

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

Regular Session

December 15, 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 7:33 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 White, Community Development
Fire Chief Marsh
Police Chief Collins
Senior Planner Stitt, Community Development
Senior Planner Neubecker, Community Development
Planner II Bell, Community Development
Planner I Kirk, Community Development
Facilities and Operations Manager Hogan, Public Works

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 DECEMBER 1, 2014.**

Vote results:

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

Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

(a) Planner 1 Kirk, Keep Englewood Beautiful Member Bruce Werner and Mayor Penn presented the 2014 Holiday Lighting Awards to:

Mayor's Choice	The Miller Family	5051 South Fox
"Green Award"	David Alfred Lemay	4600 South Sherman
Traditional Christmas	Mark Manzanares	4226 South Delaware Street
Honorable Mention	Doug Haas	4536 South Sherman
	Freda Fenton	3974 South Sherman

7. Recognition of Unscheduled Public Comment

(a) Andy McKean, a Lakewood resident, thanked the Mayor and Council for the Bill of Rights proclamation. He asked that the people in attendance read the Bill of Rights and learn about it. Share this knowledge with all of the people that you know. Mr. McKean is a former Peace Corp volunteer and noted how many people take these rights for granted. We need to do all that we can to celebrate, honor and educate others about them. Let's celebrate and honor the veterans who defend them.

(b) Consuela Rodriguez, an Englewood resident, commented about the Medical Marijuana Public Hearing. There were plenty of people present at the meeting who opposed the issuance of the license. When is the City going to do what is in the citizen's best interest regarding this?

(c) Peggy Lapp, an Englewood resident, commented on the Medical Marijuana Authority and the decision the Authority made last Wednesday. She believed that Chair Ostmeyer did not fully disclose the notice issues. Many residents attended the meeting and most were opposed. Ms. Lapp feels that they were looking only at the application. This is not something that she wants in her backyard. She is asking Council to review the decision. The impact of the marijuana is unknown. She does not want this in her neighborhood.

(d) Patricia Ross, an Englewood resident, spoke about the Medical Marijuana Center and her dissenting vote. She did not see the posting and said many of her neighbors did not either. They disagree with the Authority that the posting was completed. Ms. Ross disagreed with the outcome and the issuance of the license. She asked if there were some procedural issues with this vote. She wants her voice to be heard. Ms. Ross wants Council to do something.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) Proclamation recognizing December 15, 2014 as Bill of Rights Day, recognizing the 223rd anniversary of the ratification of the Bill of Rights to the U.S. Constitution was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE THE PROCLAMATION, AS AMENDED, RECOGNIZING DECEMBER 15, 2014 AS BILL OF RIGHTS DAY, RECOGNIZING THE 223RD ANNIVERSARY OF THE RATIFICATION OF THE BILL OF RIGHTS TO THE U.S. CONSTITUTION.

Vote results:

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

Motion carried.

Mr. McKean accepted the proclamation.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

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

- (b) Approval of Ordinances on Second Reading

There were no items submitted for approval on second reading.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (c) (i), (ii), (iii) and (iv).

- (c) Resolutions and Motions

- (i) RESOLUTION NO. 84, SERIES OF 2014

A RESOLUTION APPROVING A "CITY OF ENGLEWOOD AGREEMENT FOR ANIMAL SHELTERING SERVICES" BETWEEN THE CITY OF ENGLEWOOD AND THE HUMANE SOCIETY OF SOUTH PLATTE VALLEY.

- (ii) RESOLUTION NO. 85, SERIES OF 2014

A RESOLUTION AUTHORIZING ACCEPTANCE OF "CITIES COMBATING HUNGER THROUGH AFTERSCHOOL AND SUMMER MEAL PROGRAMS TECHNICAL ASSISTANCE AND GRANT INITIATIVE (CHAMPS) GRANT" BY THE CITY OF ENGLEWOOD, COLORADO.

- (iii) A MEDICAL DIRECTOR AGREEMENT WITH EMERGENCY PHYSICIANS AT PORTER HOSPITALS, P.C.

- (iv) A CONTRACT FOR THE REPLACEMENT OF CARPETING IN THE COMMON AREAS OF THE THIRD FLOOR OF THE CIVIC CENTER, AWARDING THE CONTRACT TO THE LOWEST ACCEPTABLE BIDDER, COLORADO CARPET CENTERS, INC., IN THE AMOUNT OF \$66,825.00.

