

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

**Regular Session**

**October 20, 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 7:30 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: City Manager Keck  
City Attorney Brotzman  
Deputy City Manager Flaherty  
City Clerk Ellis  
Deputy City Clerk Bush  
Director Gryglewicz, Finance and Administrative Services  
Director White, Community Development  
Engineer IV Brennan, Utilities  
Manager of Open Space Lee, Parks and Recreation  
Senior Planner Neubecker, Community Development  
Engineering/Maintenance Manager Woo, Littleton/Englewood Wastewater Treatment Plant  
Police Commander Condrey  
Fire Chief Marsh

**5. Consideration of Minutes of Previous Session**

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 6, 2014.**

**Vote results:**

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

Nays: None

Motion carried.

**6. Recognition of Scheduled Public Comment**

(a) Elaine Hults addressed Council about a variety of concerns. She thanked Council for the fast response to fixing the light on Lincoln Street. She questioned the free electricity in Cushing Park and stated that this is an expense to the taxpayers as well as attracting other elements. Ms. Hults asked if a motel was ever considered instead of the upscale apartments. She questioned why money was being spent for a fire station location study instead of building up at the current location. How did we afford new golf carts and the housing they require? New education buildings do not a good student make.

(b) Francine Trujillo was not present to address City Council with concerns about parking at Belleview and Delaware.

(c) Vanita Jensen addressed City Council regarding parking concerns at Belleview and Delaware. She is concerned with people leaving their cars for long periods of time on their street, instead of parking in the apartments' parking area. People are tossing trash onto the residential properties. According to Ms. Jensen, weekends are the worst. Their property is being vandalized and safety is a concern. It is mainly the apartment renters who are doing this as they don't want to pay for a second parking space at the complex. Ms. Jensen is circulating a petition among her neighbors in an effort to establish permit parking on their neighborhood block.

#### **7. Recognition of Unscheduled Public Comment**

(a) Bruce Werner, an Englewood resident, said he and his wife are citizens and they participate in the community. He was disturbed at a recent Council meeting when it was stated that Keep Englewood Beautiful (KEB) may have lost its focus. He is a member of that commission and they spend a lot of time doing various activities. He brought up this question at their last KEB meeting. Mr. Werner reported that they had a good discussion and that they are doing what they have to do. He requested that if there is something else that they should be doing, please let them know.

Council responded to Public Comment.

#### **8. Communications, Proclamations and Appointments**

There were no communications, proclamations or appointments.

#### **9. Consent Agenda**

##### **COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i) AND 9 (b) (i), (ii), (iii).**

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 60, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE APPROVING SUPPLEMENT NO. 23 TO THE VALLEY SANITATION DISTRICT CONNECTOR'S AGREEMENT WITH THE CITY OF ENGLEWOOD TO INCLUDE ADDITIONAL LAND WITHIN THE DISTRICT BOUNDARIES.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 48, SERIES OF 2014 (COUNCIL BILL NO. 46, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ENGLEWOOD, COLORADO, AND THE CITY OF CHERRY HILLS VILLAGE, COLORADO, WHEREBY THE CITY OF ENGLEWOOD WILL PROVIDE THE CITY OF CHERRY HILLS VILLAGE WITH VEHICLE MAINTENANCE.

(ii) ORDINANCE NO. 49, SERIES OF 2014 (COUNCIL BILL NO. 47, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ENGLEWOOD, COLORADO, AND THE CITY OF SHERIDAN, COLORADO, WHEREBY THE CITY OF ENGLEWOOD WILL PROVIDE THE CITY OF SHERIDAN WITH VEHICLE MAINTENANCE.

(iii) ORDINANCE NO. 50, SERIES OF 2014 (COUNCIL BILL NO. 56, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING THE CITY OF ENGLEWOOD, COLORADO TO PARTICIPATE IN THE PROJECT DESCRIBED IN THE "AGREEMENT REGARDING CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR SOUTH PLATTE RIVER AT OXFORD AVENUE", BETWEEN THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, THE COLORADO WATER CONSERVATION BOARD, AND ARAPAHOE COUNTY, BY ADDING THE CITY OF ENGLEWOOD, THE CITY OF SHERIDAN AND THE SOUTH SUBURBAN PARKS AND RECREATION DISTRICT AS PARTICIPANTS.

**Vote results:**

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

Motion carried.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 11 (c).)

**10. Public Hearing Items**

No public hearing was scheduled before Council.

