

RECORD OF PROCEEDINGS

Minutes of the
Parks, Trails & Recreation Commission of the
City of City of Cherry Hills Village, Colorado
Held on Thursday, January 9, 2020 at 5:30 p.m.
at the City Center

PARKS, TRAILS AND RECREATION COMMISSION REGULAR MEETING

Chair Robert Eber called the meeting to order at 5:32 p.m.

ROLL CALL

Chair Robert Eber, Vice-Chair Fred Wolfe, Commissioners Peter Sutherland, Aron Grodinsky, and Tory Leviton. Also present were Emily Black, Parks and Recreation Coordinator, Pamela Broyles, Administrative Assistant, and Jeff Roberts, Parks Operations Supervisor.

Commissioner Kate Murphy joined the meeting at 6:25 p.m.

Absent: Commissioner Stephanie Dahl

PLEDGE OF ALLEGIANCE

The PTRC conducted the Pledge of Allegiance.

AUDIENCE PARTICIPATION PERIOD

There was no audience participation.

CONSENT AGENDA

Commissioner Tory Leviton moved, seconded by Commissioner Aron Grodinsky to approve the following items on the Consent Agenda:

1. Approval of Minutes – November 14, 2019

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

a. Village Trail Signs

Parks and Recreation Coordinator Emily Black reported that PTRC has been asked to respond to concerns about two sign locations on the Village Trail that were installed last fall. She said information about the Village Trail was publicized through the Village Crier and the City's website and the feedback has been largely positive.

Ms. Black stated that the City Manager is asking PTRC to respond to some concerns about the two trail signs that have been relocated closer to the High Line Canal directing users from the High Line Canal onto the Village Trail to complete the loop. The concern is that the new signs and bollard locations could connect High Line Canal traffic onto

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local trails. She noted that City Council has expressed concern about increased traffic in the past when discussing the signage for the High Line Canal Trail.

Ms. Black stated that staff's recommendation is to keep the signs at their new location. She said the signs were moved because trail users were unable to find the trail bollards and signs in the past. If the signs are returned to their original location, there is concern that people will not be able to follow and complete the Village Trail thus defeating the hard work that PTRC and parks staff has accomplished. She said staff is aware that it may result in additional users coming off the High Line and onto local trails.

Vice-Chair Wolfe commented that he met with City Manager Jim Thorsen and Mayor Russell Stewart and they shared the concerns they received about the signage issue. He said they asked him to present a full overview of what he is proposing in 2020 with the existing trail and the three additional trails he is working on. His plan is to present the proposal to PTRC at its next meeting and then present to City Council. He said the underpass being installed under Hampden has people concerned about the High Line Canal.

Commissioner Grodinsky asked if it is possible to add a sign to the bollard that states this is not a throughway trail to dissuade people from entering that trail.

Ms. Black responded that it is something that could be considered.

Chair Eber remarked that the Village Trail signs have been up for a few months and he asked what level of concern occurred for the City Manager to ask PTRC to relook at the Village Trail signs.

Ms. Black responded that the City Manager asked PTRC to review the signs to affirm that the Commission is comfortable with the Village Trail being visible from the High Line Canal and that use of the Village Trail outweighs the potential that someone could come off the High Line who wasn't intending to use the Village Trail. Ms. Black confirmed that there was at least one complaint made against the Village Trail signs.

Chair Eber stated it is important to understand that the trails are public open space trails and are not on private property. He noted that it has been PTRC's charter to get people to use public spaces and the Commission's original focus was to utilize signs so people could use the Village Trail and not get lost.

Vice-Chair Wolfe explained that his plan is to be more sensitive in the future with how the signs are posted to reduce some of the concerns people have. He believes that the posts on the High Line Canal should only have one arrow directing people to the Village Trail and not add additional plates to the post directing people to other areas in the Village.

Commissioner Sutherland asked Ms. Black to confirm that the proposal is to move the Village Trail signs on the High Line Canal back to where the trail actually is.

Ms. Black reviewed three options for the Commission to consider. She said one option is to leave the signs and bollards in place in their new locations, a second option is to move the signs back to their original locations and a third option is to direct staff to relocate the signs a little further back to a different location.

Commissioner Sutherland perceived that unless people know there is a Village Trail, he does not think the signs will divert people to the trail in great numbers. He said the Commission's goal and responsibility is to get people who live in the community to utilize the trails. He suggested the signs should not be too obtrusive to anybody, but still encourage use of the Village Trail.

