

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

**Regular Session**

**March 4, 2013**

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<http://www.englewoodgov.org/inside-city-hall/city-council/agendas-and-minutes>

**1. Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:32 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  
Deputy City Clerk Bush  
City Clerk Ellis  
Director White, Community Development  
Manager of Open Space Lee, Parks and Recreation  
Littleton/Englewood Wastewater Treatment Plant Manager Stowe  
Victim Assistance Coordinator Wenig, Police  
Victim Witness Advocate Maynard, Police  
Planner II Bell, Community Development  
Police Commander Watson

**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 FEBRUARY 19, 2013.**

**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**

There were no unscheduled visitors.

8. **Communications, Proclamations and Appointments**

(a) An email from Barbara Oxford announcing her resignation from the NonEmergency Employees Retirement Board was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO ACCEPT THE RESIGNATION OF BARBARA OXFORD FROM THE NONEMERGENCY EMPLOYEES RETIREMENT BOARD.**

**Vote results:**

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

Motion carried.

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).)

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (c) (i), (ii), (iii), and (iv).**

(c) Resolutions and Motions

(i) RESOLUTION NO. 36, SERIES OF 2013

A RESOLUTION AUTHORIZING AN APPLICATION FOR A "VICTIM ASSISTANCE AND LAW ENFORCEMENT GRANT" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE 18<sup>TH</sup> JUDICIAL DISTRICT.

(ii) A MOTION FOR THE PURCHASE OF A JACOBSEN R311T 11 FOOT ROTARY MOWER IN THE AMOUNT OF \$53,429.09.

(iii) A MOTION FOR THE PURCHASE OF A VERMEER BC1200XL CHIPPER IN THE AMOUNT OF \$32,151.00.

(iv) A MOTION FOR THE PURCHASE OF A JACOBSEN HR 9016 16 FOOT ROTARY MOWER IN THE AMOUNT OF \$71,606.84.

**Vote results:**

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

Motion carried.

10. **Public Hearing Items**

No public hearing was scheduled before Council.

11. **Ordinances, Resolutions and Motions**

(a) Approval of Ordinances on First Reading

(i) Director White presented a recommendation from the Community Development Department to adopt a bill for an ordinance approving a lease of a portion of city-owned property located at 3449 South Broadway.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 2.**

COUNCIL BILL NO. 2, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE AUTHORIZING A LEASE WITH PAUL WEBSTER, SUZANNE ODIORNE-WEBSTER, MATHEW WEBSTER AND CHARLES HOUCK FOR USE OF THE REAL PROPERTY LOCATED AT 3449 SOUTH BROADWAY AS OUTDOOR SEATING FOR "THE BREW ON BROADWAY".

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO AMEND COUNCIL BILL NO. 2 BY REMOVING THE WORDS FROM PAGE 1, ITEM #3 OF THE LEASE "ALL PAVEMENT ON" SO THAT IT READS "TO KEEP THE PREMISES FREE AND CLEAR OF ICE AND SNOW AND TO KEEP..."**

**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. 2 as amended:**

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

Motion carried.

(ii) Planner II Bell presented a recommendation from the Community Development Department to adopt a bill for an ordinance authorizing amendments to the Title 16: Unified Development Code regarding floodplain regulations. Staff further recommends setting March 18, 2013 as the date for Public Hearing to consider testimony on the proposed amendments.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 3 AND TO SET A PUBLIC HEARING DATE OF MARCH 18, 2013 TO CONSIDER TESTIMONY ON THE PROPOSED AMENDMENTS.**

COUNCIL BILL NO. 3, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AMENDING TITLE 16, CHAPTERS 1, 2, 3, 4, 5, 6, 8, 9 AND 11, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO FLOODPLAIN REGULATIONS.

**Vote results:**

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

Motion carried.

(iii) Director White presented a recommendation from the City Attorney's Office to adopt a bill for an ordinance cleaning up certain errors and omissions in the Englewood Municipal Code 2000 by amending Titles 12 and 16.

**COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 4.**

COUNCIL BILL NO. 4, INTRODUCED BY COUNCIL MEMBER JEFFERSON

A BILL FOR AN ORDINANCE CLEANING UP CERTAIN ERRORS AND OMISSIONS IN THE ENGLEWOOD MUNICIPAL CODE 2000 BY AMENDING TITLES 12 AND 16.

**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. 68 (as amended) - approving the rezoning of the W H Investments parcel of the former General Iron Works property from Light Industrial (I-1) and Low Density Single and Multi-Dwelling Unit Residential (R-2-B) to Planned Unit Development (PUD) was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) - ORDINANCE NO. 4, SERIES OF 2012/2013.**

ORDINANCE NO. 4, SERIES OF 2012/2013 (COUNCIL BILL NO. 68, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING THE W H PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT 3001 SOUTH GALAPAGO STREET IN THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

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

Motion carried.

(ii) Council Bill No. 69 (as amended) – approving the rezoning of the Sand Creek parcel of the former General Iron Works property from Light Industrial (I-1) and General Industrial (I-2) to Planned Unit Development (PUD) was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (ii) - ORDINANCE NO. 5, SERIES OF 2012/2013.**

ORDINANCE NO. 5, SERIES OF 2012/2013 (COUNCIL BILL NO. 69, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING THE SAND CREEK PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT 601 WEST BATES AVENUE IN THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

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

Motion carried.

(c) Resolutions and Motions

(i) Manager Stowe presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to adopt a resolution related to Colorado H.B. 13-1191 (Nutrient Fund Legislation).

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 37, SERIES OF 2013.**

RESOLUTION NO. 37, SERIES OF 2013

A RESOLUTION SUPPORTING THE PASSAGE OF H.B. 1191 ESTABLISHING A NUTRIENT GRANT FUND FOR POTWS.

**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

13. **City Manager's Report**

(a) Deputy City Manager Michael Flaherty informed Council that three proposals were received through the Englewood Depot Request For Proposal process. The proposals received were from two organizations and one from an individual. The organizations include: The Englewood Historical Preservation Society and Englewood Urban Farm. The proposal from the individual is from sole proprietor Tom Parson. An Executive Session has been set for March 25, 2013 to review the substance of the proposals.

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 8:35 p.m.

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Deputy City Clerk