Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, August 16, 2016 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 roll call. Also present were City Manager Jim Thorsen, Deputy City Manager and Public Works Director Jay Goldie, Assistant City Attorney Kathie Guckenberger, Finance Director Karen Proctor, Police Chief Michelle Tovrea, Human Resource Analyst Kathryn Ducharme, Parks, Trails & Recreation Administrator Ryan Berninzoni, Public Works Project and Right-of-Way Manager Ralph Mason, Accounting Clerk Jessica Sager, Public Works Clerk Pamela Broyles, and City Clerk Laura Smith.

Absent: none

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

Mayor Christman explained that this section of the meeting was for comments on items without a public hearing or comment period elsewhere on the agenda.

Bill Lawrence, 16 Covington Drive, indicated that it was a sneaky dirty trick to put the topic on the agenda at such a late date. He stated that Council was out of touch.

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 – August 2, 2016
b. Resolution 12, Series 2016; Recommending Appointment to the Parks, Trails and Recreation Commission

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Public Hearing – Council Bill 6, Series 2016; Proposed Amendments to Article XI of Chapter 16 of the Municipal Code Establishing O-2, Open Space, Conservation and Historic Area District and Section 16-4-10 and 16-15-40 for Corresponding Changes to Open Space Zoning Regulations (*Public Hearing, second and final reading*)

Deputy City Manager/Public Works Director Goldie indicated that a revised motion was on the dais for Council's consideration as the motion in the staff memo stated "first

reading" instead of "second and final reading". He explained that the proposed ordinance would amend Article XI of Chapter 16 of the Municipal Code by creating the new O-2 zone district. He noted that this was a public hearing and all notice requirements had been met. He indicated that the Quincy Farm Visioning Committee had recommended this new zone district in their final report to Council, as the current O-1 zone district was too restrictive for a property such as Quincy Farm. The O-2 zone district was proposed with Quincy Farm in mind but would not apply to only Quincy Farm. The proposed ordinance was developed jointly by the Quincy Farm Committee (QFC), the Planning and Zoning Commission (P&Z), and the Parks, Trails and Recreation Commission (PTRC). Council considered the council bill on first reading at their July 19th meeting and approved the bill with deletion of Sections 160-11-140, 150 and 160. The bill included in Council packets for consideration on second and final reading reflected those changes. The proposed ordinance would also amend Section 16-4-10 to add the definition of the O-2 zone district, and Section 16-15-10 to remove conflicting language about signage.

Mayor Christman opened the Public Hearing at 6:40 p.m.

Mayor Christman noted that Cat Anderson had passed away in June and the City was working to make use of the phenomenal asset of Quincy Farm which Ms. Anderson had gifted to the City.

Hearing no comments, the Public Hearing was closed at 6:41 p.m.

Mayor Pro Tem A. Brown indicated that the proposed ordinance had been well developed and reviewed by the City's boards, commissions and committees and that the current version reflected Council's changes from first reading.

Mayor Pro Tem A. Brown moved, seconded by Councilor Griffin to approve on second and final reading Council Bill 6, Series 2016 as submitted in Exhibit A of the August 16, 2016 staff memorandum, amending Article XI of Chapter 16 of the Municipal Code establishing the O-2, Open Space, Conservation and Historic Area Zoning District, and Sections 16-4-10 and 16-15-40 for corresponding changes to open space zoning regulations.

The motion passed unanimously.

NEW BUSINESS

Recommendation from the Public Art Commission to Relocate the *Crew* Series Pieces

Director Proctor explained that in 2014 Council had approved the donation by artist Emmett Culligan of three art pieces from his *Crew* series and placement at the entry feature at Holly and Belleview. The Public Art Commission (PAC) recommended relocation of the *Crew* series pieces to the park on the southeast corner of Holly and Quincy. This would allow the public, especially children, to access the art pieces as was intended by the artist.

Councilor Hoellen asked about the construction of the pieces and expressed concern for the safety of children climbing or playing on the pieces.

Deputy City Manager/Director Goldie replied that the pieces were inset into the ground and very heavy. He noted they were similar to climbing rocks in that regard and that staff did not have any concerns for the safety of children interacting with the pieces.

Councilor Gallagher asked about the cost of relocating the pieces.

Director Proctor replied it was minimal and mainly staff time.

Mayor Christman noted that the PAC had attempted to consult PTRC twice but both PTRC meetings were cancelled due to lack of a quorum. She added that this did not preclude PTRC from considering the pieces in the future.

Councilor VanderWerf moved, seconded by Councilor K. Brown to approve the relocation of the *Crew* series pieces from the entry feature of Holly Street and Belleview Avenue to the improved park on the southeast corner of Holly Street and Quincy Avenue.

The motion passed unanimously.

Public Hearing to Consider a Request by David Mosteller of 1550 East Oxford Lane and 4180 South Humboldt Street for a Variance from Municipal Code Section 16-5-30(b) Concerning Minimum Lot Area for Approval of a Minor Lot Adjustment

Deputy City Manager/Director Goldie explained that staff was requesting on behalf of the applicant that the public hearing be continued to the September 20, 2016 meeting in order to allow time for staff to meet with the applicants to clarify the application. He requested that Council open the public hearing and continue it to a date certain.

Mayor Christman opened the public hearing at 6:47 p.m.

Mayor Pro Tem A. Brown moved, seconded by Councilor K. Brown to continue the public hearing on an application request by David Mosteller of 1550 East Oxford Lane and 4180 South Humboldt Street for a variance from Municipal Code Section 16-5-30(b) concerning minimum lot area to the September 20, 2016 regularly scheduled City Council meeting.

The motion passed unanimously.

Village Center Improvements and Possible Relocation

Mayor Christman indicated that City Manager Thorsen would first make a presentation before the public comment period. She noted that staff had rented large screens to help everyone to see the presentation and added extra seats to the Council Chambers, but apologized to those that were in the hall.

City Manager Thorsen introduced himself and explained that he had been City Manager for 10 weeks. He indicated he would present a history of the Village Center buildings, the proposals, the studies over the past 10 years, and the other options and ideas to solve this issue in order to provide some insight into the current proposal for the property at Colorado and Jefferson. He provided an overview of the Village Center area including the administration building, public works facility including a four bay garage and the old fire station, Joint Public Safety Facility, John Meade Park, and Alan Hutto Memorial Commons. He added that, although it was not part of the Village Center, 90 Meade Lane was a residential property owned by the City. He showed how the floodplain and floodway covered the area. He noted that about 70% of the Village Center was in the floodplain.

City Manager Thorsen explained that the administration building was built in 1963 and at that time the City had 2,000 residents and 10-15 employees. In 1983 the Village Center was expanded to its current total of 8,400 square feet. In 2000 the City began to look in earnest at redeveloping the area. In 2005 the City excluded from South

Suburban Parks and took over the maintenance and upkeep of City parks and trails, adding more employees and equipment to the City. In 2013 the Joint Public Safety Facility was built and that lot was rezoned from R-1 to C-1. Now in 2016 the City had 6,500 residents and 52 employees, 28 of which were in the Police Department. The administration and public works facilities needed to be reconstructed for many reasons, including not meeting current building codes, including fire sprinklers; being antiquated and undersized; being in the floodplain; lacking ADA, public safety and security features; not having sufficient storage or effective IT systems; not being energy efficient; potential mold and asbestos; not having sufficient covered storage for the City's 17 pieces of equipment and 16 vehicles; and insufficient parking.

City Manager Thorsen indicated that in 2000 the Village Center Conceptual Plan focused on four basic components: a new building for the Police Department and South Metro Fire Rescue; redesigning John Meade Park, and now also incorporating Alan Hutto Memorial Commons; reconstruction of the public works facilities; and reconstruction of the administration building. All four components could not be built out on the current site due to acreage limitations, floodplain constraints, and facility needs. The first component had been completed in 2013 with the Joint Public Safety Facility. The second component had begun with the 2015 John Meade Park and Alan Hutto Memorial Commons Master Plan and the engineering site design was in the process of being finalized. The plan included expanding John Meade Park to cover the current site of the old fire station and the public works facility. The question was whether the City should implement all or only a portion of the John Meade Park Master Plan. The final location for the public works and administration facilities needed to be identified. This included leaving both on-site or relocating one to a different location. Included as part of the John Meade Park Master Plan was constructing a new administration building just to the north of the current facility, however that area would not be large enough for both the public works and administration facilities.

