

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

**Regular Session**

**October 21, 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 7:30 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  
City Clerk Ellis  
Assistant City Clerk McGarry  
Deputy City Clerk Bush  
Director Gryglewicz, Finance and Administrative Services  
Director White, Community Development  
Director Fonda, Utilities  
Director Eaton, Human Resources  
Director Konishi, Information Technology  
Engineering/Maintenance Manager Woo, Wastewater Treatment Plant  
Deputy Police Chief Sanchez  
Fire Chief Marsh

**5. Consideration of Minutes of Previous Session**

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WOODWARD SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 7, 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) Linda Newell, Colorado State Senator, presented information on Conflict Resolution Month for the month of October. She thanked Council for their past support. She stated that Colorado has unique programs, people and resources. There are many ways to resolve conflict peacefully. There are town halls across the state. Senator Newell recommended that people visit these meetings around the state to find out about information and resources that are available concerning resolving conflict.

(b) Beverly Cummins, an Englewood resident, corrected her statement from the meeting before last regarding the number of apartments in Englewood. She said you are spending our tax money faster than you can get it and forgetting about all of the good people and businesses. Residents have worked hard. You put in bike paths but take away parking.

(c) Doug Cohn, an Englewood resident, handed out copies of the flyers to Council regarding Linda Olson that he had created. He discussed some of the issues contained in these flyers.

(d) Elaine Hults, an Englewood resident, also discussed the information contained in the District 2 flyers.

(e) Jim Martin, an Englewood resident, expressed his group's appreciation regarding Council's solution to modify the bike path design that he had spoken about at a prior meeting. The solution presented was more than they had expected, but now they are concerned about the curve contained in the design. Mr. Martin would like Council to look at the design again regarding this curve.

(f) Ida May Nichol, an Englewood resident, appealed to Senator Newell regarding conflict resolution. She hopes that the City and the Englewood Preservation Historical Society can come to a resolution. The Englewood Preservation Historical Society needs the City's help to survive.

Council responded to Public Comment.

**8. Communications, Proclamations and Appointments**

(a) An email from Vic Calonder announcing his resignation from Alliance for Commerce in Englewood was considered.

**COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO ACCEPT THE RESIGNATION OF VIC CALONDER FROM ALLIANCE FOR COMMERCE IN ENGLEWOOD.**

**Vote results:**

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

Motion carried.

**9. Consent Agenda**

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

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 55, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR THE CITY OF ENGLEWOOD'S PARTICIPATION IN A MULTI-JURISDICTIONAL TEAM "THE ARAPAHOE COUNTY IMPACT TEAM" (ACIT) BETWEEN THE CITY OF ENGLEWOOD AND THE ARAPAHOE COUNTY SHERIFF'S OFFICE.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 52, SERIES OF 2013 (COUNCIL BILL NO. 53, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER CONNECTOR'S AGREEMENT BETWEEN THE CITY OF SHERIDAN AND THE CITY OF ENGLEWOOD, COLORADO.

(ii) ORDINANCE NO. 53, SERIES OF 2013 (COUNCIL BILL NO. 54, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL WASTEWATER COLLECTION SYSTEM MAINTENANCE AGREEMENT BETWEEN THE CITY OF SHERIDAN AND THE CITY OF ENGLEWOOD, COLORADO.

(c) Resolutions and Motions

(i) A MOTION TO APPROVE A CONTRACT WITH 24/7 NETWORKS FOR THE NETWORK INFRASTRUCTURE UPGRADE IN THE AMOUNT OF \$244,148.35.

**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 Department of Finance and Administrative Service to adopt a bill for an ordinance approving the extension of the limited waiver of the waste transfer surcharge.

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 56.**

COUNCIL BILL NO. 56, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AMENDING TITLE 4, CHAPTER 7, SECTION 11, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO THE EXTENSION OF THE LIMITED WAIVER OF THE WASTE TRANSFER SURCHARGE.

**Vote results:**

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

Motion carried.

(ii) Director White presented a recommendation for the Community Development Department to adopt a bill for an ordinance approving the sale of 3415 S. Broadway to the Englewood Urban Renewal Authority.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 57.**

COUNCIL BILL NO. 57, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING THE SALE OF 3415 SOUTH BROADWAY IN THE CITY OF ENGLEWOOD TO THE ENGLEWOOD URBAN RENEWAL AUTHORITY (EURA).

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO AMEND AGENDA ITEM 11 (a) (ii), COUNCIL BILL NO. 57, DELETING ITEM NO. 6 AND REPLACING IT WITH “SHOULD CONSTRUCTION OF THE REDEVELOPMENT PROJECT FAIL TO COMMENCE WITHIN THE TIME PERIOD REQUIRED BY THE EURA, THE OWNERSHIP OF THE PROPERTY SHALL REVERT TO THE CITY AND NO PAYMENT SHALL BE DUE FROM EURA TO THE CITY”.**

**Vote results on the amendment:**

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

Motion carried.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WOODWARD SECONDED, TO AMEND COUNCIL BILL NO. 57 TO STATE “IN ACCORDANCE WITH THE 2013 PARKING STUDY BEING PREPARED, ADEQUATE PARKING SHALL BE PROVIDED IN AN EQUITABLE WAY FOR BUSINESSES ON THE WEST SIDE OF THE 3400 BLOCK OF BROADWAY AND EURA.”**

**Vote results on the amendment:**

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

Motion defeated.

