

---

# *Council Newsletter*

---



## **CITY MANAGER'S NOTES** **March 15, 2012**

### **Upcoming Council Meetings**

City Council will meet on **Monday, March 19, 2012**. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers. The agendas are included. Sandwiches will be available at 5:30 p.m. in the Community Room.

The next meeting is scheduled for **Monday, March 26, 2012**.

### **Informative Memoranda**

The following are memoranda in response to City Council's requests, as well as other informational items.

1. Thank you from Meals on Wheels for the donation.
2. Thank you from Regional Air Quality Council for continued support of RAQC and the regional air quality planning process.
3. Letter expressing appreciation to Community Development Director Alan White for his presentation on Englewood's Complete Streets project.
4. Article concerning "Sky on a String" exhibit at the Museum of Outdoor Arts.
5. Article concerning the Public Hearing on the Englewood Depot proposal.
6. Article concerning "Walkable urbanism, the new trend."
7. Memorandum concerning the NSP - Project Rebuild Update.
8. Memorandum concerning the Project Update.
9. Calendar of Events.
10. Tentative Study Session Topics.
11. Minutes from the Liquor and Medical Marijuana Licensing Authority telephone poll of February 1 and meeting of February 15, 2012.
12. Minutes from the Alliance for Commerce in Englewood Committee meeting of February 9, 2012.
13. Minutes from the Parks and Recreation Commission meeting of February 9, 2012.



# TLC Meals on Wheels



Dear City of Englewood:

We appreciate your recent contribution to TLC Meals on Wheels. The key to our success in driving away hunger for homebound residents in South Metro Denver rests with contributors like you.

Best wishes -

TLC Meals on Wheels



REGIONAL AIR QUALITY COUNCIL

---

March 6, 2012

Mr. Gary Sears  
City Manager  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110

Dear Gary:

On behalf of the Regional Air Quality Council, I want to thank the City of Englewood for its recent financial contribution to support the Council's work program. We appreciate the City of Englewood's continued financial support for the work of the RAQC and your ongoing involvement in our regional air quality planning process.

As always, if you or anyone from the City of Englewood needs any assistance or information on the work of the RAQC, please do not hesitate to give us a call. Thank you again for your support for the Regional Air Quality Council.

Sincerely,

Kenneth H. Lloyd  
Executive Director





March 2, 2012

Mr. Alan White  
City of Englewood  
Director of Community Development  
Englewood Civic Center  
1000 Englewood Parkway  
Englewood, CO 80110

Dear Mr. White,

On behalf of Tri-County Health Department (TCHD), I am writing to thank you for your presentation and time at our recent workshop, "Using Community Involvement and Data to Build Healthier Communities". Your Complete Streets project is an impressive example of successful community engagement strategies and was well received by the attendees and staff.

Additionally, we appreciate the time you have afforded us in the past two years throughout the CPPW initiative. The Complete Streets, bicycle route and trail system projects demonstrate an innovative approach to improve the built environment and are a notable component of our CPPW efforts.

We look forward to supporting the City on future endeavors that will result in a healthier community.

Sincerely yours, /

Richard L. Vogt, MD   
Executive Director

Cc: Carlos Hernandez

**GET IN TOUCH:** To contact our newsroom, call 720-984-2HUB (2482) or e-mail [news@YourHub.com](mailto:news@YourHub.com). To advertise in YourHub, call 303-954-1434 or e-mail [reach@denverpost.com](mailto:reach@denverpost.com)

## Your Arts & Culture

# “Sky on a String” exhibit features the kite, as art

By Daniel Smith  
YourHub Reporter

The Museum of Outdoor Arts in Englewood usually features sculptures permanently outdoors, so artistically, it fits that it will display sky sculptures — in the form of kites — indoors.

An exhibition titled “Sky on a String” opened last week, which features kites, aerial sculptures, wind sail forms, colorful kinetic mobiles, delicate suspended structures, arching bridge forms and banners by Boulder artists George Peters and Melanie Walker.

Museum of Outdoor Arts President and Executive Director Cynthia Madden Leitner said the exhibition has a natural attraction.

“That’s definitely the lyrical translation of the show — a lot of us as kids flew kites, and there’s a connection there with nature,” she said. “And then to consider the kite as art, which it is — it has a long history.”

Peters, like Walker, confesses an affinity to sky watching from a young age.

He had a kite studio and sold his designs gleaned from kite festivals around the world. He has flown them on nearly every continent except South America and Antarctica. Walker, an art photographer, flew kites with her father as a youngster.

They’ve done 70 or 80 large-scale environmental public art works and installation sculptures across the country.

Kite festivals are creative and social outlets, he said. Engineers, photographers and artists are often involved in the pursuit.

Their kites are platforms for art in the air, Peters said, and often draw much bigger crowds than museums and art galleries.

Sky on a String has dozens of kites, up to



Collaborative artists Melanie Walker and George Peters install their kite art exhibit, “Sky on a String,” at the Museum of Outdoor Arts in Englewood last week. *Lindsay Pierce, YourHub*

about 60 feet long, with many varied construction materials.

“We kind of see it as pushing what’s seen as a folk art craft form to its limit and seeing what comes out and using our aesthetic as artists to make them more interesting ...” he added.

Daniel Smith: 303-954-2671 or [dsmith@denverpost.com](mailto:dsmith@denverpost.com)

### If you go

“Sky on a String” runs through July 21 at the Museum of Outdoor Arts, 1000 Englewood Parkway in Englewood. The museum is open 9 a.m. to 5 p.m. Tuesday to Thursday, 9 a.m. to 4 p.m. Friday and 11 a.m. to 4 p.m. Saturday. For more information, go to [moaonline.org](http://moaonline.org) or call 303-806-0444.

YourHub

The company estimates it will cost \$370,000 to rehabilitate the building for an adaptive reuse.

City of Englewood

### ENGLEWOOD

#### Public hearing March 19 for Englewood Depot proposal.

During its meeting March 19 at 7:30 p.m., Englewood City Council will hold a public hearing to gather public input on the proposed sale of the historic Englewood Depot, 3098 S. Galapago St. The meeting will take place in the second floor Council Chambers in the Englewood Civic Center, 1000 Englewood Parkway.

Last fall the city issued a request for proposals. One proposal was received: an offer from Pillar Property Services, LLC to purchase the building and the property on which it is located for \$50,000.

uc  
pj  
d  
o  
bu  
p  
ur  
I  
u

ed over, it's entirely ignored in la-

*YourHub  
3/15/12*

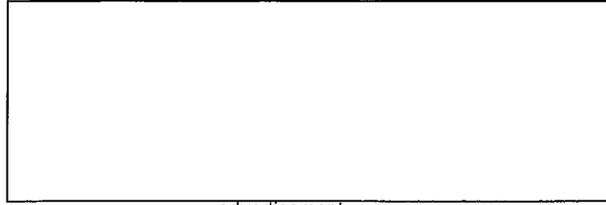
# NorthJersey.com

## Walkable urbanism, the new trend

BY CHRIS LEINBERGER

Sunday, March 11, 2012

*Singles and childless couples are the emerging household types of the future.*

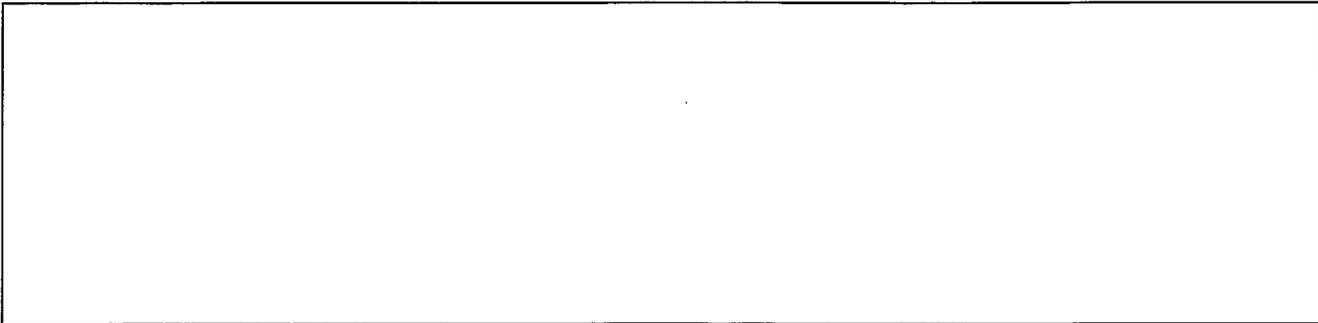


advertisement



Chris Leinberger is president of LOCUS, a coalition of real estate developers and investors advocating for sustainable environments in metropolitan areas. He is also a visiting fellow at the Brookings Institute. It was first published by New Jersey Future, a statewide smart-growth land use policy organization.

Advertisement



Print Powered By  FormatDynamics™

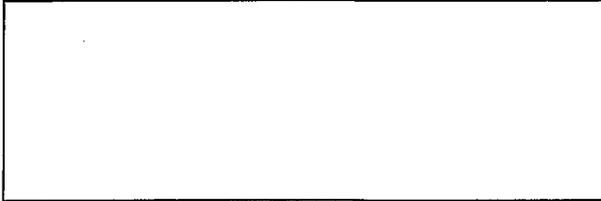
# NorthJersey.com

A 2008 SURVEY found that 77 percent of millennials – the generation of 20-somethings – want to live where they are "close to each other, to services, to places to meet and to work, and they would rather walk than drive."

New Jersey, with its extensive rail transit network and "streetcar suburbs" with pedestrian-friendly downtowns that surround many of their stations, is well-poised to take advantage of the rise in demand for this walkable urbanism.

New Jersey is an anomaly among the 50 states in that it is highly urbanized yet lacks a major center city to claim as its own. The state's homegrown urban centers all live in the shadows of their much larger neighbors, New York and Philadelphia. In fact, New Jersey is widely perceived as consisting mainly of suburbs serving these two cities, even if many of its small towns do not fit the low-density, single-use stereotype of a "suburb."

