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# *Council Newsletter*

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## **CITY MANAGER'S NOTES December 6, 2012**

### **Upcoming Council Meetings**

City Council will meet on **Monday, December 10, 2012**. The Study Session will begin at 6:00 p.m. in the Community Room. An Executive Session will follow the Study Session and be held in the City Council Conference Room. There is no Regular Meeting scheduled. The agenda is attached. Sandwiches will be available at 5:30 p.m. in the Community Room.

The next City Council meeting will be **Monday, December 17, 2012**.

City Offices will be **closed** for the Christmas Holidays, **Monday, December 24<sup>th</sup>** and **Tuesday, December 25<sup>th</sup>**.

City Offices will also be **closed** for the New Year's Holidays, **Monday, December 31<sup>st</sup>** and **Tuesday, January 1, 2013**.

### **Informative Memoranda**

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

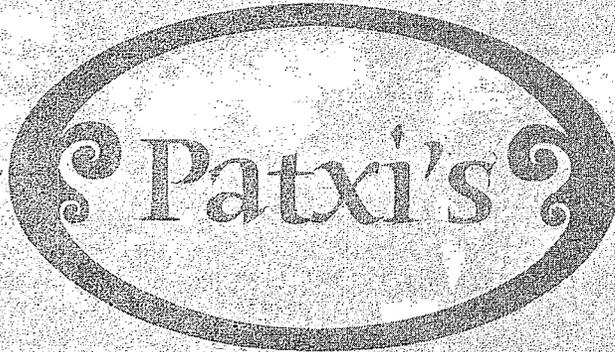
1. Article concerning Patxi's Pizza Grand Opening and volunteers for boards & commissions.
2. Letters concerning Amendment 64.
3. Letter expressing appreciation to the City for their participation in the Det. Bitner Benefit.
4. Memorandum concerning the Project Update.
5. Memorandum concerning the Urban Renewal Authority Sales Tax Allocation.
6. Memorandum concerning the November, 2012, Fire Department Monthly Summary.
7. Calendar of Events.
8. Tentative Study Session Topics.
9. Minutes from the Liquor and Medical Marijuana Licensing Authority meeting of November 7, 2012.
10. Minutes from the Planning and Zoning commission meeting of November 20, 2012.

# Patxi's Pizza now open in Cherry Hills Village at Kent Place

Patxi's Pizza partners Francisco "Patxi" Azpiroz and William Freeman announce their addition to the Denver food scene. Patxi's Pizza (pronounced pah-cheese, 't' before 'x'), one of the most loved pizza restaurants in San Francisco, opened its first Denver location in Cherry Hills at Kent Place, 3455 S. University Blvd. on Nov. 26.

Freeman said, "With seven successful locations in the Bay Area, we are thrilled to bring our fresh, authentic Chicago-style and Italian pizzas to Denver's thriving food scene. We are committed to become a vital part of the Denver community by creating more than 100 jobs and supporting charitable endeavors throughout the year."

Upon entering the brand new



building in the Kent Place shopping center, guests are welcomed to an open, loft-like space with a rustic, yet contemporary atmosphere.

- Industrial-style stainless steel fans, modern Ferrer chairs and exposed aggregate concrete floors coupled with the inviting floor plan and cozy banquets bring an air of comfort and simplicity to the 89-seat dining room.
- An open kitchen window invites guests to watch as their pizzas and

small plates are hand-crafted to complete the dining experience.

- The 10-seat bar makes the perfect locale for a casual lunch with friends, intimate after-work drinks or a company happy hour, and includes handicapped seating.

- Separated from the dining area by a vintage-inspired tempered

glass partition, bar patrons will enjoy the privacy while still feeling a part of the warm and relaxed dining room.

- In the warmer months, guests will delight in the expansive 43-seat patio. With an eastern-exposure it provides the perfect amount of shade and comfort and will be open as often as possible, weather permitting.

Patxi's menu features a standout family of pizzas and an array of sal-

ads and small plates.

"Here at Patxi's we happily renounce stovetops, deep fryers and freezers, and instead we love to focus on preparing all of our dishes using fresh ingredients, sourced locally when possible. We can't wait for Denverites to try it and love it," said Says Executive Chef / Partner Patxi Azpiroz.

In addition to pizza, Patxi's features an array of small plates great for sharing including the Burrata Bruschetta, featuring creamy burrata cheese, basil pesto and tomato confit, served with warm focaccia; and the Meatball, which is inspired by a long-time Boston-Italian family recipe and features sustainably raised beef and a Chicago-style Italian sausage braised in a house made tomato sauce and topped with basil and Grana Padano cheese.

In lieu of dessert, Patxi's offers honey for the "bones" or crust of the pizza. For more information, visit [www.patxipizza.com](http://www.patxipizza.com).

en house? Call us to setup a person

720.974.3

10L THURSDAY, DECEMBER 6, 20

# Briefing

## ENGLEWOOD CITY SEEKS VOLUNTEERS FOR COMMISSIONS AND BOARDS

Englewood City Council is looking for residents who are interested in volunteering to serve on one of Englewood's boards or commissions.

Board and commission members serve in an advisory role on matters ranging from zoning to recreation programming.

For more information, including a list of vacancies and an application form, go to the "Inside City Hall" section at [englewood.gov.org](http://englewood.gov.org) and click "Boards and Commissions."

The deadline is Jan. 4. City council will interview applicants Jan. 14.

City of Englewood



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November 30, 2012

Englewood City Council Members  
% Mayor Randy Penn  
1000 Englewood Parkway  
Englewood, CO 80110

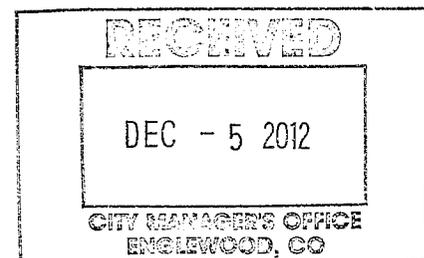
Dear Englewood City Council;

This is a request that, you, the City Council of Englewood **not** implement the new Colorado Amendment 64 in the City of Englewood, Colorado.

Sincerely,

Jean L. Schreiner  
4935 South Grant Street  
Englewood, CO 80113

Cc: File



November 30, 2012

Englewood City Council Members  
% Mayor Randy Penn  
1000 Englewood Parkway  
Englewood, CO 80110

Dear Englewood City Council;

This is a request that, you, the City Council of Englewood **not** implement the new Colorado Amendment 64 in the City of Englewood, Colorado.

Sincerely,

Steven C. Schreiner  
4935 South Grant Street  
Englewood, CO 80113

*P.S.: you are not getting good press  
by being a member of M.A.T.G. Resign from  
this ill-gotten Bloomberg organization.*

Cc: File

## THE WEST

# Mayor rejects coalition

## Aurora's Hogan won't join national anti-illegal-gun group

By Kurtis Lee *The Denver Post*

A bipartisan coalition of mayors nationwide focused on combating illegal guns has not won the support of Aurora Mayor Steve Hogan, though several of his counterparts in cities large and small across Colorado have signed on in support of the effort.

Mayors Against Illegal Guns was created six years ago by New York Mayor Michael Bloomberg — a staunch proponent of tougher gun laws — and Boston Mayor Thomas Menino.

Composed mostly of Democratic mayors, the group says its mission is to keep criminals from illegally possessing guns and using them. The mayors say they are also in favor of the Second Amendment rights of those who lawfully possess guns.

On average, Aurora police confiscate an illegal gun every day in the city, according to department officials.

Hogan, a Republican, said Thursday that gun issues are an emotional topic in Aurora, considering the aftermath of the July 20 mass shooting at a movie theater that left 12 dead and 58 wounded — though the shooting suspect did not possess any illegal weapons.

But the mayor said he has ideological issues with the group.

"I've heard of the coalition, but to me this is not a national issue," Hogan said. "Gun control is handled at the state level."

