

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

Regular Session

March 21, 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 7:36 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 Gryglewicz, Finance and Administrative Services
Director Konishi, Information Technology
Director White, Community Development
Director Fonda, Utilities
Director Hargrove, Library
Fire Chief Pattarozzi
Communications Coordinator Hoffhines, City Manager's Office
Enterprise Zone Administrator Fenton, Community Development
Engineering/Capital Projects Administrator Henderson, Public Works
Fleet Servicer Manager White, Public Works
Streets Maintenance Manager Hagan, Public Works
Housing Finance Specialist Grimmatt, Community Development
Senior Planner Stitt, Community Development
Planner II Bell, Community Development
Planner II Voboril, Community Development
Fire Training Chief Stovall
Police Commander Condrey
Police Sergeant Cousineau
Police Officer Johnson
Police Officer Rowley

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 MARCH 7, 2011.**

Vote results:

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

Motion carried.

6. Recognition of Scheduled Public Comment

(a) City Council recognized the following young people who were nominated for this year's Arapahoe Mayors and Commissioners Youth Award:

- Jessica Arcand, a 12th Grader at Colorado's Finest Alternative High School
- Maxwell Adams-Berger, a 12th Grader at Humanex Academy
- Ariel Amirinoor, a 12th Grader at Colorado's Finest Alternative High School (not present)
- Evan Buck, an 8th Grader at Englewood Middle School
- Rebecca Erickson, a 12th Grader at Englewood High School
- Devyn Fish, an 8th Grader at Englewood Middle School
- Kelsey Haberman, a 12th Grader at Humanex Academy
- Valerie Jenkins, an 11th Grader at Humanex Academy
- Forrest Kennel, a 12th Grader at Humanex Academy (not present)
- CJ Rel, an 8th Grader at Englewood Middle School (not present)
- Tyler Ross, a 12th Grader at Colorado's Finest Alternative High School
- Daniel Schroeder, an 8th Grader at Englewood Middle School (not present)
- Harvest Smith, a 12th Grader at Colorado's Finest Alternative High School
- Alicia Tafoya, a 12th Grader at Colorado's Finest Alternative High School
- Carl Walker, a 12th Grader at Colorado's Finest Alternative High School (not present)
- Alex Webster, an 11th Grader at Humanex Academy

(b) Paul Bravo (Rapids Technical Director and former Rapids star), Tim Hinchey (Chief Marketing Officer), Kosuke Kimura (Rapids player), Joel Blake, and Jeff Plush (Managing Director) brought the Rapids' 2010 Major League Soccer Championship Cup Trophy (The Philip F. Anschulz trophy) Tour to Englewood.

7. Recognition of Unscheduled Public Comment

(a) Penny Nelson, an Englewood resident, spoke against the Englewood Estates development and potential problems she sees living so close to this development.

(b) Steve Scott, an Englewood resident, thanked the Mayor and the Council for presenting the opportunity for citizens to speak, for listening, for considering all of the issues and information and for making hard decisions including those for the Englewood Estates development. He thanked them for being reasonable and rational.

(c) George Stampados, an Englewood resident, spoke for only seven houses at the Englewood Estates development and urged Council to deny the eleven houses.

(d) Charles Butler, an Englewood resident, took this opportunity to thank various individuals for keeping the citizens informed as to what's going on with City Council. He also expressed his disbelief at the information presented and spoke against the Englewood Estates development.

(e) Martha Griego, an Englewood resident, spoke against the Englewood Estates development and Habitat for Humanity. She considers the development as low income housing. She expressed concern over limited parking.

(f) Laurret Barrentine, an Englewood resident, gave her opinion regarding the conferences between the Mayor, City Manager and City Attorney during the regular City Council meetings and the Open Meetings Law. She stated that the discussion should be made public so that all of Council could hear or they should go into Executive Session.

(g) Andy Blackmun, a representative from Habitat for Humanity, discussed the positive improvements the Englewood Estates project could bring to the City and the minimal negative impact for the neighborhood.

8. Communications, Proclamations and Appointments

(a) A letter from Julie Lonborg advising Council of her resignation from the Alliance for Commerce in Englewood was considered.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO ACCEPT THE RESIGNATION OF JULIE LONBORG FROM THE ALLIANCE FOR COMMERCE IN ENGLEWOOD.

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 McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i),(ii), (iii), (iv) and (v) AND 9 (c) (i) and (ii).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 11, SERIES OF 2011 (COUNCIL BILL NO. 12, INTRODUCED BY COUNCIL MEMBER GILLIT)

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.

(ii) ORDINANCE NO. 12, SERIES OF 2011 (COUNCIL BILL NO. 13, INTRODUCED BY COUNCIL MEMBER WILSON)

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

(iii) ORDINANCE NO. 13, SERIES OF 2011 (COUNCIL BILL NO. 14, INTRODUCED BY COUNCIL MEMBER GILLIT)

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.

(iv) ORDINANCE NO. 14, SERIES OF 2011 (COUNCIL BILL NO. 15, INTRODUCED BY COUNCIL MEMBER McCASLIN)

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

(v) ORDINANCE NO. 15, SERIES OF 2011 (COUNCIL BILL NO. 16, INTRODUCED BY COUNCIL MEMBER OLSON)

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.

(c) Resolutions and Motions

(i) RESOLUTION NO 38, SERIES OF 2011

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION TO THE 2011 BUDGET FOR ADDITIONAL EXPENDITURES RELATED TO SECURITY SERVICES FOR THE LIBRARY SERVICES DEPARTMENT.

(ii) Contract for the purchase of replacement desktop computers from Proactive Network Management, in the amount of \$56,212.

