

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
RESCINDING OUTDATED OR INAPPLICABLE POLICIES**

WHEREAS, the City Council of the City of Cherry Hills Village ("Council") is authorized under its home rule charter and pursuant to its general municipal powers to adopt policies and procedures in furtherance of its municipal functions and authority; and

WHEREAS, since the City's incorporation, the Council has adopted numerous policies related to the governance and operation of Cherry Hills Village; and

WHEREAS, under the direction of the Council, City staff has performed an audit of all policies adopted by the Council and has identified several policies that are outdated, and no longer applicable or necessary; and

WHEREAS, the Council desires to rescind and repeal all outdated, inapplicable policies as described herein, copies of which are attached hereto in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. The City Council hereby repeals and rescinds the following outdated, inapplicable Council policies previously approved by motion or resolution of the City Council:

1. Annexation policy concerning areas of annexation, approved March 20, 1961;
2. Subdivision Administration Policy, approved June 7, 1977;
3. Resolution No. 4, Series of 1982, Setting Forth a Procedure to Implement an Open Space Preservation Program, dated February 2, 1982;
4. Traffic Diversion Plan, approved August 17, 1982;
5. Village Crier Reorganization, approved July 19, 1983;
6. Resolution No. 4, Series of 1989, Disbursal Policy for Police Pension Old Hire Idle Funds, dated September 5, 1989;
7. Resolution No. 1, Series of 1991, Establishing Smoking Policy for City Buildings and Vehicles, dated March 5, 1991
8. Traffic management policy, adopted March 4, 1997;
9. Check signing policy, adopted April 13, 1998;
10. Trail naming policy approved by Council on September 17, 2002;
11. Resolution No. 3, Series of 2003, Establishing a Policy for the City's Provision of Extra-Duty Police Services, adopted August 5, 2003;
12. Adopt-A-Street and Trail Program Policy, adopted November 16, 2004; and
13. Election Issues and Public Comment policy, approved June 3, 2008.

Section 2. This Resolution shall be effective immediately upon adoption, and City Staff is directed to take steps necessary to document the foregoing policies' revocation.

Introduced, passed and adopted at the
regular meeting of City Council this 21st day
of April, 2015, by a vote of 6 yes and 0 no.

(SEAL)


Laura Christman, Mayor

ATTEST:



Laura Smith, City Clerk

APPROVED AS TO FORM:



Linda C. Michow, City Attorney

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**EXHIBIT A
RESCINDED POLICIES**

1. Annexation Policy

RECORD OF PROCEEDINGS

100 Leaves

FORM NO. C F WHEELER 8 8 & L 65

MINUTES OF MEETING OF BOARD OF TRUSTEES OF CHERRY HILLS VILLAGE, COLORADO HELD MARCH 20, 1961 AT 7:30 O'CLOCK PM. IN THE CHERRY HILLS SCHOOLHOUSE.

THE MEETING WAS CALLED TO ORDER BY THE MAYOR.

PRESENT WERE TRUSTEES THOMAS NELSON, JOHN NICHOLSON, GENE STEWART, JOHN HYER, EDWARD WASSON, THOMAS SMART, TOWN MARSHAL JESS BRIDDLE, POLICE MAGISTRATE FREDERICK POWELL, BUILDING INSPECTOR JEAN BRAUCHT, TOWN ATTORNEY JOHN FERGUSON, TOWN TREASURER PAUL DOUDEN, PLANNING COMMISSION CHAIRMAN LEE DAILEY AND MEMBER GEORGE NYE, PLANNING CONSULTANT S.R. DeBOER AND CLERK AND RECORDER ELIZABETH N. NOEL.

MINUTES OF MEETING OF MARCH 6, 1961 WERE READ AND APPROVED AS CORRECTED.

JUDGE POWELL REPORTED AN INCREASE IN FINES COLLECTED SINCE THE INSTALLATION OF RADAR AND MOST ALL PEOPLE RECEIVING RADAR TICKETS ARE COOPERATIVE AND DO NOT QUESTION THEIR VIOLATION.

MARSHAL BRIDDLE STATED THE MARSHALS LIKE THE RADAR VERY MUCH AND THOSE PEOPLE TICKETED BY RADAR ARE COOPERATIVE IN ACCEPTING THEIR TICKETS. SIX 30 M.P.H. SPEED SIGNS ARE NEEDED; TO BE PLACED ON SOUTH COLORADO BOULEVARD AND EAST QUINCY AVENUES, BOTH EAST AND WEST OF SOUTH UNIVERSITY BOULEVARD.

JOHN HYER HAD NO REPORT.

JOHN NICHOLSON HAD NO REPORT.

THOMAS NELSON REPORTED THE NEED TO START STANDARDIZING THE COLOR OF OUR SIGN POSTS AND REJUVENATING VARIOUS SIGNS. THE SIGN POSTS WILL BE DONE IN WHITE AND ALL POSTS TO BE EVENTUALLY SET IN CONCRETE. THE DEPUTY MARSHALS WILL BE EMPLOYED ON THEIR TIME OFF DUTY TO DO THE POST PAINTING AND REJUVENATION WORK.

EDWARD WASSON REPORTED THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT WILL DO A PLANNING STUDY BEFORE UNDERTAKING ANY PROJECTS.

THOMAS SMART HAD NO REPORT.

GENE STEWART HAD NO REPORT.

LEE DAILEY, CHAIRMAN OF THE PLANNING COMMISSION STATED THE PLANNING COMMISSION WOULD REPORT ON CURRENT, IMMEDIATE AND FUTURE VILLAGE NEEDS AND AT LEAST TWO MEETINGS WOULD BE NEEDED TO COVER ALL THE MATERIAL TO BE PRESENTED. POINTS TO BE COVERED: 2ND CLASS CITY OR TOWN TYPE OF GOVERNMENT; FIRE PROTECTION; TOWN HALL LOCATION; SCHOOL DISTRICT REQUIREMENTS; MASTER PLAN; TRAFFIC AND ANNEXATIONS.

