Council Request Update

April 12, 2018

Council Request: 18-029
Requested by: Council Member Barrentine
Request: Request for the letter sent to Knuckleheads, LLC owner Mr. James Margiotta and the chronology that led up to it being set
Assigned to: Finance and Administrative Services
Response: Please see the attached from Kathleen Rinkel, Director of Finance and Administrative Services

Council Request: 18-033
Requested by: Council Member Wink
Request: Request for enforcement history at 571 W. Cornell Ave.
Assigned to: Police Department
Response: Please see the attached from Code Enforcement Supervisor David Lewis

Council Request: 18-034
Requested by: Council Member Barrentine
Request: A request to respond to a complaint by Englewood resident Chris Duis
Assigned to: Police Department
Response: Please see the attached from Code Enforcement Supervisor David Lewis

Council Request: 18-035
Requested by: Council Member Olson
Request: Request for a copy of the MOA presentation from the 4/09/2018 Study Session
Assigned to: City Manager’s Office
Response: Please see the attached from Executive Assistant Christa Graeve

Council Request: 18-036
Requested by: Council Member Barrentine
Request: Request for a copy of the Englewood Police Department posting associated with the Platte River cleanup
Assigned to: City Manager’s Office
Response: Please see the attached from City Manager Eric Keck

Council Request: 18-037
Requested by: Council Member Barrentine
Request: Request for a copy of Jerry Walker’s corrected police report on his attack at Giving Heart
Assigned to: Police Department
Response: Please see the attached Commander Kelly Martin
Response to Council Request 18-029

To: City Council  
From: Kathleen Rinkel, Director of Finance and Administrative Services  
Date: April 6, 2018  
Subject: Letter sent to Knuckleheads, LLC owner Mr. James Margiotta and the chronology that led up to it being sent

Below is a Summary of the events and correspondence to Mr. James Margiotta that led up to the letter that was referenced in the 4/2/18 Council Meeting being sent:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event/Correspondence</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/1/2017</td>
<td>Business Open (per Sales Tax License Application-3/1/2017 Liability Date) - Originally submitted an application for 2297 W Dartmouth; however, according to notes on the account, on or around May 3, 2017 the business moved to 4398 S Broadway.</td>
</tr>
<tr>
<td>3/2/2017</td>
<td>New Sales Tax License Application Submitted</td>
</tr>
<tr>
<td>3/2/2017-</td>
<td>Business Owner worked with Community Development Planning and Zoning and Finance and Administrative Services Licensing in providing the necessary information and documents to process the Sales Tax License Application.</td>
</tr>
<tr>
<td>5/30/2017</td>
<td>Sales Tax License Issued and email sent notifying the Business Owner that the license was for service and repair only. A variance has not been pursued by the owner for motorcycle sales. If a variance were to be issued for motorcycle sales, the license will be amended to include sales.</td>
</tr>
<tr>
<td>6/21/2017</td>
<td>Due to non-filing of initial use tax due 6/16/2017, estimated assessment notice sent.</td>
</tr>
<tr>
<td>7/17/2017</td>
<td>Due to non-filing of returns for the reporting periods March 2017, April 2017 and May 2017, estimated assessment notice sent.</td>
</tr>
<tr>
<td>8/18/2017</td>
<td>Due to non-filing of return for the reporting period June 2017, estimated assessment notice sent via email.</td>
</tr>
<tr>
<td>9/19/2017</td>
<td>Due to non-filing of return for the reporting period July 2017, estimated assessment notice sent via email.</td>
</tr>
<tr>
<td>10/22/2017</td>
<td>Due to non-filing of return for the reporting period August 2017, estimated assessment notice sent via email.</td>
</tr>
<tr>
<td>11/22/2017</td>
<td>Due to non-filing of return for the reporting period September 2017, estimated assessment notice sent via email.</td>
</tr>
<tr>
<td>Date</td>
<td>Event/Correspondence</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>12/20/2017</td>
<td>Due to non-filing of return for the reporting period October 2017, estimated assessment notice sent via email.</td>
</tr>
<tr>
<td>1/24/2018</td>
<td>Due to non-filing of return for the reporting period November 2017, estimated assessment notice sent via email.</td>
</tr>
<tr>
<td>1/24/2018</td>
<td>Business Owner requested a meeting.</td>
</tr>
<tr>
<td>1/31/2018</td>
<td>Meeting Held and the follow-up email indicated that we would change the filing status from monthly to quarterly. We removed the estimated assessment penalty fees of $15/month for non-filing of tax returns due. We agreed to consolidate the 2017 tax filings into an annual return for the owner’s ease of reporting. The Business Owner was offered help with reconciling all past due taxes. The Business Owner indicated that his POS reports were confusing. We asked the Business Owner to provide some sample invoices to test the POS reports. The quarterly filing frequency would take effect on 1/1/2018 with the first quarter return due 4/20/2018.</td>
</tr>
<tr>
<td>3/2/2018</td>
<td>A follow-up email sent to the Business Owner as we did not hear back nor receive any additional documentation from the January 31, 2018 meeting.</td>
</tr>
<tr>
<td>3/22/2018</td>
<td>Division Staff Meeting - Licensing and Tax Compliance Technician and Sales Tax Auditor asked if we could send a letter from the Director of Finance and Administrative Services to Business Owner as there was no follow-up by the Business Owner from Jan 31, 2018 meeting.</td>
</tr>
</tbody>
</table>