The distinction, however, between city and suburb as the defining paradigm for describing the built environment is giving way to a new dichotomy: walkable urbanism versus drivable sub-urbanism. New Jersey is well positioned to take advantage of this change.

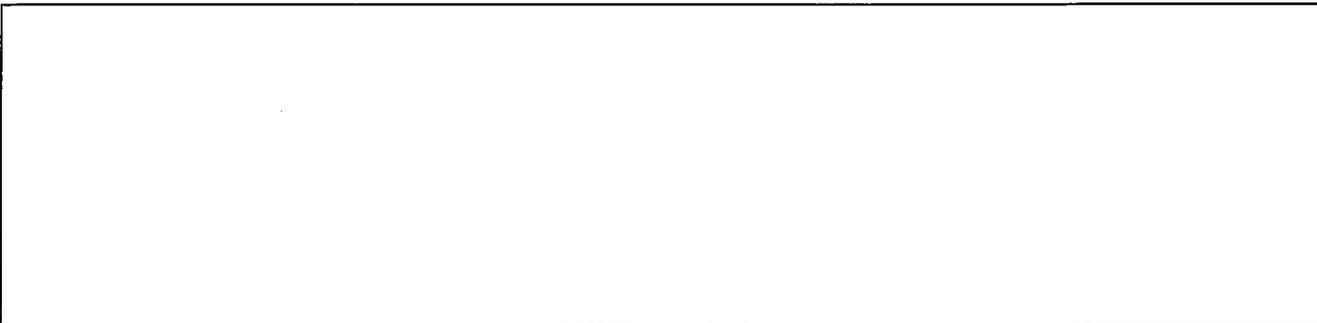


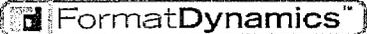
advertisement

Today, too many walkable urban projects are derailed by lack of zoning, lengthy approval processes and local resident opposition. The majority of those who oppose such projects are often the very residents who would benefit the most from increased walkable urbanism, and at no cost to themselves.

The pent-up demand for walkable urbanism today is the result of a number of factors, but is broadly a story of demographics. Millennials, and their parents in the baby boom generation, make up more than half of the country's population and both are in transition. Baby boomers are now empty-nesters and will soon become retirees, and are likely to downsize their housing as they age. Studies show that millennials — those just graduating from college and starting out in life — greatly prefer the characteristics of urban living, including proximity to friends and events, nightlife and not needing a car, to those of the drivable suburbs where many of them grew up. Millennials are delaying marriage and family, something that, when paired with the empty-nester baby boomers, is creating a boom of childless households.

Advertisement



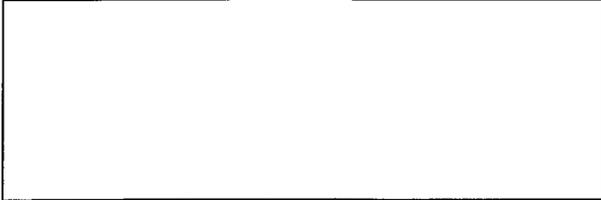
Print Powered By  FormatDynamics™

# NorthJersey.com

Singles and childless couples are the emerging household type of the future, a trend that is already having a profound effect on the built environment and will continue to do so for decades to come.

To see the rise of walkable urbanism in action, one need look no further than down the Northeast Corridor to the Washington, D. C., metro region. Thirty years ago, when the region's Metro system was in its infancy, Washington's suburbs looked like the suburbs of any other car-oriented metro area. But since then, places like Silver Spring and Bethesda, Md., and the Carlyle and Reston town centers in Virginia, have transformed from auto-oriented suburbs into walkable communities, mixing shops, restaurants, services and a variety of housing types within walking distance of each other. In addition to functioning as local centers, nearly all of these places are anchored by rail transit, offering access to jobs, culture and entertainment in the larger hub of Washington.

Perhaps the most remarkable transition has been in the Ballston-Rosslyn corridor in Arlington County, an inner suburban county with a population of 208,000. There, thanks to a conscious policy of concentrated growth around Metrorail stations, what was once a fading, auto-oriented suburb has boomed to

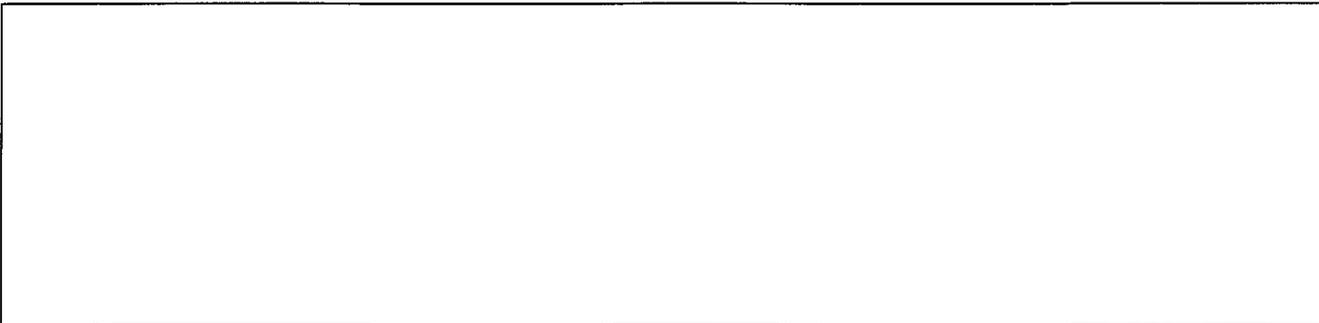


advertisement

a point where the walkable urban parts of the county, representing 10 percent of the county's land, now account for more than 50 percent of the county's tax revenue. Moreover, the influx of singles and childless couples, who pay school taxes but have few children, have contributed to making Arlington's public schools among the best in the country. And surprisingly, while residential densities have doubled along the corridor since 1985, absolute traffic counts have actually gone down, as more people are able to get around by transit, biking and, most important, walking.

Those living in existing single-family housing within walking distance of these new urbanized places in Arlington have also seen their quality of life improve, as evidenced by the premiums, often 80 percent to 100 percent, in the values of their homes over single-family housing in Arlington that is not within walking distance of urban amenities. These residents have access to both the suburban environment they desire and walking convenience to great urbanism – the best of both worlds.

Advertisement

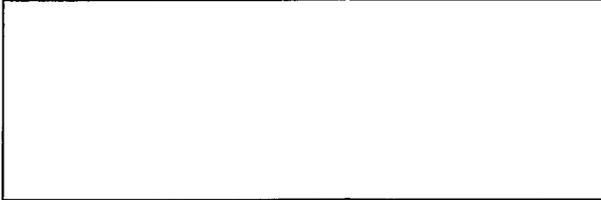


Print Powered By  FormatDynamics™

# NorthJersey.com

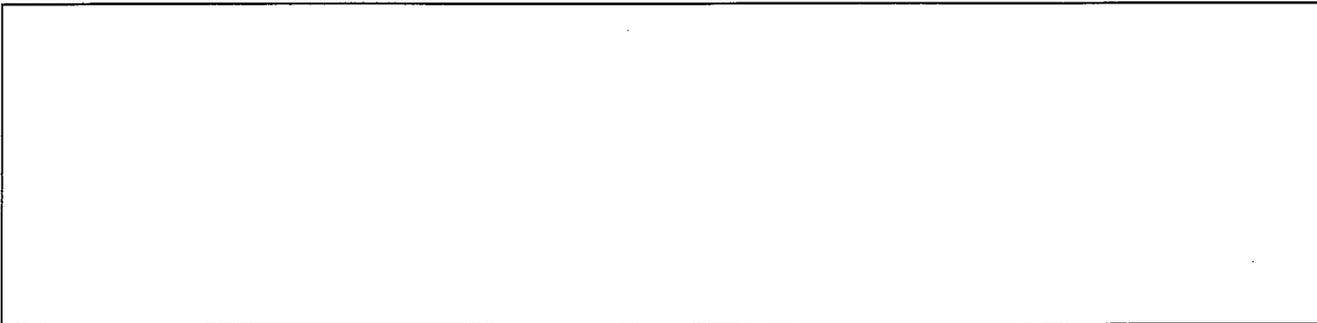
Like Arlington, New Jersey has the right mix of assets to benefit from the pent-up demand for walkable urbanism, including an extensive transit system and proximity to a major city – in fact, two major cities. But unlike Arlington, most New Jersey municipalities have not capitalized on the potential benefits of these trends by providing a supportive development climate around rail transit stations.

There are people all across New Jersey who want to live in or close to walkable urban places, and plenty of developers who want to create them. Now it's up to the planners, neighbors, regulators, policy makers and others to let them do it.



advertisement

Advertisement



Print Powered By  FormatDynamics™



C I T Y O F E N G L E W O O D  
C O M M U N I T Y D E V E L O P M E N T

---

**TO:** Mayor and City Council

**THRU:** Gary Sears, City Manager  
Alan White, Community Development Director ✓

**FROM:** Janet Grimmatt, Housing Finance Specialist ✓  
Harold J. Stitt, Senior Planner ✓

**DATE:** March 13, 2012

**SUBJECT:** NSP - Project Rebuild Update

**Acquired:**

4825 South Delaware Street  
2320 West Harvard Avenue  
905 West Stanford Avenue

**Under Construction:**

4101 South Cherokee Street  
4585 South Julian Street

**Listed for Sale:**

2293 West Baltic Place (April 2012)  
2295 West Baltic Place (April 2012)  
3395 West Grand Avenue (April 2012)  
2159 West Vassar Avenue

**Sold:**

3115 South Acoma Street  
2198 West Adriatic Avenue  
2010 West Baltic Avenue  
2335 West Baltic Avenue  
4681 South Decatur #226  
4819 South Delaware Street  
4744 South Galapago Street  
3102 West Radcliff Drive  
2215 West Wesley Avenue

Three properties, 2293 West Baltic Place, 2295 West Baltic Place, and 3395 West Grand Avenue, have completed interior rehab. These properties will be placed on the market as soon as exterior improvement costs (fencing and landscaping) are determined, but no later than April 1, 2012.

