

Minutes of the Parks, Trails & Recreation Commission
City of Cherry Hills Village, Colorado
Thursday, March 11, 2010
at the Village Center

Commission members in attendance: Jane Soderberg, Ann Gallagher, Jim Fairbairn, Jeff Ferrell, Karen Barsch, Katy Brown and Councilmember Klasina VanderWerf.
Employees present: Ryan Berninzoni - Parks Trails and Recreation Administrator, Bill Bauer - Parks Crew Chief and Pamela Broyles - Administrative Assistant.

Absent: William Callison

CALL TO ORDER

Ms. Jane Soderberg called the meeting to order at 6:30 p.m.

APPROVAL OF FEBRUARY 11, 2010 MINUTES

Ms. Ann Gallagher moved to approve the February 11, 2010 minutes with one spelling correction. Mr. Jim Fairbairn seconded the motion and it passed unanimously.

AUDIENCE PARTICIPATION

Councilmember Alex Brown
4285 South Forest Court
Cherry Hills Village, CO 80113

Mr. Brown presented the Parks, Trails and Recreation Commission (PTRC) with an update on the water issues at Three Pond Park. Mr. Brown reported that he had the opportunity to meet with Jay Goldie and two representatives from the Denver Water Department who are managers of the High Line property. They discussed the concerns the City has with the shortage of water at Three Pond Park now that Denver Water has changed the way the High Line runs. Mr. Brown said they discussed the idea that the City has been examining to route storm drainage water into the upper pond so that it is constantly recharged and kept full and the entire wetlands system can receive a larger share of water. He said Denver Water explained to them what some of their policies and rules are and stated that if the City can comply with these rules then Denver Water could probably get comfortable with the idea. Mr. Brown met with Jay Goldie and the City Engineer to conduct a survey of the site. He said the City Engineer will draw up some designs to accomplish this idea of running stormwater into Three Pond Park. Mr. Brown indicated that they have a ways to go and a lot more information is forthcoming as they get designs and specific information. He said he would keep the PTRC posted on any future activity.

Mr. Brown reported that they will also be doing some water testing and sampling over the summer since this is a new source of water and there are issues as to what is coming out of the area such as oils or nitrogen. Mr. Brown stated that he would like to sample the water from the point of source as well as the High Line Canal water and conduct comparisons.

PUBLIC INPUT MEETING

POSSIBLE PLAY STRUCTURE AT DAHLIA HOLLOW PARK

Mr. Berninzoni opened the public meeting and explained that the purpose of the public meeting is to discuss a possible play structure to be placed at Dahlia Hollow Park. He stressed that this meeting is focused around the basic interests of the citizens of Mansfield

Heights to determine if there is any interest in adding a play structure. Mr. Berninzoni informed the Commission that back in 1990 there was also discussion on upgrading Dahlia Hollow Park and the outcome was that nothing would be built in the open space.

Mr. Berninzoni presented three potential sites for the playground structure based on the following criteria:

1. Flatness of ground
2. Drainage
3. Safest section of the park

Mr. Berninzoni specified that the goal is to construct a simple play structure. The PTRC would like to receive input from the residents before moving forward with research on potential structures. He reported that based on past research the approximate cost of a play structure is \$30,000 and the City budgeted \$30,000 in 2010 for a possible structure.

Ms. Soderberg addressed the audience and indicated that there will be no vote at this meeting and no plans have been made to start this project. The purpose of the meeting is strictly to receive input from residents.

PUBLIC INPUT

Ruth Herman

4070 South Hudson Way
Cherry Hills Village, CO

Ms. Herman reported that she has lived in Cherry Hills Village for 30 years and taught High School Biology for 18 years. Ms. Herman stated that she loves this neighborhood and moved to the area for the school system. She said she loves the character of the neighborhood, which has little traffic. She stated that she is not in favor of a play structure at Dahlia Hollow Park because it couldn't help but increase even the slightest bit of traffic in the area. She said the thought of having a swing set sounds very nice, but she feels that in this neighborhood most people can afford to buy their own swing set for their children. She said that one of the things she teaches in biology on the first day is the "Law of Unintended Consequences." She is concerned that the community may start out with the best of intentions, but they never know if some other unintended group will decide that this is a nice place to hang around. She voiced concern that if that happened she is not sure what recourse the community would have to say we didn't build this for you. She said she can't think of any problems that the neighborhood has had, so they are not talking about building something to solve a problem. It might however, become problematic. She indicated that it takes money to supervise a playground and she doesn't think that the City wants to start paying money for that service.

