

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

**Regular Session**

**November 15, 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/Index.aspx?page=999>

**1. Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Woodward at 7:40 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 Stitt, Community Development  
Planner II Bell, Community Development  
Fire Chief Pattarozzi  
Fire Marshall Greene  
Assistant Fire Marshall Wilcox  
Battalion Chief Petau  
Battalion Chief Fox  
EMS/Emergency Management Coordinator Green  
Deputy Police Chief Collins  
Fire Medic Dan Sekavec  
Driver Operator Engineer Wood  
Driver Operator Engineer Jacobson  
Driver Operator Engineer Osgood  
Fire Medic Blanchard  
Fire Medic Hehn  
Firefighter Barringer  
Firefighter Black  
Lieutenant Frederick

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

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 1, 2010.**

**Vote results:**

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

Motion carried.

**6. Recognition of Scheduled Public Comment**

(a) Council recognized the Artists of the 2011 Englewood Calendar. Each child was presented with a framed copy of their artwork and a gift card from Hobby Lobby.

- Malik Sapp, a 2<sup>nd</sup> Grader a Clayton Elementary School.
- Cherokee Davis, a 2<sup>nd</sup> Grader at Clayton Elementary School.
- Destiny Berumen, a 12<sup>th</sup> Grader at Colorado's Finest Alternative High School.
- Nathaniel Gravagno, a 2<sup>nd</sup> Grader at Cherrelyn Elementary School.
- Curt O'Connor, a 3<sup>rd</sup> Grader at Cherrelyn Elementary School.
- Paola Hercules-Flamenco, a 2<sup>nd</sup> Grader at Cherrelyn Elementary School.
- Nailea Acevedo Nevarez, a 4<sup>th</sup> Grader at Bishop Elementary School.
- Ashlyn Moore, a 4<sup>th</sup> Grader at Clayton Elementary School.
- Katrina Jimenez, a 5<sup>th</sup> Grader at Clayton Elementary School.
- Mario Cross, a 5<sup>th</sup> Grader at Clayton Elementary School.
- Ella Perez, a 2<sup>nd</sup> Grader at Charles Hay Elementary School.
- Madison Castro, a 4<sup>th</sup> Grader at All Souls School.
- Tess Bray, a 7<sup>th</sup> Grader at St. Anne's Episcopal School.
- Juliauna Nuckolls, a 2<sup>nd</sup> Grader at Bishop Elementary School.

(b) There were two violin presentations by Ben Tomkins with four members of the youth involved in the Strings Attached program.

(c) Fire Chief Mike Pattarozzi presented Fire Medic Dan Sekavec and Driver Operator Engineer Chris Wood with a Medal of Valor for their actions in a water rescue. Other firefighters (Driver Operator-Engineer Mark Jacobson, Driver Operator Engineer Mike Osgood, Fire Medic Austin Blanchard, Fire Medic Jason Hehn, Fire Medic Steve Snyder, Firefighter Rodney Barringer, Firefighter Reggie Black, Firefighter Don Busi, Lieutenant Josh Frederick, and Battalion Chief Andy Fox) involved in the rescue received a Distinguished Service Award.

(d) Sharan Wilson from Freedom Service Dogs spoke to Council regarding the Festival of the Bastardino and use Pirates Cove for the Doggie Dip. She provided information and tokens regarding the Freedom Service Dogs organization.

**7. Recognition of Unscheduled Public Comment**

(a) Marti Pennebaker, an Englewood resident, detailed a complaint of inappropriate police response to the shooting last week, the poor treatment of citizens and spoke about the police officers' abusive and foul language.

(b) Beverly Cummins, an Englewood resident, had a complaint of inappropriate police response to the shooting last week and that the police need more training when citizens are involved (awareness, listening before reacting, communication and language).

- There was a response to Public Comment by City Council members.

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

(a) An e-mail from Kenneth Bronson advising of his resignation from the Election Commission was considered.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO ACCEPT THE RESIGNATION OF KENNETH BRONSON FROM THE ELECTION COMMISSION.**

**Vote results:**

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

Motion carried.

(b) A letter from Charles Carter advising of his resignation from the Englewood Housing Authority was considered.

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO ACCEPT THE RESIGNATION OF CHARLES CARTER FROM THE ENGLEWOOD HOUSING AUTHORITY.**

**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 PENN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i), (ii), and 9 (c) (i).**

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 47, SERIES OF 2010 (COUNCIL BILL NO. 44, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AUTHORIZING A "LICENSE - CITY DITCH CROSSING AGREEMENT" AND A "TEMPORARY CONSTRUCTION EASEMENT" TO FIRST CHURCH OF CHRIST, SCIENTIST FOR THE REPLACEMENT OF ELECTRICAL LINES AND INSTALLATION OF BOLLARD LIGHTS CROSSING OVER THE CITY DITCH.