**11. Ordinances, Resolutions and Motions**

(a) Approval of Ordinances on First Reading

(i) Manager of Open Space Lee presented a recommendation from the Department of Parks and Recreation to adopt a bill for an ordinance approving an intergovernmental agreement accepting ownership and maintenance of a bicycle/pedestrian trail constructed by South Suburban Park and Recreation District through the northwest corner of Belleview Park.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 61.**

COUNCIL BILL NO. 61, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ENGLEWOOD, AND SOUTH SUBURBAN PARK AND RECREATION DISTRICT FOR THE CONSTRUCTION OF THE BIG DRY CREEK CONNECTION BICYCLE TRAIL WITHIN CITY OF ENGLEWOOD'S BELLEVIEW PARK.

**Vote results:**

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

Motion carried.

(ii) Engineer IV Brennan presented a recommendation from the Utilities Department to adopt a bill for an ordinance authorizing license agreement for crossing City Ditch and a construction easement with South Suburban Parks and Recreation District for the Big Dry Creek Trail connection.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 62.**

COUNCIL BILL NO. 62, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AUTHORIZING A "LICENSE FOR A CITY DITCH CROSSING AGREEMENT", AND A "TEMPORARY CONSTRUCTION EASEMENT" WITH SOUTH SUBURBAN PARK AND RECREATION DISTRICT FOR THE INSTALLATION OF A BIKE TRAIL CROSSING CALLED "BIG DRY CREEK TRAIL CONNECTION" CROSSING ENGLEWOOD'S CITY DITCH RIGHT-OF-WAY AT SOUTH WINDERMERE.

**Vote results:**

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

Motion carried.

(iii) Senior Planner Neubecker presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing an Encroachment Agreement for the construction of upper level balconies and a canopy with Bannock Club, LLC at 201 Englewood Parkway.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 63.**

COUNCIL BILL NO. 63, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING AN ENCROACHMENT AND INDEMNITY AGREEMENT PERTAINING TO THE CONSTRUCTION OF UPPER LEVEL BALCONIES EXTENDING OVER THE PUBLIC RIGHT-OF-WAY, AN ARCHITECTURAL CANOPY EXTENDING OVER THE PUBLIC RIGHT-OF-WAY, A HALLWAY EXTENDED INTO THE PUBLIC RIGHT-OF-WAY, AND A WHEEL CHAIR RAMP EXTENDING INTO THE PUBLIC RIGHT-OF-WAY.

**Vote results:**

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

Motion carried.

(iv) Fire Chief Marsh presented a recommendation from the Fire Department to adopt a bill for an ordinance authorizing a User Agreement with the Metropolitan Area Communications Center Authority (METCOM) regarding fire dispatch services.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iv) - COUNCIL BILL NO. 64.**

COUNCIL BILL NO. 64, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE METROPOLITAN AREA COMMUNICATIONS CENTER AUTHORITY (METCOM) AND THE CITY OF ENGLEWOOD, COLORADO REGARDING FIRE DISPATCH SERVICES.

**Vote results:**

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

Motion carried.

(b) Approval of Ordinances on Second Reading

[Clerk's Note: Agenda Items 11 (b) (i), (iv), (v), (vi), and (viii) were combined for one motion.]

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEMS 11 (b) (i), (iv), (v), (vi), and (viii) - ORDINANCE NOS. 51 thru 55, SERIES OF 2014.**

(i) Council Bill No. 51, establishing the 2014 Mill Levy to be collected in 2015 was considered.

ORDINANCE NO. 51, SERIES OF 2014 (COUNCIL BILL NO. 51, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE FIXING THE TAX LEVY IN MILLS UPON EACH DOLLAR OF THE ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CITY OF ENGLEWOOD, COLORADO.

(iv) Council Bill No. 52, adopting the Budget for the Littleton/Englewood Wastewater Treatment Plant for Fiscal Year 2015 was considered.

ORDINANCE NO. 52, SERIES OF 2014 (COUNCIL BILL NO. 52, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE ADOPTING THE BUDGET FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2015.

(v) Council Bill No. 53, appropriating funds for the Littleton/Englewood Wastewater Treatment Plant for 2015 was considered.

ORDINANCE NO. 53, SERIES OF 2014 (COUNCIL BILL NO. 53, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE APPROPRIATING MONIES FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT PURPOSES IN THE FISCAL YEAR BEGINNING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR 2015.

(vi) Council Bill No. 57, authorizing the acceptance of an EMTS grant from the Colorado Department of Public Health and Environment in the amount of \$48,669.87 was considered.