The sales price cannot be set until all rehabilitation costs are accounted for and a market analysis is completed. The NSP program requires that the sale price can be no more than the total cost of acquisition and rehab or market analysis value, whichever is lower.

As sales occur and program income accrues, rehab of the remaining three acquired properties will begin.

# MEMORANDUM



**TO:** Gary Sears, City Manager

**THROUGH:** Rick Kahm, Director of Public Works

**FROM:** David Henderson, Engineering/Capital Projects Administrator ✓

**DATE:** March 14, 2012

**SUBJECT:** PROJECT UPDATES –Denver Water Projects, Broadway Mid-Block Crossing, Duncan Park Planning and Design, Servicenter Salt/Sand Storage, Kent Place, University/Hwy. 285 Traffic Signal, Golf Course Pump Station Intake Pipe, Security Camera Project, Xcel Energy Projects, Gas Line Replacement Projects, Denver S. Broadway Improvements, Concrete Utility Program 2012, **Union Ave. Paving Project**, City Radio System, Street Maintenance Projects 2012, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects, GPS in City Vehicles

## DENVER WATER PROJECTS (CONDUIT 13 REHABILITATION)

### Vault Repair at Quincy/Broadway

Denver Water will be rebuilding a concrete vault on Quincy Ave. just west of Broadway. The work will require a full closure of Quincy for approximately 60 days. The contractor (Concrete Works of Colorado) closed Quincy and began the project on Monday, January 30<sup>th</sup>. **Concrete Works of Colorado continued work on the vault repair project. The contractor expects to re-open Quincy the week of April 2<sup>nd</sup>. Work inside the vault will continue after the roadway opens with the project completion expected by May 1<sup>st</sup>.**

### Conduit Work at Belleview/Broadway

Denver Water has applied for a permit to work on the conduit at Belleview and Broadway. The project is expected to last five days including concrete work. Variable message boards are to be installed three days before the project begins, which is expected to be the week of March 19.

### MID-BLOCK CROSSING DESIGN 3200 S. BROADWAY

The plans are 100% complete. Staff will discuss the design and potential construction project at a Study Session in the near future.

### DUNCAN PARK PLANNING AND DESIGN

Staff will present a Professional Services Agreement for environmental abatement and demolition of the Duncan School building at the March 19<sup>th</sup> City Council meeting.

A public open house meeting is being scheduled for early to mid April where the final park design will be presented to the public, along with the plans for demolition of the old school building. Approximately 1,063 residents in the area will receive an informational flyer and notification via mail.

### SERVICENTER SALT/SAND STORAGE

The project is substantially complete. **The contractor has a few outstanding punch list items remaining.**

### KENT PLACE

The developer has selected Mark Young Construction, Inc. as the contractor for both onsite and offsite work. Permits have been issued for all of the off-site work, along with grading and retaining wall work

on-site. Continuum Partners and Regency Centers Corporation are supplying bi-weekly project information. A link to this information is available on the City's web site:

<http://www.englewoodgov.org/Index.aspx?page=498>

The contractor, Mark Young Construction, re-mobilized this week. The contractor will install special signage to protect the adjacent neighborhood from construction truck traffic. Three signs will be installed at the following locations: eastbound Floyd Ave. at Lafayette, westbound Floyd Ave. at University, and westbound Floyd Place at University. The signs will read as follows:

**“KENT PLACE CONSTRUCTION AND TRUCK TRAFFIC PROHIBITED - VIOLATORS ARE SUBJECT TO \$500 FINE PER OCCURRENCE.”**

A pre-construction conference for the new grocery store “Fresh Fare by King Soopers” was held. The contractor, Colorado Structures Inc., may begin underground utility installation soon. It is anticipated that the contractor will begin building construction as soon as permits are issued.

#### **UNIVERSITY/HWY. 285 TRAFFIC SIGNAL**

CDOT began their project to upgrade the Hwy. 285/University traffic signal. The project will install new signal poles, mast arms, and signal heads at the intersection. This CDOT project is independent of the Kent Place development. The Kent Place developer has granted permission for CDOT's contractor (Interface CC) to stage on their property. CDOT expects to be complete around the end of March.

CDOT expects their contractor to turn on the new signal on Monday March 19<sup>th</sup>.

#### **ENGLEWOOD GOLF COURSE – FRONT NINE IRRIGATION PUMP STATION INTAKE PIPE**

American Civil Contractors (ACC) is replacing the old decomposing intake pipe from the pond to the irrigation wet well with new HDPE pipe. Approximately 75 feet of pipe will be replaced. The intake pipe has been installed into the wet well and grouted. The new screen has been placed on the opposite end of the intake pipe. The area has been backfilled and graded, and the rip-rap is being replaced. ACC will return in the spring of 2012 to repair the irrigation pipe that was damaged during construction. They will also seed the construction area and add soil where any settling has occurred.

#### **SECURITY CAMERA PROJECT**

The consultant, Cator, Ruma, & Associates, is preparing final plans and specifications. Staff will present an update to City Council at an upcoming Study Session.

#### **XCEL ENERGY PROJECTS**

##### **Santa Fe Light Poles**

Xcel has completed replacing the street lights in Englewood that are structurally deficient. We anticipate additional replacements in 2012 and beyond.

##### **Gas Line Replacement Projects**

Xcel Energy has applied for a permit to install and upgrade gas lines in the northbound lanes of the 4200-4400 block of S. Broadway. Variable message board signs will be installed 3-4 days prior to the start of construction.

#### **DENVER S. BROADWAY IMPROVEMENTS**

The City of Denver continued construction on S. Broadway between Wesley and Yale. Information about the Denver project can be seen at the following website:

<http://www.denvergov.org/ProjectsInProgress/SouthBroadwayWesleytoYale/tabid/434078/Default.aspx>

#### **CONCRETE UTILITY 2012**

Bids were opened on March 6<sup>th</sup>. Staff expects to recommend awarding a contract at the April 2<sup>nd</sup> City Council meeting. Questions regarding the upcoming program should be directed to the Concrete Utility, 303-762-2360 or [concreteutility@englewoodgov.org](mailto:concreteutility@englewoodgov.org).

**UNION AVE. PAVING PROJECT**

Plans and specifications to repair West Union Ave. at the truck entrance to Waste Management and Brannan Sand & Gravel are complete, and the project has been advertised. Due to heavy truck traffic and turning movements, the asphalt roadway in this area has been a maintenance issue for many years. The project will remove asphalt and a concrete paving section will be constructed. Staff expects to present a motion to award a contract at the April 16<sup>th</sup> City Council meeting.

**CITY RADIO SYSTEM-REPLACEMENT WITH PUSH TO TALK**

The Servicenter Garage continues to remove old radios from vehicles as they are being serviced.

**STREET MAINTENANCE PROJECTS 2012**

Staff completed plans and specifications for contract Crack Sealing. The project has been advertised and bids are due on April 4<sup>th</sup>. We expect to present a motion to award a contract at the April 16<sup>th</sup> City Council meeting.

Streets Division staff will begin grading and adding road base to alleys.  
Streets Division staff will be cutting/patching asphalt as weather allows.

**CITYCENTER SITE DEVELOPMENT**

*Alexan East and West Parcels*

438 residential units. Alexan's occupancy level for September, 2011 is 94.8%. Commercial uses: Let It Bead, State Farm, Lifetime Family Practice, Cuttin' It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, Creative Perspectives, CityCenter Community, Solid Grounds, and Weingarten Realty.

*Parkway Retail / Office Buildings*

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, MMB Hearing, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int'l, Inc., M.P. Hayutin, LLC, CityCenter Wine and Spirits, Quizno's, Miller, Air Walk, "Insurance Company of the West", Printwear Express, Fred Astaire Dance Studio, Wellness Treatment Center, SB Clark Companies, and Unifocus. Weingarten Realty announced a new tenant for the 1,277 square foot space formally occupied by Print Wear. **The new tenant, "Bartertown Comics", opened on March 11.**

*Bally's Building*

Tenants include Bally's, "Blondies Fire House Pub and Restaurant", and MaxFour.

*Retail South of the Parkway*

Tenants: Petco, Ross, Payless Shoes, Coldstone Creamery, Noodles, Sports Authority, and Office Depot. Payless Shoes has closed.

*Gold Mine Pad*

Tenants include: Jamba Juice, Tokyo Joe's, and Mega Wraps. Weingarten Realty announced a new tenant for the vacant space between Mega Wraps and Tokyo Joes, Doctors Express Urgent Care Facility.

*CityCenter Site*

EEFI continues project management of all infrastructure on the site. **Irrigation lines were charged with water this week.** Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance.

*Bradley Station Environmental*

EEFI's environmental consultants prepared an Executive Summary Report (dated July 28, 2008). Updates will be provided as additional information is received.

**ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)**

*PA-84 West*

The Mike Ward Infiniti dealership opened on Monday, August 29<sup>th</sup>. A Grand Opening was held on November 10<sup>th</sup>.

The EMRF lease with the Larry Miller Nissan Dealership was signed on February 7<sup>th</sup>.

PA-85 (RTD site)

RTD paid the final billing in the amount of \$591,836.86. Finance has deposited this money in the LTAR fund.

PA-85 (Benjamin Franklin Charter School)

The Benjamin Franklin Charter School has received their Certificate of Occupancy.

