

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

Regular Session

May 17, 2010

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Woodward at 7:41 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 White, Community Development
Senior Planner Langon, Community Development
Deputy Chief of Police Collins

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 3, 2010.**

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

Vote results:

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

Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled visitors

7. Recognition of Unscheduled Public Comment

(a) Jerry Furman, an Englewood resident, said I just wanted to say thank you to Mayor Woodward, Linda Olson, and Randy Penn for coming to volunteer for Special Olympics. Our guys had a really fun time

seeing you guys there. And the other question is...when is time for the citizens to pick who they think serves the Citizen of Year. Mayor Woodward said it typically happens in February...just to answer you that. We just celebrated that a week ago, last Monday night, with Dr. Roscoe Davidson. Mr. Furman said who put him in? Was it one of you guys who put him in? Because I have been telling you guys about Mark DeHaven, who has volunteered for 20 some years...and helping out Special Olympics and stuff and I told you guys that was the person I thought deserved it. And I have been telling you guys that and it sounds like you are not hearing from the citizens who see the volunteers who volunteer a lot of time.

Mayor Woodward said thank you Jerry and thank you for the photo too that you left us.

(b) Diane Reinhold, an Englewood resident, said my question is about the landfill and I only moved here in November of '07, so I know nothing about it...if we even have one. In 1984 and '85 I worked on...for getting the new landfill in Rockford, Illinois and they were getting new proposals for the landfill. And I took the minutes for it and one thing they considered very important was an incinerator. And I would like to know...do we have one? And then there was this article in Parade Magazine..."A College Powered by Garbage". It is a college up in New Hampshire that the local landfill...they used the methane gas for it and their college campus is powered...85% of their power comes from that methane gas. I wonder if we do anything like that around here? So, my thing...my question was...do we have an incinerator? Because the head of the landfill project...the lady that was head of it...she really insisted that we needed a landfill...that was in '84-'85. And then I was wondering if we do anything with the methane gas from the landfills. Can anybody answer me?

Mayor Woodward said we will probably address that at the end of the meeting under Council Members Choice. Ms. Reinhold said oh, okay.

Council Member Wilson said Jim...could we make that a Council Request or do we have to wait until the end? Mayor Woodward said let's wait until the end, because I think it can be addressed. Ms. Wilson said okay. Mayor Woodward said if you want to make it a Council Request at that time... Council Member Wilson said okay.

Ms. Reinhold said I didn't get to the Energy Conservation Stability Fair, because it was snowing. Mayor Woodward said please go on...you have another minute if you would like.

Ms. Reinhold said okay...well I didn't make it to that and I wish I could have. But it was snowing and I didn't have any transportation. My neighbor and I were going to come, but we didn't want to walk through the snow. So, anyway...when did you say you would answer this...questions? Mayor Woodward said...well, questions...at the end of the meeting under Council Members Choice. Ms. Reinhold said oh, okay. Alright, thank you.

Mayor Woodward said thank you. And I would be pleased to speak to you afterwards, about it also. Ms. Reinhold said okay.

8. Communications, Proclamations and Appointments

(a) A memorandum from Amy Jiron submitting her resignation from the Englewood Urban Renewal Authority was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO ACCEPT THE RESIGNATION OF AMY JIRON FROM THE ENGLEWOOD URBAN RENEWAL AUTHORITY.

Mayor Woodward said is there any discussion or any comments?

Mayor Woodward said I would like to comment that I did serve with Amy. Amy is a very knowledgeable person, also an attorney who currently, or presently, has been staying home with her children...is moving out of the City now and that is why she is leaving. However, she also was trained and helped the Deputy City Manager Mike Flaherty with the energy audit that we had done last year. So, she did more than just Englewood Urban

Renewal Authority and I just wanted to express my appreciation for that. So, unless there are any other comments, please vote.

Vote results:

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

Motion carried.

9. Consent Agenda

- (a) Approval of Ordinances on First Reading

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

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i).

- (b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 15, SERIES OF 2010 (COUNCIL BILL NO. 10, INTRODUCED BY COUNCIL MEMBER OLSON)

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.

Vote results:

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

Motion carried.

- (c) Resolutions and Motions

There were no resolutions or motions submitted for approval.

10. Public Hearing Items

(a) Mayor Woodward said this is 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. Before we start with our staff, I just would like to read... City Attorney Brotzman said Lou is asking if you want to open the Public Hearing or do your speech first. Mayor Woodward said I will go ahead and read this first and then we will open it up.

Mayor Woodward said I see that there are quite a few people that are signed up to speak tonight and address City Council during the Public Hearing regarding zoning modifications for MU-B-1 District. This is regarding a land use in the district and not a specific business or businesses. We want to make sure everyone who wants to be heard, gets the opportunity. I will ask if anyone who didn't have the opportunity to sign up...wishes to speak...after the last speaker, that has signed up, speaks. We do welcome your input about issues of concern in Englewood. With that said, we have found that it is helpful if one or two people give us a clear and concise presentation of an issue, rather than having several people repeat the exact same message. With that as a basis, we can move on to the additional presentations by other speakers adding new information. Something I like...I agree with the other presentation and...Jane Doe...or simply I agree with the presentations made by Jane Doe...is encouraged. We respect that you came to share your input this evening and we ask that you display the same respect for each other. We ask that you do not applaud individual speakers...we want to hear

your input. While we understand that the issues, and even the fact that you are presenting in a public forum can be an emotional experience, we need to address the facts and want to come to a fair and just conclusion. A respectful and reasonable presentation will help us to do that. Please limit your presentation to five minutes and times will not be permitted to be transferred to another speaker. The timer at the podium will help you determine your remaining time. We have also received input from citizens, businesses and other interested parties through a variety of correspondence, that correspondence will be incorporated into the record of tonight's meeting. So, is there a motion to open the Public Hearing?

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO OPEN THE 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.

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

Nays: None

Motion carried and the Public Hearing opened.

Mayor Woodward said our staff source tonight is Tricia Langon, from our Community Development Department.

All witnesses were duly sworn.

Senior Planner Langon said for your consideration tonight at this Public Hearing is Council bill No. 11, Unified Development Code amendments to allow buy-backs, second-hand, thrift and consignment uses in the MU-B-1 downtown district. For the record, I have already submitted, to the Clerk, notice of the Public Hearing that appeared both in the Englewood Herald on May 7, 2010 and on the City of Englewood website from May 6 to May 17, 2010. And, as you stated Mayor, the Council Communication that you received...the packet you received, included letters and e-mails...both for and against the proposed amendments...that were received by the City by noon on May 13th. Those items that were received following that deadline, have also been submitted to you and I submit those for the record. First, before we begin with the background and history, I just want to clear up some misconceptions that I understand that are going around, mostly from having read the e-mails. First off, these amendments do not affect tattoo or pawn shops in any way. They are still prohibited in the B-1 District and that is not being changed in any way. The amendments...any amendments that are adopted affect the entire zone district, not any one particular property and not just the South Broadway corridor...that is part of the B-1 District and that portion of the B-1 District that is along Broadway is just the blocks...the 3300 to the 3500 blocks...that's basically Floyd to US 285. One existing thrift store in the downtown is considered a...right now...a non-conforming use. It has been in existence, I believe, some 35 or more years and it is non-conforming, as it is not in compliance with the current zoning. As a way of background, the early City Codes allowed retail uses in the downtown district. And included in that language was a catch-all phrase, or any use that was similar to those downtown uses, even though there was a long...probably 90 items of uses that were allowed, but then that last phrase was...and any similar use. So, that is basically how thrift or second-hand shops came to exist in B-1. They were deemed, at that time, to be similar uses. In 1997, as a result of the South Broadway Action Plan, zoning amendments were enacted that prohibited the pawn and second-hand stores in the B-1 District, along with buy-back, second-hand and consignment shops. In 2004, those uses...the pawn still remained prohibited in B-1, but second-hand, buy-back, thrift and consignment were separated out as...and grouped into one category of use type within the Table of Allowed Uses. Per the table, buy-back, second-hand, thrift and consignment, were considered to be prohibited. As a result of a citizen inquiry this past January about consignment store use in the District, Council directed the issue be sent to the Planning and Zoning Commission. And on March 2nd the Commission held a Study Session and discussed a number of options for how this issue might be addressed. On April 6th, the Commission held a Public Hearing. And five people spoke in favor of the proposed amendments and the proposed amendments are the ones in the packet and the ones that you saw at first reading two weeks ago. The public...or the Planning and Zoning Commission recommended to you that the four uses in the group...that, again is...buy-back, second-hand, thrift and consignment...still remain as one group or one use type within the Table...and that they all be allowed as a use-by-right within the B-1 Zone District. As I said, the ordinance in your packet is as the Commission recommended. At first reading two weeks ago, on May 3rd, you directed staff to prepare separate definitions for those four separate uses. And those requested definitions are included in your Council Communication this

