

RECORD OF PROCEEDINGS

Minutes of the
Parks, Trails & Recreation Commission of the
City of Cherry Hills Village, Colorado
Held on Thursday, January 14, 2021 at 5:30 p.m.
The meeting was held electronically

PARKS, TRAILS AND RECREATION COMMISSION REGULAR MEETING

Chair Stephanie Dahl called the meeting to order at 5:37 p.m.

ROLL CALL

Chair Stephanie Dahl, Vice-Chair Fred Wolfe, Commissioners Rob Eber, Tory Leviton and Chelsea Scott. Also present were Emily Black, Parks and Recreation Coordinator, Jeff Roberts, Parks Operations Supervisor, Jay Goldie, Deputy City Manager/Director of Public Works, Ethen Westbrook, Community Development Clerk, and Pamela Broyles, Administrative Assistant.

Absent: Commissioners Aron Grodinsky and Kate Murphy

AUDIENCE PARTICIPATION PERIOD

Glen Goldman
15 Huntwick Lane

Mr. Goldman shared that he is here to talk about temporary permitting on trails. He explained that this issue started because his neighbor is requesting temporary permitting for the trail behind their property so they do not have to impact their own property. He stated that the neighbor is impacting Cherrymoor South by having their horse caretakers and people taking riding lessons use the neighborhood as their parking lot. He said the code specifies that if you run a business out of your home all parking must be on your own property and not impact the neighborhood. Mr. Goldman pointed out that the neighbors do have a bridge to access the back half of their acreage. He believes the City should look at each person's request for trail access and determine if it is necessary or if it is for the convenience of the homeowner and to the detriment of other property owners and trail users. He noted that adjacent property owners are using their own bridges and are not using the trail to access their property with commercial vehicles. Mr. Goldman expressed concern that temporary use of the trail has been extensive and is already being abused by the neighbor. He encouraged the City to consider if this is something the City and residents need to deal with or are the current regulations that have worked for years without a problem sufficient. He is concerned that the City is trying to appease one resident at the detriment of others.

Laura Christman
18 Cherry Lane Drive

Ms. Christman read a letter that she sent to City staff expressing her concerns with the use of E-bikes on City trails. She stated that the City of Colorado Springs did extensive research to ascertain the appropriate use of its trails and the common concerns of citizens were:

1. E-bikes will open the door to other electric vehicles on trails
2. A lack of enforcement or regulation of use
3. E-bikes and other electric vehicles will change the trail experience
4. E-bikes will increase conflicts between users
5. E-bikes may impact trails themselves causing damage

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Ms. Christman noted that for these reasons the City of Colorado Springs does not permit E-bikes on their tier 3 trails with tier 3 being defined as having natural surfaces and are generally multi-use. She stated that E-bikes are allowed on tier 1 and tier 2 trails defined as urban trails that are wide and multi-surfaced.

Ms. Christman stated that she believes the concerns of citizens in Colorado Springs mirror the concerns of many Cherry Hills Village residents pertaining to the use and enjoyment of the trail system. She said she has heard in defense of E-bikes that they are no more or less problematic than standard bikes. She stressed that this is not the case and research shows that E-bikes are three times as likely to be involved in a collision with a pedestrian than scooters or traditional bikes. She pointed out the dangers for trail users that do not have time to get out of the way of E-bike users that can reach speeds over 30mph. She shared that E-bikes have recently been introduced in Vail and her experience has been that E-bike users do not yield to anyone.

Beth Goldman
15 Huntwick Lane

Ms. Goldman shared some aerial photographs showing that the neighbor requesting temporary permitting for access to the trail has the ability to create a pathway to a bridge to gain access to the rear of their property. She also shared a picture of the cars parked in the cul-de-sac that is used for the students taking riding lessons and horse caretakers. She expressed her concern that if the City starts giving people access to the trails they will become work truck alleys for people with large properties.

CONSENT AGENDA

Commissioner Robert Eber moved, seconded by Commissioner Leviton to approve the following items on the Consent Agenda:

1. Approval of Minutes – November 12, 2020

The motion passed with 5 ayes.

UNFINISHED BUSINESS

- a. Motorized Vehicles on Trails – Temporary Permitting

Parks Coordinator Black reviewed that City Council has asked the Parks, Trails, and Recreation Commission to research the relevant section of the Municipal Code and consider developing a policy for appropriate motorized trail use. She clarified that staff had broken up the issue for this meeting and E-bikes appear next on the agenda. Ms. Black explained that the Municipal Code currently forbids motorized vehicles on all City trails, with exceptions for public vehicles like police, fire, parks, and utility companies accessing easements within the trail.