THOMAS SMART REVIEWED GOVERNMENTAL FORMS OPEN TO THE VILLAGE: 2ND CLASS CITY WITH MAYOR-COUNCIL TYPE GOVERNMENT; 2ND CLASS CITY WITH A CITY MANAGER; HOME RULE; MR. SMART RECOMMENDED THE BOARD OF TRUSTEES STUDY HOME RULE PROVISIONS AS THE FIRST POSSIBILITY IN CHANGING OUR FORM OF GOVERNMENT & NEXT WE STAY A TOWN UNTIL THE NEXT OFFICIAL CENSUS - 3RD CHOICE 2ND CLASS CITY WITH MAYOR-COUNCIL TYPE OF GOVERNMENT AND THE 4TH CHOICE 2ND CLASS CITY WITH CITY MANAGER TYPE. MR. DeBOER RECOMMENDED MODERNIZING GOVERNMENT NOW TO HOME RULE.

MR. DeBOER PRESENTED THE MASTER MAPS AND RECOMMENDATIONS ON ANNEXATIONS. THESE ANNEXATIONS RECOMMENDATIONS INCLUDE EVERYTHING IN ARAPAHOE COUNTY FROM THE PRESENT CORPORATE LIMITS TO THE VALLEY HIGHWAY ON THE EAST AND SQUARING THE BOUNDARY TO EAST BELLEVIEW ON THE SOUTH AND TO INCLUDE THE CAMPBELL AND BRAUN PROPERTIES ON THE

RECORD OF PROCEEDINGS

100 Leaves

FORM NO. C F HECKEL & B L CO

NORTH AS SOON AS POSSIBLE. GEORGE NYE STATED THE PLANNING COMMISSION RECOMMENDATION; NO MORE ONE-HALF ACRE SITES OUTSIDE OF MANSFIELD HEIGHTS AND GO ONLY TO SOUTH MONACO ON THE EAST-NOT AS FAR AS THE VALLEY HIGHWAY.

FROM THESE RECOMMENDATIONS THE BOARD OF TRUSTEES APPROVED THE FOLLOWING ANNEXATION POLICY: BETWEEN EAST HAMPDEN AVENUE AND EAST QUINCY AVENUE - EAST BOUNDARY TO BE SOUTH DAHLIA STREET; BETWEEN THE SOUTH SIDE OF EAST QUINCY AVENUE AND EAST BELLEVIEW AVENUE - EAST BOUNDARY TO BE SOUTH MONACO STREET; HOWEVER THE AREA BETWEEN MONACO AND THE VALLEY HIGHWAY WILL BE ANNEXED AS TWO AND ONE-HALF ACRE ZONING IF THE OWNERS ARE AGREEABLE TO ANNEXATION UPON SUCH TWO AND ONE-HALF ACRES; ALL UNINCORPORATED AREAS BETWEEN SOUTH CLARKSON STREET ON THE WEST, EAST BELLEVIEW AVENUE ON THE SOUTH AND THE EAST LINE AS DEFINED ABOVE, THE BOARD OF TRUSTEES WILL ENDEAVOR TO ANNEX TO CHERRY HILLS VILLAGE.

BECAUSE OF THE LATENESS OF THE HOUR, THE BOARD OF TRUSTEES WILL MEET APRIL 3, 1961 WITH THE PLANNING COMMISSION AT WHICH TIME THE TOWN HALL LOCATION WILL BE DISCUSSED AND MR. RUSSELL POLTON WILL BE PRESENT TO PRESENT THE CHERRY CREEK SCHOOL DISTRICT NO. 5'S NEEDS FOR SCHOOL LAND.

THE MEETING WAS ADJOURNED AT 11:00 O'CLOCK P.M.

RESPECTFULLY SUBMITTED,

Elizabeth D. Neal

CLERK AND RECORDER

2. Subdivision Administration Policy

apprehending a criminal.

Chief Wood also reported about 5 percent of Officer duty time is spent on traffic control. The number of traffic tickets being written is down. Speeding violations are way down due to equipment being repaired.

Donald Young reported Mr. Hakanson wants the school path between Albion and Colorado Boulevard cut back to a 4 foot width.

Upon motion by Antone Bowler, seconded by Judson Manning, it was unanimously resolved City Manager Coward and Don Young reconcile the differences on the school walk path to the satisfaction of the property owner.

Upon motion by Charles Schloss, seconded by Peter Roosevelt, it was unanimously resolved the City Manager and City Clerk-treasurer be directed to attend the Colorado Municipal League Conference in Colorado Springs, Colorado, June 29, 30 and July 1.

Discussion was held on dog control. There are three approaches to control. A strict leash law, a control law and a running-at-large law. Which type of control to be used must be established before an ordinance for enforcement can be written. Mayor Jenkins suggested we work with Greenwood Village on enforcement.

The City Attorney had no report.

The 1977 Street Improvement Program was discussed. An additional \$10,000 must be appropriated from Revenue Sharing Fund to implement the Street Program. A Public Hearing will be set for the appropriation for these needed monies. An agreement has been made with Shawnee Construction Company for the paving of South Franklin and East Quincy with the City sharing in the cost of the paving.

Upon motion by Judson Manning, seconded by Charles Schloss, it was unanimously resolved the Agreement with Shawnee Construction Company for the paving of a portion of South Franklin Street and East Quincy Avenue from Vista Road to Colorado Boulevard be approved and be it further resolved a Public Hearing be set to appropriate additional funds from the Revenue Sharing Fund for Street Improvements.

