

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

Regular Session

July 19, 2010

A permanent set of these minutes and the audio are maintained in the City Clerk's Office. Minutes and streaming audios are also available on the web at: <http://www.englewoodgov.org>.

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Woodward at 7:34 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, Woodward
Absent: Council Member Wilson

A quorum was present.

Also present: City Manager Sears
City Attorney Brotzman
Deputy City Manager Flaherty
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Senior Planner Stitt, Community Development
Batallion Chief Fox, Fire
EMS/Emergency Management Coordinator Green, Fire
Police Commander Watson
Engineering Technician I Dye, Public Works

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 6, 2010.**

Vote results:

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

Motion carried.

6. Recognition of Scheduled Public Comment

(a) Bill Hayes, an Englewood resident, discussed the Glass/Steagall Act.

(b) Josie Fetters, Susie Fetters, and Tracie Romero, future Englewood business people, discussed the Yellow Rose consignment store at 3431 South Broadway, which will open on August 7, 2010.

(c) Jackie Edwards, an Englewood resident, spoke about medical cannabis.

7. Recognition of Unscheduled Public Comment

(a) Gary Selby, an Englewood resident, discussed RV's and a new proposed ordinance.

Statements were made regarding the flyer many citizens received, distributed by Concerned Citizens for Englewood, by Mayor Woodward, Commander Watson, City Attorney Brotzman, Council Member Jefferson, and Council Member Olson.

The meeting recessed at 8:08 p.m.

The meeting reconvened at 8:21 p.m. with all City Council members present.

(b) Jody Been, an Englewood resident, spoke in support for the Cities of Service Declaration.

(c) Jay Peters, an Englewood resident, discussed RV's on hard surfaces and being behind fences and going back to raising pigs.

(d) Dick Kabat, an Englewood resident, discussed RV's on personal property.

(e) Ed Walker, an Englewood resident, discussed objectives of RV's ordinance and possibility of temporary permits.

(f) Jessica Loom, an Englewood resident, spoke about the Charles Hay Backpack Food for Children program and the possibility of growing into other elementary schools.

(g) Adrian Pyle, an Englewood resident, discussed RV storage and not incurring more costs for storage.

(h) Paul Loos, an Englewood resident, discussed RV's on personal property.

(i) Michael Nowlin, an Englewood resident, discussed RV's and other items on personal property, without storage costs which prohibits usage.

(j) Cheryl Rice, an Englewood resident and Englewood business owner, spoke about how Englewood is open for freedoms and to have options for storage for recreational vehicles.

(k) Kenneth Leff, an Englewood resident, discussed trailers on personal property and amending the ordinance to allow for two vehicles (like a boat and a RV/Trailer).

(l) Melanie Nelson, an Englewood resident, spoke about Cities of Service, gathering resources, no taxes, and traditional volunteerism.

(m) Steve Yates, an Englewood resident, spoke about changing ordinances, property rights, and Council making decisions based on personal judgments.

(n) David White, an Englewood resident and Englewood business owner, discussed trailers parked on hard surfaces, and beautification of Englewood.

(o) Elaine Hults, an Englewood resident, read emails containing budgetary statements made by Council Member Jefferson.

(p) Matthew Crabtree, an Englewood resident, spoke about his participation in Englewood Citizens for Open Government and his participation in the distribution of the flyers and the reasoning for them.

(q) Beverly Cummins, an Englewood resident, spoke about not believing what Council says.

(r) Jack Grogen, an Englewood resident, discussed RV's and boats, storage, costs; and if you don't like Englewood, then move.

(s) Mark Mutz, an Englewood resident, discussed his old RV and storage, and the street sign at his end of the street says Lipan Street instead of Lipan Drive.

8. Communications, Proclamations and Appointments

(a) An email from Sunshine Cross indicating her resignation from Keep Englewood Beautiful was considered.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER PENN SECONDED, TO ACCEPT THE RESIGNATION OF SUNSHINE CROSS FROM KEEP ENGLEWOOD BEAUTIFUL.

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

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 PENN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i), (ii), (iii), and (iv).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 25, SERIES OF 2010 (COUNCIL BILL NO. 20, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN DENVER HEALTH AND HOSPITAL AUTHORITY AND THE CITY OF ENGLEWOOD FOR MUTUAL AID FOR EMERGENCY MEDICAL SERVICES.

