

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

Regular Session

February 3, 2014

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

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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 7:30 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 Olson, McCaslin, Wilson, Yates, Penn

Absent: Council Members Jefferson, Gillit

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 Konishi, Information Technology
Director Black, Parks and Recreation
Emergency Management Coordinator Green
Chief Building Official Smith, Building and Safety
Senior Planner Neubecker, Community Development
Battalion Fire Chief Ertle
Fire Lieutenant Vetos
Firefighter Garner
Fire Driver Operator Engineer Hillis
Fire Chief Marsh
Police Commander Englert

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 21, 2014.**

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson

Nays: None

Absent: Council Members Jefferson, Gillit

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled visitors.

7. Recognition of Unscheduled Public Comment

(a) Christine Johnson, Cornerstone Food Bank, accepted the financial contribution from City Council's Aid to Other Agencies.

(b) Elaine Hults, an Englewood resident, said I asked for holiday lights on Broadway and thank you for doing that. She asked Council to please clarify that \$20,000.00 is the cost for 2 blocks on Broadway for the lighting. She said that I understand that the funds came from the BID. I would like clarification regarding the funds and expenditures.

(c) Beverly Cummins, an Englewood resident, said thank you for the sympathy card for my sister.

8. Communications, Proclamations and Appointments

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEMS 8 (a) THROUGH 8 (ff) – RESOLUTION NOS. 2 THROUGH 33, SERIES OF 2014.

(a) RESOLUTION NO. 2, SERIES OF 2014

A RESOLUTION REAPPOINTING ANDY BERGER TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(b) RESOLUTION NO. 3, SERIES OF 2014

A RESOLUTION APPOINTING LEAH BUCHANAN TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(c) RESOLUTION NO. 4, SERIES OF 2014

A RESOLUTION REAPPOINTING MICHAEL BUCHANAN TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(d) RESOLUTION NO. 5, SERIES OF 2014

A RESOLUTION REAPPOINTING MICHAEL BUCHANAN TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

(e) RESOLUTION NO. 6, SERIES OF 2014

A RESOLUTION REAPPOINTING JOHN BRICK TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(f) RESOLUTION NO. 7, SERIES OF 2014

A RESOLUTION APPOINTING DOUG COHN TO THE ELECTION COMMISSION OF THE CITY OF ENGLEWOOD, COLORADO.

(g) RESOLUTION NO. 8, SERIES OF 2014

A RESOLUTION APPOINTING MELODY CONNETT TO THE POLICE OFFICERS' PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(h) RESOLUTION NO. 9, SERIES OF 2014

A RESOLUTION APPOINTING TANYA DeNORCH TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(i) RESOLUTION NO. 10, SERIES OF 2014

A RESOLUTION APPOINTING CHRIS DIEDRICH AS AN ALTERNATE MEMBER TO THE TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(j) RESOLUTION NO. 11, SERIES OF 2014

A RESOLUTION APPOINTING MATTHEW DILLIN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(k) RESOLUTION NO. 12, SERIES OF 2014

A RESOLUTION APPOINTING ROBERT FARRIS TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD COMMITTEE (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

(l) RESOLUTION NO. 13, SERIES OF 2014

A RESOLUTION APPOINTING MICHAEL FREEMIRE TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(m) RESOLUTION NO. 14, SERIES OF 2014

A RESOLUTION REAPPOINTING DOUGLAS GARRETT TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(n) RESOLUTION NO. 15, SERIES OF 2014

A RESOLUTION REAPPOINTING CHUCK HABENICHT TO THE WATER AND SEWER BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(o) RESOLUTION NO. 16, SERIES OF 2014

A RESOLUTION APPOINTING PATRICK MADRID AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(p) RESOLUTION NO. 17, SERIES OF 2014

A RESOLUTION REAPPOINTING ROGER MATTINGLY TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(q) RESOLUTION NO. 18, SERIES OF 2014

A RESOLUTION REAPPOINTING KAYLENE McCRUM TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(r) RESOLUTION NO. 19, SERIES OF 2014

A RESOLUTION APPOINTING CHRISTINE McGROARTY TO THE TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(s) RESOLUTION NO. 20, SERIES OF 2014

A RESOLUTION APPOINTING ALLIE MOORE TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(t) RESOLUTION NO. 21, SERIES OF 2014

A RESOLUTION APPOINTING ALLIE MOORE TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(u) RESOLUTION NO. 22, SERIES OF 2014

A RESOLUTION APPOINTING JOHN MOORE AS A MEMBER OF THE BUDGET ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(v) RESOLUTION NO. 23, SERIES OF 2014

A RESOLUTION REAPPOINTING JOHN MOORE TO THE NONEMERGENCY EMPLOYEE RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(w) RESOLUTION NO. 24, SERIES OF 2014

A RESOLUTION APPOINTING BARBARA OXFORD TO THE MALLEY CENTER TRUST FUND BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(x) RESOLUTION NO. 25, SERIES OF 2014

A RESOLUTION APPOINTING JIM PHELPS TO THE NON-EMERGENCY EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(y) RESOLUTION NO. 26, SERIES OF 2014

A RESOLUTION APPOINTING LAURA PHELPS ROGERS AS A MEMBER OF THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(z) RESOLUTION NO. 27, SERIES OF 2014