Personnel forms and policy were discussed. Personnel files are to be maintained in the City Clerk's office. The application forms comply with the Federal Regulations on Equal Employment Opportunity Act as reported by Mr. Coward. No action was taken on the approval of the application form as the Council wished to check several items contained in the form. No action was taken on the redrafting of the Personnel Policy.

Partial Implementation of Community Development Program was discussed as per the Memo of June 1, 1977 from City Manager Coward.

Upon motion by Charles Schloss, seconded by Judson Manning, it was unanimously resolved that a Planning Technician position be approved as set forth in the Memorandum of June 1, 1977 at the rate of 20 hours per week and a salary of \$450.00 per month.

Mayor Jenkins asked approval of a Policy for Administration of Subdivision Ordinance as set forth in Memorandum of May 27, 1977.

Upon motion by Peter Roosevelt, seconded by Charles Schloss, the Policy for Administration of Subdivision Ordinance was unanimously approved. This policy will be forwarded to the Planning Commission.

Peter Roosevelt had no report.

Judson Manning reported the Board of Adjustment and Appeals has approved one variance and disapproved two variances in the past month.

3. Procedure to Implement Open Space Preservation Program

COUNCIL RESOLUTION NO. 4
SERIES OF 1982

INTRODUCED BY THEODORE B. WASHBURNE
SECONDED BY JOHN F. WELBORN

A RESOLUTION SETTING FORTH A
PROCEDURE TO IMPLEMENT AN
OPEN SPACE PRESERVATION PROGRAM
IN CHERRY HILLS VILLAGE

WHEREAS, the City Council believes that the open land located throughout the Village provides a major part of the rural character of the Village; and

WHEREAS, the City Council desires to retain this open space and preserve it in its natural state; and

WHEREAS, a task force headed by Councilman Theodore Washburne has prepared a set of recommendations for City Council consideration that, when implemented, would begin the process of preserving this open, natural land; and

WHEREAS, the City Council desires to implement this open space preservation program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, THAT:

Section 1. Open Space Definition, Goals and Mapping. The staff is hereby directed to prepare a proposed definition of the term open space and the goals of the open space preservation program along with a City map with appropriate overlays indicating the following elements of the open space program:

1) designated flood plains, 2) Village Trail System, 3) existing open space areas, 5) prime development parcels and 6) City owned property.

Section 2. Preservation Implementation Program. The following land preservation methods shall be investigated individually as set forth below and acted upon separately by the City Council.

a) Develop a policy for the Land Dedication Regulations which calls for the City to accept cash when the property being developed has no relationship to the open space lands set forth on the Map in Section 1 and to accept land when the property being developed does have such a relationship. (City Manager)

b) Revision of the Subdivision Regulations to provide that cash in lieu of land dedication be based on the developed value of the land rather than the value of the raw land. (City Attorney)

c) Develop a policy that would provide for the use of monies in the Land Dedication Fund. This policy should set forth the primary use of these monies for the completion of the Bicycle Trail System and a secondary

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use for the purchase of land or development rights on land adjacent to desired open space areas. (City Manager)

d) Establish a nature conservancy agency that could hold land or development rights perpetually for open space and provide donors with appropriate tax advantages. (City Attorney)

e) Develop a program whereby the Land Dedication requirements of the Subdivision Regulations can be reduced in exchange for a developer voluntarily lowering the housing density on a given parcel of land.

f) Refine the policy relating to flood plain lands and their acceptance under the terms of the Land Dedication requirements. Generally, flood plain land should not be acceptable for Land Dedication requirements. (City Attorney)

g) Revise the Flood Plain Regulations to not permit amendments that channelize or narrow the existing flood plains. (City Attorney)

Section 3. Moratorium on Subdivision Plats. No plats creating new lots in the Village shall be approved on final action until each of the items listed in Sections 1 and 2 above have been accepted or acted upon by the City Council. It is anticipated that all items can be completed within ninety (90) days from the date of this Resolution.

Read, Passed and Adopted by the City Council of the City of Cherry Hills Village, Colorado, as Council Resolution No. 4, Series of 1982, and signed and approved by its Mayor and Presiding Officer this 2nd day of February, 1982 by a vote of 5 Yes and 0 No.

Beth H. Jenkins
Beth H. Jenkins
Mayor

ATTEST:

Elizabeth N. Noel
Elizabeth N. Noel
City Clerk

4. Traffic Diversion Plan

5. Village Crier Reorganization

Mayor St. Clair asked Mrs. Polumbus and Ms. Chambers to work as the Open House Committee.

VILLAGE CRIER ORGANIZATION

Joan Duncan, Crier Editor, reviewed with Council a Memo of July 15 regarding the reorganization of the Village Crier. The reorganization would involve:

1. Incorporating the Village Crier as a non-profit organization.
2. Establishing a 3 member Board of Directors.
3. Hiring a parttime paid Editor.
4. Establishing a set of By-laws.
5. The City would agree to contribute \$3600 per year to the Crier with the idea of offsetting the Editor's salary.

Ms. Chambers suggested the terms of the Board of Directors be staggered and a term of longer than 1 year. She also stated the By-laws need to be in a tighter form and Policy should be reviewed by the City Council.

Upon motion by Ann Polumbus, seconded by Merle Chambers, Council unanimously resolved the Village Crier be reorganized and a Board of Directors consisting of Mayor St. Clair, Mrs. Joan Duncan and Mrs. Debbie Julander be appointed for a one year term; the By-laws to be reviewed; and \$3600 per year be contributed by the City to the Village Crier; and be it further resolved that \$1800 be transferred from the General Fund Contingency Fund to Administration Account No. 411.63 for disbursement as a contribution to the Village Crier at the rate of \$300 per month for the year 1983.