Ms. Black continued that the only way for private homeowners to gain vehicular access to a trail is by applying for a right-of-way permit (ROW). She summarized the right-of-way permitting process and requirements. She noted that the question before PTRC is whether there should be some other type of temporary permit that would allow for motor vehicle use on trails, adding that this process would not apply to utilities that hold easements across City bridle trails or change their right of access in any way. Ms. Black listed staff suggestions for a potential additional permit system and indicated the two motions in the memo. She added that staff members Jay Goldie, Pamela Broyles, and Jeff Roberts were all also available for the Commission's questions.

Chair Dahl asked how many times on average per year do homeowners apply for ROW permits.

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Commissioner Eber asked to narrow the question further to private homeowners requesting to access private property.

Director Goldie answered that Administrative Assistant Broyles had done some research, and on average less than five homeowners per year. He explained if a homeowner is simply asking to use the trail and there is alternate access through their own property, the application is denied. However, if there is no access besides the trail, the City does allow that. Director Goldie reiterated it is typically 3-4 homeowners per year.

Administrative Assistant Broyles added that the ROW permit process was created so that the City had a way to monitor and track who had been on the trail in case of damage. She explained if the trail is damaged, which has happened in the past, the City is then not responsible for paying for it. She stated the permitting process was put in place so there was a record of who was on the trail.

Commissioner Scott asked if the main reason for the possible change to the permit was due to increased usage due to the pandemic, drought conditions, or other reasons. She acknowledged the Goldman's comments on the issue.

Coordinator Black explained City Council saw a possible need and asked PTRC to look into it more. She stated due to the increased use on the trails, an additional permitting system might cause even more conflict due to the higher traffic on the trails.

Commissioner Scott explained she had wondered if due to the drought, there was an increased need for vehicles to come out and fix trails, but now understood it was coming from Council.

Chair Dahl asked if other than the issue with the Scolnicks that went to Council, were there other specific instances that were causing Council to ask PTRC to review this.

Coordinator Black replied she did not think there were other examples that could not be addressed using the existing ROW permit.

Director Goldie explained that staff does deny some requests every year. He noted Council members may be hearing from residents who have been denied, which may be part of why they asked PTRC to review the issue.

Commissioner Leviton noted the previous owners of his property had gone to great lengths to ensure they would not need to access a bridle trail to access part of that property. He referred to the Scolnick's request for a temporary license agreement and asked Director Goldie if he felt the Scolnicks had been knowingly violating the code. Commissioner Leviton continued that if that request was the only reason City Council referred the issue to PTRC, he did not think there should be a change to the permit system.

Coordinator Black apologized for interrupting but asked if the Commission could pause to test Vice Chair Wolfe's audio, which had been fixed during Commissioner Leviton's comments. Vice Chair Wolfe greeted the Commission.

Chair Dahl reminded the group that the Commission's duty was to decide if they want to entertain having another permit system beyond what currently exists. She asked city staff if they were of the opinion that the current process was not working.

Commissioner Leviton agreed that made sense and asked for staff's thoughts.

Director Goldie stated the current ROW permit system was working well and it had taken the city a long time to get the controls that are in place now. He explained that when the City took over from South Suburban, South Suburban was not monitoring the trails, and

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homeowners and utility companies (even though they did have easements) were destroying the trails. He repeated it is a good system.

Administrative Assistant Broyles concurred with Director Goldie.

Chair Dahl stated she did not think the city needed a different permitting system than the one that is currently in place. She asked for other Commissioners' thoughts.

Commissioner Eber stated he appreciated Director Goldie's comments that the system of existing ROW permits is working. He stated he was not sure that the public ROW permit system is designed to cover the trail system. He asked to walk through the ROW permitting provisions, noting section 11-3-10 of the code defines what trails are. He continued he also thought what the Commission was being asked to look at was section 11-3-50: Permitting and administrative policy for use of city property, public parks and trails. He began to read the section.

Coordinator Black clarified that is not the section of code City Council asked the Commission to review.