The 3/23/18 letter that was referenced in the 4/2/18 Council meeting is attached for your review. Please let me know if you have any questions.

Sincerely,

Kathleen Rinkel, CPA, CMA  
Director of Finance and Administrative Services  
krinkel@englewoodco.gov  
(303) 672-2401
March 23, 2018

Mr. James Margiotta, President
Knuckleheads LLC
DBA Knuckleheads
4398 S Broadway
Englewood CO 80113

RE: Acct 292144

Dear Mr. Margiotta:

According to the City’s records, your business was issued a Sales and Use Tax License on 5/30/2017 and a quarterly tax return filing frequency was established. To date no Sales and Use Tax returns have been filed for the liability period effective 3/1/2017 through 12/31/2017. The next quarterly return for Jan-Mar 2018 is due 4/20/2018. The following Englewood Municipal Code sections stipulate the required filing of a Sales and Use Tax Return: 4-4-4-7 – Sales Tax Returns and 4-4-5-3 - Payment and Collection of Use Tax.

It is also our understanding that motorcycle sales are taking place at this location. According to the Sales and Use Tax License application the products and services sold include motorcycle parts and service of motorcycles respectively. There is no mention of motorcycle sales. A variance from Community Development and receipt of your state issued dealer’s certificate are required before any motorcycle sales may take place. Finally, per the attached copy of your business card there is mention of pawnbroker services, please note a separate license is required under Title 5.

Please contact Jennifer Nolan, Revenue and Budget Manager by no later than Friday, March 30, 2018 to address this situation (Phone: 303-762-2409 or Email: jnolan@englewoodco.gov).

You may contact the Community Development Department if you have any questions regarding the zoning requirements of this address (Phone: 303-762-2342 or Email: commdev@englewoodco.gov).

Sincerely,

[Signature]
Kathleen Rinkel, CPA, CMA
Director of Finance and Administrative Services

cc: Community Development Department
Police Department – Code Enforcement
TO:          Chief John Collins  
FROM:        Code Enforcement Supervisor David Lewis  
DATE:        April 9th, 2018  
SUBJECT:     Council Request 18-033

CR18-033
Requested by: Council Member Wink
A request for enforcement history at 571 W Cornell Ave

On April 9th, 2018 I met with the Reporting Party Mr. Kevin Centola who has contacted multiple City Departments about possible Englewood Municipal Code Violations. Mr. Centola informed me that the property is in compliance as of today based on his understanding of the Englewood Municipal Code. Mr. Centola expressed that he will continue to notify the City of any violation as he wants to protect his property value. I provided Mr. Centola with the following letter summarizing the actions taken regarding this business property and I explained that the business is currently in the due process proceedings within the Englewood Municipal Court for a zoning violation that has since been rectified.