**AIR QUALITY/ENERGY SAVING PROJECTS**

Flex Fuel Program

Currently, 39 of our fleet vehicles are running on E-85 ethanol fuel. All new replacement vehicles (less than ¾ ton) will be compatible with E-85. Approximately 50 Flex Fuel vehicles will be in our fleet within two years. Currently, the cost of E-85 fuel is approx. \$0.40 per gallon less than regular unleaded gasoline. Ten of our fleet vehicles run on Compressed Natural Gas (CNG). 39 on-road vehicles and 23 off road (construction equipment) run on biodiesel fuel.

Hybrid Vehicle Purchase

Two hybrid vehicles are in service, one in the Fire Department and one in the Building Division.

"Green" Programs

We continue to work with our vendors to expand the Green product line as it becomes available. 90% of our custodial paper supplies are from recycled sources. The Servicenter is now "single-streaming" waste at the Servicenter and a dumpster has been supplied for *cardboard only* recycling.

Energy Saving Projects

In 2001, the Public Works Traffic Division began an ongoing program to convert traffic signals from incandescent lamps to Light-Emitting-Diode (LED) bulbs. To date, 80% of our City maintained signals have been converted. LED traffic signals use 90% less energy than incandescent lamps, last 5 times longer, and provide better visibility.

Electric Vehicle Charging Stations

Staff discussed a potential grant to install charging stations at the Study Session on May 23<sup>rd</sup>. The joint application has been submitted to the Department of Energy. We have received word that the grant has been approved. Discussions, through the State, continue regarding local regulations, Xcel power issues, public use, and cost.

GPS IN VEHICLES

The City received a grant, through RAQC (Regional Air Quality), to install 37 GPS units in some of our fleet vehicles. Regional Air has ordered equipment and they expect to deliver to us by mid-April. Our match to the project is the installation. The Servicenter Garage will install with in-house labor.

The GPS units will be installed in Police patrol vehicles, Public Works vehicles, Fire Department equipment, and some Wastewater Treatment Plant vehicles. The system will allow us to track locations, easily obtain information regarding quantities of ice slicer dispensed, monitor idle times, and allow the public to track where plow trucks have been.

**CITY OF ENGLEWOOD  
2012 CALENDAR OF EVENTS**



Mon., Mar. 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues. Mar. 20	7:00 p.m.	Planning and Zoning Commission, City Council Chambers
Wed., Mar. 21	6:30 p.m.	Code Enforcement Advisory Board, City Council Conference Room
	Cancelled	Local Liquor and Medical Marijuana Licensing Authority, Telephone poll
Mon., Mar. 26	6:00 p.m.	Study Session, Community Room
Mon., Apr. 2	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues. Apr. 3	7:00 p.m.	Planning and Zoning Commission, City Council Chambers/City Council Conference Room
Wed., Apr. 4	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Apr. 9	6:00 p.m.	Study Session, Community Room
Tues. Apr. 10	5:00 p.m.	Water and Sewer Board, Community Dev. Conf. Room
Wed. Apr. 11	Noon	Meeting with Representative DeGette, Community Room
	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs. Apr. 12	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
Mon., Apr. 16	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues. Apr. 17	7:00 p.m.	Planning and Zoning Commission, City Council Chambers/City Council Conference Room

Wed., Apr. 18	Cancelled	Local Liquor and Medical Marijuana Licensing Authority, telephone poll
Mon., Apr. 23	6:00 p.m.	Study Session, Community Room
Wed., May 2	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., May 7	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues. May 8	7:00 p.m.	Planning and Zoning Commission, City Council Chambers
	5:00 p.m.	Water and Sewer Board, Community Dev. Conf. Room
Wed. May 9	6:30 p.m.	Urban Renewal Authority, Community Dev. Conf. Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs. May 10	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	6:30 p.m.	Transportation Advisory Committee, City Council Conference Room
Mon., May 14	7:00 p.m.	Citizen of the Year, Malley Center
Wed., May 16	6:30 p.m.	Code Enforcement Advisory Board, City Council Conf. Room
	Cancelled	Local Liquor and Medical Marijuana Licensing Authority, telephone poll
Mon., May 21	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., May 22	7:00 p.m.	Planning and Zoning Commission, City Council Chambers/City Council Conference Room
<b>Mon., May 28</b>		<b>City Hall closed — Memorial Day</b>
Mon., June 4	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues. June 5	7:00 p.m.	Planning and Zoning Commission, City Council Chambers/City Council Conference Room

**TENTATIVE**

**STUDY SESSIONS TOPICS**

**FOR ENGLEWOOD CITY COUNCIL**



- March 26                      Study Session  
   Citizen Engagement Platform demo (Mindmixer)  
   MOA Update  
   Allen Filter Plant UV and 1500 W. Layton Ave. closure  
   Hotel/Motel Health Code & Enforcement  
   Board and Commission Liaison Reports
- April 2                              Study Session & Regular Meeting  
   Xcel Franchise  
   Union Avenue Paving  
   Asphalt Crack Sealing  
   Fire Department New Hires
- April 9                              Study Session  
   Executive Session – Negotiations  
   Water Fund Bonds  
   Emergency Notification Systems Upgrade  
   Sign Code
- April 16                             Study Session & Regular Meeting  
   Financial Report & Five Year Plan  
   Long Term Asset Reserve Fund  
   EMRF Update  
   Economic Summit Discussion
- April 23                             Study Session  
   Humane Society discussion with Littleton City Council  
   Board/Commission Member Reappointment Discussion  
   Board and Commission Liaison Reports
- April 30                             No Meeting Scheduled – 5<sup>th</sup> Monday
- May 7                                Study Session & Regular Meeting  
   2013 Budget  
   Duncan Park Design Plan  
   Parks and Recreation Youth Council

May 14	Study Session Citizen of the Year Celebration at Malley Center
May 21	Study Session & Regular Meeting Comprehensive Annual Financial Report Financial Report Economic Development Strategies/Incentives Board and Commission Liaison Reports
May 28	Memorial Day <b>Holiday</b> – Civic Center closed No meeting scheduled.
June 4	Study Session & Regular Meeting NonEmergency Employees Retirement Plan changes Board and Commission Alternate Members
June 11	Study Session Board and Commission Interviews
June 18	Study Session & Regular Meeting Financial Report
June 25	Study Session Board and Commission Reports
July 2	Study Session & Regular Meeting
July 9	Study Session
July 16	Study Session & Regular Meeting Financial Report & 6-Month Financial Review Board and Commission Reports
July 23	Study Session Board and Commission Appreciation
July 30	5 <sup>th</sup> Monday – No meeting scheduled
August 6	Study Session & Regular Meeting
August 13	Study Session

August 20	Study Session & Regular Meeting Financial Report
August 27	Study Session Board and Commission Reports
September 4	Study Session & Regular Meeting - Tuesday
September 10	Study Session Preliminary 2013 Budget Discussion
September 17	Study Session & Regular Meeting Financial Report
September 24	Study Session Board and Commission Reports 2013 Proposed Budget Workshop
October 1	Study Session & Regular Meeting

### **FUTURE STUDY SESSION TOPICS**

Historic Preservation  
 ACE role in business initiatives  
 Eats & Beats  
 Security Cameras Update  
 Acoma Parking Lot Landscape  
 Board and Commission Alternate Members  
 CityCenter RTD Parking (July)  
 Citizens Budget Committee (Fall)  
 Comprehensive Plan Update (May or June)  
     Neighborhood Preservation  
 Full Service City (During Fall Budget Process)  
 Long Term Asset Reserve Fund (June 4)  
 Water Conservation Plan (April or May)  
 Littleton City Council Joint Meeting to discuss HSSPV  
 Security Camera Update  
 Concrete Utility Program



City of Englewood

**ENGLEWOOD LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY  
Telephone Poll  
February 1, 2012**

**1. Consideration of Minutes**

- a) Results of the minutes of the Regular meeting of January 18, 2012.

**Vote results:**

Ayes: Members Buchanan, Lay, Ostmeier, VanDerLeest, Wilmoth

Nays: None

The minutes were approved.

**2. Renewals**

- |   |   |
|---|---|
| a) El Tepehuan<br>3457 S. Broadway                      | Hotel/Restaurant Liquor License<br>Expires April 5, 2012    |
| b) Los Portales Mexican Restaurant<br>3487 S. Logan St. | Hotel/Restaurant Liquor License<br>Expires January 22, 2012 |

**Vote results:**

Ayes: Members Buchanan, Lay, Ostmeier, VanDerLeest, Wilmoth

Nays: None

The renewals were approved.

**3. Change of Managers**

- a) CEC Entertainment dba Chuck E. Cheese's  
1001 W. Hampden Ave.  
Changing from Baker to Kemp
- b) RMR Colorado dba Black-Eyed Pea  
5180 S. Broadway  
Changing from Castillo to Patrick

**Vote results:**

Ayes: Members Buchanan Lay, Ostmeier, VanDerLeest, Wilmoth

Nays: None

The Change of Managers were approved.

\* \* \* \* \*

/s/ Kerry Bush, MMC  
Deputy City Clerk



City of Englewood

**ENGLEWOOD LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY**

**Englewood Civic Center, City Council Chambers**

**1000 Englewood Parkway, 2<sup>nd</sup> floor**

**Regular Meeting**

**February 15, 2012**

**1. Call to Order and Roll Call**

The meeting was called to order at 7:00 p.m. by Chairperson VanDerLeest.

**Roll Call**

Present: Richard Lay, Michael Buchanan, Carolyn Wilmoth, Robyn VanDerLeest  
Absent: Diane Ostmeyer (excused)  
Also Present: Assistant City Attorney Comer  
Deputy Clerk Bush  
City Clerk Ellis

**2. Consideration of Minutes**

a) Results of the minutes of the telephone poll of February 1, 2012.

**MEMBER LAY MOVED, AND MEMBER WILMOTH SECONDED, TO APPROVE THE MINUTES OF THE TELEPHONE POLL OF FEBRUARY 1, 2012.**

Vote Results: Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth  
Nays: None  
Absent: Member Ostmeyer

The minutes of the telephone poll were approved.

