

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

**Regular Session**

**December 2, 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 7:32 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, Gillit, McCaslin, Wilson, Yates, Penn

Absent: Council Member Olson

A quorum was present.

Also present:

- City Manager Sears
- City Attorney Brotzman
- Deputy City Manager Flaherty
- City Clerk Ellis
- Deputy City Clerk Bush
- Director Gryglewicz, Finance and Administrative Services
- Director White, Community Development
- Director Black, Parks and Recreation
- Communications Coordinator Hoffhines, City Manager
- Planner I Kirk, Community Development
- Senior Planner Neubecker, Community Development
- Manager of Open Space Lee, Parks and Recreation
- Golf Course Supervisor Niles, Parks and Recreation
- Lifeguard Nutt, Parks and Recreation
- Lifeguard Murry, Parks and Recreation
- Customer Service Representative Serpico, Parks and Recreation
- Cashier Simmons, Parks and Recreation
- Recreation Services Manager-Operations Sack, Parks and Recreation
- Customer Service Supervisor Meehl, Parks and Recreation
- Recreation Program Administrator Jones, Parks and Recreation
- Recreation Program Coordinator Wallace, Parks and Recreation
- Lifeguard Hanks, Parks and Recreation
- Lifeguard Leigh, Parks and Recreation
- Pool Maintenance Mitchell, Parks and Recreation
- Lifeguard Matlock, Parks and Recreation
- Firefighter Blacke

Firefighter Cash  
Driver Operator Engineer Flor, Fire  
Driver Operator Engineer LeBeau, Fire  
Driver Operator Engineer McTaggart, Fire  
Fire Lieutenant Nicholson  
Fire Medic Snyder  
Fire Chief Marsh  
Deputy Police Chief Sanchez

**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 NOVEMBER 18, 2013.**

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit  
Nays: None  
Absent: Council Member Olson

Motion carried.

**6. Recognition of Scheduled Public Comment**

(a) City Council recognized the student artists whose artwork is included in the 2014 Englewood Calendar. Communications Coordinator Hoffhines, Mayor Penn, and Council Members Wilson and Jefferson introduced and presented each child with a framed and matted copy of their artwork and tickets to an upcoming Englewood Arts Concert. Each Council Member present shook the students' hand and congratulated them. Mayor Penn also acknowledged from the Englewood School system Superintendent Brian Ewert; Board Members Duane Tucker, Vicki Howard, Kevin Ebert and Tena Prange, Charles Hay Principal Craig Ferguson; Englewood Middle School Assistant Principal Sarah Boland; Communications Coordinator Julie McGinley and all of the school art teachers who were present. The student artists are:

- Billie Dornfeldt, Clayton Elementary School
- Tess Bray, East High School
- Jamie Valdez, Colorado's Finest Alternative High School
- Vincent Pino, Clayton Elementary School
- Emilee Cirbo, Clayton Elementary School
- Alize Galvan, Englewood High School
- Russell Watson, Charles Hay World School
- Jake Hurtado, All Souls School
- Isaiah Mendez, Cherrelyn Elementary School
- Aushia Davis, Englewood Middle School
- Sophie Castro, All Souls School
- Shawn Michaelis, Colorado's Finest Alternative High School
- Dominic Priefert, Clayton Elementary School

(b) Jerrell Black, Director of Parks and Recreation and Fire Chief Andrew Marsh recognized the Parks and Recreation staff, especially Lifeguards Erica Nutt and Max Murry as well as Cashier Brenda Simmons and Customer Service Representative Kacie Serpico, for their efforts during a recent pool rescue at the Englewood Recreation Center. Fire personnel recognized included: Fire Lieutenant Svejcar, Firefighter Blacke, Driver Operator Engineer Flor, Driver Operator Engineer LeBeau, Fire Medic Snyder, Fire Medic Nieto and Fire Lieutenant Frederick. Fire Chief Marsh recognized Swedish Hospital representatives Carla Lewis, Emergency Room Charge Nurse, and Heidi Cabel, Emergency Medical Services Liaison. Director Black acknowledged the recreation staff present tonight in support of those being honored. He also recognized Luke Martinez, from Ellis and Associates, who is involved in training staff and inspections.

7. **Recognition of Unscheduled Public Comment**

(a) Elaine Hults, an Englewood resident, spoke about the lights and decorations on Broadway. She believes that the businesses on Broadway may want to use the funds from the BID dissolution for the light decorating. She was concerned that the Sign Code had been changed, but none of the businesses appear to know about it.

(b) Doug Cohn, an Englewood resident, complimented the Council on the art contest, the lifesaving story, and the tree lighting. He spoke about a questionable vote during a Study Session last week, a 4-3 vote appointing a liaison to a Board and Commission. Regarding the Sign Code, he would be willing to be hired to go door-to-door to hand out copies of the changes. Mr. Cohn commented about the grant and funding for the Fire Department radios. He asked about the charges for EMS transport services and asked where that money goes.

(c) Dave Black, an Englewood business owner, asked that the BID money be returned to the business owners who paid into it. He said the City should decorate the trees. He would be willing to decorate the tree in front of his business.