Commissioner Eber stated he understood, but that the authority to promulgate a policy seems to him to be coming from 11-3-50(a)(1), specifically use of space limitations including temporary closures of areas, because he did not see anywhere else that this is addressed. He continued that when Council asked PTRC to look at whether to create a new policy, he is confirming the authority they are using to ask PTRC the question is 11-3-50(a)(1).

Coordinator Black responded that she did not believe City Council was referencing a specific section of the code to provide authority when they asked PTRC to review this question. She reiterated that Council only requested for PTRC to review the existing motorized vehicle section of the code (11-3-80) and consider developing a policy for motorized vehicle use.

Commissioner Eber stated he thought it was important to know whether they had the authority within the Village as a whole to address the question. He continued that section 11-3-10 defines a trail to be anything the city owns, leases or has an easement across. He questioned whether or not section 11-2 regarding public ROW permits actually includes trails. Commissioner Eber read section 11-2-10, stating public ROW and work activities are defined, but the definition of ROW doesn't specifically say trail. He noted the definition would include trails held by easement but it does not include trails that are owned.

Commissioner Eber read the definition of work activities and stated the definition did not include using public rights of way to access other property. He continued that he was not sure that allowing trails to be used to access private properties is within the definition of what the public ROW process is defined to do. He read from 11-2-40 (g) that the public ROW permit process is to allow for work within the city's ROW, and the permit may also be used to cover the need to occupy right-of-way for work outside of the right-of-way at the sole discretion of the City. He stated this brings up the question of the sole discretion of the city and whether Council has asked PTRC to outline what would frame the discretion of the city.

Commissioner Eber asked the Commission to consider how many real properties face physical impairment on their ability to access all parts of the property. He referenced Commissioner Leviton's comments that a homeowner has an option to landscape a property in a way to ensure all parts are accessible, and their failure to do so doesn't mean that the city needs to get involved in providing a permit. He questioned if there was really an issue that required recommendation and review. He noted he was a huge protector of property rights of the city and referenced the trails' increased use due to the pandemic, and that he expects the high use to continue. He stated it was a matter of

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whether the public and city's right to protect its property should be subject to potential use by private parties for their convenience or anything absent an impossibility.

Vice Chair Wolfe asked if this discussion was referring to a specific homeowner. Commissioner Eber stated the Commission was talking more generally. Vice Chair Wolfe said he thought that private property access issue had been resolved and that it sounds like that was still in play.

Commissioner Eber explained that Council had denied that request, and instructed the Commissioners to consider whether the city needs to have a policy to apply this in general.

Chair Dahl stated she thought the first question for the Commission is do they think based on the information provided by the city, does the city need an additional avenue for permits to be granted? If no, they don't need to go further. If yes, the commission can have more discussion on authority and details to provide direction to the city. She asked the commissioners if there needs to be another avenue for private homeowners to access their properties besides the existing ROW permit system.

Commissioner Eber repeated Chair Dahl's question but asked whether the city really has the authority to use that process right now. He asked if the Commission is comfortable using 11-2-40 (g) as the authority for the city to allow the case-by-case evaluation for use of the public ROW to access non-ROW property. He reread the section again. He stated if that is the authority and that is the current system that is in place then does the City need something different than that.

Chair Dahl affirmed that is the question.

Commissioner Eber continued this applies to things that are within the ROW. He stated trails include what's owned, leased, or has an easement, but there are many trails that are owned that are not in the definition of public ROW.

Chair Dahl said she understood where Commissioner Eber was going, but noted the definition of ROW includes "any public street, way, place, alley, sidewalk, easement, park, square, median, parkway, boulevard or plaza that is dedicated to public use or maintained by the City...".

Commissioner Eber noted that it does not include the word "trail".

Chair Dahl agreed trail was not listed, but noted not all terms were specifically defined (like sidewalk). She asked if Commissioner Eber was questioning whether the City had the authority to issue the ROW permits that are currently being issued.

Commissioner Eber stated he wanted to make sure we have that authority and he was not positive that we do.

Chair Dahl stated that was a different question than the one that was posed tonight; she was not saying the Commission shouldn't address it, but what was given to PTRC by Council was should there be a different system than what currently exists. She stated if the answer is no, the Commission can look at Chair Eber's question, possibly with the City Attorney.