**3. Renewals**

- |    |                                   |  |
|----|-----------------------------------|--|
| a) | Felt<br>101 W. Floyd Ave.         | Hotel/Restaurant Liquor License<br>Expires March 2, 2012 |
| b) | Loaf N Jug<br>490 W. Hampden Ave. | 3.2% Off-Premises Liquor License<br>Expires May 18, 2012 |

- c) 7-Eleven #29508A 3.2% Off-Premises  
3131 S. Broadway Expires March 31, 2012
- d) 7-Eleven #39034A 3.2% Off-Premises Liquor license  
4601 S. Santa Fe Dr. Expires March 5, 2012

**MEMBER WILMOTH MOVED, AND MEMBER LAY SECONDED, TO APPROVE THE RENEWALS FOR AGENDA ITEMS 3 (a) through (d).**

Vote Results: Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth  
 Nays: None  
 Absent: Member Ostmeyer

The renewals were approved.

**4. Transfer of Ownership and Temporary Permit**

- a) Bites! LLC transferring to The Copper Pot on Broadway LLC  
2796 S. Broadway  
Hotel/Restaurant Liquor License

**MEMBER BUCHANAN MOVED, AND MEMBER WILMOTH SECONDED, TO APPROVE THE TRANSFER OF THE LIQUOR LICENSE AND APPROVE THE ISSUANCE OF A TEMPORARY PERMIT FOR THE COPPER POT ON BROADWAY LLC.**

Vote Results: Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth  
 Nays: None  
 Absent: Member Ostmeyer

The transfer of the liquor license and the issuance of a temporary permit were approved.

**5. Preliminary Show-Cause Hearings**

[Clerk’s Note: Agenda Item 5 (e) was taken out of order as the establishment was not formally cited during the event.]

- e) Fraternal Order of Eagles

Ron Zardoni, manager, and Skip Konsta, bar manager, were the Eagles representatives present. Chairperson VanDerLeest asked Mr. Zardoni if he had an opportunity to read the police report and if he had any questions. Mr. Zardoni replied that he read the report and didn’t have any questions. Chairperson VanDerLeest said why don’t you tell us, in your own words, what happened that day. Mr. Zardoni said my understanding of the story is sketchy as it comes from third parties and doesn’t exactly match the police report. It was an accident by one of our members. We weren’t even open at the time. We rarely get a stranger in there as we know most of our members. It was just a

mistake. Chairperson VanDerLeest said I get the feeling that everything over there is pretty laid back. She asked do the members serve themselves or do you have bartenders. Mr. Zardoni responded the members are not allowed to serve themselves, that's why we have bartenders. Chairperson VanDerLeest asked if the bartenders had had any training, specifically TIPS training. Mr. Zardoni replied yes, I believe a couple of them have. Chairperson VanDerLeest said I guess the problem is that it wasn't a bartender that almost served an underage person, who wasn't a member. Mr. Zardoni replied as we were closed, there wasn't even a bartender there. This is not a regular practice. We are cautious. We don't want anything to happen to our club or to the license. We follow the rules. Chairperson VanDerLeest asked if there were regular meetings with the members, or a way to communicate with them for educational purposes. She also asked if there was a way to lock down the bar so that only bartenders can serve. Mr. Zardoni answered yes, we need to and this will go on our next meeting as well as in the newsletter. Mr. Konsta, one of the trustees and the bar manager, replied that we can put a chain across, which we do when we get busy.

Chairperson VanDerLeest asked if anyone on the Authority has any questions. No one did.

Chairperson VanDerLeest asked if they are serving both tap and bottles or if it was beer, wine and liquor. Mr. Konsta answered both tap and bottles, and beer, wine, and liquor.

Member Lay asked what are your normal hours. Mr. Zardoni said 2 to 10 and Mr. Konsta said 1 to 10.

Chairperson VanDerLeest clarified that you both were not there. Is that correct? Mr. Konsta said I was not. Mr. Zardoni said I was outside working.

Chairperson VanDerLeest said Counsel just reminded me that your amusement license is past due. Have you taken care of that? Mr. Zardoni replied that they took care of that the other day.

Chairperson VanDerLeest said even though the police department didn't go through with issuing you a ticket, although they could have, do you agree that they could have, correct? Both men agreed. Chairperson VanDerLeest continued saying that you do not have to be a bartender, anyone behind the counter can be issued a ticket for serving anyone under age. Because you did not get issued that summons this time, you will not be seen in front of us for a Preliminary Show-Cause Hearing. So consider this your warning. Clearly we are out and checking businesses. We expect you to act responsibly with your license. This is your opportunity to fix whatever is going on over there. It sounds like it is a little lackadaisical. This is your one and only warning. As you can see, the police department is represented here tonight and they are taking notes. They hear the warning we are giving you tonight. They will be there again and they will issue tickets if needed. Both men said okay. We will be having some conversations. Chairperson VanDerLeest said thank you for coming in tonight. You are excused. Have a good night.

Each of the establishment representatives were called before the Authority individually and upon completion of the group, the Authority went into Executive Session.

Mr. James Kimmel, #1720, said I am the liquor licensing special attorney/prosecutor for the City. Also present in the audience was Englewood Police Impact Officer Mander. Mr. Kimmel stated that he has spoken to all of the representatives. All four have admitted to the violation. I have tendered to the Authority a stipulation template. Mr. Chesler, representing Mr. Parness and Glass Bottle Liquors, has a more detailed stipulation and I have no objection to his stipulation. Each of the parties would like to make a statement.

a) Liquor Barn

The Liquor Barn was represented by Chad Adkins, #24459, and Gary Tisch, owner of The Liquor Barn. Mr. Adkins said we will admit the violation. This violation occurred with an employee who has been there a while. She is a five year employee. She misread the year of birth. Since the violation, she has taken the TIPS class. The Liquor Barn then had training that they conducted for all 7 of their employees to get them in compliance with taking identification correctly. Liquor Barn has been open since 1976 and hasn't had any previous violations. As a result of this violation, Mr. Tisch is putting several things into effect. One of the things he has in effect is that every time one of his employees who turns in a minor who is attempting to purchase liquor, if they get a report from the police, that employee is rewarded \$50.00. The other two things he has put into effect is a digital sign that shows how old a person needs to be to purchase liquor and purchased a new system called the CAV2000, which is a magnetic strip identification reader. If the ID has expired or if the person is too young, an alarm goes off. This is a good business and has been a good business for Englewood. He has very little employee turnover rate. I would urge that any suspension be probated, that any fine be kept at a minimum, and perhaps, additional classes for the employees.

Chairperson VanDerLeest asked for clarification regarding the TIPS training that the cashier received and if it was taken after the citation was issued. Mr. Tisch clarified that she had taken it before but not since she got the ticket. Mr. Adkins stated that he spoke with the cashier and she feels horrible about receiving the ticket but feels completely responsible about it. Chairperson VanDerLeest asked about the magnetic strip reader; was it just purchased? Mr. Tisch replied yes. Chairperson VanDerLeest asked about the sign that was just purchased...it is on and running now? Mr. Tisch said yes. Chairperson VanDerLeest summed up their statement saying, so you have the bright sign, the magnetic reader, and additional training, correct? Mr. Tisch said yes.

Member Buchanan said the police report has a statement from the employee that she indicates that she missed the fact that the person was underage. Are there any other factors that are involved in this? Was it busy? Was she in a hurry? I mean, the identifications look different. The under 21 is vertical whereas the over 21 are horizontal. That's my point. They are physically different. Mr. Tisch said there is no excuse. She made a mistake. Mr. Adkins replied that she just missed the year calculation and that's where the CAV2000 will pick it up. Member Buchanan asked how does that machine handle fake identification. Is the strip encoded on the identification? Will it not read it, thus prompting the clerk to look more closely? Mr. Adkins replied that the strip on the back of the drivers' licenses, because the license is State issued, the liability falls to the State. I don't know that the fake ID's have that strip. Member Buchanan said we are just hearing a lot about fake ID's, especially from

the DU kids. So this machine is not just dependent upon Colorado? It will read other states? Mr. Adkins replied yes, all of the states that have the magnetic strip can be read. Member Buchanan said so this will be checked at the point-of-sale? Do all of the cashiers have them? Mr. Tisch replied that they will be checked at the cashier and that although there are four check-outs, there will be two CAV2000 machines; one between two cashier machines. Member Buchanan said okay.

Chairperson VanDerLeest asked when was the last time a minor attempted to purchase alcohol and was turned over to the police. Mr. Tisch replied I would say an average of once a month. Chairperson VanDerLeest asked are your employees trained in looking for these or are the identifications just really bad. Mr. Tisch said you look at ID's all day long, you get to know what to look for. We have a pretty good sense of what is right. Chairperson VanDerLeest asked are you filing reports with the police on all of those or do you handle them internally. Mr. Tisch replied the only way the employees get the bonus is if they have a copy of the police report or the policeperson's business card.

Chairperson VanDerLeest said Mr. Tisch, Mr. Adkins, thank you very much. She explained that the Authority will hear from all of the licensees and then go into Executive Session to discuss. Please have a seat and wait until we return after Executive Session so you can hear our decision. Both men said okay, thank you.

#### b) Bistro King

Yang Ruan was the representative from Bistro King. Chairperson VanDerLeest asked Mr. Ruan if he had an opportunity to read the police report. Mr. Ruan had the report in his hand but said he hadn't read it. Chairperson VanDerLeest asked if he wanted some time to read it. Mr. Ruan said basically my sister...We've owned the restaurant for six years and this is the first time we got one of these. This is what happened. I speak to her about the differences in the licenses and how one looks upside down. She never noticed that. She actually calculated on the calculator but did it wrong. I told her the next time, if she isn't sure, to come get me. This was absolutely a mistake. This rarely happens but it happens.