About a dozen mayors from the state, including Denver Mayor Michael Hancock, are members of the coalition. But Hogan has company too. Other Republican mayors in Colorado, such as Steve Bach in Colorado Springs, also have declined membership in the group.

David Kopel, an adjunct professor of law at the University of Denver and a vocal opponent of some gun control, said Hogan is wise for not joining what he calls an "extremist organization."

"Bloomberg's group supports a lifetime ban on gun possession for anyone who has ever been arrested for a drug offense — even if that person was later found innocent. ... The group likewise promotes a lifetime ban for anyone who has ever been ordered to receive counseling for any mental problem," Kopel said, referring to proposed legislation supported by Bloomberg in Washington.

Kopel asserts that Bloomberg has been "actively lobbying" behind the scenes since last

summer, urging Colorado officials to follow suit.

Some of the mayoral coalition's state and local initiatives deal with lost and stolen guns and gun-offender registries.

Amber Miller, a spokeswoman for Hancock, said the Denver mayor thinks there needs to be a comprehensive approach to reducing violence and keeping people safe.

"To be successful, it's important we maintain a conversation at all levels about such issues as bolstering our mental-health services, strengthening our family and neighborhood bonds and fortifying our guns laws," Miller said.

Golden Mayor Marjorie Sloan, Northglenn Mayor Joyce Downing and Lakewood Mayor Bob Murphy also are coalition members.

For Englewood Mayor Randy Penn, another member, stricter gun laws that aim to keep weapons out of the hands of criminals are a plus.

"It can only be seen as a good thing to be for this cause," said Penn, noting that he has had limited interaction with the group besides sporadic e-mails. "I just think it's a good showing."

*No, it isn't. ~~Quintessential~~*  
Kurtis Lee: 303-954-1635,  
or twitter.com/kurtisalee

*can always get guns.*



CITY OF ENGLEWOOD  
CITY COUNCIL

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Dear City of Englewood,

THANK YOU!

We would like to personally send our thanks for your contribution to the "Detective Jeremy Bitner's Benefit" event. This was truly a community event and one that benefited the family of a young man that gave the ultimate sacrifice for his community.

As organizers we were overwhelmed at the generosity when we approached businesses for support. Each and everyone that we talked with were eager to help in any way they could. There were businesses that donated items for the silent auction, which will raise close to \$7,000; vendors that donated their proceeds from their sales. There were others that offered their business services which helped us set for the event without a cost to the event. People were willing to offer their time to work the entire day just to ensure a successful event.

Our goal was to raise money for this family but more importantly we wanted to open our hearts to this family whose husband and father gave his life in the line of duty. We were able to achieve our goals due to your contribution to this event and your continued commitment to this community. We are very proud to be associated with such a group of people that are so willing to help their neighbor in a time of need. It is with great pride that when we speak of the Englewood Business Community we can honestly say they step up to show their support for others and this event is just one example of your willingness to help out. What a great experience we were able to share with each other that day.

Thank you again for your support and willingness to assist in honoring Jeremy.

~~Sincerely,~~

Randy Penn  
Englewood Mayor

Sincerely,

Rick Gillit  
City Council Member

Sincerely,

Korri Steinbrook  
Event Coordinator

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Mayor Randy Penn, District 3 • Mayor Pro Tem Jim Woodward, At Large  
Rick Gillit, District 4 • Joe Jefferson, District 1 • Bob McCaslin, At Large • Linda Olson, District 2 • Jill Wilson, At Large

1000 Englewood Parkway • Englewood, Colorado 80110 • Phone 303-762-2310 • FAX 303-762-2408  
www.Englewoodgov.org • E-mail: council@Englewoodgov.org

# MEMORANDUM



**TO:** Gary Sears, City Manager

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

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

**DATE:** December 6, 2012

**SUBJECT:** PROJECT UPDATES – Traffic Signal Upgrade - Dartmouth/Downing, Pirates Cove Improvements, West Harvard Gulch Trail Project, Kent Place, Street Maintenance Projects 2012, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects, GPS in City Vehicles

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## TRAFFIC SIGNAL UPGRADE - DARTMOUTH/DOWNING

Upgrades to the traffic signal at the intersection of Dartmouth and Downing continued. Three of the signal poles have been installed. Installation of the last signal pole will proceed after Xcel crews underground the existing overhead power line. The project will replace the signal poles, traffic cabinet, and UPS battery backup; and will include new LED signal heads. The project is anticipated to be complete by the end of November.

## PIRATES COVE IMPROVEMENTS/REPAIRS

Public Works and Parks and Recreation staff will be coordinating repairs and improvements to Pirates Cove during the off-season. We are working with an engineering firm to evaluate options to repair the Concession Building. The building has settled a couple of inches and is experiencing problems with the doors and concrete block cracking. Monitoring wells were installed to determine soil and groundwater conditions under the building. **Staff will monitor any movement in the building through the winter.**

## WEST HARVARD GULCH TRAIL PROJECT

The Urban Drainage and Flood Control District is managing a project to complete a trail connection from our Northwest Greenbelt (Harvard Gulch) to the Platte River Trail System. This project will construct a concrete trail, beginning at the end of our trail system east of Raritan Street, and passing under the railroad tracks in Denver. This will complete the trail system connection to the Platte River. **Staff has requested a construction update from Urban Drainage.**

## KENT PLACE

Colorado Structures Inc., continued construction of the “Fresh Fare by King Soopers”. A grand opening is scheduled for Wednesday, December 12<sup>th</sup>. Patxis Chicago Pizza and Kriser’s Pet Store are open. Construction of the bank is nearly complete.

**Excavation and exporting of soil for Kent Place residential development is complete. The contractor is installing foundation piers.** Colorado Structures (the same contractor performing retail construction) was awarded the contract. Staff has met with the contractor regarding access and working hours, and also to make sure they are aware of truck restrictions in the surrounding neighborhoods.

## STREET MAINTENANCE PROJECTS 2012

**Contract crack sealing will continue through the winter months as weather allows.**

## CITYCENTER SITE DEVELOPMENT

### Alexan East and West Parcels

438 residential units. Alexan's occupancy level for March, 2012 is 94.5%. Commercial uses: Let It Bead, **Liquor Store**, State Farm, Lifetime Family Practice, Cuttin' It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, CityCenter Community, Solid Grounds, and Weingarten Realty.

The new Liquor Store, located west of Let It Bead, is open.

### Parkway Retail / Office Buildings

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int'l, Inc., M.P. Hayutin, LLC, Quizno's, Air Walk, "Insurance Company of the West", Fred Astaire Dance Studio, Wellness Treatment Center, SB Clark Companies, Unifocus, and Bartertown Comics.

Collective Licensing is expanding and will occupy the old Miller space. **Tenant finish for Collective Licensing continued.**

### Bally's Building

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

### Retail South of the Parkway

Tenants: Petco, Ross, Coldstone Creamery, Noodles, Sports Authority, and Office Depot. Einstein Bagels will move into the space north of Coldstone Creamery. **Einstein Bagels expects to open on December 12<sup>th</sup>.**

### Gold Mine Pad

Tenants include: Jamba Juice, Tokyo Joe's, Mega Wraps, and Doctors Express.

### CityCenter Site

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance.

## ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)

### PA-84 West

The Mike Ward Infiniti dealership opened on Monday, August 29, 2011.

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 is open.

## 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 approximately \$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 five times longer, and provide better visibility.

GPS IN VEHICLES

The City received a grant, through RAQC (Regional Air Quality), to install 37 GPS units in some of our fleet vehicles. 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. **GPS equipment installation is substantially complete. Staff is in the process of refining software for tracking vehicles. Staff expects to provide a demonstration for City Council at a future Study Session.** 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.

/lt

## Memorandum

**To:** Mayor Randy Penn and City Council  
**Through** Gary Sears, City Manager  
**From:** Frank Gryglewicz, Director of Finance and Administrative Services  
**Date:** December 3, 2012  
**Re:** Englewood Urban Renewal Authority Sales Tax Allocation

Earlier this year, the geographic areas the City of Englewood uses to account for sales and use tax collections were changed to a more current and useable format. Unfortunately, for the next year or two there will be limited comparative data as the current geographic areas no longer capture the same information as was collected in the past. As more data is collected, year-over-year comparisons will be able to be made.

