

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

**Regular Session
February 16, 2016**

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<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 Jefferson at 7:40 p.m.

2. Invocation

The invocation was given by Council Member Russell.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Russell.

4. Roll Call

Present: Council Members Jefferson, Olson, Barrentine, Gillit, Martinez, Russell, Yates
Absent: None

A quorum was present.

Also present: City Manager Keck
Acting City Attorney Comer
Deputy City Manager Flaherty
Assistant City Manager Robinson
City Clerk Ellis
Deputy City Clerk Carlile
Director Hargrove, Parks, Recreation and Library
Director Brennan, Utilities
Interim IT Manager Saifa-Bonsu
Economic Development Manager Hollingsworth, Community Development
Senior Planner Stitt, Community Development
Police Commander Englert
Open Space Manager Lee, Parks, Recreation and Library
Fleet Manager White, Public Works
Human Resources Manager Vega, Finance and Administrative Services
Human Resources Analyst Tayane
Human Resources Analyst Schell
Technical Support Specialist I Munnell, Information Technology

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 1, 2016.**

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

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COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER MARTINEZ SECONDED, TO MOVE AGENDA ITEMS 8 (a) – 8 (cc) FORWARD.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO APPROVE AGENDA ITEMS 8 (a) – 8 (cc).

(a) RESOLUTION NO. 41, SERIES OF 2016

A RESOLUTION APPOINTING DAVID PITTINOS TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(b) A proclamation declaring congratulations and appreciation for the 2016 Shen Yun show in Colorado, and recognize its artistic contribution to the people of Colorado.

(c) A certificate recognizing the reappointment of Joseph DeMoor to the Malley Center Trust Fund.

(d) A certificate recognizing the reappointment of Thomas Finn to the Board of Adjustments and Appeals.

(e) A certificate recognizing the reappointment of Angela Schmitz to the Board of Adjustments and Appeals.

(f) A certificate recognizing the reappointment of Mark Husbands to the Parks & Recreation Commission.

(g) A certificate recognizing the reappointment of Karen Miller to the Parks & Recreation Commission.

(h) A certificate recognizing the reappointment of Roger Mattingly to the Keep Englewood Beautiful Commission.

(i) A certificate recognizing the reappointment of Kristin Martin to the Keep Englewood Beautiful Commission.

(j) A certificate recognizing the reappointment of Thomas Burns to the Water and Sewer Board.

(k) A certificate recognizing the reappointment of Melissa Izzo to the Public Library Board.

(l) A certificate recognizing the reappointment of Catherine Townley to the Planning and Zoning Commission.

(m) A certificate recognizing the reappointment of Steve King to the Planning & Zoning Commission.

- (n) A certificate recognizing the reappointment of James Phelps to the Non-Emergency Retirement Board.
- (o) A certificate recognizing the appointment of Miguel Corral to the Alliance for Commerce in Englewood Committee.
- (p) A certificate recognizing the appointment of Thomas Kruk to the Cultural Arts Commission.
- (q) A certificate recognizing the appointment of Bryce Alexander to the Cultural Arts Commission.
- (r) A certificate recognizing the appointment of Daniel Black as the youth member to the Cultural Arts Commission.
- (s) A certificate recognizing the appointment of Andrew Keller to the Election Commission.
- (t) A certificate recognizing the appointment of Caroline Godwin to the Keep Englewood Beautiful Commission.
- (u) A certificate recognizing the appointment of Brett Kotal to the Keep Englewood Beautiful Commission.
- (v) A certificate recognizing the appointment of Bethany Wilson to the Keep Englewood Beautiful Commission.
- (w) A certificate recognizing the appointment of Steve Reiter to the Public Library Board.
- (x) A certificate recognizing the appointment of William Dunlap to the Public Library Board.
- (y) A certificate recognizing the appointment of Jessica Hall to the Public Library Board.
- (z) A certificate recognizing the appointment of Naomi Lumban-Gaol as youth member to the Public Library Board.
- (aa) A certificate recognizing the appointment of Jim Woodard to the Englewood Urban Renewal Authority.
- (bb) A certificate recognizing the appointment of Paul Glista as alternate to the Englewood Urban Renewal Authority.
- (cc) A certificate recognizing the appointment of Don Roth as alternate member to the Water and Sewer Board.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

Certificates were presented to the new appointees that were present.

6. Recognition of Scheduled Public Comment

- (a) Elaine Hults, an Englewood resident, addressed Council regarding the Englewood Housing Authority.
- (b) Doug Cohn, an Englewood resident, addressed Council regarding historic preservation.

(c) Jeremy Letkomiller, an Englewood resident, addressed Council regarding increasing safety concerns in north Englewood.

(d) Josh Painter addressed Council regarding the All Aboard Preschool.

