

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

**Regular Session**

**May 3, 2010**

**1. Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Woodward at 7:37 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: City Manager Sears  
City Attorney Brotzman  
Deputy City Manager Flaherty  
City Clerk Ellis  
Deputy City Clerk Bush  
Director Gryglewicz, Finance and Administrative Services  
Director Long, Library  
Director White, Community Development  
Senior Planner Stitt, Community Development  
Senior Planner Langon, Community Development  
Housing Finance Specialist Grimmitt, Community Development  
Operations Superintendent McCormick, Utilities  
Director Kahm, Public Works  
Engineering/Capital Projects Administrator Henderson, Public Works  
Streets Maintenance Manager Hagan, Public Works  
Operations Manager Kavinsky, Public Works  
Traffic Engineer Vostry, Public Works  
Police Chief Vandermee  
Police Officer Taylor  
Community Relations Specialist Geier, Police  
Police Commander Watson

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

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

Mayor Woodward asked if there were any corrections or modifications.

Council Member Olson said there is one mistake in it. It's a simple one...Rick, hopefully, won't mind me making this. On the very last page, when you were encouraged to go to the prom...you said that's going to happen. I think you said that's not going to happen. Just so no one expects you to show up that night. Council Member Gillit said no...that's not going to happen. So, Ms. Olson said, so "not" needs to be in there. Mr. Gillit said I won't be going to the after prom. Several comments were made at the same time. Ms. Olson said...just that change is what I would recommend.

Mayor Woodward said "not" was added between that's going...so that's not going to happen. Okay...is that all Linda? Ms. Olson said that's it.

Mayor Woodward said I have just one correction here. On the paragraph above it...at the end of the line...it says..."this wee, right?" I think that's week. With a "k" at the end. Council Member Olson said yes...I saw that too, that's right. Mayor Woodward said the line starts..."Mayor Woodward said, just speaking of service, I just want to mention...I believe the prom is this week, right?"

Mayor Woodward said are there any other corrections or modifications? There were none.

**Vote results on approval of the minutes of the Regular City Council Meeting of April 19, 2010, as amended:**

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

Motion carried.

**6. Recognition of Scheduled Public Comment**

(a) Mayor Woodward said tonight we have a presentation to Englewood Police Citizens' Academy Graduates.

Police Chief Vandermee said good evening Your Honor and Council. It is my privilege to be here again tonight and recognize those citizens who are graduating from the 2010 Englewood Police Department Citizens' Academy. You have heard me say before, and will no doubt hear me say it again in the future, that there are really two cornerstones by which we operate in the Englewood Police Department. Two real philosophies that we generally adhere to and that is, community policing and customer service. One of the greatest opportunities that we have that establishes partnerships is with the community. And inviting and having members of the community participate in an 8, 9, 10 week long Citizens' Academy, the way these people have done...goes a long way to establishing those partnerships. These people certainly could have spent their Tuesday nights for the last couple of months watching TV or catching up on a good book or doing whatever. But they chose to come to the Police Department every week and, for no other reason than just to learn exactly what it is we do. They engaged in any number of activities with the Police Department. They had a ride-along. They went through a firing simulation. We didn't take them to the range or turn them loose with the guns, but they got to go through a simulator. They go through driving simulators, and they receive instruction from a number of representatives of the Police Department: from the detective bureau, from patrol, from command staff, the South Metro Drug Task Force, sex crimes...just about every aspect of the organization that you can think of. And for no other reason, than like I said, than to learn more about this organization. They help us build that way, a much stronger community. They become much more involved in the community. They have a very strong sense of participation. Now they are not just outsiders looking in. They have been through part of it and they understand the mechanics of it and they understand how this part of the system operates. Many of them then go on and become one of the almost 200 volunteers that we have and we enjoy...just in the Police Department. Members of Neighborhood Watch and the Citizens' Emergency Response Team and graffiti paint-outs. They become genuine partners in this effort. They also become extra sets of eyes and ears for us. They are more willing to call us when they see something that's out of the ordinary. So, I very much appreciate these people taking the time out of their lives to be vital components in this partnership and enjoy the relationship and become more...they learn the officers first names, they become much more...it's much more personal...it's not just the blue suit. So, with that I would like to, first of all, introduce Toni Geier, our Community Relations Specialist and I really want to applaud Toni and her efforts...this is the third year now that we have had this

Citizens' Academy and each one of them have been...have met with 100 % success, in terms of the attendance and graduation of the attendees. So, Toni has not done just an absolutely remarkable job and deserves a great deal of the credit for this program. Toni, come on up. With that Your Honor, I invite you down, if you would like to join us in passing out the certificates.

Mayor Woodward said I would like to start by giving a hand to Toni, because she really does...(there was applause).

Police Chief Vandermee said I will read the names of the graduates of the 2010 Citizens' Academy and following that Mayor Woodward will say a few words and then I would invite the graduates out to the lobby and we will continue our celebration out there. The first graduate is Carole Downey. The next two graduates aren't here this evening, but we will make sure that they get the recognition they deserve...Josh Martinez and Bri Pohlman. Dan Rogers. Dan is also accepting the certificate for his wife Liz Rogers. And you'd be surprised, frankly, how many husband and wife pairs come to the Citizens' Academy. It is pretty good. Jan Samuelson. This is Jan's first Academy, but she's been a very active member and a very strong volunteer...supporter of the Police Department. Susan Sanders. Daniel Walmbodt. There was applause as each graduate received their certificate.

Police Chief Vandermee said I would like to, again, congratulate the graduates of the 2010 Police Academy. There was applause.