Dear Kevin Centola,

I hear you are frustrated over the business operating across the street from your residence. You have contacted multiple divisions within the City to initiate inspections of 571 W Cornell Ave. This location is Zoned as I-1 “Light Industrial” and as such is authorized to have an Automotive Service/Automotive Repair business including bodywork and fender repair. This may not be the most ideal location for an automotive repair shop however it is permitted under the zoning uses for that location. Based on your open records request the City understood that you have been communicated with concerning the business, the business operations and your complaints. Below is a summary of the activities that were initiated based on your complaints:

The Code Enforcement Division has responded and inspected the business for parking violations and illegal dumping multiple times in the last year. The property is in compliance. The Code Enforcement Division along with the Abandoned Vehicle Officer conduct increased patrols in the area for parking violations and abandoned unregistered vehicles.
Parking tickets have been issued and cars have been towed. We will continue to monitor the area.

Based on your email on 05/19/2017 the location was inspected by the Fire Marshal’s Officer to verify compliance. Fire Inspectors verified that the paint booth is in compliance and the Inspectors educated the business representatives on further steps to ensure proper storage of flammable liquids. Materials were being disposed of properly. The Fire Marshals will continue to monitor the area.

Based on your email on 05/05/2017 A Wastewater Industrial Pretreatment Specialist inspected the property and found silty wastewater in the gutter on a dry weather day. The business was provided an inspection report and was educated on the proper use. No other violations are noted.

On 05/13/2017 the Zoning division issued a Notice of Violation for Englewood Municipal Code 16-5-2.C primarily for the vehicles being stored on the street and being worked on in the public right of way that were associated with the business. On 06/28/2017 a Summons to Court was issued to the business owner for 16-5-1 / 16-5-2 regarding the non-compliance of the inoperable vehicles associated with the business being parked on the street. This Summons is still in the due process proceedings within the Englewood Municipal Court. No further action may take place regarding violations of 16-5-1 / 16-5-2 until the court proceeding are completed.

On 09/08/2017 Code Enforcement and the Abandoned Vehicle Officer observed additional violations of 16-5-1 / 16-5-2. Parking tickets were issued, vehicles were towed and an additional Summons into court to the Co-Owner of the business was issued. These violations were dismissed by the City as a Summons was pending dated 06/28/2017.

I have met with the business owner on numerous occasions. The business owner expressed he is a positive contributor to the neighborhood. The business is exploring other options such as fencing to minimize some of the industrial look of the property.

This business is operating within the scope of their license, zoning and the Englewood Municipal Code. The City will continue to monitor the area for compliance.

David Lewis
Code Enforcement Supervisor
TO: Chief John Collins
FROM: Code Enforcement Supervisor David Lewis
DATE: April 10th, 2018
SUBJECT: Council Request 18-034

CR18-034
Requested by: Council Member Barrentine
A request to respond to a complaint by Englewood Resident Chris Duis 4884 S Sherman St.

Email from Mr. Duis dated April 6th, 2018:

“Dear Ms Barrentine

I cant hold back any longer
This is right behind me
Code enforcement only fights me on anything i say or do.
Even goes so far as to lie and make things up
Like in the police report against my dog.
When i go into court
Monday May 7 2018 for code compliance
The judge & city attorney will get an ear full
Contempt of court for complaining?
Maybe.
Caint keep a angry lion down for ever.

Trash that never leaves. Iv watchcd code enforcement drive down my ally stairing to see if im in compliance. As this is right behind me.

Ally always blocked with cars

Next ally. Wood chips & dead Trees been there for years. No wonder we have a rat problem.

Out door storage. Incase more homless illegals want to build somthing by the river

I have always taken great strides as a proud property owner.
To keep my place top notch for 38 years.
But have received citation after citation for made up accusations.
59 years in Englewood
Down hill every step of the way
Thank you for listening"

Mr. Duis made a serious allegation in his email regarding the accuracy of the law enforcement documentation in relation to a dog attack case. Mr. Duis should be encouraged to file a report with the Englewood Police Department Professional Standards Division.