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) Senior Planner Neubecker and Director White presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing amendments to Title 16: Unified Development Code regarding Official Zoning Map Amendments (Rezoning) and Planned Unit Developments. Staff further recommends setting a Public Hearing for January 5, 2015 to consider public testimony on this matter.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM NO. 11 (a) (i) – COUNCIL BILL NO. 69 AND TO SET A PUBLIC HEARING DATE OF JANUARY 5, 2015 TO GATHER PUBLIC INPUT ON THE PROPOSED AMENDMENTS.

COUNCIL BILL NO. 69, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTION 7, ENTITLED OFFICIAL ZONING MAP AMENDMENTS (REZONINGS); AND TITLE 16, CHAPTER 2, SECTION 8, TO BE ENTITLED PLANNED UNIT DEVELOPMENT (PUD) REZONING PROCESS AND REQUIREMENTS, OF THE ENGLEWOOD MUNICIPAL CODE 2000.

Vote results:

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

Motion carried.

(ii) Senior Planner Stitt and Planner I Kirk presented a recommendation from the Community Development Department to approve a bill for ordinance reducing the number of members of the Keep Englewood Beautiful Commission to nine and reducing the minimum number of meetings.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM NO. 11 (a) (ii) – COUNCIL BILL NO. 70 AND AMENDING THE NUMBER OF MEETINGS TO A MINIMUM OF FOUR QUARTERLY MEETINGS INSTEAD OF TWELVE MONTHLY MEETINGS.

COUNCIL BILL NO. 70, INTRODUCED BY COUNCIL MEMBER McCASLIN

A BILL FOR AN ORDINANCE AMENDING TITLE 2, CHAPTER 8, ENTITLED *KEEP ENGLEWOOD BEAUTIFUL COMMISSION* OF THE ENGLEWOOD MUNICIPAL CODE 2000.

Vote results:

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

Motion carried.

(iii) Planner II Bell presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing amendments to Title 16: Unified Development Code regarding Minimum Lot Width for Multi-Unit Dwellings in the MU-R-3-B and MU-R-3-C Zone Districts. Staff further recommends setting a Public Hearing for January 5, 2015 to consider public testimony on this matter.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM NO. 11 (a) (iii) – COUNCIL BILL NO. 71 AND TO SET A PUBLIC HEARING DATE OF JANUARY 5, 2015 TO GATHER PUBLIC INPUT ON THE PROPOSED AMENDMENTS.

COUNCIL BILL NO. 71, INTRODUCED BY COUNCIL MEMBER JEFFERSON

A BILL FOR AN ORDINANCE AMENDING TITLE 16, CHAPTER 6, SECTIONS 1 AND 3, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO MINIMUM LOT WIDTHS FOR MULTI-UNIT DWELLINGS IN THE MU-R-3-B AND MU-R-3-C ZONE DISTRICTS.

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 items submitted for approval on second reading.

(c) Resolutions and Motions

(i) Senior Planner Stitt presented a recommendation from the Community Development Department to approve a resolution waiving the building permit fees, the plan review fees, the single family drainage inspection fees, the minor subdivision fees and the fee in lieu of park land dedication associated with the Habitat for Humanity development of 2323 West Harvard Avenue into paired single family homes.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - RESOLUTION NO. 86, SERIES OF 2014.

RESOLUTION NO. 86, SERIES OF 2014

A RESOLUTION AUTHORIZING THE EXEMPTION OF THE HABITAT FOR HUMANITY OF METRO-DENVER (HFHMD) FROM BUILDING PERMIT FEES, PLAN REVIEW FEES, SINGLE FAMILY DRAINAGE INSPECTION FEES, THE MINOR SUBDIVISION FEE AND THE FEE IN LIEU OF PARK LAND DEDICATION ASSOCIATED WITH THE DEVELOPMENT OF FOUR PAIRED SINGLE FAMILY HOMES LOCATED IN 2323-2329 WEST HARVARD AVENUE.

Vote results:

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

Motion carried.

12. General Discussion

- (a) Mayor's Choice
- (b) Council Members' Choice

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[Clerk's Note: Agenda Item No. 12 (b) (i) was moved after Agenda Item No. 14.]

(i) Resolution approving the City of Englewood's "Aid to Other Agencies" contributions for 2015.

13. City Manager's Report

14. City Attorney's Report

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

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12. General Discussion

- (b) Council Members' Choice

(i) A Resolution approving the City of Englewood's "Aid to Other Agencies" contributions for 2015 was considered.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i) - RESOLUTION NO. 87, SERIES OF 2014.

RESOLUTION NO. 87, SERIES OF 2014

A RESOLUTION SPECIFYING AID TO OTHER AGENCIES FOR 2015 BY THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion carried.

15. **Adjournment**

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 9:12 p.m.

City Clerk