

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

**Regular Session**

**December 5, 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 Penn at 7:34 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, Gillit, McCaslin, Wilson, Woodward, Penn  
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 White, Community Development  
Director Konishi, Information Technology  
Director Kahm, Public Works  
Communications Coordinator Hoffhines, City Manager's Office  
Chief Building Official Smith, Fire - Building and Safety  
Recreation Services Manager-Operations Sack, Parks and Recreation  
Police Commander Englert

**5. Consideration of Minutes of Previous Session**

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 21, 2011.**

**Vote results:**

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

Motion carried.

**6. Recognition of Scheduled Public Comment**

(a) Council recognized the 2012 Englewood Calendar Artists. Each child was presented with a framed copy of their artwork, a gift card from Hobby Lobby, and tickets to the Englewood Arts Holiday Concert.

- i. Lane Greenly, a 2<sup>nd</sup> Grader at Charles Hay World School.
- ii. Diego Rios-Pineda, a 3<sup>rd</sup> Grader at Clayton Elementary School.
- iii. Tess Bray, an 8<sup>th</sup> Grader at St. Anne's Episcopal School.
- iv. Jamie Curtis, a 2<sup>nd</sup> Grader at Cherrelyn Elementary School.
- v. Adam Graves, a 2<sup>nd</sup> Grader at Clayton Elementary School. Adam was not present.
- vi. Jessica Lee, an 8<sup>th</sup> Grader at Englewood Leadership Academy.
- vii. Karlene Korinek, a 12<sup>th</sup> Grader at Englewood High School. Karlene was not present.
- viii. Anna Schultz, an 11<sup>th</sup> Grader at Englewood High School.
- ix. Yasmin Ruiz, an 11<sup>th</sup> Grader at Colorado's Finest Alternative High School.
- x. Lizzy Marcoux, a Kindergartner at All Souls Catholic School.
- xi. Paige Hamlin, a 12<sup>th</sup> Grader at Colorado's Finest Alternative High School.
- xii. Brianna Cheatum, a 4<sup>th</sup> Grader at Clayton Elementary School.
- xiii. Joseph Pappone, a 6<sup>th</sup> Grader at Englewood Leadership Academy.

#### **7. Recognition of Unscheduled Public Comment**

(a) Katty Staller, an Arapahoe County resident, spoke regarding the traffic light on University, by the Continuum Development. She discussed the timing of the activation of the traffic light and the design appropriateness of that light. She was concerned with construction traffic using the light off of University and not using the Hampden access. She read a statement declaring that University north of the project is not a designated truck route and trucks are not permitted to turn left from northbound University into the site until a traffic light is installed. Another statement from Arapahoe County stated that they will continue to deny the construction access without an operational signal. Ms. Staller does not want the light activated during the construction period. She also believes the lights are excessive for the intersection.

(b) Rachael Chaney, an Arapahoe County resident, was concerned about the stop light, located mid-block on University. Ms. Chaney does not believe this is an intersection. The stop light is highly visible along with the street lights, which are close together, and she is concerned that it is over-lit and very bright. Ms. Chaney is concerned with the construction activity during the development phase as well.

Public Works Director Kahm responded to the concerns of both speakers, noting the safety issues being addressed with the lights. City Manager Sears also provided a response regarding permitting and the City's limitations regarding Arapahoe County's involvement and encouraged Director Kahm to further expand his detailed explanation regarding working with Arapahoe County and Denver.

(c) Gail Axt, an Englewood resident, asked why one of the lights could not be taken down, the one that backs up to the neighborhood.

Council responded to Public Comment.

#### **8. Communications, Proclamations and Appointments**

(a) A letter from Jim Woodward indicating his resignation from the Englewood Parks and Recreation Commission was considered.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO ACCEPT THE RESIGNATION OF JIM WOODWARD FROM THE ENGLEWOOD PARKS AND RECREATION COMMISSION.**

**Vote results:**

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

Motion carried.

**9. Consent Agenda**

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii) and 9 (c) (i).**

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 73, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING A "COOPERATIVE AGREEMENT" BETWEEN THE CITY OF ENGLEWOOD AND ARAPAHOE SCHOOL DISTRICT NO. 1, ARAPAHOE COUNTY RELATING TO THE "FLAT 14ERS INITIATIVE" PROJECT.

(ii) COUNCIL BILL NO. 74, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AMENDING TITLE 5, CHAPTER 7, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO CONTRACTOR LICENSING.

(b) Approval of Ordinances on Second Reading

There were no items submitted for approval on second reading.

(c) Resolutions and Motions

(i) CONTINUANCE OF THE ANNUAL MAINTENANCE CONTRACT FOR THE CITY'S ORACLE SYSTEM FOR 2012.

**Vote results:**

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

There were no additional items submitted for approval on First Reading. (See Agenda Item 9.)

(b) Approval of Ordinances on Second Reading

There were no items submitted for approval on second reading.

(c) Resolutions and Motions

(i) Director White presented a recommendation from the Community Development Department to adopt a resolution that authorizes the City to enter into an agreement with King Soopers for redevelopment assistance to support expansion of a new grocery store located at 5050 South Federal Boulevard.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 91, SERIES OF 2011.**

RESOLUTION NO. 91, SERIES OF 2011

A RESOLUTION APPROVING A REDEVELOPMENT ASSISTANCE AGREEMENT WITH DILLON COMPANIES, INC., A KANSAS CORPORATION (KING SOOPERS), FOR THE REDEVELOPMENT AND EXPANSION OF A NEW STORE AT 5050 SOUTH FEDERAL BOULEVARD IN ENGLEWOOD, COLORADO.

**Vote results:**

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

Motion carried.

(ii) Director White presented a recommendation from the Community Development Department to approve a resolution extending, for a period of six months, the 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 where such permits result in a change of use type or the number of dwelling units.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – RESOLUTION NO. 92, SERIES OF 2011.**

RESOLUTION NO. 92, SERIES OF 2011

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO AN EXTENSION OF THE EXISTING SUSPENSION OR 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 FOR A PERIOD OF SIX MONTHS UNTIL JULY 1, 2012.

**Vote results:**

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

Motion carried.

(iii) Chief Building Official Smith presented a recommendation by the Building and Safety Division to approve, by motion, authorization for Colorado Code Consulting to provide Elevator/Escalator Inspection services starting January 1, 2012.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – AUTHORIZATION FOR COLORADO CODE CONSULTING TO PROVIDE ELEVATOR/ESCALATOR INSPECTION SERVICES STARTING JANUARY 1, 2012.**

**Vote results:**

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

Nays: Council Member Jefferson

Motion carried.

12. **General Discussion**

(a) Mayor's Choice

(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 PENN MOVED TO ADJOURN.** The meeting adjourned at 9:14 p.m.

          /s/ Loucrishia A. Ellis            
City Clerk