Mr. Washburne thanked Mrs. Duncan for her contribution to the City with a fine, dedicated and professional job and that the City is very much in her debt.

CITY MANAGER'S REPORT

Mr. Coward handed out a copy of a letter to Council from Jerry Dunn, President of the Charlou at Cherry Hills Homeowners Association which requests a change in the wall along Quincy Avenue in front of Chaumont in Cherry Hills Subdivision. The plan has been reviewed by Mayor St. Clair, Councilwoman Polumbus, Mr. Coward and Grant Goodson. The plan for the fence was graphically presented and the new plan shows a combination of 49 percent brick and 51 percent wrought iron interspersed along the bicycle path. This plan allows sufficient light to break up the ice in the winter.

A request is being made by the Charlou Homeowners Association to change the original Subdivision Agreement for Chaumont in Cherry Hills which requires brick posts and 20 feet of wrought iron in between.

Upon motion by George Anderman, seconded by Roy Watts, Council unanimously resolved the plan for fencing along Quincy Avenue in Chaumont in Cherry Hills Subdivision as presented to Council be approved and that the Chaumont in Cherry Hills Subdivision Agreement be amended to reflect the change in the plan.

Jerry Dunn stated the Charlou Homeowners Association has taken on the responsibility of the building the wall, relieving Mr. Barton of that responsibility. Mr. Barton has contributed \$35,000 towards the cost of the wall.

SPECIAL COUNSEL FOR RIEVER-BOARD OF ADJUSTMENT LAWSUIT

Mr. Coward stated Special Counsel must be appointed to handle the lawsuit brought against the Board of Adjustment by Alan Riever. The law firm of Davis, Graham and Stubbs represent Mr. Riever and this presents a conflict of interest with Mr. Morris as City Attorney. Research has been done on attorneys who can represent the City and Mr. Coward recommended that Mr. Douglas McKinnon be retained as Special Counsel to defend this case.

Upon motion by Donald Egan, seconded by George Anderman, Council unanimously resolved Douglas G. McKinnon be and is hereby retained as Special Counsel to

6. Disbursal Policy for Police Pension Old Hire Idle Funds

RESOLUTION NO. 4
SERIES OF 1989

INTRODUCED BY Viola Lahana
SECONDED BY Bruce Smith

A RESOLUTION
OF THE CITY COUNCIL
SETTING FORTH A DISBURSAL POLICY FOR
POLICE PENSION OLD HIRE IDLE FUNDS AND
DECLARING OTHER POLICE RELATED ACTIVITIES.

WHEREAS, the City of Cherry Hills Village received a refund of \$444,606 from the Colorado Fire and Police Pension Association in response to the City's action to declare its Old Hire Policemen's Pension Fund "idle" through the adoption of Resolution No. 2, Series of 1989; and

WHEREAS, the City Council has commissioned and reviewed a legal opinion prepared by Wade, Ash, Woods, Hill & Guthery, P.C., interpreting the Colorado State Statutes as they relate to the disbursement of these funds; and

WHEREAS, the City Manager and City Council have received ideas and comments from all current commissioned police officers of the City of Cherry Hills Village; and

WHEREAS, the City Council desires to act in compliance with the aforementioned legal opinion and make known its intentions concerning the disbursement of said Old Hire Idle funds and direct that certain actions be undertaken.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, RESOLVES THAT:

Section 1. In accordance with Colorado State law and C.R.S. Section 31-30-313(2), the City Manager is directed to establish an escrow account in the General Fund in an amount equal to three (3) times the annual City contribution for Police Pension and to draw from that account to make City police pension contributions for the next three (3) years.

Section 2. The City Council recognizes the "present value" study recently accomplished by Pension Management Associates which utilizes a 60% of base salary retirement rate and declares that a contribution to Police Officers in accordance with the results of this study is Police related. The City Manager is therefore directed to update the figures in this study to September 30, 1989, determine the best means of actually disbursing said funds, and to make said disbursements on September 30, 1989.

Section 3. The City Council recognizes the "contribution/interest" study recently accomplished by Pension Management Associates and declares that a

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contribution to Police Officers in accordance with the results of this study is Police related. The City Manager is therefore directed to update the figures in this study to September 30, 1989, determine the best means of actually disbursing said funds and to make said disbursements on September 30, 1989.

Read, passed and approved by the City Council of the City of Cherry Hills Village, Colorado, and signed by its Mayor and Presiding Officer this 5th day of September, 1989, by a vote of 4 Yes and 0 No.

Joan R. Duncan
Joan R. Duncan
Mayor

ATTEST:

Elizabeth N. Noel
Elizabeth N. Noel
City Clerk



7. Smoking Policy for City Buildings and Vehicles

RESOLUTION NO. 1
 SERIES OF 1991

INTRODUCED BY Merle Chambers
 SECONDED BY Viola Lahana

A
 RESOLUTION
 OF THE CITY COUNCIL
 ESTABLISHING A SMOKING POLICY
 FOR CITY BUILDINGS AND VEHICLES

WHEREAS, the Surgeon General of the United States has concluded that there is medical evidence to support the protection of the non-smoker against the irritation and potential harm that comes from other peoples' smoke; and

WHEREAS, it is the opinion of the City Council that in order to preserve the public peace, health, safety and welfare of the citizens and employees of the City of Cherry Hills Village, that a smoking policy should be adopted; and

WHEREAS, it is the desire of the City Council to update and revise the smoking policy originally adopted in Resolution No. 2, Series of 1990.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, THAT the following smoking policy for City buildings and vehicles be hereby established and adopted to be effective immediately.

- A. Smoking shall be prohibited in all City buildings and facilities, except for specifically designated smoking lounges.
- B. Smoking shall not be permitted in City vehicles and trucks, except for two specifically designated 'non-smoking' police patrol vehicles.

