hosting a distributor's breakfast later this month and invited Council to attend.

Mayor Christman asked what the topics of discussion would be.

Interim City Manager/Director Goldie replied that Denver Water would discuss communications, their proposed pricing model and costs, relationships with the districts, and would take questions. He noted that the Technical Advisory Council (TAC) would attend the breakfast on the City's behalf. He indicated that the TAC had given staff an introduction to Denver Water's new pricing model which included a merging of the current four tiers into three tiers. He noted that the highest price increases by percentage were for Tiers 1 and 2, while the highest price increase by cost was for Tier 3.

Mayor Pro Tem A. Brown explained that the monthly service charge was increasing which was positive because it was spread among all customers. He noted that Tier 1 was for low, interior-only water usage amounts and Tier 2 was identified as sufficient water usage for outdoor watering but in actuality that was questionable. He noted that water usage resulted in Tier 3 more quickly than it had resulted in Tier 4. He indicated that Denver Water maintained that the total cost changes were revenue neutral. He noted that he had advocated more support for water budgets such as what was done in

California where property owners were penalized for exceeding the water needs of their property.

Councilor Griffin noted that Denver Water had no provisions for water conservation.

Mayor Pro Tem A. Brown agreed that the only measure Denver Water had was punitive pricing for large lots.

Mayor Christman indicated it would be a good idea for some members of Council to attend the breakfast and let Denver Water know that Village residents are rate sensitive.

Interim City Manager/Director Goldie added he would send the TAC report to Council.

Mayor Christman asked about the City's agreement with CDOT for the High Line Canal underpass at Hampden and Colorado.

Interim City Manager/Director Goldie replied that it was not yet finalized but that Arapahoe County was diligently working to ensure it would be.

Councilor Griffin asked if the City was in danger of losing any grant money because of the delay.

Interim City Manager/Director Goldie replied they would not and that the first deadline for the grant funds was after midyear 2016.

Councilor Hoellen asked about the status of the Public Works consultants.

Interim City Manager/Director Goldie replied that they were on target for a final presentation to Council at the November 17th meeting. He noted that they were waiting on Englewood's contracted surveyor to provide information on utilities at the Englewood site and also waiting on information regarding legal access to the site.

City Attorney

None

ADJOURNMENT

Mayor Pro Tem A. Brown moved, seconded by Councilor VanderWerf to enter into Executive Session pursuant to CRS 24-6-402(4)(b) for the purpose of seeking legal advice concerning the Cooper v. Cherry Hills Village litigation, and upon completion of the Executive Session to stand adjourned.

The following votes were recorded:

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

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

RECORD OF PROCEEDINGS

The executive session began at 7:07 p.m.

The meeting adjourned at 7:58 p.m.





Laura Christman, Mayor



Laura Smith, City Clerk