At the November 19, 2012 Study Session, Council discussed the October Financial Report. During the discussion City Council inquired how the Englewood Urban Renewal Authority (EURA) revenues were allocated to other Business Areas (geographic areas). The attached worksheet illustrates how the \$1,778,166.27 that previously would have been reported as EURA collections have been allocated among the Business Areas.

If you need further information or clarification, please call me at 303-762-2401 or e-mail me at

Attachment

City of Englewood, Colorado  
Finance and Administrative Services Department

2012 Former EURA Areas Allocated to Current Business Areas

BUSINESS.

AREA CODE      TOTAL EURA PAID

<b>1 Total</b>	786,693.11
<b>2 Total</b>	773,178.22
<b>3 Total</b>	21,259.47
<b>4 Total</b>	4,861.42
<b>5 Total</b>	-
<b>6 Total</b>	193,170.93
<b>7 Total</b>	3.12
<b>8 Total</b>	-
<b>10 Total</b>	-
<b>13 Total</b>	-
<b>Grand Total</b>	1,779,166.27
	=====
	1,779,166.27



C I T Y   O F   E N G L E W O O D  
F I R E   D E P A R T M E N T

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**MEMORANDUM**

**TO:** Mayor Penn and Members of City Council  
**THROUGH:** Gary Sears, City Manager  
**FROM:** Mike Pattarozzi, Fire Chief  
**DATE:** December 5, 2012  
**SUBJECT:** November, 2012 Fire Department Monthly Summary

Attached is the monthly summary of Fire Department activity for November, 2012. The Fire Department responded to 291 calls for service during November. In 2011, the Fire Department responded to 311 calls during the same time period. Year to date, the Fire Department has responded to 3,976 calls for service compared to 3,843 during the same time period in 2011.

During the month of November, Fire Department personnel completed 41 primary inspections and 14 follow-up inspections. The total square footage inspected was 394,500.

During the month of November, Fire Department personnel completed 1,448 staff hours of training.

# Incident Response Summary for Englewood Fire Rescue

For period 11/01/2012 Through 11/30/2012

Type of Incident	Current Year		Totals
	In Jurisdiction	Outside	
<b>Fires</b>			
Cooking fire, confined to container	2	0	2
Vehicle fire, not otherwise classified	3	0	3
	<b>5</b>	<b>0</b>	<b>5</b>
<b>EMS</b>			
Emergency medical incident, not otherwise classified	1	0	1
Emergency medical incident	193	0	193
Vehicle accident with injuries	11	0	11
Firefighter Injury Report	1	0	1
Lift Assist	4	0	4
	<b>210</b>	<b>0</b>	<b>210</b>
<b>Alarms</b>			
False call (other than a fire alarm)	2	0	2
False Medical Alarm	4	0	4
Fire alarm, malicious activation, no fire	2	0	2
Fire alarm system malfunction, no fire	11	0	11
Fire alarm sounded due to dust, lack of maintenance, or similar cause	1	0	1
Carbon monoxide (CO) detector activation due to malfunction	1	0	1
Alarm system activation (no fire), unintentional	1	0	1
	<b>22</b>	<b>0</b>	<b>22</b>
<b>Other</b>			
Gasoline or other flammable liquid spill	2	0	2
Natural gas or LPG leak (outside)	3	0	3
Natural gas or LPG leak (inside)	1	0	1
Overheated motor	1	0	1
Power line down	1	0	1
Vehicle accident, non-injury	1	0	1
Public service assistance, other	5	0	5
Blood Draw	10	0	10
Cover assignment, standby, moveup	0	1	1
Car seat check	1	0	1
Good intent call, other	2	0	2
Dispatched & cancelled en route	7	2	9
Smoke or odor investigation, no fire	5	1	6
EMS call, party transported by non-fire agency	2	0	2
Fire alarm sounded due to cooking or burnt food	6	0	6
Damaged/Lost Equipment	2	0	2
Cancelled before responding	1	0	1

# Incident Response Summary for Englewood Fire Rescue

For period 11/01/2012 Through 11/30/2012

Type of Incident	Current Year		Totals
	In Jurisdiction	Outside	
	50	4	54
<b>Grand Totals</b>	<b>287</b>	<b>4</b>	<b>291</b>

**CITY OF ENGLEWOOD**  
**2012/2013 CALENDAR OF EVENTS**



Mon., Dec. 10	6:00 p.m.	Study Session, Community Room followed by an Executive Session, City Council Conference Room
Tues. Dec. 11	<b>Canceled</b>	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful Meeting, Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed. Dec 12	<b>Canceled</b>	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs. Dec. 13	11:30 a.m.	Alliance for Commerce in Englewood Committee, Community Development Conference Room
	5:30 p.m.	Parks and Recreation Commission, Service Center
Mon., Dec. 17	7:30 p.m.	Council Meeting, Council Chambers
Tues. Dec. 18	<b>Canceled</b>	Planning and Zoning Commission, City Council Chambers/City Council Conference Room
Wed., Dec. 19	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
<b>Mon., Dec. 24</b>		<b>City Hall closed — Christmas Eve</b>
<b>Tues., Dec. 25</b>		<b>City Hall closed — Christmas Day</b>
<b>Mon., Dec. 31</b>		<b>City Hall closed — New Year's Eve</b>
<b>Tues., Jan. 1</b>		<b>City Hall closed — New Year's Day</b>
Wed., Jan. 2	4:00 p.m.	Englewood Housing Authority Board Meeting, Housing Authority Board Room
	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., Jan. 7	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers

Tues., Jan. 8	5:00 p.m.	Water and Sewer Board, Comm. Dev. Conference Room
	6:30 p.m.	Keep Englewood Beautiful, Council Conference Room
	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Wed., Jan 9	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
	6:30 p.m.	Englewood Urban Renewal Authority, Community Development Conference Room
Thurs., Jan 10	11:30 a.m.	Alliance for Commerce, City Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, City Council Conference Room
	6:30 p.m.	Transportation Advisory Board, Public Works Conference Room
Mon., Jan. 14	6:00 p.m.	Study Session, City Council Conference Room
Tue., Jan. 15	7:00 p.m.	Library Board, Library Board Room
Wed., Jan. 16	6:30 p.m.	Code Enforcement Advisory Board, City Council Conf. Rm.
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
<b>Mon., Jan. 21</b>		<b>City Hall closed — Martin Luther King Day</b>
Tues., Jan. 22	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed., Jan. 23	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Mon., Jan. 28	6:00 p.m.	Study Session, Community Room
Mon., Feb. 4	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Feb. 5	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Wed., Feb. 6	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

**TENTATIVE**

**STUDY SESSIONS TOPICS  
FOR ENGLEWOOD CITY COUNCIL**



December 17	Regular Meeting Holiday Dinner – No Study Session Scheduled
December 24	No meeting scheduled
December 31	No meeting scheduled
January 7	Study Session & Regular Meeting Fire Training Facility/Stormwater Regulations Fire Services Survey Discussion Comprehensive Plan Subcommittee Report Alliance for Commerce in Englewood Committee Discussion
January 14	Study Session Board and Commission Interviews
January 22	Study Session & Regular Meeting – Tuesday Alliance for Commerce in Englewood Committee – tentative Financial Report Colo. Finest High School Project Use Tax
January 28	Study Session South Metro Denver Chamber of Commerce Board and Commission Appreciation Night/Gift Discussion Citizen of the Year Selection Board and Commission Reports
February 4	Study Session & Regular Meeting Executive Session – Negotiations (Xcel) Mill Levy
February 11	Study Session Colorado and Federal Legislators

February 19	Study Session & Regular Meeting - Tuesday RTD Representative Arapahoe County Commissioners Financial Report
February 25	Study Session Board and Commission Reports
March 4	Study Session & Regular Meeting
March 11	Study Session NLC Conference – Washington D. C.
March 18	Study Session & Regular Meeting Financial Report
March 25	Study Session Board and Commission Reports
April 1	Study Session & Regular Meeting
April 8	Study Session
April 15	Study Session & Regular Meeting Financial Report
April 22	Study Session Board and Commission Reports

**FUTURE STUDY SESSION TOPICS**

Citizens Budget Committee  
 Comprehensive Plan Update  
     Neighborhood Preservation  
 Water Conservation Plan  
 Citizen Engagement/Mindmixer  
 City of Englewood/Xcel Energy Residential and Small  
     Business Energy Efficiency Outreach  
 Public Comment Process  
 Hotel/Motel Regulations (Continued)  
 Solar (DRCOG) Gardening

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
November 20, 2012**

**Minutes and audio are available at:**  
<http://www.englewoodgov.org/Index.aspx?page=152>

**I. CALL TO ORDER**



The regular meeting of the City Planning and Zoning Commission was called to order at 7:00 p.m. in the City Council Chambers of the Englewood Civic Center, Chair Brick presiding.