Kathryn Miller

4060 South Dexter Street
Cherry Hills Village, CO

Ms. Miller reported that her family moved to Cherry Hills Village 20 years ago and soon realized that there was no place in the neighborhood where families with kids could come and play. She reported that she initiated the first request to improve Dahlia Hollow Park. She stated that the thing she believes is so important is that although we can afford to buy our own play structures, it is so important to get out from behind our fences to meet and greet each other. She said we have places for horses to play in Cherry Hills Village, but we have no place for our kids to play such as soccer fields or playgrounds. She stated that putting one small play structure that fits nicely in this area would be a nice thing to enhance where we live and our community and get us out to meet and greet each other. She said I am absolutely in favor of this development.

Jim Manning
4193 South Dexter Street
Cherry Hills Village, CO

Mr. Manning reported that he has lived at this address for 46 years and he participated in the first effort to discourage turning Dahlia Hollow Park into a neighborhood park. He said he and his family have enjoyed the current situation for a number of years and they have also not enjoyed the parking that comes with living next to a park, but they realize it is part of living next to a park. Mr. Manning said that he knows from driving down Dahlia Street every day that most of the cars that come to Dahlia Hollow Park are Denver licensed automobiles using the park to access the High Line Canal. He stated that although this is probably not unusual and probably not unwanted, it is a fact of the use of the park as it stands today. Mr. Manning reported that about one half acre already exists for playground equipment at the elementary school and it is open 24 hours 7 days a week and is easily accessed by people with or without cars. He said he sees no reason why this shouldn't be taken into the equation and said it is paid for by the community. He said he does not understand why anyone would choose a 2 1/2 acre park with substantial drainage issues when it rains and would be seriously damaged by any kind of improvement that is being proposed when there is a 17 to 19 acre park called Three Pond Park within 1/4 mile. Mr. Manning stated that most parents, including themselves, decided that they would buy playground equipment for their children to play on in the back yard and he doesn't see any reason why that philosophy shouldn't prevail. Mr. Manning also questioned the liability the City would have if they encouraged people to come and play on taxpayer's equipment. He indicated that the Commission should ask themselves what do the neighbors want and that should be a big part of the equation. He said he believes the neighbors have enjoyed the native park and it falls within the Mission Statement of the City, which states that we want to preserve the natural environment. He said I believe that leaving the park as it is will achieve the Mission Statement whereas what you are proposing here tonight is not in favor of the Mission Statement.

Derek Burnett
3920 South Birch Street
Cherry Hills Village, CO

Mr. Burnett reported that he came to the meeting being pretty optimistic that this would be a great thing for the community, but after hearing some of the comments he said he is a little concerned because it makes him want to run to his house and lock all the doors and never come outside again. Mr. Burnett commented that part of living in Colorado is being outdoors and we should be outside whether we live in Cherry Hills Village or Denver, or Longmont or wherever we live. He said he is in favor of this playground structure, not because he has kids, but because he feels it is important to be outside meeting people, having a sense of involvement and getting to know his neighbors. He stated that he does have a play structure in his back yard so it is not about being able to afford something, but it is about getting out and meeting people who live across Dahlia and Mansfield. He said if you compare it, the Village provides horse arenas, places for people with horses to ride like Three Pond Park, trails for people who want to run and bike, but we only have one play structure in the entire Village. The proportions seem off when we have a couple parks, a lot of horse trails, a lot of bike trails, a lot of trailheads and parking lots to get to the trailheads, but we only have one playground. He said it does not make sense to him as a homeowner that the City is proud of the fact that there is one playground when we have thousands of kids who live in this Village and people with grandkids who just want to go to the playground. Mr. Burnett indicated wouldn't it be great, even if you are older, to go to a playground as it kind of takes you back to your childhood. He stated that he is in favor of the playground structure and he hopes that the Commission will get enough information here so they are not only hearing from people who don't want it, but from people who do want it and who want to pass it down for generations.