Read, Passed and Adopted as Council Resolution No. 1, Series of 1991, by the City Council of the City of Cherry Hills Village, Colorado, and signed by its Mayor and Presiding Officer this 5th day of March, 1991, by a vote of 5 Yes and 0 No.

Joan R. Duncan
 Joan R. Duncan
 Mayor

ATTEST:

Elizabeth N. Noel
 Elizabeth N. Noel
 City Clerk

MNB302

8. Traffic Management Policy

Minutes of the Regular Meeting of the City Council
of the City of Cherry Hills Village, Colorado
held on Tuesday, March 4, 1997 at 6 00 p m
at the Village Center

The meeting was called to order by Mayor Duncan at 6 00 p m

Councilmembers Deborah Julander, Viola Lahana, Tim Roble, and Jeff Welborn were present on silent roll call City Manager Charles Coward, City Attorney Robert Morris, Police Chief Les Langford, Director of Finances Cheryl Bohn, Community Development Coordinator Yvonne Seaman, Public Works Superintendent Robert Jaramillo, and City Clerk Jaki Cossey were also in attendance

The minutes of February 18, 1997, were approved as presented by general consent

FINANCIAL MATTERS

Dean Johnson, of Johnson, Holscher & Company, PC, presented the 1996 Audited Financial Statements to the Council and informed them that all accounts are in good standing

A motion was made by Councilmember Lahana, seconded by Councilmember Julander that the 1996 Audit report be accepted The motion was unanimously approved

Councilmember Secor arrived at 6 25 p m and will be counted in motions hereafter

TRAFFIC STUDY PROPOSAL FROM TDA, INC

David Leahy, from TDA Inc, presented Council with the a policy paper concerning the City's traffic management philosophy Mr Coward supported Mr Leahy's presentation by stating that the metropolitan area has expanded, increasing traffic flows both through and around the Village The Council approved Mr Leahy's suggested traffic management policy by consensus

PUBLIC HEARINGS

REQUEST FOR CHERRY HILLS PARK I PRELIMINARY PLAT

Mayor Duncan opened the public hearing at 6 25 p m

Ms Seaman made an opening presentation stating that notice of the public hearing had been published as well as posted and legal notice had been mailed to property owners within 500 feet of Cherry Hills Park I Ms Seaman advised that the developers are requesting to create 26 lots on the 76 acre parcel, which is located on University Blvd The Planning Commission has reviewed the application and recommends approval

Mr Buz Koelbel, of Koelbel & Company, made a presentation to Council producing illustrations of the proposed development, Cherry Hills Park I

Mr Mark Linn, of BRW Consultants, addressed Council on unresolved drainage issues which consist of undersized storm-sewer pipes and increased surface runoff quantities

9. Checking Signing Policy

RECORD OF PROCEEDINGS

Minutes of the Organizational Meeting of the
City Council of the City of Cherry Hills Village, Colorado
held on Tuesday, April 13, 1998 at 6 15 p m.
at the Village Center

Judge Turre administered the oath of office to Jeff Welborn as Mayor, John Love as Councilmember District #2, Ned Giles as Councilmember District #4, and Jan Steiert as Councilmember District #6.

The meeting was called to order by Mayor Welborn at 6:19 p m

Councilmembers Viola Lahana, Ned Giles, Tim Roble, John Love, and Jan Steiert were present on silent roll call. City Manager Cheryl Bohn, City Attorney Robert Morris, Police Chief Les Langford, Captain John Arthur, Public Works Director Kevin Louis, Director of Finance and Administration Claudia Thomas, Community Development Technician Tim Gelston, and City Clerk Pat Fremon were also present. Councilmember Deborah Julander was absent.

ELECTION OF MAYOR PRO TEM

Councilmember Giles motioned, seconded by Councilmember Love, that Viola Lahana be re-appointed as Mayor Pro Tem This motion was unanimously approved.

APPOINTMENT OF CITY OFFICIALS

Councilmember Roble motioned, seconded by Councilmember Giles, that the following City officials for the City of Cherry Hills Village be appointed. The motion was unanimously approved.

City Clerk	Pat Fremon
City Treasurer	Claudia Thomas
City Attorney	Robert Morris until June 1, 1998 or another City Attorney is appointed by the City Council

CITY COUNCIL LIAISON ASSIGNMENTS

Mayor Welborn discussed the City Council liaison program with the Council. After some discussion, the following are the new Council liaison assignments

Police Department	Viola Lahana
Castlewood Fire Department	Viola Lahana
Public Works	Tim Roble
Community Development	John Love
Finance Department	Ned Giles
Gift Fund Program	Viola Lahana
Parks and Trails	Deborah Julander
South Suburban Park & Recreation District	Deborah Julander
Tree City	Deborah Julander
Utility Program	Jan Steiert
DRCOG	Tim Roble
CML Policy Committee	Tim Roble
Arapahoe County Mayors and Managers	Jeff Welborn

RECORD OF PROCEEDINGS

Councilmember Steiert motioned, seconded by Councilmember Lahana, that the City Council liaison assignments as stated be approved. The motion was unanimously approved.

Mayor Welborn suggested that the members of the Planning and Zoning Commission and the Board of Adjustment and Appeals be asked to each choose a member to serve as a liaison to the City Council, instead of a Councilmember serving as a liaison to the boards.

Councilmember Roble motioned, seconded by Councilmember Steiert, that a member from the Planning and Zoning Commission and Board of Adjustment and Appeals be asked to serve as a liaison to the City Council. The motion was unanimously approved.

Ms. Bohn also presented to Council an administrative policy concerning the check signing policy of the City. The policy states that the primary check signers shall be the Mayor, the Mayor Pro Tem, and the City Manager, and that two individuals sign all checks issued on City accounts.

