

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

Regular Session

February 1, 2010

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Woodward at 7:42 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, Penn, Gillit, McCaslin, Wilson,
Woodward

Absent: None

A quorum was present.

Also present: Acting City Manager Flaherty
City Attorney Brotzman
City Clerk Ellis
Deputy City Clerk Bush
Communications Coordinator Hoffhines, City Manager's Office
Director White, Community Development
Police Commander Condreay
Police Sergeant Englert

5. Consideration of Minutes of Previous Session

(a) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 19, 2010.

Mayor Woodward asked if there were any changes or modifications. There were none.

Vote results:

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

Nays: None

Motion carried.

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Mayor Woodward said I would just like to bring up that I would like to change the order of the Agenda somewhat...with Council's approval. That is, after item 6 (c)...to go to Agenda Item number 8...which would be the communications, proclamations and appointments. And do that as one Agenda Item and then back to 6 (d) and then continue on with the Agenda...to save some people some time. Are there any objections? There were none. Mayor Woodward said okay.

6. Recognition of Scheduled Public Comment

(a) Mayor Woodward said Donna Hilton, Food Bank of the Rockies/Aid to Other Agencies recipient, was unable to be here with us at our last meeting. She is here tonight I believe and we have a check for you from the City of Englewood I would like to present to you and compliment you on all the work you have done and I know this has been a very hard year for you. Thank you for all that you do for the City of Englewood. There was applause.

Ms. Hilton said I just wanted to sincerely apologize for not being able to join you last time. We had unfortunate travel schedules...myself and the other person who would typically have been here. But I wanted you all to know...sincere thanks to the City Council for your selection of us. Your contribution this year...will buy 3,000 meals. So, that is absolutely excellent. We are having the largest number of requests for assistance that we have had in 32 years at Food Bank of the Rockies. So, this couldn't have come at a better time. And I want to thank all Englewood residents who have done food drives, volunteer work or can even talk with someone about seeing us here tonight for our support. So, thanks again. There was applause.

(b) City Council will recognize the young people who were nominated for this year's Metropolitan Mayors and Commissioners Youth Award.

Mayor Woodward said welcome and thank you all for coming this evening. Tonight we have the honor of recognizing Englewood's nominees for the 2010 Metropolitan Mayors and Commissioners Youth Awards. The Youth Awards recognize young people who have overcome difficult and adverse circumstances in their lives. We are recognizing 16 nominees this evening from schools in Englewood. We are honoring these young people, not because of the challenges that they have faced, but because they have risen to those challenges. These students inspire us with their strength and determination. I am pleased, also, to see that many of our school counselors, administrators and board members have joined us this evening and I would like to mention or name a few of them. (As Mayor Woodward introduced each of them there was a round of applause.) School Board Members...Vicki Howard, Karen Miller and Gene Turnbull. Superintendent of Schools, Sean McDaniel. Englewood High School Principal, Jonathan Fore. Colorado's Finest Alternative High School Assistant Principal, Janelle Smith and Englewood Middle School Principal Mandy Braun. Mandy has been with Englewood School District for a very long time. There was laughter and some comments from the audience that were inaudible. Mayor Woodward said, well, not in the capacity, as I understand it...as being on administration, but as a student coming forward. Council Member Penn said...a long time. There was laughter. Mayor Woodward said...like Randy said, even longer than...(there were inaudible comments)...almost as long as Bob was. Again, I would like to thank you for coming this evening to help us honor these young people. As we begin the recognition, I invite the other City Council Members to join me in front of the dais, so we can form a receiving line to congratulate our nominees. I would also like to introduce Leigh Ann Hoffhines, who represents the City of Englewood on the Metro Mayors and Commissioners Youth Awards. She is also a board member. Leigh Ann is also going to help us with the presentation. So, would Council Members come down.

Communications Coordinator Hoffhines said I would also like to thank you all for coming this evening...and thank the families and friends and teachers and counselors who support these young people on a daily basis. I also want to especially thank those of you who nominated these young people. Thanks for recognizing their accomplishments and for bringing them to our attention so that we can honor them. I'm going to call each nominee up individually. So, please come forward as I call your name and you can shake the Mayor's hand and the Mayor Pro Tem's hand and get a certificate and a little gift card as a token of our admiration.

The nominees are:

Emily Borden, a 12th Grader at Colorado's Finest Alternative High School. Emily's nominator describes her as "incredibly resilient"...a young woman who has persevered and become a positive part of her school community. She always has a smile for anyone who's having a rough day. She has also worked very hard academically and will be graduating early.

Meghan Branstetter, a 12th Grader at Colorado's Finest Alternative High School. Her nominator describes Meghan as a confident and uncompromising young woman who has incredible self-discipline. She is a constant advocate for the underdog and always tries to encourage those around her to make positive choices.

Seth Butz-Rokowski, a 12th Grader at Colorado's Finest Alternative High School. Unfortunately, he wasn't able to be here this evening. His nominator describes Seth as a quiet, unassuming young man whose strength and courage have helped him make positive changes in his life. He has worked hard and is on track to graduate from high school early.