evening. They begin on page 2 of the Communication. They were written based on the use's retail operation and the existing use of second-hand goods. If you would like to follow along on page 2, I will go over those four definitions. Again, as I said, they are based on the retail operation of the use, as all four are still retail uses. Buy-back, per the proposed definition, or the definition that was included...a retail establishment that deals primarily in the buying, selling, trading, or trade for credit of second-hand goods, such as sporting goods, and electronic games and systems. Consignment is defined as a retail establishment that deals primarily in second-hand goods resold through a broker for the owner, with the provision that payment is expected only on completed sales and that unsold items may be returned to the owner. Second-hand...a retail establishment that deals primarily in second-hand goods, such as apparel, household items, furniture, and books. This use type does not include the sale of second-hand motor vehicles, parts or accessories, scrap or waste. And the definition of thrift is a retail establishment that deals primarily in donated second-hand goods operated by a non-profit charitable organization, as defined in Internal Revenue Service Code 26 USCS 501 as amended. This use type does not include the sale of second-hand motor vehicles, parts or accessories, scrap or waste. Included in your packet are three amendment alternatives and I will go over those, for the benefit of all the folks here. These, again, are listed in your packet. Number 1 is...adopt the amendments as proposed by the Planning and Zoning Commission and that would keep all four uses as a single use type within the Table of Allowed Uses and permit all four of those uses in the MU-B-1 District. The existing, non-conforming thrift use in the MU-B-1, under this alternative, would become a conforming use. There would be no amendments needed to the Council Bill, as required, and the bill would proceed to second reading two weeks from tonight on June 7, 2010, with an anticipated effective date of the ordinance of July 12th. Option 2, or alternative 2, is separate the four uses into individual use types, with the separate definitions, as I read them. This would require an amendment to Table 16-5-1-1: Table of Allowed Uses to show each of those uses as separate uses and also to show in which District each one of the individual uses is either allowed as a permitted or conditional use. Any existing use not permitted under this re-designation...would become a non-conforming use. This amendment alternative requires that Council Bill 11 be sent back for first reading, as amended and anticipated effective date of the ordinance would then be delayed two to four weeks, depending on the degree of amendment. Third option, also included in your packet, was based on some suggestions that the definition of thrift store also be amended to allow two types of thrift stores...smaller and a large thrift store. And the definition in your packet is based on the square footage and in the packet...that basis is that 10,000 square feet. This would also require amendments to the Table of Allowed Uses, this time with 5 categories...the 3 uses of buy-back, consignment and second-hand...and then 2 lines...one each for the large thrift and then small thrift. Any existing use not allowed in B-1 by this amendment, would also become a non-conforming use and this amendment alternative would require that Council Bill 11 be sent back for first reading, as amended. The anticipated date, again, for effectiveness of the ordinance change would also be 2 to 4 weeks. Again, depending on the degree of amendments. I need to point out though, that based on the definition in the Unified Development Code...a floor area of a structure...it's conceivable that a structure...maybe at 15,000 square feet...could actually have...only have maybe 5,000 square feet of storage and then that would be 10,000 feet of store area and so that would still be considered a small thrift use. So, depending on the size of the store, depending on how the store is used, or the building is used, the degree of storage and other items that can be subtracted out of the gross floor area, the figure that is included in your packet at 10,000 square feet, may or may not be the desired size. In other words, the differentiation in size at 10,000 square feet, may not achieve what is intended. Again, depending on how the structure is used. Just in summary, the additions of the definitions to each type would require a republication. As I stated two weeks ago at the first reading, other municipalities do not differentiate between these four uses and no one uses...no one use is singled out as being prohibited. The primary function of all four uses included in this amendment are retail and it is the operation of the use that is different for each use. And that is why the Planning Commission proposed the amendments that you received...that all four uses be allowed as permitted in the B-1 Zone District. I will be happy to address any of your questions.

Council Member McCaslin said I know you just probably said it...but I am going to ask it again. The Planning and Zoning Commission agreed that all four usages should be allowed in MU-B-1. Is that correct? Ms Langon said correct. Mr. McCaslin said that I all I wanted to know.

Mayor Woodward said Tricia, on the...what you called the amendment alternatives...just to verify that none of these options have to go back to Planning and Zoning? They can be done... Ms. Langon said I will defer to Mr. Brotzman. City Attorney Brotzman said yes, that is correct. Mayor Woodward said that is correct, okay.

City Attorney Brotzman said I should say...you voted on this on first reading. Tonight's a public hearing to get input...you won't modify that until your next meeting. Mayor Woodward said the 7th.

Council Member Olson said I have a question. You said you surveyed nine other communities on the way in which the four were determined...and one did single out or did have a variance, which City was that and do you know what the occasion was for that? Senior Planner Langon said off-hand I don't recall. Ms. Olson said were they even in the metro area? Ms. Langon said...all in the metro area. And I believe the one only separated by definition, that's all. Not by use in their use chart. Council Member Olson said would you be able to find that information? I'm just curious because there may be good reason at some point in time, given our new situation we are in and our current economics, as well as the way in which the community has developed, that it may make sense to actually break one out at some time...rather than lump them together. Ms. Langon said I may have it here in the packet, otherwise it's on my computer. And probably it is on the computer. Ms. Olson said even if I have it by next...even if I have it by next time, I'm fine. Ms. Langon said okay. I can certainly have that for you and I know we did a whole chart on it. No, I don't have it here. Ms. Olson said oh, it's in the chart that you gave us? Ms. Langon said no, no. I did a chart...or we had a chart, but I don't have it here with me. Ms. Olson said I don't need it tonight. Tonight we are listening..so it's a piece of information I would like. Thanks. Ms. Langon said okay, we can do that for you.

Mayor Woodward asked are there any other questions for Ms. Langon. There were none.

Mayor Woodward said okay, well thank you Tricia. Ms. Langon said thank you.

Mayor Woodward said we are ready. I just want to add that at the conclusion of the Public Hearing, Council may have some comments, however, no decisions will be made tonight, as pointed out. A discussion and vote will come forward at our next scheduled meeting on Monday, June 7th.

Jerry Furman, an Englewood resident, said the funding of Broadway was founded by people that wanted to sell stuff on the street...on Broadway...on downtown Broadway. And it used to be stores...some of them did do second-hand, thrift store...like thing. The oldest one is the Army Surplus store in Englewood. Why are they allowed to sell used stuff...why are they allowed to do that and no other businesses can do that? I will leave you guys alone on that. Mayor Woodward said thank you.

Steve Ribbens, a Parker resident, said I am here as the co-chair of the ReNew Thrift Store Committee, a development team, a sub-committee of Denver Christian School Board. I have been involved with Denver Christian Schools for over 30 years as a teacher, coach, high school principal and a parent. And I am asking you to pass the Unified Development Code amendments permitting buy-back, second-hand, thrift and consignment uses in the MU-B-1 District, as originally proposed. If passed, ReNew will be signing a ten year lease for the property at 3473 South Broadway. I'm impressed with the quality of merchandise offered at the local shops selling used goods. And that includes Dress For Less, Molly's Closet and the Yellow Rose franchises. Reselling quality used goods is smart business, great for the economy...it keeps things out of the landfills and helps consumers stretch their dollar. It also helps neighboring businesses...bringing new customers into the neighborhood and is an excellent source of revenue for the local municipality. A store that sells quality used items is good for everyone. I attended the South Broadway Englewood Business Improvement District meeting on May 5 and listened to the concerns of many of the local business owners about thrift stores. And both...at that meeting and in subsequent meetings...in fact I have been around the block, literally, a couple of...so many times, I think you guys are getting sick of seeing me. But I am still going to stop in. We want to be good neighbors and if we have this opportunity, we want to understand what the concerns are and be able to address those concerns. Based on our research, we believe that we can run this store, drawing from our over 5,000 alumni, the parents of alumni, the parents of current students and long term constituents as our volunteers and only have one paid employee. Some say it can't be done. I've seen 13 stores throughout the United States that have done that. And if it doesn't work, we will have to hire somebody else...that's fine. We're not...it's not going to make or break us if we just have one paid employee and if we need to add employees...we will add employees. We believe we need a building of about 13,500 square feet to create a viable shopping destination with an adequate variety of merchandise, in addition to having adequate storage and a workshop to repair non-working items. We will accept donations only during the hours we are open and we will have a removable sign stating that...stating exactly that. If donations get dropped off during

the hours that we are closed, we will make arrangements to pick those up. We will have staff on hand, we will have volunteers. If we need to, we will put a new structure in to have donations accepted. If we need to, we will move it to the schools and not have donations accepted on site. We want to be good neighbors, just as we expect the businesses around us to be good neighbors. We are going to be part of the community for the long haul. Although we are designated as a non-profit, our intent is to generate as many sales as possible. The quality of our merchandise and the appearance of our store is critical to our success. We are a non-profit business. We want to make a lot of money for Denver Christian. So, it is in our best interest to have quality goods and a great store. For the business people here...when you first opened your business, you made promises to your customers and asked them to trust you. They gave you a chance and you were able to stay in business. For the City Council people...at some point when you ran for election, you made promises...you asked the people to give you a chance...now you are serving the people of Englewood. ReNew is part of Denver Christian Schools and we have been in business for 90 plus years. And after two years of due diligence of this committee, we believe that we have a great business model in ReNew. We are making the promise that we will be an upscale boutique thrift store, to be good neighbors and to help generate more business for downtown Englewood and we are just asking for a chance. Thank you. Mayor Woodward said thank you. Mr. Ribbens said I also have some petitions, I have about 30 signatures...may I? Mayor Woodward said absolutely. Mr. Ribbens said thank you. The petitions were submitted to the City Clerk.