Councilmember Roble motioned, seconded by Councilmember Giles, that the check signing policy be approved as presented. The motion was approved by a vote of 5 yes and 1 no.

AUDIENCE PARTICIPATION PERIOD

Mayor Welborn asked if there was anyone present wishing to address Council on any issue that is not on the agenda.

Ms. Deborah Kenley, Castlewood Fire Department, addressed the Council on the upcoming Castlewood Fire Protection District Board of Directors election, on May 5, 1998. Ms. Kenley said that the District hopes to keep the Village updated on pertinent issues in the future.

Mr. Tom Hendricks, Vice President of the Castlewood Professional Firefighters, asked the Council to inform residents of their right to vote in the upcoming election.

REPORTS FROM THE MAYOR

Applications for Seats on the Planning Commission and Board of Adjustment

Ms. Bohn presented Council with a copy of applications received for the Planning and Zoning Commission, and the Board of Adjustment and Appeals. The terms for these boards expire the third Tuesday in May, and Council should determine a time and date to interview candidates for the vacancies.

The Council discussed the informal policy regarding two term limits for appointments to the Board and Commission. The consensus of the Council was that term limits allow all interested residents the opportunity to serve the City in this capacity.

Mayor Welborn said that in conforming to that policy Mr. Richard Slivka would not be considered for reappointment to the Planning and Zoning Commission, but would be eligible for appointment to the Board of Adjustment and Appeals. Mayor Welborn said that David Decker was interested in being re-appointed to the Planning and Zoning Commission, and asked if the new Councilmembers would like to interview him. Councilmembers Steiert and Love felt that they did not need to interview Mr. Decker for re-appointment.

After some discussion, Council asked staff to schedule interviews for appointments to the Planning and Zoning Commission and the Board of Adjustment on Tuesday, April 21, 1998, between 5.00 p.m. and 6.00 p.m.

10. Trail Naming Policy

REPORTS**Mayor's Report**

Mayor Scott reported that he has attended the "Commons" Bridge opening ceremony and two softball games sponsored by the Events Committee. Mayor Scott stated that the meeting that he and Councilmembers Lahana and Tisdale had with the homeowners last Thursday went well.

Members of City Council

Councilmember Tisdale stated that he regretted that he was unable to attend the bridge opening.

Members of South Suburban Subcommittee

There was none.

Members of City Boards and CommissionsParks and Trails Committee – Proposed Trail Naming Policy

Community Development Coordinator Tim Gelston presented the Proposed Trail Naming Policy that was submitted by the Parks and Trails Committee.

Discussion was held concerning the Trail Naming policy. Councilmember Love suggested that the Parks and Trail Committee make a recommendation to Council naming an existing trail. Council was in agreement. Councilmember Love will relay the request to the Parks and Trail Committee at their meeting tomorrow.

City Manager & StaffFinancial Reports

The Financial Reports were included in Council packets. There were no questions from members of the City Council.

Departmental Monthly Reports

Departmental Monthly Reports were included in Council packets. There were no questions from members of the City Council.

Request for Donation Approval

Police Chief John Arthur stated that Wayne and Lafawn Biddle, 31 Sedgewick Drive would like to donate to the City a large screen TV. Chief Arthur requested Council's direction on the donation.

Councilmember Tisdale moved, seconded by Councilmember Boutin to accept the gift from Wayne and Lafawn Biddle with gracious thanks for a wonderful family who have been very supportive and very gracious to the City of Cherry Hills Village and to many institutions in the City of Cherry Hills Village during their long and distinguished tenure in Devonshire.

The motion passed unanimously.

11. Provision of Extra-Duty Police Services Policy

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE
ESTABLISHING A POLICY FOR THE CITY'S PROVISION
OF EXTRA-DUTY POLICE SERVICES**

WHEREAS, from time to time organizations, institutions, and residents of the City request special services from the Police Department (commonly known as "Extra-Duty Services"); and

WHEREAS, Extra-Duty Services requested are law enforcement services that the Police Department is not required by law to provide directly to the requesting party; and

WHEREAS, the City is prepared and willing to permit sworn officers of the City's Police Department to provide certain and limited Extra-Duty Services in accordance with this Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

The City Council establishes the following policy regarding requests for extra-duty police services:

**POLICY CONCERNING REQUESTS FOR EXTRA-DUTY SERVICES
WITHIN THE CITY OF CHERRY HILLS VILLAGE**

THE CITY OF CHERRY HILLS VILLAGE, COLORADO, may at its sole and absolute discretion consider requests from institutions (schools, churches, and businesses) and City residents for the provision of Extra-Duty Services at locations within the City limits or at locations immediately outside of the City limits where such Extra-Duty Services are determined by the City to provide a direct benefit to City residents and/or the general public. Such Extra-Duty Services are to be provided only in accordance with this Policy.

"Extra-duty services" shall mean the attendance of one or more uniformed, on-duty police officers of the City of Cherry Hills Village for lawful purposes including, but not limited to, traffic control, parking management, crosswalk safety, and/or law enforcement.

Extra-duty services will be provided only in accordance with the following requirements:

- A. The Chief of Police shall evaluate the following factors or considerations when exercising his or her discretion to approve or reject a request for Extra-Duty Services:
 1. The availability of qualified personnel and necessary equipment;
 2. The public purpose(s) to be served by the service;
 3. The benefit to the public safety and welfare of the residents of the City of Cherry Hills Village resulting from the services;
 4. The ability to perform the services in complete conformance with the Police Department's Policies and Procedures;
 5. Conflicts or appearances of impropriety resulting from the Department's participation in the event or function associated with the services; and
 6. Any other matters deemed relevant to the Chief of Police.