7. Recognition of Unscheduled Public Comment

(a) Joe Riehl, an Englewood resident, addressed council regarding the closing of the preschool.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

AGENDA ITEMS 8 (a) THROUGH 8 (cc) WERE MOVED FORWARD. SEE PAGE 2.

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

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 7, SERIES OF 2016 (COUNCIL BILL NO. 5, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AUTHORIZING AN AMENDMENT TO AGREEMENT REGARDING CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR SOUTH PLATTE RIVER AT OXFORD AVENUE AGREEMENT NO. 11-07.25D BETWEEN THE CITY OF ENGLEWOOD, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, ARAPAHOE COUNTY, THE CITY OF SHERIDAN AND THE SOUTH SUBURBAN PARKS AND RECREATION DISTRICT REGARDING RIVERRUN TRAILHEAD.

(ii) ORDINANCE NO. 8, SERIES OF 2016 (COUNCIL BILL NO. 6, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) "AGREEMENT REGARDING FUNDING OF BIORETENTION DEMONSTRATION PROJECT FOR STORMWATER QUALITY AND QUANTITY DATA GATHERING AND ANALYSIS" - AGREEMENT NO. 16-01.17 PROJECT NO. 105987, BETWEEN THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT AND THE CITY OF ENGLEWOOD.

(iii) ORDINANCE NO. 9, SERIES OF 2016 (COUNCIL BILL NO. 7, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A VICTIM ASSISTANCE LAW ENFORCEMENT (VALE) GRANT FROM THE VICTIM ASSISTANCE LAW ENFORCEMENT BOARD OF THE 18TH JUDICIAL DISTRICT.

(c) Resolutions and Motions

(i) RESOLUTION NO. 42, SERIES OF 2016

A RESOLUTION FOR AN INFORMATION TECHNOLOGY NETWORK INFRASTRUCTURE UPGRADE BY SOLE SOURCE FOR THE CITY OF ENGLEWOOD.

(ii) RESOLUTION NO. 43, SERIES OF 2016

A RESOLUTION AMENDING THE CITY OF ENGLEWOOD'S ICMA-RC MONEY PURCHASE RETIREMENT PLAN FOR MANAGEMENT STAFF (PLAN), NUMBER 108369.

(iii) RESOLUTION NO. 44, SERIES OF 2016

A RESOLUTION AMENDING THE CITY OF ENGLEWOOD'S ICMA-RC MONEY PURCHASE RETIREMENT PLAN FOR POLICE (PLAN), NUMBER 108370.

(iv) RESOLUTION NO. 45, SERIES OF 2016

A RESOLUTION AMENDING THE CITY OF ENGLEWOOD'S ICMA-RC NONEMERGENCY EMPLOYEES MONEY PURCHASE PLAN (PLAN), NUMBER 108371.

(v) RESOLUTION NO. 46, SERIES OF 2016

A RESOLUTION AMENDING THE CITY OF ENGLEWOOD'S ICMA-RC MONEY PURCHASE RETIREMENT PLAN FOR THE SEPARATE ACCOUNT (PLAN), NUMBER 108372.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, 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) Manager Hollingsworth presented a recommendation from the Community Development Department to approve a bill for an ordinance approving the Brew on Broadway's paseo lease renewal for a portion of the City-owned property at 3499 South Broadway.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO AMEND AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 8 TO EXTEND THE LEASE TO 3 YEARS.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE COUNCIL BILL NO. 8 AS AMENDED.

COUNCIL BILL NO. 8, INTRODUCED BY COUNCIL MEMBER YATES

A BILL FOR AN ORDINANCE AUTHORIZING THE RENEWAL OF A LEASE WITH PAUL WEBSTER, FOR USE A PORTION OF REAL PROPERTY THE "PASEO" LOCATED AT 3449 SOUTH BROADWAY AS OUTDOOR SEATING FOR "THE BREW ON BROADWAY".

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

(ii) Manager Hollingsworth presented a recommendation from the Community Development Department to approve a bill for an ordinance approving ZOMO's paseo lease agreement for a portion of the City-owned property at 3499 South Broadway.

COUNCIL MEMBER BARRENTINE MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO AMEND AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 9 TO EXTEND THE LEASE TO 3 YEARS.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER RUSSELL SECONDED, TO APPROVE COUNCIL BILL NO. 9 AS AMENDED.

AMENDED COUNCIL BILL NO. 9, INTRODUCED BY COUNCIL MEMBER YATES

A BILL FOR AN ORDINANCE AUTHORIZING A LEASE WITH ZOMO, LLC. FOR USE OF A PORTION OF THE REAL PROPERTY "THE PASEO" LOCATED AT 3449 SOUTH BROADWAY AS OUTDOOR SEATING FOR "ZOMO".

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

(iii) Senior Planner Stitt presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing the Second Amendment to the Intergovernmental Agreement between the City of Englewood and the Regional Transportation District (RTD) for cost sharing for operation of the Art Shuttle for 2016.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER MARTINEZ SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 10.