Mayor Woodward said I just want to mention that this truly...what we do is community policing and Chief Vandermee is somebody that is very strongly behind that. It says it on our police cars and Toni and her success rate over the years now with the Citizens' Academy's, Neighborhood Watch and the other things that citizens are involved with...is really exceptional in my opinion. Although not everybody would agree with this, especially people who have to go across the hall to the other side of the room or the other side of the lobby there, which is the court room. Our focus is on compliance and we aren't out there to give tickets. We do not have a policy here in this City of receiving revenue only through the Police Department, like rumors of other cities. And I am really proud to be a part of a community that is involved and is as involved as you people are and what you have done. I think it is quite the experience and I encourage citizens...if you have the opportunity to do ride-a-longs, to do things with the Police Department or Code Enforcement. It's quite a lesson and my hats are off to you and all the Police Officers who have participated and Toni...for all your work. Thank you. Police Chief Vandermee said thank you. There was applause.

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

(a) Bill Malone, an Englewood resident, was asked by Council Member Penn if he wanted to talk about Special Olympics real quick. Mr. Malone replied yes. I have been a part of Special Olympics for eleven years. It has been a great opportunity for me to prove to myself, and others, that I can do a lot that I didn't think I could do. One of the things that I was capable of doing was that I took second place in the World in China in Bocce. That's one of the many accomplishments...I try to do just one. I found out that meeting Jerry and Mark, my teammates, there is a lot of comradery through track, field...and I learned not to take things for granted, because you never know if you are going to win or lose. Any questions?

Council Member Olson asked are you competing this Saturday. Mr. Malone replied yes, at the Englewood High School at the Regional. Council Member Olson said good luck. Mr. Malone responded thank you. Mayor Woodward said good luck and congratulations Bill. Several Council members said good luck Bill. There was applause.

(b) Mark Stewart, an Englewood resident, was asked by Council Member Penn to tell us a little bit about yourself and what you are going to do. Mr. Stewart replied that I'm here just to talk about the water, the drinking water. I know it's weird, but it doesn't really taste that...it is not really good tasting water. I just wanted to mention that. Council Member Gillit said Mark are you competing this Saturday? Mr. Stewart answered yes I am. Council Member Gillit said what will you be competing in? Mr. Stewart replied shot put, 100 meter dash and that's it. Council Member Penn said what drinking water were you talking about? Out of the fountains or?

Mr. Stewart said oh, no, just the water, the drinking water. Council Member Penn said okay. Thank you. There was applause.

(c) Jerry Furman, an Englewood resident, said I have a few things to say. Right now I am going to say it really fast. Englewood, I hear, is trying to do the memorial for the fallen soldiers, like I have been talking about for months. I wanted to say thank you about that one. And I am going to compete in Special Olympics at Englewood High School. I am going to do the 100 meter dash, the standing long jump and shot put. Council Member Penn asked Jerry, what time does it start Saturday. Mr. Furman replied if people want to help set up, it starts at 6 o'clock to 7 o'clock. And then at 9 o'clock, is when the opening oath is going to be said. And I really hope Mayor Woodward shows up for it. There was laughter. Council Member Penn said there you go. Mr. Furman continued because it is at Englewood High School, which is a part of his City. Mayor Woodward replied it is a part of my City. It is half a block away from my home. I think I can get there. Mr. Furman said I am going to take that as a date then. Mayor Woodward said I'll be there...don't know if I'll go date, but I will be there. Mr. Furman said the other thing is what is the...what people did you sign to do the memorial for the fallen soldiers? Mayor Woodward said I'm sorry, the...Council Member Olson said...the memorial for the fallen soldiers. Mr. Furman clarified the memorial service...the thing that you're...the thing at the...we talked about the...for the people who fell...who died protecting our City of Englewood. What person did you sign up to do that thing? Mayor Woodward said to look into a memorial? Mr. Furman agreed. Mayor Woodward said I don't know if we've had anybody die, in the line of service, for our City. One of the things that you had talked about in previous meetings was a memorial to memorialize members of our City that had lost their lives in the wars. Mr. Furman said yes, that's right. Mayor Woodward continued that's something that I think that, you know, is still an idea and still is something that we can look at into the future. I think the budget, right now...constraints...is that there isn't something that we could probably do until budget time, to even be discussing it. Mr. Furman said okay. Mayor Woodward said it's something that...maybe, Jerry, that's something that you would like to be involved in too. Mr. Furman agreed. Mayor Woodward said okay? Mr. Furman said thank you. I hope you guys have a good time.

Several Council members said thank you and good luck, good luck this weekend. There was applause.

(d) Jo Ann Fetters, a Centennial resident, said I'm speaking about 3431 South Broadway in Englewood as a building that we own. I want to speak in favor of the Council Bill No. 11. We are wanting to get our Yellow Rose Consignment store going. And I just wanted to tell you that we are still interested in doing that. Thank you very much.

Mayor Woodward said thank you.

(e) Doug Cohn, an Englewood resident, said good evening. I want to say thank you for two things tonight. At the Study Session last Monday night, when Tricia Langon talked to you guys about the possibilities with alterations on the Sign Code, I was encouraged and impressed with the engagement that you guys had. It seemed like you guys really are open to doing something with the modifications in that very complicated set of rules. The idea that she presented towards the end, of well let's have...pick a number...let's have five. There's permanent signs and temporary signs and let the business guys choose what they want to choose and let them keep them in good shape and go forth and have people buying lots of stuff at your store and send lots of sales tax money to the City. I hope, in the deliberations, it doesn't get all complicated. The concept there I think is a great concept. And I want to say thank you. I was encouraged with the dialogue in that. The other thank you. A few weeks ago, I talked to you about honeybees and the problem with bees worldwide. Keep Englewood Beautiful has kind of done some things with the honeybees. When we had the tree thing on the...a couple of Saturdays ago... Several people said Arbor Day. Mr. Cohn continued some bees...yes, Arbor Day. I couldn't think of the name of it. Thank you. Some bee friendly plants and trees were offered. They're going to connect to their website...bee friendly plants and they talked with the City about using pesticides and herbicides that are not as damaging to the creatures. One challenge that we have...there's a beekeeper right here in Englewood. His bees survived winter. About three weeks ago, one afternoon, they all died. All thirteen hives. Don't know exactly what happened. But anyway, I wanted to say thank you for giving me the recommendation of Keep Englewood Beautiful and that we are doing some things that way. Oh, one other thing. It looks like we may have a learn how to be a beekeeper class through the Recreation Center at the Malley Center or someplace. So thanks for that tip.