- B. The party requesting Extra-Duty Services shall enter into a written agreement with the City in a form approved by the City. Any proposed modification of the form of agreement shall be subject to the approval of both the City Manager and Chief of Police. The City retains the discretion regarding any modification of the form of agreement and may reject requests for modification for any or no reason. The Chief of Police is authorized to execute the approved form of agreement for Extra-Duty Services on behalf of the City of Cherry Hills Village provided that such agreement conforms to this Policy.

- C. The party requesting Extra-Duty Services shall pay to the City of Cherry Hills Village, in advance, the estimated cost of such services based on the rates set forth below. Rates represent consideration of the actual administrative cost for personnel (salaries, benefits, equipment, and administrative fees) and the degree of difficulty, skill, and service required for the particular assigned duty.

Traffic/Parking Management	\$65.00 /hour /officer with a minimum of 1 hour for each day of service.
Crosswalk Safety (may include as a <i>secondary</i> or incidental purpose the direction or management of vehicular traffic at or near the crosswalk)	\$50.00 /hour /officer with a minimum of 1 hour for each day of service.
Security/Law Enforcement (may include as a <i>secondary</i> or incidental purpose the direction or management of vehicular traffic at the commencement and/or conclusion of the associated function or event)	\$40.00 /hour /officer with a minimum of 3 hours for each day of service.

- D. Extra-Duty Services shall remain, at all times, subject to termination where the Police Department determines that emergency circumstances necessitate the City's reassignment of the officer assigned to Extra-Duty Services to other police duties.
- E. Officers assigned to Special Police Service shall be subject to the supervision and direction by, and the regulations and policies of, the Police Department for the City of Cherry Hills Village.

DONE AND RESOLVED this 5th day of August, 2003.

Viola Lahana
Viola Lahana, Mayor Pro-tem

ATTEST:

Jennifer Pettinger
Jennifer Pettinger, City Clerk

APPROVED AS TO FORM:
Robert C. Widner
Robert C. Widner, City Attorney

12. Adopt-a-Street and Trail Program Policy

ITEMS REMOVED FROM CONSENT AGENDA

Item 4 d was removed from the Consent Agenda.

- Adopt-a-Street Program

Adopt-a-Street Program

Mayor Scott suggested adding trails to the Adopt-a-street Program. Council was in agreement.

Councilmember Tisdale moved, seconded by Councilmember Love, to approve the Adopt-a-Street Program as submitted with the addition of trails.

The motion passed unanimously.

REPORTS**Mayor's Report**

Mayor Scott asked Public Works Director Kevin Louis for an update on the Denver Water project along Quincy Avenue and the CDOT street improvement on Hampden Avenue. Mr. Louis stated that both projects are still to be completed.

Mayor Scott asked City Clerk Jennifer Pettinger to place Denver Water's rebate surcharge information on Channel 22 and the website.

Members of City Council

Councilmember Boutin stated that he had received a few phone calls and e-mails regarding berms. Discussion was held concerning berms.

Council was in agreement that Councilmember Wozniak would draft an article for the Crier that explains the revised berm ordinance. Council also suggested that once the Senior Planner position has been filled, Council would request that Staff review the ordinance along with the suggestions made at the last public hearing and report back to Council.

Councilmember Pomeroy requested a study session on building structure in relation the size per lot. Council was in agreement, but suggested the study session be held in February or March, due to staff changes.

Councilmember Wozniak suggested Council meet with the Greenwood Village City Council after the Council retreat.

City Manager Cheryl Kuechenmeister stated she would attempt to organize a Council retreat after the first of the year.

Discussion was held concerning the retreat and meeting with Greenwood Village City Council.

Councilmember Tisdale suggested an informal social gathering for both Councils. Mr. Tisdale offered to host the event. Council was in agreement to schedule the event after February.

Councilmember Tisdale reported on the meeting that he and Ms. Kuechenmeister had with the new Executive Director for DRCOG.

CITY OF CHERRY HILLS VILLAGE ADOPT-A-STREET & TRAIL PROGRAM POLICY

1. The City of Cherry Hills Village has the sole responsibility in determining whether an application is accepted or rejected and whether a section of street or trail will or will not be available for adoption.
2. If an application is approved, the signed application will act as the written agreement with the City of Cherry Hills Village. The participating group members shall abide by all the rules and safety requirements herein of the program.
3. All participating group members will attend a safety meeting in which all members will view the Spruce Up Colorado Volunteer Safety Video prior to any planned pick-ups. It is the responsibility of the group coordinator to arrange for such a meeting. Potential dangers involved while participating in this program on City streets and trails can include, but are not limited to: high speed traffic, potentially noxious plants, broken glass, hazardous materials, sharp metal, and potentially harmful wildlife such as snakes and skunks.
4. Participating groups agree to restrict program activities to the area of right-of-way off the traveled portion of the roadway.
5. While performing activities on right-of-way, the method, manner, and appearance of the participants will not in any way distract, disrupt, or adversely affect traffic. Participants may not display messages, carry banners, or advertise in any way with the exception of wearing a team jersey.
6. The City of Cherry Hills Village prohibits the possession, consumption, or being under the influence of alcohol or drugs while performing work or litter pick-up on City rights-of-way.
7. The group shall provide one adult supervisor for every eight participants between 13-17 years of age and one adult supervisor to every four participants between 6-12 years of age. No one under the age of six will be allowed to participate in the program. The City of Cherry Hills Village reserves the right to request name and legal address of all participating members of the group.
8. Each group member will be required to sign an Indemnification and Release Agreement form provided by the City. For persons under the age of 18, the group leader will be required to have the parents or guardian if each participant signs the Indemnification and Release Agreement form.
9. Program activities will be between the hours of one hour after sunrise to one hour before sunset and not during inclement weather.
10. The adopting group agrees to pick up litter from both sides of the street or trail for a one-mile section at a minimum of four times per year. However, each segment has its own special needs and may require additional pick up times. Periods of adoption will be for one year.