Mayor Woodward said Mr. Ribbens...I think...speaking...at least on my own behalf...we certainly...regardless of this Public Hearing...would love to have you and your organization in the City of Englewood. And I think there has always been a partnership, somewhat, between Denver Christian and Englewood High School and...it goes back a long time. So, please don't get the impression that we are looking at Denver Christian Academy as something that it is...that it isn't. Mr. Ribbens said I appreciate that.

Michelle Drent, a Castle Rock resident, said I am a Denver Christian alumni, I am a parent and I am a Board member. For the past two years I have also been a co-chair of the ReNew thrift store development team working to establish an upscale boutique thrift store, in south Denver, that would be of value to the community and that would be a source of revenue for Denver Christian Schools. I am a native of Colorado and I grew up in southeast Denver. I have shopped Broadway for as long as I can remember. Broadway, including downtown Englewood, has a long standing reputation and image as being a destination for resale shopping. Antiques, thrift stores, pawnshops, consignment shops, refurbished appliances, furniture, used cars, costumes, musical instruments, books...and I could go on and on. And I have often looked for many of these things. These types of businesses and this type of destination are attractive to all socioeconomic groups. They always have been and they always will be. No matter if the economy is good or bad, there will always be people who need thrift...to shop thrift for their basic needs and people who love the thrill of finding a bargain or that eclectic item that they just can't find at your typical store. For this reason, and more, we have focused our search for a location on Broadway and we are very excited about the possibility of partnering with the existing businesses and the Yellow Rose to add value, to increase foot traffic and have a positive impact on the community. It is our mission and vision to establish a thrift store that doesn't follow the status quo. A store specializing in high quality merchandise, available in a distinctly non-thrift atmosphere. An atmosphere that has a quality image, is clean inside and out, inviting to all demographics, well organized, accessible and that drives repeat business. Our business model is neither unique nor unheard of. We have done our due diligence and developed a comprehensive business plan. For two years we have studied and visited...hands on...thrift stores around the country that are supported by a small number of paid staff and a large core of volunteers that are committed and passionate about their mission. These stores operate in a size of about 9,000 feet to 25,000 square feet. The property we are interested in is 13,500 square feet. They gross anywhere from \$300,000 to a million dollars annually and in many cases they often sell new merchandise at a discount, which is something we also intend to do. Denver Christian Schools has served the south Denver metro area for 90 years. We have a large base of constituents, as Steve said, and we are more strongly capitalized than most business start ups. We have the resources and expertise within our community to recruit and pay additional staff as we need them to professionally merchandise our products, to offer the highest quality product and customer experience possible. We have heard your concerns, or the businesses concerns, about unsightly piles of donations projecting the wrong image of the community. This is contrary to our mission and vision for ReNew. Those concerns are valid. You have our word that we will do all that we can to maintain a clean store property at all times. We plan to do this by receiving the bulk of our donations at our three school campuses and educating our constituents about the items that are acceptable. We will not have any permanent signage anywhere on the property

promoting a donation drop-off. So that somebody would see that and drop-off when they felt like it. We will only accept donations during our business hours, we will ensure that we have adequate capacity for trash and multiple pick-ups per week if necessary. We will commit to monitor donations made during non-business hours, by having staff and volunteers dedicated to this role, specifically. And we will provide our business neighbors with a number to call, if large, off-hours donations are made, so that we can respond. We will work with our business partners to address any other concerns or problems that arise upon opening. In closing, many of Denver Christian's constituents that will be supporting the mission of our store, live primarily in Douglas, Jefferson and central east Arapahoe Counties. They are upstanding, upper-middle to upper class parents, alumni and grandparents...that if not for the presence of this store, would not have a regular reason to visit, shop or find entertainment in downtown Englewood. Our school community is very excited about the possibility of having our store at the South Broadway location. We anticipate that members of our school community will not only be our primary donors and volunteers, but they will be shoppers and patrons at our store and at the surrounding businesses. So, I ask that you pass the Unified Development Code amendments permitting buy-backs, second-hand, thrift and consignment uses in MU-B-1 Zone District, as originally proposed...allowing for all four and going with no option one. Thank you. Mayor Woodward said thank you.

Melissa Schaap, a Littleton resident, said I stand here as a very involved parent of two Denver Christian children and I would just like to express my complete support for everything that Michele and Steve have communicated in their well stated speeches. I would also just like to really emphasis what I heard in the opening invocation and the prayer when you opened...about serving the community and just how this store is about service and that comes...that will be integrated into how this store is built and the community that we would like to see built through this particular endeavor. I have been asked to read an e-mail that came through that has not been included in the packet. It comes from a gentleman by the name of Michael Gold...so, if I could have permission to read his e-mail. "My name is Michael and I'm the owner of TheThriftShopper.Com an online directory of over 9,300 charity resale shops nationwide. I understand there is some debate as to whether to allow charity resale shops to open in your downtown area. I'd like to add some educated input if I may. I've been a thrift shopper for 25 years as an adult and the days of junky unkempt thrift shops are coming to an end. The term thrift shop used to mean a place where a group of well intentioned folks had tables full of donated items in bad parts of town. Many charity resale shops no longer use the word thrift in the name of the business to distance themselves from that image. What's happening is that more and more charity resale shops are becoming boutique-like in the way the business is run." Ms. Schaap said...which is exactly our goal. "The items for sale are of better quality and the shops are getting more concerned about looking like a boutique and less like a thrift shop. Charity resale shops today are shopped by every demographic in our society"...as Michelle talked about..."and they are shopped more often than regular businesses, as the inventory changes daily. More folks would visit your downtown area to shop at charity resale shops and other businesses in your downtown...and this would benefit...and your downtown would benefit from this added foot traffic. Charity resale shopping is a way to save money, keep items out of landfills and support a worthwhile charity. Many people exclusively shop charity resale, like my wife and I and millions of Americans. If I can be of further assistance, please feel free to e-mail or call me." Ms. Schaap said my husband and I spent a couple of hours on Saturday, just walking around the area and talking to some local business owners and talking to some other shoppers and we were just really struck by how receptive people were and excited to have this empty store front filled and the thought of all this traffic and how this could just really add some neat momentum to the City of Englewood. We have been talking with some of the area churches...like Wellspring...and we know that they are working really hard to serve this community and we would like to be a strategic partner in that effort. Thank you for your time. Mayor Woodward said thank you.

Doug Cohn, an Englewood resident, said my sister and I own Bonnie Brae Hobby Shop at 3421 South Broadway...just a few doors to the north of where the ReNew store is looking at the Guys and Dolls, Artarama space. I had a little trouble as I was reading through the packet figuring out what it was you guys were voting on. As I understand it, changing the zoning to allow these kinds of uses downtown...what a great idea. As a business guy right on the block, I'm thinking to myself...well, let's see...what would be the downside of having a brand new store on the block, with lots of different kinds of merchandise? Umm...couldn't think of one. What is the downside of having quite a few new people parking in my parking lot? Umm...couldn't think of one. Seems like a good idea...from one of the business guys on the street. So, I recommend that you go forth and you go forth quickly and invite these guys to open up the store and I think this is a good, first step in changing some of the bad policies that have developed over the last quite a few years. There will be other times to talk about the

other steps that I would encourage you to take, but this is a great first step. Thank you. Mayor Woodward said thank you.

Jo Ann Dransfeldt Fetters, a Centennial resident, said I stand before you representing a building...3431 South Broadway and the building...and the space next door, which was A & B Custom Framing. Our family as you...I have told you before, has owned this building since the 1920's when my grandfather, Hans Dransfeldt built it. We are very interested in making this a good place where people want to come. We want to be good neighbors and we wanted other good neighbors around us. All of the stores that are filled...feed on each other...no matter what they are...and it makes a good mix for retail customers. We had, for many years, Other Mother's, which was a consignment store in this space next door to where we are wanting to put our Yellow Rose and it was very successful. We are very concerned about the vacant storefronts. They lead to lost sales tax and one thing leads to another and we really want to see all of the spaces filled with vibrant businesses. I think that would be something that you all would like as well. We are in favor of the...Council Bill No. 11, authorizing amendments to Title 16 and we feel it would be a good thing for downtown Englewood. It is a green business that we want to put in...which is the Yellow Rose consignment store and as these people have talked about too...it keeps things out of the trash and it recycles and people can afford nice things without having to spend a lot of money. So, we are very interested in encouraging you to pass this amendment. Thank you very much. Mayor Woodward said thank you.

