

**CITY MANAGER'S NOTES
September 8, 2016**

Upcoming Council Meetings

On **Monday, September 12, 2016**, a Study Session will be held at 6:00 p.m. in the Community Room.

The next Study Session will be held on **Monday, September 19, 2016**, at 6:00 p.m. in the Community Room. The Regular Meeting will be held at 7:30 p.m.

Informational Items

The following attachments are in response to City Council requests, as well as other informational items.

1. *Englewood Herald* article: Cities poised to rehab Neighborhoods
2. *Englewood Herald* article: Three sex offenders lose round in Court
3. *Denver Post YourHub*: Denver artwork pops up in Englewood
4. *Denver Business Journal* The List: Denver-Area Hospitals Ranked by Patient Admissions in 2014
5. *Denver Business Journal* The List: Denver-Area Hospitals ranked by Charity and Uncompensated Care; Denver-Area Hospitals ranked by Licensed Beds
6. Calendar of Events
7. Tentative Study Session Topics
8. Planning and Zoning Commission Meeting Minutes – August 16, 2016

<http://englewoodherald.net/stories/Cities-poised-to-rehab-neighborhoods,234883>



Cities poised to rehab neighborhoods

Volunteers will help neighbors as part of annual service project



Englewood City Councilmember Linda Olson helps paint a house as one of the area residents who volunteered to assist in the Brothers Redevelopment Day of Service project last year. This year, Englewood is assembling volunteers to work on eight Be a Tool Program projects.

Tom Munds

Posted Tuesday, September 6, 2016 3:30 pm

[Tom Munds](#)

Englewood is joining the cities of Arvada and Golden in taking part in the Neighborhood Rehabilitation Program-sponsored service day on Sept. 10 by enlisting volunteers to do fix-up and repair community service projects.

Neighborhood Rehabilitation — now better known as Be a Tool — began in Golden six years ago. This year, Golden has been joined by Englewood and Arvada as the volunteers from the three cities plan to undertake projects to meet the needs of residents who can't do the work for themselves.

Tony Arnoldy is coordinating this year's Be a Tool program for Englewood and she said there has been a strong response to the call for volunteers.

"We identified eight projects here in the city and we are nearing our goal of having 100 volunteers to help us do the projects," she said. "The focus this year is to help residents be warm, safe and dry. Our projects range from removing extensive brush and bushes covering the home to painting a house."

Some of the project homes were nominated by neighbors or representatives of city agencies, she said.

"We also went out and identified a couple places that should be on the list," Arnoldy said. "We talked to the people who lived in the homes about doing the project and, fortunately, we were able to convince them to let us add their home to the list."

Donations have been used to buy materials for the eight projects.

"We still could use a few more volunteers and we could use some more cash donations," Arnoldy said. "Those interested should go to the website at beatool.org. On the page there is a tab titled Be a Tool. Click on that tab to sign up as a volunteer."

Englewood is a loving, caring community with residents ready to help their neighbors, Arnoldy said. She expects Sept. 10 to be a success and hopes the program will continue so the city can do projects like this more than once a year.

The Day of Service is a national effort to promote community volunteerism. Companies like Xcel Energy, Kaiser Permanente and Brothers Redevelopment work with cities to take on projects. Communities like Littleton and Centennial have similar programs in their community.

Last year, in Englewood, volunteers helped clean up the kennels at Freedom Service Dogs. Other volunteers worked with Brothers Redevelopment to paint a house on South Bannock Street. And a third group, spearheaded by Xcel Energy, did cleanup and other work at the House of Hope Family Resource Center

Neighborhood Rehabilitation began in Golden six years ago.

"It was a grassroots effort that got us started as we had some areas of Golden where residents needed help fixing up and repairing their homes," founder Dan Thoenke said. "It worked so well we began doing projects all year instead on just one day a year."

Other communities saw what Golden was doing and asked about the program, he said.

"We are excited the two other cities have joined us," Thoenke said of Arvada and Englewood. "We just hope we will continue to grow with other communities taking on their own projects."

Kevin Nichols, Arvada city planner, heads the Be a Tool project in his city.