Danielle Dufourd, a 12th Grader at Colorado's Finest. Danielle couldn't be here this evening either. Unfortunately, we had some scheduling problems with Colorado's Finest. According to her nominator, Danielle has the courage to take her own path and brings a calm and thoughtful perspective to her school community. She is always willing to provide a listening ear and her empathy goes a long way toward helping others in need.

Angelina Follette, a 12th Grader at Colorado's Finest Alternative High School. She couldn't be here this evening either. Angelina's nominator describes her as an independent young woman whose internal strength has helped her stay focused on her goals. She is a wonderful role model for her classmates, and volunteers on her school's Big Brother, Big Sister program as well as the School's Appeals Panel.

Sam Fontenot, an 8th Grader at Englewood Middle School. I got a call from Sam's stepmom shortly before I came down here this evening. He is very sick and couldn't make it and was very disappointed. Sam's nominator says that Sam's positive attitude makes him an excellent role model and a positive influence on his school community. He is a kind young man who is always prepared and never fails to lend a helping hand.

Angela Hernandez, a 12th Grader at Colorado's Finest Alternative High School. Angela's nominator describes her as a wonderful role model for her peers. She is devoted to her family and her school community and her impressive optimism helps her look at the bright side and persevere.

Jewell Higgs, a 10th Grader at Englewood High School. Jewell is described as a gracious and compassionate young woman who serves as a role model for her younger siblings and her classmates. Jewell has decided to live by her father's motto: "If you are not happy with what is going on in your life, you are the only one who has the power to change it."

Ashley Leavell, a 12th Grader at Colorado's Finest Alternative High School. Ashley's nominator describes her as a young woman who has taken responsibility and made the changes necessary to lead a healthy, successful life. She volunteers in the community, works hard in school, and is a good role model for her peers.

Geobana Leyva-Ramos, a 12th Grader at Colorado's Finest. Geobana's nominator says she has great strength and maturity that help her maintain her priorities and stay focused. She works full time, is a full-time student, and always finds time to help with school functions. She is a positive role model for her peers.

Jasmine McCormick, a 12th Grader at Colorado's Finest Alternative High School. Jasmine's nominator says that instead of succumbing to the painful experiences in her life, Jasmine has used them to renew her sense of purpose and motivation. She works hard in school, has a job to help support herself, and gives back to her community by volunteering at a number of local organizations.

Elyse Michaels, a 10th Grader at Englewood High School. Elyse is described as a mature and courageous young woman who has a strong drive to pursue her dreams of an education. She plays an important role in her family and serves as a positive role model for her younger siblings and her peers at school.

Alec Reiman, an 8th Grader at Englewood Middle School. Alec's nominator describes him as a courageous young man whose positive attitude is beneficial to his peers and school community. He is conscientious about keeping his grades up and works hard to be successful.

Nicole Tcheschke, an 8th Grader at Englewood Middle School. Nicole's nominator says that Nicole meets each new day with a positive attitude. She is respectful, works hard in school, and has met life's challenges with her positive outlook.

Victoria Vallejo, an 8th Grader at Englewood Middle School. Victoria is described as a young woman with a huge and selfless heart who meets challenges head on. She is self-sufficient, positive, and determined to excel at everything she does.

Amy Villanueva, a 12th Grader at Colorado's Finest Alternative High School, could not be here this evening. Amy's nominator describes her as a strong young woman who has worked hard to turn her life around to benefit her son and herself. She has developed long-term goals and is focused on achieving them.

There was applause after each nominee was announced.

Ms. Hoffhines said I have served on the MMCYA Board of Managers for many, many years and I never fail to be amazed and inspired by the young people that we honor. And tonight is, of course, no exception. So, I applaud your successes and I encourage you to just keep on fighting the good fight. I would like to give you all another round of applause.

Mayor Woodward said I would just like to add that I have participated in this process for...going on the last five years now. And I want to congratulate everybody that is here. Just to be here...it is...it means that you, as young people, are doing something and really accomplishing something. And speaking for myself, you know, I am very proud of what you do and I would be...I'm guessing at least that...numerous students that were from Colorado's Finest Alternative High School tonight...weren't here because they are at school. They have night school over there, so a lot of those kids are over there...probably. Or working. So, congratulations to all of you...it is well deserved. Thank you. There was applause.