Brett O'Donnell
4184 South Dahlia Street
Cherry Hills Village, CO

Ms. O'Donnell reported that she has lived at this address with her husband for almost 20 years and they also lived on Cherry Street prior to that so they are long time residents. She stated that she would be one of those neighbors that would be directly affected by the traffic. She said she understands the concept, but she would also like to say that in the frame of unintended consequences, Dahlia Street is a major thoroughfare through Cherry Hills Village and she sees some danger issues. She said it is not the safest park in Cherry Hills Village to have children unsupervised. She is also concerned that over the years there have been crime problems at the entrance to the High Line and criminals hiding. She believes it is too common of a thoroughfare and if there is a need for an additional playground this would not be an ideal location.

Kristy Sands
4740 East Oxford Avenue
Cherry Hills Village, CO

Ms. Sands reported that she has three children and came to this meeting with an open mind. She said she loves the idea of children playing and being with other neighborhood kids, but she is not sure that this is the best location. Ms. Sands stated that, as some of you already know, my neighbor and I have petitioned for a speed hump in our neighborhood. She cautioned that if something like this were to take place, the speeding problem and safety issues would need to be looked at before moving forward. Secondly, she said she walked Three Pond Park and she was very intrigued with this location because although there are a lot of horse structures in the park, there is a large flat area on the far corner where the pond is that the entire neighborhood could access by foot and avoid the extra car traffic and parking issues. She added that there is no road at this section and there is already a parking lot. She indicated that her family has never seen horses at Three Pond Park and she understands that there is a pond there, which is a water issue, but she believes this corner should be looked at as it could be accessed by a lot of people.

Javier Hollines
3901 South Clermont Street
Cherry Hills Village, CO

Javier is an elementary school student who said he is in favor of a play structure at Dahlia Hollow Park. Javier provided Commission members with a map that he colored to show what he believes the park should look like. He pointed out some of the wildlife refuge areas on the map. He said that it is important that people do not feed the animals because they are wild. He also suggested that there should be a fence so people do not interfere with the wildlife and there is no direct contact with the animals. Javier suggested adding a wild garden that does not have to be watered. He encouraged playground rules to be safe and have fun.

Mariela Hollines
3901 South Clermont Street
Cherry Hills Village, CO

Mariela is also an elementary school student who is in favor of the play structure. Mariela said she is in favor of the play structure because kids currently do not have a park that they can walk to or ride their bikes to.

Ann Kerr
4700 East Oxford
Cherry Hills Village, CO

Ms. Kerr said that she is trying to figure out what the logic is behind the proposed play structure and where it all got started. She said that her two sons were born and raised in the Village and it never occurred to them that you needed a play structure to play in the open space areas of the Village. She said she understands that it would be nice to have a place to meet other people and make new acquaintances for the kids, but the thing she is opposed to is the impact and consequences of the neighbors. She stated that she believes there are better sites for the proposed structure such as Three Pond Park.

Bill and Georgeanna Klingensmith
4720 East Oxford Avenue
Cherry Hills Village, CO

Mr. Klingensmith reported that they have lived in the Village for many years and they live adjacent to Dahlia Hollow Park. He said they lived in the Village when their children were young and now they are grown. He said they feel that playgrounds are good and all children should have access to a playground, but they also feel that all children should have access to natural space. He indicated that the Village now has both and the playground is in the back yard. He cautioned that if we go down the road of putting playgrounds in our natural parks we violate our tradition and the Mission Statement and become just like Denver and other cities. He said they strongly oppose changing the Villages long standing policy of keeping our parks natural.

Ms. Klingensmith commented that there are drainage issues in the park and this area is considered a floodplain. She said putting a play structure in a floodplain is not fiscally responsible or safe to do. Ms. Klingensmith also pointed out that this is a natural area where they frequently see fox and coyotes in the area and occasionally a mountain lion. She stated that they do like to have these animals in their habitat, which she said we have invaded. Ms. Klingensmith indicated that the first thing she would ask is if there are other areas in the Village that could be looked at before moving forward and to determine how the playgrounds that are in the Village are currently being used. She said it is important to determine how frequently the playgrounds are used before spending the money to build another play area.