He explained that previous studies on this issue began with the 2007 Citizen's City Center Committee, also known as the 4C, which recommended that the current buildings be torn down and new buildings constructed with a forty year useful life, that public works be moved to a nearby site that was more industrial, and that the Police Department and South Metro Fire Rescue be co-located. The 2008 Master Plan recommended improving John Meade Park to become an active community recreational park and meeting place to host outdoor events; ensuring that the Village Center facilities were adequate to meet current and future needs; consider the 4C report; evaluate moving public works onto a site other than the Village Center or outside the City; and several environmental and energy recommendations. The 2009 Village Center Conceptual Plan included a significant amount of community input and recommended expanding parking for the Village Center, expanding John Meade Park, combining Police and Fire, rebuilding the administration building on the current site, and relocating the majority or all of public works. The 2013 Public Work Survey showed that the preference of residents was for public works to remain in its current location in order to be centrally located, there was poor to fair support of expanding John Meade Park and relocating public works, there was not support for the higher costs associated with locating public works outside of the City, and there was a concern with the additional response time that would be a result of a location outside of the City. The 2014 Public Works Facility Study evaluated 27 sites, most outside the City. The study determined that a split of public works between two sites was not desirable. The City focused on the Denver Water site for a while but it became unavailable. The study determined that redevelopment of John Meade Park would not be possible if both the administration building and public works facility were kept at the current location. The 2015 Public Works Programming Study examined the space needs for a public works facility and focused on the Englewood site and the Hampden triangle site, but ultimately the land lease for the Englewood site was not financially feasible. The 2015 John Meade Park

and Alan Hutto Memorial Commons Master Plan has as goals making John Meade Park a community gathering place, adding a performance area, and increasing park usage.

City Manager Thorsen indicated the City had been gathering information, holding open houses and meetings, and examining this issue for the past 16 years, during which time 20 Councilmembers and dozens of commissioners had served. The consistent conclusion of these reports and studies was that City hall and public works needed to be reconstructed and John Meade Park needed to be enhanced. The only open issue that had not been resolved was the final location of the facilities.

City Manager Thorsen explained that the building envelope of the Colorado/Jefferson Denver First Church property was 175 feet from the Denver First Church building, 525 feet from the Covington neighbors, 225 feet from the Albion neighbors, and 410 feet from other neighbors on Colorado. In November 2015 the City began discussions with Denver First Church about purchase of the property. In May/June 2016 the City and Church entered into an agreement with option to purchase the two acre site at a cost of $1.185 million. During that same period the Council hired a consultant to produce a rough site plan for how the public works facility might fit onto that site, and in July the first community meeting was held.

City Manager Thorsen indicated that there were two documents that guided land development in the City. The Land Use Map from the 2008 Master Plan provided overall direction on the types of uses for properties throughout the City, while the City Zoning Map identified allowed uses. The Land Use Map identified the Colorado/Jefferson property as "Institutional", which included government, religious, and educational uses. The Zoning Map identified it as R-1 residential district, and the City would have to rezone the property to C-1 in order to place a municipal facility on the property. The R-1 zone district allowed single family dwellings, schools, churches, agriculture, water containment, utility stations, and other uses. The C-1 zone district did not allow residences but did allowed governmental facilities, churches, post offices and public libraries.

City Manager Thorsen explained that the options available were:

1. Relocate the public works facility to the Colorado/Jefferson property. The property was two acres and contained sufficient space for the public works facility. All vehicles and materials would have indoor storage, unlike at the current site which did not have sufficient storage space for everything. The site would be heavily landscaped. This option would require rezoning of the property. The building envelope was 225 feet from the nearest residential neighbors.
2. Relocate the administration building to the Colorado/Jefferson property. The size of the property would be sufficient. This option would also require rezoning of the property. With this option the public works facility would stay at the current location and would likely be shifted closer to Quincy in order to allow for more parking and for the redevelopment of John Meade Park as per the Master Plan.
3. Keep both the public works facility and the administration building at their current location. This would require that the floodplain be remediated, inadequate parking would have to be addressed, and John Meade Park would have to be redesigned in a smaller area. This would eliminate the playground, restroom and picnic shelter that were present in the design for the expanded John Meade Park.
4. Relocate the public works facility to an unknown site outside the City. The City had considered many sites outside the City but none had worked out. This option would result in an increase in maintenance and operations cost, and possibly in response time, due to the additional travel time.
5. Utilize 90 Meade Lane. This was a residential site and had similar issues as the Colorado/Jefferson property. The neighboring homes were within 110 feet of the

building envelope. Rezoning of this property for governmental use did not follow the Land Use Map or Zoning Map.

6. Utilize the Hampden triangle site. This was a ½ acre site that could allow for some storage of materials or a couple pieces of equipment but was not large enough for an entire public works facility.

7. Keep both facilities at the current site and continue with current plans for John Meade Park redevelopment. This option was not possible.

City Manager Thorsen indicated that the procedures for a zone change in the City would involve an exploratory phase, which is where Council was currently and consisted of informal meetings and no application; the application phase, at which point conversation and information related to the application was limited by quasi-judicial procedures; and the implementation phase, where Council action would be followed.

Councilor Hoellen indicated that the City Manager had given an excellent presentation. He noted that every Council since 2000 had worked on this issue. He added that Council's negotiation with the Church had allowed staff and the City's consultants to create scenarios to present to the public, and that Council had not made any decision regarding the property at Colorado/Jefferson.

City Manager Thorsen replied that was correct and that Council was taking the opportunity to present the option to the community for input.

Councilor Hoellen stated that there were perception issues. He indicated that the C-1 zone district was a community district rather than commercial or industrial and it was not fair to characterize it as commercial or industrial.

City Manager Thorsen confirmed that the C-1 zone district was a community district that allowed government facilities.

Councilor Hoellen indicated that the cost of $900,000 from the Public Works Study was only the site development for the current site, and did not include the construction of any buildings or facilities.

City Manager Thorsen agreed and added that he did not have a lot of confidence in that cost estimate for site preparation. He noted that at the time of the report staff believed that the cost for the building and facilities was fixed and the cost of the site prep was variable and would depend on what site was chosen. He indicated that the site preparation costs for the current site and the cost to purchase the Colorado/Jefferson property were similar.

Councilor Hoellen indicated that costs for the new administration building, public works facility, and John Meade Park development were included in the City's strategic financial plan and could be completely implemented without any tax increase.

City Manager Thorsen replied that was correct.

Mayor Christman noted that the City required its citizens to be in compliance with building codes and it was equally important that the municipal facilities be in compliance with current codes, including ADA, FEMA and building codes. She asked about the triggers that the City would eventually reach that would require the facilities to be brought up to full Code compliance.

City Manager Thorsen replied that FEMA required commercial buildings be brought up to code after 50% of the value of the existing building was spent on repairs. He added that to bring the buildings into compliance with the floodplain they would be demolished,

the land would be elevated above the floodplain, and the facilities would be reconstructed.

Councilor Griffin indicated that he had served on Council for eight years. He explained that Council had negotiated with Denver Water for four or five years and were very far along in those negotiations when a management change at Denver Water shut down that possibility because the City was planning to store magnesium chloride on the site.

Councilor VanderWerf noted that was the stated reason but it was unclear if that was the real reason.

Councilor Griffin agreed and added that after that Council had spent two years negotiating with Englewood for their site but found out it would cost the City $7.5 million.

Mayor Christman added that after 40 years the land and facilities would have reverted back to Englewood and Council had decided that was not in the best long term interest of the City.

Councilor Griffin concluded that Council had spent the better part of seven years in dead-end negotiations for moving the public works facility outside the City.

Mayor Christman noted that she had spent time looking for other possible sites outside the City and had spoken with many other Mayors in the area about possible sites.

Councilor K. Brown asked what the City allowed residents to build in the floodplain and what the expectations were in the Master Plan for building in the floodplain.

City Manager Thorsen replied the City's floodplain ordinance required residents to look at other alternatives to building in the floodplain. On the current site the City would have no other option but to build in the floodplain. Building in the floodplain was regulated by FEMA rules and the City Code and would involve raising some areas, lowering others, and installing retaining walls.

Councilor K. Brown noted that the Master Plan discouraged building in the floodplain.

City Manager Thorsen agreed.

Councilor Hoellen noted that it was possible to build in the floodplain.

City Manager Thorsen agreed it was possible with proper engineering.

Councilor Gallagher asked how moving public works outside the City would impact service levels.