(c) Josef Kubik from Jimano's Pizzeria, 2950 South Broadway, was present to introduce his new restaurant. He said hi everyone. I want to thank you for allowing me to spend a couple of minutes with you tonight. I will be talking to you about a concept that I will be rolling out in March. I am originally from Chicago, and as some of you might know, Chicago makes the best pizza. When I originally moved out to Denver a number of years ago, I had noticed that there was a lack of really good Italian restaurants that made a good pie. So, I decided that I wanted to fill in the gap. I was looking for two things: one was that it was based out of Chicago, it was award winning pizza and it was known for customer service. So what I ended up finding was an Italian restaurant called Jimano's Pizzeria. It really is a labor intensive restaurant; from making dough from scratch, hand tossed to homemade recipes, lean meats. If you like Chicago style hot dogs and Italian beef, we have that. I expect a really casual dining experience, with some Chicago flair. We'll have pizza, pastas, ribs, you name it. Our address is going to be 2950 South Broadway. It is a Jon Cook family owned property, which I'm very fortunate to be under. One thing that I wanted to note, because this is my first restaurant...my background is in the investment advisory industry...I really feel fortunate to be in the Englewood community. Not just the development and incentive programs, which are so good and such an enticement to be here, but also the agents that I have worked with has been so appreciated in terms of the Catalyst Program, the City Clerk's office and the Community Development area. It's been just a wonderful encouragement up until now and I'm really looking forward to being a member of the community. So thank you very much.

Several Council Members said thank you.

Mayor Woodward said I have just a quick question for you. Do you deliver then also? Mr. Kubik replied it will seat about 50 in there. We're actually flying a Chicagoan in to do a skyline mural on the inside, so we will have a nice restaurant feel inside but it's still mainly oriented to be carry out and delivery. Mayor Woodward said okay and congratulations. Thank you for coming tonight.

Council Member Penn said Mayor...Joe, could I ask you a couple of quick questions? I hate to do this out of order, but did you know that they are putting out a dining guide for the City of Englewood? Mr. Kubik said I don't. That's a great thing to know. Council Member Penn said oh my gosh...unfortunately, you need to get ahold of the Chamber tomorrow morning...303-789-4473...if you want to be included. They are going to do final

cut tomorrow. They probably did not know that you were in town. But it would be a good way...because they are going to advertise it with 75,000 people and not very expensive. Mr. Kubik said wow, that is real good. I actually...I had brought some aggregate menus if you guys want to take a quick look at what it's like. Council Member Penn asked if you have a card that I could get from you. Mr. Kubik replied yes I do. Council Member Penn said thank you. When are you going to open? Mr. Kubik answered late March. We are hoping to open by St. Patrick's Day.

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Mayor Woodward said now we are making that change and moving on to item number 8, the communications, proclamations and appointments.

Agenda Items 6 (d), 6 (e) and 7 were moved. (See page 8.)

Mayor Woodward said we do have appointments tonight. And if there isn't any objection I would suggest that we take the resolutions for 8 (a) through 8 (w) as a group.

8. Communications, Proclamations and Appointments

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEMS 8 (a) THROUGH 8 (w), RESOLUTION NOS. 5 THROUGH 27, SERIES OF 2010.

Mayor Woodward asked if there was any discussion.

Mayor Woodward said this is just for clarification for the public and for the listening audience. This is a resolution appointing and reappointing board members to our City's different Boards and Commissions.

(a) RESOLUTION NO. 5, SERIES OF 2010

A RESOLUTION REAPPOINTING DAVID ANDERSON TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(b) RESOLUTION NO. 6, SERIES OF 2010

A RESOLUTION REAPPOINTING SUSAN BAYLESS TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(c) RESOLUTION NO. 7, SERIES OF 2010

A RESOLUTION REAPPOINTING ANDY BERGER TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(d) RESOLUTION NO. 8, SERIES OF 2010

A RESOLUTION REAPPOINTING JOHN BRICK TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(e) RESOLUTION NO. 9, SERIES OF 2010

A RESOLUTION REAPPOINTING KEN BRONSON TO THE ELECTION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(f) RESOLUTION NO. 10, SERIES OF 2010

A RESOLUTION APPOINTING MICHAEL BUCHANAN TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(g) RESOLUTION NO. 11, SERIES OF 2010

A RESOLUTION REAPPOINTING TOM BURNS TO THE WATER AND SEWER BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(h) RESOLUTION NO. 12, SERIES OF 2010

A RESOLUTION APPOINTING VIC CALONDER TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

(i) RESOLUTION NO. 13, SERIES OF 2010

A RESOLUTION APPOINTING JOHN CHAMPION TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

(j) RESOLUTION NO. 14, SERIES OF 2010

A RESOLUTION REAPPOINTING BRETT EAST TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(k) RESOLUTION NO. 15, SERIES OF 2010

A RESOLUTION REAPPOINTING JAMES GARNETT TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(l) RESOLUTION NO. 16, SERIES OF 2010

A RESOLUTION REAPPOINTING DOUGLAS GARRETT TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(m) RESOLUTION NO. 17, SERIES OF 2010

A RESOLUTION REAPPOINTING AUSTIN GOMES TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(n) RESOLUTION NO. 18, SERIES OF 2010

A RESOLUTION APPOINTING JOHN MOORE TO THE NON-EMERGENCY EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(o) RESOLUTION NO. 19, SERIES OF 2010

A RESOLUTION APPOINTING MARTY MOSMAN TO THE MALLEY CENTER TRUST FUND BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(p) RESOLUTION NO. 20, SERIES OF 2010

A RESOLUTION REAPPOINTING SUE PURDY TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

(q) RESOLUTION NO. 21, SERIES OF 2010

A RESOLUTION REAPPOINTING LAURA ROGERS TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

(r) RESOLUTION NO. 22, SERIES OF 2010

A RESOLUTION REAPPOINTING THERESA SABRSULA TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(s) RESOLUTION NO. 23, SERIES OF 2010

A RESOLUTION APPOINTING CATHERINE TOWNLEY TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(t) RESOLUTION NO. 24, SERIES OF 2010

A RESOLUTION APPOINTING CATHERINE TOWNLEY AS AN ALTERNATE MEMBER TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD.

