

**Agenda for the
Regular Meeting of the
Englewood City Council
Monday, June 7, 2010
7:30 pm**

Englewood Civic Center – Council Chambers
1000 Englewood Parkway
Englewood, CO 80110

1.Call to Order.  7:40 p.m.

2.Invocation. **McCaslin** 

3.Pledge of Allegiance. **McCaslin** 

4.Roll Call. 

Present: Jefferson, Olson, Penn, Gillit, McCaslin, Wilson, Woodward

Absent: None

5.Consideration of Minutes of Previous Session. 

a.Minutes from the Regular City Council Meeting of May 17, 2010.

Motion: To approve the minutes of May 17, 2010.

Moved by: GillitSeconded by: McCaslin

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

6.Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.) 

None

7.Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.) 

- a.Elaine Hults --Street Parking
- b.Matthew Crabtree -- Community Meeting
- c.Steve Scott - - LOVE Englewood
- d.Bev Cummins – letter regarding Englewood business

8.Communications, Proclamations, and Appointments.

- a.E-mail from Miodrag Budisa announcing his resignation from the Board of Adjustment and Appeals.

Motion: To accept the resignation from Miodrag Budisa from the Board of Adjustment and Appeals.

Moved by: Jefferson **Seconded by:** Penn

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

9.Consent Agenda Items.

- a.Approval of Ordinances on First Reading.

None

Motion: To approve Consent Agenda Item 9 (b) (i).

Moved by: Wilson **Seconded by:** McCaslin

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

- b.Approval of Ordinances on Second Reading.

ORD # 16 i.Council Bill No. 12, authorizing an Intergovernmental Agreement regarding the application for and acceptance of a 2010 Edward Byrne Justice Assistance Grant (JAG) Program Award (Grant No. 2010-H4990-CO-DJ).

- c.Resolutions and Motions.

None

10.Public Hearing Items (Please limit your presentation to five minutes).

- a.Motion to re-open a Public Hearing to gather input on Council Bill No. 11, 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 zone district.

Motion: To re-open the Public Hearing.

Moved by: Gillit **Seconded by:** Wilson

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

Public Comment:

- a. Elaine Hults 
- b. Bev Cummins 
- c. Greg Ham 

Motion: To close the Public Hearing.

Moved by: Wilson **Seconded by:** McCaslin

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

11. Ordinances, Resolutions and Motions 

a. Approval of Ordinances on First Reading. 

- i. Council Bill No. 13 — Recommendation by the Community Development Department to adopt a bill for an ordinance approving an Intergovernmental Agreement between the Denver Regional Council of Governments and the City of Englewood regarding the licensing of the 2010 Denver Regional Aerial Photography Project. **STAFF SOURCE:** John Voboril, Planner.

Motion: To approve Agenda Item 11 (a) (i).

Moved by: Penn **Seconded by:** McCaslin

Vote: **Motion Approved**(summary: Yes = 6 No = 1 (Gillit))

- ii. Council Bill No. 14 — Recommendation by the Community Development Department to adopt a bill for an ordinance authorizing an Intergovernmental Agreement with the Colorado Department of Labor and Employment to receive labor and employment data for the City of Englewood through the Denver Regional Council of Governments. **STAFF SOURCE:** John Voboril, Planner. 

Motion: To approve Agenda Item 11 (a) (ii).

Moved by: McCaslin Seconded by: Wilson

Vote: **Motion Approved** (summary: Yes = 7 No = 0)

iii. Council Bill No. 15 — Recommendation by the Englewood Police Department to adopt a bill for an ordinance approving a Memorandum of Understanding between the 18th Judicial District Juvenile Assessment Center and the City of Englewood establishing the method of fee assessment for use of the Juvenile Assessment Center. **STAFF SOURCE: Thomas E. Vandermee, Chief of Police.** 

Motion: To approve Agenda Item 11 (a) (iii).

Moved by: Gillit Seconded by: Olson

Vote: **Motion Approved** (summary: Yes = 7 No = 0)

iv. Council Bill No. 16 — Recommendation from the Police Department to adopt a bill for an ordinance authorizing acceptance of Victim Assistance Law Enforcement (VALE) grant funding for 2010 in the amount of \$16,740.00. **STAFF SOURCE: Thomas E. Vandermee, Chief of Police.** 

Motion: To approve Agenda Item 11 (a) (iv).

Moved by: Wilson Seconded by: Penn

Vote: **Motion Approved** (summary: Yes = 7 No = 0)

b. Approval of Ordinances on Second Reading. 

i. Council Bill No. 11, 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 zone district.

Note: If Public Hearing on this matter is reopened, Council Bill No. 11 will not be considered on second reading at this time unless Council moves to waive the Council Policy which says Council bills are not passed the same night as a Public Hearing on the Council bill (the Kells Rule). Should that motion pass, "Council Bill No. 11, as amended", may be moved and voted on at this time.

Motion: To approve Agenda Item 11 (b) (i).

Moved by: Wilson Seconded by: McCaslin

Motion: To amend the Council Bill No. 11 to put in square footage for a small area, not to exceed 12,000 square feet of floor area, to include thrift, second-hand, consignment and buy-back stores and call that a small floor area and anything larger than 12,000 square footage would be considered large.

Moved by: WoodwardSeconded by: Gillit

Vote: **Motion Approved**(summary: Yes = 5 No = 2 (Penn, McCaslin))

Approval of Council Bill No. 11 as amended

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

c.Resolutions and Motions.

None

12.General Discussion. 

a.Mayors Choice.

Motion: To approve the early registration fee of \$415.00 each for Penn, McCaslin, Wilson, Woodward, and Jefferson to attend the NLC conference in Denver at the end of November and beginning of December 2010.

Moved by: WoodwardSeconded by: Wilson

Vote: **Motion Approved**(summary: Yes = 6 No = 1 (Gillit))

b.Council Members Choice.

Council Member Gillit 

Council Member Olson 

Council Member Jefferson 

Council Member Penn 

Council Member McCaslin 

Council Member Wilson 

13.City Managers Report. 

14.City Attorneys Report. 

a.Settlement proposal in the amount of \$200,000.00 for Arapahoe County District Court Case No. 09 CV 2433 (City of Englewood v. Capri Pools, LLC, Louis Pool Company, LLC, and Counsilman-Hunsaker) pertaining to the leak and failure of a wall at Pirates Cove.

Motion: To approve the settlement proposal in the amount of \$200,000.00 for Arapahoe County District Court Case No. 09 CV 2433 (City of Englewood v. Capri Pools, LLC, Louis Pool Company, LLC, and Counsilman-Hunsaker) pertaining to the leak and failure of a wall at Pirates Cove.

Moved by: Penn
Seconded by: Wilson

Vote: **Motion Approved**(summary: Yes = 7 No = 0)

15.Adjournment 9:42 p.m.