(ii) ORDINANCE NO. 26, SERIES OF 2010 (COUNCIL BILL NO. 22, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE APPROVING ACCEPTANCE OF THE "2010 PANDEMIC PREPAREDNESS GRANT CONTRACT" BETWEEN TRI-COUNTY HEALTH DEPARTMENT AND THE CITY OF ENGLEWOOD, COLORADO.

(iii) ORDINANCE NO. 27, SERIES OF 2010 (COUNCIL BILL NO. 23, INTRODUCED BY COUNCIL MEMBER JEFFERSON)

AN ORDINANCE AMENDING A STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS NEIGHBORHOOD STABILIZATION PROGRAM (NSP1) GRANT BUDGET AND DECLARING AN EMERGENCY.

(iv) ORDINANCE NO. 28, SERIES OF 2010 (COUNCIL BILL NO. 24, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE OF THE CITY OF ENGLEWOOD AUTHORIZING AND APPROVING A LEASE-PURCHASE FINANCING FOR THE FUNDING OF ENERGY CONSERVATION MEASURES EXPECTED TO REDUCE ENERGY CONSUMPTION AND RESULT IN COST SAVINGS TO THE CITY, AND DECLARING AN EMERGENCY.

Vote results:

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

Motion carried.

- (c) Resolutions and Motions

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

10. Public Hearing Items

No public hearing was scheduled before Council.

11. Ordinances, Resolution and Motions

- (a) Approval of Ordinances on First Reading

- (i) Emergency Management Coordinator Green presented a recommendation by the Englewood Office of Emergency Management to adopt a bill for an ordinance accepting a 2010 Emergency Management Performance Grant in the amount of \$32,000 from the State of Colorado.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 21.

COUNCIL BILL NO. 21, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE APPROVING ACCEPTANCE OF THE 2010 EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT BETWEEN THE STATE OF COLORADO AND THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

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

- (i) Deputy City Manager Flaherty presented a recommendation from the City Manager's Office to approve a resolution establishing and describing the City of Englewood's Green Community Program to ensure compliance with Internal Revenue Service requirements pertaining to the issuance of Qualified Energy Conservation Bonds (see Agenda Item 9 b iv – Council Bill No. 24).

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - RESOLUTION NO. 68, SERIES OF 2010.

RESOLUTION NO. 68, SERIES OF 2010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO ESTABLISHING AND DESCRIBING THE CITY OF ENGLEWOOD GREEN COMMUNITY PROGRAM AND PROVIDING OTHER MATTERS RELATING THERETO.

Vote results:

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

Motion carried.

12. General Discussion

- (a) Mayor's Choice
- (b) Council Members' Choice
 - (i) Council Member Gillit
 - (ii) Council Member Olson

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE A MOTION TO APPROVE AND SIGN THE CITIES OF SERVICE DECLARATION OF SERVICE.

Vote results:

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

Motion carried.

- (iii) Council Member Jefferson

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE COUNCIL BILL NO. 25.

COUNCIL BILL NO. 25, INTRODUCED BY COUNCIL MEMBER JEFFERSON

A BILL FOR AN ORDINANCE EXTENDING AN EXISTING TEMPORARY SUSPENSION OR MORATORIUM ON THE ESTABLISHMENT OF NEW MEDICAL MARIJUANA DISPENSING AND GROWING USES UNTIL JULY 1, 2011.

Vote results:

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

Motion carried.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE RESOLUTION NO. 69, SERIES OF 2010.

RESOLUTION NO. 69, SERIES OF 2010

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO AN EXTENSION OF THE EXISTING SUSPENSION OR MORATORIUM ON THE ENFORCEMENT OF

SELECT PROVISIONS OF THE ENGLEWOOD MUNICIPAL CODE 2000, THE SIGN CODE, PERTAINING TO BANNERS AND PORTABLE SIGNS; THE DISCRETIONARY APPROVAL PROCESS BY THE CITY MANAGER OR DESIGNEE FOR SIGNS UNDER 16-6-13 (3)(B) AND 16-6-13 (4) E.M.C.; AND THE PROVISIONS PERTAINING TO WALL MURALS FOR A PERIOD OF SIX MONTHS UNTIL FEBRUARY 1, 2011.

Vote results:

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

Motion carried.

(iv) Council Member Penn

(v) Council Member McCaslin

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 9:41 p.m.

City Clerk