

**ENGLEWOOD CITY COUNCIL
ENGLEWOOD, ARAPAHOE COUNTY, COLORADO**

Regular Session

September 2, 2014

A permanent set of these minutes and the audio are maintained in the City Clerk's Office.

Minutes and streaming audios are also available on the web at:

<http://www.englewoodgov.org/inside-city-hall/city-council/agendas-and-minutes>

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:44 p.m.

2. Invocation

The invocation was given by Council Member McCaslin.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member McCaslin.

4. Roll Call

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn

Absent: None

A quorum was present.

Also present: Acting City Manager Flaherty
City Attorney Brotzman
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Treatment Division Manager Tallent, Littleton/Englewood Wastewater Treatment Plant
Open Space Manager Lee, Parks and Recreation
Police Commander Englert
Fire Chief Marsh

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 18, 2014.**

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit

Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled visitors.

7. Recognition of Unscheduled Public Comment

(a) Steven Ward, an Englewood resident, discussed open meetings. He encouraged Council to conduct meetings in open sessions instead of so many executive sessions. Mr. Ward believes that some of the sessions should have been conducted in an open forum and not behind closed doors. He has done some research. Mr. Ward is concerned that there was an announcement made on the City's website on August 22, 2014 for the new City Manager, but that there is a resolution tonight for approval of the City Manager. He feels this is a rubber stamp action.

(b) Beverly Cummins, an Englewood resident, discussed the Parks and Recreation Department's request for additional money for the medians. She believes that the money should be spent on the Fire Department, who saves our lives, instead of the medians because the Fire Department needs the money. We need to take care of our Fire Department.

(c) Garrett Reynolds, an Englewood resident, stated that he is interested in getting involved with the City of Englewood. He has submitted his application for various Committees, Boards and Authorities when he saw the vacancies. He asked about the process to be appointed.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

There were no communications, proclamations or appointments.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 11 (a).)

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i) AND 9 (c) (i).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 45, SERIES OF 2014 (COUNCIL BILL NO. 45, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTION 2; TITLE 16, CHAPTER 6, SECTION 1, PARAGRAPH B; TITLE 16, CHAPTER 9, SECTION 4; AND TITLE 16, CHAPTER 11, SECTION 2, PARAGRAPH B, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO SMALL LOTS.

(c) Resolutions and Motions

(i) RESOLUTION NO. 74, SERIES OF 2014

A RESOLUTION ESTABLISHING A HEARING PROCEDURE FOR LAND USE APPEALS TO THE CITY COUNCIL.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

10. Public Hearing Items

No public hearing was scheduled before Council.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

(i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a bill for an ordinance amending the NonEmergency Retirement Plan document to correctly define "spouse" for the purpose of complying with federal tax laws and the Colorado Civic Union Act.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 49.

COUNCIL BILL NO. 49, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AMENDING TITLE 3, CHAPTER 4, SECTION 2, SUBSECTION 2, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO THE CITY OF ENGLEWOOD NONEMERGENCY EMPLOYEES RETIREMENT PLAN AND TRUST AS AMENDED AND RESTATED EFFECTIVE DECEMBER 31, 2012.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(ii) Manager Tallent presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to approve a bill for an ordinance authorizing an intergovernmental agreement with the U.S. Geological Survey to conduct mineralogical characterization and metal-recovery leaching studies on wastewater biosolids.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 50.

COUNCIL BILL NO. 50, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR AND THE CITY OF ENGLEWOOD, COLORADO ENTITLED USGS FACILITY USE/SERVICE AGREEMENT AUTHORIZED BY 15 USC 3710(A) AS AMENDED FOR WATER RESOURCES INVESTIGATIONS.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

(c) Resolutions and Motions

(i) Manager Lee presented a recommendation from the Parks and Recreation Department to approve, by motion, the bid for the replacement of the landscaping in the South Broadway medians. Staff further recommends awarding the contract to the lowest acceptable bidder, Terracare Associates, LLC in the amount of \$48,530.00.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - A CONTRACT WITH TERRACARE ASSOCIATES LLC, FOR THE REPLACEMENT OF THE LANDSCAPING IN THE SOUTH BROADWAY MEDIANS, IN THE AMOUNT OF \$48,530.00.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

12. **General Discussion**

(a) Mayor's Choice

(b) Council Members' Choice

(i) A resolution appointing Michael Flaherty as acting City Manager effective August 29, 2014 through September 14, 2014 was considered.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i) - RESOLUTION NO. 75, SERIES OF 2014.

RESOLUTION NO. 75, SERIES OF 2014

A RESOLUTION APPOINTING MICHAEL FLAHERTY AS ACTING CITY MANAGER IN THE ABSENCE OF THE CITY MANAGER.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(ii) A resolution appointing Eric Keck as City Manager of the City of Englewood effective September 15, 2014 was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 12 (b) (ii) - RESOLUTION NO. 76, SERIES OF 2014.

RESOLUTION NO. 76, SERIES OF 2014

A RESOLUTION APPOINTING ERIC KECK AS CITY MANAGER FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

13. **City Manager's Report**

14. **City Attorney's Report**

City Attorney Brotzman did not have any matters to bring before Council.

15. **Adjournment**

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 8:34 p.m.

/s/ Loucrishia A. Ellis
City Clerk