"We are always looking for opportunities to engage residents in helping other members of the community," he said. "We felt Be a Tool would be a good way for people to volunteer to help others and give back to the community."

He hopes to have about 150 volunteers working on eight projects that include homes and one of the city's older parks.



Three sex offenders lose round in court

First request to suspend residency restriction enforcement is denied

Posted Tuesday, September 6, 2016 2:37 pm
Tom Munds

U.S. District Judge Raymond Moore on Aug. 30 denied a motion for a temporary restraining order, meaning Englewood can continue to enforce its sex-offender residency restrictions for now. However, he did agree to hear evidence in a Sept. 28 court session on the request for a preliminary injunction that would halt enforcement of the residency restriction.

At issue is the city's 2006 ordinance that bans most registered sex offenders from living in Englewood. The restrictions bar most offenders from living within set distances of schools, day cares and other facilities, leaving only about 1 percent of the city (in areas without residences) open to such offenders.

Boulder attorney Alison Ruttenberg filed a federal lawsuit on behalf of Englewood residents who could be forced to move out of the city if the residency restrictions are enforced.

The City of Englewood is the defendant in the case and was represented in court by attorneys from the Colorado Intergovernmental Risk Sharing Agency, a member-owned self-insurance pool, and Dugan Comer, acting city attorney.

The court case seeks to overturn the 2006 ordinance restricting where registered sex offenders can live in Englewood. Also, the plaintiffs were not allowed to register with Englewood police as required by law. According to the court filing, they were also told the police department would soon begin sending out letters requiring them to leave the city within 30 days or face arrest.

Attorneys for both sides stated their cases and answered the judge's questions. Ruttenberg spoke on behalf of the plaintiffs and Tom Rice represented the city's position on the issues.

The first issue resolved concerned the fact that plaintiff Larry Cook is serving time in a halfway house near Englewood, and was able to register from that location and will be there for the next three to nine months. However, the attorney said he will face impact from the residency restriction when he is released, because Cook would be barred from living in the Englewood home he purchased in 1990.

The judge said that because of Cook's current circumstances, the request for a temporary restraining order only applied to the two remaining plaintiffs, Brian Brockhausen and Allen Toner. A fourth plaintiff, identified as S.B. because he was adjudicated delinquent as a juvenile, is no longer part of the proceedings because the city has agreed not to seek residency restriction enforcement against him.

Rice, speaking for the city, said the residency restriction ordinance was passed in 2006. He said enforcement was put on hold while the American Civil Liberties Union filed a case on behalf of Englewood resident Stephen Ryals challenging the law's constitutionality. Eventually the case was decided in July in the city's favor and police resumed enforcement of the residency restriction.

He said sex offenders moved into the city while the ordinance wasn't being enforced and now want to stay in Englewood.

Ruttenberg stated in her request for the restraining order that application of the residency restriction law means the plaintiffs will be effectively banished from the community.

She said she had an affidavit stating when sex offenders are told to leave the city they cannot visit or work in any location covered by the residency restriction, which is the entire city except the halfway house and, if the plaintiffs do violate the ban, they could be arrested for trespassing.

Moore said based on the materials he has, he has to abide by the recent 10th Circuit Court of Appeals ruling defining banishment, and he said the definition doesn't apply to the two men.

The sides stated their cases for about 90 minutes and, at the conclusion of those discussions, the judge announced he was denying the request for a temporary restraining order.

"I am not asked to decide if the ordinance is right or wrong," Moore said as he handed down his ruling. "I am must decide the issue according to the law. That said, I am denying the temporary restraining order request in totality."

He then scheduled the hearing on the request for a preliminary injunction for 1 p.m. Sept. 28. He said it would be a hearing in which both parties could present evidence and have witnesses testify.

Rice said it is policy not to comment on issues in litigation.

Ruttenberg said she has her work cut out for her and it will be a challenge to be ready for the Sept. 28 hearing.

After the ruling, the attorney met with the plaintiffs, friends and family outside the courthouse.

She said the judge's comments and rulings were a starting point for preparation for the preliminary injunction hearing.

"It is a challenge we have to meet," she said. "It is just too bad the city used its authority to destroy the lives of these members of their community."

