

**Agenda for the  
Regular Meeting of the  
Englewood City Council  
Monday, November 5, 2012  
7:30 pm**

Englewood Civic Center – Council Chambers  
1000 Englewood Parkway  
Englewood, CO 80110

1.Call to Order.  7:34 p.m.

2.Invocation.  **McCaslin**

3.Pledge of Allegiance.  **McCaslin**

4.Roll Call. 

**Present:** Jefferson, Olson, Penn, Gillit, McCaslin, Wilson, Woodward

**Absent:** None

5.Consideration of Minutes of Previous Session. 

a.Minutes from the Regular City Council Meeting of October 15, 2012.

**Motion:** To approve the minutes of October 15, 2012.

**Moved by:** GillitSecoded by: Wilson

Vote: **Motion approved**(summary: Yes = 7 No = 0)

6.Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.) 

a.Mr. Devin Barker, representing Members of the Englewood Historical Preservation Society, addressed City Council regarding the transfer of Englewood Depot to the Society at no cost. He gave the presentation (a handout to Council, which contained a proposal to bypass the RFP process) and spoke about preserving the City's identity through the depot. He addressed the

hard work and money involved in caring for the depot and how the Society is willing to undertake this role. The Society is looking for a zone change for the depot location for a more diverse use of it.

7. Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.) 

a. Gary Kozacek, an Englewood resident, discussed the ticket he received for having an unattached trailer. Mr. Kozacek understands that the ticket is issued by complaints but wonders why his neighbor didn't receive one as well. He is requesting a re-consideration of this ticket as well as looking at the process involved in issuing these types of citations.

b. Tami Deges, an Englewood resident, spoke about taking a stance in favor of the depot. It provides a sense of history.

c. Marilyn Anderson, an Englewood resident, said the original historical society started in 1989. She believes that the society's members present deserve an answer to their question regarding the sale of the depot to the Englewood Historical Preservation Society. She also wondered where the \$300,000.00 from the original group went.

d. Tony Dabit said community is a big deal to him. He said the depot is an important part of the community. It can bring money and tourism to the community. He asked Council what should the historical society's next step be. How can we get this done and not wait another eighteen years, with nothing being done.

e. Ida Mae Nichol, an Englewood resident, spoke regarding the Englewood Historical Society and their efforts to save the Englewood Depot. The society is asking Council to give them the depot and the land. She wondered where the money, or at least an answer, is to their request for \$500.00, which was made several months ago.

Council Response to Public Comment

8. Communications, Proclamations, and Appointments. 

a. A proclamation declaring the month of November as American Diabetes Month.

**Motion:** To approve the proclamation declaring the month of November as American Diabetes Month.

**Moved by:** Woodward Seconded by: Gillit

Vote: **Motion approved**(summary: Yes = 7 No = 0)

City Council Member Woodward accepted the proclamation.

b.A proclamation declaring the month of November as Alzheimers Disease Awareness/Caregivers Month.

**Motion:** To approve the proclamation declaring the month of November as Alzheimers Disease Awareness/Caregivers Month.

**Moved by:** Wilson Seconded by: Olson

Vote: **Motion approved**(summary: Yes = 7 No = 0)

Jordan Enron accepted the proclamation.

9.Consent Agenda Items. 

a.Approval of Ordinances on First Reading.

None

**Motion:** To approve Consent Agenda Item 9 (b) (i).

**Moved by:** Woodward Seconded by: Jefferson

Vote: **Motion approved**(summary: Yes = 7 No = 0)

b.Approval of Ordinances on Second Reading.

i.Council Bill No. 56, emergency bill enacting a moratorium on marijuana.

**ORD # 56**

c.Resolutions and Motions.

None

10.Public Hearing Items. (There is no Public Hearing scheduled.)

There was no public hearing scheduled.

11. Ordinances, Resolutions and Motions 

a. Approval of Ordinances on First Reading.

- i. Council Bill No 57. -- Recommendation from the Utilities Department to adopt a bill for an ordinance approving sewer rate increases. **Staff Sources: Stewart H. Fonda, Director of Utilities.**

AGENDA ITEM No. 11(a)(i) WAS PULLED OFF OF THE AGENDA.

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Agenda Items No. 11(a)(ii) and 11(a)(iii) were considered together.

- ii. Council Bill No. 58 -- Recommendation from the Community Development Department to approve an ordinance adopting the rezoning of Flood Middle School from MU-B-1, MU-R-3-B and R-2-B to PUD. Staff further recommends that Council set November 19, 2012 as the date for the public hearing to gather public input on the proposed ordinance. **Staff Source: Brook Bell, Planner II.**
- iii. Council Bill No. 59 -- Recommendation from the Community Development Department to approve an ordinance adopting the Alta Cherry Hills Major Subdivision. Staff further recommends that Council set November 19, 2012 as the date for the public hearing to gather public input on the proposed ordinance. **Staff Source: Brook Bell, Planner II.**

**Motion:** To approve Agenda Item 11 (a) (ii), adopting the rezoning of Flood Middle School from MU-B-1, MU-R-3-B and R-2-B to PUD and to approve Agenda Item 11 (a) (iii), adopting the Alta Cherry Hills Major Subdivision and setting November 19, 2012 as the date for the public hearings to gather public input on the proposed ordinances.

**Moved by: Woodward** Seconded by: Gillit

Vote: **Motion approved**(summary: Yes = 7 No = 0)

b. Approval of Ordinances on Second Reading.

- i. Council Bill No. 50, establishing an intergovernmental agreement with Englewood **ORD # 57** Schools regarding Use Tax.

**Motion:** To approve Agenda Item 11 (b) (i), Council Bill No. 50, establishing an intergovernmental agreement with Englewood Schools regarding Use Tax.

**Moved by: Woodward**Seconded by: Wilson

Vote: **Motion approved**(summary: Yes = 7 No = 0)

c.Resolutions and Motions.

- i.Recommendation from the City Managers Office to approve, by motion, the South Broadway Englewood Improvement District Operating Plan and proposed 2013 Budget. **Staff Source: Darren Hollingsworth, Economic Development Manager with Bob Laughlin, President of the BID.**

As there were mathematical errors and incorrect numbers contained within the budget as presented, the South Broadway Englewood Improvement District Operating Plan and proposed 2013 Budget will be re-submitted for approval at the next City Council meeting.

12.General Discussion. 

a.Mayors Choice.

b.Council Members Choice.

**Motion:** To approve giving \$500.00 to the Englewood Historical Preservation Society with it not to be used for the RFP.

**Moved by: Gillit**Seconded by: Jefferson

**Motion:** To amend the motion to \$250.00 to the Englewood Historical Preservation Society with it not to be used for the RFP.

**Moved by: Woodward**Seconded by: McCaslin

Vote as amended: **Motion defeated**(summary: Yes = 3 (McCaslin, Woodward, Olson) No = 4)

Vote on Agenda Item 12 (b): **Motion approved**(summary: Yes = 6 No = 1 (McCaslin))

**Motion:** To approve the transfer of the depot to the Englewood Historical Preservation Society to be used as a museum and the Society members to be the depots caretakers.

**Moved by: Gillit**Seconded by: Jefferson

Vote: **Motion defeated**(summary: Yes = 1 (Gillit) No = 6)

13.City Managers Report. 

14.City Attorneys Report. ▶

15.Adjournment. ▶ 9:20 p.m.