City Manager Thorsen replied that it would decrease service levels. He indicated that the amount of decrease would depend on the distance of the site from the City, but a significant distance would reduce the working time of crews due to travel time and traffic. If tools or equipment were needed that were off-site it might take an hour to retrieve them and return to the City. It would also increase wear and tear on the City's vehicles.

Mayor Christman indicated that this was democracy in action. She noted that fliers with instructions for public comments were available and asked that everyone read them. She stated that each person would have five minutes to speak and asked that everyone state their name and address for the record when it was their turn. She noted that Council had received a tremendous amount of written material that was included in the

public record. She asked that people giving public comments not read into the public record what had already been sent. She asked that people speak to the subject and address the Council, not each other or the staff. She asked that people not duplicate statements, and that everyone remain civil and respectful. She indicated that she hoped to wrap up the meeting at 11 p.m. and continue it to a future meeting if needed, as people's attention often lowered significantly after 11 p.m.

Mayor Christman opened the public comment period at 7:35 p.m.

Peter Weiss, 3711 S. Albion Street, stated that he had lived in the Village for 39 years. He noted that his wife had worked in local schools and libraries for many years and they knew the residents and neighborhood quite well. He indicated that the world and Denver had gotten busier and more chaotic over the years. He noted that City Manager Thorsen's presentation had been very factual and he sought to give softer, more personal information to Council as to why he was opposed to the proposal to move public works to the Colorado/Jefferson property. He shared a photo of the sign that said "Entering Cherry Hills Village" that was located on Colorado Boulevard south of Hampden. He noted that his children and grandchildren also lived in the Village so their family represented two households. He shared another photo of a sign that stated "No Trucks Over 8,000 Lbs.", off of Colorado south of Hampden and another which was on Quincy. He noted that this ordinance was not enforced and that he had spoken to the Police Department about enforcing it. He added that the speed limit on Colorado Boulevard was 30 mph and this was not adhered to, although cars did stop at the stop sign at Colorado and Mansfield, and had also mentioned this to the Police Department. He shared another photo of another Cherry Hills Village sign that was at the property in question which was currently a beautiful property. He noted that the bike path would be impacted by any development. He showed a picture of Jefferson going west from Colorado and noted that it was a beautiful country road. He shared photos of the current public works facility.

Jim Turner, 28 Covington Drive, read the letter from former Mayor Jeff Welborn that was one of the written comments included in the Council packet and part of the public record. The letter requested that the City Council direct P&Z to study the various alternatives for partial or complete relocation of the public works facility; direct P&Z to report the results of such study to the Council and to include in such report P&Z's recommendations concerning whether to relocate the facility and, if so, where; and appoint a citizens advisory committee to assist P&Z with data gathering, financial analysis, community outreach/input facilitation and other aspects of the study as required by P&Z. The letter stated that neither the 2007 4C recommendations nor the 2008 Master Plan provided a proper planning basis for any decision to relocate the public works facility, and the land-use, logistical and financial research and planning that are essential for community support and that are necessary to properly fund and accomplish such a major, permanent and costly move have simply not yet occurred. The letter noted that the 4C report concluded that the public works facility should be relocated to a site outside the Village that was more "industrial in scope" and that the current facility was "incompatible" with the current site because it was "residential," but that the report did not lead to any analysis of the cost, logistics and land-use impact of any relocation of the public works facility. The letter stated that former Mayor Welborn was on the Master Plan Advisory Committee, and that the Committee did not engage in any substantive analysis of a possible relocation of the public works facility. The letter indicated that the Committee proposed a planning goal of ensuring that the "Village Center facilities are adequate to meet the current and future needs of the community" and defined several strategies to meet that goal including implementation of the 4C recommendations and evaluation of the "possibility of locating the Public Work's outdoor storage of vehicles and materials at a site other than the Village Center, possibly outside the Village." The letter noted that while there was significant public engagement

in the Master Plan process, there was no focus on possible acquisition of a new site for the public works facilities. The letter concluded that there was more work to be done at the planning scale, hopefully with assistance from a cross-section of the community, if the Council was to make well-grounded, sustainable decisions on the public works facilities location issue. The letter thanked Council for taking on this tough issue and for their dedication of time and effort to governing this unique little part of the world.

Doug Hunter, 25 Covington Drive, stated that he and his wife had lived at their current address for 13 years and residents of the Village for 40 years. He stated that this was a kerfuffle and he felt sorry for Council. He thanked the Council for the time consuming and important work they did on behalf of the citizens of the Village. He noted that he had watched a variety of issues evaluated and debated by Councils over the years and the outcomes by and large had resulted in significant improvements to the Village in the best interest of all residents. He indicated that past administrations had made these decisions being sensitive to the aesthetics and history of the Village, but taking into account Village taxpayers. He indicated that his comments regarding the proposed relocation of the maintenance facility were self-serving, as the proposed facility would be an eyesore at the entrance to the Covington neighborhood, and no amount of berming or landscaping would disguise the facility, trucks and noise. He emphasized that the aesthetics were inappropriate for a gateway to the City. He indicated that locating public works at the proposed site was against the 2008 Master Plan. He stated that he was incredulous that Council was considering relocating public works to this site. He noted that a small park, library or seasonal garden would be more appropriate at that site. He noted that the current location of the facility had been a non-issue for decades. He suggested adding berms and landscaping and using creative engineering to deal with the floodplain. He noted that would cost considerably less than moving the facility to the Colorado/Jefferson property. He added that it was practical and desirable to keep public works in proximity to the administration building. He hoped Council's decision to consider relocation of the public works facility had been made without undue influence by any one individual or any group of individuals.

Councilor Hoellen thanked Dr. Hunter for his comments and asked if he had any information, credible or not, to suggest any undue influence on Council.

Dr. Hunter replied that he had no information but simply hoped it was not true.

Rich Imber, 17 Covington Drive, stated he was against the proposed relocation of the public works facility to the Colorado/Jefferson property. He thanked City Manager Thorsen for clarifying that the Citizen's City Center Committee was also known as the 4C, as he did not believe everyone was aware of that. He indicated that the 4C report and the Master Plan did not support or recommend relocating public works to the Colorado/Jefferson property, but rather recommended relocating it outside the City to a more industrial area, and did not recommend relocating it within the Village because it was incompatible with a residential area. He noted that the 4C report concluded that it would be advisable to locate public works portion of the Village Center to a nearby site that was more industrial. He added that although Council did not call the public works facility an industrial site, the reports called it industrial. He stated that there was no reasonable expectation for a resident to think that the public works facility would move into their neighborhood. He indicated that real estate agents had advised that relocating public works to the Colorado/Jefferson property would crush property values up to 25% because it would add an industrial and gas refilling station where there had never been one in the past. He added that the change in property value would be hundreds of thousands of dollars. He noted that during the July stakeholder meeting a Council member had commented that the neighbors already dealt with the churches in the area so they thought the neighbors would not mind the public works facility. He explained that the churches were great neighbors and had been there for years. He indicated that

the property values took into account the churches but not the unacceptable and unexpected appearance an industrial facility in the neighborhood. He indicated that the residents were concerned because they had not known about the proposal, they were concerned that rezoning this property would set a precedent, and they were concerned with locating a maintenance facility at the entrance to the City. He noted that all of his arguments were based on public records obtained from the City and on common sense. He asked the Council to please not ruin his neighborhood. He suggested keeping the public works facility in its current location by fixing the floodplain and not expanding John Meade Park, or moving the public works facility outside of the Village.

David Decker, 21 Covington Drive, stated that he had experience with the City's zoning from serving on P&Z for six years including two years as chairman and during the time when the Cherry Hills Park, Buell and Covington neighborhoods were rezoned. He indicated he had also spent a lot of time as an architect dealing with zoning issues with his clients. He indicated that a successful process to rezone was one where the community was engaged, on board, and in support of the rezoning. He noted that had not happened in this case which meant this was a flawed process so far. He indicated that the most important issue to consider was what the most appropriate, best, and highest use for the land would be. He stated that this was not a design or landscaping issue and was not the only alternative. He indicated that the proposal would damage property values. He noted that if any other entity approached the Council wanting to do this they would be dismissed out of hand. He indicated that the C-1 zone district was not appropriate for industrial use. He stated that this was an inappropriate thing to do and the wrong thing to do.