Geoff Landry
5130 Nassau Circle West
Cherry Hills Village, CO

Mr. Landry thanked the Commission for holding the public meeting and said it takes a lot of political will to go out on a ledge and do something different. Mr. Landry said he lives in Cherry Hills North and they bought their house in 2004. He said over the years while socializing with neighbors they began to see that a lot of folks have play structures in their backyards, but in his mind it is all about community. He said he has heard a lot of great things tonight. He said he personally loves that park with its natural and beautiful space and the last thing he would want to see is some sort of structure placed there. However, he said he also sees it as an opportunity to bring the community together and the kids who live here. He said it is about kids interacting with the environment and if we can teach these kids how to respect the environment and how to appreciate the space then we would be doing something very good and we are being stewards for our community. Mr. Landry proposed that the Commission look at something more creative and inventive that would keep the natural look, but allow the community to interact more and is safe for kids to enjoy. He said he would personally like to see something where families could go have a picnic on a nice day. Right now it is just open space and he

would encourage finding something that could be naturally beautiful and not change the look. He said everyone here has a good point and if something is to be added he said it is important to make sure it is done right even if you have to consider another site. He said right now we have to cross a busy street and it feels like we typically have to leave Cherry Hills Village and the community to go play.

Andrea Powers
5091 Nassau Circle West
Cherry Hills Village, CO 80113

Ms. Powers stated that she has three children and although everyone has play structures in their backyard it is not what is missing. She said we are missing a sense of community and having some place that we can walk to. She said you can go to John Meade Park or the elementary school and plenty of other parks and places if you want to get in your car and drive. She said being able to walk to the park through the community, running into people along the way and meeting at the park is what is most important to her. She said she would be open to Three Pond Park, but she believes Dahlia Hollow Park is a great spot that would not attract a lot of people and car traffic. She said it is people in the neighborhood that would be walking to the park and to her it is all about the sense of community.

Lissa Burkholder
3941 Nassau Circle West
Cherry Hills Village, CO

Ms. Burkholder reported that she moved to Cherry Hills Village two years ago from the Washington Park area, which has everything from play structures to things for the youngest of our generations and the oldest of our generations. She said they moved to Cherry Hills Village so their kids could go to school and grow up being part of a bigger community. She said, as a new homeowner, one of the things that she thought was missing was the sense of community, an essential area where whether you have a 9 month old baby or a 90 year old grandmother you have a place where you can participate and see joy and happiness. She said there is nothing better than the sound of young kids giggling and playing and having a good time. She said she loves this little pocket park because everyone from Cherry Hills North to Mansfield and all those little areas can walk to the park from their community. She said she does not believe that Dahlia Hollow Park is going to be a park that attracts people outside of the community because no one will get into their car to drive to a small pocket park. She said they would go to a city park that is a destination park where you can take your kids and spend a couple of hours. She said for a lot of us who are moving in and taking into consideration our home values, this is one of the things on the list that was missing for the value of our home from a resale perspective.

John Prescott
4450 East Oxford Place
Cherry Hills Village, CO

Mr. Prescott stated that the feedback he has heard so far has been very interesting with a lot of good community perspectives being offered. He said I think that perhaps I am the only older adult here who actually played in that very park as a kid. He said he wouldn't even call it a park as much as an open space, which he said from his perspective, is of high value. He asked that the people here consider how that distinguishes this area from other areas that are adjacent like Three Pond Park. He indicated that Three Pond Park would be a better place for a play structure because it is more open, it is a little bit away from the traffic and it would keep Dahlia Hollow Park as a natural space. He said Dahlia Hollow Park is a cool place where kids can come and play and it could be a great place for the community by simply cleaning it up. He indicated that it is a little overgrown, but

by clearing out some of the broken branches it would attract people to go there. He said I am pushing for not putting a play structure as suggested, but to look for something more creative. He said I grew up in the area and I think the idea of having community is terrific.

Debbie Welles
4950 Sanford Circle West
Cherry Hills Village, CO

Ms. Welles stated that her biggest concern with the play structure has to do with the traffic on Dahlia. She reported that they were able to get the Cherry Creek School District to change a bus stop at the intersection of Dahlia and Oxford because it was so dangerous. She said people were dropping their elementary school kids off in their vehicles and it became so congested that there was concern that kids would get hurt. She said she is also concerned because the traffic on Dahlia Street flows depending on what else is happening in the City. She said if there is an accident in the Village or on Belleview it gets routed onto Dahlia Street and it is used as a main road. She said she walks her dog on Dahlia at 6:00 am in the morning and to think that it is not full of traffic is not right and adding children to that mix would be unsafe. She said her other point is that she is able to find community at other parks and playgrounds and she moved here because it is wild and it raises the value of her property. She said her kids had fun here and it was not citted by a structure. She said she loves living in the Village and she hopes the Commission will keep that rural spin and perhaps enhance our existing playgrounds.

