

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

**Regular Session**

**October 1, 2012**

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 7:40 p.m.

**2. Invocation**

The invocation was given by Council Member McCaslin.

**3. Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

**4. Roll Call**

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Woodward, Penn  
Absent: None

A quorum was present.

Also present: City Manager Sears  
City Attorney Brotzman  
Deputy City Manager Flaherty  
City Clerk Ellis  
Deputy City Clerk Bush  
Director Gryglewicz, Finance and Administrative Services  
Director White, Community Development  
Director Fonda, Utilities  
Engineer IV Brennan, Utilities  
Communications Coordinator Hoffhines, City Manager's Office  
Planner I Kirk, Community Development  
Fire Chief Pattarozzi  
Batallion Chief Ertle  
Deputy Police Chief Sanchez

**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 SEPTEMBER 17, 2012.**

**Vote results:**

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

Motion carried.

**6. Recognition of Scheduled Public Comment**

There were no scheduled visitors.

**7. Recognition of Unscheduled Public Comment**

(a) Ira David Sasina, an Englewood resident, reminded Council that he spoke at the last City Council meeting regarding his home, located near the Englewood campus and Lehigh roadway project. No one from the Council has contacted him as promised at the last meeting. He felt he was challenged regarding the asking price of his home. He was disappointed in the treatment he received from the City.

Council responded to Public Comment.

**8. Communications, Proclamations and Appointments**

(a) A proclamation honoring local members of the 2012 U.S. Paralympic Team and Craig Hospital for their successes was considered.

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE PROCLAMATION HONORING LOCAL MEMBERS OF THE 2012 U.S. PARALYMPIC TEAM AND CRAIG HOSPITAL.**

**Vote results:**

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

Motion carried.

Craig Hospital staff present included: Mike Fordyce, Tom Carr, and Claire Cahow.

Paralympic athletes present included: Matt Updike, Monica Bascio, Jason Rigier, Adam Scaturro, and Jennifer Chew.

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The meeting recessed at 7:53 p.m. for a brief reception.

The meeting reconvened at 8:16 p.m. with all City Council Members present.

(b) A proclamation declaring October as Housing America Month was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE PROCLAMATION DECLARING OCTOBER AS HOUSING AMERICA MONTH.**

**Vote results:**

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

Motion carried.

The proclamation was accepted by Community Development Director White.

(c) A proclamation declaring October as Conflict Resolution Month was considered.

**COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE THE PROCLAMATION DECLARING OCTOBER AS CONFLICT RESOLUTION MONTH.**

**Vote results:**

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

Motion carried.

The proclamation was accepted by State Senator Linda Newell.

**9. Consent Agenda**

- (a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 11 (a).)

- (b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 11 (b).)

- (c) Resolutions and Motions

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

**10. Public Hearing Items**

(a) **COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 49, A PROPOSED BILL FOR AN ORDINANCE TO VACATE THE 3400 BLOCK OF SOUTH CLARKSON STREET.**

**Vote results:**

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

Nays: None

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Community Development Director White presented background information regarding the proposed vacation of the 3400 block of South Clarkson Street.

A PowerPoint presentation was provided to Council and the audience from Mike Fordyce, from Craig Hospital; Randy Thorne, from RTA Architects; and Jeff Ream, from Felsburg Holt and Ullevig.

Citizens who spoke include:

Marjorie L. Becker  
Dennis L. Daniel  
Susan Franklin  
James Franklin  
Ida Valdez  
Fred Hawley  
Kristen Sarvia  
Michele Austin  
Linda Cohn  
Richard Ludwig  
Mark Kelsic  
Emily Holden  
Donna Hagen

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 49, A PROPOSED BILL FOR AN ORDINANCE TO VACATE THE 3400 BLOCK OF SOUTH CLARKSON STREET.**

**Vote results:**

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

Motion carried and the Public Hearing closed.

**11. Ordinances, Resolutions and Motions**

(a) Approval of Ordinances on First Reading

(i) Director of Finance and Administrative Services Gryglewicz presented a recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance establishing the 2012 Mill Levy to be collected in 2013.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 51.**

COUNCIL BILL NO. 51, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE FIXING THE TAX LEVY IN MILLS UPON EACH DOLLAR OF THE ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

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

Motion carried.

(ii) Director of Finance and Administrative Services Gryglewicz presented a recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance adopting the City of Englewood Budget for Fiscal Year 2013.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 52.**

COUNCIL BILL NO. 52, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF ENGLEWOOD, COLORADO, FOR THE FISCAL YEAR 2013.

**Vote results:**

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

Motion carried.