Aubrey Allmond, an Englewood resident, said I'm glad I took notes, because I didn't realize I was speaking tonight. Steve and Michelle both are from Parker, Highlands Ranch...there was another person from Littleton...and you would like to address the worries of local businesses, but I never heard a whole lot of comment on worries of local residents. And one of my concerns is the neighborhood going to pot. No pun intended. There was laughter. But I think both of you said something about having small staff and a large core of volunteers and it would be nice if there were more local hiring. I don't think that anything can be put into any of the amendments or anything...as far as...required to do local hiring. But it would be nice that we could hire local. I recently got laid off from my position and I've lived here for five years and I don't see a whole lot of incentive for employment in Englewood. So, that would be nice. And what I have seen and what I have heard, there is a generic definition...so there is no definition between high quality boutique and poor quality. There is no definition for quality, origin or denomination. So, I would like that to be taken into consideration...that just because the definition is generic...a very nice presentation by one organization, that is respected, I believe...doesn't mean that other businesses could move in under the generic definition. And that is all I have. Mayor Woodward said thank you very much.

Tracie Romero, a Centennial resident, said I am here before you today because I am one of the partners in the Yellow Rose, as well as the property manager for both the Odd Fellows Building in downtown Englewood and the Quadanska building, which is the location that we are hoping to put the Yellow Rose in. I agree with a lot of what Denver Christian center is saying and I would also like to reiterate that the gentleman who spoke after Denver Christian...his concerns about high quality and low quality...having been through this entire process since the beginning, I have had the opportunity to sit in the Planning and Zoning meetings and one of the things that they said is that's one of the things they cannot put within their rules and regulations...was one of the things that was stated in there. They cannot distinguish between religion and not-religion and those types of things...as I understand it. I also would like to comment that Mr. McCaslin earlier stated that...he asked the question...if Planning and Zoning has gone through this entire process and they agreed that this was the...the route that they chose was the best route that they felt for the City. And I would like to...one...thank the Planning and Zoning department for all their diligent and hard work, as well as the City Council members...because they did discuss a lot of things. And they did due diligence and they discussed, in depth, all of the issues that I have been hearing out on the street and talking to other business people...talking with the City Council and some of the things that they are hearing as well. So, I feel that this Planning and Zoning department really has put forth what they feel is the best option for the City, as well as we would also like to continue to move forward, I have not yet heard any real negative pressure about not having this amendment...or, um, sorry about that...Bill No. 11 move forward. Thank you very much and I thank you very much for all of your time. Mayor Woodward said thank you.

John Fetters III, a Centennial resident, said I would just like to comment, strictly from a building owner standpoint. I think everyone else has presented the business owner standpoint. I am co-owner of the location

where the Yellow Rose would like to locate...a building owned by our corporation...a family corporation named Quadanska Limited. I am also the Board of Directors President for the Odd Fellows Building...pardon me, the Odd Fellows Building and Investment Company, which owns the building next door, which is adjacent to the vacant lot that is on the corner of...I think it is Girard and Broadway. That lot has been vacant for some 20, 25 years now...since the building next door burned down. What I hesitate to see, is a building that was built by my great-grandfather, Hans Dransfeldt, and a coalition of community...the Odd Fellows Building and Investment Company was put together by a coalition of gentlemen, businessmen, local area guys in Englewood...and was built for the purpose of community. It has a dance hall...a 3,000 square foot dance hall...it was a gathering place...it was a meeting place. And slowly over time, the demographic of Englewood has changed. The meeting hall no longer became used. The building was difficult to rent the store fronts. The Quadanska building next door, which was built by Hans Dransfeldt, and then added on to by my grandfather Fred Dransfeldt, has suffered the same fate. And now we are faced with two out of the four storefronts completely vacant. The Quadanska building is 100% vacant and has been since January. And the money for maintenance and the money to continue the operation of the building without tenants is coming directly out of my pocket, as well as the family corporation's pocket. Just to let you all know...in January of 2009 we were approached by a broker by the name of Edge Mark Development. They were interested in purchasing the Odd Fellows Building and the Quadanska building next door. They found out that we had ownership in both buildings and approached us. They were interested in moving the Walgreens from three blocks up the street on the east side to this location. Which would mean that they would be scraping the buildings. While this is not an attractive proposition for my family...an especially hard thing for me to think of...from a business standpoint we had to consider it. The money was fairly significant that was offered for the two properties. And we ultimately refused the offers...mostly based on the history that we have in Englewood. And I would like to see us be able to continue that history. And opening up this...this Council Bill 11...sounds like the ladies of the Yellow Rose have kind of started a flood here with having the business of ReNew come in and become a viable candidate in the area as well...I think I would really like to see this pass. I, for one, personally do not want to see our two buildings, our family legacy...I don't want to see that disappear. And I don't think any of you do either. And I would also like to say that Jerry's comment earlier about the surplus store was fabulous...very well put and I iterate that comment as well. Thank you Council. Mayor Woodward said thank you.

Gwen Boonstra, a Parker resident, said I am a graduate of Denver Christian, but I don't come here this evening to speak about that. I was employed at Denver Christian and I am a recently elected Board member and I haven't been involved in this process, but I didn't type this up the way I am saying it, but I don't know how anybody in here can't be excited about the possibilities of a thrift store to spark the retail in Englewood and benefit the community. Like I said, I haven't been involved, but I am just thrilled with all the work that everybody has done. So, I come to it from a little different point of view. I work in the City of Englewood and I have some concerns. I recently was made aware...and maybe you can clear this up, if I am incorrect...of the proposed definitions for a second-hand, buy-back, consignment and thrift stores. She did a good job of explaining that. But I am a little bit disturbed that the definition appears to be discriminating against non-profits and non-profit organizations...prohibiting them from running these stores and using the profits to benefit a local community. Used clothing and furniture stores are thriving in this economy, because they appeal to a wide range of people, including environmentalist, antique dealers and families on fixed incomes. Research shows that Englewood is currently benefiting from retail sales generated by resale, antique and thrift stores. So, I hate to say this, but I can only conclude that you are in support of resale outlets, but not in support of non-profits benefiting. I hope that is not the case. Personally, if you close the door to non-profits in Englewood, I think it would be hard to gain the support of such a large community like Denver Christian Schools and my large community church. Please consider rewording, for the zoning, so that families that live in Englewood and the City of Englewood can benefit economically and socially from a well-run program that encourages non-profits and the various ministries and groups they support. Thank you. Mayor Woodward said thank you.

Julius Tabert, a Greeley resident, said I am a commercial real estate broker with Sperry Van Ness...I was actually helping the family Williams...Steve and Beth Williams acquiring the building on 3473 South Broadway about four years ago. We put the property under contract with the family Rivkin that operated Guys and Dolls there...I think for decades. And a broker from...I don't remember where the broker was from...but Rivkin's broker had quite some difficulties finding a buyer for that particular building. It was an historical building, it has a unique floor plan. It's on two stories. It has 6,000 square feet on the main floor, 6,000 on the basement, 1,500 on the mezzanine, which is a very large retail space in today's world. It doesn't really work very well for the

current, hip, so to say...retail establishments. Which range, normally, between 1,500 to 3,000 square feet. The larger retail spaces that range from 30,000 to 50,000 square feet...big box users...will not fit in this particular building either, because the concept will not work. Basically, the family from Greeley, the Williams...private guys, with a small chain, brought that building, hoping their business, the Artarama, the Artarama art store would actually thrive there. And it turned out...over the last four years...it didn't. They made good progress, they had, unfortunately, too high of an overhead and the profit margins were not really enough in order to support that particular business. They had to close the store, the property went into foreclosure...it is now owned by Lehman Brothers...or whatever is left from Lehman Brothers. The current retail environment doesn't have enough profit margins in order to support a business on a square footage of like 13,000 square feet. That's why a non-profit organization like ReNew is, basically, an ideal tenant for that kind of space, because they have higher profit margins, they don't have the overhead that a traditional business...and they fill this very vital gap in the new retail world, which cannot really be filled by any other business. Like the gentleman before said...he has two buildings vacant and they have been vacant since January 1st. This building has been vacant for a minimum of six months. I wasn't involved on the purchasing side. The Williams hired me to try to find a buyer on the selling side. I marketed the building probably for over a year and I generated, I think, three showings on the building. And those guys were local mom and pop stores that reflected on that square footage and could just not make that size work. Another problem is...it is a very long...actually, it is a more deep building than it is wide. It is a unique floor plan...you cannot really split it. So, if you said...hey, maybe we can split in four separate units and lease it to different tenants...the plan that it is built on...it just doesn't lend itself to do that. It's either 13,500 or it's vacant. And I think whatever ReNew likes to do with the building, it is the ideal use for that. It's...they are the guys that actually reflected on this building...was a year in working on it and the only guys that actually had a viable concept to make this space work, generate retail dollars for the community...a vital part for the neighborhood and to generate more traffic for this downtown environment. I would like to ask you to pass this amendment in their favor and I thank you so much for listening. Good evening. Mayor Woodward said thank you.

