

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

Regular Session

March 7, 2011

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 7:31 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
Director Black, Parks and Recreation
Director Fonda, Utilities
Fire Chief Pattarozzi
Fire Marshal Wilcox
Planner II Bell, Community Development
Golf Operations Manager Spada
Operations Division Manager Tallent, Wastewater Treatment Plant
Housing Finance Specialist Grimmett, Community Development
Executive Assistant Fenton, Community Development
Police Commander Condrey

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 22, 2011.**

Vote results:

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

Abstain: Council Member Gillit

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled visitors.

7. Recognition of Unscheduled Public Comment

(a) Doug Cohn, an Englewood resident, spoke about ex-parte communication and the explanation and clarification regarding this topic.

8. Communications, Proclamations and Appointments

There were no communications, proclamations or appointments.

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), (ii), (iii), (iv) and (v).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 6, SERIES OF 2011 (COUNCIL BILL NO. 5, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE ACCEPTING A UTILITY EASEMENT, "GRANT OF EASEMENT" TO THE CITY OF ENGLEWOOD, COLORADO BY TIMOTHY AND NANCY BAKER FOR A PROPOSED CITY WATER MAIN TO SERVICE A FUTURE HOUSING DEVELOPMENT LOCATED AT SOUTH WINDERMERE STREET AND WEST QUINCY AVENUE.

(ii) ORDINANCE NO. 7, SERIES OF 2011 (COUNCIL BILL NO. 6, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT ENTITLED U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, SPECIAL USE PERMIT AUTHORITY: FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED OCTOBER 21, 1976 (REF.:FSH2709.11, SECTION 41.53) BETWEEN THE U.S. DEPARTMENT OF AGRICULTURE AND THE CITY OF ENGLEWOOD, COLORADO.

(iii) ORDINANCE NO. 8, SERIES OF 2011 (COUNCIL BILL NO. 9, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER CONNECTOR'S AGREEMENT BETWEEN SOUTH ARAPAHOE SANITATION DISTRICT AND THE CITY OF ENGLEWOOD, COLORADO.

(iv) ORDINANCE NO. 9, SERIES OF 2011 (COUNCIL BILL NO. 10, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER CONNECTOR'S AGREEMENT BETWEEN GREENWOOD VILLAGE SANITATION DISTRICT AND THE CITY OF ENGLEWOOD, COLORADO.

(v) ORDINANCE NO. 10, SERIES OF 2011 (COUNCIL BILL NO. 11, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE CONSENTING TO THE FIRST AMENDMENT TO DECLARATION OF COVENANTS IMPOSING AND IMPLEMENTING THE RIVER POINT PUBLIC IMPROVEMENT FEE ("PIF Covenant Amendment").

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) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 8, AUTHORIZING THE ENGLEWOOD ESTATES PLANNED UNIT DEVELOPMENT AMENDMENT NO. 1, LOCATED AT 1210, 1230, 1250, 1255, 1270, 1275 AND 1290 WEST QUINCY CIRCLE IN THE CITY OF ENGLEWOOD.**

Vote results:

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

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Planner II Bell presented background information regarding the Englewood Estates Planned Unit Development Amendment No. 1.

Heather Lafferty and Andy Blackmun, representing Habitat for Humanity, spoke regarding their application for Englewood Estates Planned Unit Development.

Englewood residents and non-residents who spoke were:

Penny Nelson
Steve Sator
Judy Browne
David C. Miller
Rachel Shields
Jim Svingel
Cindy Grainger
George Stampados
Mary Jane Stampados
Denise Duralia
Bridget Duggan

Sandy Butler
Carol MacLennan
Michael Wilkinson
Cara Convery
Etta Wilkinson
Jolie Baty
Amy Allen
Mary DeWitt
Nancy Baker
Danny Warren
Dale Peters
Becky Deal
Joshua Pattillo
Martha Griego
Bev Maes
Leo Romero
Steve Yates
Denise Icks
Marla Wilcox
Sara Leatherwood

Planner II Bell responded in summary.

