

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

Regular Session

December 19, 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 7:30 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 Fonda, Utilities
Director White, Community Development
Engineer IV Brennan, Utilities
Operations Division Manager Tallent, Wastewater Treatment Plant
Chief Building Official Smith
Long Range Planner II Voboril, Community Development
Police Commander Englert

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 5, 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 Member McCaslin, representing the Keep Englewood Beautiful Commission, and Mayor Penn presented the 2011 Holiday Lighting Awards.

Mayor's Choice:	Richard and Alice Kloewers	4990 South Elati Street
Council's Choice:	The Stewart Family	3850 South Lincoln Street
KEB Choice Award:	David Alfred Lemay	4600 South Sherman
Rockin' Santa:	The Kloewers	5041 South Elati
North Pole:	Matt Johnson	4466 South Delaware Street
"No L":	Freda Fenton	3974 South Sherman Street
Old Fashioned Christmas:	Doug Haas	4536 South Sherman Street
Gingerbread House:	Chalene, Jack and Lilly	5051 South Fox Street
Santa's Workshop:	Cyndi Krieger and Bob Herberg	2987 South Cherokee Street
Honorable Mention:	The Powers Family	2940 South Logan
	Esther, Octavia, Soloman	4597 South Acoma Street
	Mary Darkin/Terry Tadlock	3942 South Lincoln Street
	Thad Adkins	4970 South Huron Street

7. Recognition of Unscheduled Public Comment

(a) Arne McDaniel, a Littleton resident, spoke regarding an Englewood rental property he owns and the bid process for the bike route signage. He spoke in support of Denver Custom Sign, who has an interest in the current bid process and in the decision Council is making tonight regarding the signage for the bike path. Mr. McDaniel hopes that Council is thoughtful in their decision tonight.

(b) Mike Doran, a Denver resident, spoke for Denver Custom Sign as the Sales Manager. He discussed the bid process for the signage along the bike route. Mr. Doran provided Council with a copy of his comments as he read from them. He disputed the processes from the other bids submitted and believes that his due diligence is more accurate, according to what the plans called for and what he believes are missing elements. He is also concerned regarding the difference in the bid presented tonight and what was originally submitted, especially with the Council voting on this tonight. Mr. Doran indicated that the bid plan numbers are incorrect and that it skewed the bid process. He felt that his numbers submitted would have been lower had they followed the plan.

(c) Barbara McDaniel, a Littleton resident, discussed the partnering with Denver Custom Sign, who is located in her and her husband's rental property. She pointed out that any sales tax would stay in Englewood if awarded to them and not go to Denver if awarded to someone else.

(d) Gary E. Selby, an Englewood resident, spoke of his concerns regarding ballot initiative 2D. He hopes the new Council will consider what the people as a majority would like to see, as opposed to any special interest group or individual. Mr. Selby hopes that any future decisions made by Council represent what the constituents of Englewood really want or would like to see.

Council responded to Public Comment;

8. Communications, Proclamations and Appointments

There were no communications, proclamations or appointments.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 12 (b).)

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i) and (ii).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 66 SERIES OF 2011 (COUNCIL BILL NO. 73, INTRODUCED BY COUNCIL MEMBER WOODWARD)

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) ORDINANCE NO. 67, SERIES OF 2011 (COUNCIL BILL NO. 74, INTRODUCED BY COUNCIL MEMBER WOODWARD)

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

Vote results:

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

Motion carried.

(c) Resolutions and Motions

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

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 12 (b).)

(b) Approval of Ordinances on Second Reading

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

(c) Resolutions and Motions

(i) Chief Building Official Smith presented a recommendation from the Building and Safety Division to adopt a resolution setting contractor licensing fees.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - RESOLUTION NO. 93, SERIES OF 2011.

RESOLUTION NO. 93, SERIES OF 2011

A RESOLUTION ESTABLISHING ANNUAL FEES FOR CONTRACTOR LICENSES AND CERTIFICATES OF REGISTRATION FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion carried.

(ii) Director Fonda and Operations Division Manager Tallent presented a recommendation by the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to approve, by motion, the purchase for four new over-the-road tractors from Transwest Trucks. The total amount of the purchase is \$498,784 by the Colorado Department of Transportation bid price.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - THE PURCHASE OF FOUR NEW OVER-THE-ROAD TRACTORS FROM TRANSWEST TRUCKS IN THE AMOUNT OF \$498,784.