Mr. Duis has an Englewood Municipal Court compliance hearing on May 7th, 2018. The hearing is to determine the status related to Mr. Duis’ voluntary plea arrangement for Dangerous Dog and the permit as a result of his dog violently attacking another dog that resulted in the death to the dog. Mr. Duis admitted to Code Enforcement on three separate occasions that he lied because he was scared and wanted to protect his dog.

On 04/09/18 and on 04/10/18 Code Enforcement conducted inspections of the alley behind Mr. Duis’s residence. The following actions were taken by Code Enforcement:

4835 S Sherman St
Code Enforcement issued a 7 day notice of violation

4865 S Sherman St
Code Enforcement issued a 7 day notice of violation

4879 S Sherman St
Code Enforcement met with the residents to educate them on the parking codes. The residents are new to Englewood and have resided at the property for less than 30 days. The parking violation was rectified and the violation no longer exists.

4889 S Sherman St
Code Enforcement issued a 7 day notice of violation
INTRODUCTION TO MOA FOR NEW COUNCIL MEMBERS
CITY OF ENGLEWOOD

APRIL 9, 2018

TIM VACCA
-DIRECTOR OF PROGRAMS
Mission

“Making Art a Part of Everyday Life.”
MOA History

Founded in 1981 by Greenwood Plaza Developer John W. Madden Jr. and daughter, Cynthia Madden Leitner.

• Integrated Art into JMC developments
• Created a culturally thoughtful environment
• Built on the family passion for the arts
• A Museum without walls
MOA HISTORY

• FOUNDED 1981 AS A “MUSEUM WITHOUT WALLS”

• FOUNDED FIDDLER’S GREEN AMPHITHEATRE IN 1988.

• MOVED HEADQUARTERS AND 1/2 OF THE COLLECTION TO COE IN 2000.

• 20 YEAR LEASE WITH COE.
  • EXERCISED ALL 5 YEAR EXTENSIONS.
  • ENGLEWOOD PROVIDES JANITORIAL SERVICE AND SPACE FOR $1/YEAR AND $96,000 IN ANNUAL GENERAL OPERATING SUPPORT.
  • MOA PAID FOR ALL TENANT FINISH AND IMPROVEMENTS (OVER $1MILL).
  • MOA INSTALL AT LEAST 13 SCULPTURES AND AT LEAST $50,000 PER YEAR IN PROGRAMMING.

• 5 FULL TIME EMPLOYEES

• 3 PART TIME EMPLOYEES AND MANY CONTRACTORS

• BOARD OF TRUSTEES (6 MEMBERS)

• BRING MANY LOCAL, NATIONAL AND INTERNATIONAL ARTISTS TO ENGLEWOOD.
Fiddler’s Green Amphitheatre
MOA COLLECTION AT ENGLEWOOD

INGLEWOOD LOCATION:

• **37 OUTDOOR ARTWORKS**

• **8 INDOOR ARTWORKS AT CIVIC CENTER**
NEW WALKING TOUR BROCHURE

• DISTRIBUTED REGIONALLY AND ACCESSIBLE ON THE MOA WEBSITE.
TOUR PROGRAM

• SELF-GUIDED TOURS
• GALLERY TOURS
• OUTDOOR TOURS
• GROUP TOURS
• AUDIO TOURS
CONSERVATION
CABINET OF CURiosITIES

ON PERMANENT VIEW

A POPULAR PERMANENT INSTALLATION
REINVENTING THE IMAGE FEATURING 21 LOCAL ARTISTS
OCTOBER 15 - DECEMBER 17, 2016
LUMONICS THEN & NOW: A RETROSPECTIVE OF LIGHT-BASED SCULPTURE BY DOROTHY & MEL TANNER

JANUARY 13 - MARCH 24, 2017
UNERASED JOURNEYS: A SURVEY OF WORKS BY DARRYL POTTORF
APRIL 8 - JULY 15, 2017
DESIGN AND BUILD 2017
JULY 29 - SEPTEMBER 22, 2017
DESIGN AND BUILD ALUMNI EXHIBITION
JULY 29 - OCTOBER 21, 2017
THE SCULPTURED BUILDINGS OF CHARLES DEATON
JULY 29 - SEPTEMBER 22, 2017
COUNTERPOINTS
OCTOBER 14 - DECEMBER 15, 2017

