

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

Regular Session

November 4, 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 7:39 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
- Deputy City Clerk Bush
- Assistant City Clerk McGarry
- Director White, Community Development
- Director Black, Parks and Recreation
- Golf Operations Manager Spada, Parks and Recreation
- Deputy Director Henderson, Public Works
- Fire Battalion Chief Fox
- Fire Lieutenant Frederick
- Fire Training Chief Stovall
- Fire Medic Baker
- Fire Medic Sekvaec
- Fire Medic Busi
- Driver/Operator/Engineer Harrell, Fire
- Firefighter Kuhn
- Police Commander Condrey
- Fire Chief Marsh

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

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 21, 2013.**

Vote results:

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

Motion carried.

6. **Recognition of Scheduled Public Comment**

(a) Englewood Fire Chief Andrew Marsh recognized the winners of the Fire Prevention Week Contest and noted a brief reception would follow in the Community Room. The winners included: Kindergarten: St. Louis School – Ms. Burney's; 1st Grade: Cherrelyn Elementary – Ms. Smith and Ms. Norris; 2nd Grade: All Souls School– Ms. Perkins; 3rd Grade: All Souls School– Ms. Hombs; 4th Grade All Souls School– Ms. McCollough and Ms. Prado; 5th Grade: St. Louis School – Ms. Kaspar; 6th Grade: Cherrelyn Elementary– Ms. Anderson, Ms. Tarkanian and Ms. Jackson.

Council recessed for a brief reception at 7:51 p.m.

Council reconvened the meeting at 8:04 p.m. will all Council members present.

7. **Recognition of Unscheduled Public Comment**

There were no unscheduled visitors.

8. **Communications, Proclamations and Appointments**

(a) A proclamation declaring the month of November as National Diabetes Month was considered.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE A PROCLAMATION DECLARING THE MONTH OF NOVEMBER AS NATIONAL DIABETES MONTH.

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).)

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

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 59, SERIES OF 2013 (COUNCIL BILL NO. 55, INTRODUCED BY COUNCIL MEMBER WOODWARD)

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.

(ii) ORDINANCE NO. 60, SERIES OF 2013 (COUNCIL BILL NO. 56, INTRODUCED BY COUNCIL MEMBER OLSON)

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.

(c) Resolutions and Motions

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

10. Public Hearing Items

No public hearing was scheduled before Council.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

(i) Golf Operations Manager Spada presented a recommendation from the Parks and Recreation Department to adopt a bill for an ordinance approving an addendum to the Broken Tee Grill restaurant contracting modifying the payment schedule.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 58.

COUNCIL BILL NO. 58, INTRODUCED BY COUNCIL MEMBER WOODWARD

A BILL FOR AN ORDINANCE AUTHORIZING ADDENDUM NO. 1 TO THE BROKEN TEE GRILL, LLC. CONCESSIONAIRE AGREEMENT.

Vote results:

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

Nays: None

Motion carried.

(ii) Director Black presented a recommendation from the Parks and Recreation Department to adopt a bill for an ordinance approving the consolidation of the intergovernmental agreements between the City and Englewood Public Schools relating to shared services and joint activities.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 59.

COUNCIL BILL NO. 59, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ENGLEWOOD AND THE ARAPAHOE COUNTY SCHOOL DISTRICT NO. 1 CONSOLIDATING PREVIOUS

SHARED SERVICE AND JOINT ACTIVITY INTERGOVERNMENTAL AGREEMENTS BETWEEN THE TWO PARTIES; MODIFYING AGREEMENTS CONCERNING HOSANNA FIELD AND AUTHORIZING APPLICATIONS FOR GRANTS.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO AMEND COUNCIL BILL NO. 59 BY ADDING A BULLET POINT AT THE END OF SECTION 3 TO STATE “REVENUES, AS USED IN SECTION 3 HEREIN, SHALL BE DEFINED AS ANY AND ALL REVENUES RECEIVED LESS ANY EXPENSES ASSOCIATED WITH OBTAINING SUCH REVENUES” AND ADDING ANOTHER BULLET POINT AT THE END OF SECTION 4 TO STATE “REVENUES, AS USED IN SECTION 4 HEREIN, SHALL BE DEFINED AS ANY AND ALL REVENUES RECEIVED LESS ANY EXPENSES ASSOCIATED WITH OBTAINING SUCH REVENUES”.

Vote results on amendment:

Ayes: Council Members Jefferson, Wilson, Woodward

Nays: Council Members McCaslin, Penn, Olson, Gillit

Motion defeated.

Vote results on motion to approve Council Bill No. 59:

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. 57, as amended, approving the sale of 3415 S. Broadway to the Englewood Urban Renewal Authority was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) – ORDINANCE NO. 61, SERIES OF 2013.

ORDINANCE NO. 61, SERIES OF 2013 (COUNCIL BILL NO. 57, INTRODUCED BY COUNCIL MEMBER WOODWARD)

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

Vote results:

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

Nays: None

Motion carried.

(c) Resolutions and Motions

(i) Deputy Director Henderson presented a recommendation from the Public Works Department to approve, by motion, a construction project for improvement repairs to the ramp at Little Dry Creek Plaza at Englewood Marketplace. Staff recommends awarding the contract to the lowest acceptable bidder, Nordstrom Commercial Builders, LLC, in the amount of \$53,637.00, with a construction contingency of \$6,363.00, for a total project cost of \$60,000.00.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – A CONSTRUCTION PROJECT WITH NORDSTROM COMMERCIAL BUILDERS, LLC, FOR IMPROVEMENT REPAIRS TO THE RAMP AT LITTLE DRY CREEK PLAZA AT ENGLEWOOD MARKETPLACE IN THE AMOUNT OF \$53,637.00, WITH A CONSTRUCTION CONTINGENCY OF \$6,363.00, FOR A TOTAL PROJECT COST OF \$60,000.00.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO AMEND AGENDA ITEM 11 (c) (i), A MOTION FOR A CONSTRUCTION PROJECT WITH NORDSTROM COMMERCIAL BUILDERS, TO FUND THIS PROJECT OUT OF THE PUBLIC IMPROVEMENT FUND AND THAT THE PUBLIC IMPROVEMENT FUND REFUND THE PREVIOUS ALLOCATION TO THE LONG TERM ASSET RESERVE FUND THE \$100,000.00 OR WHATEVER FUND BALANCE IS AVAILABLE.

Vote results on amendment:

Ayes: Council Members Jefferson, Gillit

Nays: Council Members McCaslin, Wilson, Penn, Woodward, Olson

Motion defeated.

Vote results on motion to approve the construction project with Nordstrom Commercial Builders:

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**

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

15. **Adjournment**

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 9:20 p.m.

/s/ Loucrishia A. Ellis
City Clerk