Vote results:

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

Motion carried.

(iii) Engineer IV Brennan presented a recommendation from the Utilities Department to approve, by motion, the purchase of a TV van and power control unit. Staff recommends awarding the bid to the lowest acceptable bidder, Boyle Equipment Company, in the amount of \$123,275.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii), THE PURCHASE OF A TV VAN AND POWER CONTROL UNIT FROM BOYLE EQUIPMENT COMPANY, IN THE AMOUNT OF \$123,275.

Vote results:

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

Motion carried.

(iv) Long Range Planner II Voboril, with OV Consultant Chris Vogelsang, presented a recommendation from the Community Development Department to approve, by motion, awarding a contract for fabrication and installation of bike route signage. Staff recommends awarding the contract to the lowest acceptable bidder, Artcraft Signs, in the amount of \$21,871.70. Mr. Voboril and Mr. Vogelsang stated that five of the six bidders did not list taxes in line item detail and five of the six did not change the quantity numbers. Mr. Voboril discussed the consultant's discovery that the quantity numbers (for Reset Ground Signs and Remove Sign Panels) were incorrect. For a comparison, the consultant computed the corrected numbers based on the submissions of the per item base, but also dropped the line item detail for taxes from the Denver Custom Sign quote so he could have what he referred to as an "apples to apples" comparison. Mr. Vogelsang believes that Artcraft Signs presented the lowest responsible bid, after the recalculations. The recalculated bid was reviewed with Artcraft Signs and they agreed to the bids recalculated quote.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WOODWARD SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv), AWARDING A CONTRACT WITH ARTCRAFT SIGNS, FOR FABRICATION AND INSTALLATION OF BIKE ROUTE SIGNAGE, IN THE AMOUNT OF \$21,871.70.

COUNCIL MEMBER GILLIT MOVED TO AMEND AGENDA ITEM 11 (c) (iv) TO APPROVE THE CONTRACT TO THE LOCAL BIDDER, DENVER CUSTOM SIGNS, FOR THE AMOUNT OF \$24,460.42.

COUNCIL MEMBER GILLIT WITHDREW HIS AMENDMENT.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO AMEND AGENDA ITEM 11 (c) (iv) SO THAT THE TWO LOWEST BIDDERS (ARTCRAFT SIGNS AND DENVER

CUSTOM SIGNS) HAVE THE OPPORTUNITY TO RE-BID AND TO GO FORWARD WITH THE LOWEST BID QUOTED.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO AMEND AGENDA ITEM 11 (c) (iv) SO THAT THE TWO LOWEST BIDDERS (ARTCRAFT SIGNS AND DENVER CUSTOM SIGNS) HAVE THE OPPORTUNITY TO SUBMIT NEW QUOTES AND TO ALLOW STAFF TO DECIDE ADMINISTRATIVELY TO GO FORWARD WITH THE LOWEST BID QUOTED.

Vote results:

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

Motion carried.

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

(i) Council Bill No. 76, amending sections of the Englewood Municipal Code pertaining to Ballot Question 2D concerning parking vehicles on private property, was discussed.

COUNCIL MEMBER GILLIT MOVED, AND MAYOR PENN SECONDED, TO APPROVE COUNCIL BILL NO. 76, WITH AN AMENDMENT TO THE LANGUAGE WHERE THE ORIGINAL LANGUAGE REQUIRES PARKING ON A HARD SURFACE AND REPLACING THAT LANGUAGE WITH THE REQUIREMENT THAT PARKING SHALL BE PROHIBITED ON GRASS.

COUNCIL BILL NO. 76 (INTRODUCED BY COUNCIL MEMBER GILLIT)

A BILL FOR AN ORDINANCE TO IMPLEMENT BALLOT QUESTION 2D CONCERNING PARKING VEHICLES ON PRIVATE PROPERTY.

Vote results:

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

Motion carried.

(ii) A resolution approving "Aid to Other Agencies" contributions for 2012 was discussed.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE RESOLUTION NO. 94, SERIES OF 2011.

RESOLUTION NO. 94, SERIES OF 2011

A RESOLUTION SPECIFYING AID TO OTHER AGENCIES FOR 2012 BY THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

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

Motion carried.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

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 9:37 p.m.

 /s/ Loucrishia A. Ellis
City Clerk