Mayor Woodward said thank you Doug.

(f) Elaine Hults, an Englewood resident, said I've been studying about this information concerning inclusiveness, which according to the dictionary means to enclose or contain. Well, for your information, there are established organizations, by the way, that provides information on opportunities of volunteerism and also provides a list of volunteers, who are looking for positions in various areas. So, this to me, would be a duplication, when you are talking about volunteering. Here I want say to you, do you intend to include yourselves in this inclusive "society", on an equal standings with the citizens of Englewood, and if so, will you also include the citizens in your decision making process? It appears to me that this Council is suffering from a condition known as brain-washed, with a yearly price tag of approximately \$40,000.00 paid by the citizens of Englewood. Do they know anything about this? But have no fear, there is a remedy for this ailment, namely an open, transparent Council, which holds town meetings and even keeps residents informed through local television. We are living, by the way, in the 21st century. We no longer have to band together to face life's threatening conditions as our first forefathers. The courage they must have had to risk everything coming to a strange land with no way to return...are you watching Channel 8...Channel 4? You should watch it. They had risked everything to come out here. Many of them died in the process of transporting themselves and when they arrived here. Now, the reason why they really were willing to give their lives was to escape what is known as serfism, which Europe was riddled with. Since then, many wars have been fought at a high price of blood and lives in order to save our human rights. The freedom of choice, thought and belief. My understanding is that governments in America are still for the people, by the people and of the people. And all I can say commissioners, are you still calling yourselves Americans?

Mayor Woodward said thank you.

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

(a) A proclamation honoring Craig F. Walker, Pulitzer Prize-winning photojournalist and Englewood resident was considered.

Mayor Woodward said we have a proclamation. Mr. Walker you are welcome to come up here, because I would like to read this and then present it to you. Actually, I guess, maybe I should ask for a motion for approval of this.

### **COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO HONOR CRAIG F. WALKER, PULITZER PRIZE-WINNING PHOTOJOURNALIST AND ENGLEWOOD RESIDENT.**

Mayor Woodward read the proclamation. "Whereas, the Pulitzer Prizes have honored excellence in journalism and the arts since 1917, seeking out and recognizing the highest journalistic principles throughout the United States; and Whereas, each spring the Pulitzer Prizes are awarded by the Pulitzer Prize Board at Columbia University's School of Journalism based on the nominations of a distinguished panel of judges; and Whereas, one of Englewood's own citizens, Mr. Craig F. Walker, was recently awarded a 2010 Pulitzer Prize in the category of Feature Photography; and Whereas, Mr. Walker's Pulitzer Prize was awarded for his photojournalism feature in *The Denver Post's* "American Soldiers" series, which, as the Pulitzer Prize Board noted, "painted an intimate portrait of a teenager who joins the Army at the height of insurgent violence in Iraq, poignantly searching for meaning and manhood;" and Whereas, it is clear that the experience Mr. Walker shared with Private Fisher was chronicled with candor and insight and with respect for the young man's journey; and Whereas, the City of Englewood is proud to have such a talented journalist and artist in our community and wishes to recognize Mr. Walker's very noteworthy accomplishment and applaud his success; Now, therefore, I, James K. Woodward, Mayor of the City of Englewood, Colorado and Members of the City Council take great pride in honoring Craig F. Walker for winning a 2010 Pulitzer Prize and offer our heartiest congratulations on such a distinguished and well-deserved recognition."

There was applause.

Mr. Walker said thank you so much.

Mayor Woodward said we have one more item to do, which is to vote.

**Vote results:**

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

Motion carried.

Mayor Woodward gave Mr. Walker the proclamation and said this is for you from the City of Englewood. We are very proud to have a resident...I believe this is the sixth Pulitzer Prize for The Denver Post, which is quite an accomplishment. The Denver Post has been around longer than I have so congratulations. We are very happy to have you as a resident of our City. Mr. Walker said I am happy to be here. Thank you very much. Several members of Council said congratulations and thank you. There was applause.

Mayor Woodward said I believe that was the City of Englewood's very first Pulitzer Prize winner. Council Member Penn said you better look in the archives.

(b) A proclamation declaring the week of May 16-22, 2010 as National Public Works Week was considered.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO DECLARE THE WEEK OF MAY 16 THROUGH MAY 22, 2010, AS NATIONAL PUBLIC WORKS WEEK.**

Mayor Woodward asked if there were any comments. There were none.

**Vote results:**

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

Motion carried.

Mayor Woodward read the proclamation. "Whereas, the American Public Works Association is sponsoring National Public Works Week, based on the theme "Public Works: Above, Below & All Around You"; and Whereas, Public Works services provided in our community are an integral part of our citizens' everyday lives; and Whereas, in order to promote an awareness of the need for Public Works professionals and the contributions they make to our health, safety, and comfort by providing efficient street systems, public buildings and traffic movement throughout the community; and Whereas, the quality and effectiveness of these facilities, and the planning, design and construction is vitally dependent upon the efforts and skill of Public Works officials; and Whereas, to inspire excellence and dedication in public service by recognizing all of Public Works' outstanding employees and their achievements; Now, therefore, I, James K. Woodward, Mayor of the City of Englewood, Colorado, hereby proclaim the week of May 16-22, 2010 as: National Public Works Week and urge all citizens of the City of Englewood, Colorado to use this week to visit their local Public Works Department and better familiarize themselves with the important safety information and services provided by these public servants".