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Your Contribution

Denver artwork pops up in Englewood

By Peggy Dietz
YourHub Contributor

Two innovative Denver artists will have artwork on display at Nixon's Coffee House in Englewood.

Sally VanDerKamp transforms scraps of colored glass into abstract creations. Often, historic glass is used for these one-of-a-kind artistic "puzzles."

Pat Dall, a well-known Littleton artist, has the working blend of people, pattern and color that make her five-step ink-resist paintings so remarkable and often whimsical.

Their work will be on display from Sept. 11 until Oct. 31. Nixon's Coffee House is at 871 Englewood



Photo provided by Peggy Dietz

Parkway, near the light-rail station. Hours are 6 a.m. to 8 p.m. Monday-Friday, 7 a.m. to 7 p.m. Saturday and Sunday.

Peggy Dietz is a local photographer.

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T H E L I S T

DENVER-AREA HOSPITALS

RANKED BY PATIENT ADMISSIONS IN 2014

Business name Website	Address Phone	Patient admissions in 2014	Patient days in 2014	Outpatient visits in 2014	Owner(s) / headquarters	Top local executive
3 Swedish Medical Center - HealthONE swedishhospital.com	501 E. Hampden Ave. Englewood, CO 80113 303-788-5000	20,384	NA	NA	HCA Holdings Inc. / Nashville, TN	Mary White, president/CEO
24 Craig Hospital craighospital.org	3425 S. Clarkson St. Englewood, CO 80113 303-789-8000	518	27,416	9,761	Craig Hospital / Englewood, CO	Mike Fordyce, president/ CEO; Dr. Tom Balazy, medical director

MOST NURSES ON-STAFF AS OF JAN. 1, 2015

Children's Hospital Colorado	1,961
University of Colorado Hospital	1,850
Denver Health	1,518
Saint Joseph Hospital	806
Swedish Medical Center - HealthONE	791
Presbyterian-St. Luke's Medical Center	699
Lutheran Medical Center	669

MOST PHYSICIANS ON-STAFF AS OF JAN. 1, 2015

Children's Hospital Colorado	1,908
Sky Ridge Medical Center - HealthONE	1,755
University of Colorado Hospital	1,711
Swedish Medical Center - HealthONE	1,627
Saint Joseph Hospital	1,443
Rose Medical Center - HealthONE	1,418
Presbyterian-St. Luke's Medical Center	1,182

T H E L I S T

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DENVER-AREA HOSPITALS

RANKED BY CHARITY AND UNCOMPENSATED CARE IN 2015

<i>Business name Website</i>	<i>Address Phone</i>	<i>Uncompensated care in 2015</i>	<i>Owner(s) / headquarters</i>	<i>Top local executive</i>
15 Craig Hospital  craighospital.org	3425 S. Clarkson St. Englewood, CO 80113 303-789-8000	\$1.02 million	Craig Hospital / Englewood, CO	Mike Fordyce, president/CEO; Tom Balazy, MD, medical director

DENVER-AREA HOSPITALS

RANKED BY LICENSED BEDS AS OF JAN. 1, 2016

<i>Business name Website</i>	<i>Address Phone</i>	<i>Number of licensed beds as of Jan. 1, 2016</i>	<i>Number of physicians on- staff as of Jan. 1, 2016¹</i>	<i>Number of nurses on- staff as of Jan. 1, 2016²</i>	<i>Owner(s) / headquarters</i>	<i>Top local executive</i>
22 Craig Hospital  craighospital.org	3425 S. Clarkson St. Englewood, CO 80113 303-789-8000	93	7	184	Craig Hospital / Englewood, CO	Mike Fordyce, president/ CEO; Tom Balazy, MD, medical director

