

**Agenda for the
Regular Meeting of the
Englewood City Council
Monday, May 6, 2013**

7:30 pm

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

1.Call to Order  7:38 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 April 15, 2013.

Motion: To approve the minutes of April 15, 2013.

Moved by: Gillit **Seconded by:** Olson

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.Interim Fire Chief Richard Petau recognized Jessica and Ann Videtto for their assistance following a recent Englewood School bus accident by presenting them with a Citizens Accommodation certificate. They provided additional blankets and coats needed for the victims of the accident.

b.Members of the Jeremy Bitner Fallen Officer Memorial Fund Board of Directors, Police Community Relations Specialist Arnoldy-Taylor and EMS/Emergency Management Coordinator

Green discussed the 2013 Jeremy Bitner Fallen Officer Fund 5k/10k run and 5k walk. Mr. Green asked Council to waive \$1,811.75 in fees required for this event.

c. Jim Jordan from the Englewood Historic Preservation Society pointed out that we have senior citizens that are dropping through the cracks. He said he spoke to Council Member Olson about this issue. Mr. Jordan said there would be more information presented tonight regarding the Depot by the following speakers.

d. Granby resident Dave Naples was not present to address Council regarding the feasibility of restoring the Englewood Depot.

e. William Bailey, a Wheat Ridge resident, said he has devoted 25 years to history. He said I am a builder. He discussed some of the projects he has been involved with. The Depot is a really nice historical asset and when properly developed, these can become a destination. When asked which proposal he supported, Mr. Bailey said he would just like to see the Depot preserved, restored, and used.

f. Chris Rand, a Wheat Ridge resident and President of the Platte Valley Model Railroad Society, presented his proposal for the basement of the Depot, if the Englewood Historic Preservation Society proposal should be accepted. It would be as close to museum quality as possible. He said he was totally in support of the Englewood Historic Preservation Societys proposal.

g. Bonita Hutcheson, former Sheridan City Council Member and President of the Sheridan Historical Society, was not present to discuss the Englewood Depot. Englewood resident Doug Cohn read a letter from Ms. Hutcheson which offered her support of the Englewood Historic Preservation Societys proposal.

h. Greater Englewood Chamber of Commerce Executive Director Colleen Mello was not present to discuss in-kind services for Chamber-sponsored events with Council.

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. Steve Scott, an Englewood resident, representing the churches of Englewood, invited Council to attend the 4th Annual Unite Englewood Worship Service, May 19th at 10:30 a.m. at the Englewood High School baseball diamond. Mr. Scott also reminded Council regarding their stipulations added to last years bid for the Depot.

b.Patti Parson, a Denver resident, thanked Council for the time they are taking to consider the development of the Depot. She supports the letterpress museum bid.

c.Tom Parson, a Denver resident, thanked Council for preserving the Depot. He is ready for the meeting and the questions regarding his bid.

Council Response to Public Comment

8.Communications, Proclamations, and Appointments. 

a.Proclamation naming Don Roth as Englewoods Citizen of the Year for 2013.

Motion: To approve the proclamation naming Don Roth as Englewoods Citizen of the Year for 2013.

Moved by: GillitSeconded by: Wilson

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

b.Proclamation recognizing May 12 through 18, 2013 as National Police Week.

Motion: To approve the proclamation recognizing May 12 through 18, 2013 as National Police Week.

Moved by: GillitSeconded by: Olson

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

c.Proclamation declaring May 18, 2013 as National Kids to Parks Day.

Motion: To approve the proclamation declaring May 18, 2013 as National Kids to Parks Day.

Moved by: WoodwardSeconded by: McCaslin

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

9.Consent Agenda Items. 

a.Approval of Ordinances on First Reading.

None

Motion: To approve Consent Agenda Items 9 (b) (i), (ii), (iii), and 9 (c) (i).

Moved by: WoodwardSeconded by: Wilson

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

b.Approval of Ordinances on Second Reading.

i. Council Bill No. 10 --- Authorizing the redemption and sale of 4896 South Delaware Street.

ORD # 12

ii. Council Bill No. 11 --- Authorizing an Intergovernmental Agreement with the City and County of Denver for Englewoods participation in the Metro Mortgage Assistance Plus Program.