Greg Stevinson, 22 Covington Drive, thanked Mayor Christman for meeting with him and stated that he appreciated City Manager Thorsen's presentation. He stated that an institutional use would be a swimming pool or library, and that the public works facility would be an industrial use. He noted that the site the City had been negotiating with Englewood to relocate public works to, west of Santa Fe in Englewood, was an industrial site. He noted that the City had examined appropriate sites outside the City three years ago and he would be interested in seeing updated information. He indicated that the Public Works Facility Study was poorly produced and should be redone. He suggested that rezoning the Colorado/Jefferson site would be spot zoning, and that the identification as institutional would have to allow apartments and attended care facilities as well, and that every church or school site would be an option for a public works facility. He noted that the City was proposing to expand John Meade Park at the expense of land that could be used to keep the public works facility onsite. He indicated that if the administration building needed 50-60 parking spaces then the other 40-50 proposed spaces were for park users. He noted that the Mayor had told him that the City could not have municipal uses on park land, but the parking spaces were park uses on municipal land, and was more area that could be used to keep public works at the current site. He suggested redesigning John Meade Park to allow public works to stay on the current site. He indicated that if Council did a study of other zoning codes they would find that this type of facility with storage and fuel was an industrial site. He stated that COPs, while not technically a tax increase, were subject to annual appropriations, were more expensive than bonds, and the City would not default on their COPs because it would affect the City's credit rating. He stated that while the Council was concerned with moving the public works facility off-site they had been prepared to employ that option with Englewood. He noted that the 4C report stated that locating some or all of the public works facilities outside of the City would not place them further away than distances managed by other municipalities and that it was common for public works facilities to be five to ten miles from the residents served by the department. He stated that while the Council was concerned about building in the floodplain they were not concerned with utilizing the Colorado/Jefferson site in an inappropriate manner. He noted that all the other parcels marked for institutional use on the Land Use Map were

churches and schools. He asked Council to keep the public works site at its current location or move it to an appropriate industrial site outside the City.

Mayor Christman indicated she appreciated that Mr. Stevinson had spent time discussing the issues with her and City Manager Thorsen.

Mr. Stevinson replied that he appreciated Mayor Christman's and City Manager Thorsen's time.

Winslow Waxter, 3625 S. Albion Street, stated that she had four administrative items before beginning her timed public comments: she asked that Council hold another public input meeting and that it be held in a larger venue; she announced that a petition from change.org had been filed in the public record and was being circulated, she asked that City Manager Thorsen's slide of the proposed site be put back on the screen, and she asked if she could use her husband's five minutes in addition to her own.

Mayor Christman agreed.

Ms. Waxter explained why the residents lived in the Village. She read an excerpt from the Cherry Hills Village History section of the Kentwood directory that stated the area began to attract developers who wanted to establish commercial enterprises such as gasoline stations, stores and shops. The History continued that local residents were not interested in this type of land development and decided to form the Cherry Hills Improvement Association, its primary purpose being the protection of the area and the prevention of inconsistent land uses. She stated that the public works facility was an inconsistent land use. She indicated that the History noted that as time went on there were additional concerns of other land uses in the area, and after lengthy discussion it was concluded that the town was amply served by South Broadway and East Evans for commercial services; there was no need for a commercial zone in Cherry Hills Village and the original zoning policies adopted in 1945 have been sufficient for many years and remain effective today. She stated that the public works facility was industrial and not consistent with the rest of the zoning in the Village. She indicated that the History concluded by stating that from the color of the street signs, selected to match the color of the city clerk's shoes, to the view of the Rocky Mountains, Cherry Hills has maintained is individuality through the years. She noted that individuality was what all the residents valued. She explained that in trying to find the source for the historical information she discovered the excerpts on the city website from Councilor VanderWerf's book High on Country which had information on the history of the beginning of the Village. She was particularly struck by the discussion of Mr. Little and his attempts to prevent the City of Denver from taking land from Cherry Hills Village, and protecting residents against airport noise. She noted that Mr. Little had stated that the airport would be "fought to the limit" and the residents here tonight would fight the proposed rezoning to the limit. She indicated that the Master Plan was replete with the City's vision, character and strategies for maintaining and achieving the vision and character of the Village. She noted that the Master Plan stated it was the desire of the citizens of Cherry Hills Village to maintain the established character of the community, and that the vision for Cherry Hills Village was defined by semi-rural character, views and open feel of the Village. She added that the Master Plan emphasized many times the importance of supporting communication and involvement of the Village and its residents, listening to the residents and taking their views into consideration. She indicated that when discussing future development and land use the Master Plan emphasized reflecting the existing land use pattern, respect current zoning regulations and be sensitive to the impact of development on surrounding properties. She noted that the Master Plan encouraged institutional properties to maintain the primary mission and function of their use, and should an institutional property be sold or ownership changed the property should maintain the existing use or shall be subject to the uses

and standards of the underlying zone district. She indicated that the sale of the property from the Church to the City and then the proposed rezoning for its own purposes not in keeping with the Master Plan. She noted that the Master Plan stated that regulations on development should respect private property rights of all property owners; the basic standards regulating the scale of buildings and compatibility of uses could reinforce the desired Village character; and improvement of gateways. She asked that Council not destroy the gateway to the Village by relocating public works to the proposed site. She noted that the Master Plan talked about the open space, parks, trails and recreation and the 2005 Blue Ribbon Panel Report stated that the legacy of open space in Cherry Hills Village was a source of inspiration, and creates in everyone a responsibility to protect and preserve the meadows, trails, wetlands, and mountain vistas. She indicated that her property was directly east of the property in question and was in direct eye sight of the property, and currently she had unobstructed mountain views. She noted that the Cherry Hills Village Municipal Code Chapter 16, Article 2, Section 2, stated that if Council files a rezoning application the application must discuss four potential areas: 1) change in area conditions, which she did not believe had occurred; 2) error in original zoning, which she did not believe was the case; 3) conformance to Master Plan for the area and she noted that the Master Plan wanted to protect the views, maintain the semi-rural nature of the Village, and consider the opinions of residents, all of which would not support rezoning of the proposed site; and 4) suitability of the site for the proposed use. She indicated that while the site was two or two and a half acres of vacant land, it was surrounded by residences and churches. She added that it was a gateway to the City. She stated that it was not a suitable site for public works. She indicated that Section 16-2-40(a)(3) of the Municipal Code stated that the City must also provide information in their application with description and sketches if available of structures or uses and a description of uses within 200 feet of the boundary of the proposed area of change in all directions and the effect of the proposed use on the adjacent areas. She indicated that she would like more information about how the distances from the proposed site to the nearby properties as displayed in City Manager Thorsen's presentation were obtained. She noted that the distance from the edge of the proposed site to the edge of her property consisted of just the two lanes of Colorado Boulevard. She stated that the effect of the proposed use on adjacent properties was significant but that the effect also extended up and down Colorado Boulevard, to Albion Street and anyone coming into the City to live, go to school, or go to parks. She stated that she had a market analysis done on her property and filed that in the public record for tonight's meeting and the analysis showed a minimum of 20% reduction in property values, which was real and significant money for her and for all the properties in the area. She implored Council to reconsider to proposal.

Janet Sachs, 3800 S. Albion Street, indicated that she was in her fourth decade of living in the Village. She noted that she would not be redundant. She explained that she worked and owned her own accounting firm and had visited over 4,000 city centers and that the current administration building was a dump. She noted that if the building was retrofitted then it would be a retrofitted dump in the floodplain. She suggested relocating the administration building to the Colorado/Jefferson property. She indicated that the City was crowded and there was no room for the public works facility within the City. She suggested that Council wait three to seven years for the prices to lower and then purchase a property in the Santa Fe/Broadway area for public works. She indicated that no one wanted public works to stay in the City.

Bill Lawrence was not present.

Robert Eber, 3 Middle Road, explained that he was the chair of the Parks, Trails and Recreation Commission (PTRC). He noted that he had been respectful during the other public comments and he requested the same respect be given to him during his comments. He explained that PTRC had spent multiple years working on the John

Meade Park and Alan Hutto Memorial Commons Master Plan with the intent of developing a main community gathering site. He noted that the process had involved extensive public outreach and public meetings. He indicated that the plan to move public works from its current location was several years in the making and there had been numerous drawings and renderings posted on the City website and published in the Village Crier. He noted that PTRC had received little public input during the process except for the neighbors immediately adjacent to John Meade Park. He added that it would have been nice to have the same level of interest on display tonight at those previous public input meetings so that this type of the proposal was not deemed to be a surprise. He indicated that the natural question with the redesign of John Meade Park was where public works would be relocated. He noted that PTRC had not heard any opposition to not locating public works in its current location when redesigning John Meade Park. He indicated that engineering the current site to include the administration building and public works facility would not be cheap or easy. He noted that the floodplain created massive constraints. He asked the public to recognize the level of effort the City had gone through on these issues. He noted that other comments tonight had praised the work done by Council on this issue and he added his praise. He noted that the Colorado/Jefferson property was in the midst of churches and on a main artery. He added that the City's efforts to buffer the facility would be extensive and that it would not be a typical industrial facility. He indicated that the photos of the current facility shown by Mr. Weiss were not consistent with how the new facility would look. He acknowledged the neighbors' concerns about traffic and safety. He stated that it was not an easy discussion. He hoped that the public could consider factually based traffic studies and safety concerns. He indicated that he was not for or against the proposal but was in support of a factually based public process. He noted that he understood that any neighborhood in the Village would be vehemently opposed to relocation of the public works facility into that neighborhood.