(u) RESOLUTION NO. 25, SERIES OF 2010

A RESOLUTION REAPPOINTING MITCH WALDMAN TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(v) RESOLUTION NO. 26, SERIES OF 2010

A RESOLUTION REAPPOINTING JAMES WEEKS TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(w) RESOLUTION NO. 27, SERIES OF 2010

A RESOLUTION REAPPOINTING CARL WELKER TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion carried.

Mayor Woodward said, as Jill calls off the person's name...if they are here tonight, please come forward and I have a pin and a certificate for you...to present to you.

Mayor Woodward announced the appointments and reappointments and Mayor Pro Tem Wilson presented certificates and City pins to all the appointees and reappointees in attendance and they were given a round of applause.

Mayor Woodward said I get to say a couple of extra words about Austin Gomes, who has been the chair for a number of years on Parks and Recreation Commission. He runs a very tight meeting, he has given a lot to the City of Englewood, Parks and Recreation, seniors, Malley Center...he has done a whole lot. And he has been somewhat of a mentor. So, Austin, thank you. It has been a pleasure serving with you and keep up the good work. Mr. Gomes said thank you. There was a round of applause.

Mayor Woodward said to John Moore...it is a pleasure...we are glad to have you here. We don't know about any other boards that are coming up. We will know in a week or two. So, thank you. Mr. Moore said thank you. There was a round of applause.

Mayor Woodward said Marty Mosman was unable to come tonight. She had given me a call and said she was ill. So, she will not be here.

Mayor Woodward said Laura Rogers did have a letter that she was not going to be able...she was just coming into town...and would not be able to make it.

Council Member Jefferson said thank you to you all for your service to the community.

Mayor Woodward said yes, thank you. These were appointments and reappointments. That's what makes a city a community and different parts of the communities and neighborhoods is the community involvement. It's what really makes a difference in Englewood, so thank you very much.

Mayor Woodward said now we are moving back to Agenda Item number 6.

Agenda Items 6 (d), 6 (e) and 7 were moved.

6. Recognition of Scheduled Public Comment (continued)

(d) Jackie Edwards was not present to address City Council regarding medical cannabis. Mayor Woodward said Jackie, I believe, called in today and is also sick, so she will not be here to present.

(e) Mark Swanson was not present to address City Council regarding code enforcement.

7. Recognition of Unscheduled Public Comment

(a) Kim Love, a Littleton resident, said good evening City Council Members. You've all heard the expression you have to walk before you can run. In my case, you have to roll and then walk and then hopefully run. So, it's nice to be here. I'm pleased I was able to come here tonight, and also to the Study Session and address the City Council meeting. As you know, I am president of Englewood Unleashed. We are going to have our 5th Annual Chili Cook-Off. I believe all of you have a copy of the flyer on your table. This is announcing our 5th Annual Chili Cook-Off for April 24. We would encourage all of you to get involved again, like you did last year. We, of course, need Chili Cook-Off judges and we would invite the community to come and join us. It is a lot of fun. If you love chili, it is a really good time. We have lots of vendors there that support the community. Of course, the proceeds go to Englewood Unleashed. We sponsor the off-leash dog parks and the community of folks with dogs and obviously educating them to make good decisions and keep our parks off-leash. So it is really important...this is our biggest fund raiser of the year, so we always have a lot of people come out. We think the 5th Annual Chili Cook-Off will be a record this year. So, we've grown every year and this year we expect to have a record crowd. So, we really do appreciate your community support and City Council's...thank you. As you heard in the Study Session, Englewood Unleashed funded more than a third of the cost of the new signage that City Council voted on last year to place in the five off-leash privileged parks. That came to about...we rounded it up to \$800.00 and we have given a commitment to do that, and the Board approved it, to give that to the Parks and Recreation Department of the City. So we can help with those costs. Like I said, it is over a third. We are very pleased to be able to help the City with this. We would also like to ask City Council at this time, if part of promoting this Chili Cook-Off on April 24th, we plan on putting up banners, like we have every year. This year we are going to expand it to two banners, so we would like to have one on the south poles of the City and the north poles of the City. I understand that they are not magnetic, so we're going to put them on both ends of downtown. And we would like to ask City Council to waive the customary fees for putting up the banners again this year, so if you wouldn't mind making a motion tonight to do that, like you have in the previous years, we would be very appreciative. Because that is obviously a big chunk of money for us and we want to make sure that we raise a lot of money that goes to off-leash usage. In this case, we were able to fund things like the signage and other things that are good for the park. Actually, I think I've covered my entire list. So again, if you guys could come to the Chili Cook-Off, Saturday April 24th. We'd like to put up the banners...I believe we are allowed to put them up six weeks before...45 days and put those up until the Monday following the Chili Cook-Off April 26. Hopefully, Randy that works out with your schedule for the Farmer's Market. So, hope we can do the same as we did last year. Again, thank you for your time.