Present: Bleile, Roth, Welker, Knoth, Fish, Brick, Kinton, Townley  
Freemire (alternate)

Absent: King (excused)

Staff: Alan White, Community Development Director  
Audra Kirk, Planner I  
Nancy Reid, Assistant City Attorney

**II. APPROVAL OF MINUTES**

November 6, 2012



Welker moved:

Knoth seconded: TO APPROVE THE NOVEMBER 6, 2012 MINUTES

Chair Brick asked if there were any modifications or corrections. There were none.

AYES: Bleile, Roth, Welker, Knoth, Fish, Brick, Kinton

NAYS: None

ABSTAIN: Townley

ABSENT: King

Motion carried.

**III. PUBLIC HEARING**



**Case #ZON2012-007 Sand Creek Planned Unit Development and Case #ZON2012-008  
W H Investment Planned Unit Development**

Chair Brick stated there are two cases to be heard tonight; they will be heard concurrently but each will require a motion and they will be voted on separately.

Fish moved:

Roth seconded: TO OPEN CASE #ZON2012-007 and CASE #ZON2012-008

AYES: Bleile, Roth, Welker, Knoth, Fish, Brick, Kinton, Townley

NAYS: None

ABSTAIN: None

ABSENT: King

Motion carried.



Ms. Kirk was sworn in and presented the case. The applicant has submitted two applications, Sand Creek PUD (referred to as the north property) and W H Investments PUD (referred to as the south property) to rezone the above parcels from I-1 Light Industrial and I-2 General Industrial zoning to a PUD Planned Unit Development. The proposed PUD will allow multi-family residential as a permitted use, in addition to existing industrial permitted uses. Conceptual site plans have been submitted because development on the two sites likely will not happen in the near term. As market conditions evolve in the future, site plans and details may change. Staff is recommending that when development is more certain in the future, site plans be reviewed at public hearings before the Planning and Zoning Commission and City Council.

Ms. Kirk discussed legal descriptions of both properties, current zone districts, property location and surrounding land use, PUD procedures, background information of the property, neighborhood meeting summary, City department and division review, and an overview of both proposed PUD's.



#### **APPLICANT TESTIMONY**

The applicant provided a slide show of the proposed PUD's. Mr. Vincent Harris, Planning Director for Baseline Corp., Mr. Fred Lantz, Traffic Engineer for Baseline Corp., and Mr. Bryant Winslow, owner of the properties provided testimony.

Issues discussed were contamination on the property, setbacks, height restrictions, examples of what buildings may look like, co-mingling of residential use along with industrial use, adding a provision that states the industrial uses go away when residential comes in, parking guidelines, density of development, is the Bates Station still an option, would applicant develop the property or sell to a developer, traffic flow and entrance placement to the development.



## **PUBLIC TESTIMONY**

Testimony was heard from:

- Vera Montez
- Patrick Draper
- Matthew Reeves
- Lewis Fowler



Fish moved:

Knoth seconded: TO CLOSE CASE #ZON2012-007 and #ZON2012-008

AYES: Bleile, Roth, Welker, Knoth, Fish, Brick, Kinton, Townley  
NAYS: None  
ABSTAIN: None  
ABSENT: King

Motion carried.



Knoth moved:

Fish seconded:

*THAT CASE #ZON2012-007, SAND CREEK PLANNED UNIT DEVELOPMENT BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING CONDITIONS:*

- *Final site plan approval will happen at a later date and will need to receive Planning and Zoning approval and City Council approval.*
- *Access to the future Bates Street Light Rail station platform shall be moved from the south property to the north property.*

## **Discussion Points:**

- Great project for this area; in favor of this type of development.
- A PUD is appropriate for the area if the Bates Street Station Light Rail station is built; if not, density is too high.
- Very concerned about mixing residential with industrial uses.
- Need provision that industrial goes away when residential development occurs.
- Planning and Zoning Commission should see a Site Plan; this is just a general District Plan.
- Don't like request to remove the Planning and Zoning Commission and City Council from Public Hearings to review Site Plan.

- Hard to make a decision without more information.
- Needs open space.
- Would flex space be allowed?
- Too many unresolved issues.

Comments from Commission:

Mr. Fish said while the general nature of this project in many ways is consistent with the Comprehensive Plan and I would like to see this area go this direction, there are too many unresolved issues with the applicant's presentation and inconsistencies such as not addressing how the zoning fits together. This would create a mixed zoning in the area. It is way too speculative.

Mr. Welker said he wanted to let everyone at the hearing know he is not against development in this area. He said he doesn't believe this property currently has the type of request before us that is verifiable to the people who live there and to the City.

Ms. Townley said she definitely wants to see development in the area. There's just not enough information to approve.

Mr. Bleile stated this particular property has some tremendous potential for everybody involved and would like to see it redeveloped to its highest and best use. He felt the applicant's intent is to do the right thing. He stated he understands Mr. Winslow's need to keep his business going there at this time and is fine with having both residential and industrial uses, but there could have been additional detail provided to the Commission.



AYES: Knoth, Brick  
NAYS: Bleile, Roth, Welker, Fish, Kinton, Townley  
ABSTAIN: None  
ABSENT: King

Motion failed.



Welker moved:  
Bleile seconded:

*TO INCORPORATE THE DISCUSSION FROM CASE #ZON2012-007 INTO THIS CASE. CASE #ZON2012-008, W H INVESTMENT PLANNED UNIT DEVELOPMENT BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING CONDITIONS:*

- *Final site plan approval will happen at a later date and will need to receive Planning and Zoning approval and City Council approval, and*
- *Delete "and attached townhome use" from C1a of the PUD District Plan Development Standards.*

Discussion Points for this case were included in the previous PUD.

Mr. Bleile wanted the applicant to know the Commission is not against the development of this property. We want to see it happen. He asked that they not give up on it and go away. He said he would be very amicable to seeing some further discussion occur. If the Commission's concerns are addressed in a future presentation it's a no brainer.

Mr. Fish said with some modifications this could work for all.

Mr. Welker said he is very much in support of Roadmap Englewood. His problem with what was proposed tonight is that it isn't concrete enough to give us assurance, to the city and to the people we represent of what is going to happen there; that happens at the Site Plan review. Allowing residential on the property is not the problem.

Ms. Reid said the Commission could take a short recess and let Staff and the applicant work on wording the Commission is having difficulty with.

Mr. Welker said, in his opinion, it's not a five to ten minute solution. He suggested the discussion continue to a date certain.

Chair Brick asked the members if they wanted to take a recess to allow Staff time to add a condition or have him call for the question. Consensus was to not take the recess time; Chair Brick called for the question.

Comments from Commission:



AYES: Knoth, Brick  
NAYS: Bleile, Roth, Welker, Fish, Kinton, Townley  
ABSTAIN: None  
ABSENT: King

Motion failed.