ORD # 13

iii. Council Bill No. 12 --- Authorizing an Intergovernmental Agreement with the Englewood School District for development and usage of gymnasiums at the new Colorados Finest Alternative High School.

ORD # 14

c. Resolutions and Motions.

i. Recommendation from the Department of Finance and Administrative Services to adopt a resolution appropriating the City of Englewoods \$100,000 contribution for the development and usage of gymnasiums at the new Colorados Finest Alternative High School. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**

RESO # 41

10. Public Hearing Items. (None scheduled)

None

11. Ordinances, Resolutions and Motions

a. Approval of Ordinances on First Reading. 

i. Council Bill No. 14 --- Recommendation from the City Managers Office to adopt a bill for an ordinance authorizing the renewal of Xcel Energy franchise agreement. **Staff Source: Michael Flaherty, Deputy City Manager (Also present to address Council regarding this issue were: Ken Fellman, legal counsel, and Tom Henley from Xcel Energy.)**

Motion: To approve Agenda Item 11 (a) (i), Council Bill No. 14.

Moved by: Woodward Seconded by: Jefferson

Vote: **Motion approved** (summary: Yes = 4 No = 3 Wilson, Olson, Gillit)

b. Approval of Ordinances on Second Reading 

i. Council Bill No. 8 -- Enacting Title 7, Chapter 6D, Section 12, of the Englewood Municipal Code 2000, defining recreational marijuana cultivation facilities, recreational product manufacturing facilities, recreational marijuana testing facilities, recreational retail marijuana stores; and prohibiting these businesses.

ORD # 15

Motion: To approve Agenda Item 11 (b) (i), Council Bill No. 8.

Moved by: Woodward
Seconded by: Wilson

Vote: **Motion approved**(summary: Yes = 5 No = 2 Jefferson, Woodward)

ii. Council Bill No. 9 -- Submitting to a vote of the registered electors of the City of Englewood at the next scheduled municipal election of November 5, 2013, an advisory question to ban the retail sale of recreational marijuana, ban recreational marijuana cultivation facilities, ban recreational marijuana manufacturing facilities, and ban recreational marijuana testing facilities.

Motion: To approve Agenda Item 11 (b) (ii), Council Bill No. 9.

Moved by: Woodward
Seconded by: Gillit

Motion: To amend Council Bill No. 9 by amending the ballot question to read: Shall the Englewood Municipal Code of the City of Englewood, Colorado ban the retail sale of recreational marijuana, ban recreational marijuana cultivation facilities, ban recreational marijuana manufacturing facilities, and ban recreational marijuana testing facilities, whereas the ban will not restrict personal use and growth of marijuana as allowed under the Colorado Constitution.

Moved by: Woodward

Motion died for a lack of a second.

Motion: To amend Council Bill No. 9 by amending the ballot question to read: Shall the Englewood Municipal Code of the City of Englewood, Colorado ban the retail sale of recreational marijuana, ban recreational marijuana cultivation facilities, ban recreational marijuana manufacturing facilities, and ban recreational marijuana testing facilities, while not restricting personal use and growth of marijuana as allowed under the Colorado Constitution, nor shall it affect Englewoods currently licensed medical marijuana businesses, primary care-givers, patients, and Code provisions relating thereto.

Moved by: Gillit
Seconded by: Wilson

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

Vote results on motion to approve Council Bill No. 9, as amended.

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

c. Resolutions and Motions

None

12. General Discussion. 

a. Mayors Choice.

b. Council Members Choice.

i. Council Bill No. 13 - A bill for an ordinance creating a Citizen Budget Advisory Committee.

Motion: To approve Agenda Item 12 (b) (i), Council Bill No. 13.

Moved by: Jefferson Seconded by: Wilson

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

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Motion: To approve \$200.00 for Sophia Montoya, an 8th grader at the Englewood Leadership Academy, to attend the National Young Leaders State Conference.

Moved by: Woodward Seconded by: Penn

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

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13. City Managers Report. 

14. City Attorneys Report. 

15. Adjournment.  9:47 p.m.