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Commissioner Tory Leviton moved to reaffirm PTRC's commitment to the Village Trail and affirm that the newly installed signage should remain in place so users can easily navigate the Village Trail system.

Chair Eber noted that there is not enough information to warrant moving the trail signs since the feedback has been mainly positive. He said the Commission would be open to readdressing the issue in the future if something changes.

Commissioner Peter Sutherland seconded the motion.

The motion passed unanimously.

Ms. Black noted that this item will go before City Council on January 21st.

NEW BUSINESS

a. Cherry Hills Land Preserve Memorandum of Understanding

Chair Eber provided the Commission with a document that expresses his comments and concerns with the Memorandum of Understanding (MOU) between the City and the Cherry Hills Land Preserve. He stressed that his comments are in no way against the Cherry Hills Land Preserve, its goals and objectives or what it stands for.

Ms. Black reported that the City and Cherry Hills Land Preserve worked together to draft the MOU. She said the Cherry Hills Land Preserve has expressed an interest in furthering its mission by working with the City regarding Quincy Farm and City Parks, Trails and Open Space areas. They wish to collaborate with the City to find funding opportunities by exploring tax-deductible mechanisms for supporting conservation, maintenance, and programming, and to provide volunteers, training and supervision as identified by the City.

Ms. Black clarified that the MOU is not a binding document and does not commit the City to an expenditure of funds. The document is a way to formalize the existing relationship that the City has with the Cherry Hills Land Preserve. Ms. Black acknowledged that the Quincy Farm Committee recommended approval of the MOU at its meeting on December 10th. The Agreement has been reviewed by the City Attorney.

Chair Eber expressed his concern that the MOU raises some questions on language that need clarification. He said it does not make clear that the Land Preserve is equivalent of public input to the City and PTRC is the entity for which the City has established as a citizen commission to address our open spaces. He said the entity of PTRC is to work with staff on ideas, policy and planning, but the MOU states discussions are between the Cherry Hills Land Preserve and the City. It is not clear when the MOU mentions the City whether PTRC is included. He said PTRC's mission is the City chartered entity to do these things with the assistance of the Land Preserve.

Chair Eber said his second concern is the allowance for the Land Preserve to place signs for promotional activities in the City's right-of-way as this goes against the City Code. Chair Eber expressed that he would have liked the MOU to come to PTRC in a working session so all parties could have addressed these issues together.

Susan Maguire, Executive Director of the Cherry Hills Land Preserve stated the concerns being raised are more of an internal City issue. She confirmed that the Land Preserve is taking direction from the City and not proposing policies. She has no problem clarifying who the Land Preserve reports to. She also noted that if signs in the City right-of-way are against the code the Land Preserve is fine with whatever the City decides. She clarified

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that the Land Preserve would only put up signs for events approved by the City. She agreed that all parties need to be in agreement on the MOU.

At the request of the Commission Ms. Maguire stated the mission of the Land Preserve.

Vice-Chair Wolfe pointed out that there is a lot of overlap between the goals of PTRC and the Cherry Hills Land Preserve. He said it seems like the two groups are parallel in many ways.

Commissioner Leviton commented that he likes the spirit of cooperation between the two groups. He said one group being private and one being public is a benefit as both are effective in different ways. He said he also understands Chair Eber's concern that there is nothing official in the MOU that states the two groups are collaborating.

Ms. Maguire said the Land Preserve has no issue with adjusting the wording of the MOU.

Chair Eber suggested that the discussion be tabled until the next meeting and in the interim have a working session where the City Attorney and involved parties can wordsmith the document together.

Ms. Black confirmed that the MOU would have to go back to the Quincy Farm Committee for approval if any changes are made.

Ms. Black addressed the concern with PTRC's rights and responsibilities versus the Cherry Hills Land Preserve. She stated that PTRC has rights and responsibilities under the City charter that are not in conflict with the MOU. When the document refers to the "City" it is referring to all elements of the City. She said the document basically formalizes a lot of what the City is already doing and is important to note that it is nonbinding. She noted that the City Manager and City Attorney are both comfortable with this document.

Commissioner Grodinsky stated that the MOU expresses the relationship that exists today between the two groups so he asked what the document changes or does other than show good will?

Ms. Black responded that the only change would be signage for the Barn Party.

Chair Eber agreed that the MOU does not change the relationship, but his difficulty is that the wording doesn't formalize the relationship that exists. He said the language should reflect the opportunities, but not mandate that the Land Preserve will be doing these activities.

