

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

Regular Session

July 15, 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 7:38 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
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director Black, Parks and Recreation
Emergency Management Coordinator Green, Fire
Deputy Public Works Director Henderson
Police Commander Condrey

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 JULY 1, 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

(a) Dave Black, a business owner in Englewood, addressed Council regarding the BID assets. In view of their petition, he said the remaining money should be divided up among those who paid it. As far as the planters and art work, there wouldn't be any objections to giving it to the City. Business owners could take care of the planters, if necessary. Their preference is to divide the remaining funds up between those who paid.

(b) Steve Yates, an Englewood resident, would like to clarify where petitions can be signed. He has read the petitioning memo and requires clarification. If the policy is law, what law authorizes it? He would like a definition of facility and where that definition was found. He wanted to know who authored this memo regarding where people could and could not petition. He wanted to know if EEF owned the roads in this area.

(c) Elaine Hults, an Englewood resident, wanted clarification regarding petition boundaries and what the City owns. She wanted to know why EEF is on the City's website, just like the Housing Authority. If the property along the streets is owned by the City and maintained by the City, then as a taxpayer, she should have the right to petition on them. She asked if Council was trying to silence free speech. Is this an attempt to silence the people's rights?

(d) Beverly Cummins, an Englewood resident, said that she thinks it is a shame that Council can take City property and sell it without the citizens' approval, especially park property.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) A resolution appointing Martha Kirkpatrick to the Cultural Arts Commission was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 8 (a) – RESOLUTION NO. 67, SERIES OF 2013.

RESOLUTION NO. 67, SERIES OF 2013

A RESOLUTION APPOINTING MARTHA KIRKPATRICK AS A MEMBER OF THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i) (ii), (iii), (iv), (v), 9 (b) (i), (ii), (iii), (iv), (v) AND 9 (c) (i), (ii).

(i) COUNCIL BILL NO. 28, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF THE 2013 COLORADO DIVISION OF EMERGENCY MANAGEMENT "SPECIAL PROJECT GRANT" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DIVISION OF EMERGENCY MANAGEMENT FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT HAZARD ANALYSIS.

(ii) COUNCIL BILL NO. 29, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF THE 2013 COLORADO DIVISION OF EMERGENCY MANAGEMENT "SPECIAL PROJECT GRANT" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DIVISION OF EMERGENCY MANAGEMENT FOR AN ACTIVE SHOOTER EXERCISE

(iii) COUNCIL BILL NO. 30, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED "AGREEMENT REGARDING FUNDING OF MAJOR DRAINAGEWAY PLANNING AND FLOOD HAZARD AREA DELINEATION FOR BIG DRY CREEK (DOWNSTREAM OF COUNTY LINE)" BETWEEN THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, GREENWOOD VILLAGE AND THE CITY OF ENGLEWOOD.

(iv) COUNCIL BILL NO. 31, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE 2013 GRANT FROM GREAT OUTDOORS COLORADO, BETWEEN THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND AND THE CITY OF ENGLEWOOD, COLORADO FOR DUNCAN PARK DEVELOPMENT.

(v) COUNCIL BILL NO. 32, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ACCEPTING A 2013 GRANT OF ARAPAHOE COUNTY OPEN SPACE PROGRAM FUNDS PROJECT NAME: DUNCAN PARK DEVELOPMENT BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 25, SERIES OF 2013 (COUNCIL BILL NO. 22, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER CONNECTOR'S AGREEMENT BETWEEN SHERIDAN SANITATION DISTRICT NO. 1 AND THE CITY OF ENGLEWOOD, COLORADO.

(ii) ORDINANCE NO. 26, SERIES OF 2013 (COUNCIL BILL NO. 23, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING SUPPLEMENT NO. 170 TO THE SOUTHGATE SANITATION DISTRICT CONNECTOR'S AGREEMENT FOR THE INCLUSION OF LAND WITHIN THE DISTRICT BOUNDARIES.

(iii) ORDINANCE NO. 27, SERIES OF 2013 (COUNCIL BILL NO. 24, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE COLORADO GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY AND THE CITY OF ENGLEWOOD, COLORADO.

(iv) ORDINANCE NO. 28, SERIES OF 2013 (COUNCIL BILL NO. 25, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO, BY AND THROUGH THE ARAPAHOE COUNTY CLERK AND RECORDER, AND THE CITY OF ENGLEWOOD, COLORADO, TO CONDUCT A COORDINATED ELECTION ON NOVEMBER 5, 2013.

(v) ORDINANCE NO. 29, SERIES OF 2013 (COUNCIL BILL NO. 26, INTRODUCED BY COUNCIL MEMBER JEFFERSON)

AN ORDINANCE APPROVING FOR THE DISSOLUTION OF THE SOUTH BROADWAY ENGLEWOOD BUSINESS IMPROVEMENT DISTRICT.

(c) Resolutions and Motions

(i) RESOLUTION NO. 68, SERIES OF 2013

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS TO THE 2013 PUBLIC IMPROVEMENT BUDGET FOR THE REPLACEMENT AND REPAIR OF THE ENGLEWOOD RECREATION CENTER'S BOILERS AND HANDICAP LIFT.

(ii) MOTION TO APPROVE A CONSTRUCTION CONTRACT WITH AMERICAN MECHANICAL SERVICES OF DENVER, LLC, TO UPGRADE THE BOILER ROOM AT THE ENGLEWOOD RECREATION CENTER IN THE AMOUNT OF \$110,875 AND A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$5,125.

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 Gryglewicz presented a recommendation from the Finance and Administrative Service Department to adopt an emergency bill for an ordinance authorizing the issuance of Golf Course Bonds.

COUNCIL MEMBER WODOWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 27.

COUNCIL BILL NO. 27, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN EMERGENCY ORDINANCE OF THE CITY OF ENGLEWOOD, COLORADO, ACTING BY AND THROUGH ITS GOLF COURSE ENTERPRISE, AUTHORIZING THE ISSUANCE OF GOLF COURSE ENTERPRISE REVENUE REFUNDING BONDS, SERIES 2013, FOR THE PURPOSE OF REFUNDING THE CITY'S GOLF COURSE ENTERPRISE REVENUE REFUNDING BONDS, SERIES 2003; PRESCRIBING THE FORM OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS FROM THE OPERATION OF THE GOLF COURSE FACILITIES; AND PROVIDING OTHER DETAILS AND APPROVING DOCUMENTS IN CONNECTION WITH THE BONDS.

Vote results:

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

Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

- (c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 9 (c) - Consent Agenda.)

12. **General Discussion**

- (a) Mayor's Choice
- (b) Council Members' Choice

13. **City Manager's Report**

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 8:04 p.m.

 /s/ Loucrishia A. Ellis
City Clerk