

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

Regular Session

April 18, 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
Fire Chief Pattarozzi
Director Black, Parks and Recreation
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Manger of Open Space Lee, Parks and Recreation
Recreation Manager Sack, Parks and recreation
Police Commander Condreay
Engineering/Capital Projects Administrator Henderson, Public Works
EMS/Emergency Management Coordinator Green, Fire
Planner I Kirk, Community Development

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 4, 2011.**

Vote results:

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

Nays: None

Motion carried.

6. **Recognition of Scheduled Public Comment**

(a) Jessie Luem and Kerri Stewart from Well Fed, Inc. addressed City Council regarding the launch of Well Fed's upcoming summer food program. They discussed the bus ("The Lunch Box Express") that was recently purchased and the four stops they intend to make (Englewood Middle School; Bishop, Clayton and Cherrelyn Elementary Schools) to feed the children during the summer. They thanked everyone for their support.

7. **Recognition of Unscheduled Public Comment**

There were no unscheduled visitors.

8. **Communications, Proclamations and Appointments**

(a) A Proclamation naming Marty Mosman as Englewood's Citizen of the Year for 2011 was considered. Mayor Woodward read the proclamation.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE A PROCLAMATION NAMING MARTY MOSMAN AS ENGLEWOOD'S CITIZEN OF THE YEAR FOR 2011.

Vote results:

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

Motion carried.

(b) A Proclamation declaring the week of May 1 through May 8, 2011 as Days of Remembrance for victims of the Holocaust was considered. Mayor Woodward read the proclamation.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE A PROCLAMATION DECLARING THE WEEK OF MAY 1 THROUGH MAY 8, 2011 AS DAYS OF REMEMBRANCE FOR VICTIMS OF THE HOLOCAUST.

Vote results:

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

Motion carried.

9. **Consent Agenda**

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), (iii), (iv), (v), (vi), (vii) AND 9 (c) (i).

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 21, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING A SERIES OF INTERGOVERNMENTAL AGREEMENTS WITH THE COLORADO DEPARTMENT OF TRANSPORTATION FOR TRAFFIC EDUCATION AND ENFORCEMENT PROJECTS.

- (ii) COUNCIL BILL NO. 22, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AMENDING TITLE 7, CHAPTER 7, SECTION 7, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO EMERGENCY MEDICAL TRANSPORT FEES.

- (iii) COUNCIL BILL NO. 23, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING THE APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT REGARDING 2009 GRANT OF ARAPAHOE COUNTY OPEN SPACE PROGRAM FUNDS
PROJECT NAME: ORPHAN PROPERTY ACQUISITION/IMPROVEMENTS.

- (iv) COUNCIL BILL NO. 24, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING THE PURCHASE BY QUIT CLAIM DEEDS FROM SOUTH METRO FIRE RESCUE AUTHORITY, LITTLETON FIRE RESCUE, CITY OF LITTLETON, WEST METRO FIRE PROTECTION DISTRICT AND THE CITY OF ENGLEWOOD AS THE OWNERS OF "THE ORPHAN PROPERTY" LOCATED IN THE 4600 BLOCK OF SOUTH WYANDOT.

- (v) COUNCIL BILL NO. 25, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE DEDICATING A TRANSPORTATION EASEMENT OVER THE ORPHAN PROPERTY LOCATED ADJACENT TO SOUTH WYANDOT STREET.

- (vi) COUNCIL BILL NO. 26, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ENGLEWOOD, AND SOUTH SUBURBAN PARK AND RECREATION DISTRICT APPROVING AN EASEMENT ACROSS CITY PROPERTY FOR A SEGMENT OF THE BIKE PATHWAY.

- (vii) COUNCIL BILL NO. 27, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING THE GRANTING OF A CONSERVATION EASEMENT ACROSS THE ORPHAN PROPERTY FROM THE CITY OF ENGLEWOOD, COLORADO TO ARAPAHOE COUNTY, COLORADO.

- (b) Approval of Ordinances on Second Reading

There were no items submitted for approval on second reading.

- (c) Resolutions and Motions

- (i) RESOLUTION NO. 41, SERIES OF 2011

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION TO THE 2010 BUDGET FOR ADDITIONAL EXPENDITURES RELATED TO THE FIRE DEPARTMENT.

Vote results:

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

Motion carried.

10. **Public Hearing Items**

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 19, MODIFYING SECTIONS OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO MEDICAL MARIJUANA.**

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.

Director White was sworn in and presented background information regarding medical marijuana definitions and regulations from a zoning perspective.

Director Gryglewicz was sworn in and presented background information regarding licensing and fees for medical marijuana.

Public Comment: All speakers were sworn in.

- (i) Jackie Edwards, an Englewood resident
- (ii) Steve Scott, an Englewood resident

Mayor Woodward introduced a redevelopment site advertisement for the record. (Martin Plastics at the corner of Windermere and Oxford.)

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Vote results:

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

Nays: None

Motion carried and the Public Hearing closed.

11. **Ordinances, Resolution and Motions**

- (a) Approval of Ordinances on First Reading

Director Black and Recreation Manager Sack presented a recommendation from the Parks and Recreation Department to adopt a bill for an ordinance authorizing an Intergovernmental Agreement for the acceptance of grant funding for the development of a site-specific park plan for Duncan Park redevelopment.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 20.

COUNCIL BILL NO. 20, INTRODUCED BY COUNCIL MEMBER McCASLIN

A BILL FOR AN ORDINANCE AUTHORIZING THE AGREEMENT BETWEEN THE CITY OF ENGLEWOOD AND THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND FOR THE DUNCAN PARK PLANNING GRANT.

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 items submitted for approval on second reading.

- (c) Resolutions and Motions

(i) Engineering/Capital Projects Administrator Henderson presented a recommendation from the Public Works Department to approve, by motion, a construction contract for Concrete Utility 2011. Staff recommends awarding the contract to the lowest acceptable bidder, T & M Construction, LLC, in the amount of \$222,598.50.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - A CONSTRUCTION CONTRACT FOR CONCRETE UTILITY 2011 WITH T & M CONSTRUCTION, LLC, IN THE AMOUNT OF \$222,598.50.

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

13. City Manager's Report

(a) City Manager Sears announced the Chief of Police job offering to Deputy Police Chief John Collins, effective May 7, 2011 with his swearing in on May 2, 2011.

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 9:03 p.m.

 /s/ Loucrishia A. Ellis
City Clerk