FEATURING 2 LOCAL, ESTABLISHED ARTISTS
ENGLWOOD CALENDAR EXHIBITION (ATRIUM GALLERY)

MOA HELPS JUROR AND INSTALL EXHIBITION AND HOSTS RECEPTION.
CRAIG MARSHALL SMITH
DECEMBER 4, 2017 - MARCH 30, 2018
IN THE ATRIUM GALLERY
EDUCATION
Design and Build

ENGLEWOOD OUTREACH
ENGLEWOOD OUTREACH

BEFORE

AFTER
GALLERY SESSION

• CORY GILSTRAP - LEAD ARTIST

• ALUMNI EXHIBITION

• 12 INTERNS - COMING FROM VIRGINIA, OREGON, MEXICO, TEXAS, MASSACHUSETTS AND COLORADO.

• OPENING RECEPTION JULY 29TH. PROGRAM RAN JUNE 1 - JULY 31.
Design and Build

GALLERY SESSION
ARTIST IN RESIDENCE PROGRAM
FALL 2016

DMITRI OBERGFELL - FALL 2016

MOA HOSTED 2 EVENTS AS PART OF THE RESIDENCY.
ARTIST IN RESIDENCE PROGRAM
WINTER / SPRING 2017

JENNIFER GHORMLEY
ARTIST IN RESIDENCE PROGRAM

WINTER / SPRING 2017

4 WORKSHOPS AT CHARLES HAY WORLD SCHOOL.
2 WORKSHOPS AT MOA. 1 WORKSHOP AT PEABODY ELEMENTARY.

JENNIFER GHORMLEY
ARTIST IN RESIDENCE PROGRAM

SPRING 2018

PRISMAJIC - JEN MOSQUERA & ERIC JAENIKE
ROBERT RAUSCHENBERG
POSTPONED TO 2020
WE WILL FEATURE PERMANENT COLLECTION.
IMMERSIVE ART INSTALLATION
COMING IN 2019
Museum of Outdoor Arts outdoes itself once more

Emerging creators offer work that shows power of imagination

A novel power of art to emerge is the idea that it can be a vehicle for change and growth. A recent exhibit at the Museum of Outdoor Arts in Englewood, Colo., showcased this concept with a series of paintings and sculptures that explore themes of identity, culture, and the environment.

The exhibit, titled "Emergence," featured works by emerging artists from around the world. The artists were chosen for their innovative and thought-provoking approaches to their craft. Each piece told a unique story, whether it was about personal identity or the impact of human activities on the natural world.

"Emergence" was curated by the museum's executive director, Julie Brown, who believes that art has the power to inspire and empower.

"Art can be a powerful tool for change," she said. "By showcasing the work of emerging artists, we hope to inspire and encourage the next generation of creatives."
At MOA, plugging in, turning out, turning up story of 94-year-old Dorothy Tanner

"I'm a long story," Dorothy Tanner says of herself. And she tells it, in bits and pieces, not parsing the good from the bad, not bothering to connect the chronological dots because, as she explains, figuring out when things happened matters less than the fact that they happened, sometime or other, and it all adds up to who she is.

"That's the perk of being 94," she says. Seeing the big picture of your life. Accepting it all and not judging. "Ego is always the driver, the guy in the seat, but I'm no longer beholden to him, or her, or it — or whatever it is."

It wasn't easy getting to this place. Tanner is an artist, a music lover, a party girl, a doer. And now her vision is failing and hearing can be difficult. She can't move as quickly or produce as much. That used to make her angry.

But her art saved the day, and in that way she's lucky. Tanner works, essentially, in light, making sculptures out of arranged acrylic pieces that illuminate in glowing reds, blues, greens, pinks. If she were painter, she'd be finished, unable to make a clear line. But light cuts through her undependable senses. She can see it and still feel the energy field it gives off and manipulate its qualities. It keeps her working and engaged.

"Seeing the Light"

A 93-year-old artist looks back on decades of unconventional work.