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) Housing Finance Specialist Grimmert and Senior Planner Stitt presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing an amendment to the Intergovernmental Subgrantee Agreement for the 2010 Arapahoe County Community Development Block Grant Program for the Energy Efficient Englewood Project.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 17.

COUNCIL BILL NO. 17, INTRODUCED BY COUNCIL MEMBER McCASLIN

A BILL FOR AN ORDINANCE AUTHORIZING AN "AMENDMENT NUMBER ONE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT SUBGRANTEE: CITY OF ENGLEWOOD PROJECT NAME: ENERGY EFFICIENT ENGLEWOOD (E3) PROJECT NUMBER: ENHS 1012".

Vote results:

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

Motion carried.

(ii) Fire Chief Pattarozzi presented a recommendation from the Fire Department to adopt a bill for an ordinance authorizing acceptance of the 2011 Hazardous Materials Emergency Planning Grant.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 18.

COUNCIL BILL NO. 18, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT (HMEP) 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.

(b) Approval of Ordinances on Second Reading

(i) 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 was considered.

MAYOR WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) - COUNCIL BILL NO. 8.

COUNCIL BILL NO. 8, INTRODUCED BY MAYOR WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING THE ENGLEWOOD ESTATES PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT NO. 1, LOCATED AT 1210, 1230, 1250, 1255, 1270, 1275 AND 1290 WEST QUINCY CIRCLE IN THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion defeated.

(c) Resolutions and Motions

(i) Director Fonda presented a recommendation from the Water and Sewer Board to approve, by motion, a marketing agreement with the Utility Service Partners.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – A MARKETING AGREEMENT WITH THE UTILITY SERVICE PARTNERS.

Vote results:

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

Motion carried.

(ii) Deputy City Manager Flaherty presented a recommendation from the Englewood McLellan Reservoir Foundation to approve a resolution supporting a lease agreement with the Benjamin Franklin Charter School, LLC. for lease of approximately 10.1 acres of Planning Area 85 near McLellan Reservoir.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - RESOLUTION NO. 39, SERIES OF 2011.

RESOLUTION NO. 39, SERIES OF 2011

A RESOLUTION SUPPORTING THE ENGLEWOOD/MCLELLAN RESERVOIR FOUNDATION (EMRF) LEASE OF A PORTION OF THE MCLELLAN PROPERTY TO BENJAMIN FRANKLIN ACADEMY PROJECT DEVELOPMENT, LLC.

Vote results:

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

Motion carried.

(iii) Manager White presented a recommendation by the Public Works Department to approve, by motion, the purchase of a 2011 Mauldin 1750-C Asphalt Paver. Staff recommends awarding this contract to Faris Machinery, the lowest acceptable bidder, in the amount of \$116,700.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – THE PURCHASE OF A 2011 MAULDIN 1750-C ASPHALT PAVER FROM FARIS MACHINERY, IN THE AMOUNT OF \$116,700.

Vote results:

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

Motion carried.

(iv) Fire Training Chief Stovall presented a recommendation by the Fire Department to approve, by motion, a construction contract for the Englewood Police/Fire Building generator installation. Staff recommends awarding this contract to CE Power Systems, LLC., the lowest responsible bidder, in the amount of \$119,100.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv) – A CONSTRUCTION CONTRACT FOR THE ENGLEWOOD POLICE/FIRE BUILDING GENERATOR INSTALLATION WITH CE POWER SYSTEMS, LLC., IN THE AMOUNT OF \$119,100.

Vote results:

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

Motion carried.

(v) Planner II Voboril presented a recommendation by the Community Development Department to approve, by motion, a professional services agreement contract for the Englewood Downtown and Medical District Complete Streets Assessment Study funded by a Tri-County Health Communities Putting Prevention to Work Grant award. Staff recommends awarding this contract to Fehr and Peers in the amount of \$88,388.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (v) – A PROFESSIONAL SERVICES AGREEMENT CONTRACT, WITH FEHR AND PEERS, FOR THE ENGLEWOOD DOWNTOWN AND MEDICAL DISTRICT COMPLETE STREETS ASSESSMENT STUDY FUNDED BY A TRI-COUNTY HEALTH COMMUNITIES PUTTING PREVENTION TO WORK GRANT AWARD IN THE AMOUNT OF \$88,388.

Vote results:

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

Motion carried.

(vi) Planner II Voboril presented a recommendation by the Community Development Department to approve, by motion, a professional services agreement contract for the Englewood Master Bicycle Plan Route Development Study and Implementation Program funded by a Tri-County Health Communities Putting Prevention to Work Grant award. Staff recommends awarding this contract to OV Consulting in the amount of \$74,950.

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (vi) – A PROFESSIONAL SERVICES AGREEMENT CONTRACT WITH OV CONSULTING FOR THE ENGLEWOOD MASTER BICYCLE PLAN ROUTE DEVELOPMENT STUDY AND IMPLEMENTATION PROGRAM FUNDED BY A TRI-COUNTY HEALTH COMMUNITIES PUTTING PREVENTION TO WORK GRANT AWARD, IN THE AMOUNT OF \$74,950.

Vote results:

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

Motion carried.

12. General Discussion

(a) Mayor's Choice

(i) Englewood Lions Club's 85th Anniversary

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE USE OF THE ENGLEWOOD LOGO ON THE ENGLEWOOD LIONS CLUB'S 85TH ANNIVERSARY PIN.

Vote results:

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

Motion carried.

(b) Council Members' Choice

13. City Manager's Report

City Manager Sears will be out of town next week.

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 10:24 p.m.

 /s/ Loucrishia A. Ellis
City Clerk