Shari Leigh stated that her husband, Martin Greer, would speak for both of them.

Martin Greer, 4213 S. Colorado Boulevard, thanked the Mayor and City Council, and thanked City Manager Thorsen for his overview. He noted that he lived at the intersection of Colorado and Quincy and that section of Colorado was one of the worst traffic spots in the Village. He stated that cars regularly drove 45 or 50 mph. He noted that police officers used to regularly sit in his driveway and issue speeding tickets. He added that his fence had been hit every year for at least five years. He indicated that he regularly rode his horse to Three Pond Park and the High Line Canal and walked every day, along with many other people, and that it was frightening at rush hour. He stated that if the public works facility were relocated at the Colorado/Jefferson site then it would overload an already dangerous situation. He noted that the current location was centrally located and he was not aware of any issues that had resulted from the current location. He indicated that in listening to City Manager Thorsen's presentation, he was struck by the driving force of the expansion of John Meade Park, despite the 2013 survey that showed negative sentiment toward moving the public works and administration facilities. He noted that he had been aware of the 2013 study and thought it put the question of public works to rest, and that he had not been aware of subsequent planning and development processes. He questioned if the City was adopting a "if you build it, they will come" philosophy regarding John Meade Park and while redevelopment might improve the experience he asked Council why they would take the chance. He noted the other driver from City Manager Thorsen's presentation was population growth, but noted that the Village did not have many undeveloped lots left and so would not continue to grow at previous rates. He added that the exclusion from South Suburban had been eleven years ago and was not a reason for expanded facilities. He noted that the issues with the current buildings were difficult but did not justify spending millions that would be better spent elsewhere. He suggested using the

money to deal with traffic issues, bury power lines, or re-join South Suburban so that the City did not need the extra staff and equipment.

Leslie Mehta, 3701 S. Colorado Boulevard, noted that she had received great information from the long term residents. She explained that she had purchased the property in May and that it was located directly south of the Colorado/Jefferson lot. She indicated that she and her family were currently living in an apartment while doing substantial improvements to their new home. She explained that they had moved as a choice and had never heard anything bad about the Village, and were excited for the pastoral and peaceful nature of the Village and their new property. She indicated that they were planning substantial improvements to the property and she was petrified to move forward and invest in the property with the current proposal to relocate public works. She expressed concern about the noise levels and downhill drainage of fuel, salt, etc. from the public works facility onto her property. She indicated she loved her new home and neighborhood but was disturbed and disappointed in this huge change for her property.

Steve Canale, 3601 S. Albion Street, indicated that many people were against the proposal to move public works to the Colorado/Jefferson property. He stated that redeveloping John Meade Park was ridiculous and no one visited that park, unlike Three Pond Park. He suggested encroaching on John Meade Park and keeping public works at its current location. He warned that moving public works to the Colorado/Jefferson site was the first step toward the Council using eminent domain to take property and expand the street to deal with the bottleneck at Quincy. He likened the situation to Citizens United and stated that there was a more practical way to spend the money. He added that the cost was not limited to the purchase of the land and the development of the site but would also include a traffic study and other studies. He indicated that the Village was not an income producing entity and that the money spent was taxpayer money. He noted that all the residents would be affected by the money needed for this site including hard and soft costs. He suggested renovating the existing facility and keeping it at the current location with a smaller John Meade Park. He added that more money should be spent on Three Pond Park because that's the park that people were using.

Councilor Hoellen indicated that he appreciated Mr. Canale's comments, but that there was no discussion about eminent domain, formal or informal.

Jason Matherly was not present.

Russ Shipman, 44 Covington Court, stated that he lived with his wife and two children and his property was the closest in the Covington neighborhood to the proposed site. He indicated that he had many objections to the proposal. He explained that when the church north of his property went through a substantial expansion process he was assured by the Council that corner would remain residential, and that the additional congestion created by the expansion of the church would not be compounded by any additional changes. He expressed concern with the trucks, noise and environmental pollution that the proposed facility would generate. He explained that his family had lived at their property for 15 years and had just completed a seven figure year-long renovation, which he would not have done if he had known the proposal was contemplated or even possible. He indicated that he would have moved to a different area of the Village. He stated that the proposed facility would impair the values of the Village and would make their property unlivable for his family. He noted that this was a lifestyle and economic issue. He expressed his concern for the diminished safety for the neighborhood and his family. He indicated that the neighborhood's walking therapy loop would be gone because of the danger to children from trucks and heavy equipment. He stated that the proposal was irresponsible and incompatible with the established

residential neighborhood. He added that on a personal note his son had respiratory issues and they had spent significantly more in their renovation to install formaldehyde-free products. He indicated that the wind would bring dust, salt, and other contaminates to his property and cause his son to have reactions. He stated that this was a real concern and that these were real people's homes, lives and children.

Eileen Weiss, 3711 S. Albion Street, noted that the conversation indicated a lack of communication between the City and residents. She acknowledged the hard work of City Council and PTRC. She suggested using a marque like West Middle School or more email notifications to improve the communication issue. She implored Council to slow down and think how they would meet a similar zoning challenge if requested by a Church or outside developer. She indicated that the proposal would downgrade the neighborhood. She added that the current entry sign would be replaced by an industrial site. She stated that Council was smart, resourceful and well-meaning and implored them to slow down. She noted that many residents did not need for a community park like John Meade Park because they had everything they needed in their back yards. She was struck that the Village plans for the enhanced John Meade Park stated to protect the line of site and view for the park. She asked Council to extend this courtesy to the neighbors who would be impacted by the proposed zoning travesty. She implored Council to slow down, put on their locally responsible government hats and figure out how to serve everyone in the Village. She added that a site plan with the public works facility remaining at its current location deserved equal time with the plans for the proposed John Meade Park expansion at the August 20th public meeting.

John Koslosky, 27 Covington Drive, indicated that he had lived in the Village for 14 years. He indicated that most of his opposition had already been expressed by his neighbors. He stated that he was opposed to and dismayed by the proposal. He stated that it was inappropriate. He explained that he had been a developer for 30 years and was familiar with rezoning properties. He noted that if this proposal had come from an outside entity the City would not have considered it. He stated that Council was being self-serving and that no one besides Council could do something like this. He indicated that the Colorado/Jefferson property was never identified as a possible site for public works during the John Meade Park planning process. He stated that berms and trees would be lipstick on a pig. He indicated that he loved his neighborhood and asked Council not to destroy it.

Murphy Hayutin was not present.

Janet Kritzer, 34 Sedgwick Drive, stated that she had lived in the Village for 24 years. She explained that she had exited Devonshire Heights onto Hampden and then onto Colorado Boulevard on five to seven days a week for the last 24 years. She noted that she was a realtor for Sotheby's and since former Mayor Tisdale had promoted the Village there had been an explosion of interest in the Village. She indicated that she brought potential buyers to Three Pond Park and the High Line Canal, highlighted the rural quality and mountain views of the Village, but had never brought potential buyers to John Meade Park. She explained that she represented Covington properties and that three showings had cancelled because the buyers had gotten wind of the proposed public works facility relocation. She noted that the proposal would negatively impact property values and asked why it was right to change property values overnight. She indicated that the churches were there before the Covington neighborhood and public works had been at its current location forever. She suggested the City purchase the empty property on the northwest corner of University and Quincy and make that an award winning city center, and keep public works at its current location. She stated that it was unfair to move public works to the Colorado/Jefferson site and it was a gateway to an award winning and nationally known community. She indicated that the proposal

would negatively affect property values as was already demonstrated by her cancelled showings.