Sean Waters
4201 South Dahlia
Cherry Hills Village, CO

Mr. Waters reported that he appreciates all the comments tonight and they are all very good. He said he has three little girls and he lives adjacent to the park. He said they are against the proposed playground for a couple of reasons. One reason is safety and he also believes it is a very tight space and as other people have demonstrated there are probably other alternatives. He said community is a very important thing, but most importantly he said his wife grew up in Cherry Hills Village and to this day her fondest memories are running around and playing in the open space. He said he never once heard her say she remembered going to a playground or a slide. He said it seems to him that the open space is an enormous value for all of the residents of Cherry Hills Village. Mr. Waters also indicated that they lived in the Bonnie Brea area and had a great park where they took their dog every morning. He said there were always 10-12 people running around and although it was an incredible value, it wasn't because there was a playground there. He said I would implore you to consider the open space that is a critical piece and I truly believe it makes Cherry Hills Village unique and adds value to real estate, but more importantly adds to everyone's value of the community.

Frances Matthews
5401 Nassau Circle East
Cherry Hills Village, CO

Ms. Matthews reported that Dahlia Hollow Park is the entry to a sanctuary that the community is blessed to have and she does not want to see it go away. She said one of the fondest memories that she has is teaching her kids how to ride their bikes along the High Line Canal and this entry is sacred to her. She said another comment she would like to make is that even with the mitigation of the traffic with the islands, there are still problems for walkers and to her it is a tremendous safety concern.

INTRODUCTION OF LUCINDA GREENE AS EQUESTRIAN LIAISON

Ms. Soderberg introduced Lucinda Greene as the new equestrian liaison and added that she is also fluent in gardening, communications and horses. Ms. Soderberg stated that Lucinda Greene volunteered to help the Commission and she has been very instrumental in the upcoming equestrian event. Ms. Soderberg mentioned that Ms. Greene was also instrumental in getting letters of support from the equestrian community for the Belleview Underpass.

Ms. Greene introduced herself to Commission members and provided a brief history of her equestrian background. She said she lives off of Meade Lane where she also keeps her horse. Ms. Greene said that one of the issues she was asked to address is horse manure on the trails. She said she is concerned whether the trail users need to be educated about this issue. She said horse manure is a vegetable product and it biodegrades. She indicated that it is hard for a rider to jump off their horse when there are no shovels nearby. She said the equestrian community is open to ideas and they want to make sure that the trails are enjoyed by everybody.

The Commission thanked Ms. Greene for her time, help and expertise with the equestrian community.

SUBCOMMITTEE DISCUSSIONS**SUMMARY SHEET REVIEW**

Ms. Soderberg reported that the Summary Sheet Review will be presented to City Council at the April 6, 2010 meeting and from now on this will be the main document of the Commission.

Trail Enhancement Update - Jeff Ferrell and Jim Fairbairn

There was nothing to report on this subject.

Incentive Program Update - Ann Gallagher

There was nothing to report on this subject

Special Events Update - Katy Brown

Ms. Brown reported that Lucinda Greene has been a big help to the Commission with getting the equestrian community together. She said the events subcommittee has had several planning meetings for the equestrian event to be held on June 12, 2010.

Ms. Soderberg thanked Katy for all of the work she is doing on the event and all that she has accomplished.

Website and Signage - Katy Brown

Ms. Brown reported that she met with Ryan Berninzoni to go over the new website and she made some suggestions. She said there will be a follow-up meeting scheduled. She also asked that if there is anything that the members would like to add in the PTRC section to please contact her.

Ms. Soderberg suggested possibly adding an equestrian section.

Communications/Crier Article - Ann Gallagher

Ms. Gallagher reported that she is working on an article for the Crier on the equestrian event.

PARKS, TRAILS AND RECREATION ENHANCEMENT

Dahlia Parking Lot Portable Restroom

Mr. Berninzoni reported that staff is planning a public meeting at the April 8, 2010 PTRC meeting to gather input for the potential portable restroom at the Dahlia Street parking lot. He provided members with exhibits and pictures of the proposed site so they can be prepared for the meeting.