Chair Eber stated if there is no authority to use this current system, and if PTRC thinks there should be a system, they need to come up with it or find the authority to come up with it. As for the question of should there be a different system, he stated his opinion was that the City needs to actively and vigorously protect its property rights, and trails should be used for trail purposes except for what's listed in the regulation (like utility work). He added people should know when they buy a property how they will access all parts of the property so there should never be a need for people to access the trails to

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work on their property. He referenced the Scolnick property and that Council denied that request. He closed that he did not think there should be another process since he did not think the city should be granting permits over public trails to access private property.

Vice Chair Wolfe stated it seem very basic to him if someone needed tree work, could they get a permit to use the trail for two hours on a specific day, that seemed straightforward to him. He asked to give an opinion on the E-bike issue.

Chair Dahl stated the Commission would take one issue at a time. She explained the current system in place allows for public ROW permits. She asked if the existing system was sufficient or if another should be added.

Vice Chair Wolfe replied he thought the existing system was sufficient.

Chair Dahl thanked Vice Chair Wolfe and asked for Commissioner Scott's thoughts.

Commissioner Scott stated based on the information she had, she thought the existing system was sufficient.

Chair Dahl thanked Commissioner Scott and asked for Commissioner Leviton's thoughts.

Commissioner Leviton asked Commissioner Eber if he was implying that the city doesn't have the authority to use public rights of way to ever access private property and that might be something that PTRC would consider. He continued he was taking staff's recommendation that they were happy with the current system and asked if that was correct.

Admin Asst Broyles stated that was correct. She explained she processes most of the permits, and the most common request is to remove a dead tree on private property abutting a trail, which is a hazard. She continued that by having the current permitting system, staff has a bond, knows when the work is performed, who is there, and it protects the citizens and the trails. She stated there are very few instances where trail access is needed. She explained the \$10,000 bond generally encourages residents to find a different option, and gave an example of a call she had that morning where that happened. She concluded that the existing permitting system does deter people from taking advantage of the trail system.

Commissioner Eber returned to Commissioner Leviton's question and reread section 11-2-40(g) again, concluding the question of authority appeared to be moot at this point. He read section 11-2-80(d) and stated his question was how much of the city trails are by easements and do the easements all allow for motorized use or are they limited only to non-motorized use consistent with 11-3-80.

Chair Dahl stated she did not think that question could be answered tonight, since it would be trail by trail. She acknowledged he was stating there may be trails where no right of way permits could be issued. She continued that what she was hearing from the Commission was that there is no belief that there needs to be an additional system beyond what exists, with the caveat that PTRC can look at the issue of what specific easements have granted or not granted at a different time, but that the system that is in place is sufficient if a homeowner needs access through a trail.

Commissioner Leviton referenced the Scolnick property and stated he thought city staff would be careful to prevent situations like that from happening again.

Commissioner Eber stated he would report back to City Council that he was fine with using the existing process as long as the authority comes from Section 11-2-40 and continued that he believed there was no reason to grant permits that allow access through a trail to private property.

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Commissioner Leviton referenced Ms. Broyles example of the tree and stated a complete ban may not be prudent.

Chair Dahl asked Ms. Black if she had enough from the Commission's recommendations to take back to Council.

Clerk Westbrook explained Ms. Black's connection was dropped and she was in the process of rejoining the meeting.

Director Goldie stated he would talk to Coordinator Black and he thought staff had enough information to take to Council with PTRC's recommendation.

Chair Dahl summarized that the recommendation was "no new system". She moved to the next agenda item.

NEW BUSINESS

a. E-Bikes and Motorized Vehicles on Trails

Chair Dahl explained that PTRC is being asked to consider possible changes to the Municipal Code regarding the use of E-bikes on trails in Cherry Hills Village.

Coordinator Black reported that the Commission discussed E-bikes at its November meeting and learned about the different classes of E-bikes as well as legislation in other jurisdictions. The Commission also discussed enforcement of E-bikes and Ms. Black announced that Sergeant Stremel and Sergeant Rolfing are available this evening for questions.

Coordinator Black stated that the Commission requested an inventory of trails and trail surfacing within the City and she created a matrix that is included in the Commission's packet. She said staff is recommending that PTRC suggest a preliminary proposal to change the Municipal Code to allow Class I and II E-bikes on trails. Staff also recommends that the Commission continue to request public input for the February PTRC meeting.