Mayor Woodward presented the proclamation to Public Works Director Rick Kahm.

Council Member Penn said look, the whole group. Director Kahm said yes. There was applause. Director Kahm said the Public Works Department is responsible for designing, building and maintaining the infrastructure of the City. As the proclamation stated, we deal with a lot of different areas. This evening, Public Works consists of four departments and the ServiCenter, Administration, and Fleet Operations. The Fleet Administrator had a personal emergency and couldn't be here tonight, but I do have: Jim Kavinsky...Jim is the Manager of Building Operations and Maintenance, so come into a building like this and you walk in and it is nice and clean and orderly; it is Jim's responsibility to keep it that way. Brad Hagan is here from the Streets and Drainage. I also have Otto Lichtl in the back row, who is our Streets Administrator, who came down tonight,

because he cares. Ladd Vostry is our Traffic Engineer and Dave Henderson oversees engineering and capital projects. So the invitation to come visit our operations is out there and these are the folks that you want to talk to so come down and see us.

Mayor Woodward said that's wonderful and I think it can be set up if you ever want to do a ride-a-long on a snowplow during a blizzard, call Rick and he'll set that up. He hasn't had any of those, but he would consider it. Mr. Kavinsky said a ride-a-long for the cleaning of the restrooms? There was laughter. Pass on that one...okay. Council Member Jefferson said thanks for coming down today guys. Mayor Woodward said congratulations. Here is the proclamation. You know, we have, I think, one of the finest Public Works Departments, with lots of experience. I think our streets, roads and infrastructure and as fast as we respond to problems, and sometimes they are dangerous ones like we had last year...things get done. So congratulations to you and all of the Public Works employees. Director Kahm said thank you so much. I appreciate it. There was applause.

Several Council members said good job and thank you.

**9. Consent Agenda**

**MAYOR WOODWARD REMOVED 9 (c) (ii) FROM THE CONSENT AGENDA.**

- (a) Approval of Ordinances on First Reading

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

- (b) Approval of Ordinances on Second Reading

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

- (c) Resolutions and Motions

**COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE CONSENT AGENDA ITEM 9 (c) (i).**

- (i) RESOLUTION NO. 36, SERIES OF 2010

A RESOLUTION AUTHORIZING THE ENGLEWOOD PUBLIC LIBRARY TO IMPLEMENT THE "SUMMER FOOD FOR FINES" PROGRAM FROM MONDAY, MAY 24 THROUGH SUNDAY, JUNE 6, 2010.

**Vote results:**

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

Motion carried.

**(ii) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE CONSENT AGENDA ITEM 9 (c) (ii).**

RESOLUTION NO. 37, SERIES OF 2010

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION TO THE 2010 BUDGET FOR THE DEMOLITION OF PROPERTY LOCATED AT 4757 SOUTH BANNOCK STREET, ENGLEWOOD, COLORADO.

Mayor Woodward asked if there was any discussion.

Mayor Woodward said having pulled it out, I was making the comment...I am voting for this, in support, but I thought it was only right and fair that we describe, or at least roughly say what this is about. We are providing

\$20,000.00...the City is...to demolish a piece of property...improve the property at 4757 South Bannock. It has been talked about now for months. The City has tried to get ahold of the owner. The property has a history of code violations for over 20 years. It is a vacant property. It is structurally unsound. It is...it has framing on the inside of the property, but no drywall. And one of the structural walls is caving in. It is a blighted piece of property on the block and in the neighborhood where it stands. So, instead of this just being on the Consent Agenda, and discussing...or not discussing it and just going through it and passing it, I did want to make sure that the citizens knew what we were doing and why we were doing it. It is a safety issue and we have not been able to get ahold of the owner of the property, who tends to not pay his taxes and then comes forward every three years to Arapahoe County and pays them, in cash, and then all of a sudden is gone again. So, that is what that's about.

Mayor Woodward said are there any other comments or...?

Council Member Gillit said I'm just glad to see it happen.

Mayor Woodward said I think this is for the neighbors.

Council Member Olson said I would like to make one comment. I think it is always a very difficult thing to demolish a property...homeowners...I mean a property owner. And in this case, I think it is very much warranted given the amount of work that the City has put into trying and get some kind of response from the owner. I would like to frame it as the owner has not responded. It is not that the City couldn't get him to respond, the owner has not responded and it is now a community issue that is not fair to those around them. So, to me, it is a justice issue and I will be voting for demolition.

Council Member Jefferson said I would like to just comment that, you know, we are just making an appropriation of that and hopefully that we will give additional notice to the owner and you know, he will have another opportunity to come forward and demolish the property himself.

Mayor Woodward said okay. If there are no other comments, please vote.

**Vote results:**

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

Motion carried.

**10. Public Hearing Items**

No Public Hearing was scheduled before Council.