Mr. Berninzoni presented a picture of the proposed portable restroom along with copies of the bids he received. He stated that the bids are close in number and he encouraged the Commission to consider a restroom that will accommodate all potential people who will use it. Mr. Berninzoni indicated that he will send letters to the surrounding neighbors including the tennis courts and Catherine Anderson.

Mr. Ferrell suggested that the letter be sent to all of the residents on Blackmer Road since they are close to the proposed site.

Ms. Soderberg asked if the portable restroom would be a security issue.

Mr. Berninzoni stated that he does think so and the City can increase Police patrol in the area and also look at some sort of lighting around the restroom.

Open Space Inventory Report: Karen

Ms. Barsch reported that good progress has been made on open space inventory. She said the subcommittee walked all of the property that could be identified as potential open space and any undeveloped property that they were aware of. She indicated that it is an ongoing document.

REPORTS

Arts Committee

Mr. Berninzoni reported that City Council has directed staff to examine the best approach to form an Arts Committee through the PTRC. He stated that Staff feels the best approach is to build a committee for the future. He said there is not necessarily anything pressing right now, but he does think that forming a committee would be useful in the future for general improvements to the City. He indicated that after doing some research he found that most cities have an Arts Committee. Mr. Berninzoni asked Commission members how they would feel about adding an Arts Subcommittee to the PTRC.

Councilmember VanderWerf stated that there is a citizen that is willing to serve on the committee.

Ms. Soderberg requested that the interested party attend the next PTRC meeting and address where the interest lies and the direction of the Arts Committee.

Jim Muhm Dedication

Mr. Berninzoni presented a cost estimate for the proposed Jim Muhm dedication. The dedication includes a boulder with a 3" x 6" bronze plaque and a shade tree. The total cost for the proposed dedication would be around \$540.00. The proposed location for the dedication is at Blacker Common where there is already a bench. Mr. Berninzoni requested direction from Commission members on the wording for the plaque so he can present the proposed dedication to City Council.

MS. KATY BROWN MOVED TO APPROVE THE DEDICATION OF A BOULDER WITH A BRONZE PLAQUE AND A TREE IN MEMORY OF FORMER RESIDENT MR. JIM MUHM. MR. JEFF FERRELL SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

Annex Fence Donation

Mr. Berninzoni reported that he spoke with Mr. Torval Keller regarding the proposed fence and informed him that staff's recommendation is to build something identical to what is currently there. Mr. Berninzoni stated that he has not had a chance to review Mr. Keller's current proposal.

Mr. Woon Ki Lau
8 Cherry Lane Drive
Cherry Hills Village, CO

Mr. Lau reported that he built the permanent brick wall next to the property that Mr. Berninzoni is referring to. He stated that he received the letter that was mailed to neighbors from Mr. Keller requesting input on the proposed fence along Hampden Avenue. He said he spoke to residents in the area and they indicated that they would like to see a fence that goes all the way across and a wood fence would be better than no fence at all for noise reasons and for the safety of joggers and kids. Mr. Lau provided a proposal from the company that built the wall in front of his property and stated that now might be the time to proceed with placing a fence across the open space if the right opportunity is there.

Mr. Fairbairn asked Mr. Lau if his fence has ever been hit by a vehicle.

Mr. Lau responded that his fence has been hit twice in eight years and it was due to slippery streets. He stated that the driver's insurance paid for the repairs both times.

Torval Keller
1 Cherry Lane Drive
Cherry Hills Village, CO

Mr. Keller reported that they would love to see a permanent wall also, but their budget for a fence is approximately \$15,000 to \$20,000. He reported that the estimate for the brick fence that they are proposing is \$43,000, which makes them about \$23,000 short. Mr. Keller pointed out that the wood fence they originally proposed is a sound proof fence.

Ms. Soderberg stated that the Commission determined at the last meeting that a masonry fence would be required because of the lack of maintenance it would require. She said she does not believe the City is prepared to fund a public fence as they never have in the past. She stated that before the Commission can make a recommendation to City Council they need something in writing.

Mr. Fairbairn asked who would maintain the masonry fence. He said if a masonry fence is built then the next question is going to be who will maintain it and insure it if a car goes through it.

