

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, November 1, 2016 at 6:30 p.m.
At St. Mary's Academy, 4545 South University Boulevard,
Cherry Hills Village, CO 80113

The City Council held an Open House at 5:30 p.m.

Mayor Laura Christman called the meeting to order at 6:33 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, City Attorney Linda Michow, Police Chief Michelle Tovrea, Community Development Director Rachel Hodgson, 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, Special Projects Coordinator Emily Black, Public Works Clerk Pamela Broyles, Parks Crew Chief Matt Krebsbach and City Clerk Laura Smith.

Absent: none

PLEDGE OF ALLEGIANCE

The Council led the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

None

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 – October 18, 2016

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

John Meade Park, Public Works and City Hall

Mayor Christman indicated that City Manager Thorsen would make a presentation before the public comment period.

City Manager Thorsen thanked the public for attending. He explained that this was an important project that involved the entire community and staff and Council looked forward to input from those in attendance. He noted that any decision would come from Council and not from staff. He reviewed the vision for the Village Center which

consisted of a new Police and Fire facility, which had been completed; redevelopment of John Meade Park and Alan Hutto Memorial Commons; reconstruction of City Hall; and reconstruction of the Public Works facilities. All of these goals could not be accomplished at the current Civic Center due to acreage limitations, floodplain constraints and facility needs. There were several options for relocating the municipal facilities, consisting of two properties owned by the City: the Civic Center and the half acre Hampden triangle; and two properties on which the City was under escrow: the two acre site at Colorado and Jefferson, and the three acre site at 2101 W. Quincy Avenue in the City of Sheridan. The Civic Center site was constrained by the floodplain and related FEMA regulations and was not large enough to house all the municipal facilities and redevelop John Meade Park. The Hampden triangle was too small for a full facility but could be used to house some equipment and supplies. The Colorado/Jefferson property was two acres, bordered to the north and south by churches and the east by Colorado and homes. The property at 2101 W. Quincy Avenue was an auto salvage yard with several existing buildings, some of which staff expected would be usable by the City.

City Manager Thorsen explained that Option #1 would relocate Public Works to the 2101 W. Quincy Avenue property, which is 3.5 acres and a 10-15 minute drive from the Village Center. There were multiple route options from that property to the Village including via Oxford, Hampden or Belleview. The site has existing buildings, some of which would be demolished and others which could be used by the City. In addition the City would build new buildings for offices, storage and garages. The cost of the property is \$2.45 million. With this option City Hall would be reconstructed at the Civic Center and John Meade Park would be redeveloped in accordance with the John Meade Park Master Plan. Option #2 would be to relocate City Hall to the Colorado/Jefferson property. The cost of the Colorado/Jefferson property is \$1.18 million. With this option Public Works would be reconstructed at the Civic Center and John Meade Park would be redeveloped in accordance with the John Meade Park Master Plan. Option #3 would be to relocate Public Works to the Colorado/Jefferson property where it would be heavily vegetated with all materials and vehicles covered. With this option City Hall would be reconstructed at the Civic Center and John Meade Park would be redeveloped in accordance with the John Meade Park Master Plan. Municipal Court, housed in City Hall, would remain near the Police Department. Option #4 would be to reconstruct both City Hall and Public Works at the Civic Center, necessitating the reduction of the planned redevelopment of John Meade Park including the elimination of the planned restroom, playground and other features. Option #5 was not a stand-alone option but showed use of the Hampden triangle for storage of some vehicles and materials in conjunction with any of the other options. If Public Works was moved outside of the City a small garage could be added to the Civic Center in addition to a reconstructed City Hall and redeveloped John Meade Park.

City Manager Thorsen indicated that cost estimates varied with each option, but that redevelopment of John Meade Park would cost between \$1.5 and \$3.7 million, reconstruction of Public Works, including land purchase, would cost between \$3.7 and \$4.7 million, and reconstruction of City Hall would cost between \$3.5 and \$4.5 million, for a total of \$10.9 to \$12.9 million. Funding would be accomplished using cash reserves, grants, and Certificates of Participation which were similar to bonds and would allow the City to pay over time. No new taxes were proposed for any of the options. The proposed schedule would be to complete the redevelopment of John Meade Park by the end of 2017; complete Public Works in 2017 or 2018; and complete City Hall by mid-2018.

Councilor Hoellen asked about the usefulness of the current buildings at 2101 W. Quincy Avenue.