**11. Ordinances, Resolution and Motions**

(a) Approval of Ordinances on First Reading

(i) Senior Planner Stitt presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing the sale of five single-family residences located at 2198 West Adriatic Place, 2335 West Baltic Place, 2010 West Baltic Place, 4819 South Delaware Street, and 4681 South Decatur Street #226. He said good evening Mayor and Council members. As the Mayor has just described, we are here tonight to request an ordinance to permit the Community Development Department to put on the market five, single family homes, which are the first five single family homes purchased through the Neighborhood Stabilization Program. These homes are being...currently three of these homes are being rehabbed; the other two will shortly commence rehabilitation. We anticipate, if we get approval from Council tonight, that a couple of these homes will be ready to go on the market by the end of this month. These homes were purchased with Federal money that the City received through the NSP program and we have been working very diligently to acquire the ten homes that our agreement, with the State Division of Housing, requires. Currently we have nine properties; six of them that we currently own, three more that we have under contract,

but have not closed yet. Our agreement with the State requires that we purchase ten homes and we are still looking for that tenth property. But this ordinance will allow us to complete the restoration of these five homes and get them on the market. Are there any questions? There were none.

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

COUNCIL BILL NO. 10, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE APPROVING THE SALE OF FIVE PROPERTIES ON THE OPEN MARKET, WHICH WERE PURCHASED AND REHABILITATED WITH FUNDS FROM THE NEIGHBORHOOD STABILIZATION PROGRAM GRANT AND THE LTAR FUND.

Mayor Woodward asked if there was any discussion.

Council Member Gillit said I only have one comment. The last time we were here, we talked about the funding and I was concerned about some of the funding for this. But I'm excited to see this program come through. I'm glad we are at this stage now and look forward to a successful sale.

Mayor Woodward said Harold, I do have one question. Will this...will these be listed with real estate brokers or will the Community Development Department place them on the market for sale?

Mr. Stitt answered we will be working with a broker, but we also will be working with the Family Self Sufficiency Program that's housed through the Englewood Housing Authority, for potential buyers.

Mayor Woodward responded okay, great. Very good.

Mayor Woodward said are there any other questions or comments? There were none.

**Vote results:**

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

Motion carried.

(ii) Senior Planner Langon presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing amendments to Title 16: Unified Development Code to permit buy-back, second-hand, thrift and consignment uses as uses-by-right in the MU-B-1 Central Downtown Business Zone District and a request to set a Public Hearing for May 17, 2010 to gather public input on this issue. She said good evening Mayor and Council. The department is requesting approval of the proposed amendments on first reading and requesting that a Public Hearing be set for May 17th to gather public inputs. As background, per Table 16-5-1.1: Table of Allowed Uses, these four uses: buy-back, second-hand, thrift and consignment uses, are prohibited in the B-1 District. In late January, a citizen came forward and inquired about consignment use in the B-1 District and because of the prohibition, it was...they were told that it was not allowed. Council directed that the issue be forwarded to the Planning and Zoning Commission for review. On March 2nd, at a Study Session, the Commission looked at four possible options for the proposed amendments: first being to maintain the status quo; the second was to allow all four of those uses in B-1 District; and the third was to establish thrift as a separate use type; and the fourth was to split all four uses into individual categories rather than keeping them in the kind of bundled category that they currently are in now. By consensus, the Commission, after discussion, opted for option two, which was to allow buy-back, second-hand, thrift and consignment in the B-1 Zone District. And as a result, that would also then maintain it in the B-2, M2, I-1 and I-2 Districts. The Commission held a Public Hearing on the proposed amendments on April 6th. Five members of the public spoke at that hearing, all in favor of the proposed amendments. And so the proposed amendments would allow buy-back, second-hand, thrift and consignment uses in the B-1 Zone District and would keep all four of those uses bundled into one use type category and table. And also, there would be a

clarification in 16-11 that those uses do not permit second-hand motor vehicles, parts or accessories, or scrap or waste sales as second-hand goods. If you have any questions, I would be happy to address them.

Mayor Woodward asked if there were any questions. There were none.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 11 AND TO SET A DATE FOR A PUBLIC HEARING OF MAY 17, 2010.**

COUNCIL BILL NO. 11, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AMENDING TITLE 16, CHAPTER 5, SUBSECTION 1.1, AND CHAPTER 11, SUBSECTIONS 1 AND 2, OF THE ENGLEWOOD MUNICIPAL CODE 2000, TO PERMIT BUY-BACK, SECOND-HAND, THRIFT AND CONSIGNMENT USES AS USES-BY-RIGHT IN THE MU-B-1 ZONE DISTRICT.

Mayor Woodward asked if there was any discussion.

Council Member Gillit said I have mixed feelings about this. I would love to see a consignment store. I'm afraid that my wife is going to find out about it, which would definitely draw more traffic downtown...which is a good thing. But would like to see it happen.

Council Member Wilson said I would like to see it happen, but I would like the thrift part removed as I don't think it is the same type of establishment as second-hand, consignment or buy-back. I don't know how to proceed with that. Although, on Option 3 c it says establish thrift as a separate use type or if we can leave it. We can accept it? So let me know, you know, how you do that, but I would like to see the thrift part taken out.

Council Member Olson said I would agree with that and given our discussion earlier this evening with the representatives from the BID, I really think that thrift needs to be considered separately. I don't think that is what the business owners want in the area that we are talking about. I think that there are other places for...consignment is another kind of thing.

Council Member Jefferson said...agreed.

Council Member Penn said I agree with the whole...with what you are talking about. I don't want to set this process back. Hopefully, we have a different process where we can allow us to proceed with buy-back, second-hand and consignment, so that we don't stop that process from those people, and then look at thrift as a separate item. I think that's what I would like to do.

