

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

Regular Session

August 1, 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 7:33 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 Eaton, Human Resources
Recreation Services Manager Sack, Parks and Recreation
Manager of Open Space Lee, Parks and Recreation
Streets Maintenance Manager Hagan, Public Works
Wastewater Treatment Plant Manager Stowe
Planner 1 Kirk, Community Development
Police Sergeant Englert

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 JULY 18, 2011.

Mayor Woodward made a correction to the minutes, on page 2, 8(b). It reads "Deny" and it should read "Denny".

Vote results on approval of minutes as amended:

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) Jerry Furman, an Englewood resident, thanked the current Council for their efforts and he read off the names of the possible 2011 municipal election candidates and wished them good luck.

(b) Randy Egan, an Englewood resident, thanked the Council and the citizens for attending the RTD meeting last week. He requested Council initiate an ordinance to stop the plans from RTD for the parking lot and hopes that they will pass it on first and second readings, so that we can be done with this issue and work at finding other parking solutions.

(c) Ryan Laird, an Englewood resident, spoke regarding the Utilities Department and the issues he has brought up several times, not only before Council, but also before the Water and Sewer Board. He believes these items should be brought to a Study Session including: a reduction in the sewer charge, provide residents with flat rate to meter conversion information, and to initiate a planning committee for a water conservation plan.

(d) Chris Hoagland, an Englewood resident, expressed his gratitude to Council for all of their hard work. He stated that he used to be on the Code Enforcement Committee and one of the topics that they had studied was the nuisance ordinances. He thinks it should be brought up again with current latitude given because the City is Home Rule. He encouraged Council to consider assessing fees instead of criminal penalties when resolving some conflicts regarding these nuisances. He believes that there are other options available.

8. Communications, Proclamations and Appointments

(a) An email regarding Robert Cassidy's resignation from the Englewood Water and Sewer Board was considered.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO ACCEPT THE RESIGNATION OF ROBERT CASSIDY FROM THE ENGLEWOOD WATER AND SEWER BOARD.

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

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 32, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING A "COOPERATIVE AGREEMENT" BETWEEN THE CITY OF ENGLEWOOD SCHOOL DISTRICT NO. 1, ARAPAHOE COUNTY AND DENVER URBAN GARDENS FOR THE CONSTRUCTION AND MAINTENANCE OF TWO COMMUNITY GARDENS.

(ii) COUNCIL BILL NO. 41, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING AN "INTERGOVERNMENTAL AGREEMENT REGARDING 2011 GRANT OF ARAPAHOE COUNTY OPEN SPACE PROGRAM FUNDS PROJECT NAME: RIVERSIDE PARK PLANNING GRANT" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO.

(iii) COUNCIL BILL NO. 42, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING AN "INTERGOVERNMENTAL AGREEMENT REGARDING 2011 GRANT OF ARAPAHOE COUNTY OPEN SPACE PROGRAM FUNDS PROJECT NAME: CENTENNIAL PARK TRAIL LOOP RENOVATION" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO.

(iv) COUNCIL BILL NO. 43, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN ARAPAHOE COUNTY AND THE CITY OF ENGLEWOOD, COLORADO REGARDING OVERLAY OF EAST HAMPDEN AVENUE BETWEEN SOUTH LAFAYETTE STREET AND HIGHWAY 285.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 34, SERIES OF 2011 (COUNCIL BILL NO. 37, INTRODUCED BY COUNCIL MEMBER WILSON)

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) ORDINANCE NO. 35, SERIES OF 2011 (COUNCIL BILL NO. 38, INTRODUCED BY COUNCIL MEMBER WILSON)

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) ORDINANCE NO. 36, SERIES OF 2011 (COUNCIL BILL NO. 40, INTRODUCED BY COUNCIL MEMBER WILSON)

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.

Vote results:

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

Motion carried.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 11.)

10. Public Hearing Items

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 39, 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 and the Public Hearing opened.

All testimony was given under oath.

Planner I Kirk provided Council with information regarding the Amendment 1 to the Planned Unit Development for the Shops at Hampden and Logan to allow a drive thru Automatic Teller Machine (ATM).

Joe CoCo, the applicant, was present and presented a detailed diagram of the site.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 39, 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 and the Public Hearing closed.

11. Ordinances, Resolution and Motions

- (a) Approval of Ordinances on First Reading

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

- (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

- (i) Director of Human Resources Eaton presented a recommendation from the Department of Human Resources to adopt a resolution authorizing changes to the 2012-2013 Collective Bargaining Agreement between the Englewood Employees Association and the City of Englewood.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 73, SERIES OF 2011.

RESOLUTION NO. 73, SERIES OF 2011.

A RESOLUTION AUTHORIZING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE ENGLEWOOD EMPLOYEES ASSOCIATION AND THE CITY OF ENGLEWOOD FOR THE PERIOD OF JANUARY 1, 2012 THROUGH DECEMBER 31, 2013.

Vote results:

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

Motion carried.

(ii) Director of Human Resources Eaton presented a recommendation from the Department of Human Resources to adopt a resolution authorizing the Collective Bargaining Agreement between the Englewood Firefighters Association and the City of Englewood for 2012 and 2013.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – RESOLUTION NO. 74, SERIES OF 2011.

RESOLUTION NO. 74, SERIES OF 2011.

A RESOLUTION AUTHORIZING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE ENGLEWOOD FIREFIGHTERS LOCAL NO. 1736 AND THE CITY OF ENGLEWOOD FOR THE YEARS 2012 AND 2013.

Vote results:

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

Motion carried.

(iii) Director of Human Resources Eaton presented a recommendation from the Department of Human Resources to adopt a resolution authorizing revisions to Article 9 (Compensation) of the Collective Bargaining Agreement between the Englewood Police Benefit Association and the City of Englewood for 2011 and 2012.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – RESOLUTION NO. 75, SERIES OF 2011.

RESOLUTION NO. 75, SERIES OF 2011.

A RESOLUTION AUTHORIZING A REVISION TO ARTICLE 9 OF THE COLLECTIVE BARGAINING CONTRACT BETWEEN THE ENGLEWOOD POLICE BENEFIT ASSOCIATION AND THE CITY OF ENGLEWOOD FOR 2012.

Vote results:

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

Motion carried.

(iv) Director of Human Resources Eaton presented a recommendation from the Department of Human Resources to adopt a resolution authorizing wage and benefit adjustments for non-union City of Englewood employees for 2012 and 2013.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv) – RESOLUTION NO. 76, SERIES OF 2011.

RESOLUTION NO. 76, SERIES OF 2011.

A RESOLUTION APPROVING A WAGE INCREASE AND MODIFICATION OF BENEFITS FOR NON-UNION EMPLOYEES OF THE CITY OF ENGLEWOOD FOR THE YEARS 2012 AND 2013.

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 GILLIT SECONDED, TO ADVERTISE, AND ALLOW FOR AN OUT-OF-THE-ORDINARY SITUATION, FOR AN APPOINTMENT TO THE WATER AND SEWER BOARD IN ORDER TO FILL THE VACANCY CREATED BY MR. CASSIDY'S RECENT DEPARTURE: TO TAKE APPLICATIONS, INTERVIEW, AND SELECT A NEW APPOINTEE WITHIN THIRTY (30) DAYS.

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**

15. **Adjournment**

MAYOR WOODWARD MOVED TO ADJOURN. The meeting adjourned at 8:52 p.m.

 /s/ Loucrishia A. Ellis, MMC
City Clerk