Ms. Black confirmed that the document is non-exclusive. She clarified that the MOU does not mean that the City cannot partner with other organizations.

Chair Eber responded that he believes the document should state that it is non-exclusive. He also suggested that there needs to be more discussion on how fundraising for open space will be handled.

Vice-Chair Wolfe asked if the Land Preserve could secure a grant without the City knowing about it.

Ms. Maguire responded that for public property the Land Preserve would not pursue a grant without going to the City first. She said part of the Land Preserve's concern about fundraising is that they want to be sure that funds raised for a specific project are used for that specified purpose.

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Chair Eber brought up that if the Land Preserve raises money to give back to the City a part of that money could be diverted for expenses of the Land Preserve.

Ms. Maguire explained that the Land Preserve has a General Fund where administrative expenses are paid out of. When raising money for a specific project the money would be put in a segregated fund.

Commissioner Grodinsky asserted that the City should welcome additional fundraising efforts and encourage collaboration that is not necessarily delegated by the City, but projects that have been determined by the City as things it would like to accomplish.

Ms. Black asserted that the MOU does not delegate fundraising to the Land Preserve but provides another opportunity to raise money for projects that might not qualify for a grant.

Vice-Chair Wolfe questioned that if PTRC makes no changes to the MOU, does the document go before City Council for final approval.

Ms. Black confirmed that is correct. She said PTRC could approve the MOU in its existing form, approve it with suggested changes, or recommend that Council not approve it.

Vice Chair Wolfe suggested that in consideration of Chair Eber's concerns, there should be more discussion before it goes to Council.

Chair Eber moved to table the discussion pending a work session to work on drafting the MOU, and if there are changes made, bring the revised MOU back to the Quincy Farm Committee, PTRC and ultimately City Council.

Ms. Black asked Chair Eber to clarify what he means by a work session - did he wants to call a special meeting, include the City Attorney, etc?

Chair Eber explained that he does not want to wordsmith the MOU during a PTRC meeting but would like to submit a list of questions to the City Attorney to address the legal concerns. He suggested the City Manager, Susan Maguire and the PTRC could meet for a work session to tighten up the language in the document.

Ms. Black asked for clarification on whether the Chair thought the MOU should then go back to the Quincy Farm Committee, PTRC, and Council.

Commissioner Leviton suggested that someone from the Quincy Farm Committee should be included in the work session to approve any changes.

Ms. Black explained that a single Quincy Farm Committee member could not approve a new document on behalf of the Committee. She suggested that PTRC discuss the changes at this meeting and motion to approve the MOU based on the list of changes. If the Commission is not comfortable approving the MOU, then they should vote not to recommend approval and express their concerns to Council. She noted that the City Manager and the City Attorney have both reviewed the document and approved this final version.

Chair Eber stated that since he is not aware of what questions were asked of the City Attorney, he believes further discussion is necessary. He noted that he made a motion and is waiting for a second or additional discussion.

Ms. Black asked him to repeat the motion.

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Chair Eber said his motion is to add a work session to address wordsmithing and to obtain legal opinions on the legal issues, to revise the MOU in accordance with the work session, and then move the revised MOU back through the Quincy Farm Committee, PTRC, and City Council.

Commissioner Leviton stated that he believes the concern is that PTRC was excluded in the creation of the memorandum and that this pattern could be dangerous.

Vice-Chair Wolfe suggested that it would be more productive for Chair Eber to meet with the City Attorney to address the legal concerns.

Chair Eber responded that he is happy to take that direction if PTRC wants to delegate the authority for him to work with the City Attorney to resolve the legal questions.

Chair Eber asked for a second to his motion; Vice-Chair Wolfe seconded the motion.

Commissioner Grodinsky suggested that the Commission could make note that they agree with the spirit of the MOU and move to approve it subject to some language clarification that Chair Eber and the City Attorney can work on.

The Commission agreed that this language is a more cohesive and collaborative approach.

Chair Eber withdrew his motion.

Commissioner Aron Grodinsky moved, seconded by Commissioner Kate Murphy to state that the PTRC agrees with the spirit of the MOU and thus moves to approve the MOU subject to some clarification on language that will be worked out with Chair Eber and the City's legal counsel.

The motion passed unanimously.

Chair Eber thanked everyone for the discussion. He stated the MOU does bring up policy questions that he would ask City staff to consider the overall role of the scope and programming ability of the City, notwithstanding any relationship that comes with the Land Preserve.

Chair Eber asked Ms. Maguire if she had any comments.