RECORD OF PROCEEDINGS

City Manager Thorsen replied that there was about 7200 square feet of garage storage that the City could keep and other buildings that they could salvage and retrofit to save on the cost of constructing new buildings.

Mayor Christman opened the public comment period at 6:53 p.m.

Russell Stewart, 10 Sandy Lake Road, explained that he had been a member of the Citizens City Center Committee (4C) along with Mayor Pro Tem A. Brown, Richard Diecidue, David Cooper, William Cook and Scott Roswell. He noted that they had examined this issue for months and their final report had been incorporated into the City's Master Plan. He noted that if this issue were easy it would have been fixed a long time ago. He explained that the 4C had examined this issue seriously and in depth. He noted that the third recommendation in their final report stated "The Committee has concluded that it would be advisable to locate the public works portion of proposed Village Center to a nearby site that is more industrial in scope. This would allow for a less congested, more appropriate design of the Village Center and create additional open space through an expansion of John Meade Park that would be in keeping with the baseline themes and recommendations made by the Blue Ribbon Panel." He noted that this had been a unanimous opinion and the 4C had identified south Santa Fe as a logical site for Public Works. He added that the 4C had surveyed other municipalities and found that public works facilities were almost never located next to the city hall. He noted that moving Public Works outside of the City would preserve the center of the City as open space. He stated his support of Option #1.

Winslow Waxter, 3625 S. Albion Street, encouraged the Council not to make a decision tonight and to postpone any decision until after the new Council was in place in January. She stated that this was a momentous decision and the new Council would be the ones to follow through with it. She indicated that she appreciated all the options, the time and effort that it had taken to prepare them and the opportunity for the public to see them. She noted that one piece of information missing was the exact cost of each option and she asked that the costs be made known to the public. She indicated her support for Option #4 which would keep Public Works and City Hall at the Civic Center. She suggested integrating 90 Meade Lane, which the City owned, into John Meade Park in order to allow for more of the proposed redevelopment to occur while keeping Public Works and City Hall at the Civic Center. She expressed concern with the Certificates of Participation which would seem to incur debt and carry the risk of default. She indicated her support for the least expensive option with no debt and no new taxes.

Rich Imber, 17 Covington Drive, stated that he had been a resident for over 37 years. He noted that he had become aware of the proposed relocation of Public Works to the Colorado/Jefferson property in July, and that the proposed relocation also involved the renovation of City Hall and redevelopment of John Meade Park. He indicated that City Council had met with residents from the Colorado/Jefferson neighborhood in July. He noted that the neighborhood had been vehemently opposed and City Council had seemed surprised. He added that Council had held a public input meeting on August 16th with a large turnout and only one person in favor of relocating Public Works to the Colorado/Jefferson property. He explained that some of the reasons for the opposition were reduced property values in the range of 10-15% and establishment of an unwanted precedent of rezoning a residential property to an industrial use property. He noted that Council had tabled the issue until tonight. He indicated that he was opposed to moving either Public Works or City Hall to the Colorado/Jefferson property. He stated that City Hall should remain at the Civic Center to be near the Police Department. He noted that he had mixed feelings about the redevelopment of John Meade Park. He indicated that he personally did not use the park and his neighbors didn't seem to either. He stated that he wanted to hear the reasons for spending funds on the redevelopment of John Meade Park and on the reconstruction of City Hall. He indicated that he was in

favor of Option #4 and that it was the cheapest option. He noted that the 2013 Public Works Survey had concluded that "As a community, residents of Cherry Hills Village want the Public Works facility to remain at its current location" and "Study respondents were split in their opinions of the value of expanding amenities at John Meade Park."

George Hutchison was not present.

Peter Weiss declined to comment.

Eileen Weiss, 3711 S. Albion Street, indicated her support of Option #1. She noted that it provided flexibility for the future and she would be happy with Public Works moving out of the City. She noted that Option #5 was good to have available.

Patty Haas, 3 Covington Drive, stated that she concurred with Ms. Waxter.

Marigold Hackanson declined to comment.

Lucinda Greene, 2855 Cherryridge Road, stated that John Meade Park promised to be a valuable asset to the City. She noted that the plans for redevelopment had been progressing since 2014 and had involved multiple citizen viewpoints. She added that the plans did not include Public Works located at the Civic Center. She indicated that she understood the significant concerns that the neighbors of the Colorado/Jefferson property had regarding relocation of Public Works to that property, and noted that the same concerns were involved with keeping Public Works at the Civic Center. She explained that children and families frequented John Meade Park and Cherry Hills Village Elementary School. She warned against delaying a decision and using yet more taxpayer money to pay yet another consultant. She stated that Option #1 was the most equitable and would meet the City's needs safely. She suggested that selling 90 Meade Lane would help offset the costs of Option #1.