#### **IV. PUBLIC FORUM**



Mr. Fowler wished to speak about the Sand Creek property. The Commission invited him to attend a future Planning and Zoning meeting to discuss.

**V. ATTORNEY'S CHOICE**



Ms. Reid had nothing further to report.

**VI. STAFF'S CHOICE**



Director White provided an update on future meetings.

**VII. COMMISSIONER'S CHOICE**



Mr. Roth stated he hated to vote down something that will ultimately be a big plus for the City; the proposal just wasn't well enough developed.

Mr. Bleile stated he hated voting no too on a project that will ultimately happen. He thanked the applicant and everyone who attended. He asked the applicant not to think tonight's decision was a rejection.

Mr. Freemire stated it was very difficult to watch what he watched this evening. In this case you have industrial today right next to single family residential; that isn't going to change. The question is, what gives you the greater probability of improvement in the future for the lives of the citizens and also helps the commercial or industrial property owner to accomplish their goals and also allows us the opportunity to move forward and be able to move closer to the City's long-term goals. You can't say no and then say yes to the applicant. He suggested the Commission take a good serious look at this and create an environment whereby we can be a community that would be responsive and receptive to ideas that maybe require something a little bit different than what was done before. If this was putting lipstick on an otherwise industrial property to enable it to sell or to position it to sell, then what we've done is we've delayed that process.

The meeting adjourned at 9:52 p.m.

/s//Barbara Krecklow

Barbara Krecklow, Recording Secretary



City of Englewood  
Regular Meeting  
ENGLEWOOD LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY  
1000 Englewood Parkway, City Council Chambers  
November 7, 2012 7:30 p.m.

1. Call to Order and Roll Call

The meeting was called to order at 7:49 p.m. by Chairperson VanDerLeest.

**Roll Call.**

Present: Michael Buchanan, Diane Ostmeier, Robyn VanDerLeest, Steven Ward, Carolyne Wilmoth  
Absent: None  
Also Present: Assistant City Attorney Comer  
Deputy Clerk Bush  
City Clerk Ellis  
Police Sergeant Christian Contos  
Police Impact Officer Matt Mander

2. Consideration of Minutes

a) The minutes of the telephone poll of October 17, 2012 were considered.

**Motion:** To approve the minutes from the telephone poll of October 17, 2012.

**Moved by:** Buchanan                      **Seconded by:** Ostmeier

**Vote results:**

Ayes: Members Buchanan, Ostmeier, VanDerLeest, Ward, Wilmoth  
Nays: None

Motion approved.

3. Renewals

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Agenda Item 3 (d) pulled and it was revisited after Agenda Item 9 - Council's Choice.

\*\*\* \*\*

- |  |  |
|--|--|
| a) AMF Belleview<br>4900 S. Federal Blvd.  | Hotel/Restaurant Liquor License<br>Expires December 17, 2012 |
| b) Arap's Old Gun Shop<br>3866 S. Broadway | Hotel/Restaurant Liquor License<br>Expires December 4, 2012  |
| c) Black-Eyed Pea<br>5180 S. Broadway      | Hotel/Restaurant Liquor License<br>Expires December 21, 2012 |

d) Blondie's  
3435 S. Inca St.

Hotel/Restaurant Liquor License  
Expires December 9, 2012

e) 7-Eleven  
1277 E. Hampden Ave.

3.2% Off Premises Liquor License  
Expires November 6, 2012

**Motion:** To approve the renewals for Agenda Items a, b, c, and e.

**Moved by:** Wilmoth                      **Seconded by:** Ward

**Vote results:**

**Ayes:**                      Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth

**Nays:**                      None

Motion approved.

#### 4.        **Change of Corporate Structure**

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Agenda Item 4 was tabled and it was revisited after Agenda Item 9 - Council's Choice.

\*\*\*\*

a) S & S Entertainment dba Blondie's Firehouse Pub & Restaurant  
3435 S. Inca St.

#### 5.        **Public Hearing for a New Application**

a) King Soopers #111  
3495 S. University Blvd.  
3.2% off-premises liquor license

**Motion:** To open the public hearing for the 3.2% Off Premises Liquor License for Dillon Companies Inc. dba King Soopers #111, 3495 S. University Blvd., Englewood, Colorado 80113.

**Moved by:** Buchanan                      **Seconded by:** Wilmoth

**Vote results:**

**Ayes:**                      Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth

**Nays:**                      None

Motion approved.

Chairperson VanDerLeest said this public hearing is now in session. Would the clerk please call the roll?

#### **Roll Call.**

**Present:**                      Michael Buchanan, Diane Ostmeyer, Robyn VanDerLeest, Steven Ward, Carolyne Wilmoth

**Absent:** None

Chairperson VanDerLeest said the Liquor Authority has received an application for a 3.2% Off Premises Liquor License for Dillon Companies Inc. dba King Soopers #111, 3495 S. University Blvd., Englewood, Colorado 80113. I need to let you know that this is an administrative hearing so the strict rules of evidence as they apply in courts of law are not applied here. This hearing will proceed by the applicants, presenting whatever evidence they choose and when they are finished, those protesting or the protestors' attorneys may, but are not obligated to, present anything they desire. Anybody giving testimony will be sworn in by the Deputy City Clerk. She will have you spell

your name and state your address for the record. Witnesses may be cross-examined. I will give a short period of time to the other side, to give testimony. If the Authority chooses, they can retire to an Executive Session, after which a decision will be made in the open session and we'll go forth from there.

Deputy City Clerk Bush introduced the exhibits and petitions. She noted that King Soopers used one of their Vice Presidents as the manager for the application submission. When a local manager is hired, they must submit a Change of Manager application for approval by the local Authority and the State.

All witnesses were duly sworn.

Robert Dill, Supreme Court Number 5725, appeared before the Authority representing Dillon Companies and King Soopers #111. He questioned Barb Osness, the King Soopers Real Estate Property Manager, regarding the specifics of the operation. Ms. Osness explained that this store is the first store with their new concept. It is a 30,000 square foot store with a 10,000 square foot mezzanine. The mezzanine will be used for offices and storage. This store will not have a pharmacy as it will be in the retail space adjacent to our building. We hope to open December 12, 2012.

Mr. Dill prompted Ms. Osness to detail their training policy. She indicated that any time a new store is opened, anyone connected with a checkstand will receive TIPS training and certification. Ms. Osness is expecting approximately 180 employees at this store. If there are any violations of the company policy, their policy is to impose a ten day suspension plus their normal two days off so it equals about two weeks off. Repeat violators are terminated. This will be a 24 hour store. Ms. Osness believes there is a need for a liquor license for this store and for this area as a convenience for the customers.

Mr. Dill questioned as to the manager of the store. Ms. Osness replied that Lee Lucero, who will be registered as the local manager on the site, was present. Mr. Lucero is working with someone from Mr. Dill's office to complete the Change of Manager application and will make an appointment for fingerprinting with the clerk's office.

Mr. Dill asked Ms. Osness about the liquor. She replied that most of the beer will be in refrigerated coolers, and not on the shelves. Extra beer will be stored in a cooler on the mezzanine floor.

Ms. Osness told the Authority that she will be glad to answer any questions.

Member Wilmoth questioned the diagrams provided. She felt they were difficult to read, very small print, and almost too much information. Ms. Wilmoth did not see where the front door was located as well as where the beer will be on both floors. Ms. Osness provided a colored map for the Authority and pointed out the locations of the front door and the locations of the beer.

Chairperson VanDerLeest clarified that there will be beer stored in coolers on both floors but that the beer will be sold only from the first floor. Ms. Osness said correct. Chairperson VanDerLeest inquired where the checkout stands were located. Ms. Osness said pointed out the checkstands and said that they will not have self-checkouts at this store.

Member Buchanan asked if the storage, on either floor, was accessible to the customers. Ms. Osness replied no.