**CITY OF ENGLEWOOD
2016 CALENDAR OF EVENTS**

Mon., Sept. 12	6:00 p.m.	Study Session, Community Room
Tues., Sept. 13	Cancelled	Water & Sewer Board, Community Development Conference Room
	6:00 p.m.	Keep Englewood Beautiful, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Sept. 14	6:30 p.m.	Urban Renewal Authority, City Council Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Mon., Sept. 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Regular Meeting, Council Chambers
Tues., Sept. 20	4:30 p.m.	Budget Advisory Committee, City Council Conference Room
	7:00 p.m.	Planning and Zoning Commission, City Council Conference Room/Council Chambers
Wed., Sep. 21	7:00 p.m.	Liquor & Medical Marijuana Licensing Authority, Council Chambers
Tues., Oct. 4	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	7:00 p.m.	Planning and Zoning Commission, City Council Conference Room/Council Chambers
Wed., Oct. 5	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Liquor & Medical Marijuana Licensing Authority, Council Chambers
Tues., Oct. 11	5:00 p.m.	Water & Sewer Board, Community Development Conference Room
	6:00 p.m.	Keep Englewood Beautiful, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Oct. 12	6:30 p.m.	Urban Renewal Authority, City Council Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs., Oct. 13	5:30 p.m.	Parks and Recreation Commission. Malley Senior Recreation Center
Tues., Oct. 18	4:30 p.m.	Budget Advisory Committee, City Council Conference Room
	7:00 p.m.	Planning and Zoning Commission, City Council Conference Room/Council Chambers
Wed., Oct. 19	7:00 p.m.	Liquor & Medical Marijuana Licensing Authority, Council Chambers

Wed., Nov. 2	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Liquor & Medical Marijuana Licensing Authority, Council Chambers
Mon., Nov. 7	2:00 p.m.	Malley Center Trust Fund Board, Malley Senior Recreation Center
Tues., Nov. 8	3:00 p.m.	NonEmergency Employees Retirement Board, Public Works Conference Room
	5:00 p.m.	Water & Sewer Board, Community Development Conference Room
	6:00 p.m.	Keep Englewood Beautiful, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
	7:00 p.m.	Planning and Zoning Commission, City Council Conference Room/Council Chambers
Wed. Nov. 9	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	6:30 p.m.	Urban Renewal Authority, City Council Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thur., Nov. 10	3:00 p.m.	Police Officers Pension Board, Public Works Conference Room
	3:30 p.m.	Firefighters Pension Board, Public Works Conference Room
	5:30 p.m.	Parks and Recreation Commission Broken Tee Golf Course
	6:30 p.m.	Transportation Advisory Committee City Council Conference Room
Tues., Nov. 15	4:30 p.m.	Budget Advisory Committee, City Council Conference Room
Wed., Nov. 16	7:00 p.m.	Liquor & Medical Marijuana Licensing Authority, Council Chambers
Tues., Nov. 22	7:00 p.m.	Planning and Zoning Commission, City Council Conference Room/Council Chambers
Tues., Dec. 6	7:00 p.m.	Planning and Zoning Commission, City Council Conference Room/Council Chambers
Wed., Dec. 7	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Liquor & Medical Marijuana Licensing Authority, Council Chambers
Thurs., Dec. 8	5:30 p.m.	Parks and Recreation Commission Broken Tee Golf Course Maintenance Facility

TENTATIVE
STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL

September 12	Study Session EEF EMRF EMRF Easement Discussion Budget Discussion
September 19	Study Session & Regular Meeting Financial Report Dissolution of Ironworks/Urban Renewal Area/Future of EURA
September 26	Study Session Ironworks Metropolitan District Incorporation Comprehensive Plan
October 3	Study Session & Regular Meeting MOA Presentation Dry Gulch Drainage Discussion Comprehensive Plan
October 10	Study Session Accessory Dwelling Unit Discussion Operational Plan Update Economic Development Policy/Programs Comprehensive Plan
October 17	Study Session & Regular Meeting Financial Report Comprehensive Plan
October 24	Study Session Aid to Other Agencies Discussion City Center Englewood Discussion Comprehensive Plan
October 31	No Meeting – 5 th Monday
November 7	Study Session & Regular Meeting Board and Commission Members Reappointment Discussion Comprehensive Plan
November 14	Study Session Comprehensive Plan

November 21	Study Session & Regular Meeting Financial Report Comprehensive Plan
November 28	Study Session Comprehensive Plan
December 5	Study Session & Regular Meeting Comprehensive Plan
December 12	Study Session Financial Report Comprehensive Plan
December 19	Regular Meeting No Study Session Scheduled – Holiday Dinner
December 26	Christmas Holidays – No meeting scheduled
2017	
January 3	Study Session & Regular Meeting - Tuesday Colorado and US Legislators - tentative
January 9	Study Session Board and Commission Interviews
January 17	Study Session & Regular Meeting - Tuesday Financial Report Board and Commission Appreciation Night/Gift Discussion Citizen of the Year Selection

