

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

Regular Session

July 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 7:45 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 Kahm, Public Works
Director Black, Parks and Recreation
Director Fonda, Utilities
Treatment Division Manager Tallent, Wastewater Treatment Plant
Engineering/Capital Projects Administrator Henderson, Public Works
Planner 1 Kirk, Community Development
Housing Finance Specialist Grimmert, Community Development
Emergency Management Coordinator Green, Fire
Police Sergeant Englert

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 5, 2011.**

Vote results:

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

Motion carried.

6. **Recognition of Scheduled Public Comment**

There were no scheduled visitors.

7. **Recognition of Unscheduled Public Comment**

(a) Randy Egan, an Englewood resident, addressed City Council regarding the RTD parking lot meeting and the notification flyer. He was glad that the flyer went out from someone other than him. He questioned the personal view of the RTD spokesperson and whether it was RTD's viewpoint or just the spokesperson's viewpoint. Mr. Egan still seeks other options for this parking lot. Mr. Egan would like to represent the City on a board, if necessary or if available, to discuss other options.

(b) Douglas Lee, an Englewood apartment building owner, addressed City Council regarding the lack of communication regarding the downzoning of the properties on Grant and Sherman and the unacceptability of the description of the property as being so "run down" that it was inhospitable to hospital professionals. He disagrees that the property is "run down", approaching a ghetto, and actually rents 3 units to some Swedish Hospital workers, so he doesn't understand some of the statements being made. He felt that the information is inaccurate and outdated. He doesn't understand the vacancy issue as his building is fully occupied. They have renovated 16 of 17 units. This is his family business. Downzoning would make his property nonconforming.

8. **Communications, Proclamations and Appointments**

(a) A proclamation honoring the 100th Anniversary of St. Louis Catholic Parish was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE A PROCLAMATION HONORING THE 100TH ANNIVERSARY OF ST. LOUIS CATHOLIC PARISH.

Vote results:

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

Motion carried.

(b) A proclamation recognizing the 60th Anniversary of the Denny Miller Memorial Baseball Field was considered.

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE A PROCLAMATION RECOGNIZING THE 60TH ANNIVERSARY OF THE DENNY MILLER MEMORIAL BASEBALL FIELD.

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

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 37, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING THE PURCHASE OF FIVE ADDITIONAL UNIDENTIFIED SINGLE-FAMILY, VACANT, FORECLOSED PROPERTIES LOCATED IN THE CITY OF ENGLEWOOD, COLORADO TO FULFILL THE AMENDED NEIGHBORHOOD STABILIZATION PROGRAM CONTRACT BETWEEN THE COLORADO DEPARTMENT OF LOCAL AFFAIRS AND THE CITY OF ENGLEWOOD, COLORADO.

(ii) COUNCIL BILL NO. 38, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE ACCEPTING TWO EASEMENTS FROM BANK OF THE WEST FOR THE CITY TO INSTALL TRAFFIC SIGNAL EQUIPMENT IN THE LOCATION OF BROADWAY AND QUINCY.

(iii) COUNCIL BILL NO. 40, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE 2011 EMERGENCY MANAGEMENT PERFORMANCE GRANT/LOCAL EMERGENCY MANAGEMENT SUPPORT (LEMS) AWARDED TO THE CITY OF ENGLEWOOD, COLORADO BY THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 33, SERIES OF 2011 (COUNCIL BILL NO. 35, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE APPLICATION FOR AND ACCEPTANCE OF AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: LOCAL SOLICITATION CFDA #16.738.

(c) Resolutions and Motions

(i) A CONTRACT FOR RENOVATION OF THE RACQUETBALL COURT AT THE ENGLEWOOD RECREATION CENTER.

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) Treatment Division Manager Tallent presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to adopt a bill for an ordinance approving a power line easement on the Byers Biosolids Farm for B P Wind Energy North America, Inc.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 36.

COUNCIL BILL NO. 36, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE APPROVING THE GRANT OF AN EASEMENT TO B P WIND ENERGY NORTH AMERICA INC. FOR TRANSMISSION FACILITIES ON THE BYERS BIOSOLIDS FARM.

MAYOR WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO AMEND COUNCIL BILL NO. 36 TO CHANGE THE WORD "OWNER" TO "GRANTOR" ON PAGE 5 OF 13, UNDER #14, ON THE GRANT OF EASEMENT AND EASEMENT AGREEMENT FOR TRANSMISSION FACILITIES DOCUMENT SO THAT THE SENTENCE SHOULD READ "...AND SHALL USE COMMERCIALY REASONABLE EFFORTS TO REMEDIATE ANY SOIL SETTLING IDENTIFIED BY GRANTOR FOR A PERIOD OF THREE (3) YEARS..."

Vote results on amendment:

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

Motion carried.

Vote results on approval of Council Bill No. 36, as amended:

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

Motion carried.

(ii) Planner I Kirk presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing Planned Unit Development Amendment #1 for the Shops at Hampden and Logan. Staff further requests that Council set a Public Hearing for August 1, 2011 to gather public input on the proposed Amendment.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 39 AND TO SET A PUBLIC HEARING DATE OF AUGUST 1, 2011 TO GATHER PUBLIC INPUT.

COUNCIL BILL NO. 39, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROVING AMENDMENT 1, TO THE PLANNED UNIT DEVELOPMENT FOR THE SHOPS AT HAMPDEN AND LOGAN TO ALLOW A DRIVE THRU AUTOMATIC TELLER MACHINE (ATM).

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 additional resolutions or motions submitted for approval. (See Agenda Item 9 - Consent Agenda.)

12. General Discussion

(a) Mayor's Choice

(i) The Colorado Housing and Finance Authority (CHFA) Notification to the Local Jurisdiction regarding a 2011 Low-Income Housing Tax Credit Program Project was discussed.

(b) Council Members' Choice

13. **City Manager's Report**

14. **City Attorney's Report**

(a) A request for authorization to commence legal action to initiate an eviction for the occupants of 4101 South Cherokee Street was discussed.

MAYOR WOODWARD MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE THE REQUEST FOR AUTHORIZATION TO COMMENCE LEGAL ACTION TO INITIATE AN EVICTION FOR THE OCCUPANTS OF 4101 SOUTH CHEROKEE STREET.

Vote results:

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

Motion carried.

15. **Adjournment**

MAYOR WOODWARD MOVED TO ADJOURN. The meeting adjourned at 9:10 p.m.

 /s/ Loucrishia A. Ellis
City Clerk