Member Wilmoth questioned the thickness of the packet and the relevance of all of the documents that were included. Mr. Dill and Ms. Osness explained that most of the paper was corporate documents and what they thought the Authority would like to see.

Member Buchanan asked if the mezzanine level was a location where customers could consume food and drink. Ms. Osness answered that it is for storage and offices only. The mezzanine level is not for the public. There may be a break room for the employees but that would it not be accessible to the public.

Member Buchanan said you indicated that there will be 180 employees at this store. Not all of them will be in the checkstands, correct? Ms. Osness replied that is correct. The checkers, the courtesy clerks, and service desk workers will be TIPS trained as they have the most access to the registers. The back door people may be trained because sometimes they are called up to check. Anyone who has the possibility of checking will be trained, but certainly not all of the employees.

Member Buchanan asked if there would be a place for customers to consume the liquor on site. Ms. Osness said no. The mezzanine is only for storage, offices, and maybe a break room for employees.

Member Ostmeyer asked in addition to TIPS training, what other alerts do you have to check identifications. Is there a check in your register computers? Ms. Osness said if it is between the hours of midnight and five a.m., it won't scan and it will not be sold at all. The sale will be denied. Otherwise the computers ask for the identification.

Chairperson VanDerLeest said recently we had a King Soopers' employee who overrode the identification input. What precaution have you taken to make sure that doesn't happen again? Ms. Osness answered that we ask our employees to follow company policy, and company policy states that they will ask for identification. We hope that they follow the policy and if they don't, we will have to deal with it. Chairperson VanDerLeest asked if there are any checks and balances in place because we have proof that the system can be overrode. Ms. Osness replied that the security department has completed internal compliance checks.

Several Human Resource questions were asked by the Authority but since Ms. Osness does not work for that department, she could not answer them.

Mr. Lucero was called to testify and was sworn in. Mr. Dill questioned Mr. Lucero regarding his current experience. Mr. Lucero is the current store manager of the Capital Hill King Soopers. He has worked for King Soopers for 33 years. He plans to submit the Change of Manager application documents within a week. Employees receive computer base training prior to going into the checkstands. Anyone who operates a checkstand must go through the training. Parking on site is for the customers and the employees will be parking off-site. This site will be a mixed development, with residential property coming available in the future.

Member Ward asked if Mr. Lucero had ever turned anyone down for buying liquor. Mr. Lucero replied yes.

Max Scott, Oedipus Inc., was called to testify and was sworn in. Mr. Scott presented the petition findings gathered by his company and, in which, supported the application.

Chairperson VanDerLeest noted that no one signed up as opposed and that there was no one in the audience who wished to speak in opposition.

Chairperson VanDerLeest said I believe all of the testimony has been presented. So pursuant to the provisions of Section 24-6-402, Subsection 4, Paragraph b, of the Colorado Revised Statutes, I will entertain a motion to retire to Executive Session to receive any legal advice pertaining to the matters or I can entertain a motion to approve or deny this application without an Executive Session.

**Motion:** To approve the 3.2% Off Premises Liquor License for Dillon Companies Inc. dba King Soopers #111, 3495 S. University Blvd., Englewood, Colorado 80113, with a Change of Manager to be filed before the license is released.

**Moved by:** Ward                      Seconded by: Ostmeyer

**Vote results:**

Ayes:                      Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth  
Nays:                      None

Motion approved.

Chairperson VanDerLeest said well, that has never happened before. (The entire group representing King Soopers left immediately after the vote and before the public hearing was closed.) I guess we will continue as if they were here.

Chairperson VanDerLeest said a motion has been made and voted upon. Each member will state the reason for voting as they did. After that, a motion will be made to close the public hearing and no questions or comments are going to be taken after that time.

Member Ward said I heard no objections. I believe the community's needs and desires are present.

Member Buchanan said I believe that the applicant met their burden of needs and desires pursuant to the Statutes and case law.

Chairperson VanDerLeest said I am going to agree with Member Buchanan.

Member Ostmeyer said I agree and good luck.

Member Wilmoth said I agree and it will be a good addition to that area.

**Motion:** To close the public hearing for the 3.2% Off Premises Liquor License for Dillon Companies Inc. dba King Soopers #111, 3495 S. University Blvd., Englewood, Colorado 80113.

**Moved by:** Buchanan                      Seconded by: Ward

**Vote results:**

Ayes:                      Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth  
Nays:                      None

Motion approved.

## 6.        **Application for New Medical Marijuana License**

- a) ADG Herbal Medicine  
11 W. Hampden Ave., Units L10, 102, and L200

**Motion:** To set a Public Hearing date of December 19, 2012 at 7:00 p.m.

**Moved by:** Wilmoth                      **Seconded by:** Ostmeyer

**Vote results:**

Ayes:                      Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth  
Nays:                      None

Motion approved.

The date for the public hearing will be December 19, 2012 at 7:00 p.m. in City Council Chambers. Owner William R. Murphy and Compliance Officer Christopher Robb Lynch were present and introduced themselves to the Authority. Chairperson VanDerLeest said we have set the public hearing date and that will be all that will be discussed tonight. You can get with the Deputy City Clerk if you need to. We will see you back here on December 19<sup>th</sup>.

Mr. Lynch presented a stack of documents to the Deputy City Clerk.

**7. Citizen's Forum**

There were no citizens present to speak.

**8. Authority Members' Choice**

The Authority did not have anything to present.

**9. Council's Choice**

- a) S & S Entertainment Inc. dba Blondie's Firehouse Pub and Restaurant

Assistant City Attorney Dugan Comer said there have been several police dispatches to Blondie's in regard to incidences arising from that bar. Sergeant Contos and Officer Mander are here to discuss the situation.

Chairperson VanDerLeest said we are fairly informal. We are curious as to the high number of police reports. Sergeant Christian Contos discussed Blondie's numerous police reports. He said I ran a statistics reports between November 7, 2011 and November 7, 2012, removed the irrelevant calls, and found 27 police calls. Most of them are disturbances and assaults, including a stabbing. The disturbances tend usually to be fighting. A comparison with other locations within the City indicates that Felt (101 W. Floyd) had 23 calls, which is still high in my opinion. Two other locations: Casual Lounge = 5 calls and Full House = 8 calls, for the same time period. With that said, we tell business owners that we appreciate their calls before an incident occurs. The Police Department does not hold it against the businesses if they call us to prevent a problem; however, if they call us after the problem has started and they had an opportunity to call before it started, we feel that they should have done more or been more proactive. Some things happen quickly and there is no way that a call could have been made earlier to prevent it. I'm sure if it is appropriate for me to say that Blondie's is out of control. We have a lot of calls from that location and patrol officers are always asking about it. Most businesses that don't have problems don't require a lot of police walk-throughs. Again, Felt has a similar number of walk-throughs and calls.

Sergeant Contos continued saying we would like to see Blondie's have better control of their patrons but we understand that you can't control every person. We can't predict human nature but what we can predict is that too much alcohol leads to many problems. It is important that the establishments understand that it is in their

best interests, and in our opinion their responsibility, that they do what it takes to make sure that they don't have the problems with their patrons. Solve the problems, if they occur, before having to contact the police.

I have met with Blondie's in the past, before the ownership changed. Several Authority members responded that according to the letter in our packet, it changed hands on March 19, 2012. Mr. Glowacki replied that he has solely owned the business since right after the stabbing, which was on New Year's Day 2012.

Sergeant Contos and the Authority Members questioned Slawomir (Sam) Glowacki regarding their concerns. Mr. Glowacki stated that he had been running the bar by himself since January 1, 2012 but they had a meeting on March 19, which formally dissolved the partnership. Chairperson VanDerLeest clarified the dates and exactly when Mr. Nowak left the business. Sergeant Contos stated that 26 of the 27 police calls have taken place after January 1, when the other owner walked out.

Mr. Glowacki stated that I have met with you, Sergeant Contos, do you remember? Sergeant Contos said yes, it was in the bar. Mr. Glowacki stated that was when we decided that if any police came, they have to contact a member of the bar staff. This hasn't happened since the fight. Sergeant Contos said that there were several fights in July. Which one are you talking about?