Chairperson VanDerLeest asked Mr. Ruan, has your sister taken any TIPS training. Mr. Ruan replied no. We are a small family restaurant. Basically, she just needs to be more careful when serving alcohol. Member Buchanan asked what percentage of your business comes from alcohol sales. Mr. Ruan answered it varies depending on what day it is. I can't really answer that question.

Member Buchanan asked what type of license do you have. Mr. Ruan didn't know. Deputy Clerk Bush answered that they have a Hotel/Restaurant liquor license. Member Buchanan said so that means that they must have at least 25% of sales in food. Several people confirmed that.

Member Wilmoth asked do you think that you will send your sister to the TIPS training now since she has received a citation or will she not serve alcohol from now on. Mr. Ruan said I'm not sure. If she isn't sure, she is to come get me. Member Wilmoth followed up but what if you are not there? Mr.

Ruan said I have another sister that is always there so she could check with her if I am not there. If she is not sure, she should check with one of us. Chairperson VanDerLeest asked would you consider sending her to training. Mr. Ruan said she doesn't speak much English and if she had to go, she probably wouldn't understand. If you want to send her to class, I guess I could do that. Member Wilmoth asked how old is she. Mr. Ruan replied 34. This is the first time this has ever happened to us. Member Buchanan asked how many people serve alcohol at the restaurant. Mr. Ruan said 3. Member Buchanan clarified you, your sister and...Mr. Ruan said my other sister. Member Buchanan asked if you or your other sister have taken any training. Mr. Ruan said she did. Member Buchanan clarified your other sister. Mr. Ruan said yes, she is a bartender.

Chairperson VanDerLeest said I am more than a little concerned. You have a very relaxed attitude about this infraction. You said this was a mistake and mistakes happen. Unfortunately these kinds of mistakes lead to serious complications. When you serve a minor alcohol, they tend not to drink just the one drink. Your place becomes the place where kids know they can get served because you are not making very close checks of who is serving, what the ID's look like, and who is being served. What I am looking for from you is more intensity, taking this seriously, when it comes to how we are going to fix this problem in the future. Mr. Ruan said so basically I told her anything with alcohol, beer, she is to come to me. Chairperson VanDerLeest said I agree and I can appreciate that but I'm not asking you to get angry with her. I agree that this was a mistake but it is a serious mistake. At the manager level, these mistakes can't happen. Mr. Ruan said I understand. My sister feels really bad about this.

Chairperson VanDerLeest asked the Authority if they had any other questions. No one did. She asked Mr. Ruan if there was anything else he wanted to tell us. He replied that his sister is to come to him if she has a question regarding the ID before serving it.

Member Buchanan said I have one more question. Have you previously had anyone underage attempt to buy alcohol in your restaurant? Have you caught anybody trying to do that? Mr. Ruan said not me but my sister had and she didn't serve them. Member Buchanan clarified so it has happened before and your sister caught them? Did you call the police? Mr. Ruan said no, we really not...we don't call the police.

Chairperson VanDerLeest said thank you Mr. Ruan. If you will just wait until we reach a decision after the Executive Session.

### c) Casual Lounge

Denise Williamson was the representative from The Casual Lounge. Chairperson VanDerLeest asked if you had a chance to read the police report. Ms. Williamson replied yes. Chairperson VanDerLeest said this is your opportunity to discuss with us, as the manager, what your take is on this violation. Ms. Williamson said we didn't check the ID. It was happy hour and a regular was buying a round and she just assumed that...it was my sister actually who came down to help me out for an hour. She just assumed that they all knew the girl so she didn't check. She was wrong. Chairperson VanDerLeest

and Member Buchanan both clarified that this person was buying a round for everyone. Ms. Williamson said it was a regular buying and it was for like 5 people.

Chairperson VanDerLeest asked does your sister routinely bartend for you. Ms. Williamson answered once in a while. She lives up in Fort Collins. Chairperson VanDerLeest asked so is it a staffing issue. Ms. Williamson said actually it was, for that day. My partner's brother had died the day before so we had to pick his parents up from the airport, so I had her come down just to help me out for a couple of hours. Member Buchanan asked is it a policy for your other servers to normally check ID's. Ms. Williamson said oh yeah. Member Buchanan asked how many other people serve. Ms. Williamson replied 4, myself and 4 others. Member Buchanan said not including your sister. Ms. Williamson confirmed not including my sister. Chairperson VanDerLeest asked does she bartend somewhere else. Ms. Williamson answered yes she bartends up in Fort Collins, Longmont, Loveland. She has for 27 years. Chairperson VanDerLeest asked to your knowledge, has she had any sort of official training. Ms. Williamson said no. Member Buchanan asked does your staff receive training. Ms. Williamson said no but they are going to. They have before but it has been a long time ago and they need to get new training. Chairperson VanDerLeest asked do you remember how long ago. Ms. Williamson answered I, myself, personally, it has been more than 10 years.

Chairperson VanDerLeest asked what is the establishment's policy on minors when they attempt to buy. Ms. Williamson said usually we ask them for their ID. If one has one and one doesn't, the one will leave and usually the other one will leave too. Chairperson VanDerLeest asked do you call the police when you have an underage person attempting to buy or if they have fake ID's. Ms. Williamson said no, I haven't. Chairperson VanDerLeest asked why. Ms. Williamson said I have to check the ID, not just have an attempt to buy with no ID. Member Buchanan asked how long has The Casual Lounge been in operation. Ms. Williamson replied I've had it for 13 years. Member Buchanan asked so you are the owner as well as the manager. Ms. Williamson answered yes. Member Buchanan asked have you had any other violations. Ms. Williamson answered no.

Chairperson VanDerLeest said so it is your intention that you will send your staff through TIPS training. Ms. Williamson replied yes, providing it is staggered so the different shifts can attend. It is my understanding that someone from the City will be having a training. Deputy City Clerk Bush informed the Authority that she is working on that. An investigator from the Colorado Department of Revenue Liquor Enforcement Division will be teaching classes here at the City on March 29, 2012. This training will be at no cost to the licensees.

Chairperson VanDerLeest asked if there was anything else that you wanted to tell us. Ms. Williamson said no. Chairperson VanDerLeest said thank you Ms. Williamson. If you will stay until we are done with our meeting, I'd appreciate it.

#### d) Glass Bottle Liquors

Glass Bottle Liquors was represented by Ronald Parness, owner, and his attorney, Len Chesler. Mr. Chesler said the charges that have come against these establishments before you are the same but

the facts and circumstances differ. That is apparent from the first three licenses that you have considered. Mr. Parness and I discussed what could be done without having to be instructed that we should do anything; constructively to ensure compliance and to demonstrate that we understand the seriousness of serving to a minor. Mr. Kimmel was kind enough to send me a copy of the usual stipulation template. I told him what I thought was an appropriate remedy to this case due to the facts and circumstances. Both of us recognize that you ladies and gentlemen are the ultimate authority. Mr. Kimmel encouraged me to draft a stipulation that I felt best met the circumstances. When we last talked, he assured me, as he did with you tonight, that he approves the stipulation that I have drafted. I have something to show you regarding the new machine that Glass Bottle Liquors and Mr. Parness has, which checks the verification of the age. It was not in use at the time of the citation but it was on order. Mr. Chesler provided a copy of the ticket that the CAV2000 prints out for a record of the transaction. Mr. Chesler stated that this device also provides a running tape and it shows the identification details for the license tendered. Mr. Chesler has recommended to Mr. Parness that these individual printouts be destroyed to avoid identity theft. Mr. Chesler said I would like to talk to the question asked previously by Mr. Buchanan regarding the dimensions of the drivers' license and it being a signal for the underage. Sometimes the underage license would be acceptable because they haven't received their new 21 license. There is a surveillance tape I watched, and it is available to the Authority, which shows that the clerk does not think the ID is valid and hands it back to the underage person. The underage person then hands it back to the clerk. Unfortunately the tape is not audio; it is visual only. This is a situation that if this were ligated, it would be a matter that would be of some interest and some concern because of the published guidelines regarding underage checks. The first comment from the clerk is that this isn't valid and then the underage suggests that he look at it again.

Mr. Chesler continued saying that Mr. Parness has been the owner of this establishment for 39 years and this is the first violation. His staff has been with him for many years, all without any violations. They take this matter very seriously. It is signed appropriately. In fact, it states that if they are under 40 years old, they will be asked for an ID. If anything appears to be irregular, the customer will be refused the sale, even if they are of age. What Mr. Parness did, was to take the individual who made the sale, to his optometrist and they found out that the clerk needed bifocals. Mr. Parness paid for the examination and the new glasses. This clerk has been with Mr. Parness, as an employee, for 23 years. We also had the entire staff go through TIPS training, which Mr. Parness paid for, last Sunday. He paid not only for the instructor but he also paid for his employees to attend this training. Mr. Parness informed his staff that these violations will not be tolerated. He also investigated on his own the device, the CAV2000, and ordered it. This shows how serious he is about this, even before the violation occurred. The device has been received and installed since the citation. We are waiving any defenses that we might have by not being in compliance with the liquor code. We are suggesting, based on these facts and this good business owner, a letter of admonition would be the appropriate penalty and that all other matters remaining open and held in abeyance for a 12 month period of time and that we appear in six months for a compliance check and then again in one year to close out this matter.

Mr. Kimmel agreed that Mr. Chesler has accurately represented our conversations. Mr. Chesler thanked the Authority.

Chairperson VanDerLeest said I have 2 questions. Was there an incident that preempted the purchase of the machine? Mr. Chesler, answering for Mr. Parness, said no, he saw it in a catalog and thought it was a great idea to have one. It was only a safety check and he thought he should invest in one. It cost about \$400.00 and there is a \$12.00 monthly service charge. Chairperson VanDerLeest asked if the machine has a printout for everyone whose license is run through it or do you request a printout. Mr. Chesler replied it prints out after everyone. Chairperson VanDerLeest said my second question is that poor eyesight the reason given by Mr. Oak for giving the ID a second look? Mr. Chesler replied what he said to the owner and to me is that the license didn't look right to him, that it isn't valid and he gave it back. He was told to look again and he did but he said that in the confusion of that, he miscounted. He had initially refused but was persuaded to take another look. This is validated by the surveillance tape.