Ms. Maguire responded that the Land Preserve is fine with the Commission's discussion but stated any language changes would need to come back to the Land Preserve to make sure they are comfortable with it.

Chair Eber stated that he is looking to include all parties in the discussion. He said PTRC does want to collaborate but pointed out that the Commission did not know the MOU was coming until it was delivered in their packets.

REPORTS

a. PTRC Chair Report

Chair Eber reported that the Winter Celebration was a great success. He thanked staff for their work on the event and pointed out that having part of the event in the new City Hall space was well received by residents.

Chair Eber asked Ms. Black if the City Master Plan will come before PTRC in 2020.

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Ms. Black confirmed that the City interviewed consultants for the Master Plan but a decision has not been made. She will keep the Commission posted on the timeline when she has more information.

Chair Eber stated that it is important for PTRC to define semi-rural in the Master Plan as the City becomes more developed. He also believes that the subject of undergrounding will need to be discussed as it relates to the view corridors.

Vice-Chair Wolfe brought up that properties in the Charlou neighborhood formed a General Improvement District (GID) to underground all of its facilities. He noted that Xcel Energy is willing to meet with residents to answer questions about undergrounding. He said all the installation is done through boring so is not too disruptive.

Chair Eber asked if the City is planning to form a committee to address programming for the Alan Hutto Memorial Park.

Ms. Black confirmed that the City will form a subcommittee later in the year to come up with some guidelines or recommendations about how Alan Hutto should be used.

b. Commission Members Report

Vice-Chair Wolfe brought up the potential trail vacation on the Armstrong property. He addressed Thomas Barry in the audience about the timing of the proposal.

Thomas Barry of 1800 East Stanford Avenue announced that the Armstrongs officially submitted their formal petition for a trail vacation and new trail dedication to Jay Goldie and Emily Black yesterday. They are working on some details and they are excited to present their proposal to PTRC.

Ms. Black noted that once the application is reviewed and considered complete it will be presented to PTRC.

c. Staff Report

(i) John Meade Park Construction

Ms. Black announced that the old firehouse in John Meade Park is scheduled to be demolished on Monday.

Vice-Chair Wolfe asked if there was any discussion on saving part of the firehouse.

Ms. Black responded that it was determined to be more economical to create a new structure for a park shelter.

Vice-Chair Wolfe asked if the existing pole near the firehouse is a cell tower?

Ms. Black confirmed that it is a cell tower. She said Crown Castle is in the process of examining the site behind City Park, on the northwest corner of University and Quincy, as a possible relocation site that would entirely remove the cell tower and equipment from John Meade Park. She noted that it is still in the discussion phase and a formal application has not been received. She said the formal proposal will come before PTRC.

Vice-Chair Wolfe perceived that the best solution would be to install the cell towers in John Meade Park amongst all the trees rather than on a corner where it will be visible to everyone.

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Ms. Black replied that the towers will stand out no matter where they are, and more people will be visiting John Meade Park than City Park. She said the Quincy and University location allows Crown Castle to add more carriers and have better cell service for those carriers in the City.

Commissioner Sutherland asked how the cell towers will impact the construction at John Meade Park.

Ms. Black responded that the construction plans incorporate the cell towers where they are currently located and includes landscaping, a screening fence and a gravel driveway for them to access the tower.

(ii) Quincy Farm Master Plan

Ms. Black reported that there is a public input meeting scheduled for January 21st from 4:00 p.m. to 6:00 p.m. at City Hall prior to the regular City Council meeting. She invited PTRC to attend and give their thoughts on the preliminary site plans that will be presented for Quincy Farm.

(iii) 75th Anniversary Committee

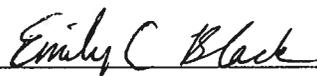
Ms. Black reported that the 75th Anniversary Committee is now active, and they are working on an event series instead of one large event.

ADJOURNMENT

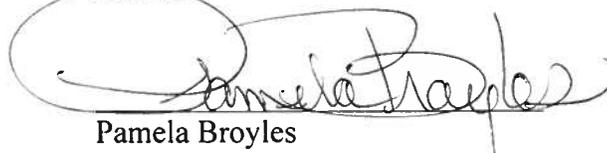
The meeting adjourned at 7:08 p.m. The next PTRC meeting is scheduled for February 13th at 5:30 p.m.



Robert Eber, Chairman



Emily Black
Parks and Recreation Coordinator



Pamela Broyles
Administrative Assistant