Ms. Gallagher stated that she would assume that the portion of fence in front of the homeowner's property would probably be the homeowner's responsibility and the open space section is what the Commission needs to consider.

Mr. Berninzoni asserted that there would be an agreement made between the homeowner and the City that would state what the long term maintenance of the fence would be and whether it was the current homeowner or the future homeowner.

Mr. Gary Nicol
1 Cherry Lane
Cherry Hills Village, CO

Mr. Nicol said he wanted to make sure he was clear that what is being said is that the long term maintenance of the fence would become the responsibility of the future homeowners because that kind of statement would turn a buyer off from purchasing the property.

Discussion ensued on a possible maintenance agreement between both parties.

Ms. Barsch pointed out that there are two issues with the fence. One is insurance coverage either from the vehicle or potentially the City of Cherry Hills Village and the other issue is if the fence crumbles and becomes unsightly who is responsible.

Mr. Berninzoni stated that the proposal is to get a fence that will withstand long term.

Mr. Nicol responded that he believes they have found a fence that will last a long time and not require maintenance and he would like to propose that if they can fund this fence is this something that Cherry Hills Village would be willing to live with.

Ms. Soderberg responded that first there is the issue of funding the fence and then there is the agreement with the City. She said funding is the main issue right now because the City is not in a position to fund the fence.

Ms. Nicol said that his question to the Commission is that if he is able to get neighbors to fund the fence is the City willing to allow them to move forward on the fence without the burden of a contractual statement such as the homeowner would be responsible for the maintenance.

Ms. Soderberg said there would have to be a contractual statement and Ryan Berninzoni would speak with Mr. Jay Goldie to get more information.

Mr. Berninzoni responded that if Mr. Nicol does find the funding for the fence then the City will draft an agreement.

Mr. Fairbairn stated that he thinks the fence is a great idea if they can get the funding, but his concern is who is going to pay for the fence if a car hits it. He said he believes the homeowner's insurance would pay for the fence on their property, but his concern is for the open space section. He said that once they talk with the City and make that determination then he would be in favor of the fence.

Councilmember VanderWerf informed Mr. Nicol that City Council has recently had to deal with a fence issue in the City and the problem was that there was no written contract.

The Commission continued with discussion on fencing options.

Mr. Lui agreed to check with the fence company that constructed the permanent wall on his property to see if they can get a better price.

Ms. Soderberg asked Mr. Nicol to provide a proposal that the Commission can act on and make a recommendation to City Council.

City Council Report

Councilmember VanderWerf reported that on March 23, 2010, Arapahoe County is holding a public open house at Center Point Plaza in Aurora to work on near and far term visions.

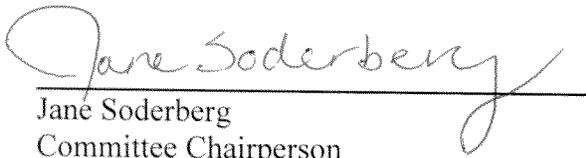
New Business

Ms. Soderberg recommended holding a working session prior to the meeting on April 8, 2010 to discuss the Dahlia Hollow playground structure and open space inventory.

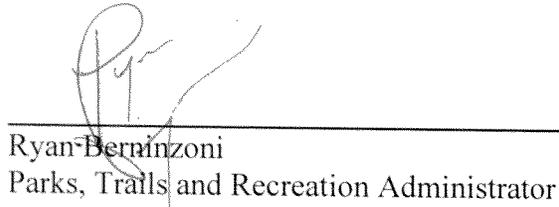
ADJOURNMENT

The meeting adjourned at 8:20 p.m.

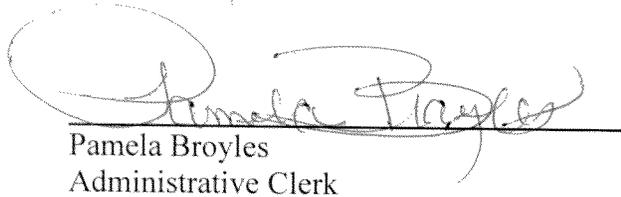
The next scheduled PTRC meeting is April 8, 2010



Jane Soderberg
Committee Chairperson



Ryan Berninzi
Parks, Trails and Recreation Administrator



Pamela Broyles
Administrative Clerk