Colleen Mello, an Englewood resident, said I have lived in Englewood for over 15 years. When I had moved into Englewood, we had several thrift stores in the area. One was located at Table Steaks, one was at the Dollar Store next to Country Buffet. There was the Goodwill and the Neighborly Thrift. For some reason, over the past years, Englewood changed the zoning code for this area. I assume it was to help improve this area to make it look better for the residents and the community. Before you change the zoning back to allow thrift, buy-back, consignment, resale...I hope you will look at the past and why they changed it to the new current laws. Some of my concerns with allowing a thrift store into the downtown area...is people will drop off their junk and they will...when they move or after a garage sale...will it be in front of the store or will it be in the back? How long will it be there? Will it be there long enough so people can go through it, pick what they want and leave the rest? Leaving us, the residents of Englewood, to walk down the street and again see the trash on the street. This area is important to me. I live within five blocks of this area. I already get the crowds from the Gothic and from the Table Steaks leaving their trash on my yard and in the parking lots across from Wells Fargo. Leaving, again, for somebody else to pick up the stuff. I would like to attract people who would bring business to help accent some of our existing stores in Englewood. We have Ted's, Kaufman's, Wagner's and the Stained Glass Warehouse. These businesses have been here for many years...through good times and through bad. So, please look at what would be good for them. Don't look at...that there's an empty building...let's just fill it for the tax revenue. The economy will change and businesses will come back to Englewood. And it has been a proven fact through many years. Please think long-term and what do we want this area to look like. If it's a thrift store that wants to be in there, let's put them someplace other than...in Englewood, rather than our main streets of downtown. More people sell their high end items either on Craig's List, E-Bay or in a consignment store where they can make some money. The stuff that is being dropped off at the thrift stores are not that high end. So, they will be going through a lot of stuff to try to fill a square footage spot. Will this stuff be high end or will they change their way of thinking and put more stuff in there just to fill the square footage. That's it. Thank you. Mayor Woodward said thank you.

Eileen Baranosky, a Denver resident, said I own a consignment store in Englewood, and actually on Broadway, about five blocks south of Hampden. I found out that Yellow Rose was looking at going to zoning and having the zoning changed. And I think for Yellow Rose it would be a great idea. I have seen their store in Parker...it is a great store. And it would be a nice place...or, it would be nice to have them in downtown Englewood. One thing that...and I also talked to Steve and Michelle from the thrift store. I have managed a couple of thrift stores

in California. I love thrift stores. But I am not sure if downtown Englewood is the best place to have a thrift store. What I did when we opened Molly's Closet...I went around and I visited several consignment stores and actually put together a resale guide to promote each other. The one thing that I found...and also with research with the...with NARTS...which is the National Association of Retail and Thrift Stores...is that if you keep a store within say 3600 square feet and less, it looks very like...very much like a boutique. That's whether it's a thrift store or it's a consignment store. A good example of this is if you...there's SheShe's thrift store on Dry Creek and University. It is a non-profit...for a charity. There is also the Women's League on Hampden and Happy Canyon. It's a thrift store...non-profit. Both of them are excellent stores. They would look good in downtown Englewood. Why? Because of the size. Again, it is a smaller thrift store and it has that boutique flavor. I guess what I would look at, as City Council is...what do you want your downtown to look like? Do you want it to look more like boutique stores? If you do, then it's more limiting the size...not necessarily that it is thrift, retail, re-use or whatever. It's...what is the size of those types of stores? Because once you start going over that 3,600 square feet...is when it starts to look like a thrift store. Thank you. Mayor Woodward said thank you.

Gregory Ham, an unincorporated Arapahoe County resident, said thank you for letting me address you and I will try to be brief. I am the Board President for Denver Christian Schools and you have heard a lot of testimony I think, tonight, about the positives of the uses that are proposed. I am really here to more...I want to just point out...maybe some more technical things about the definitions that were provided. And maybe a concept of allowing, say consignment and second-hand and buy-back...but not allowing thrift stores in the definition that the City Attorney provided. You know the last definition for thrift stores, obviously, is defining the use based on the operator, not on the use. It was primarily saying that an operation, operated by a non-profit is being defined as a thrift store. And I kind of have an objection to that. It doesn't feel right to me that the use is defined by the operator, not by the actual use. And so I think you need to really consider carefully whether it is fair to not approve all uses and to maybe drop that use out...which I know maybe some of you have considered. To that end I wanted to point out that there is some Federal laws that pertain to some of these issues and it is called the Religious Land Use and Institutionalized Person Act of 2000...it is a Federal law. It pertains to land use, as it relates to religious organizations. And I will read from subparagraph b, section 2...it's called discrimination and exclusion...it says one...equal terms...which I think is just talking about treating people the same. In other words...if people are selling used goods, they are all selling used goods. And it says "no government shall impose or implement any land use regulation in a manner that treats a religious assembly or institution on less than equal terms, with a non-religious assembly or institution". Non-discrimination...item two... "no government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination". So, that clearly applies to land use ordinances. Now I point that out, but I would also say that the City of Englewood, and you as a City Council, have always sent a positive message to non-profits and I observed in the last Council meeting your patient attention to the Special Olympics and your support of that. And, you know, incidentally, there is a thrift store in Pensacola that specially puts its proceeds for the Special Olympics. So, we just really want to be part of your community. We are actually looking for the special kind of location that this real estate provides. We would not be interested in going by odd lots in that kind of a center. And, matter of fact, our other alternatives would be to go into like a King Soopers...anchored shopping center with an Office Depot...in Centennial, at Arapahoe and I-25. So, we are looking for a retail location that we can have a special retail niche. And that is what this section of Broadway provides for us and that's what we are...because of our special store, that we think is special. So, we would love to be part of the City of Englewood. Thank you. Mayor Woodward said thank you.

Debi Kelley, an Englewood resident, said I am our block captain and along with our friends on Humboldt we do host one of the finest block parties in Englewood, so you are all invited to come, of course. Many of you come. I am a Denver Christian alumni and I live in Englewood, so this is really a win-win for me...I think. This afternoon I went around to my neighbors with the petition and tried to present both sides...some of the good, some of the bad with having a thrift store in Englewood. One hundred percent of them said great...sign me up, I'm happy to sign that. We have a lot of vacancies in Englewood, they were happy to fill another vacancy. And hopefully this can help bring some more businesses into the area. So, I wanted to share that with you. And I think that regardless of what happens here...Denver Christian will find a space for this store...but, personally, I want it in Englewood. I think it would be great to fill one of the vacancies. And also, this store will have a dedicated customer base. The Denver Christian High School is just a little bit north of the store. The two elementary schools are maybe seven or eight miles away. So, it is kind of conveniently located between them.

A lot of the families can easily go by the store, frequently, to be bringing in goods and shopping there. So, I hope we get it here. Thank you. Mayor Woodward said thank you.

Steve Yates, an Englewood resident, said I have lived here for over 20 years. I would like to encourage Council to allow them to have that usage. It is good for the City from the standpoint it will bring activity to that area...the more activity that we have in an area, the more business, the more things will be going on. It's good for the community. And if you've ever looked around on that block...across the street used to be a head shop...I would say that this is a much better addition to the community versus a closed down head shop. And it's...it's just the right thing to bring more business...more activity...into our area. Even if there is another thrift store down the street. It's still good for us. That is all I've got to say. Mayor Woodward said thank you.

Elaine Hults, an Englewood resident, said I am really here this evening because a letter was sent to you by a friend of mine by the name of Beverly Cummins and we did this letter up on her behalf, but she is out of town and she asked me to come and read this tonight. I didn't realize you were going to bring this open town meeting...which I think is great and I think we need more of them. So, let me please read this. It should be in your packet. If it didn't get to you, it will get to you probably in the week to come. Mayor Woodward said it is in our packet. Ms. Hults said she addressed it to each one of you individually. "In these financial times, Englewood cannot afford to discriminate against any business venture. There are people who can afford champagne and those who can only afford beer. We all like a bargain and you will find people in both categories at thrift stores ergo consignment shops. My mother, Vesta Frank, and I owned and managed the Mini Flea Mart on Broadway for ten years, in the very vicinity that is currently under question for a consignment boutique. Mother's specialty was refurbishing discarded old, used, bruised and abused dolls for others to enjoy. She was extremely proud and had received Englewood's Oldest Woman Merchant award. Location, location, location is the key to the success of any business. The area currently in question has always been the best location in Englewood. Englewood...this type of business will draw customers to the other businesses in the same locale. With all the empty stores on Broadway can we afford to discriminate?" I also want to postscript from something of myself. I lived in Florida for 26 years. Although I lived in Broward County I wanted to open a business in Dade County. In one of the toughest counties to get a variance in...which was north Miami Beach...I built a dry cleaning plant. I had to go before the commissioners in order to get my plant. And I was able to change the atmosphere of a strip section, because my business came in there, which brought people coming back and forth to drop off, to deliver...which I believe this type of a business will do also. Encourage and improve the other businesses around me. So, you might really take this into consideration. And we need the revenue. Thank you. Mayor Woodward said thank you.

Steve Scott, an Englewood resident, said I just heard a lot of really good things. I want you to know that I am an avid shopper at Goodwill. Everything that we decorate in our buildings is used merchandise. But I would like to encourage Denver Christian and some of the concerns shared with the other citizens. All of our high school students have to do community service. I would just like to really encourage you to have as formal as possible agreement with our high school, that we could funnel our kids through your thing. They could learn retail, they can learn customer service, they can learn, you know, proper sales etiquette. There is lots of really great things. If we look at the statistics of Englewood, our guys are in construction and our ladies are in retail. So, if you are going to live in Englewood, they are going to work in retail. That is what they are going to do. Wal-Mart...our shoppers...one of our bigger employers. Swedish, you know, not too many of the kids from Englewood High School are going to end up working at Swedish, unless they are working in housekeeping. You know, one of things that we want to do is improve the graduation rate of our high school and one of the things that we can do that is to give them a goal. There is really something that I can do. I can own a ma and pa shop like that businesses that you people are proposing. I would love for you to tease our children with a retail business just like that. And only one other comment and it's specifically to you. No, we have the best block party. There was laughter. On the corner of Fox and Tufts...July 31st of this year...so, come and puke your guts out in our bouncy castle, okay. Mayor Woodward said if it's July 31st...he's having his party a little bit early, because it is always the first Tuesday of August nationally.