A RESOLUTION REAPPOINTING SUE PURDY TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

(aa) RESOLUTION NO. 28, SERIES OF 2014

A RESOLUTION APPOINTING BRENIDY RICE TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(bb) RESOLUTION NO. 29, SERIES OF 2014

A RESOLUTION APPOINTING PETER SENDROY TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(cc) RESOLUTION NO. 30, SERIES OF 2014

A RESOLUTION REAPPOINTING CAROLYNE WILMOTH TO THE FIREFIGHTERS' PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(dd) RESOLUTION NO. 31, SERIES OF 2014

A RESOLUTION APPOINTING JIM WOODWARD TO THE NONEMERGENCY EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(ee) RESOLUTION NO. 32, SERIES OF 2014

A RESOLUTION APPOINTING JIM WOODWARD TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(ff) RESOLUTION NO. 33, SERIES OF 2014

A RESOLUTION REAPPOINTING JESSIE VAN GUNDEL TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson

Nays: None

Absent: Council Members Jefferson, Gillit

Motion carried.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), 9 (b) (i), (ii) and (iii).

(i) COUNCIL BILL NO. 7, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED "EQUITABLE SHARING AGREEMENT AND CERTIFICATION" BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF TREASURY AND THE CITY OF ENGLEWOOD, COLORADO ACCEPTING FORFEITURE MONIES DURING FISCAL YEARS 2014, 2015, 2016 AND 2017.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 3, SERIES OF 2014 (COUNCIL BILL NO. 4, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF THE 2014 COLORADO DIVISION OF EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DIVISION OF EMERGENCY MANAGEMENT FOR ENGLEWOOD'S EMERGENCY MANAGEMENT PROGRAM.

(ii) ORDINANCE NO. 4, SERIES OF 2014 (COUNCIL BILL NO. 5, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE APPROVING SUPPLEMENT NO. 5 TO THE VALLEY SANITATION DISTRICT AND COLUMBINE WATER AND SANITATION DISTRICT CONNECTOR'S AGREEMENT FOR THE INCLUSION OF LAND WITHIN THE COLUMBINE SANITATION DISTRICT BOUNDARIES.

(iii) ORDINANCE NO. 5, SERIES OF 2014 (COUNCIL BILL NO. 6, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AMENDING THE RULES OF ORDER AND PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO SECTION VI, DUTIES AND PRIVILEGES OF COUNCIL MEMBERS, SUBSECTION H – VOTING.

Vote results:

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

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 YATES MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 60, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING HOME OCCUPATIONS.**

Vote results:

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

Motion carried and the Public Hearing opened.

All witnesses were duly sworn.

Senior Planner Neubecker presented background on Council Bill No. 60 and he discussed the specifics of the requested changes.

Those providing public comment included:

Doug Cohn, Elaine Hults, Kimberly Cowger, Pete Sendroy and Pamela Beets.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO CONTINUE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 60, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING HOME OCCUPATIONS TO THE NEXT REGULAR CITY COUNCIL MEETING ON FEBRUARY 18, 2014.

Vote results:

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

Motion carried and the Public Hearing will be continued to the meeting of February 18, 2014.

11. **Ordinances, Resolutions and Motions**

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on First Reading. (See Agenda Item 9 (a) – Consent Agenda.)

(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 presented a recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a transfer and supplemental appropriation of funds reinstating a Permit Technician position in the Division of Building and Safety Services.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 34, SERIES OF 2014.

RESOLUTION NO. 34, SERIES OF 2014

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS TO THE 2014 BUDGET.

Vote results:

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

Motion carried.

(ii) EMS Coordinator Green presented a recommendation from the Fire Department to approve a resolution authorizing the application for a grant from the Colorado Department of Public Health and Environment to assist in the purchase of three new LifePak 15 cardiac monitor/defibrillators.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – RESOLUTION NO. 35, SERIES OF 2014.

RESOLUTION NO. 35, SERIES OF 2014

A RESOLUTION AUTHORIZING AN APPLICATION FOR A “COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) GRANT” BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO.

Vote results:

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

Motion carried.

(iii) Director Black and Director Konishi presented a recommendation from the Parks and Recreation Department to approve, by motion, the purchase and initial installation of a security system in the amount of \$525,758.00. Staff recommends awarding the contract to LONG Building Technologies, Inc., the company that submitted the proposal with the lowest cost in response to the request for proposal.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – THE PURCHASE AND INITIAL INSTALLATION OF A SECURITY SYSTEM IN THE AMOUNT OF \$525,758.00. STAFF RECOMMENDS AWARDED THE CONTRACT TO LONG BUILDING TECHNOLOGIES, INC.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
Nays: None

Absent: Council Members Jefferson, Gillit

Motion carried.

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

(i) A resolution authorizing the distribution of funds from the former South Broadway Englewood Business Improvement District was considered.

MAYOR PENN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i) – RESOLUTION NO. 36, SERIES OF 2014.

RESOLUTION NO. 36, SERIES OF 2014

A RESOLUTION APPROPRIATING FUNDS FROM THE SOUTH BROADWAY ENGLEWOOD BUSINESS IMPROVEMENT DISTRICT.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson

Nays: None

Absent: Council Members Jefferson, Gillit

Motion carried.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

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 8:54 p.m.

/s/ Loucrishia A. Ellis
City Clerk