Council responded to Public Comment.

8. **Communications, Proclamations and Appointments**

(a) A recommendation from the NonEmergency Retirement Board to remove James Jordan as a regular member due to poor attendance was considered.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO REMOVE JAMES JORDAN AS A REGULAR MEMBER OF THE NONEMERGENCY RETIREMENT BOARD DUE TO POOR ATTENDANCE.**

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit

Nays: None

Absent: Council Member Olson

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 GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i).**

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 64, SERIES OF 2013 (COUNCIL BILL NO. 61, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN INTERGOVERNMENTAL PUBLIC LIBRARY GRANT FROM THE COLORADO STATE LIBRARY.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit

Nays: None

Absent: Council Member Olson

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**

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 NonEmergency Employees Retirement Plan Board to approve a bill for an ordinance reducing the number of Board Members necessary for a quorum and correcting dates in sections 3-4 of the Englewood Municipal Code related to the NonEmergency Employees Retirement Plan.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 62.**

COUNCIL BILL NO. 62, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AMENDING TITLE 3, CHAPTER 4, SECTIONS 1, 11(1) AND 17(3), OF THE ENGLEWOOD MUNICIPAL CODE 2000 AMENDING THE NONEMERGENCY EMPLOYEES RETIREMENT BOARD PLAN AND AMENDING AND RESTATING THE EFFECTIVE DATE OF THE PLAN DESCRIBED IN SECTION 3-4-1 TO DECEMBER 1, 2013.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit

Nays: None

Absent: Council Member Olson

Motion carried.

- (ii) Planner I Kirk presented a recommendation from the Community Development Department to adopt a bill for an ordinance approving the proposed Chick-fil-A Speer's Broadway Planned Unit Development. Staff further recommends setting a Public Hearing for December 16, 2013 to consider public testimony on this matter. City Council may also consider the proposed ordinance on second reading at its December 16, 2013 meeting.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 63 AND TO SET A DATE FOR A PUBLIC HEARING TO CONSIDER PUBLIC TESTIMONY ON DECEMBER 16, 2013.**

COUNCIL BILL NO. 63, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING THE REZONING OF 3085 SOUTH BROADWAY AND 3066 – 3090 SOUTH ACOMA STREET FROM A MU-B-2 AND MU-R-3-A ZONE DISTRICTS TO A PLANNED UNIT DEVELOPMENT (PUD).

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit

Nays: None

Absent: Council Member Olson

Motion carried.

(iii) Planner I Kirk presented a recommendation from the Community Development Department to adopt a bill for an ordinance approving the Speer's Broadway Addition Filing No. 2, First Amendment Major Subdivision. Staff further recommends setting a Public Hearing for December 16, 2013 to consider public testimony on this matter. City Council may also consider the proposed ordinance on second reading at its December 16, 2013 meeting.

**COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 64 AND TO SET A DATE FOR A PUBLIC HEARING TO CONSIDER PUBLIC TESTIMONY ON DECEMBER 16, 2013.**

COUNCIL BILL NO. 64, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE APPROVING THE SPEER'S BROADWAY ADDITION FILING NO. 2, FIRST AMENDMENT, MAJOR SUBDIVISION LOCATED AT 3085 SOUTH BROADWAY AND 3066 – 3090 SOUTH ACOMA STREET IN THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit  
Nays: None  
Absent: Council Member Olson

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

(i) Director Gryglewicz, with Manager Lee, presented a recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a supplemental appropriation to the 2013 Budget for holiday lighting on Broadway.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 75, SERIES OF 2013.**

RESOLUTION NO. 75, SERIES OF 2013

A RESOLUTION APPROVING AN APPROPRIATION TO THE 2013 BUDGET FOR THE HOLIDAY LIGHTING PROJECT.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit  
Nays: None  
Absent: Council Member Olson

Motion carried.

(ii) Fire Chief Marsh presented a recommendation from the Fire Department to approve a resolution authorizing application for an Assistance to Firefighters Grant from the Federal Emergency Management Agency.

**COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – RESOLUTION NO. 76, SERIES OF 2013.**

RESOLUTION NO. 76, SERIES OF 2013

A RESOLUTION AUTHORIZING THE APPLICATION FOR A FEMA ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AWARD TO THE CITY OF ENGLEWOOD, COLORADO.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit  
Nays: None  
Absent: Council Member Olson

Motion carried.

(iii) Manager of Open Space Lee and Supervisor Niles presented a recommendation from the Department of Parks and Recreation to approve, by motion, a bid to replace the wet well and pump house at the Broken Tee Englewood Golf Course. Staff recommends awarding the bid to the lowest acceptable bidder, The Industrial Group, in the amount of \$183,000.00.

**COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – AWARDED A BID TO THE INDUSTRIAL GROUP TO REPLACE THE WET WELL AND PUMP HOUSE AT THE BROKEN TEE ENGLEWOOD GOLF COURSE IN THE AMOUNT OF \$183,000.00.**

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit  
Nays: None  
Absent: Council Member Olson

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 9:10 p.m.

/s/ Loucrishia A. Ellis  
City Clerk