Steve Kudron, a Littleton resident, said I am the co-owner of the Quacker Gift Shop located at 3440 South Broadway, which is just across the street and two doors down from the thrift store and also across the street and two doors up from the Yellow Rose. As I have listened to the testimony, one of the things that I found very interesting is that we hear the need for business and that is very true. You heard it in the Study Session and as

Council members you are spending a lot of time and effort to try to find the right balance and what makes Englewood a better place. It is very clear to me that a boutique type store...such as the Yellow Rose...is a perfect spot...along...what I think of as part of our block. And with a thrift store...I love the enthusiasm and love the commitment...but one of the things with two years of research is it is very important to see that the commitment is put forth. You talked, Steve, about a ten year lease...now, one of the concerns that I have with a 13,500 square foot retail space that backs up to a wonderful parking lot that Council can sell as soon as somebody wants to buy it. That is a concern and I don't know if you are aware of that. At \$300,000 to a million dollars per year, with an average sale of \$20 to \$25...you are looking at 50 plus sales per day...every day, seven days a week. And I know you won't be open on Sundays. But it is very important to consider what will happen and Council has to consider what will happen with a space such as that, if all the parking is contained to the street. And how will the Denver Christian community...who, when Steve first came to the BID...it's a separate non-profit from Denver Christian's non-profit. It is one and the same? Okay. So, it is very important that the commitment...as the concerned citizens have voiced...that that commitment...not only to ten years of being there...but the changes that will happen around you...keep you here, keep you vibrant and keep you to your commitment to your mission. And I guess that is my biggest challenge...that it's difficult to enforce that through zoning. So, I am putting that back on the Denver Christian community...that...don't disappoint us. We plan to have our ducks out here for a long, long time and we want good neighbors too. So, thank you very much. Mayor Woodward said thank you.

Mikaila Grafft, a Castle Rock resident, said I grew up in Denver Christian and I am an alumni. I also went back and taught for a short while and also coached sports there, so I have a long history with them and I really believe in them and I think they are wonderful. Some of my history is, I grew up in a business called Seasons and it was a home décor business that was throughout Colorado. We were in Southglenn Mall for awhile and then we did Christmas shops...kinda all throughout Colorado...Cherry Creek Mall, Park Meadows...different ones. And our Christmas shops were at least 10,000 square feet...very large ones. And I know one of the concerns from one of the gals was that a boutique needs to be about 3,300 square feet or smaller, but I definitely disagree with that. In our shop we had a lot of consignment, but we also had a lot of high end stuff and we were very well known in the area for being a very high end Christmas store. In setting up the place, you can definitely set it up to more boutique style and very high end. We now have just one Seasons, which is in downtown Littleton, in the old Coors building down there. And though it is not extremely huge, it is also set up very high end and is done really well and I think that that is key in this venture. Is to make it very high end and very well laid out. The great thing about Denver Christian is we are such a huge community and such wonderful talents that we all come together and make that happen. And we are very good...Denver Christian tends to be the Dutch...and they are very clean. A joke in my family is that they would sweep the streets and I lived in the Netherlands and saw them sweep the streets. So, I can honestly say that they are very good about keeping it clean and nice and well organized. And I know that with this venture they would do that and that with all the talents that we have, it would be just an amazing asset to your community. I think you would be very pleased with what we can do with it and I think that it is a unique building that is going to take a unique type of store and I know we can do that. So, thank you. Mayor Woodward said thank you.

Mayor Woodward said I had a friend whose daughter went to Denver Christian and she was very clean too, so... There was laughter.

Mayor Woodward asked if there was anyone else who wanted to speak during the Public Hearing. There was no one.

Mayor Woodward said I will entertain a motion to close the Public Hearing.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO CLOSE THE 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.

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

Vote results:

Englewood City Council

May 17, 2010

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

Nays: None

Motion carried and the public hearing closed.

Mayor Woodward said I would like to open it up to Council...if you have any comments at this time. Again, no decisions are to be made tonight. But are there any comments or discussion?

Council Member Jefferson said I just want to thank everybody for coming down and sharing their thoughts. I know it is sort of frustrating that we don't follow it up with some sort of vote or, you know, something to end the evening on, but we appreciate all of your input.

Council Member Wilson said a lot to think about...so thank you.

Council Member McCaslin said very informative. Thank you. Opened some eyes.

Council Member Olson said I also wanted to just let you know that we have gotten quite a number of e-mails and from our own residents. So, not that...I know that some of you tonight were Englewood residents, but it's really important that we hear Englewood citizens...so, residents of the City, so those of you who have friends and neighbors...can we still have them send stuff in? What is the protocol? Mayor Woodward said if Dan would...I was going to ask Dan to explain. Several Council members spoke at once. Council Member Olson said that is my follow-up question. Is what is our protocol from here? But anyway, thank you to those who did present tonight. It was very helpful.

Mayor Woodward said Dan, do you want to go ahead and... City Attorney Brotzman said in the past, what you would have heard at a Public Hearing is...it's a Public Hearing...you base your entire decision on the evidence and really when your neighbors came to you or people came to you...you would say I'm sorry, we had a Public Hearing and it's like being in a trial, in a court and I have to base my decision on what was presented here. Now, I also want to be practical...but we live in an electronic age that people are sending in e-mails. Now, you have the option of re-opening the Public Hearing if you get some evidence or somebody sends something that you really want to base your decision on that you didn't have before...but, you are going to base your decision on what was done here tonight. I assume, since one of the issues that we have is there is a public comment period again, before you actually make your decision. I assume some people are going to talk at that as well. Those conversations, further e-mail conversations...treat those...not as evidence, but people making argument based on the evidence you were given here tonight. I would encourage you, again, while they are your constituents and while you get to communicate with your constituents privately...I would say...if you are going to make this as public as possible...share those with Council...let us see them. So, if you are getting e-mails and you would like to share them with the rest of Council, we can incorporate those in the packet as well.

Council Member Olson said that's helpful, thank you.

Mayor Woodward said okay. And, just to...just to verify that if...if we were to open...re-open the Public Hearing...at our next meeting...that would mean that we would not vote on it for two weeks after that, because we don't vote on...well, we don't take a motion... City Attorney Brotzman said...on the same night as the Public Hearing. Mayor Woodward said...on the same night as the Public Hearing...so that is understood.

Mayor Woodward said I would like to thank you all for coming out tonight and for all the correspondence from everyone...the business community, friends and everything. It was very interesting. Right before I left tonight...or this afternoon there was more...so, I know we have more to put in the packet. And, incidentally, I think when Ms. Langan said last week that the cut-off time...when she said cut-off time, I believe what she was referring to was the cut-off time to get the materials into our packets so they could be delivered on Thursday. That was the only cut-off time. So, what came in after 5:00 o'clock tonight is still good.

11. Ordinances, Resolution and Motions

- (a) Approval of Ordinances on First Reading

(i) Deputy Chief of Police Collins presented a recommendation from the Police Department to adopt a Bill for an Ordinance 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). He said good evening. In the latter part of April, we, once again, discovered that the Bureau of Justice Assistance has awarded us \$30,608.00. The award is based upon a successful application and this process is part of the application. So, what we are asking is that Council adopt a bill for an ordinance accepting the Justice Assistance Grant. We intend to utilize that money for the purpose of purchasing a new CAD server. The one that we currently have is about six years old and they generally have a lifespan of about three to four years. And, according to Information Technology, we are on borrowed time. So this money came at a very good time for us. The anticipated price of the entire project is about \$37,000.00. Anything over and above the grant award will be covered by Information Technology and the network development budget. So, if you have any questions, I'd be more than glad to answer them.

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

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 12.

COUNCIL BILL NO. 12, INTRODUCED BY COUNCIL MEMBER McCASLIN

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE APPLICATION FOR AND ACCEPTANCE OF A 2010 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD - 2010-H4990-CO-DJ.

Mayor Woodward asked if there was any discussion.

Mayor Woodward said I'd just like to say great job, again, John. You've done us well on these JAG grants and they are very helpful. Anything else?

Council Member Olson said keep the grants coming.

Vote results:

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

Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 - Consent Agenda.)

(c) Resolutions and Motions

There were no resolutions or motions submitted for approval.