Council Member Penn said we will work around it. Mr. Love said...pardon me. Mr. Penn said we will work around it. Mr. Love said all right. So, thank you again for your time this evening. Thank you City Council and Mayor and have a nice night.

Mayor Woodward said thank you Kim.

(b) Beverly Cummins, an Englewood resident, said good evening. I didn't make any notes or anything, but I did call Joe. I'm calling because I'm afraid that somebody is going to be killed there on the corner of Acoma and Dartmouth. Saturday it took me probably ten minutes or more to just get out far enough from my corner to get across Dartmouth there. The cars are parked clear down to the corner and also on the other side of Dartmouth there. And it makes Dartmouth very tight...for one thing. And also in the alley, if you come down the alley, you can't see to get out either way. You can't see the stoplight to see if its...so you can't even get out in the median. So, I would appreciate it if you would think about putting in either a four-way stop or a stoplight there, because, like I told Joe, it is an accident looking for a place to happen, really. It is really dangerous and I really would appreciate something being done about it.

Mayor Woodward said can I just ask one question here? Does it have to do on Acoma, when your coming off Acoma, with the setback of the cars, not being able, for you...from Acoma, to see what's coming? Ms. Cummins said true, true. And I did call the police and they came out and they did give some tickets out. I don't know how many or anything. But, he definitely said that was a very dangerous...you know, because having them on both sides...Dartmouth isn't that big, you know, wide to begin with. So it's treacherous. And then I came back the other way, and it was the same way, because with those then on the other side you couldn't see to get out far enough on either side to...so it's dangerous. Thank you.

Mayor Woodward and several Council Members said thank you.

Mayor Woodward said Mike, can you just make that a Council request to have Ladd take a look at that and the position of the parking signs and see if they can be put back any further, to give the opportunity...especially at that location? Because Dartmouth...cars coming that way can become... Councilmember Jefferson said I think the problem is sort of complicated when the cars sort of back up at Dartmouth and Broadway there, and they'll back up a block or two during... Mayor Woodward said during evening or... Mr. Jefferson said yes. Mayor Woodward said okay.

Council Member Penn said Mayor, could we also take that to the Transportation Advisory Committee? And do that for a discussion and make sure that we invite Beverly that night? Mayor Woodward responded I think that is a very good idea and so maybe not a short-term...but to take that to... There was a comment made from someone that was inaudible. Mayor Woodward said okay.

(c) Kim Love spoke from the audience...it was inaudible. Mayor Woodward said okay, but only because you haven't been here recently.

Mr. Love said again, formally, I am with Englewood Unleashed. I'm sorry I did miss an item, so thank you for making an exception Your Honor. As Rick Gillit knows, he rode along with one of the police cruisers and found, when they went to the Canine Corral, that the parking lot was not very well lit. It is very dark in fact. We would like to formally ask City Council to consider spending a little bit of money on some lighting, so it is safe for women and folks to use the parking lot. We've had a lot of problems and break-ins in the cars and I think a light would be very helpful. Because there are a lot of single women, of course, who bring their dogs to the park, after hours, and especially this time of year, where it gets dark early, well that would be very handy. A light isn't very expensive. I consulted with Dave Lee and our board has talked to Dave Lee about it. Apparently the cost from Xcel is \$1800.00. That includes a pole, mounting, hooking the wiring up to the existing grid and of course the light, which is the days standard...it actually uses green energy and it uses very little energy...it's all the new lighting they are putting in. So, we would ask, formally, if City Council again would consider that expense so we can make it a safer place for the Canine Corral. Thank you.

Council Member Gillit said I know that they went out there and looked and I know that there were some lights burnt out as well. I thought they were talking about adding another pole already. Council Member Jefferson said I thought so too. Mayor Woodward said I believe that was the case. I don't know if Mike could... Mr. Love spoke from the audience and it was inaudible. Mayor Woodward said I'm sorry. Mr. Love said Dave Lee doesn't want to do that...(inaudible)...Council's formal approval. Council Members Jefferson and Wilson said

he will need to bring it back to us. Council Member Penn said...and check the light bulbs. Mayor Woodward said the bulbs, I believe, we were told that they were being replaced. Council Member Jefferson said they have done the bulbs. Mr. Love again spoke from the audience and was directed to a microphone if he wanted to speak. At the microphone, Mr. Love said Dave Lee's department, Parks and Recreation, has gone and replaced the lights that have been out. The closest light is the one in the middle of the park, so it's probably 300 yards from the parking lot. So, it doesn't really give much light for that area. So all of the lights that were out, they have fixed. They have recently, I believe in the last few weeks, have gone around and replaced all of the lights in the park, so all of the ones that were out, including the one at Jason, have been fixed. Council Member Gillit said if they could look at possibly two. I don't think one is ample. Being there, I don't see how one would be ample for true safety, if that is what we are looking for. If we could possibly consider putting two there, just for safety reasons. Mr. Love said actually Rick, the City could save money, because to put the pole in and the wiring would be the same. The only difference would be that they put two lighting heads on the same pole, so it would be a nominal cost to add that. It is the same labor to do two as it is to do one. So it would be hooked to the same pole. So perhaps, something...you now, the pole could have a light on both sides would work really well.