Member Wilmoth asked if the staff is part time or full time. Mr. Parness said 2 are full time and the rest are part time. Mr. Oak is full time, putting in 8 hours a day, 6 days a week.

Chairperson VanDerLeest said thank you and please stay until after our Executive Session.

Mr. Kimmel said this completes our presentation.

Chairperson VanDerLeest called Officer Mander from the audience. She said I have a question for you. Regarding the Glass Bottle, did your undercover agent talk to you about the second look given to the ID? Officer Mander replied that he did not report that at all. Chairperson VanDerLeest said that's all. Thank you.

e) Fraternal Order of Eagles

Agenda Item 5 (e) was moved to the first order of business.

**MEMBER BUCHANAN MOVED, AND MEMBER WILMOTH SECONDED, TO GO INTO EXECUTIVE SESSION TO DISCUSS THIS MATTER.**

Vote Results: Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth  
Nays: None  
Absent: Member Ostmeyer

The motion carried and the Authority recessed into Executive Session.

Recessed at 7:49 p.m.

Reconvened at 8:55 p.m. with 4 members present (Ostmeyer absent).

**MEMBER BUCHANAN MOVED, AND MEMBER LAY SECONDED, TO REOPEN THE PRELIMINARY SHOW-CAUSE HEARINGS.**

Vote Results: Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth  
Nays: None  
Absent: Member Ostmeier

The motion carried and the Authority reopened the Preliminary Show-Cause Hearings.

Chairperson VanDerLeest said we appreciate you all sticking around while we finished our conversation. So after serious deliberation and review of the proposed stipulations, the Authority has decided the following in regards to the set of stipulations:

The Authority realizes that these are first time offenses for each of these establishments we met with tonight. However, the Authority is very concerned about the breadth and scope and the number of businesses that originally failed this enforcement. Consequently the Authority's decision is as follows for all of the establishments here tonight;

- The amended stipulation will read there will be a 4 day suspension held in abeyance for one year.
- There will be a fine in the amount of \$300.00, payable in the next 30 days.
- The following will send their employees to liquor training: Liquor Barn, Bistro King and The Casual Lounge. This will be all employees that serve. We would like to have this training completed by the end of April 2012. Be sure to get copies of the completion certificates as they should be sent to Kerry before the end of April 2012. We appreciate the Glass Bottle who has already taken care of this training. We request that copies of the certificates of completion be sent to Kerry by the end of April as well.

With those stipulations in mind, we will give each of you 10 minutes to discuss with your counsel, if you would like to take that time, before we close our hearing.

Mr. Adkins said the Liquor Barn will accept the stipulation as presented.

Mr. Ruan said yes.

Ms. Williamson said yes.

Mr. Chesler said Mr. Parness feels that the cost of mitigating this matter and procedural issue is outweighed by the stipulation and he has decided to accept the stipulation that is proposed. He realizes the need for the regularly. Never-the-less, he is concerned that the longevity of his business and the steps he has taken voluntarily be considered. He feels the suspension of the fine is justified by what he has already spent towards preventive actions. Chairperson VanDerLeest said Mr. Chesler, we did talk about that, just so you are clear. We discussed some of the steps that also the Liquor Barn has taken as well as your client, after the fact. Here was our concern. Each one of these incidences in and of itself is what we are addressing. Mr. Chesler said it is important that a good societal message be sent and that efforts to solve and costs expended to comply should be recognized so that it does not make it seem as though this is simply a revenue generating measure. We know that this is not the case here. We know that the overriding concern is equality with this

Authority. Never-the-less, there is a reasonable demarcation within the 4 issues that you have considered; we feel that a suspension or held in abeyance or a fine, would have sent a societal message that this is not simply revenue generated. Chairperson VanDerLeest said I am going to disagree with you. I can definitely say that this is not for revenue generating. It is our position to send a message and that message is that selling to minors is a dangerous game and we are not willing to stand by and watch that. So we are definitely into sending a message as well. We are not going to waive your fine. Mr. Chesler said okay, we accept that. Chairperson VanDerLeest said thank you sir.

Chairperson VanDerLeest said the stipulation will then be in order of the Authority. The Preliminary Show-Cause hearing is now closed. We appreciate you all for coming in and taking ownership. Thank you, Mr. Kimmel, for your help.

**6. Findings of Fact, Conclusions and Order**

- a) W & M Dawgs LLC dba Billy's Gourmet Hot Dogs

**7. Citizen's Forum**

**8. Counsel's Choice**

**9. Authority Members' Choice**

**10. Deputy Clerk's Choice**

- a) Medical Marijuana

- 1) Deputy Clerk Bush informed the Authority that they have a letter in front of them regarding a concern of a possible illegal Medical Marijuana Center and grow. There is a new application at the State but we are under a moratorium so we can't have any new businesses. This was not a transfer application but a new application, which makes them a new business. They think they are buying out an existing business but they can't do that while we have a moratorium in place and they are not transferring the existing license. We have notified the State and it is now in their hands. If it had been a transfer, the application would be coming before you first and then sent to the State if you approved it. We haven't been notified of these changes; it was by chance that the Police Department brought this to our attention.
- 2) Deputy Clerk Bush informed the Authority that she received verification forms for one of the Medical Marijuana Centers and grows and that we sent a letter to the State stating that we cannot verify the application as we don't have a copy of it, they have it.

- 3) There is also information that the State is looking into changing the 25% for Hotel/Restaurant liquor licenses. As more information comes forward, I will let you know. There may be other changes regarding the liquor code, which I will pass on when I am notified.

## 11. Adjournment

The meeting was adjourned at 9:05 p.m.

\*\*\*\*\*

/s/ Kerry Bush, MMC  
Deputy City Clerk

# ALLIANCE FOR COMMERCE IN ENGLEWOOD

February 9, 2012

Minutes and audio are available at:

<http://www.englewoodgov.org/index.aspx?page=1103>

## I. CALL TO ORDER



The regular meeting of the Alliance for Commerce in Englewood (ACE) was called to order at 11:47 a.m. in the City Council Conference Room of the Englewood Civic Center, Chair Sarconi presiding.

Present: Schalk (entered 11:55), Sarconi, Calonder, Knoth, Weinberger  
Whyte (alternate)

Absent: Vasilas, Champion, Miller

Also present: Joe Jefferson, City Council Liaison  
Colleen Mello, Englewood Chamber of Commerce

Staff present: Alan White, Community Development Director  
Darren Hollingsworth, Economic Development Coordinator

## APPROVAL OF MINUTES

January 12, 2012

Due to lack of a quorum the minutes were not able to be approved at this time.

Mr. Schalk entered the meeting at 11:55; there was now a quorum.



Chair Sarconi stated that the Minutes of January 12, 2012 were to be considered for approval. It was determined there was a quorum. Chair Sarconi asked if there were any changes or adjustments to the Minutes. There were none.

Weinberger moved:

Schalk seconded: THE MINUTES OF JANUARY 12, 2012 BE APPROVED AS WRITTEN.

The motion carried unanimously.

## II. ACE BUSINESS



### HOUSING – DEVELOP STRATEGIES TO SUPPORT SCRAPE OFFS AND NEW INVESTMENT

The members reviewed what transpired at the last meeting regarding the S.W.O.T. Analysis and where the discussion goes from here. Mr. Weinberger asked if the charts from previous meetings could be brought to the next meeting to assist in the discussion.

**Discussion was stopped after Mr. Schalk entered in order to approve the minutes. Discussion resumed after the minutes were approved.**



Mr. Jefferson updated the members on City Council's goal setting discussions. Various housing programs the City offers were discussed and how they are funded as well as the need for multi-tenant housing and higher density.

Schalk moved:

Calonder seconded: TO ENCOURAGE NEW RESIDENTIAL AND COMMERCIAL BUSINESS, IF A PROPERTY IS SCRAPED, ALL BUILDING FEES FOR ALL FUTURE PERMITS TO REBUILD THAT PROPERTY BE WAIVED FOR PROJECTS OVER \$200,000.

The motion carried unanimously.

Mr. Schalk asked what the cost of staffing is to access the federal money for housing. Is there good value to the City's staff cost? Director White stated for the Energy Efficient Englewood program the funds are limited and the grants go quickly so it is not hugely labor intensive. The rehab program depends on the market and whether residents feel they are in a position to secure a loan for a project.

Mr. Schalk said the City works at trying to get small amounts of money for low income housing people; how does that really change our situation. He said he is not interested in that personally. Mr. Weinberger said he is very curious on a personal level as well as a member of ACE to learn more about what is being offered now. Mr. Calonder said fixing up and selling 9 homes through the NSP program is not what ACE is trying to get to. How do we make the community stronger and more vibrant as a whole?

Allowing department heads more leverage to make decisions without going through the red tape was discussed. Mr. Jefferson said if ACE wants to make a recommendation along those lines very specific information needs to be provided in order for it to be effective. Director White said residents ask about the possibility of having accessory dwelling units in residential areas, which are currently not allowed. Is that a good idea?

#### **DEVELOP STRATEGIES TO FILL VACANT SPACES**

Topic was not discussed.

#### **ELECTION OF OFFICERS FOR 2012**



Weinberger moved:

Calonder seconded: ELECTION OF OFFICERS BE TABLED UNTIL THE MARCH MEETING.

The motion carried unanimously.

### **III. PUBLIC COMMENT**



There was no public present.