COUNCIL BILL NO. 10, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING A SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT AMENDING THE "ART" SHUTTLE COST SHARING INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL TRANSPORTATION DISTRICT AND THE CITY OF ENGLEWOOD.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, 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) Commander Englert presented a recommendation from the Police Department to approve, by motion, of the 2016 Logistics Systems Service, License and Maintenance Agreement in the amount of \$30,005.00 for the Police Department Records Management System.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - THE 2016 LOGISTICS SYSTEMS SERVICE, LICENSE AND MAINTENANCE AGREEMENT IN THE AMOUNT OF \$30,005.00 FOR THE POLICE DEPARTMENT RECORDS MANAGEMENT SYSTEM.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit

Nays: None

Motion carried.

(ii) Manager Lee presented a recommendation from the Parks, Recreation & Library Department to approve, by motion, the purchase of a 2016 Chevrolet Silverado 2500 pickup truck.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - THE PURCHASE OF A 2016 CHEVROLET SILVERADO 2500 PICKUP TRUCK.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit

Nays: None

Motion carried.

(iii) Manager Lee presented a recommendation from the Parks, Recreation & Library Department to approve, by motion, the purchase of two John Deere 1580 Terrain Cut mowers with a 72 inch deck.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) - THE PURCHASE OF TWO JOHN DEERE 1580 TERRAIN CUT MOWERS WITH A 72 INCH DECK.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit

Nays: None

Motion carried.

(iv) Manager White presented a recommendation from the Utilities Department to approve, by motion, the purchase of a Chevrolet Silverado 2500 truck.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv) - THE PURCHASE OF A CHEVROLET SILVERADO 2500 TRUCK.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit

Nays: None

Motion carried.

(v) Manager Vega presented a recommendation from the Human Resources Department to approve a resolution setting the list of persons eligible for appointment as hearing officers for disciplinary and merit appeals.

COUNCIL MEMBER RUSSELL MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (v) - RESOLUTION NO. 47, SERIES OF 2016.

RESOLUTION NO. 47, SERIES OF 2016

A RESOLUTION SETTING THE LIST OF PERSONS ELIGIBLE FOR APPOINTMENT AS HEARING OFFICERS FOR DISCIPLINARY AND MERIT APPEALS.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

(vi) Manager Vega presented a recommendation from the Human Resources Department to approve, by motion, the appointment of a hearing officer for a disciplinary appeal.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE JOHN P. DIFALCO AS THE HEARING OFFICER FOR A DISCIPLINARY APPEAL.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried.

12. **General Discussion**

(a) Mayor's Choice

(i) Mayor Jefferson presented Notice of a Special City Council Meeting on Monday, February 22, 2016, at 5:30 p.m. regarding an Executive Session on the lease between the Englewood McLellan Reservoir Foundation (EMRF) and MKS, LLC.

CITY COUNCIL DETERMINED THAT THERE WILL NOT BE A SPECIAL CITY COUNCIL MEETING, HOWEVER THE CITY COUNCIL STUDY SESSION WILL BEGIN AT 5:30 PM ON FEBRUARY 22, 2016.

(b) Council Members' Choice

(i) Discussion ensued regarding the selection of an executive search firm to facilitate the City Attorney recruitment process.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO SELECT SGR AS THE EXECUTIVE SEARCH FIRM TO FACILITATE THE CITY ATTORNEY RECRUITMENT PROCESS.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried

(ii) Discussion ensued regarding going into Executive Session to discuss the Civic Center Facility.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARENTINE SECONDED, TO TABLE THE EXECUTIVE SESSION FOR AN UNCERTAIN DATE.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit
Nays: None

Motion carried

Discussion ensued regarding moving a regular Council Meeting due to members being away at a conference.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO HAVE A REGULAR COUNCIL MEETING ON FEBRUARY 29, 2016.

Vote results:

Ayes: Council Members Yates, Gillit

Nays: Council Members Russell, Barrentine, Olson, Jefferson, Martinez

Motion defeated.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO HAVE A REGULAR COUNCIL MEETING ON MARCH 14, 2016.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit

Nays: None

Motion carried

13. City Manager's Report

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

14. City Attorney's Report

(a) Acting City Attorney Comer presented a recommendation to settle the Martinez vs. City of Englewood case for \$3,000.00.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO SETTLE THE MARTINEZ VS. CITY OF ENGLEWOOD CASE FOR \$3,000.00.

Vote results:

Ayes: Council Members Russell, Barrentine, Olson, Jefferson, Yates, Martinez, Gillit

Nays: None

Motion carried

15. Adjournment

MAYOR JEFFERSON MOVED TO ADJOURN. The meeting adjourned at 9:58 p.m.

/s/ Loucrishia A. Ellis
City Clerk