Richard Diecidue, 85 Meade Lane, explained that he had co-chaired the 4C and encouraged everyone to read the final report as it was very thorough and addressed many of the questions being discussed tonight. He thanked the Public Works staff and stated that he appreciated all their efforts. He added that the issue was with the Public Works yards and not with the staff. He indicated that there was no need to wait for the new Council and that everyone on the current Council was versed in these issues and competent to make a decision. He stated that the Civic Center was a unique space for open space in the City and the challenge was that it was crowded with too many other municipal facilities. He noted that the City's needs had changed since the facilities were first built. He noted that fitting all the facilities into a residential area made them difficult to manage, and most people in a residential neighborhood did not want the Public Works yard in their neighborhood. He indicated that purchase of the 2101 W. Quincy Avenue property was an investment for the City going forward and if it did not work out it could be sold for more funds. He suggested that the 2013 Public Works Survey could be misleading as it had not had a high number of respondents. He indicated his support of Option #1 as it would remove Public Works from a residential area, provide the ability for Public Works to grow, and would work efficiently for the City.

Brent Kline, 135 Meade Lane, commended the City Council for their service and noted that their jobs were not easy. He stated that he lived near the Alan Hutto Memorial Commons and was not comfortable with Public Works near his house and that having a Public Works facility near residences was not typical. He noted that the Councilors lived in the Village and were on the same team as the residents. He compared the Council to the Board and the residents to the shareholders of a company. He indicated that this decision should be an investment in the community and should be the best option for the community rather than the least expensive. He explained that Certificates of

RECORD OF PROCEEDINGS

Participation were not financial obligations and did not carry the risk of default, but were a great tool for municipalities. He encouraged everyone to discuss the issues instead of being adversarial. He asked the Council to think of everyone in the City when they considered their decision. He stated that Council should resolve this issue sooner rather than later.

Candice Goldstein, 4080 S. Cherry Street, indicated that she agreed with Ms. Waxter. She noted that this issue had been going on for a long time and it was only fair to wait a few months for the new Council to take office. She stated that she supported Option #4 because Public Works had been part of the Civic Center for a very long time and that option spent the City's tax dollars most wisely. She asked if the Civic Center could be rezoned as residential.

Mayor Christman replied that topic was not part of the discussion tonight.

Ms. Goldstein explained that it would be very expensive to build a residence in the floodplain.

Robert Eber, 3 Middle Road, noted that he was Chair of the Parks, Trails and Recreation Commission and had been involved in the Master Plan process for John Meade Park and Alan Hutto Memorial Commons. He explained that this process had involved numerous meetings, consultants, and discussions with City Council. He indicated that this was an opportunity to turn John Meade Park into a very special place for the City. He noted that the floodplain had to be dealt with regardless of the John Meade Park redevelopment and so the additional cost of adding amenities to John Meade Park was an incremental cost. He encouraged Council to support full implementation of the planned redevelopment which would encourage natural play and community in a central area. He emphasized the social and economic benefit of park land. He urged Council not to diminish John Meade Park. He noted that there would be an incremental cost to moving Public Works outside the City and that cost should be understood and agreed to by the whole community. He indicated his appreciation for the opportunity to work on John Meade Park and stated that it was a jewel of the City.

David Wyman, 8 Tamarac Lane, indicated his support for Option #4. He stated that he was opposed to Option #1 because locating Public Works outside of the City would result in additional operating costs and time for the Public Works staff and vehicles. He noted that during rush hour or inclement weather the time to get into the City could be significant and the additional mileage and time would increase vehicle operation costs. He expressed concern that if the City purchased the 2101 W. Quincy Avenue property that property's property tax would be lost by the City and school districts of Sheridan. He warned that this would be bad public relations.

Tom Thomas, 5250 E. Chenango Avenue, stated that John Meade Park was the crown jewel of the City. He noted that he had moved here because of the City's rural atmosphere and emphasized the importance of preserving and enhancing open space in the City. He indicated that it would be a mistake to not complete the planned redevelopment of John Meade Park. He expressed his support of Option #1. He stated that this Council was very familiar with this issue and should vote on the issue if they could, and that the new Council would be undereducated.