Vice-Chair Wolfe reported that he made some observations over the past several weeks while walking the trails and has reviewed the reports of what other jurisdictions to the north and south of Cherry Hills Village are doing regarding E-bikes. He concluded that distinguishing E-bikes between Class I, Class II or Class III is not going to be enforceable. He is proposing that E-bikes be allowed on the High Line Canal only and not permitted on any dirt bridle trails throughout the Village. He brought up that in the past the City has had Police Officers on mountain bikes patrolling the Canal, but he has not seen any over the past few years.

Chair Dahl addressed Sergeant Stremel and Sergeant Rolfing and informed them that one of the questions that keeps coming up is how the speed limit is enforced on the City's trail system and how often the trails are patrolled.

Sergeant Stremel responded that the Police Department does not patrol the High Line Canal for speeding. He said speeding cannot be enforced under the Model Traffic Code that requires it to be a street or roadway, and the High Line Canal is not considered either for enforcement purposes. He also noted that the trails would have to be posted so anyone would be able to see speed limit signs.

Chair Dahl asked what the purpose of speed limit signs are if they cannot be enforced. She asked Sergeant Stremel to confirm that under the Model Traffic Code the Police Department can only issue citations for speeding if it is on a roadway and not on any trails or the High Line Canal.

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Sergeant Stremel and Sergeant Roling responded that is correct.

Vice-Chair Wolfe asked for clarification that if a bike is speeding adjacent to a paved street the Police cannot not issue a citation.

Sergeant Stremel explained that the speed limit on Quincy Avenue is 30 mph so if a bicyclist is going over that on Quincy Avenue, they could technically issue a citation.

Director Goldie noted that outside of the Model Traffic Code the City would have to establish its own code to enforce speed limits on trails. He said even if it is enforceable the staff needed to patrol the Canal is an issue.

Vice-Chair Wolfe noted that in his experience the speeding issue is only applicable to the High Line Canal.

Commissioner Eber noted that it is important to enforce speeding on all trails including bridle trails.

Vice-Chair Wolfe replied that is why he does not believe E-bikes, regardless of what Class they are, should be allowed off of the High Line Canal.

Director Goldie asked how residents will get to the High Line Canal if E-bikes are banned on bridle trails. He said it does not make sense to have something on the rule books that cannot be enforced.

Chair Dahl described three types of trails in the City including natural grass, crusher fines and asphalt. She said she understands Vice-Chair Wolfe's suggestion to prohibit E-bikes on bridle trails but pointed out that there are asphalt trails where bicyclists can go as fast as E-bikes. She suggested the Commission could look at each trail and determine whether to allow E-bikes on a case-by-case basis.

Commissioner Leviton stated that prohibition has not worked and cannot be enforced so it will not change the behavior of the people. He said he is not convinced that differentiating between classes of E-bikes or a regular bike is going to have an impact on the trails. He asked Sergeant Stremel and Roling if having a police presence on the High Line Canal could be a deterrent to dangerous behavior.

Sergeant Roling responded that they do try to get on the High Line Canal as much as possible. He agreed that having a presence at crossings like Quincy and Colorado does act as a deterrent, but once riders are past them, they will continue to speed. He also noted that E-bikes are being disguised better and identifying an E-bike is a challenge. He acknowledged that officers were on the High Line with mountain bikes more in the past, but it is dependent on staffing levels. He said the main priority is to have officers in patrol cars so they can quickly respond to calls when needed.

Sergeant Stremel added that putting a patrol car on the High Line is difficult and driving a vehicle on the Canal creates a safety issue for pedestrians. He said it would also be impossible for an officer on a regular bike to catch someone on an E-bike.

Commissioner Leviton said he understands the difficulty with enforcing speeds, but he said he has been injured in the past with bicyclists not yielding the right-of-way and being careless. He said there is a liability issue and he would like to see the City work on safety more than prohibition of E-bikes. He said strategies need to be in place to make sure everyone feels safe.

Commissioner Eber said E-bikes, which are battery powered, brings up the question he is asked by several people that if the City allows E-bikes then what about other electric propelled items. He asked how the City can legally limit this to E-bikes or should they

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limit it to just E-bikes. He also asked what the City of Greenwood Village is doing with respect to E-bikes on their trail system.

Coordinator Black said other jurisdictions have used the state defined classes of E-bikes and added it to their municipal code to be specific about what they are allowing. She said Greenwood Village currently prohibits E-bikes, but they are examining this issue with their parks commission and will be considering whether to change their municipal code also.