Doug Tisdale, 4662 S. Elizabeth Court, stated that he had lived in the Village for 28 years, served on Council for eight years and as Mayor before the current Mayor. He indicated that he appreciated the public forum and that it was well advised. He noted that the Denver Water property issues had occurred during his time as Mayor and he could answer any questions people might have. He agreed with the comments of former Mayor Welborn that had been read into the record and were part of the Council packet. He noted that meant that two former mayors questioned the proposal. He indicated that this would be a political decision in that it would be decided by the body politic. He questioned this Council making this decision when after the November election it was possible that only two of the current Council members would remain on Council, as four members were either term limited or would be up for reelection, and Councilor K. Brown was running for state office. He suggested the Council make haste slowly and consider a politic approach.

Mayor Christman paused the meeting for a break until 9:15 p.m.

Mayor Christman re-started the meeting at 9:18 p.m. She asked that Marigold Hakanson and George Hadji be allowed to speak now before the other people that were signed up before them. She asked Ms. Hakanson and Mr. Hadji to raise their hands.

Mr. Turner asked why the Mayor was making the request.

Mayor Christman replied because the two individuals were elderly.

No protests were heard.

Marigold Hakanson, 3700 S. Colorado Boulevard, explained that she had lived at her home since 1973 and at that time Colorado Boulevard had been pastoral. She noted that although it was still a two-lane road it was now dangerous. She indicated that even when it had been a quiet two-lane road there had been a fatality involving a stolen car and a head-on collision in front of her house. She noted that her front yard was very close to Colorado Boulevard. She added that her berm helped a little but did not take care of the noise. She indicated that the noise from cars was disturbing but the noise from trucks was impossible. She noted that there was construction of larger homes nearby and that the noise from traffic prevented being able to talk on her front porch and was disturbing when using her swimming pool. She noted that there were 14 other homes along the block of Colorado Boulevard from Hampden to Mansfield that would hear the large trucks from the proposed facility. She added that there was increased pedestrian and bicycle traffic along the bike path to the High Line Canal and there were not regularly stationed police officers to make sure traffic stopped for them like there were at the schools. She indicated that Quincy Farm was a lovely addition to the City's parks and suggested that the funds for John Meade Park be used instead for Quincy Farm, and that public works remain where it was. She stated that the administration building was beautiful. She implored Council to keep the City pastoral and not put the public works facility in her front yard.

George Hadji, 37 Sedgwick Drive, stated that he had lived in the Village since 1983 and had served on P&Z and had been exposed to the City Code with its zoning requirements and idiosyncrasies. He expressed concern that the technical considerations would greatly affect the amount that developing the proposed site would cost. He asked Council to consider the cost of special systems such as life safety and sprinklers, increasing the capacity of the sewer lines, extending the water lines to accommodate the additional load, and the utility connections including power, sewer,

water, fire, and sprinklers. He suggested leaving public works at its current location, upgrading the necessary features and making it unobtrusive as possible. He indicated this would cost less than building a new facility.

Jack Rotole was not present.

Angel Anton, 3900 S. Cherry Street, indicated she was speaking on behalf of Leah Bassof and her husband Ethan Lovel of 1 Covington Drive whose lives would be very impacted by the proposed facility. She explained that she and her husband Steve Furor, who grew up in the Village, were opposed to the proposal. She noted that both families frequently used the bike path along Colorado Boulevard between Hampden and Quincy and they passed the lot where the public works facility would be relocated. She noted that none of them visited John Meade Park.

Joe Kovarik was not present.

Jeremy Thurnan was not present.

Scott Roveira, 49 Covington Court, asked if this was the forum to ask questions and receive responses to Council.

Mayor Christman replied that the Council would attempt to answer any specific questions.

Mr. Roveira asked where the checks and balances were in the event that a rezoning application was filed by the Council and was then reviewed by P&Z and then by Council which could accept or deny the application. He asked under what circumstances the Council would deny the application in that situation.

Mayor Christman replied that was the process in the City Code and in many other municipalities.

Mr. Roveira indicated that it would be a conflict of interest and the community's voice would not be heard. He asked what plan of action the City had for mitigating noise from the proposed public works facility.

Mayor Christman replied that the City had not spent a lot of funds on plans such as noise mitigation because they were in the public input portion of the process. She added that she did not believe a noise mitigation plan would be a good use of City funds without first having gathered public input.

Mr. Roveira noted that it was interesting that prior to May this year this particular property had never been evaluated for utilization as a public works facility, and not until May when the Church approached the City about the property was it then considered. He questioned why, if this lot was zoned for institutional use, it was not considered during previous times when the City was looking for a new site for municipal facilities.

Christopher Frandrup, 4100 S. Clermont Street, explained that he was a new resident who had lived in the Village for six months and he was opposed to the relocation of public works to the Colorado/Jefferson location. He stated that he took umbrage with the assumption that it would be cost prohibitive to move public works out of the City. He indicated that at $600,000 an acre, an industrial property would be more cost effective than the current $1.2 million price of the Colorado/Jefferson property. He noted that the additional costs to landscape and mitigate the site would be more than for a property outside the City that was already industrial. He stated that he moved to the Village because of the consistent property values, the aesthetic beauty, and the great school

district, and two of those things would be negatively impacted by the proposal. He warned that the community would not have the same reputation if the public works facility was moved to the entrance. He asked that Council consider the proposal with the true costs.

Janney Carpenter was not present.

Brandon Haddon was not present.

Mark Denoy was not present.

Randy Rank was not present.

Robert Rhyme, 40 Covington Court, stated that he had moved into the City a year ago. He indicated that he wished to reiterate and reaffirm many of the previous comments made tonight. He explained that he would have reconsidered purchasing his current home if he had known this was a possibility. He asked if the City or Council were approached by the Denver First Church in offering the Colorado/Jefferson property for sale or if the City sought the property. He also asked if the Denver First Church had been aware of the City's intention to build a public works facility on the property at the time the contract was signed.

Mayor Christman replied that the option arose through an informal conversation between a City employee and the Church. She noted that it was Council's understanding that the property purchase was suggested by the Church.

Councilor K. Brown added that the City had purchased an easement along the High Line Canal from the Church for an entirely unrelated project and it was during those conversations that this issue first arose.

Mayor Christman indicated that the City had not initiated the conversation and that the City had only actively sought one property in the City, which was on University but had been too expensive. She noted that she did not believe the City should threaten to condemn property and that it was important to work with a willing seller.

Mr. Rhyme asked if, at the time the conversation over the Colorado/Jefferson property began, if it was clear to Denver First Church that the City's purpose for the property was a public works facility.

Mayor Christman replied that it was clear to the person the City had spoken with.

Mr. Rhyme indicated that he was concerned that as stakeholders Harvest Bible Church had not been aware of the intention to relocate public works to the Colorado/Jefferson property. He noted that Harvest Bible Church was opposed to the proposal. He indicated that he had fairly reliable information that Denver First Church was not aware of the City's purpose for the land. He noted that Plymouth Church seemed to not oppose the proposal. He indicated that he remained concerned that the process had not involved these major stakeholders and that Denver First Church had not known the City's intended use of the property. He noted the proposed new underpass for the High Line Canal at Hampden and Colorado and questioned the impact of a public works facility at the proposed site on the users of the High Line Canal before the underpass was completed. He asked if that issue had been brought up, considered, thought about or discussed.

Mayor Christman indicated Council would add that issue to the list of concerns.

Councilor Hoellen added that stakeholders were not often involved in the City's purchase of property, as opposed to the use of that property which would absolutely involve stakeholders. He indicated that all the churches had been notified of the first stakeholder meeting when the public input process had begun.

Mr. Rhyme disagreed and indicated that people with decision making authority at the Denver First Church have stated that they had not known about the City's intent and that their decision may have been different if they have known.

Councilor K. Brown stated that the City had negotiated with a person of authority at Denver First Church, and not with the Church's board or congregation.

Councilor Griffin added that the rezoning of the property was included in the contract.

Councilor Hoellen noted that the contract was public record.

Councilor K. Brown indicated that the City's purchase of the property was contingent on the rezoning of the property and that the Church had agreed not to oppose the rezoning.

Councilor Hoellen added that the Church was a large organization and that the City was not aware of what it told its members.

Mayor Christman indicated that the Council could not speak to who in the Church was aware of the City's intentions.

Mary McDonnell was not present.

