

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

Regular Session

June 20, 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 7:49 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
Municipal Court Judge Atencio
Director White, Community Development
Director Fonda, Utilities
Engineering/Capital Projects Administrator Henderson, Public Works
Senior Planner Langon, Community Development
Court Administrator Wolfe, Municipal Court
Deputy Police Chief Sanchez

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 JUNE 6, 2011.**

Vote results:

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

Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

(a) Randy Egan, an Englewood resident, provided an update regarding the RTD parking expansion proposal north of the Englewood Station Park-N-Ride. He researched publications and found that there hasn't been much communication regarding this issue. Mr. Egan recommended that parking be utilized to the south of Wal-Mart so that people can develop an awareness of the current businesses as they walk by them on their way to the light rail station, instead of giving up a historical valued park.

(b) Clarold Morgan, President of Kent Village Association, addressed City Council regarding Kent Place. Current meetings held concerned only the commercial side and not the residential side of the development. They are concerned that there will be no future communication between the staff, the developers, and members of the public as this project moves forward. Mr. Morgan is concerned that there does not appear to be residential design standards for this development and that the staff will be approving submissions regardless of what is submitted.

(c) Craig Cahen, President of Cahen Architectural Group and the consulting architect for Kent Village Association, addressed City Council regarding Kent Place. He discussed the various designs and the loss of the mix-blended project. Mr. Cahen would like the staff to uphold the architectural character in the development and he does not feel the current plans meet the standards desired and discussed.

(d) Ryan Laird addressed City Council regarding inequitable water and sewer billing practices, lack of a water conservation plan, and misinformation that has perpetuated these problems. He stated that the department is not transparent and considers this dishonest. He indicated he had submitted information (which is in Council's packet) regarding other municipalities' rates and usage. He recommended the City Council prioritize and scrutinize information from the Utilities Department.

7. Recognition of Unscheduled Public Comment

(a) Allan Green, an Englewood resident, asked for better communication regarding new development, mainly at Kent Place. He requests more and better notice regarding changes occurring in Englewood and the lack of public comment regarding some of the changes going forward.

(b) Gregg Esche, an Englewood resident, asked if the current residential owners can apply for commercial permits with the Kent Place development and if so, he is concerned as to the possible expanding traffic issues.

(c) Pam Beets, an Englewood resident, spoke regarding open space and parks. She feels that there isn't transparency, openness, and honesty involving the RTD parking expansion at Cushing Park. She was frustrated at the lack of communication from the City and RTD regarding the parking project.

(d) J. P. Norlander, an Englewood resident, spoke regarding the parking expansion at Cushing Park and how information has been released to have the parking at another location (south of Wal-Mart). He was concerned at the lack of notification, communication and confusion surrounding this issue.

(e) Maureen White, an Englewood resident, thanked the Mayor for speaking to her on the telephone regarding the plans for her neighborhood. She prefers that discussions take place before the plans are put into place. She thinks that there should be more public meetings, with input from the public. Ms. White would like the Council to meet with the residents and then go to Planning and Zoning instead of the residents going to Planning and Zoning and then coming to Council meetings.

(f) Charles Lederman, a Cherry Hills resident, was shocked to learn that the City of Englewood does not have any design standards. He stated that it is rare that a city does not have any architectural design standards.

8. Communications, Proclamations and Appointments

(a) A letter from William Skinner announcing his resignation from the Code Enforcement Advisory Committee was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO ACCEPT THE RESIGNATION OF WILLIAM SKINNER FROM THE CODE ENFORCEMENT ADVISORY COMMITTEE.

Vote results:

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

Motion carried.

(b) A resolution appointing Angela Schmitz as an Associate Judge for the City of Englewood's Municipal Court was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPOINT ANGELA SCHMITZ AS AN ASSOCIATE JUDGE FOR THE CITY OF ENGLEWOOD'S MUNICIPAL COURT.

RESOLUTION NO. 47, SERIES OF 2011

A RESOLUTION FOR THE APPOINTMENT OF ANGELA SCHMITZ AS AN ASSOCIATE MUNICIPAL JUDGE FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion carried.

Ms. Schmitz was sworn in by Municipal Court Judge Vincent Atencio.