Mr. Diecidue asked if Deputy City Manager/Director Goldie could give feedback on the Public Works facility.

Mayor Christman replied that the format of the meeting did not allow for that at that time.

Brandon Collier, 3001 S. Albion Street, expressed gratitude to Council for preparing a number of viable options for residents to consider. He stated his support for Option #1. He noted that Option #4 would require removal of many of the planned amenities for John Meade Park and indicated that he saw the value in redeveloping John Meade Park. He asked if use of the sites shown in Option #5 could allow John Meade Park to be fully redeveloped while keeping Public Works and City Hall at the Civic Center.

Greg Stevinson, 22 Covington Drive, thanked Council for holding tonight's meeting in a larger venue. He noted that staff had done a terrific job in providing alternatives for consideration. He indicated that no resident wanted Public Works located in their neighborhood. He agreed that purchasing 2101 W. Quincy Avenue would be a good investment for the City as the demand for industrial sites was increasing due to the expanding marijuana industry. He expressed support for Option #1.

Hearing no further comments the public comment period was closed at 7:40 p.m.

Councilor K. Brown asked if use of the Hampden triangle property shown in Option #5 could allow John Meade Park to be fully redeveloped while keeping Public Works and City Hall at the Civic Center.

City Manager Thorsen answered that it could not. He noted that staff anticipated use of the Hampden triangle in coordination with any of the other Options, but that the space available at that property was not large enough to significantly change the impact of the space needed by Public Works and City Hall on the redevelopment of John Meade Park.

Mayor Pro Tem A. Brown asked City Manager Thorsen for a summary of the due diligence, investigations, reports and timeline for 2101 W. Quincy Avenue.

City Manager Thorsen replied that 2101 W. Quincy Avenue, unlike the Colorado/Jefferson property, was industrial and staff's biggest concern was with possible environmental issues at the site. The Phase 1 environmental report was completed and had revealed no fatal flaws in the property. The Phase 2 environmental report was in process and would test the site more thoroughly for environmental issues. Preliminary reports were very positive and staff was expecting the final Phase 2 report very soon. After that was received staff would know of any necessary mitigation and associated cost. If mitigation was needed the next step would be to negotiate for a different price from the seller or to decide not to purchase the property. Title and easement issues were also in the process of being researched and examined. Staff would have final information on all these issues for Council's consideration within 30 days.

Councilor Gallagher asked about the final timeline for the property.

City Manager Thorsen replied that all information about necessary mitigation, objections to issues, and negotiations of price should be concluded within 30 days.

Councilor Hoellen indicated that Council would need that final information before they could make a decision and therefore they would not make a final decision tonight.

City Manager Thorsen agreed and indicated that the decision to purchase the property would be a Council decision.

Mayor Christman noted that she had discussed the property with the Mayor of Sheridan who had not expressed any objections or concerns with the possibility of Public Works relocating to that property.

RECORD OF PROCEEDINGS

City Manager Thorsen added that staff had met with City of Sheridan staff and they had been positive about the possibility. They were aware that Sheridan would lose some tax monies but it was not a significant amount for the City of Sheridan.

Mayor Christman added that the proposal would improve the property.

Councilor Griffin thanked the public in attendance for coming and stressed the need for feedback. He indicated that Council would make the best decision possible given the information available. He noted that Option #1 was a possibility due to a lot of time and talent on the part of staff and stated that Council would not move forward until they had examined all the issues. He indicated that Council would move forward with an abundance of caution which might result in a decision not being reached until the new Council took office. He thanked the public for their input.