(iii) Director of Finance and Administrative Services Gryglewicz presented a recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance appropriating funds for the City of Englewood for Fiscal Year 2013.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 53.**

COUNCIL BILL NO. 53, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE APPROPRIATING MONIES FOR ALL MUNICIPAL PURPOSES IN THE CITY OF ENGLEWOOD, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING

DECEMBER 31, 2013, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR THE FISCAL YEAR 2013.

**Vote results:**

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

Motion carried.

(iv) Director of Finance and Administrative Services Gryglewicz presented a recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance adopting the Budget for the Littleton/Englewood Wastewater Treatment Plant for Fiscal Year 2013.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iv) - COUNCIL BILL NO. 54.**

COUNCIL BILL NO. 54, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE ADOPTING THE BUDGET FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT FOR THE FISCAL YEAR 2013.

**Vote results:**

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

Motion carried.

(v) Director of Finance and Administrative Services Gryglewicz presented a recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance appropriating funds for the Littleton/Englewood Wastewater Treatment Plant for 2013.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (v) - COUNCIL BILL NO. 55.**

COUNCIL BILL NO. 55, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROPRIATING MONIES FOR LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT PURPOSES IN THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR THE FISCAL YEAR 2013.

**Vote results:**

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

Motion carried.

(b) Approval of Ordinances on Second Reading

(i) Council Bill No. 47 - Rezoning the Oxford Station TOD from Light Industrial (I-1) to Planned Unit Development was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) – ORDINANCE NO. 49, SERIES OF 2012.**

ORDINANCE NO. 49, SERIES OF 2012 (COUNCIL BILL NO. 47, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE APPROVING THE OXFORD STATION TOD PLANNED UNIT DEVELOPMENT (PUD), BY CAPITAL PARTNERS LOCATED AT OXFORD AVENUE AND SOUTH NAVAJO STREET, IN THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

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

Motion carried.

- (c) Resolutions and Motions

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WOODWARD SECONDED, TO APPROVE AGENDA ITEMS 11 (c) (i), (ii), (iii), and (iv).**

- (i) RESOLUTION NO. 83, SERIES OF 2012

A RESOLUTION APPROVING A GRANT APPLICATION TO THE COLORADO DEPARTMENT OF TRANSPORTATION 2014-2015 FASTER TRANSIT FOR A PEDESTRIAN BRIDGE AT THE OXFORD LIGHT RAIL STATION.

- (ii) RESOLUTION NO. 84, SERIES OF 2012

A RESOLUTION TRANSFERRING FUNDS FROM THE PUBLIC IMPROVEMENT FUND TO THE GENERAL FUND FOR ENERGY CONSERVATION MEASURES.

- (iii) RESOLUTION NO. 85, SERIES OF 2012

A RESOLUTION TRANSFERRING FUNDS FROM THE PUBLIC IMPROVEMENT FUND (PIF) TO THE GENERAL FUND.

(iv) A MOTION FOR A CONTRACT FOR CONSTRUCTION OF THE ALLEN FILTER PLANT ULTRAVIOLET SYSTEM, AWARDED THE BID TO ASLAN CONSTRUCTION, THE LOWEST ACCEPTABLE BIDDER, IN THE AMOUNT OF \$3,952,439.00.

**Vote results:**

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

Motion carried.

**12. General Discussion**

- (a) Mayor's Choice

- (b) Council Members' Choice

(i) Council considered a bill for an ordinance establishing an Intergovernmental Agreement with Englewood Schools regarding Use Tax.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE COUNCIL BILL NO. 50.**

COUNCIL BILL NO. 50, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT ESTABLISHING A REFUNDING OF BUILDING USE TAX FOR SCHOOL DISTRICT NO.1, ARAPAHOE COUNTY 7-12 CAMPUS PROJECT (SCHOOLS).

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO AMEND EXHIBIT A OF COUNCIL BILL NO. 50, CHANGING IT TO READ “PARKING ALONG LEHIGH (NOT LESS THAN 40 SPACES)” AND “MANSFIELD PARKING (NOT LESS THAN 29 SPACES)”.**

**Vote results on the amendment:**

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

Motion carried.

**Vote results on motion to approve Council Bill No. 50 as amended:**

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

Motion carried.

13. **City Manager's Report**

14. **City Attorney's Report**

City Attorney Brotzman did not have any matters to bring before Council.

15. **Adjournment**

**MAYOR PENN MOVED TO ADJOURN.** The meeting adjourned at 10:38 p.m.

\_\_\_\_\_/s/Loucrishia A. Ellis\_\_\_\_\_  
City Clerk