Commissioner Eber noted that section 11-3-80 of the code that prohibits motorized vehicles states that you cannot have them on any trail in the City. He pointed out that on-street trails do not apply, and he suggested the City Attorney should look at 11-3-80 and add the wording "except for on-street trails."

Vice-Chair Wolfe stated that it seems impractical to prohibit E-bikes on the High Line Canal through Cherry Hills Village because people from other jurisdictions are not going to stop if they are on an E-bike and enforcement is non-existent. He reiterated that keeping E-bikes off bridle trails makes the most sense. He referenced an incident he recently had on the trail where people are unaware of the rules and he said the City has to do a better job of explaining what is allowed and what is not.

Chair Dahl asked Coordinator Black to explain what the City Code states for asphalt trails in relation to E-bikes and are they allowed.

Coordinator Black said she believes they are allowed because it is in the right-of-way of the road which is not considered a trail.

Chair Dahl continued that the question then is, should motorized vehicles be permitted on crusher fine trails and natural bridle path trails.

Chair Eber noted that his neighborhood has dirt streets that are considered on-street trails and he does not know where that fits in the three categories.

Coordinator Black noted that on-street trails are not on the matrix because they are not formally designated as trails.

Sergeant Stremel clarified that he was referring to the section of Quincy Avenue where the trail and street are one when he said E-bikes are allowed. He said when the trail is separate from the road it is considered a trail.

Mr. Goldie suggested a better way to ask the question is whether E-bikes are allowed on roads including dirt roads, gravel roads and asphalt roads.

Sergeant Stremel confirmed that they are allowed on all roads.

Chair Dahl said she is reluctant to give an opinion at this point because she does not know enough about other motorized vehicles such as golf carts to make a comparison.

Coordinator Black reminded the Commission that the question before PTRC at this time is focused on E-bikes. She said if the Commission would like to include other motorized vehicles in their discussion, she can bring more information to the next meeting.

Vice-Chair Wolfe commented that the trails were established years ago as a relaxing place for people to walk, run and push strollers. He said E-bikes were introduced and they along with bicyclists give no warning and are generally not courteous. He believes something has to be done to keep them contained and to keep them off the bridle trails.

Commissioner Eber noted that City staff is asking PTRC if they want to make a change to the Municipal Code and he hopes the Commission will continue to ask for the

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Community's input before making a decision. He said he is not prepared to make a recommendation to change the Code until he knows that people want a change.

Commissioner Scott said she sees the issue as more of a blanket situation. She believes that if it is made known that E-bikes are not welcome in the Village then it sets the culture even if it is difficult to enforce. She said the Commission also has the opportunity to set a precedent since Greenwood Village is just starting the process of studying E-bikes. She said her position overall is that E-bikes should either be allowed or not because it will be difficult to enforce whether on the High Line Canal or all over. She believes it should be a combination of policy and culture.

Chair Dahl agreed that it would be difficult to have one trail that allows E-Bikes and another that does not. She said it would also be difficult to enforce how a resident can ride to the High Line Canal on an E-bike if they are not allowed on certain trails.

Chair Dahl concluded that PTRC is not in a position to determine whether to make a change to the Municipal Code. She said Commission members have not heard from the community enough to determine if this is even an issue in Cherry Hills Village.

Coordinator Black noted that she is advertising the February PTRC meeting for public input in the Village Crier and she believes the Commission will get good feedback from that meeting. She said the Commission can wait until after that to give specific direction. She will also compile all of the public comment that the Commission has received over the past few months. She said she will bring proposed language for the Municipal Code to the March meeting for the Commission to consider.

Commissioner Scott said that would be helpful and suggested that the Commission decide if E-bikes are permissible in general instead of breaking it down into different locations.

Vice-Chair Wolfe asked if the High Line Canal Conservancy has a position on E-bikes.

Coordinator Black responded that all jurisdictions along the High Line Canal besides Cherry Hills Village and Greenwood Village do allow E-bikes on the Canal and the Conservancy has not pushed back on that.

Chair Eber asked if the High Line Canal Conservancy is still going to run an educational campaign next year on trail etiquette.

Coordinator Black confirmed that the Conservancy will be doing a campaign next summer along the High Line Canal to bring awareness to speeding issues and how to share the trail to provide a better and safer experience for all trail users. She said the campaign in combination with the new signage being installed this summer will help people understand how to safety use the trail.