Catherine Jansen, 19 Covington Drive, echoed the other comments. She indicated that it would be a very unwelcome facility and would lower property values. She noted it had been presented to the public in a very short period of time. She expressed concern with chemicals. She stated that this was not a democracy because the Council would both submit the application and approve the application. She noted that no one cared about John Meade Park. She asked why outsourcing of public works was not being discussed. She indicated that the large equipment and chemicals were not necessary and cost more taxpayer money. She stated that the proposed facility would negatively impact everyone's view. She agreed that the Church had not known the City's intent for the property. She indicated that the contract probably stated the rezoning would be for a municipal building and not a public works facility. She asked that Council treat the residents with respect. She stated that it was their neighborhood and they would defend their way of life. She thanked everyone for coming to the meeting.

Howard Jansen, 19 Covington Drive, stated that he had bought his home three years ago and had spent a significant amount of money renovating and would not have picked that property if he had known about this possibility. He indicated that the proposed facility would devalue property and this was a major issue. He stated with respect to Council that it was discourteous of Council to hold this meeting in this venue where people had to stand and could not hear in the hallway. He hoped Council would pick a better venue if there were more meetings like this in the future. He noted that none of the many previous redundant reports recommended the Colorado/Jefferson property for the proposed purpose. He indicated that Council had two good alternatives: to move public works outside of the City to an industrial site or to keep it at the current location. He noted that calling neighboring Mayors was an unusual method and the Council should call a good business broker to find a site outside the City. He explained that, regarding keeping the facility at the current location, he had spent many years siting a facility in Louisiana in the flood zone and had spent $1.5 million to meet all of the FEMA

requirements. He stated that it was not fair to compare building a residence in the flood zone to building a public works facility in the flood zone. He indicated he would not support building any residential property in the flood zone, but building a public works facility at the existing site was appropriate. He noted that it would be very odd for the City, which was noted for stringent zoning, to be party proposing to build a public works facility when any outside organization with a similar proposal would be laughed out of the room. He indicated it was ludicrous to him that the City was proposing this facility. He encouraged Council to look at the other alternatives in order to meet the City's needs in a more responsible way.

Mayor Christman addressed the comments about an alternative site for City meetings. She noted that the LaTronica Center at Cherry Hills Village Elementary School that the City had used several times for large meetings had been converted into classrooms and was no longer an option. She indicated that it had become apparent to her recently that using meeting spaces at St. Mary's, Kent or any of the churches could create a perception of unfairness as those organizations often came before Council with proposals and applications. She suggested that a meeting space in Greenwood Village might be a more appropriate venue.

Councilor K. Brown added that tonight's meeting was a regularly scheduled Council meeting and had to be noticed to the public in a particular way. She noted that there were other issues on tonight's agenda besides the one currently under discussion. She indicated that the City had less flexibility with Council meeting locations but that if the City held a meeting specific to this topic then it could be more flexible.

Beverly Clark was not present.

Delia Demetry was not present.

Wayne Johnsork was not present.

Chris Johnsork was not present.

Burt Johnson, 26 Covington Drive, expressed concern with noise pollution. He explained that he was disturbed by trash pickup at the Church which was the same distance from his home to the proposed property. He indicated that everyone in the neighborhood would hear the public works trucks backing up in the middle of the night when they needed to clear snow. He stated he was opposed to the proposal.

Nondo Capuano, 10 Covington Drive, appealed as a citizen of the Village. He stated that he had moved to the Village three years ago because of the school district and the serenity of the Covington neighborhood. He indicated that his daughter was special needs and serenity was uniquely important to his family. He added that there were three special needs children in the neighborhood. He explained that Casey Perry, of 14 Covington Drive, had asked him to relay the story of when he had found her son, who also had special needs, wandering alone along Colorado Boulevard between Covington and Jefferson. He expressed concern that the proposed facility would bring more traffic, noise and risk to families than the residents had bargained for. He indicated that his property tax had gone up 40% in the last three years but that the proposed facility would decrease values by 10 to 25%. He stated that he had a daughter with special needs to take care of now and for the rest of her life. He noted the Covington neighborhood had approximately $60 million in property values, and a 15% drop in property values would be a loss of $9 million for the citizens and loss to the City of $90,000 per year in property taxes, which would be a revenue loss of nearly $1 million in ten years. He asked Council to consider these numbers for the citizens and for the future of the City. He noted that one of his neighbors was putting his home on the market because of this

proposal. He noted that in three years he and his family had not used John Meade Park once, nor had any of their neighbors with kids.

Brandon Collier, 3801 S. Albion Street, explained that he had been a resident for 34 days. He expressed his displeasure of the proposal. He indicated he appreciated City Manager Thorsen's presentation and could see why on paper it looked like this proposal might work and why it made sense from a satellite view. He challenged the Council to see it in person from the neighbors' backyards. He asked if the Master Plan was set in stone or could be amended. He noted that many residents tonight had expressed that John Meade Park was not important to them but the Master Plan called for expansion of John Meade Park.

Mayor Christman replied that the Master Plan was a guide and that the City was required to have a Master Plan under City Code.

Mr. Collier asked if Council had given any thought to noise mitigation at this point in the process.

Mayor Christman replied that the City was not spending money on noise mitigation planning at this point in the process.

Laura Shipman, 44 Covington Court, noted that her husband had spoken earlier and explained their opposition to the proposal. She stated that she was the current PTCO co-president at Cherry Hills Village Elementary School. She explained that the art teacher brought students over to paint on the snow plows each fall. She indicated that the school was proud and fortunate to have the Police Department across the street. She explained that the school did not use John Meade Park. She explained that the public works facility was part of the community area with the school. She indicated that she had never heard a complaint about the public works facility being at its current location.

Meredith Harris, 3795 S Colorado Boulevard, stated that she had lived in the City of 28 years. She noted that the other rezonings had been in her backyard. She noted that an argument for not keeping the public works facility at its current location was the elementary school across the street. She explained that she lived in the neighborhood south of Covington and the churches had many youth programs and many children in the area would be affected by the proposed facility. She noted that she owned many farm animals and brought them to the churches for the live nativity scenes during the holidays, and she had a hard time picturing a maintenance facility at the proposed site.

Hearing no further comments, the public comment period was closed at 10:15 p.m.

Mayor Christman explained that there was no vote scheduled for tonight.

Councilor Hoellen indicated that this was a great process and thanked the public for attending and providing input. He agreed with Mr. Eber that they would love to receive this level of input for other issues than might not be in a resident's neighborhood. He noted that it had been publically known for years that these facilities needed to be replaced. He stated that one email received as part of the public record had noted that this was a NIMBY (not in my backyard) issue and he agreed that no matter where the City constructed this facility the neighbors would object. He indicated that didn't remove the need for these facilities in order for the City to be able to keep providing the services that the residents want and expect in a safe and reliable manner that was also fair and reasonable to the City's dedicated and loyal employees. He indicated that the City's options were limited and the Council's responsibility was to base these decisions on the best information available after taking the time to explore as many alternatives as

possible which he believed this and past Councils had tried to do, and then make decisions in the best interest of the Village as a whole. He stated that with all due respect to the neighbors he had confidence that the City could construct the public works facility at the Colorado/Jefferson property in such a way as to minimize or eliminate the negative aspects that had been suggested, reconstruct the administration building at its current location, and redevelop John Meade Park as currently envisioned by the John Meade Park Master Plan and the City Master Plan. He stated that financially this made the most sense, but that these decisions depended on more than just money and agreed with a public comment about hard and soft reasoning. He suggested that, in light of the objections raised, a reasonable solution would be to relocate the administration building to the Colorado/Jefferson property and reconstruct the public works facility at the current location. He indicated that he was stunned that the neighbors wanted a grand entrance or gateway to the community and noted the Mayor had been correct about that point. He noted that the administration building would eliminate concerns of aesthetics. He stated that the City should also examine the alternative of keeping both the administration and public works facilities at their current location and evaluate the ability of reconstructing them with no loss of function to serve the Village for years to come with the quality of service all residents expected, and with no unreasonable risk from building in the floodplain, and if that could be done then that was a serious alternative to consider despite the result of reducing John Meade Park. He emphasized that all these options were alternatives to be considered and none were forgone conclusions. He noted that reducing John Meade Park would deviate from the Master Plan and from a lot of work that had been done by a lot of other citizens in other meetings where a different group of fifty or a hundred residents were in attendance, but that it was an option that should be examined. He indicated that the City should evaluate these options while continuing the process of acquiring the Colorado/Jefferson property to allow for the option of relocating the administration building to that site.