Several Council Members said okay, alright...thank you.

Mayor Woodward said if you could add that Mike. I know we had it down and I remember there was a response...some response...that Xcel was looking into it and I just don't recall the specifics.

Agenda Item 8, Communications, Proclamations and Appointments, was moved forward. (See page 5.)

9. Consent Agenda

- (a) Approval of Ordinances on First Reading

There were no items submitted for approval on first reading.

- (b) Approval of Ordinances on Second Reading

There were no items submitted for approval on second reading.

- (c) Resolutions and Motions

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

10. Public Hearing Items

No public hearing was scheduled before Council.

11. Ordinances, Resolution and Motions

- (a) Approval of Ordinances on First Reading

There were no items submitted for approval on first reading.

- (b) Approval of Ordinances on Second Reading

There were no items submitted for approval on second reading.

- (c) Resolutions and Motions

- (i) Director White presented a recommendation from the Community Development Department to approve a resolution establishing a temporary suspension or moratorium for a six-month period on the discretionary approval process included under Title 16-6-13 (3) (b) and 16-6-13 (4) of the Englewood

Municipal Code. He said as you are aware, we received a decision from the Court of Appeals in the case of Mike Mahaney vs. the City of Englewood that was not positive for the City. The court found that certain sections of our sign regulations were unconstitutional, because we didn't have a timeframe for approval and also lacked approval criteria for murals. And so we consulted with the City Attorney's office...basically with the question...well what do we do if we get an application in? What rules do we follow, if we get an application for a mural in? And after much discussion, we arrived at a fairly simple solution and that is being presented to you tonight. The resolution that is presented for your consideration, basically, enacts a moratorium on the requirement for anyone wanting to do a mural in the City to present, or go through, the special process that the Court found unconstitutional. What the resolution does is put a moratorium on that requirement and defers to the regular process for a sign permit that has a prescriptive timeframe for review and also criteria for review of that particular type of sign. So murals would still be allowed under this resolution. They would still be subject to the 125 square foot limitation that we have now. They would still be allowed, should any application come forward. Then this is also...the six-month moratorium would also allow the Planning and Zoning Commission to consider this as part of the revisions to the sign regulations that they are working on right now. And with that, I can answer any questions that you may have.

Mayor Woodward asked if there were questions for Mr. White.

Mayor Woodward said so anybody wishing to do a mural, everything stands in place except for the one portion. So they still need to go through the procedures as far as permitting and approval by Community Development. Director White said that is correct. They just don't have to go through the special review process that is currently in place.

Council Member Jefferson said but I heard you say that they'll still be subject to some of those size requirements. What are some of the other limitations that will be guidelines for the approval process? Director White said the size requirement and placement on any façade, other than the front facade and no advertising a product or a... Council Member Jefferson said okay. I remember that language now.

Mayor Woodward said so the basics of the sign code is still intact; the only difference is the procedure and what we lost this case on, was the due process where it was left to the discretion, without a timetable, for the City Manager. Otherwise, everything else remains in place. Director White said that's correct. Now there will be a timeframe and there's no discretion. Mayor Woodward said okay.

Council Member Olson said which basically removes some of the flexibility that had been put in originally...what was intended to be flexibility, right? Director White replied that's correct. Council Member Olson said could be...that's what we thought it was. Director White responded yes. Council Member Olson said so it's going to be a little bit more stricter code or stricter process or clear without any possible recourse. Director White said for at least six months. Council Member Olson said right. Council Member Jefferson said agreed...and hopefully we do readdress some of those issues going forward. I think the main goal here is just to get a functioning code up and going in the interim. City Attorney Brotzman said this actually affects a number of...one of the difficulties that we had with this and the struggle is...the flexibility was built into Broadway creative sign code, so this actually affects more than just wall murals. This affects a number of creative signs that are allowed along Broadway. That's why we went with the moratorium on enforcement.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - RESOLUTION NO. 28, SERIES OF 2009 - A RESOLUTION ESTABLISHING A TEMPORARY SUSPENSION OR MORATORIUM FOR A SIX-MONTH PERIOD ON THE DISCRETIONARY APPROVAL PROCESS INCLUDED UNDER TITLE 16-6-13 (3) (b) AND 16-6-13 (4) OF THE ENGLEWOOD MUNICIPAL CODE.

RESOLUTION NO. 28, SERIES OF 2009

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO THE ESTABLISHMENT OF A TEMPORARY SUSPENSION OR MORATORIUM ON THE DISCRETIONARY APPROVAL PROCESS BY THE CITY MANAGER OR DESIGNEE FOR SIGNS UNDER 16-6-13(3)(b) AND 16-6-13(4) E.M.C. FOR A SIX-MONTH PERIOD.