12. General Discussion

(a) Mayor's Choice

(i) Mayor Woodward said I would like to address Ms. Reinhold...what she brought up about landfills. The first item is that we don't have any landfills in the City of Englewood. What you may be thinking of is the landfill across Santa Fe, which is in the City of Sheridan. There is property that we own that has had landfill on it. It is leased under a long term lease to a developer that has developed the Target, the Costco, and some of the things over there. So, with regard to that landfill, and I'm speaking to the best of my

knowledge, I am not aware of any other landfills that have not been cleaned that are releasing methane gas. Now, we have a Wastewater Treatment plant that does release methane gas. And we have...and this was some time ago, we attempted to utilize that for electrical purposes, and found...Stu, of course, isn't here or he'd tell us the chemical breakdown...there was...one of the chemicals was too high and it was not good for the electrical components of what was working. However, they are using some of that methane for the heating of the ServiCenter, which is right next door to the Wastewater Treatment Plant, and I don't know if we are using any of it for the actual Wastewater Treatment Plant, but there is a certain amount that does have to be burnt off. So, hopefully that answers that question. If you have more, I'd be more than happy to talk to you afterwards. Ms. Reinhold spoke from the audience. (Some of her comments are inaudible.) How do I get in touch with these people? Could I leave you this article on how...? Mayor Woodward said you certainly may, if you want to give it to the City Clerk. Again, Ms. Reinhold spoke from the audience. And also, what is Englewood's... Mayor Woodward responded we do not have incinerators. It is taken to a waste disposal spot, which then it is moved to a regional landfill. Speaking from the audience, Ms. Reinhold asked is that the one in Sheridan. Mayor Woodward and Council Member Penn replied no. Mayor Woodward said no, that's been closed for years. Ms. Reinhold spoke from the audience, but it was inaudible. Mayor Woodward said no, no, no. It's been closed for many, many, many years. Ms. Reinhold's response was inaudible. Mayor Woodward said they pick it up and take it over to the Waste Management transfer station over on Union and then it is all moved out to the landfill. Ms. Reinhold's response was inaudible. Mayor Woodward said usually we don't have a dialogue. You've presented, so I've answered and you can't be heard by the speakers, so I'd be more than happy to talk to you afterwards and get some of these answers for you. Ms. Reinhold's response was inaudible.

(ii) Mayor Woodward said and also, I would like to thank Jerry for coming tonight. I appreciate him mentioning that I was there volunteering for the Olympic site. I was only there for a short, very short period of time, because I had another engagement, the Englewood Lions. Jerry had informed me that the Lions had sent him to some national meet...back in...I believe it was 1991. So, that was good. I think, from what I've heard, the kids had a great time and the adults that were there, and that it was very much a success.

(iii) Mayor Woodward said I did want to thank all of the people that did come for the Public Hearing tonight.

(iv) Mayor Woodward said with regard to the Citizen of the Year, that is...that has been selected back in, I believe it was February...Dr. Roscoe Davidson who had worked with the school system for...as the superintendent for 18 years and it was a very entertaining and fun celebration, I would say. Very deserved. Very well attended by colleagues and community and former employees with lots to say about him. And Jerry had asked about selecting a Citizen of the Year. That is...the community...I believe that is what he was talking about. The first time that was brought up...it was brought up by Rick. This year, when we were doing the selection of the Citizen of the Year, and it is something that we will discuss prior to next year...doing the selection of the Citizen of the Year, so that is the way that we had left that...and that's what we were going to do. So I think that everybody's aware of that.

(v) Mayor Woodward said on Saturday, the ribbon cutting, for the Community...for the Community Garden happened at Dartmouth and Inca, basically... Council Member Wilson said Fox. Mayor Woodward said Fox, okay. Jill, great job. Council Member Wilson said thank you. Mayor Woodward said I think...you've been working on this for a long time with different groups and probably some longer than some of the groups have been involved. So, congratulations on this feat. The success and the excitement that is there...

(vi) Mayor Woodward said I do want to mention that there is a new restaurant going in where the Spicy Pickle was. It is going...I just talked to one of the workers, who happens to be a volunteer...and that would be right at Floyd and Broadway. This is a restaurant that doesn't have set prices; you pay what you can afford or desire to pay. And if you can't afford, you don't pay. There is a restaurant up on Colfax, that has been there for a number of years now, that has been featured on NBC News, CBS News...I believe it has also been featured in Newsweek and...it serves soup, salad and pizza...the one up on Colfax. The volunteer was telling me the same thing. I did get a call or an email from the owner and I hope to hear from her in the next day or two and find out more information about it. Council Member Wilson said I think the name of it is the SAME. Mayor Woodward said the SAME as the one up on Colfax. Council Member Wilson said right. Mayor

Woodward said that's correct. I can't remember what that stand for. Council Member Wilson said I can't either. Mayor Woodward said smart...? Council Member Wilson said sustainable...? It's so all people can eat. Mayor Woodward said okay.

(vii) Mayor Woodward said also, I want to bring up...I want to hand these out. Council Member Jefferson said maybe to save some paper I should have distributed mine... Mayor Woodward said this is Colorado Municipal League Conference to be held in Breckenridge on June 22 through the 25th. There is a total fee of \$906.00. In the past, I think we've paid...in the past couple of years...few years maybe, I know that I've attended, that I've either paid it myself or paid out of...partially my funds and partially discretionary funds. I believe...I'd like to get a motion for approval and I believe that there's others that are here that are also looking at going: that is Joe and Bob and...Linda...I don't know if you are going. Council Member Jefferson said I don't know if it has my name on it. Does it have Jim's name on it? He asked is there another copy for Linda, by chance? I don't know...we were just kind of whispering... Mayor Woodward said well, did Linda apply? Council Member Olson said you know what? I thought I did, but this is good because I can't go. Mr. Jefferson said okay...a good reason not to have it. Ms. Olson said that is good. Mayor Woodward said okay. I'm looking for a motion for approval. This is a part of the City Council's budget. It was included in the budget. I will say again that the budget for 2010 is less than the budget for 2009. And after this, there is still budgeted funds for the National League of Cities Conference that will be held in Denver this year. Council Member Jefferson said are you asking for a motion for your...? Mayor Woodward said I'm asking for all three...to take all three at one time, if that is okay with everybody?

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE EXPENSES FOR COUNCIL MEMBER JEFFERSON, COUNCIL MEMBER McCASLIN AND MAYOR WOODWARD TO ATTEND THE CML CONFERENCE IN BRECKENRIDGE.

Mayor Woodward asked if there was any discussion.

Council Member Gillit said I have a suggestion. We just sent a couple of you...a couple of us went to Washington D. C. and there was some concern about the cost of that and we went ahead and did it anyway. I don't have a problem with the registration and us using discretionary funds, but we all know how our budget is sitting right now and it is not sitting well. We...and I hear that we have it budgeted, but we also know that just because it is budgeted, doesn't mean that we have to spend it...especially in the light that we might have to make some cuts later on if the funds continue in the same trend they are. I would ask this Council and those going that...reconsider the spending. I'm concerned about where we are at. We saw the graph. I mean, we saw what is going on. We're still not giving our employees raises. We're still not doing the things that we need to for our employees. If we could all just maybe send one person who could report back...If we could, at all, not spend the money when we are in a hurting position, it just doesn't make sense. Especially...yeah, we're talking about \$906.00 a person...it isn't...you know when you're talking millions of dollars of your budget and it doesn't seem a lot but, \$900.00 could potentially, you know, help an employee out or help a couple of employees out. It just seems that where we are at financially...it just seems...it is a hard pill for me to swallow. I will be voting no.

Council Member Jefferson said I appreciate your comments and I certainly understand where you are coming from. As a person who is requesting some funding here, I would like to talk a little bit about it. Like I said, I do appreciate the situation that we are in financially. I do think that there is just a lot of value to sending people, certainly more than one representative up to CML Conferences. I think the dollar amount, as you stated, is just not a big enough portion of the budget...my thought is, actually, that policy decisions being made here, cumulatively over the life of each of our terms, will certainly, in my mind, make revenues variate by more than a few hundred dollars. For example, I generally attend some of the attorney sessions at CML and you know, I think Jim and Bob and some of them, they usually attend the regular sessions. Some of the topics for discussion at the attorney sessions are...sign code issues, which I thought was really timely...which was one of the ones that really made me jump and say, okay, I need to be at this Conference. But I certainly understand where you are coming from. That being said, I would like to maybe amend my request and remove the stipend for meals and mileage, to decrease my request by \$278.00. And so if I can make an amendment to amend my request to now be \$644.73 to cover my registration and the lodging only. And I encourage others, Council people, although I will be supporting anybody who chooses to go...to encourage them to save a few bucks here too.

Mayor Woodward said thank you Joe. Any other comments?

Mayor Woodward said I appreciate what you have done Joe on that and...I am not going to reduce mine. I am going to a meeting, a First-Tier Cities Steering Committee meeting in Dallas, Texas in June, totally 100% at my expense. I have gone to CML in the past, totally at my expense. Again, I agree with you there's great value in this and last year, there was press that came forward and I think it was Channel 9...it was very interesting...and then there was some articles in the Denver Post and two days later there...after the conference, there was a Denver Post editorial that pointed out the value of Colorado Municipal League and that they supported that Conference. I can speak for...certainly Bob and I, who have attended it...and I believe Joe too, but I haven't seen Joe as much...but I can certainly say that we have been attending the workshops. In fact, everyday, I don't think there is anything that we don't attend. I mean as far as workshops...and there are workshops that overlap and I know Bob and I try and attend different things typically so we can hit, during any given hour, different items. So, I appreciate your willingness to do that.

