Agenda for the

Regular Meeting of the

Englewood City Council

Monday, March 18, 2013

7:30 pm

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

1.Call to Order. 7:41 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 March 4, 2013.

Motion: To approve the minutes of March 4, 2013.
Moved by: Gillit Seconded 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.Marty Murphy, from the Englewood Elks Lodge, was not present to recognize Mayor Pro Tem Jim Woodward as Englewood Elks Citizen of the Year.

b.Justin Motzer, an Englewood resident, was not present to discuss the concerns related to the Lincoln Terrace Apartments.

c.Adam Clark, an Englewood resident, proposed a disposable bag fee initiative. He wants Englewood grocery stores to charge $.05 per plastic disposable bag, with $.02 going to the grocery store and $.03 to the City. He believes that 5-6 stores would be involved with his focus being on grocery stores. He would like to have a Study Session on this topic.

d.Virginie dAndrimont, an Englewood business owner, was not present to discuss her Medical Marijuana Optional Premises Cultivation sites.

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.Paul Skizinski, an Englewood resident, spoke regarding the Englewood Request For Proposal for the Englewood Depot. He asks that their proposal be given serious consideration. Mr. Skizinski believes that their proposal is the only one that will honor the Englewood history and bring revenue to the City.

b.Bev Palmer, an Englewood resident, spoke in favor of the Englewood Historical Preservation Society proposal. She hopes to keep the history here. She thanked Jim Woodward for his speech given to the Society.

c.Ida May Nicholl, an Englewood resident, asked City Council to save the Englewood Train Depot. She is a member of the Englewood Historical Society and wants to know, from Council, what will happen to the many items donated for the Depot. Ms. Nicholl has had several people ask about saving the Depot. What will be left for the citizens heritage and legacy if the Depot is sold?

d.Beverly Cummins, an Englewood resident, said the Society is waiting for Council to give them the title to the Depot. They hope to receive a grant and funding for it. The Society can receive funds not available to the City so she hopes to take the depot off of the Citys hands. Generations to come will be grateful.

e.Paul Webster, owner of The Brew on Broadway (The BOB), said thank you to Council. He believes that his place will be a good business for the local community. He hopes to open in a couple of weeks, by or on May 4, 2013.

f.Marilyn Anderson, an Englewood resident, said thank you for the education for what Council does and for the Englewood Historical Society.

g.Linda Orlovski, an Englewood resident, spoke in favor of the Historical Societys proposal.

Council Response to Public Comment

8.Communications, Proclamations, and Appointments.

a.Proclamation in support of Earth Hour 2013: Saturday, March 23 from 8:30 p.m. to 9:30 p.m.

Motion: To approve the proclamation in support of Earth Hour 2013 on Saturday, March 23 from 8:30 p.m. to 9:30 p.m.
Moved by: Woodward Seconded by: Olson
Vote: **Motion approved**(summary: Yes = 7 No = 0)

9.Consent Agenda Items.

a.Approval of Ordinances on First Reading.

None

b.Approval of Ordinances on Second Reading.

None

c.Resolutions and Motions.

None

10.Public Hearing Items.

a.A Public Hearing to review and determine sufficiency of the petition requesting dissolution of the South Broadway Englewood Business Improvement District.

Motion: To open the Public Hearing to review and determine sufficiency of the petition requesting dissolution of the South Broadway Englewood Business Improvement District.

Moved by: Wilson Seconded by: Gillit
Vote: **Motion approved**(summary: Yes = 7 No = 0)

All testimony was given under oath.

City Clerk Ellis accepted the petitions and noted the postings on the website and in the Englewood Herald. She stated the Public Hearing notice was mailed, via first class mail, to property owners within the Business Improvement District.

Director Gryglewicz explained the spreadsheet calculations.

Attorney Larry Berkowitz, representing the Business Improvement District, spoke to the challenges to sufficiency and genuineness. Members of the BID Board were not properly notified of the petition process and dont believe that they have had enough time to properly prepare a defense.

Brian Hart, owner of Frame dArt, read a letter from Bob Laughlin, President of the South Englewood Business Improvement District, who was unable to be here tonight due to illness. It expressed the disappointment in how the dissolution was presented. He would like to have a continuance until June 15 in order to have signatures removed for those people who would like to remove their signature.

Mr. Berkowitz presented that the board would like the hearing to be continued until after June 15 due to confusion of the signatures and to allow the BID members time to put together a defense.

Motion: To accept the proposal for a continuation of the public hearing to June 17, 2013.
Moved by: Olson Seconded by: McCaslin
Vote: **Motion approved**(summary: Yes = 5 No = 2 (Jefferson, Gillit))

b.A Public Hearing to gather input on Council Bill No. 3, authorizing amendments to Title 16 of the Englewood Municipal Code (Unified Development Code) regarding floodplain regulations.

Motion: To open the Public Hearing gathering input on Council Bill No. 3.
Moved by: Woodward Seconded by: McCaslin
Vote: **Motion approved**(summary: Yes = 7 No = 0)

All testimony was given under oath.

Planner II Bell, from Community Development, presented the history and background for the floodplain regulations.

Motion: To close the Public Hearing gathering input on Council Bill No. 3.
Moved by: GillitSeconded by: McCaslin
Vote: **Motion approved**(summary: Yes = 7 No = 0)

11.Ordinances, Resolutions and Motions

a.Approval of Ordinances on First Reading.

None

b.Approval of Ordinances on Second Reading

i.Council Bill No. 2 – (as amended) approving a lease of a portion of City-owned property
ORD # 6located at 3449 S. Broadway.

Motion: To approve Agenda Item 11 (b) (i), Council Bill No. 2 (as amended).
Moved by: Gillit Seconded by: Wilson
Vote: **Motion approved**(summary: Yes = 7 No = 0)

ii.Council Bill No. 4 – Cleaning up certain errors and omissions in the Englewood Municipal
ORD # 7 Code 2000 by amending Titles 12 and 16.

Motion: To approve Agenda Item 11 (b) (ii), Council Bill No. 4.
Moved by: Woodward Seconded by: Wilson
Vote: **Motion approved**(summary: Yes = 7 No = 0)

c.Resolutions and Motions

None

12.General Discussion.

a.Mayors Choice.

i.Recognition of Mayor Pro Tem Woodwards National League of Cities Leadership Training Institute accomplishments from the Mayor and from all Council members.

b.Council Members Choice.

13.City Managers Report.

14.City Attorneys Report.

15.Adjournment. 9:29 p.m.