Chairperson VanDerLeest asked when was the last time we have the owners in front of us. Deputy Clerk Bush replied in March, after the sting in January, which occurred the next day after they were here in January. Chairperson VanDerLeest said one of the issues, in the many times we have had you before this Authority, is that we wanted to see your increased involvement and your calling of the police. Who is reporting the incidents? Is it staff? Is it patrons? Is it the police? Sergeant Contos replied that he didn't have that information but he could get it. Chairperson VanDerLeest said we almost had an argument. You (Mr. Glowacki) said you were calling and you felt if you were calling more, then it would look like the police call report would be loaded with calls. But we have said it several times that we want your involvement in preventing the problems. Mr. Glowacki said that's what I told Mr. Contos...Officer Contos. Just introduce yourselves when you walk through the bar.

Chairperson VanDerLeest said the summer was horrible for you guys. She detailed the calls from the police report. She said that 7 out of 9 times a police report was filed and the police do not file bogus reports. Mr. Glowacki said one time his bouncer called the police. He said that he didn't even know about the other calls. Chairperson VanDerLeest said the interesting thing here is that the police are at your establishment an average of twice a month, with reports being filed and often citations given or arrests are made, and you don't know anything about them? This is a huge red flag for us. What you are looking at is just the numbers but what we see are the reasons behind the numbers. Disturbances, fights, assaults, stabbings. Mr. Glowacki said that's a surprise for me. The fight could start in the bar but we separate it and then it could continue in the parking lot. Chairperson VanDerLeest said this is your place of business and you only know of one fight that generated a report and I'm looking at paperwork here that says almost every other month the police are there several times? You are eligible to go to the Police Department and ask for a copy of this report. Does your staff tell you when the police show up? It sounds like Sergeant Contos has an open line of communication to you but you are not following up. Are you calling him when you find out that the police were there? It doesn't appear so. Sergeant Contos stated that as a representative of the Police Department, I find it difficult to believe that the owner or employee of an establishment doesn't know when there is a fight and especially that the police were called. They are required by policy to talk to the person who called. So if your staff called, then they were contacted by an officer. The staff member's name will be in the report.

Chairperson VanDerLeest asked has it become a policy of the Englewood Police Department for that every time they are called to Blondie's that a report be made or are we still acting under officer discretion when a report is issued, when needed. Sergeant Contos replied that we always have officer discretion. Chairperson VanDerLeest said I know when a business or establishment becomes a nuisance, we document everything. Sergeant Contos agreed. He said I don't know if it pops up at our dispatch center that if it is Blondie's, the officer should contact an employee every time. We discussed that and dispatch is supposed to have them make contact every time. Mr. Glowacki said that's what I thought we agreed.

Chairperson VanDerLeest said I've been to your place. I can't imagine when a police officer...when it comes to a bar fight and several police officers are dispatched and your staff has no idea that they are there or why. The police are investigating disturbances, fights, and assaults without speaking to your staff? There has to be a glitch somewhere. I will agree with you that according to my paperwork, things have calmed down since early September. However, we are coming up on the holiday season and people will be getting out there again, partying and drinking. Things can get out of control again. I'm saying you had a wild summer, a downturn in the fall but unless you change your culture, we are going to see it start back up again. If there are serious disturbances there again, I'm not going to wait for paperwork. You have been before us too many times and you've only had your license one year. There is a culture at your bar and we suspect that you are overserving. We haven't had a chance to prove it yet but the numbers and paperwork do not lie. Get your staff under control or we will do it for you. Mr. Glowacki said I will.

Member Buchanan asked Sergeant Contos if he could ask him a question. According to the paperwork we have, the police walk-throughs stopped in April. Then in May, the problems begin again. Has there been a change or cut in staffing where the walk-throughs are no longer viable? I don't know if the walk-throughs helped or not. I only can point out what I'm seeing. Sergeant Contos replied in April, we changed how we record our statistics/active duty reports so it may not appear like it did. Cops may be going there but the police report that Kerry receives may not reflect that. Member Buchanan said so you may be going there but we don't show that on our report. Please understand that I am not criticizing you. Sergeant Contos replied I understand. In locations of concern, we try to increase the police presence.

Chairperson VanDerLeest said Mr. Glowacki, Sam, if this were my place of business, I would be very curious about what these police reports say. Those are public record. You can go down to the Police Department and ask for copies of them. I think you should do this for at least the past year. You should also set up a policy or procedure so that when the police show up, you know about it. You can't be there 24/7. I don't buy that the police are there and your staff doesn't know about it. Mr. Glowacki replied I have a log book and I know what happens every single day. Everything is in there. Chairperson VanDerLeest said I am going to request that I get copies of the police reports through January. So I'll know before you what is happening if you don't get the same copies.

Member Wilmoth asked what are your normal working hours. Mr. Glowacki replied I'm there every single day, usually until close. Ms. Wilmoth asked are there certain hours that you feel you need to be there. Mr. Glowacki responded yes, Friday and Saturday. Ms. Wilmoth asked do you take a day off. Mr. Glowacki answered no. My wife is helping me during the day so then I have the afternoons and evening hours. When asked how many total hours he works in the bar, Mr. Glowacki replied about 40.

Member Ward asked Mr. Glowacki if he had seen the call list. He replied not the most current one. Mr. Ward gave Mr. Glowacki his copy of the report.

Member Ostmeyer said Sam, if I remember right, correct me if I am wrong, but when you applied for this liquor license, you were fairly new to the bar business. Mr. Glowacki agreed. Ms. Ostmeyer said since that time and you are there by yourself, have you hired or do you have managers who have the experience and who can run a bar establishment? Mr. Glowacki said absolutely. My day manager runs the bar when I'm not there. Ms. Ostmeyer said I want to go back to the Friday, Saturday nights. It can be daunting. The people, the music, the crowds, the drinking. A lot going on there. I'm concerned about the lack of experience and there being only you there to handle everything. These are really heavy, heavy nights. Mr. Glowacki said that's the thing. It isn't heavy nights. It is just a different crowd. We have a DJ and a younger crowd. Ms. Ostmeyer asked do you have a night manager with a lot of experience, like you do during the day. Mr. Glowacki replied no, I cannot afford to have that.

Police Impact Officer Matt Mander asked what was the name of your daytime manager, the one who has the experience. Mr. Glowacki replied Donna, who was with the previous bar owner and she has a lot of experience. She's not the manager but the bartender, but when I'm not there, she kind of runs the place. Officer Mander asked if she was the one who sold the alcohol to the minor in January. Mr. Glowacki answered no.

Chairperson VanDerLeest said, Sam, there was a rumor going around that you were going to start doing ice sculpture shots. What happened? Mr. Glowacki answered we did it one time. It didn't bring many people in. The sculpture was nice, though. Chairperson VanDerLeest said I would think that it would bring in a culture of overindulgence very easily. It's not worth it. Mr. Glowacki agreed.

Sergeant Contos said there was also a rumor that you were going to serve shots directly into people's mouths. Mr. Glowacki said my DJ wanted to do that. We have decided to keep control by serving only at the bar. Sergeant Contos said you have made a good choice. It could quickly become a problem, doing something like that.

Chairperson VanDerLeest asked Sergeant Contos and Officer Mander if they had anything else to discuss with the Authority or Mr. Glowacki. Sergeant Contos replied I agree with the Authority that we are there too many times. Even if we ask them to call when there is a problem, there are too many problems. I'm not sure what the solution is. We can't be there everyday. We've met with you and presented some options. We need to lower these calls. By your own admission, when you took over and your partner walked out on you, you have had 26 police calls for service. That is too many. Too many calls lead to becoming a nuisance and that can have criminal implications. I'm not sure that is the way you want to go. Chairperson VanDerLeest said we don't want to discourage you from calling but I agree with the Sergeant. Something in the culture is causing this and the number of calls needs to be reduced. The Police Department shouldn't have to spend so much time with you. When the police are called and it's nothing, a report is not generated. So obviously, something is happening because all of these calls have police reports attached to them. Chairperson VanDerLeest said we will review in January, if the numbers don't go down significantly, we will bring you in for a Show Cause Public Hearing and talk about suspending your license. I'm going to ask that copies of police reports be sent to me every two weeks in my packet. It is not our intention to put you out of business but it is our intention to make sure you are running a clean business. The three roughest months of the year are coming up so you need to be prepared. Based upon last year, January was not a good month for you so I hope this one is much better.