Ms. Lafferty also responded in summary.

The following items, from Englewood residents, were entered into the record: an e-mail from Anne Baty dated March 1, 2011, an e-mail from Marty Mosman dated March 7, 2011, a letter from Charles Ibbotson and an e-mail from Council Member Gillit concerning the Community Forum he held on March 2, 2011.

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 8, AUTHORIZING THE ENGLEWOOD ESTATES PLANNED UNIT DEVELOPMENT AMENDMENT NO. 1, LOCATED AT 1210, 1230, 1250, 1255, 1270, 1275 AND 1290 WEST QUINCY CIRCLE IN THE CITY OF ENGLEWOOD.

Vote results:

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

Nays: None

Motion carried and the Public Hearing closed.

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The meeting was recessed at 10:12 p.m.

The meeting reconvened at 10:27 p.m. with all City Council members present.

11. Ordinances, Resolution and Motions

(a) Approval of Ordinances on First Reading

(i) Fire Chief Pattarozzi presented a recommendation from the Fire Department to adopt a bill for an ordinance accepting a grant from the Colorado Department of Transportation to fund a child passenger safety seat program.

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

COUNCIL BILL NO. 12, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A COLORADO DEPARTMENT OF TRANSPORTATION GRANT AWARDED TO THE CITY OF ENGLEWOOD FOR THE CHILD PASSENGER SAFETY SEAT PROGRAM.

Vote results:

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

Motion carried.

(ii) Golf Operations Manager Spada presented a recommendation from the Parks and Recreation Department to adopt a bill for an ordinance approving the delay of payment of 2010 rent due from Dadiotis Golf Enterprises and to eliminate the maintenance/repair financial commitment for restaurant equipment repairs of \$3,500 through 2011.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 13.

COUNCIL BILL NO. 13, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING AN ADDENDUM TO THE GOLF COURSE RESTAURANT CONCESSIONAIRE AGREEMENT BETWEEN THE CITY OF ENGLEWOOD AND DADIOTIS GOLF ENTERPRISES, LLC.

Vote results:

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

Motion carried.

(iii) Fire Chief Pattarozzi and Fire Training Chief Stovall presented a recommendation from the Fire Department to adopt a bill for an ordinance accepting the 2010 Emergency Management Performance Grant Special Project Grant Award funding the preparation of installation plans for the upgrade of the Fire/Police Complex emergency generator.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 14.

COUNCIL BILL NO. 14, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AWARDED TO THE CITY OF ENGLEWOOD, COLORADO BY THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS.

Vote results:

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

Motion carried.

(iv) Director Fonda and Operations Division Manager Tallent presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant to adopt a bill for an ordinance approving four five-year farming lease agreements for the farms in the L/E WWTP Biosolids Management Program.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iv) - COUNCIL BILL NO. 15.

COUNCIL BILL NO. 15, INTRODUCED BY COUNCIL MEMBER McCASLIN

A BILL FOR AN ORDINANCE AUTHORIZING FOUR (4) FARM LEASE AGREEMENTS FOR THE FARMS IN THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT BIOSOLIDS MANAGEMENT PROGRAM.

Vote results:

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

Motion carried.

(v) Fire Chief Pattarozzi and Fire Training Chief Stovall presented a recommendation from the Fire Department to adopt a bill for an ordinance approving an Intergovernmental Agreement with the State of Colorado to Permit Clinical Training to students of the Red Rocks Community College.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (v) - COUNCIL BILL NO. 16.

COUNCIL BILL NO. 16, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT ENTITLED "AFFILIATION AGREEMENT TO PERMIT CLINICAL TRAINING ENGLEWOOD FIRE DEPARTMENT" BETWEEN THE STATE OF COLORADO AND THE CITY OF ENGLEWOOD, COLORADO.

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

(b) Council Members' Choice

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 10:42 p.m.

 /s/ Loucrishia A. Ellis
City Clerk