9. **Consent Agenda**

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

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 34, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO, BY AND THROUGH THE ARAPAHOE COUNTY CLERK AND RECORDER, AND THE CITY OF ENGLEWOOD, COLORADO, TO CONDUCT A COORDINATED ELECTION ON NOVEMBER 1, 2011.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 28, SERIES OF 2011 (COUNCIL BILL NO. 29, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED "MEMORANDUM OF UNDERSTANDING – U.S. MARSHALS SERVICE, DISTRICT OF COLORADO, COLORADO FUGITIVE LOCATION AND APPREHENSION GROUP (FLAG)" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE UNITED STATES MARSHALS SERVICE (USMS), DISTRICT OF COLORADO FOR THE PURPOSES OF PARTICIPATING IN THE ADAM WALSH TASK FORCE-COLORADO.

(ii) ORDINANCE NO. 29, SERIES OF 2011 (COUNCIL BILL NO. 30, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AUTHORIZING THE CITY OF ENGLEWOOD, COLORADO TO APPLY FOR AND ACCEPT FUNDING FROM THE OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE FOR THE PURCHASE OF BULLET PROOF VESTS.

(iii) ORDINANCE NO. 30, SERIES OF 2011 (COUNCIL BILL NO. 31, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT FROM THE STATE OF COLORADO, COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, COLORADO ECONOMIC DEVELOPMENT COMMISSION FOR ENTERPRISE ZONE MARKETING AND ADMINISTRATION GRANT.

(iv) ORDINANCE NO. 31, SERIES OF 2011 (COUNCIL BILL NO. 33, INTRODUCED BY COUNCIL MEMBER PENN)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED "CCIC/NCIC COMPUTER SYSTEM AGENCY USER AGREEMENT – COLORADO BUREAU OF INVESTIGATION" BETWEEN THE COLORADO BUREAU OF INVESTIGATION AND THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion carried.

(c) Resolutions and Motions

There were no additional items submitted for approval. (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

There were no additional items submitted for approval on first reading. (See Consent Agenda Item 9.)

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Consent Agenda Item 9.)

(c) Resolutions and Motions

(i) Director of Community Development Department White presented a recommendation from the Community Development Department to adopt a resolution recommending a moratorium on the issuance of certain building permits in the MU-R-3-B zoned portions of the 3200, 3300 and 3400 blocks of South Grant Street and the 3200 block of South Sherman Street.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i), RESOLUTION NO. 48, SERIES OF 2011.

RESOLUTION NO. 48, SERIES OF 2011.

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO A SUSPENSION OR MORATORIUM IN THE ISSUANCE OF CERTAIN BUILDING PERMITS IN THE MU-R-3-B ZONED PORTIONS OF THE 3200, 3300, AND 3400 BLOCKS OF SOUTH GRANT STREET AND THE 3200 BLOCK OF SOUTH SHERMAN STREET.

Vote results:

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

Motion carried.

(ii) Engineering/Capital Projects Administrator Henderson presented a recommendation from the Public Works Department to approve, by motion, a construction contract for the Union Avenue Bridge Repair Project. Staff recommends awarding the contract to the lowest acceptable bidder, Technology Constructors, Inc., in the amount of \$160,311.00.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – A CONSTRUCTION CONTRACT WITH TECHNOLOGY CONSTRUCTORS, INC., FOR THE UNION AVENUE BRIDGE REPAIR PROJECT, IN THE AMOUNT OF \$160,311.00.

Vote results:

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

Motion carried.

12. General Discussion

(a) Mayor's Choice

MAYOR WOODWARD MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE A MOTION TO GO AHEAD AND HAVE INFORMATION TECHNOLOGY PURCHASE THE LICENSES TO PROVIDE THE ABILITY ON THE THREE CITY COUNCIL LAPTOPS, BEING USED INSTEAD OF HARD COPY PACKETS, TO HIGHLIGHT ITEMS ELECTRONICALLY.

MAYOR WOODWARD OFFERED A FRIENDLY AMENDMENT TO ALLOW CITY MANAGER SEARS TO PROVIDE THAT FOR CITY COUNCIL. COUNCIL MEMBER PENN SECONDED.

Vote results:

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

Motion carried.

MAYOR WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO WAIVE THE INSTALLATION FEES TO PUT A BANNER ACROSS BROADWAY FOR ST. LOUIS CHURCH AND SCHOOL AS THEY CELEBRATE THEIR 100TH ANNIVERSARY IN THE CITY OF ENGLEWOOD FROM JULY 5 THROUGH JULY 25, 2011.

Vote results:

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

Motion carried.

(b) Council Members' Choice

13. **City Manager's Report**

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 9:58 p.m.

_____/s/ Loucrishia A. Ellis
City Clerk