### **IV. COMMENTS**



#### **CHAMBER OF COMMERCE**

Ms. Mello stated a Women in Business seminar was held today. Next month's meeting will be held at Café 180. The annual Chamber Gala will be on March 20<sup>th</sup>. A Shop Englewood program is in the planning stage.

#### **BID COMMENTS**



Mr. Schalk commented on BID activity.

#### **STAFF COMMENTS**



Mr. Hollingsworth had no further comments.

Director White noted Staff is working on a rewrite of the Sign Code. Staff will hold a Study Session with City Council in April and stakeholder input will be sought from businesses, ACE and residents. The Sign Code Amendments are a priority and completion is set for later this year. Mr. Schalk stated he believes the Sign Code should be left as is.

Ms. Mello stated Englewood Public Schools will hold a public meeting tonight to discuss the new school.

#### **CITY COUNCIL COMMENTS**



Mr. Jefferson stated City Council goal setting is moving along. He also provided an update on the Martin Plastics project.

#### **ACE COMMENTS**



Chair Sarconi noted the Recording Secretary distributed a list of 2012 meeting dates.

The topics for discussion at the March meeting were discussed.

### **V. UPCOMING ACE BUSINESS**

- a. The next meeting is scheduled for March 8, 2012.

No further business was brought forth for consideration. The meeting was adjourned at 1:05 p.m.

---

Barbara Krecklow, Recording Secretary

**City of Englewood**  
**PARKS AND RECREATION COMMISSION**  
**Minutes of February 9, 2012**

**I. Call to Order**

The regular monthly meeting of the Englewood Parks and Recreation Commission was called to order at 5:30 p.m. by Chairperson Gomes at the Malley Senior Recreation Center, 3380 South Lincoln Street.

**Present:** Austin Gomes, Chairperson  
Mitch Waldman, Vice Chairperson  
Douglas Garrett, Commission Member  
Mark Husband, Commission Member  
Bob McCaslin, City Council Liaison  
Karen Miller, Commission Member  
Donna Schnitzer, Cultural Arts Commission Liaison  
Jerrell Black, ex-officio

**Absent:** Randy Kloewer, Youth Member  
Duane Tucker, Englewood Schools Liaison

**Also Present:** Dave Lee, Open Space Manager  
Joyce Musgrove, Malley Senior Recreation Supervisor  
Joe Sack, Recreation Manager  
Bob Spada, Golf Operations Manager  
Alan White, Community Development Director (left at 6:00)  
Carolyn Armstrong, Past Commission Member

**II. Approval of Minutes**

Chairperson Gomes asked if there were any changes or corrections to the minutes of January 12, 2012. There were none. The minutes were approved as presented.

**III. Scheduled Public Comment**

There were no guests present for Scheduled Public Comment.

**IV. Unscheduled Public Comment**

There were no guests present for Unscheduled Public Comment.

Jerrell Black, ex-officio took this opportunity to present Carolyn Armstrong with a certificate of appreciation and a cake to acknowledge her term on the commission.

**V. Park Dedication Standard and Fee in Lieu**

Director of Community Development, Alan White presented an update on his recommendation of Park Land Dedication Standard and Fee-in-Lieu. Mr. White expressed that he is having a hard time with the recommendation. He is struggling with undertaking the task of coming up with an analysis that can be legally defensible in court. On the topic of the impact fee, Mr. White stated that he did not have the six months to dedicate in order to come up with the ordinance. He recommends that there be an interim time period for him and his staff to set the

value of land for Fee-in-Lieu. This would allow his staff to set the land as a fee in the Community Development fee schedule. Mr. White also stated that the per acre land unit of 1150/unit was a reasonable amount. It is a little low in terms of park improvement costs, but without conducting a complete analysis, this amount would give the City something to move forward with future developments and proposals. There would be a one-time fee charged to the developer that comes forward with proposal. Mr. White also explained that the City has done very few Fee-in-Lieu's in the past. With a formidable impact fee, improvements would be in area where the money is taken, for capital, not maintenance or benefits the public at large.

Mr. White explained that his staff discussed the regulation of the Unified Development Code (UDC) for entering suburbs. Husband asked what the previous amount was based on. Mr. White replied that he and his staff could not find record of it, and that the standard was researched at some point and the number of 10.7 was established. There are no requirements prior to 2004.

Following Discussion:

**A motion was made by Commission Member Waldman and seconded by Commission Member Miller to accept the recommendation from Alan White, Director of Community Development, for an interim policy regarding Park Land Dedication requiring a Fee-in-Lieu of Estimated Land Value of 60,000 and acre based the required 5 acres per 1,000 population.**

**Ayes: Gomes, Waldman, Miller, McCaslin, Garrett.  
Nays: None**

**Motion passed.**

#### **VI. Duncan Park Redevelopment Update**

Dave Lee, Manager of Open Space, explained that he and his staff are in the middle of obtaining figures for the remediation of Duncan Park. Lee explained that the demolition of the building and the environmental remediation will take place at the same time. Lee mentioned that earlier in the process, the public was told they would be able to obtain brick from the building once it is demolished. This will no longer be possible since the demolition will take place at the same time as the environmental remediation. The destruction crew is going to attempt to save the tile mosaics that are on the property, but there is a chance that they might not be able to, depending on the asbestos that is present. The building will be taken down to the sod and any remnants of the school, including swing sets and trash will be removed during the demolition. Currently, negotiations are in motion with the contractor to set a date for the demolition. In April the demolition will take place. Director Black mentioned that there will be a need for a public meeting with the neighborhood surrounding Duncan Park to inform them of the dates of destruction before it is completed.

#### **VII. Malley Recreation Center Update**

Joyce Musgrove, Malley Center Recreation Center Supervisor, discussed the extended hours at Malley. The first year of extended hours at Malley showed to be successful, with 4700 visits taken during the extended hours. The fitness area and

computer lab were the most popular activities during the extended hours. Musgrove also explained that in 2012, Malley is going to assemble a Marketing Committee consisting of current Malley users to get the word out about Malley and its amenities. They are hoping to have cooperation from Swedish for referrals and are planning on doing special promotions to bring in more members. Musgrove also revealed that the summer drama production for 2012 will be the production of *Anything Goes*.

Sack wanted to reiterate that the funding for the extended hours at Malley came from the Malley Trust and the City of Englewood at a cost of \$31,000. The Malley Trust Fund committed to three years of funding for the extended hour program and so far, are pleased with the results.

**VIII. Cultural Arts Commission Update**

An update was given on the February Cultural Arts Commission meeting. Schnitzer reported that the Englewood Arts has had success with the concerts and Strings Attached programs. Ms. Schnitzer also informed the Commission that the sculpture in the roundabout at City Center is on loan to the Republic Plaza until March 2012. The Museum of Outdoor Arts is getting ready to debut "Show on a String" art and is also planning for a Mardi Gras celebration. The Cultural Arts Commission is still discussing the terms for accepting art as gifts. The Asian Art piece that was gifted to the City is still being discussed. Ms. Schnitzer was voted to be the Cultural Arts Committee member that will be joining the Selection Committee to select a piece of art for the Kent Place Development.

**IX. Director's Choice**

Black made the Commission aware of the new City Manager of Sheridan, Devon Granberry, who stopped by the Recreation Center last week to introduce himself. Black also mentioned that he will be meeting with Dave Lorenz of South Suburban and Bob Stearns of the Greenway Team to discuss extending the river trail from Big Dry Creek to the Oxford Bridge. Also on Monday, Black will be updating City Council on the Urban Drainage progress which seeks to establish kayak shoots on the Platte River at the Oxford Bridge. He also mentioned that the Urban Drainage is looking for a partner to make this happen and Englewood could be a part of it. Black mentioned that Parks and Recreation has a keen interest in the kayak shoots due to their proximity to the Broken Tee Golf Course.

**X. Commission Member's Choice**

Karen Miller expressed her contentment to be back on the board as a member, not a school district liaison.

Bob McCaslin said that Irv Brown expressed interest in coming into Englewood Rec Center to teach sportsmanship. Black stated that a date has already been set for the event and that Parks and Recreation is trying to get as many kids possible signed up for the program.

Gomes extended a welcome to the new committee member, Mark Husband.

Dave Lee asked the Commission to submit a letter of support for the Arapahoe County Open Space Project Grant Recommendation by City Council for a playground in the Northwest Greenbelt, near Baker Park. Lee stated that there

have been no major improvements in the last 15 years and this grant would help provide an American with Disabilities Act accessible walkway to the park, new equipment for two age ranges (2-5 years and 6-12 years) and a rubberized fall surface that will also be ADA accessible.

Lee also stated that he thought the snow removal was being done efficiently. Garrett stated that the Paseo between Broadway and Acoma may need more attention. Black said that it is a key area and it will be addressed.

**A motion was made by Commission Member Garrett and seconded by Commission Member Waldman to provide a letter to be signed by the Parks and Recreation Commission Chair, Austin Gomes, supporting the Arapahoe County Open Space Grant Recommendation by City Council for the Northwest Greenbelt playground.**

**Ayes: Miller, Garrett, Waldman, Gomes  
Nays: None**

**Motion Passed.**

Bob Spada,, Golf Operations Manager discussed the upcoming Golf Expo this weekend. Broken Tee Golf Course was taking part in the expo after a few years of not attending.

Joe Sack, Recreation Manager, discussed the promotions that occurred within the Recreation Division. Sack stated that Malley was short staffed after the promotion of Joyce Musgrove to Malley Senior Center Supervisor and that the Recreation employees were reassigned job duties to ensure that all job duties were covered. Commission members were informed that Tara Micheli has moved to the Malley Center as the Outdoor and Travel Supervisor and Denise White moved over to the Recreation Center from Malley and will now be working directly with Joe Sack. Sack also handed out the new Spring Activity Guide to the members of the Commission. The guide will be released to the public on February 15, 2012.

**XI. Adjournment**

The meeting was adjourned at 6:34 p.m.

/s/ K. Fowler  
Recording Secretary