Mayor Woodward asked if there was any further discussion. There was none.

Vote results:

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

Motion carried.

12. General Discussion

(a) Mayor's Choice

(i) Mayor Woodward said again I would like to welcome Jimano's. I look forward to your opening. Randy's the man with the Chamber of Commerce to work with. So good luck with that and anything that we can do to help, please come forward.

(ii) Mayor Woodward said also, I just wanted...I've asked Sue to send out a reminder to Council Members that haven't paid for the artwork that we had agreed to pay or purchase from Olga...that was done by Olga...is what I am trying to say...so we can take care of that piece of business and the City can pay it off and we can move forward on that. I don't know if...I didn't hear from Sue whether that was completely handled. If it wasn't handled, at the next meeting, if it isn't handled, I would like to bring it forward as a motion again and get it taken care of. So, just as a reminder there.

(iii) Mayor Woodward said the Chili Cook-Off for EU...Kim...having been involved in that as a judge every year and being unable to get it down last year...which was taste it, put it all in one little bigger cup, take that all leftover home and you have two meals out of it. That was excellent. And it all tasted very good all together. So, that's a lot of fun and for a very good cause. And with regard to the banners, certainly I want to acknowledge and say all of the wonderful things that I think that Englewood Unleashed has done with regard to the off-leash parks and stuff and acknowledge the signage contribution and the other contributions that you have made. Getting your emails, I know the pick-ups that you do in the parks and stuff like that. I am certainly in favor of one banner and I am not, not in favor of two banners, I just don't know what the schedule of that is and I'm going to leave that to the rest of Council. If there is a conflict, where we are utilizing both the north and south, then I would probably say, well maybe we should do one only.

(b) Council Members' Choice

(i) Council Member Penn:

1. He said to all of the appointees, congratulations...thank you. My gosh...thank you for all of the hours that you are going to put in. They'll probably never talk to us again, but it's nice to have them here.

2. He said Joe, I can't wait until you open. As you can tell from my body size, I love to eat, so, I will be there.

3. He said it was so nice to see Englewood Public Schools here and all of the schools...almost all represented for our Metro Mayors Youth Awards. Maybe we are doing the right thing and we are finally getting a lot more action out of our Englewood Public Schools. I do appreciate them. I know it's hard to write all of those up..

4. He said Kim, I would like to be involved again...I don't think my stomach would, but I would love to be involved again. If you need another judge, please let me know. That is always a fun time.

5. He said Mayor I did notice that our next Transportation meeting is not until March and I'm sure Beverly would probably like to have another answer before March. I don't know what you want to do. I will continue taking it there...I mean I'll email them. Council Member Jefferson said I'm sure staff will give pretty good reports.

Mayor Woodward said I'm sure that staff can...will get the report together. I hope that we will get right on that, because... Council Member Penn said Beverly, for your information, our next Transportation Advisory Committee is Thursday March 11 at 6:30, upstairs. If you don't have an answer by then...I know...if you don't have an answer by then, hopefully you'll have an answer prior to that.

6. He said if you didn't have a chance to get down to Acoustic Musical this week, this Saturday...Bob Laughlin did a great fundraiser for Haiti. It was pretty well jammed packed all day. And he had artists from all over Englewood playing there. And I do not know the amount collected, but it was a great thing for Englewood. He brought a lot of people to downtown Englewood and so that was a good thing. Thank you.

Mayor Woodward said thank you.

(ii) Council Member McCaslin said I would just like to thank everyone for coming and speaking up. That's all I have.

Mayor Woodward said thanks Bob.

(iii) Council Member Wilson:

1. She said I would just like to echo Bob and thank everyone for coming and congratulations to the kids at the school and the people...the citizens for the Boards and Commissions.

2. She said the only other thing I think...Kim is asking if we could...for a motion, to waive the fees for the banners...and is that the process Dan? City Attorney Brotzman said correct. Council Member Wilson said okay...I'm fine...I would like to push that motion forward to waive the fees for the banners. Do I hear a second? Mayor Woodward said for clarification purposes, the north and the south...the two banners? Council Member Wilson said as long as they are permitted that they can. Mayor Woodward said permitted? Council Member Wilson said well...is that no one else is using... Mayor Woodward said no conflict. Council Member Wilson said yes, no conflict.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE BY MOTION TO WAIVE THE CUSTOMARY FEES FOR TWO BANNERS IF THERE IS NO CONFLICT IN THE DATES.

Mayor Woodward asked if there was any discussion. There was none.

Vote results:

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

Motion carried.

Mayor Woodward said okay. Thank you.

(iv) Council Member Gillit:

1. He said Mr. Mayor thank you again. Exciting to see new businesses come to Englewood. We can always use more pizza.

2. He said Beverly, thank you again for bringing a concern. I've been on that side of the podium before and it's always scary to get up there, but it's always great to hear from our citizens.