Council Member Jefferson said and again, I just wanted to reiterate that, generally, I am in support of those that want to go and I certainly understand your situation. Like you, I think...you know, I paid the lodging and whatnot out of my own pocket last year at CML, so I certainly understand where you are coming from on that.

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

Vote results:

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

Motion carried.

- (b) Council Members' Choice
- (i) Council Member Gillit:

1. He said thank you Mr. Mayor. I want to thank all of those who came for the Public Hearing. We had great, great input. I also appreciate the owner of the property. It was great information as well. I'm excited to see where we go with this and I appreciate you all for coming.

2. He said last Friday night I had the opportunity to do a ride-a-long with our Fire Department. What a thrill. I would have paid to have that experience. That was awesome. There is nothing like riding down the road 100 miles an hour in a fire truck. So, I was pretty excited. And you get a great meal with it. So, those folks are just wonderful. Mr. Mayor, please let the Chief know that I greatly appreciate...they were extremely kind and warm and welcoming. And I encourage all of Council to go. One of the questions they asked me was why doesn't other Councilmen come? I said well, I'd let them know that they are invited.

Mayor Woodward said frankly I didn't know that we could do fire trucks, and I don't want to do ambulances. Council Member Gillit said I got it from Randy that we could do that, so I was all in.

3. He said also, Jerry Furman...I know that he is gone but Mr. Mayor, thank you for clarifying that next year we are going to do something fun and new and hopefully hear from our community on the Citizen of the Year.

4. He said a reminder for those that are looking at Boards and Commissions...I know that we have interviews coming up and I'm excited to see some new folks come out and apply for some of those Boards and Commissions. Thank you very much.

- (ii) Council Member Olson:

1. She said I want to thank those too for coming for the Public Hearing tonight. Gosh, this is great to have so much energy all around: business and renovation of Englewood. So, this will be great in terms of clarifying, I think, for us and helping us move forward.

2. She said the second thing I wanted to say was Heather Utrata, is that the correct way to say her name, from Parks and Rec? If you saw on the front page of the sports section, I believe this morning...although I got up way too early and didn't look at the paper...but she's our own Englewood employee who won the Colfax Marathon for the second year in a row. So, congratulations to her. She did it in 3 hours and 4 minutes and beat her time from last year. So, congratulations.

Mayor Woodward said you know, and she had never run a marathon prior to last year. Council Member Olson said yeah, so I need to get her as my trainer. There was laughter.

3. She said the Olympics was a blast to do...the Special Olympics with Jerry. I have some really fun pictures on my phone which...showing some great poses. But that was great fun and I encourage anybody else to do that next year.

4. She said the Community Garden was also a very big highlight for me, Jill, to watch the fruition of a lot of hard work that you and many others put into it. To celebrate then on Saturday morning was really wonderful. I can't wait to see how things keep growing there and how many more we can set up throughout the City in the years to come.

5. She said I just want to remind people that the next meeting is at the Malley Center and it is an unusual meeting. I don't know if you were planning to say a little bit more about that, but its ...I can go ahead? It's a community meeting. It is not a normal Study Session. It is actually an open meeting where we'll have some dialogue with folks from anywhere that come, but I'm particularly inviting folks from District 2 to come because we are going to talk about the Swedish Medical and get an update on what's been happening with the dialogues there, as well as medical marijuana and how that might impact some of that area. But I think the agenda is still being worked out from the folks who do that this week. So, come on out for that if you really care about Englewood. And that's it. Thanks.

Mayor Woodward said thank you Linda.

(iii) Council Member Jefferson said again I just wanted to thank everyone for coming out and giving their comments at the Public Hearing and that's all I have.

Mayor Woodward said thanks.

(iv) Council Member Penn:

1. He said oh, thanks. Golly, it was really fun to be at the Special Olympics. Linda did really well on her one event that she competed in, so congratulations Linda on being a champion. Council Member Olson said setting up a tent. Council Member Penn said I know. Tent expert.

2. He said...Community Garden. Super job. KEB, Cultural Arts. I went by Sunday after everybody was working on it and all of the volunteers need to be congratulated, so hopefully that continues to go.

3. He said you know, the Citizen of the Year. Don't wait. If you have people that you would like to maybe send the little names in, send them to Jim...don't send them to me. Let him know who they are.

4. He said Sunday. Don't we have something really special Sunday? Englewood Love. Englewood High School stadium. Give me a time. Someone spoke from the audience saying 10:00. Council Member Penn said 10:00 in the morning. So, it should be...it is something different that has not happened in the City of Englewood for a long time. So, hopefully we can do that.

5. He said instead of me traipsing off, I'm going to have District 3 meetings and I'll give you dates and I'll follow this up. Anybody is invited to go to District 3. I'd like to know any of the Council members, if you'd like to go, please let me know so I know...they'll all be posted anyway, so it doesn't matter. June 2nd, I'll be at Duncan Park. June 15th, I'll be at Cherrelyn. July 17th, I'll be at Englewood High School. July 20th, I'll be at Maddox. And August 17th, I'll be at Roscoe Davidson Administration Building for chats with District 3 people. I encourage anybody that would like to come over and join me, please do that so we can have that...

6. He said I don't have the address and I apologize. June 8th, I'm having a meeting with all of the religious groups in Englewood. I invite any of you who would like to come and chat with us. It is at 11:00. What's the address of your building? On Broadway. The one on the second floor. Someone spoke from the audience saying 59 West Floyd. Council Member Penn repeated 59 West Floyd. It is just kind of an open dialogue to get some information about what's happening in the religious groups around Englewood, how the City and the religious groups can work together and I'm just out looking for data. That's all I'm doing. Mayor Woodward asked Randy, what was the date on that. Council Member Penn replied Tuesday, June 8th, 11:00. I will send that out to everybody. And again, if it needs to be posted, I'll make sure that it's posted. Other than that, I'm not doing anything. Thank you.

Mayor Woodward said thank you Randy.

(v) Council Member McCaslin:

1. He said I would like to address the Citizen of the Year. Anyone who attended that would have really appreciated and realized why Dr. Davidson received the award. Even though he is not a citizen, he has done more than a lot of citizens here in Englewood ever did for, you know, where they live. I mean, he was here, what, 20 some years. It was just unbelievable. You have got to attend something like this...that really show what people give back to Englewood. I was kind of offended when I heard some people were upset because he wasn't a resident, but what he gave to this community, by far, outreaches a lot of what our own residents have done for the City of Englewood.

2. He said I also attended the Energy Conservation Fair. Mike put in a lot of time. He was putting up billboards and all kinds of stuff when I showed up. It was too bad it was a rainy night and not a lot of attendance, but we had Xcel. In fact, I just signed up for an energy audit for 120 bucks for...what do you get? The blowing...I mean they blow air into all of your doors and see where your leaks are. And then I did...also, the...I think it is the radiation. But, that was really a cool fair. And it is too bad it wasn't publicized a little bit more and better attended.

3. He said I think DUG...we talked about them. They just...they were on Channel 9 News tonight...today. Celebrating their 25th year and it was really cool, just to know that we were one of their projects. So, I didn't know if you were going to talk about it...but I would say something.

(vi) Council Member Wilson:

1. She said okay...Bob said everything I wanted to. There was laughter. Mr. McCaslin said I'm sorry. Mayor Woodward said Jill, what is DUG's project of the year? Ms. Wilson said I'm sorry? Mayor Woodward what was DUG's project of the year? Council Member Wilson said our garden. Council Member Penn said good lead in. Ms. Wilson said they are celebrating their 100th garden this year...that they have done in the Denver Metro area. They are a huge, huge group of people and volunteers that really just...they have the footprint, you just follow it. And they were a great, great help to us in getting our garden going...along with financial help with their grant. So, it was a lot of fun, it's going to be a lot of fun. We've started planting. Every time I go by there, there is someone at the garden tending their plot. It makes my heart sing. It is just...the people you get to meet and the people I have never met before and it truly is a gift. So, I am very excited about that for the summer.

2. She said I did go to the Sustainability...Energy Sustainability Fair and, I think, had it had maybe a little bit more publicity...more would have come. But then it was a horrible night...so it is hard to say. But it was very good and it was our first one...so, that will be, I'm sure...more to come.

3. She said I want to thank everyone for coming and speaking to us. I know it takes a lot of time out of your schedules, so I appreciate the communication.

4. She said thanks Jerry for the picture...wherever Jerry is.

5. She said I am so excited about this restaurant. And so I just...you know, I have read about it...I have not been to it, but it is a great philosophy, so I am so glad it is coming to Englewood.

* * * * *

Council Member McCaslin said can I piggyback off of the community garden? My wife has got seven plots that are available down at her community garden...down at Bishop Elementary, on Dartmouth and Elati. So if you are interested in getting a plot there, she'd be more than welcome to have you sign up. Council Member Penn said six. Mr. McCaslin said six now...Randy took one tonight. So, there are about six plots still...thank you.

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 9:52 p.m.

City Clerk