

**Agenda for the
Regular Meeting of the
Englewood City Council
Monday, June 2, 2014
7:30 pm**

Englewood Civic Center – Council Chambers
1000 Englewood Parkway
Englewood, CO 80110

1.Call to Order.  7:42 p.m.

2.Invocation.  **McCaslin**

3.Pledge of Allegiance. 

Two members of Boy Scout Troop #194 presented the colors and led the Pledge of Allegiance.

4.Roll Call. 

Present:Jefferson, Penn, Gillit, McCaslin, Wilson, Yates

Absent:Olson

5.Consideration of Minutes of Previous Session. 

a.Minutes from the Regular City Council Meeting of May 19, 2014.

Motion: To approve the minutes of May 19, 2014.

Moved by: GillitSecoded by: Wilson

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

6.Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. There is an expectation that the presentation will be conducted in a respectful manner. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.) 

a.Deputy Police Chief Sanchez and Communications Relations Specialist Arnoldy-Taylor, with Mayor Penn, presented the 2014 Englewood Police Citizens Academy graduates with their certificates.

The graduating class included: Sean Alberts, KSue Anderson, Jacob Barnes, Patty Brisbois, Lynn Langston, Joel Olson, William Ryan, Kimberly Sanchez, Steve Scott, Diane Willey, Stephanie Willingham, and Steven Yates.

b. Communication Relations Specialist Arnoldy-Taylor and EMS/Emergency Management Coordinator Steve Green, members of the Jeremy Bitner Fallen Officer Memorial Fund Board of Directors, discussed the 2014 Jeremy Bitner Fallen Officer Fund 5k/10k run and 5k walk. They asked for the waiving of the City fees for the temporary use permit, the Show Wagon, pop-up tents, tables and chairs.

Motion: To waive the fees associated with the Jeremy Bitner Fallen Officer Memorial event.

Moved by: PennSec
Seconded by: Gillit

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

c. James Jordan, an Englewood resident, was not present to address Council regarding the proposed South Metro Fire Rescue Authority contract.

7. Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. There is an expectation that the presentation will be conducted in a respectful manner. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.) ►

a. Jeffrey Justice, a Longmont resident, spoke about the 7-Eleven incident, occurring on May 16, 2014, in which a loose dog killed another dog. He objected to the vicious dog being returned to the owner. He does not know of the conditions placed upon the dog or the owner. There is too much unknown. He believes the dog owner should be held responsible.

b. Patricia Miller, an Englewood resident, spoke about the 7-Eleven dog incident. She reviewed Title 7 of the Englewood Municipal Code. She is afraid because this occurred in her neighborhood and she found out about it from a flyer. She has had her dog attacked by another dog prior to this event. She believes that the owners should be held accountable.

c. Steve Scott, an Englewood resident, spoke about the UNITE Englewood service last weekend and the speakers. The speakers spoke about being good neighbors, about being an uninformed neighbor, and the Next Door program.

d. Elaine Hults, an Englewood resident, spoke about problems she had with the headphones at tonight's meeting. She also asked how the Fire Department has gotten to where they are today.

Council Response to Public Comment.

8. Communications, Proclamations, and Appointments. 

a. An email from Kaylene McCrum announcing her resignation from the Cultural Arts Commission.

Motion: To accept the resignation from Kaylene McCrum from the Cultural Arts Commission.

Moved by: Wilson **Seconded by:** Gillit

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

9. Consent Agenda Items 

Motion: To approve Consent Agenda Items 9 (a) (i), (ii), (9) (b) (i), (ii), (iii), and 9 (c) (i), (ii) and (iii).

Moved by: Gillit **Seconded by:** Yates

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

a. Approval of Ordinances on First Reading.

i. Council Bill No. 30 --- Recommendation from the Utilities Department to adopt a bill for an ordinance approving Cherry Hills Village Sanitation District Sanitary Sewer Supplement #4, authorizing the inclusion of land within the district. **Staff Source: Stewart Fonda, Director of Utilities.**

i. Council Bill No. 33 – Recommendation from the Fire Department to adopt a bill for an ordinance approving an Intergovernmental Agreement with the South Metro Fire Rescue Authority regarding plan review, inspection, and training services. **Staff Sources: Laura Herblan, Fire Marshal and Andrew Marsh, Fire Chief.**

b. Approval of Ordinances on Second Reading.

