

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

Regular Session

September 16, 2013

A permanent set of these minutes and the audio are maintained in the City Clerk's Office.

Minutes and streaming audios are also available on the web at:

<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 7:35 p.m.

A moment of silence was observed for the flooding victims in our State and for the shooting victims at the Navy Yard in Washington, D.C. Please pray and bless the people that are in harm's way right now.

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
Deputy City Attorney Reid
Deputy City Manager Flaherty
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Plant Manager Stowe, Littleton/Englewood Wastewater Treatment Plant
Revenue and Budget Manager Nolan, Finance and Administrative Services
Manager of Open Space Lee, Parks and Recreation
Engineer IV Brennan, Utilities
Manager of Administration Bock, Utilities
Planner II Bell, Community Development
Fire Chief Marsh
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 SEPTEMBER 3, 2013.**

Vote results:

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

Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

(a) Kay Howard discussed a Veteran's Memorial at the new Englewood High School location. She said they are looking at a stone memorial with pavers by the high school, on Logan Street, where they have room for it. They have an opportunity to impact the community. They need to raise \$40,000.00 and she has raised about half of that dollar amount. They are selling the pavers and they have different sizes for different costs. Time is of the essence as she needs to get materials ordered by November. Remember our veterans and their legacy. She has been collecting information and pictures of those who should be honored. Ms. Howard stated that the honorees do not need to be graduates from Englewood High School. She hopes the City can help them financially as well as with donations and contributions from others. Ms. Howard passed out brochures regarding the Englewood High School Military Monument Foundation.

7. Recognition of Unscheduled Public Comment

(a) Beverly Cummins, an Englewood resident, said she heard that Englewood and Littleton plan on having 43,000 to 45,000 apartments. Moderation, moderation, moderation. Look at your vision. Is Council planning to bribe businesses into coming into Englewood? All of this land will eventually be sold for apartments. Englewood cannot take care of this density. Why does RTD have so much control over our town? Residents are expected to pay for the higher taxes. We need a nice hotel/motel in town.

(b) Elaine Hults, an Englewood resident, said she has invited the candidates to a forum at the Simon Center. She appreciates the opportunity to get to know you and for you to get to know us. She addressed flagstone, possibly for the memorial, as being a shale-like product. Also, the emblem (the memorial) needs to be put where it can be permanent.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

There were no communications, proclamations or appointments.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

There were no items submitted for approval on first reading.

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

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 47, SERIES OF 2013 (COUNCIL BILL NO. 44, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER CONNECTOR'S AGREEMENT BETWEEN BOW MAR WATER AND SANITATION DISTRICT AND THE CITY OF ENGLEWOOD, COLORADO.

(ii) ORDINANCE NO. 48, SERIES OF 2013 (COUNCIL BILL NO. 45, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER CONNECTOR'S AGREEMENT BETWEEN COLUMBINE WATER AND SANITATION DISTRICT AND THE CITY OF ENGLEWOOD, COLORADO.

(iii) ORDINANCE NO. 49, SERIES OF 2013 (COUNCIL BILL NO. 46, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING SUPPLEMENT NO. 22 TO THE VALLEY SANITATION DISTRICT CONNECTOR'S AGREEMENT WITH THE CITY OF ENGLEWOOD TO INCLUDE ADDITIONAL LAND WITHIN THE DISTRICT'S BOUNDARIES.

(iv) ORDINANCE NO. 50, SERIES OF 2013 (COUNCIL BILL NO. 47, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROVING THE "ENGLEWOOD UTILITIES DEPARTMENT 2013 WATER CONSERVATION PLAN."

Vote results:

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

Motion carried.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 11 (c).)

10. Public Hearing Items

(a) **COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON THE PROPOSED 2014 CITY OF ENGLEWOOD BUDGET.**

Vote results:

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

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Director Gryglewicz presented the City Clerk with the notice of publications in the Englewood Herald and on the City's website. The City Charter requires that City Council hold a Public Hearing on the budget so that the public has a chance to comment on it. The budget quantifies the City's Operating Plan in dollars. Staff and Council have worked very hard on this budget. The budget is an essential document for the City. This year we formed a Budget Advisory Committee and they are currently in a learning mode.

The General Fund is the source of the public services that the City provides. This year we have budgeted \$40,818,932.00 for next year, which is about \$630,000.00 more than we budgeted for this year. There is a gap between the expenditures and the revenue. There have been discussions about what a balanced budget is. If the balances were equal, then you wouldn't need a fund balance. Sometimes we need to use the fund balance to draw on. Things change as we put this budget together. The reserves for the City look good. Council and staff are always looking for ways to cut the budget, but maintain the services provided to the citizens.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON THE PROPOSED 2014 CITY OF ENGLEWOOD BUDGET.

Vote results:

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

Nays: None

Motion carried and the Public Hearing closed.

(b) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 21, APPROVING THE PROPOSED NAVAJO APARTMENTS PLANNED UNIT DEVELOPMENT.

Vote results:

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

Nays: None

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Planner II Bell said I have the proof of publication which appeared in the Englewood Herald as well as on the City's website. I also have proof that the site was posted. He hopes Council will consider the testimony from this Public Hearing. The developer is requesting re-zoning for the site from commercial to residential. Parking is on-site and to the rear of the building, instead of in the front. It has two interior courtyards and it will be landscaped. A front setback is proposed at this location. It will be five stories, with the first level mainly for parking. The PUD is proposing one parking space per unit due to the close proximity to the RTD Light Rail Oxford Station. The traffic study did indicate an increase in traffic, but that it also would not impact the area. The proposed PUD places greater restrictions in specific details. The rezone will not have a negative impact on the surrounding area.

Chris Elsey, of Elsey Partners, presented an overview of the project.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 21, APPROVING THE PROPOSED NAVAJO APARTMENTS PLANNED UNIT DEVELOPMENT.

Vote results:

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

Nays: None

Motion carried and the Public Hearing closed.

11. Ordinances, Resolutions and Motions

- (a) Approval of Ordinances on First Reading

There were no items submitted for approval on first reading.

- (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

(i) Manager Lee presented a recommendation from the Parks and Recreation Department to approve, by motion, a contract for the construction of the Supplemental Environmental Projects Trail Connection Projects to the lowest acceptable bidder, Richdell Construction, Inc., in the amount of \$50,880.00.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE A CONTRACT WITH RICHELLE CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE

SUPPLEMENTAL ENVIRONMENTAL PROJECTS TRAIL CONNECTION PROJECTS, IN THE AMOUNT OF \$50,880.00.

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**

14. **City Attorney's Report**

Deputy City Attorney Reid did not have any matters to bring before Council.

15. **Adjournment**

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 9:08 p.m.

 /s/ Loucrishia A. Ellis
City Clerk