"I'm a long story," Dorothy Tanner says of herself. And she tells it, in bits and pieces, not parsing the good from the bad, not bothering to connect the chronological dots because, as she explains, figuring out when things happened matters less than the fact that they happened, sometime or other, and it all adds up to who she is.

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Futuristic building becomes historic

7 sensational fine arts events around Denver to check out this fall

Review: Bank on the Lasting Value of Charles Deaton's Architecture
EVENTS

Upcoming Events:

- **OCT 14**: Counterpoints - Charles and Colleen Passmoor

Past Events:

- **SEP 7**: 50th Birthday of Architect, Charles Deaton
- **SEP 29**: Design & Build and Charles Deaton Architecture Exhibitions
- **SEP 29**: Sculpture on the Green Artist Reception
- **JUN 10**: Creative Psychadelics
- **JUN 8**: Unerased Journeys: A Survey of Works by Darryl Pottorf
- **MAR 18**: In the Studio with Jennifer Ghormley
- **FEB 25**: Film & Forum with Dorothy Tanner
- **FEB 8**: Unerased Journeys: A Survey of Works by Darryl Pottorf

JOIN THE PARTY!

50th Birthday of Architect, Charles Deaton's Englewood Bank

Public - Hosted by Museum of Outdoor Arts - MOA

**FEB 25**: Film & Forum with Dorothy Tanner

**MAR 18**: In the Studio with Jennifer Ghormley

**FEB 25**

**MAR 18**

**APR 8**

**FEB 25**

**MAR 18**

**APR 8**

**FEB 25**

**MAR 18**

**APR 8**
PERFORMANCE
PRODUCED 60 MINUTE DOCUMENTARY FILM ABOUT DANIEL SPRICK AND THE MOA EXHIBITION.

AIRED AT DENVER ART MUSEUM LAST WEEK. WILL AIR ON COLORADO PUBLIC TELEVISION SOON.
COMMUNITY SUPPORT

Museum of Outdoor Arts

15 reviews

#6 of 21 things to do in Englewood
Art Museums

Englewood Schools
Aiming and Thrive

Greater Englewood
Chamber of Commerce
Bringing business together™

Museum of Outdoor Arts also recommends

Steakhouse 10

Frame de Art

Nixon's Coffee House

Up Close and Musical
COMMUNITY SUPPORT

Englewood Block Party
Saturday, October 14
3:30 - 9:00 PM

Music Line Up

3:30 - 4:10
ROB DRABKIN

4:30 - 5:10
WILDERMISS

5:30 - 6:10
LARRY NIX & THE KILLER GENTS

6:30 - 7:30
THE GUESTLIST

7:30 - 8:45
BRENT COWLES
COMMUNITY SUPPORT

**CELEBRATE:**
Student ART Works

**Charles Hayward World School**
PTSA, Frame de Art, Tiny Studio Collective, Museum of Outdoor Art, present

**CELEBRATE:**
Student Art Works

May 4, 2017
5p—7p
Gymnasium

Creation, Reception, Exhibition, Refreshments, Entertainment
THANK YOU!
By order of the City Manager of Englewood Colorado this area has been declared a Public Nuisance under Title 15 of the Englewood Municipal Code. This area has also been identified as a flood control mitigation area by Urban Drainage and Flood Control.

Beginning January 8th and continuing through February 2nd, 2018, the east bank of the Platte River from the 2700 Block to the 3500 Block (approximately West Yale Avenue to West Hampden Avenue) is subject to the removal of trash, property and other items as well as vegetation remediation by Urban Drainage and Flood Control. During this time this area will be closed to camping, loitering, fishing and other uses.

You are notified to remove property, trash and belongings from this area by January 7th. You are further ordered to vacate this area from January 8th through February 2nd, 2018. Failure to remove trash and property from this area may result in criminal charges. Failure to vacate this area may result in criminal charges as well.

Items of value left or located in the area will be booked into the Property Section of the Englewood Police Department and may be claimed by appointment. Please call 303-762-2454, to make an appointment or come to the Englewood Police Department at 3615 South Elati Street to make an appointment. Items will be held for 30 days.