That covers this issue. We still have the issue regarding the Change of Ownership, which apparently took place in March and we are just now getting some paperwork on it.

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#### 4. Change of Corporate Structure

- a) S & S Entertainment dba Blondie's Firehouse Pub & Restaurant  
3435 S. Inca St.

Chairperson VanDerLeest asked Mr. Glowacki what happened. Why are we just now receiving the paperwork? Mr. Glowacki replied the Sam Nowak just signed the papers a few days ago. He has left me to change all of the papers. Chairperson VanDerLeest asked so why do we have this back-dated, handwritten letter. I'm confused. You guys sat down, had a meeting, in March, but you didn't...Mr. Glowacki said he (Sam Nowak) decided to walk after our last meeting here and honestly, I dropped the ball on changing the papers. It's not because I didn't want to but because that's what my accountant told me. I have to change the corporation and she said to wait until the end of the year. Next year, she can do all of the paperwork. When I talked to Kerry, she said I have to change all of the paperwork now. When trying for a Certificate of Good Standing, I had to pay the taxes.

Chairperson VanDerLeest asked, Kerry, who do we have as the manager. Deputy Clerk Bush replied Mr. Glowacki. Chairperson VanDerLeest said I know that there are some small intricacies when operating a small business that you may not be aware of. When dealing with your liquor license, before you make any more moves, you should contact Kerry and see how that would affect your liquor license. Does that sound reasonable? Mr. Glowacki agreed.

Sergeant Contos said I have something further. You said your other owner walked out on January 1<sup>st</sup>, correct? Mr. Glowacki said January 1<sup>st</sup> was the stabbing. The last time I was here, in January and then in March, he decided. Sergeant Contos said if I am not mistaken, and you guys stop me if I am out of line, you just said that even though from March until now you haven't had time to come in and contact the City and get that change of management done. Mr. Glowacki said I said I dropped the ball. Sergeant Contos said, Kerry, I don't know when you got the paperwork but from my outside perspective, the Police Department's perspective, it almost seems like the culture that the Authority has been talking about starts at the top. There is a failure to...and Sam, I'm not trying to be mean to you or criticize you, but there seems to be a failure to recognize what is going on. There's a failure to run the business. All of the businesses I have ever been involved with or worked for in my entire lifetime, the manager is ultimately responsible for the behavior of the business and its clients. I'm saying this as an opinion, but it seems the culture is starting at the top in this particular business and there is the lackadaisical attitude that it is okay to let things like this go by. That's it is okay. It's not a big deal. It's only just a fight. The bouncer threw them out. But one fight times 27 shows a pattern, which is creating a problem for the Police Department and problems for the City in terms of having to deal with this issue, which otherwise wouldn't exist if the appropriate management was already in place to handle it. Things like I didn't have time or I dropped the ball isn't acceptable and it has been from March to November before this ownership information was handled properly.

Mr. Glowacki said I'm sorry it's November but that's when I got the renewal application. I have no explanation.

Member Ostmeyer said I know that we have spoken before but I still get the sense, and quite honestly I agree with Sergeant Contos, whether it was you or you with your partner, I always got the sense that you were a bit flip about it. A little bit flippant. A little bit, whatever. You know what? I don't appreciate it and so it is going to need a change. You need to tend to business. That's what you need to do whether it's with Kerry Bush, or with your customers, it's your business and ultimately it stops with you. But I've had this sense for two years with you now. You will find out one of these days that it is not going to be that easy.

Chairperson VanDerLeest asked how is the business doing. Mr. Glowacki replied it's surviving. Chairperson VanDerLeest asked so are you afraid to change the culture, feeling like it might slow your business down. If you start cutting people off, then you are not selling as much liquor and then you are not making a profit. Mr. Glowacki said there is no profit right now. I pay my bills and my employees. I am not making any money so far. Chairperson VanDerLeest said so if you start cutting people off, you are jeopardizing...Mr. Glowacki said almost all of the profits come from Fridays and Saturdays. On the other days, we have other options to get people in: poker nights, and other options, but that is not bringing in the money.

Chairperson VanDerLeest said so what we are looking at is to approve your Change of Corporate Structure. I think that based on the paperwork since September the calls have come down. I am going to hope that those numbers are going to continue to come down. We are going to re-visit this in January.

Member Buchanan asked for clarification. At the end of January, are we going to hold a hearing or is the information going to be supplied to the Authority? Chairperson VanDerLeest said the information will be supplied to the Authority for the next three months. After that, the Authority can decide whether or not we will have a public hearing based solely on the amount of City and Police resources that have been expended upon his business. Mr. Glowacki said I can promise, from my side that I am going to, at least once a month, call the police. I'm not sure who to call. Don't get me wrong. The Police are not coming in. Chairperson VanDerLeest said I can't imagine that you are so busy on Monday morning that you can't make that phone call. Sergeant Contos, do you work on Mondays? Sergeant Contos said yes. Since the meeting in March, I haven't heard once from him. Chairperson VanDerLeest said that should be your first thing to do Monday mornings and that is to call Sergeant Contos. If you want to wait to do it once a month, that is up to you. If it was my business and it was on the line, I'd call every Monday. I'd get to know the man's first name. That's what I would do if it were my business and my livelihood. Mr. Glowacki replied I will. I honestly will. Since our last meeting, we agreed that the policemen were going to come in and talk to the staff at the bar. Chairperson VanDerLeest said I'm thinking you are going to want a copy of the reports. This is not a witch hunt. This is that it is time for you to change your culture. Sergeant Contos said here's my card.

Member Ostmeyer said read those police reports. Talk to your staff who are mentioned in the reports. It doesn't look like they are telling you what's going on in your bar.

Chairperson VanDerLeest said it could be an indication of which staff members you don't want in your bar any longer.

**Motion:** To approve the Change of Corporate Structure for S & S Entertainment dba Blondie's Firehouse Pub & Restaurant.

**Moved by:** Wilmoth

**Seconded by:** Buchanan

**Vote results:**

Ayes:

Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth

Nays:

None

Motion approved.

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### 3. Renewals

d) Blondie's  
3435 S. Inca St.

Hotel/Restaurant Liquor License  
Expires December 9, 2012

**Motion:** To approve the renewal for Blondie's liquor license.

**Moved by:** Wilmoth                      **Seconded by:** Ostmeyer

**Vote results:**

Ayes:                      Members Buchanan, Ostmeyer, VanDerLeest, Ward, Wilmoth

Nays:                      None

Motion approved.

Chairperson VanDerLeest said Sam, obviously if there are any violations against your liquor license such as overserving or serving to minors, then everything that has taken place tonight is off of the board and we will have a Show Cause Hearing directly related to those violations. Deputy Clerk Bush reminded the Authority that Blondie's is still on probation until the end of March for the sting hearing earlier this year.

Chairperson VanDerLeest said thank you for coming in. Several Authority members echoed their thanks as well.

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**10. Clerk's Choice**

a) Findings of Fact, Conclusions and Order of Authority for Massey Liquor and Wine dba Massey Discount Liquor and Wine.

The approved application has been sent to the State and it has been approved by the State.

**11. Adjournment**

The meeting was adjourned at 9:16 p.m. Chairperson VanDerLeest thanked the Police Officers for coming and staying the entire meeting. Member Buchanan said you mentioned Felt. Do we need to bring them in? Sergeant Contos will look at the police reports.

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/s/ Kerry Bush, MMC  
Deputy City Clerk