Councilor Hoellen agreed and stated that the Council would not move forward until all options were thoroughly vetted. He indicated that Option #1 was an elegant solution and would satisfy the need for a new Public Works and City Hall facilities and redevelopment of John Meade Park. He stated that the City had an obligation to its employees to provide a working environment that allowed them to conduct their work in a safe and efficient manner. He noted that staff had worked with an inadequate Public Works facility for a long time now, and that rebuilding Public Works and City Hall was a need rather than a want. He noted that if it had made sense to retrofit City Hall instead of rebuilding it that would have been done a long time ago, but issues such as ADA and FEMA compliance made retrofitting cost prohibitive. He indicated that the palatability, or lack thereof, of some of these options did not negate the necessity of making a decision. He stated that the City's Master Plan should be implemented even if each person did not agree with each portion of it, such as redevelopment of John Meade Park. He indicated that completing John Meade Park and rebuilding Public Works and City Hall was conducive to City values. He noted that he supported new facilities that satisfied the City's needs, no more and no less, in order to conduct operations in a safe and prudent manner. He stated that he was in favor of Option #1 and that if it was not an option after the due diligence was completed Council would still need to make a decision in order to fulfill its obligation to the community. He noted that the 2101 W. Quincy Avenue property was relatively close and he was confident that the City's talented staff would figure out how to operate efficiently with the added travel time. He indicated that he believed moving City Hall to the Colorado/Jefferson property was logical from an operational efficiency standpoint. He stated that if the decision needed to wait until next year because Council did not have all the necessary information this year that was acceptable, but he was not in favor of waiting just to wait. He indicated that Council had an obligation to make this decision.

Councilor VanderWerf agreed that purchase of the 2101 W. Quincy Avenue property would be an investment for the City. She noted that the current City Hall had been added onto and patched over the years and she did not support continuing to patch. She indicated that Council should make a decision that would last for the next 30 years, which was how long public buildings should last. She indicated that the 2101 W. Quincy Avenue property was larger than the current Public Works Department needed, which was good because it provided flexibility for Public Works to grow on the property if needed in the future. She stated that the City would work to leverage grant funds to offset the cost of redevelopment of John Meade Park and noted that Arapahoe County Open Space was very willing to help fund municipal parks. She added that the redevelopment of John Meade Park combined with City Hall and the Joint Public Safety Facility would provide a central gathering place for residents.

Councilor Gallagher noted that the two main options seemed to be to keep City Hall and Public Works at the Civic Center with a reduction in John Meade Park, or to move Public Works outside of the City. He stated that he was very supportive of parks but that Public Works and City Hall were higher priorities. He indicated that this was a challenging issue that warranted a thorough discussion by Council, and agreed with Councilor Hoellen that the decision should be made as soon as all the information was available and should not be put off until next year if it did not need to be.

Mayor Christman noted that Council had received many public comments in the form of letters and emails that were part of the public record. She indicated that this decision had been put off many times in the past and that previous Councils had spent a tremendous amount of time and money on studies and reports. She stated that this was a well-educated Council and that the Councilors who would be leaving had a long history on the Council that would be lost when the new Council took office in January. She added that the new Councilors would have to be educated on this issue in order to make an informed decision. She indicated that contracts were not open for very long, options went away if not acted on quickly, construction costs were rising, property costs were rising, and any delay would mean a higher cost to the City. She noted that not everyone would be happy with whatever decision Council finally made, but that Council was very motivated to make a good decision. She indicated that the neighbors around the Colorado/Jefferson property had convinced her that Public Works should not be located in a residential neighborhood and therefore it was most appropriate to move it outside of the City and not leave it in its current location.

Councilor K. Brown agreed with Mayor Christman and with Councilor Hoellen that some solutions were more palatable than others. She noted that the City had done many reports over the years which had conflicting information and conclusions, and may have focused on different groups of residents. She indicated that it was challenging for Council to reconcile all this feedback. She stated that Option #1 seemed to agree with most of the feedback and while there were some added costs to moving Public Works outside of the City she believed this option would benefit the community as a whole.

Mayor Christman indicated that Council would not take a vote tonight because they did not have enough information to make a considered decision and they did not want to make a hasty decision.

NEW BUSINESS

None

REPORTS

Mayor's Report

Mayor Christman had no report.

Members of City Council

Councilor Gallagher reported that his neighborhood's Halloween party had gone well.

Councilor Griffin reported that his neighborhood's Halloween party had also gone well.

Mayor Pro Tem A. Brown had no report.

Councilor VanderWerf had no report.

RECORD OF PROCEEDINGS

Councilor K. Brown reported that the Centennial Airport Noise Roundtable would meet tomorrow.

Councilor Hoellen had no report.

Members of City Boards and Commissions

None

City Manager & Staff

City Manager Thorsen had no report.

City Attorney

City Attorney Michow had no report. She noted that she would keep Council apprised of pending government immunity cases currently in the courts.

ADJOURNMENT

Councilor Griffin thanked staff for their work preparing and setting up for tonight's meeting.

Mayor Christman thanked St. Mary's Academy for allowing Council to use their facility.

The meeting adjourned at 8:10 p.m.



Laura Christman, Mayor



Laura Smith, City Clerk