Mayor Woodward said I agree with pretty much everything that was said, including what Randy had just said. Dan, please help me with this and correct me if I am wrong, but the process that we are looking at...is approving this ordinance on first reading, as it is. We have a Public Hearing in two weeks, and then in four weeks, we will have a second reading of it. If...I think what we need is to see some sort of definition of thrift store and everything else. Is that correct? City Attorney Brotzman said correct. Mayor Woodward continued and approve this if we want to go forward with this and then go back through the P & Z process and remove... City Attorney Brotzman said you actually have two choices. One is you could actually do it tonight. You can simply say we want P & Z to pound out the definitions for Option 3, which is separating thrift out. You currently don't have a definition to separate thrift from consignment stores. My understanding is that it appears that you are looking to approve consignment stores, but not thrift stores in the Broadway District where that was discussed, at least at the Study Session. P & Z can pound out a definition for you. That is a fairly lengthy process. If you want to expedite that process, you could pass this on first reading, have a Public Hearing on it, staff can bring you definitions back that would allow you to make a motion to modify on what would be the next reading and then you would have one more reading after that. P & Z would not be helping you pound out the definitions under that scenario. You would be depending on staff, and the Public Hearing and your own judgment on working out the language, trying to differentiate thrift from the other items that are in that list. That is the fastest way. The most careful and most thoughtful way is probably sending it back to P & Z tonight. It is also the longest method.

And I understand that there is a feeling of trying to expedite for consignment stores that are currently wanting to come into town.

Council Member Wilson said so we have the second choice? City Attorney Brotzman replied so you can either send it back to P & Z and simply not vote on it tonight or you can pass this on first reading, establish the Public Hearing and then on second reading you would be making the modifications. Council Member Wilson said okay. Council Member Penn asked and how long would that extend that process then, Dan. Just two weeks? City Attorney Brotzman said it would extend it one more meeting. Mayor Woodward said two weeks.

Council Member Jefferson said I would prefer to go that route, not send it back to P & Z, personally. Council Member Penn said I would too. Council Member Wilson said I agree. Council Member Penn said I think we need to get through this.

Council Member Olson said one question I have would be for P & Z. How do you think they would respond? I want to respect their call to their commission; they are the board, but I also heard them say at one point that they would like more direction from us, so how do you think that they would read this in terms of their appointments? If you have any...who sits on P & Z? Someone said nobody. Council Member Penn said nobody. Council Member Olson said nobody does. Mayor Woodward said yes...nobody does.

Mayor Woodward said I think one of the things that they were doing...and Tricia, you can correct me if I am wrong, since you are at those meetings...was try to facilitate as quickly as possible going through the process, and one of...Don Roth, one of the members, did bring up his thoughts, which were very legitimate I believe, with regards to thrift shops in that particular area. He voiced exactly the same type of concerns that the BID was voicing. I also believe that John Brick, on his vote, did the same when he voted no. So there has been discussion there, but I think a lot of it had to do with moving it forward. Am I correct in that Tricia? Ms. Langon said whether it was to move it forward or not, there was a difference of opinion on the thrift, but it was discussed extensively both at the Study Session and then also at the Public Hearing.

Council Member Wilson said so can we go ahead and move to approve? Mayor Woodward replied it has been moved. Are we ready to vote? Council Member Penn said I call the question. Mayor Woodward said then let's vote.

**Vote results:**

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

Motion carried.

Ms. Langon said thank you.

Mayor Woodward said thank you Tricia. I think if we want to give staff the direction to move forward on...with those definitions...specific...some choices that we could take a look at and...I guess at the Study Session prior to the meeting, because next week, don't we have Citizen of... City Attorney Brotzman said no, you don't have that choice. Mayor Woodward said well, prior to the Public Hearing. City Attorney Brotzman said no, you won't have that choice in this. That will be part of the speeding up process, is that there is a dependence on the definitions coming to you. You can modify them once you get to the meeting, but you really need to be in the hearing meeting process, at this point. Mayor Woodward said okay.

(b) Approval of Ordinances on Second Reading

(i) Council Bill No. 9, extending an existing temporary suspension or moratorium on the establishment of new medical marijuana dispensing and growing uses for a period of six months was considered.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) - ORDINANCE NO. 14, SERIES OF 2010.**

ORDINANCE NO. 14, SERIES OF 2010 (COUNCIL BILL NO. 9, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE EXTENDING AN EXISTING TEMPORARY SUSPENSION OR MORATORIUM ON THE ESTABLISHMENT OF NEW MEDICAL MARIJUANA DISPENSING AND GROWING USES FOR A PERIOD OF SIX MONTHS.

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.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 9 - Consent Agenda.)

**12. General Discussion**

(a) Mayor's Choice

(i) Mayor Woodward said I would like to congratulate Hands On Labs, which is an Englewood firm. It has been in Englewood for about a year now. It designs, develops, produces and distributes science LabPaqs, which are course specific science equipment and supplies that allow college and high school students to conduct science experience for on-line science courses. Dr. Linda G. Jeschofnig is the dynamic CEO and President. She is the winner of the top women in business for 2009, Denver Business Journal. She had also won, and we presented to her on Friday afternoon, the prestigious Colorado Companies to Watch Award from the Colorado Office of Economic Development and International Trade. She is doing work...or her company and employees are doing work, all over the country and supplying these LabPaqs to students and schools for their on-line systems, on-line teaching. It was a real pleasure and opportunity to see what they have and what they...how they put all of this stuff together. They are right over here on Navajo and Mansfield, so right south of Sports Authority.

(ii) Mayor Woodward said I would also like to congratulate Jimano's on their grand opening, which happened this week. They have been doing very well. Proprietor Josef Kubik had mentioned to me that, to date, they are doing what he expected to be doing four or five months from now.

(iii) Mayor Woodward said I also want to announce that, I believe it's called Duffy's Bakery, which is moving into the former Caribou Coffee shop at Centennial and Broadway. Duffy's is, I think, famous in the Denver area for their cinnamon rolls. I think they are supposed to have the very best, as far as cinnamon rolls. Council Member Olson said they're deadly. There was laughter. They are excellent. They're wonderful.

(iv) Mayor Woodward said I want to thank the Police Citizens' Academy graduates again for coming forward tonight and being awarded for all of the work that I know that they do.