ORDINANCE NO. 54, SERIES OF 2014 (COUNCIL BILL NO. 57, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AUTHORIZING ACCEPTANCE OF "COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) GRANT" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO.

(viii) Council Bill No. 59, authorizing an intergovernmental agreement with the Metropolitan Area Communications Center Authority (METCOM) regarding a fire station location analysis study was considered.

ORDINANCE NO. 55, SERIES OF 2014 (COUNCIL BILL NO. 59, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE METROPOLITAN AREA COMMUNICATIONS CENTER AUTHORITY (METCOM) AND THE CITY OF ENGLEWOOD, COLORADO REGARDING A FIRE STATION LOCATION ANALYSIS.

**Vote results:**

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

Motion carried.

(ii) Council Bill No. 54, adopting the City of Englewood Budget [as amended] for Fiscal Year 2015 was considered.

**COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO AMEND AGENDA ITEM 11 (b) (ii), COUNCIL BILL NO. 54, TO INCLUDE THE METCOM AMOUNT (\$182,648.00) BACK INTO THE BUDGET.**

**Vote results on the amendment:**

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

Motion carried.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (ii), COUNCIL BILL NO. 54, AS AMENDED.**

(COUNCIL BILL NO. 54, INTRODUCED BY COUNCIL MEMBER OLSON/WILSON)

A BILL FOR AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF ENGLEWOOD, COLORADO, FOR FISCAL YEAR 2015.

**Vote results on motion to approve Council Bill No. 54, as amended:**

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

Motion carried.

(iii) Council Bill No. 55, appropriating funds [as corrected] for the City of Englewood for Fiscal Year 2015 was considered.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO AMEND AGENDA ITEM 11 (b) (iii), COUNCIL BILL NO. 55, TO INCLUDE THE METCOM AMOUNT (\$182,648.00) BACK INTO THE BUDGET.**

**Vote results on the amendment:**

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

Motion carried.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (b) (iii) – COUNCIL BILL NO. 55, AS AMENDED.**

(COUNCIL BILL NO. 55, INTRODUCED BY COUNCIL MEMBER GILLIT)

A BILL FOR AN ORDINANCE APPROPRIATING MONIES FOR ALL MUNICIPAL PURPOSES IN THE CITY OF ENGLEWOOD, COLORADO, FOR FISCAL YEAR BEGINNING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR 2015.

**Vote results on motion to approve Council Bill No. 55, as amended:**

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

Nays: None

Motion carried.

(vii) Council Bill No. 58, amending the Englewood Municipal Code pertaining to City Council Salaries was considered.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (b) (vii) - ORDINANCE NO. 56, SERIES OF 2014.**

ORDINANCE NO. 56, SERIES OF 2014 (COUNCIL BILL NO. 58, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AMENDING TITLE 1, CHAPTER 5, SECTION 8, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO CITY COUNCIL SALARIES.

**Vote results:**

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

Nays: Council Member Jefferson

Motion carried.

(c) Resolutions and Motions

(i) Engineer IV Brennan presented a recommendation from the Utilities Department to approve, by motion, an addendum to the current contract for the Allen Water Filtration Plant residual removal and a disposal to Secure On-Site Services USA in the amount of \$232,846.75 for disposal of 1000 cubic yard of production.

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - AN ADDENDUM TO THE CURRENT CONTRACT FOR THE ALLEN WATER FILTRATION PLANT RESIDUAL REMOVAL AND A DISPOSAL TO SECURE ON-SITE SERVICES USA IN THE AMOUNT OF \$232,846.75 FOR DISPOSAL OF 1000 CUBIC YARD OF PRODUCTION.**

**Vote results:**

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

Nays: None

Motion carried.

(ii) Manager Chong Woo presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to approve, by motion, a professional services agreement for an Arc Flash Hazard Analysis Study. Staff further recommends awarding a contract to the lowest acceptable bidder, Emerson Network Power – Electric Reliability Services, in the amount of \$53,528.00.

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - A PROFESSIONAL SERVICES AGREEMENT FOR AN ARC FLASH HAZARD ANALYSIS STUDY, AWARDING A CONTRACT TO EMERSON NETWORK POWER – ELECTRIC RELIABILITY SERVICES, IN THE AMOUNT OF \$53,528.00.**

**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

**13. City Manager's Report**

City Manager Keck did not have any matters to bring before Council.

**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 8:43 p.m.

          /s/ Loucrishia A. Ellis            
City Clerk