(ii) ORDINANCE NO. 48, SERIES OF 2010 (COUNCIL BILL NO. 45, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE APPROVING A "LEASE AGREEMENT" BETWEEN THE CITY OF ENGLEWOOD AND SCHOOL DISTRICT NO. 1, ARAPAHOE COUNTY [ENGLEWOOD SCHOOLS] FOR THE LEASE OF THE DUNCAN SCHOOL BUILDING LOCATED AT 4800 SOUTH PENNSYLVANIA STREET.

(c) Resolutions and Motions

(i) RESOLUTION NO. 83, SERIES OF 2010

A RESOLUTION AUTHORIZING THE ENGLEWOOD PUBLIC LIBRARY TO IMPLEMENT THE ANNUAL "WINTER FOOD FOR FINES" PROGRAM FROM MONDAY, NOVEMBER 29, 2010 THROUGH SUNDAY, DECEMBER 12, 2010.

**Vote results:**

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

Motion carried.

**10. Public Hearing Items**

No public hearing was scheduled before Council.

**11. Ordinances, Resolution and Motions**

(a) Approval of Ordinances on First Reading

(i) Planner II Bell presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing amendments to Title 16: Unified Development Code of the Englewood Municipal Code pertaining to Landscaping and Screening. Staff also requests that Council schedule a Public Hearing for December 6, 2010 to gather public input on the proposed amendments.

**COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 47 AND THE SETTING OF A PUBLIC HEARING FOR DECEMBER 6, 2010.**

COUNCIL BILL NO. 47, INTRODUCED BY COUNCIL MEMBER JEFFERSON

A BILL FOR AN ORDINANCE REPEALING TITLE 16, CHAPTER 6, SECTION 7, AND REENACTING A NEW TITLE 16, CHAPTER 6, SECTION 7, ENTITLED LANDSCAPING AND SCREENING AND AMENDING TITLE 16, CHAPTER 11, SECTION 2(B) OF THE ENGLEWOOD MUNICIPAL CODE 2000.

**MAYOR WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO AMEND AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 47, TO INCLUDE THE EXCLUSION OF SOLAR PANELS (PHOTO-VOLTAIC AND THERMAL PANELS) ON PAGE 19 OF COUNCIL BILL NO. 47.**

**Vote results on proposed amendment:**

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

Motion carried.

**Vote results on motion to approve Council Bill No. 47 as amended and the setting of a public hearing for December 6, 2010.**

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

Nays: Olson, Gillit  
None

Motion carried.

(ii) Senior Planner Stitt presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing the sale of 2215 West Wesley Avenue, 3395 West Grand Avenue, 4744 South Galapago Street, 3102 West Radcliff Drive, 2159 West Vassar Avenue, and 3115 South Acoma Street all funded through the Neighborhood Stabilization Program Grant.

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 48.**

COUNCIL BILL NO. 48, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE APPROVING THE SALE ON THE OPEN MARKET OF SIX PROPERTIES 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.

(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) Senior Planner Stitt presented a recommendation from the Community Development Department to adopt a resolution establishing a new line of credit for the Housing Rehabilitation Enterprise Fund.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i).**

RESOLUTION NO. 84, SERIES OF 2010.

A RESOLUTION APPROVING A NEW LINE OF CREDIT WITH U. S. BANK NATIONAL ASSOCIATION (U. S. BANK) FOR \$250,000.00 TO SUPPORT THE ACTIVITIES OF THE HOUSING REHABILITATION ENTERPRISE FUND AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE THREE ADDITIONAL ONE-YEAR EXTENSIONS FOR THIS LINE OF CREDIT THAT WILL NOT INCREASE THE TOTAL AMOUNT OF THIS LINE OF CREDIT.

**Vote results:**

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

Motion carried.

12. **General Discussion**

(a) Mayor's Choice

(b) Council Members' Choice

(i) A resolution authorizing a moratorium on the enforcement of violations of oversized commercial trucks until the Code Enforcement Advisory Committee has an opportunity to discuss and offer a recommendation on the matter was considered.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE RESOLUTION NO. 85, SERIES OF 2010.**

RESOLUTION NO. 85, SERIES OF 2010.

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO THE ESTABLISHMENT OF A TEMPORARY SUSPENSION OR MORATORIUM ON THE ENFORCEMENT OF SELECT PROVISIONS OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO PARKING AND STORAGE REGULATIONS FOR RESIDENTIAL DISTRICTS, TITLE 11, CHAPTER 6, SECTION 2, FOR A PERIOD OF SIX MONTHS.

**Vote results:**

Ayes: Council Member Gillit

Nays: Council Members Penn, McCaslin, Wilson, Woodward, Jefferson, Olson

Motion defeated.

**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 9:32 p.m.

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City Clerk