(b) Council Members' Choice

(i) Council Member Penn:

1. He said thank you Mayor. Just to piggyback on that. Just seeing these people come up with the excitement they have. Just jumping around. It is really exciting that these people have that much fun at the Police Academy. I hope it continues.

2. He said to our three gentlemen, unfortunately they left. Good luck to them on Saturday. Hopefully all of you will get over to Englewood High School at sometime and cheer these people on. It is one of the most exhilarating things that you can do. I was fortunate enough to help start a Special Olympics in the State of Colorado in 1965. We had the first State event at Englewood High School so...I've been around that long, yes, I have. There was laughter. I am getting old.

3. He said Doug, thank you for all of the information. Thank you for the kudos. One other place you might check with is our new community garden. If they do have some extra planting areas, maybe they will put some bee friendly plants there also. So, just keep going there. Hopefully we can continue that.

4. He said next Monday, we have Dr. Davidson. We are going to recognize him as the Citizen of the Year, over at the Malley Center. So, I encourage all of you to go over there. If you didn't meet Dr. Davidson through his tenure at Englewood Public Schools and all of the time that he has been in Englewood, and then, of course, at DU, and at Sheridan and wherever, so please come over and help him celebrate.

5. He said tomorrow at 11:30 at Country Buffet, we have our student recognition luncheon. Recognizing kids from all over the City of Englewood...Englewood public schools, parochial schools, Humanex, and all of that stuff.

6. He said it has been a good week. Jimano's is great. I think I have gained four pounds since they have been open. It is a good place and now I have to go eat cinnamon rolls.

(ii) Council Member McCaslin:

1. He said I would just like to thank the graduates of the Police Academy.

2. He said I also, as Randy said, I was the head of the State Special Olympics for Track and Field for five years. So, if you do have a chance to see these kids and these adults, it's fantastic. You'll cry. You'll laugh. You'll cry. It is just one of those days that you walk away going, oh my God, what these kids do is unbelievable. That's all I have.

(iii) Council Member Wilson:

1. She said congratulations to the graduates of the Police Academy. I think that's...Toni has really moved that along and that's great to see what she's done.

2. She said it was an honor to meet Mr. Craig F. Walker and to have someone of that caliber In Englewood.

3. She said good luck to Bill, Mark and Jerry at the Special Olympics on Saturday.

4. She said I know that there was a fire today, so thank the Police Department for no one was hurt and they saved a bunny. Someone said the Fire Department. Council Member Wilson said sorry, Fire. Council Member McCaslin said they saved a bunny. Mr. Wilson said they found it in the attic. But no one was hurt so that was good. It seems like it was a fairly large fire so they got it under control.

5. She said I think they are talking about looking at the bee...right now, getting the gardens going, but I know it has been brought up for maybe next year, once we get everything else done. But it certainly...you know, or maybe later this year...but looking at that, so thank you Doug.

Mayor Woodward said thanks.

(iv) Council Member Gillit:

1. He said thank you Mr. Mayor. I, too, am excited for the Police Academy graduates. I know that they are thrilled and we are thrilled to have them with us.

2. He said same thing; Bill, Mark and Jerry, good luck. I'm hoping to stop by Saturday as well.

3. He said Jo Ann, I appreciate you coming and speaking to us tonight.

4. He said Doug, I saw an article and I can't remember...we read so much stuff and I can't remember where I read it...I wasn't sure if it was in the Citizen or the...it was in the Citizen. The Citizen had an article about bees...great article about that. Without bees, we don't have much to eat in America. So we need the bees and hopefully our City can be a part of that.

5. He said I have an interesting situation that I'm hoping to get some guidance with and maybe we can talk about it sometime...regarding our Water Department and flat rate water bills. I got a call today from a gentleman in my District. They were upset. I tried to get some information. And the Water Department was very helpful and let me know...we went over some information. And I went over and met him and his neighbors that are on flat rate and they feel that this is...because most of the people on flat rate, and I don't know if this is true or not, and I'd like to find out, are senior citizens. They have a concern about converting. I brought some information on how they could convert and how they could...how the City has a plan to help them. They were very concerned with that. And want to...they feel that they are being overcharged on purpose and in talking with the Water Department, as you know, the flat rate is a pretty stiff rate, so...I am just concerned on, you know, that these are our senior citizens and I just want to make sure that we, as a City, do communicate, especially to our senior citizens, that we do have a plan. I didn't know about it until today. He didn't know about it. I'd like if you could somehow to...maybe through the Herald or somehow to let our people on flat rate know, that if they are concerned about converting, that Englewood does have some solutions for them. I would really like to see two things. One is that we address our senior citizens and make sure that they understand that they are not being targeted and the second thing is that we promote the idea that we do have a plan to help them. There are a lot of things that I don't want to talk about here tonight ,but I would love to address at a further time. That's it for me.

Mayor Woodward said can I just make a couple of comments, being on the Water Board and having had the same questions? Part of the senior citizen thing is because if you sell the property, you have to change to meter. Back when they started the flat rate, they evaluated the size of the house, the number of rooms, the number of people and that has been set since then. So, in these families...a lot of times...now with what might have been a family of five, six, whatever, is now a family of one or two. And as rates have gone up for metered people, the rate, not the usage, but the rate itself to upgrade the systems, the flat rates have gone up those percentages also. I heard that there was, you know, there have been some numbers thrown around as far as the price of switching over to that meter. That was what we had ordered earlier this year, with Denver, was more of those meters and got the advantage of their price. And, as I understand it, if they do make that switchover, the City...the Water Department will work with them on the bill on that they are paying the same, at least, until that is paid off. Now, for some of us that may be able to do some plumbing work, we can probably make that switch ourselves. There's others...and depending on the type of pipes that are coming in...if it's galvanized...it's probably going to require a plumber. So that is going to be an out-of-pocket expense. But it is...what's hard is...the EPA just making these new changes. The next one is 2013, we have to be upgraded to ultra-violet cleaning. That's what is driving these rate increases. We are...I know that it is incredible, but we are either the lowest or second lowest water rate usage in the Metropolitan area.