FUTURE STUDY SESSION TOPICS

Xcel Partners in Energy
 Joint Meeting with Englewood School District
 Emerald Ash Borer Presentation/Japanese Beetle Discussion
 City Council Response to Public Comment
 City Council Retreat
 Big Wonderful Outdoor Festival



MINUTES
Planning and Zoning Commission Meeting
Tuesday, August 16, 2016
1000 Englewood Pkwy – Council Chambers 7:00 PM



1. Call to Order

The meeting was called to order at 7:05 p.m.

2. Roll Call

Present: Brick, Coleman, Fish Kinton, Pittinos, Austin
Absent: Bleile, Freemire, Townley, Madrid (All Excused)
Staff: Brook Bell, Planner II, Community Development



3. Approval of Minutes

Planning and Zoning Commission Minutes August 2, 2016

- a. **Kinton moved; Coleman seconded: To approve the minutes of August 2, 2016 as written.**

Ayes: Coleman, Fish, Pittinos, Kinton
Nayes: None
Abstain: Brick
Absent: Bleile, Freemire, Townley, Madrid

Motion carried.



4. Public Hearing Case 2016-03 (Continued) Amendments to the Unified Development Code Sign Regulations - Continued

- a. **Fish moved; Pittinos seconded: To re-open the Public Hearing for Case 2016-03 Amendments to the Unified Development Code relating to Sign Regulations**

Ayes: Brick, Coleman, Fish, Pittinos, Kinton
Nayes: None
Abstain: None
Absent: Bleile, Freemire, Townley, Madrid

Motion carried.



Staff Presentation

Brook Bell, Planner II, was sworn in. Mr. Bell reviewed the changes that are proposed to the sign code. The proposed revisions were made based on

the Supreme Court case *Reed vs. the Town of Gilbert, Arizona* that prohibits regulation of sign based on content.



Public Testimony

No members of the public attended the meeting.

Discussion

Mr. Brick stated that he feels that staff and the Commissioners have sufficiently revised the sign code regulations to meet the requirements of the Supreme Court decision in *Reed vs. the Town of Gilbert, Arizona*, regarding content based sign regulations.

Mr. Pittinos expressed concern over garage sale signs; Mr. Bell stated that garage sign code regulations are in Chapter 15 of the UDC and will be addressed internally with the City Attorney's office.



Brick moved; Fish seconded: To close the Public Hearing for Case 2016-03 Amendments to the Unified Development Code relating to Sign Regulations

Ayes: Brick, Coleman, Fish, Pittinos, Kinton

Nayes: None

Abstain: None

Absent: Bleile, Freemire, Townley, Madrid

Motion carried.

Pittinos moved; Brick seconded: To forward Case 2016-03 Amendments to the Unified Development Code relating to Sign Regulations to City Council with a favorable recommendation.

Ayes: Brick, Coleman, Fish, Pittinos, Kinton

Nayes: None

Abstain: None

Absent: Bleile, Freemire, Townley, Madrid

Motion carried.

5. Public Forum

No members of the public were present at the meeting.

6. Staff's Choice

Mr. Bell did not have anything further for the Commission. The next meeting will be September 7th. The discussion regarding commercial requirements in the MU-B-2 and MU-B-3 zone districts will continue.

7. Attorney's Choice



Interim City Attorney Comer was not present.

8. Commissioner's Choice

Mr. Kinton expressed interest in conducting joint meetings with other boards and commissions.

Mr. Fish asked when the Commission will discuss Accessory Dwelling Units (ADUs). Mr. Bell answered that staff has been directed to work on other issues and resume discussion of ADUs once the Comprehensive Plan has been adopted.

Mr. Brick suggested that representatives from the Police Department attend a meeting to address crime prevention.

9. Adjournment

The meeting adjourned at 7:50 p.m.

/s/ Julie Bailey, Recording Secretary