**COUNCIL MEMBER JEFFERSON MOVED, AND MAYOR PENN SECONDED, TO AMEND COUNCIL BILL NO. 57, TO READ “NUMBER 3 a, EURA WILL NEGOTIATE AN EQUITABLE AGREEMENT TO PAY ON-GOING MAINTENANCE OF SHARED PARKING, HOWEVER, EXISTING BUSINESSES FRONTED ON THE WEST SIDE OF THE 3400 BLOCK OF BROADWAY SHALL BE EXEMPT FROM ANY PAYMENTS FOR 12 MONTHS AFTER CONSTRUCTION COMPLETION.”**

**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. 57 as amended:**

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. 52, establishing the 2013 Mill Levy to be collected in 2014 was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) – ORDINANCE NO. 54, SERIES OF 2013.**

ORDINANCE NO. 54, SERIES OF 2013 (COUNCIL BILL NO. 52, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE FIXING THE TAX LEVY IN MILLS UPON EACH DOLLAR OF THE ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

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

Motion carried.

(ii) Council Bill No. 50, adopting the City of Englewood Budget for Fiscal Year 2014 was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (b) (ii) – ORDINANCE NO. 55, SERIES OF 2013.**

ORDINANCE NO. 55, SERIES OF 2013 (COUNCIL BILL NO. 50, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF ENGLEWOOD, COLORADO, FOR FISCAL YEAR 2014

**Vote results:**

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

Motion carried.

(iii) Council Bill No. 51, appropriating funds for the City of Englewood for Fiscal Year 2014 was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (iii) – ORDINANCE NO. 56 SERIES OF 2013.**

ORDINANCE NO. 56, SERIES OF 2013 (COUNCIL BILL NO. 51, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE APPROPRIATING MONIES FOR ALL MUNICIPAL PURPOSES IN THE CITY OF ENGLEWOOD, COLORADO, FOR FISCAL YEAR BEGINNING JANUARY 1, 2014, AND ENDING DECEMBER 31, 2014, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR 2014.

**Vote results:**

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

Motion carried.

(iv) Council Bill No. 48, adopting the Budget for the Littleton/Englewood Wastewater Treatment Plant for Fiscal Year 2014 was considered.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (b) (iv) – ORDINANCE NO. 57, SERIES OF 2013.**

ORDINANCE NO. 57, SERIES OF 2013 (COUNCIL BILL NO. 48, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE ADOPTING THE BUDGET FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2014.

**Vote results:**

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

Motion carried.

(v) Council Bill No. 49, appropriating funds for the Littleton/Englewood Wastewater Treatment Plant for 2014 was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (b) (v) – ORDINANCE NO. 58, SERIES OF 2013.**

ORDINANCE NO. 58, SERIES OF 2013 (COUNCIL BILL NO. 49, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE APPROPRIATING MONIES FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT PURPOSES IN THE FISCAL YEAR BEGINNING JANUARY 1, 2014, AND ENDING DECEMBER 31, 2014, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR 2014.

**Vote results:**

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

Motion carried.

(c) Resolutions and Motions

(i) Director Eaton presented a recommendation from the Department of Human Resources to adopt a resolution authorizing wage and benefit adjustments for non-union City of Englewood employees for 2014 and 2015.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 73, SERIES OF 2013.**

RESOLUTION NO. 73, SERIES OF 2013

A RESOLUTION APPROVING A WAGE INCREASE FOR NON-UNION EMPLOYEES OF THE CITY OF ENGLEWOOD FOR 2014.

**Vote results:**

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

Motion carried.

(ii) Director Fonda and Engineering/Maintenance Manager Woo presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to approve, by motion, a construction contract for the Lighting Replacement Project 2013 located at the Littleton/Englewood WWTP. Staff further recommends awarding the contract to the lowest acceptable bidder, Colorado Lighting Inc., in the amount of \$226,426.49.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – A CONSTRUCTION CONTRACT WITH COLORADO LIGHTING INC., FOR THE LIGHTING REPLACEMENT PROJECT 2013 LOCATED AT THE LITTLETON/ENGLEWOOD WWTP, IN THE AMOUNT OF \$226,426.49.**

**Vote results:**

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

Motion carried.

(iii) Director Fonda and Engineering/Maintenance Manager Woo presented a recommendation from the Littleton/Englewood Wastewater Treatment Plan Supervisory Committee to approve,

by motion, a construction contract with The Industrial Group, Inc., for the Site-wide Repairs Project 2013 located at the Littleton/Englewood WWTP, in the amount of \$96,420.00.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – A CONSTRUCTION CONTRACT WITH THE INDUSTRIAL GROUP INC., FOR THE SITE-WIDE REPAIRS PROJECT 2013 LOCATED AT THE LITTLETON/ENGLEWOOD WWTP, IN THE AMOUNT OF \$96,420.00.**

**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

(i) A resolution authorizing wage and benefit adjustments for the City Attorney, City Manager and Municipal Judge was considered.

**COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i) – RESOLUTION NO. 74, SERIES OF 2013.**

RESOLUTION NO. 74, SERIES OF 2013

A RESOLUTION ESTABLISHING SALARIES OF THE CITY MANAGER, CITY ATTORNEY AND THE MUNICIPAL COURT JUDGE.

**Vote results:**

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

Motion carried.

**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 9:28 p.m.

/s/ Loucrishia A. Ellis  
City Clerk