Council Member Jefferson said just to add on to that, I would suggest that you encourage them to switch over. I think it makes a lot of economic sense. I just switched over to one and worked with the Water Department on that. They were extremely helpful. It was a much easier process than I envisioned. They came out and placed it, once I got the plumber to put a kind of a piece in the line there.

Council Member Gillit said what I am trying to avoid is, you know, that we have a senior elderly gentleman living at home being charged 14,000 gallons a month. I could leave my hose on all day and not use 14 gallons...14,000 gallons. It just...there is something that I'd rather us head up, be in front of, instead of being behind of...

Mayor Woodward said I think we have the opportunity with the Citizen and also with the Pipeline...that's water and wastewater, right? City Manager Sears said that's correct. Mayor Woodward continued so those are two ways of communicating directly to all of our citizens. And then if the Herald would want to be doing any type of story. Council Member Wilson suggested the website. Mayor Woodward said the website certainly.

Council Member Gillit said I brought him the application and everything but it just... Mayor Woodward said I know. The people that I have talked to resist too. I have friends that have tried to tell me that well, you know, there are two of you at your house and you use a lot less and your water bill is lower, but we wash more dishes and we wash more clothes. And it's like, not that much.

Council Member Jefferson said and I think from a policy perspective it makes some sense that in order to get people to do it, there has to be some economic incentive. I think it does make sense for the majority of folks to switch over to a meter. Council Member Gillit said and my comment to him is to stop paying more, we can help you pay less. Council Member Jefferson said amen. There were several Council members who spoke at once and it was inaudible. Council Member Gillit said this gentleman...he still sees it as he is being targeted. I just don't...I'm at a loss here.

Council Member Olson said we may need to have some other folks like him, who did the conversion over, and to maybe write a little piece like I was against it or I didn't...because when you are used to a certain way of doing things, it's hard for people...especially when you have done it all of your life, you've paid a flat fee and then all of the sudden you are supposed to do this so... Council Member Jefferson said particularly for renters, it is kind of an issue too because a lot of times the landlord didn't want to come in and spend the money to do that and, you know, if the renter is paying it already, it doesn't effect any...the economic carrot isn't there for the landlord.

Council Member Olson said I do think that the Pipeline has information in it all of the time about doing this, so I don't know if it is a matter of not having the information. It's probably not maybe wanting to do it so it might be that they need some examples of others their age or if they have been in a house that long as well. When we bought our current home it was from folks who were resistant to that, and they said well the water is really high in this house. Of course, we had to switch over and then they were very low and all of those years that they had paid that amount, they could have made it up so easily. I think it may have been some peer group, I think, pressure, so... Council Member Gillit said sure and what I told them is that you're paying the higher rate even during the winter so... Several people spoke at once. Council Member Gillit said I just need a little help with that, if we could. Mayor Woodward said sure.

(v) Council Member Olson:

1. She said thanks to everyone again that came out and spoke tonight and presented anything.
2. She said, in particular, I wanted to congratulate, also, the graduates of the Police Academy. I also wanted to thank the Police Department and all of the leadership within your group there that are supportive of community policing. There are a lot of municipalities that are very much against community policing. I did some research a few years back and I was surprised at it. So I am really thankful our City is supportive of that and does really good training with it. So, I applaud us for that. I think that it's a great asset here in Englewood.
3. She said I want to challenge anyone to join me Saturday morning. I want to see who will go the earliest and I'll go with you. So if anybody is planning to go Saturday, let me know. Council Member Penn said I'll meet you there at 6. Council Member Olson said okay, I'll be there. Council Member Penn said I'll be there at 6. I have to leave early because I have to go to Colorado Springs. Council Member Olson said be careful on the minutes on this one. There was laughter. Council Member Gillit said I am not going to be there at 6. Council Member Penn said come on Rick. Council Member Olson said okay, great, thank you.

(vi) Council Member Jefferson:

1. He said I too just want to congratulate the graduates of the Citizens' Academy and thank them for partnering with our community, and our police, and our ideals of community policing and customer service.

2. He said I wanted to thank Bill, Mark and Jerry for coming down and wish them the best of luck on Saturday.
3. He said Jo Ann, thanks for coming down and talking about Council Bill No. 11. Hopefully...I'd like to try...I'll try to expedite it for you.
4. He said Doug, thanks for your kind comments.
5. He said Elaine, thanks for your comments on volunteering and inclusive cities.
6. He said I also wanted to congratulate again Mr. Walker and thank him for coming down tonight. He has been a real source of pride for all of us. That's all I have tonight.

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Mayor Woodward said I have a note here that we have some students in the audience. Council Member Penn said they stayed all night. Council Member McCaslin said wow, good job. Good job. Council Member Gillit said we also have some students from Norway here. Mayor Woodward said from Denmark, isn't it? Council Member Gillit said Denmark. I mean Denmark. Sorry. Several members spoke at the same time. Council Member Penn said thank you all for being here. Council Member McCaslin said thank you. Mayor Woodward said thank you for coming. Hopefully, you all learned something about civics, maybe, in the United States, or at least in Englewood.

13. **City Manager's Report**

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

14. **City Attorney's Report**

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

15. **Adjournment**

**MAYOR WOODWARD MOVED TO ADJOURN.** The meeting adjourned at 8:54 p.m.

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City Clerk