ORD # 26 i. Council Bill No. 28, authorizing the deletion and addition of language to Title 5, Chapter 3D-3 (Definitions) of the Englewood Municipal Code regarding good cause for denying or refusing the renewal, reinstatement, or initial Medical Marijuana licenses.

ORD # 27 ii. Council Bill No. 29, authorizing the deletion and addition of language to Title 5, Chapter 3D-5 (Public Hearing Notice – Posting and Publication) of the Englewood Municipal Code.

ORD # 28 iii. Council Bill No. 32, approving an intergovernmental agreement with the Regional Transportation District (RTD) for the purpose of conducting the Englewood Light Rail

Corridor Next Step Study.

c. Resolutions and Motions.

- RESO # 45**
- i. Recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a supplemental appropriation to the 2014 Budget for the purchase of solar panels in Xcel Energys Solar Rewards Community program. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services**
 - ii. Recommendation from the City Managers Office to approve, by motion, an agreement with the Clean Energy Collective to purchase solar panels in the Arapahoe County Xcel solar array through Xcel Energys Solar Rewards Community program. **Staff Source: Michael Flaherty, Deputy City Manager.**
 - iii. Recommendation from the Utilities Department to approve, by motion, the purchase of water meters and electronic remote transmitters. Staff recommends purchasing the equipment from National Meter and Automation, Inc. in the amount of \$87,621.36 in conjunction with Denver Water's purchase to ensure the best quantity price. **Staff Source: Stewart H. Fonda, Director of Utilities.**

10. Public Hearing Items. 

- a. A public hearing to gather input on Council Bill No. 31, approving the Shadow Creek Homes request to rezone 3265-3299 South Logan Street (former Shrine Club property) to a Planned Unit Development.

Motion: To open the Public Hearing to gather input on Council Bill No. 31, approving the Shadow Creek Homes request to rezone 3265-3299 South Logan Street (former Shrine Club property) to a Planned Unit Development.

Moved by: Gillit Seconded by: Wilson

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

All witnesses were duly sworn.

Planner Bell discussed the rezoning issue and presented background information on the Planned Unit Development (PUD).

Toby Terhune, President of Shadow Creek Homes, gave a presentation on the Planned Unit Development for the Logan Street Residences.

Motion: To close the Public Hearing to gather input on Council Bill No. 31, approving the Shadow Creek Homes request to rezone 3265-3299 South Logan Street (former Shrine Club property) to a Planned Unit Development.

Moved by: Gillit **Seconded by:** Wilson

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

11. Ordinances, Resolutions and Motions

a. Approval of Ordinances on First Reading.

There were no additional Ordinances on First Reading. (See Consent Agenda Item #9 (a).)

b. Approval of Ordinances on Second Reading.

i. Council Bill No. 24, amending sections of Title 16 of the Englewood Municipal Code

ORD # 29 pertaining to site improvement plans.

Motion: To approve Agenda Item 11 (b) (i), ORD # 29.

Moved by: Gillit **Seconded by:** Yates

Vote: **Motion approved** (summary: Yes = 6 No = 0, Absent=1 (Olson))

c. Resolutions and Motions.

i. Recommendation from the Parks and Recreation Department to approve, by motion, the contract for the Little Dry Creek Fountain Project. Staff further recommends awarding the contract to the lowest acceptable bidder, Straight Line Sawcutting Inc. in the amount of \$59,880.00. **Staff Source: Dave Lee, Manager of Open Space.**

Motion: To approve Agenda Item 11 (c) (i), the contract for the Little Dry Creek Fountain Project, awarding the contract to the lowest acceptable bidder, Straight Line Sawcutting Inc. in the amount of \$59,880.00.

Moved by: Wilson **Seconded by:** McCaslin

Vote: **Motion defeated** (summary: Yes = 3 No = 3 (Yates, Jefferson, Gillit), Absent=1 (Olson))

12. General Discussion.

a. Mayors Choice.

b. Council Members Choice.

Motion: To approve Agenda Item 11 (c) (i), the contract for the Little Dry Creek Fountain Project awarding the contract to the lowest acceptable bidder, Straight Line Sawcutting Inc. in the amount of \$59,880.00 with the funds coming from the PIF and not the LATR Fund.

Moved by: Gillit Seconded by: Jefferson

Vote: **Motion approved** (summary: Yes = 5 No = 1 (Penn), Absent=1 (Olson))

13.City Managers Report. 

14.City Attorneys Report. 

15.Adjournment.  9:09 p.m.