11. Group coordinator will contact the City of Cherry Hills Village Public Works Department two weeks prior to planned pick-up event at 303-783-2731. Group coordinator will receive trash bags and safety vests to be used. Group coordinator is responsible for the return of all vests one week after pick-up event. All lost vest will cost the group \$5.00 each.
12. Adopting groups are encouraged to sort litter, taking recyclable materials to recycling centers. The group may keep any money collected from their recycling efforts.
13. The City of Cherry Hills Village will:
 - Determine the specific section of right-of-way to be adopted.
 - Provide group members with trash bags and orange safety vests.
 - The City will haul the trash bags away after the group places the full bags at the edge of the street. Bags must be tied shut so that trash is not allowed to blow out prior to pick up.
 - No signs will be places in the City's right of way. The City will place the name of the group that has adopted a street in the Village Crier, on the City's web site and on channel 22. Additionally, all groups will have their names posted at the Village Center on a wall outside the City Council chamber.
14. Groups allowed to adopt City streets or trails for litter control will be limited to school groups with institutions located within the City's limits.

13. Election Issue and Public Comments at Council Meetings

Minutes of the
 City Council of the City of Cherry Hills Village, Colorado
 Held on Tuesday, June 3, 2008 at 6 30 p m
 At the Village Center

Mayor Mike Wozniak called the meeting to order at 6 34 p m

ROLL CALL

Councilors Harriet LaMair, Marcia Frew, Mark Griffin, Mike Wozniak, Scott Roswell, and Russell Stewart were present on silent roll call. Also present were City Manager Eric Ensey, City Attorney Ken Fellman, Finance Director Karen Proctor, Police Lieutenant Jody Sansing, Public Works Director Jay Goldie, Planning Manager Rob Zuccaro, Interim Parks, Trails & Recreation Administrator Ryan Berninzone, Crew Chief Ralph Mason, and City Clerk Melissa Formby.

Absent Councilor Klasina VanderWerf

AUDIENCE PARTICIPATION PERIOD

Buck Frederickson – 80 Meade Lane

Mr Frederickson presented Council with an analysis of the City's exclusion from the South Suburban Park and Recreation District. He urged City Council to sit down and negotiate a settlement with the District. He added that the exclusion issue should be brought back to the voters because what is present now bears no resemblance to what the voters approved in 2002. He said that although this Council is not responsible for the problem at hand, they need to take responsibility for fixing the problem now.

Kevin Iverson – 1170 East Tufts

Mr Iverson recommended the Council consider amending the language in Resolution 11, Series 2008 to include consideration of budgetary impacts of any suggested action items to come from the proposed Residential Development Standards Committee.

CONSENT AGENDA

Councilor LaMair moved, seconded by Councilor Roswell, to approve the following items on the Consent Agenda:

- City Council Policy on Election Issues and Public Comment at City Council Meetings
- Supplement to Connector's Agreement with the City of Englewood – Armstrong sanitary sewer tap
- South Platte Working Group Statement of Purpose
- South Platte Legacy Project – Partners Agreement

The following votes were recorded:

Scott Roswell	yes
Harriet LaMair	yes
Mark Griffin	yes
Marcia Frew	yes
Russell Stewart	yes

Vote on the Consent Agenda 5 ayes 0 nays The motion carried

CITY OF CHERRY HILLS VILLAGE

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City Council Policy Statement on Election Issues and Public Comment at City Council Meetings (Adopted June 3, 2008)

The City Council of the City of Cherry Hills Village, Colorado adopts this policy to clarify for the public the scope of comments that may be made at City Council meetings regarding candidates for public office and ballot issues that have been placed before the electorate. The City Council provide a place on its regular agendas for public comment, at which time individuals may address the Council about issues of concern that are not otherwise on the regularly scheduled Council meeting agenda. City Council limits the time for these comments to five minutes per speaker, in order to reasonably manage the flow of scheduled items on the City Council's agenda. With response to election issues, the Council recognizes that state law (particularly, the Fair Campaign Practices Act, C.R.S. 1-45-101, *et seq.*) prohibits the use of government resources to promote candidates for public office or positions regarding issues that have been placed before the electorate. Without some limitation on electioneering during the public comment at City Council meetings, there exists the possibility that this portion of the City Council agenda could be used by candidates, and supporters or opponents of candidates or ballot issues for electioneering purposes that would be contrary to the restrictions of C.R.S. 1-45-117(1)(a)(I). At the same time, City Council recognizes that the public comment portion of a Council meeting may be used to introduce citizens to candidates and ballot issues, and can provide an opportunity to inform citizens where they might learn more about candidates and issues, without allowing City facilities and in particular, City Council meetings, to be used as a forum to promote or oppose a particular candidate or issue. This policy is intended to strike a balance, and permit dissemination of political information to the public, consistent with state law.

Candidates for public office, representatives of candidates for public office, and/or proponents or opponents of issues that have been placed before the electorate may speak during public comment for the purpose of introducing themselves, their candidates or their issue to the public, and providing information such as addresses, telephone numbers and websites, where citizens can obtain more specific information. No speaker during the public comment portion of a City Council meeting may advocate for or against any candidate or ballot issue. In addition, City Council meeting shall not be used by any person to engage in any other kind of election advocacy, including but not necessarily limited to, displaying signs or clothing with messages that advocate for a particular candidate or position.

Nothing contained in this policy shall restrict or prohibit the City Council from expressing its official position on an issue before the electorate, responding to questions regarding issues, or otherwise acting in any manner specifically authorized by C.R.S. 1-45-117, as amended.