Commissioner Eber asked Sergeant Stremel and Rolfing what the process is on the High Line Canal if there is a bicycle pedestrian accident and is there an assignment of liability or is it private litigation.

Sergeant Rolfing responded that he is not aware of any bicycle pedestrian accidents where the police were involved in doing anything more than documenting the incident. He said he is not aware of any accidents where the police have issued citations where a motor vehicle was not involved.

Sergeant Stremel concurred and said it would be treated as a private property accident.

Chair Eber stated that since Police are allowed to arrest someone on the High Line Canal for an assault, if a bicycle was used recklessly wouldn't that also allow for enforcement action.

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Sergeant Stremel confirmed that Police would be allowed to enforce the Model Traffic Code and issue citations on the High Line Canal under specific situations:

- Careless Bicycling
- Reckless Bicycling

Mr. Eber noted that there are some enforcement mechanisms on the High Line Canal but just not based on speed.

Sergeant Stremel stated that is correct.

Sergeant Roling added that careless bicycling and reckless bicycling would only pertain if there was an accident that took place where Police could establish that either the bicyclist or the pedestrian caused the accident in a careless manner.

Commissioner Eber requested that more statistical information be provided on the safety of E-bikes to help the Commission make a decision.

REPORTS

a. PTRC Chair Report

Chair Dahl reported that the City will hold special events later this year if it is safe.

b. Commission Members Report

Commissioner Eber thanked the Parks Department for installing a trash and doggie station off of Albion Street. He said it is being used and has helped to clean up the neighborhood.

Commissioner Eber brought up the discussion on vacating property and suggested PTRC evaluate the criterion to vacate or replace an easement or trail. He noted that the City Code states it is based on an evaluation of the property and he would like to see it increased to a multiple of the value of the property to protect the City's property rights.

Commissioner Eber encouraged the Commission to stay informed and involved with Quincy Farm. He said the Commission also has a major role in the Master Planning process and environmental issues.

Commissioner Leviton reported that he is working on ways that the City can be an ally to the Dark Sky Initiative. He is also doing research on a Wilderness Initiative and working through the semantics to determine if he should redirect it to an Open Space Initiative.

Chair Dahl confirmed that the Commission did receive Commissioner Leviton's email on open space and land preservation. She said the Cherry Hills Land Preserve has made this their focus and she encouraged Commissioner Leviton to work with them.

Coordinator Black asked Commissioner Leviton to clarify if he is asking the Commission to be involved in the initiatives or will he be working individually.

Commissioner Leviton responded that he would welcome support if anyone is interested, but he will continue to work independently depending on how much time the Commission has to get involved. He said he would like to see it become a higher priority for the Commission once the E-bike issue is resolved.

Chair Dahl noted that PTRC and staff are focused on the priorities that the Commission established for 2021. She encouraged Commissioner Leviton to work independently and report back to the group for discussion. She stated it is important to continue with the priorities that the Commission has established.

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Coordinator Black asked Commissioner Leviton to let her know in advance if he has information to share with the Commission and she will add it to the agenda.

c. Staff Report

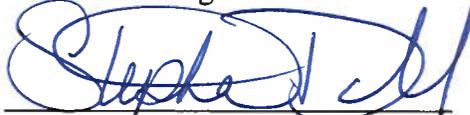
Coordinator Black reported that she will be reaching out to the Commission to schedule a PTRC work session to prepare PTRC for some important issues coming up. She said the City Attorney will be available during the work session to answer any questions PTRC has about its role.

Coordinator Black reported that the High Line Canal underpass at Hampden Ave. is progressing very well and is expected to be completed this summer. She also announced that the playground at John Meade Park is expected to be completed next week.

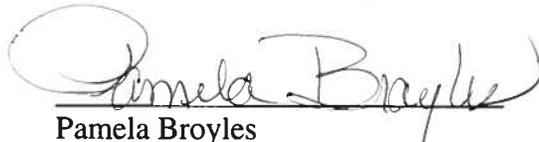
Coordinator Black informed the Commission that Council has requested that staff draft a Request for Proposal (RFP) for management of Quincy Farm. She said staff will bring a draft to City Council at their first meeting in February for them to consider.

ADJOURNMENT

The meeting adjourned at 7:42 p.m. The next PTRC meeting is scheduled for February 11th at 5:30 p.m.


Stephanie Dahl – Chair


Emily Black
Parks and Recreation Coordinator


Pamela Broyles
Administrative Assistant