Councilor K. Brown agreed except for the reduction of John Meade Park. She indicated that as someone who had serving on Council and on PTRC and had attended many meetings like this she could attest that, although the residents tonight did not care about John Meade Park, there were many residents who cared passionately about the redevelopment of John Meade Park. She explained that the City had invested an enormous amount of City funds into the redevelopment of John Meade Park and it would be a huge disservice to the City's taxpayers and citizens to disregard those plans. She indicated that in her opinion the decision to move public works and to redevelop John Meade Park had been made, plans had moved forward, and the decision had been made and affirmed multiple times to the point where the City had invested significant resources in that project. She acknowledged that John Meade Park was not important to the public present at the meeting tonight but indicated that there was a significant group of other citizens for whom it was very important. She noted that if it were possible to rebuild both facilities at the current site and redevelop John Meade Park as planned then she would be supportive.

Councilor Hoellen indicated that not everything could be developed on the current site.

Councilor K. Brown stated that she would be supportive of moving the administration building to the Colorado/Jefferson site. She emphasized that the John Meade Park process was too far advanced to halt.

Mayor Christman explained that in May she had been excited about proposing the new public works facility with landscaping based on the current public works facility which at that time had been clean and nice, if overcrowded, but that now it was a mess because of a third party contractor that the City and Council had approved for significant cost savings. She noted that the proposed location was unique because neighboring homes looked down on it and even with the City's best of intentions the neighbors would be

likely to see a mess. She indicated that the Colorado/Jefferson site might not be the best location for the public works facility. She noted that John Meade Park was a multi-million dollar asset and was not used because it was not properly developed. She noted that she had heard from residents who wanted a nice park to gather with their children. She explained that the redevelopment of the park had been triggered by the wonderful gift of the Alan Hutto Memorial Commons, in memory of a child. She noted that she would support keeping public works at its current location and adding landscaping so that the City would have the flexibility to make a mess if it was cost effective. She stated that the administration building was unsafe and inadequate. She noted that the option to keep public works at the current site would need to be discussed with the residents in this area.

Councilor VanderWerf indicated she was leaning in the direction that had already been mentioned. She stated that when she was running for Council someone had told her that leadership was not about self-interest but about public interest and indicated that was where Council was coming from. She expressed her appreciation to the public who had attended the meeting and shared their ideas and thoughts. She indicated that Council would love to see them at other times regarding other issues that affected the Village. She noted that some public meetings had 100 residents and others only had 12. She suggested that if residents couldn't attend the meetings then they could send a written comment. She expressed her appreciation of former Mayor Tisdale's comments but noted that at least one Council candidate was hoping Council made these decisions before the new Council took office. She stated that one reason John Meade Park was not used was that there was nothing to use. She noted that she would love to bring her grandkids there once it was redeveloped. She indicated that there was insufficient parking for events such as Movie Night and Holiday Tree Lighting. She recounted a past issue regarding a new trail that had enormous opposition but that was accepted once it was put in. She noted that, although she understood that a trail was not the same thing as a public works facility, sometimes it was change that was the most difficult.

Mayor Pro Tem A. Brown indicated that he was a member on the 4C and so had been studying this issue for a long time. He noted that he believed Council was coming to a conclusion about the next steps. He explained that the 4C had quickly concluded that the current site was too constrained to meet all the needs of the municipal facilities. He noted that public works did a lot for the community and if anyone were to examine a list of all that they did it was more extensive than many would realize. He indicated that public works was a critical component to maintaining the infrastructure and appearance of the community. He explained that the 4C had believed it would be easy to find many appropriate sites within a mile of the City which could be used to relocate public works, but they never investigated that belief. He noted that since then he had found that locating appropriate sites outside of the City was not an easy process and that distances from the City would greatly degrade the efficiency and operations of the public works department. He added that a satellite location would still be needed inside the City to facilitate operations. He indicated that a remote location was not as optimal as keeping public works inside the City, and was not as viable or efficient as it first seemed and finding appropriate parcels was not easy. He indicated that after the June 2015 flood event he had a new perspective on the current site and believed that staying out of the floodplain would be much better than building up from the floodplain. He added that he was very reluctant to build in the floodplain and did not believe it was a responsible option. He questioned the real cost for locating either facility at the current site. He stated that he did not see further discussion of relocating public works at the Colorado/Jefferson site. He noted that relocating the administrative building there was more benign and hopefully less offensive to the neighbors. He stated that Council would continue discussions with the public on this issue, but emphasized that it would not be smart to build in the floodplain.

Councilor Griffin stated that he agreed almost completely with his fellow Councilmembers. He noted that Council was usually a unified body and tried to be very reasonable. He expressed his appreciation for the civility during public comments tonight. He noted that the opposition to the proposed relocation of public works was clear. He explained that he had served on Council for the past eight years and the reason he served on Council was because he loved the City and it had been wonderful for his family. He noted that Village residents were passionate about their City and had talent, expertise and experience to draw on. He stated that the members of Council were neighbors, not enemies, and that they were trying to find a solution to a problem. He noted that the more input the Council received the better they were able to arrive at an intelligent decision. He suggested that perhaps some of the residents who had spoken here tonight could help Council by forming a subcommittee. He indicated that Council was resolved to do what was best for the Village, but they were human and fallible. He asked the residents who were civically minded to step forward and help Council resolve this issue in a thoughtful manner taking into account all the constraints and needs. He asked if those present would endorse relocating the administration building to the Colorado/Jefferson property.

Mr. Stevinson suggested that there might be more support with more specific information. He noted that the residents had worked hard to keep things civil despite the passion of the issue and there was a desire to try to make things work.

Ms. Anton noted that the administration would involve low noise, low traffic, and would serve as an appropriate gateway for the City.

Councilor Griffin indicated that Council needed to regroup and examine the alternatives keeping in mind the comments heard here tonight. He thanked the public for their civility and their input.

Councilor Gallagher also thanked the residents for their input and participation. He stated that it was incredibly important that Council reach a decision that was good for the whole community. He noted that they had all made the choice to live in this community, that all the members of Council were volunteers and wanted the best thing for the community. He indicated that it was loud and clear that public works was probably not appropriate for the Colorado/Jefferson site. He suggested that the two options seemed to be to move the administration building to the Colorado/Jefferson site and keep public works at the current site, or to somehow keep both at the current site. He noted that he supported the City's parks and trails but that the administration and public works facilities were a higher priority than expansion of John Meade Park. He noted that John Meade Park could be redesigned to fit into the current footprint. He suggested that the Hampden triangle property could be used to minimize the footprint of public works at the current site at a lower cost. He noted that an unintended consequence and silver lining of this process was that the residents had gotten to know their neighbors.

Mr. Stevinson noted that there had not been enough time to digest all the rumors. He indicated that City Manager Thorsen had been very professional and helpful. He expressed his appreciation for Council's work.

REPORTS

Mayor's Report

Mayor Christman reported that she had received a notice from the Colorado Municipal League about their Policy Issues Committee.

Councilor K. Brown noted that she had been the City's liaison on the committee last year and could continue.

Councilor Gallagher indicated he would be the alternate.

Members of City Council

Councilor Hoellen had no report.

Councilor K. Brown reported that she had received a complaint from resident Jim Manning about use of Dahlia Hollow Park to access the High Line Canal in the very early hours by runners having loud conversations. She asked that the hours of operation for the City parks be added to the city website, and suggested this might add to Council's larger discussion about City park hours. She asked if events at Dahlia Hollow Park required a City permit.

Mayor Christman replied that it depended on the size of the event.

Councilor K. Brown noted that Mr. Manning had thanked her for the climbing rocks at Dahlia Hollow Park despite his prior objections to their installation. She added that she had received third hand information that DRCOG was supporting ballot amendment 69.

Mayor Christman replied that DRCOG had decided it was not a transportation related item and thus the directors would not formalize an opinion.

Councilor K. Brown reported that there was an FAA meeting next week about the MetroPlex project for DIA noise and indicated that she could not attend but asked if another Councilmember could.

Councilor VanderWerf reported that the dedication of Rubric would take place on October 6th at 4pm with the reception at a residence with a sculpture garden. She noted that a limited number of people could attend the reception and that she hoped Council would attend.

Mayor Pro Tem A. Brown had no report.

Councilor Griffin had no report.

Councilor Gallagher had no report.

Members of City Boards and Commissions

None

City Manager & Staff

City Manager Thorsen thanked City staff for attending the meeting.

Council thanked City Manager Thorsen for his presentation.

City Attorney

Assistant City Attorney Guckenberger had no report.

ADJOURNMENT

The meeting adjourned at 10:56 p.m.

Laura Christman, Mayor

Laura Smith, City Clerk