3. He said Kim, thank you again for bringing the lighting issue. I know that we had brought that forward and I was under the assumption that we were working on that, but it always good to be reminded of that.

4. He said it is exciting to see the new appointees coming in. Good to see them ready to work and get involved.

5. He said this Thursday, I will be...I would like to invite everybody to our forum. We have Stu Fonda coming to talk about what is happening at the water plant and our waste plant...and also have Commander Condrey and his group talking to our group about Code Enforcement so... We have some others coming and talking about some things. If you have residents that want to know what is going on, we're going to have a great crew here to give them some great information, so we make sure the public...it's District 4, but anybody can come. We welcome anybody.

6. He said one last thing. I got to do a ride-a-long the other night. Thank you Englewood Police. I chose the night shift, which is, of course, if you are going to go, you might as well choose that one. I learned first-hand how we need clarity on the marijuana issue. I won't go into details, because I probably shouldn't. But, the South Denver Drug Task Force was there and they were real excited to give me some training on an issue that we have been encountering. One of the issues that does come up is there is definitely a whole lot of no clarity on how they should proceed. So, I would love to be able to get this thing settled for our own officers, so they know what to do. And again thank you Englewood Police for being such great hosts to me. Thank you.

Mayor Woodward said thank you.

(v) Council Member Olson:

1. She said great. Thanks. I'll follow up on that Rick. At the Study Session, for those who were not there, I asked for some clarification...perhaps some kind of a comparison chart for decisions that we have yet to make during this moratorium time. So, I encourage any citizens who have information that you think would be helpful in the decision process to submit it. We do want to make a good decision and create an open forum for that and hopefully we'll have a timeline for that, that will be clear as to what the end date is backing up to when the different public hearings will be and before that, perhaps local districts having meetings or neighborhood groups talking. So, hopefully that will help bring some clarity and we can make a good decision.

2. She said it was great to see the young people here tonight again. It was wonderful.

3. She said and our appointees...reappointed and new...it really is heartening to see citizens come forward and get engaged in the way that they do in Boards and Commissions, which takes a lot of time and commitment. So they've all...mostly gone home, but for those that are still here, thank you for that amount of time that you commit to the City.

4. She said and then Kim, I just want to say best wishes in your recovery and thank you for all that you have done in the area of dogs, and our pets and our community at large. So I appreciate it. Thanks.

Mayor Woodward said thank you Linda.

(vi) Council Member Jefferson:

1. He said thank you Mayor. I just wanted to say congrats again to the students recognized this evening. Again, I believe it's a vital function of the City to provide opportunities for recognizing youth accomplishments and taking the time to highlight those accomplishments when they happen.

2. He said to Joe from Jimano's...welcome to our community. We are really glad to have you here. Really glad to hear that your process in working with the City has been...has been favorable. And good luck to you.

3. He said I also wanted to thank the new and continuing volunteers who serve our Boards and Commissions. They provide a valuable and important role in our community by serving.

4. He said Kim, thank you for what you do, helping the parks and hopefully we have addressed your issues.

5. He said Beverly, thank you for bringing that to City Council tonight. Hopefully we can get that addressed in short order.

Mayor Woodward said thank you.

* * * * *

Mayor Woodward said I am going to take Mayor's privilege with something that didn't get on my list. And that was...it's real amazing...what was a major issue two weeks ago and now, two weeks later...there was a...we got a response regarding our Broadway Post Office last Friday...a week ago last Friday. From the...I got a call from the Regional Director from Colorado/Wyoming. And basically what he said was that they were not going to consider closing down the Broadway Post Office. That they were acknowledging that this community came out in force through letters, through petitions, through emails, through very good information regarding preservation and artwork and that some of the things regarding parking...not some of the things, they called it the things regarding parking at Lehigh Station and the issues that were brought forward were legitimate and that they were not considering shutting down the Broadway Post Office at this time or any further...I mean, it could come up again. The Post Office, I'm sure, like pagers will change at times. But...so that right now is not a concern. Representative Diana DeGette's office was very helpful in that and her staff was very helpful and so, I would like to say thank you to them. A letter has gone to them and has gone to the Post Office to please confirm what they have said in writing to us. So for now, we have our Post Office and there are people, including Representative DeGette's office, that will be working on preservation of the mural and the building itself as a historical site. We will be asked to be involved with that. A person I talked to today, a citizen of Englewood, was called by Representative DeGette's office today asking about being involved in that. So, anyway, I wanted to bring that up for people in the audience and for people listening to us online.

13. City Manager's Report

(a) Acting City Manager Flaherty said City Manager Sears is on vacation this week. He will be returning next Monday.

(b) Acting City Manager Flaherty said also I would like to thank Leigh Ann Hoffhines for her efforts with the Metro Mayors Youth Awards, although for her, it is a labor of love. It is. Nevertheless, it is a lot of effort on her part.

Council Member Olson said yes...extend our thanks to her. Council Member Wilson said yes.

14. City Attorney's Report

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

15. Adjournment

MAYOR WOODWARD MOVED TO ADJOURN. The meeting adjourned at 8:47 p.m.