The Englewood Police Department will be in the area on January 4th, along with representatives from various local resource providers to provide assistance and answer questions. The Englewood Police Department will be in this area or available during this event to provide assistance and to keep the area clear. For assistance please call the Englewood Police Department at 303-761-7410.

Eric A. Keck, City Manager
1000 Englewood Parkway • Englewood, Colorado 80110 • 303-762-2310 • www.Englewoodgov.org
TO: Chief John Collins
FROM: Commander Kelly Martin
DATE: April 10, 2018
SUBJECT: Council Request 18-037

CR 18-037
Requested by: Council Member Barrentine:

Copy of Jerry Walker's corrected police report on his attack at Giving Heart.

Assigned to: Police Department

Please see attached copy of police report 1803642.
Inclusive Case Report

Date: 04/10/2018

EPD

Case Number: 1803642

Page: 1 of 2

Begin Date/Time: 03/28/2018 18:05:42

Report Title: SUSPICIOUS

Occur. Location: 4370 S BROADWAY

Apt: City: ENGLEWOOD State: CO

Number of Arrestees: 0

Agency ORI: CO0030100

Category PERSON Person Type OTHER

First Name JERRY

Middle Name L

Last Name WALKER

Race WHITE

Sex MALE

DOB 12/28/1942

DL Number/St 4180 S PEARL ST

Name Type LEGAL

HOME ENGLEWOOD CO 80110 Phone (303) 321-4528

Category PERSON Person Type COMPLAINANT

First Name JAMES

Middle Name JOSEPH

Last Name MARGIOTTA

Race WHITE

Sex MALE

DOB 01/25/1967

DL Number/St 92-143-4266 CO

Name Type LEGAL

HOME 29 E RADCLIFF AVE

ENGLEWOOD CO 80110 Phone (303) 710-3370

HOME 2402 S DUDLEY CT

LAKEWOOD CO 80227 Phone (303) 578-2627

WORK 4398 S BROADWAY

ENGLEWOOD CO 80113 Phone

Category PERSON Person Type OTHER

First Name BILLY

Middle Name JOE

Last Name WELTY

Race BLACK OR AFRICAN

Sex MALE

DOB 08/02/1968

DL Number/St 922481540 CO

Name Type LEGAL

HOME U: TRANSIENT

ENGLEWOOD Phone

HOME 4090 S BANNOCK ST

104 ENGLEWOOD CO Phone (720) 296-8287

HOME 4534 S ACOMA ST.

ENGLEWOOD CO 80110 Phone (303) 730-3380

HOME 4301 S GRANT ST

ENGLEWOOD CO 80110 Phone (303) 762-8624

HOME 4659 S FOX

Phone

OTHER (CELL)

Phone (720) 296-8287

Category NARRATIVE

DAVIS 11-02

On 032818 at 1810 hrs EPD Officers responded to the area around 4370 S Broadway on a suspicious incident. RP JAMES J MARGIOTTA 012567 stated there was a red van parked across the street from the Giving Heart at 4370 S Broadway and some transients were around the van appearing to be banging on it. The transients then went inside the Giving Heart. I contacted the driver of the van SB1 JERRY L WALKER 122642 who was inside his van taking pictures of the transients that were lined up outside waiting for it to open. He stated one of them came over to his van and harassed him about what he was doing. SB1 WALKER declined to say why he was taking the photos. He was able to show me a photo of the transient that was talking to him.

I recognized the photo as SB2 BILLY WELTY 080268 and later contacted him inside the Giving Heart. SB2 WELTY did not think SB1 WALKER had the right to take pictures of them so he confronted him. I advised SB2 WELTY that in a public area he is allowed to take photos. NFAT,
On 032818 at 1808 hrs when I had originally contacted SB1 WALKER I asked him if there was any damage to his van. SB1 WALKER stated there was no damage. He was standing underneath an overhang with the RP and his van was parked approximately 20 yards away. Since SB1 WALKER stated there was no damage I did not check the van for myself.

While I was on my days off I received an e-mail that SB1 WALKER came into the station to see me. He had apparently claimed that there were several "inaccuracies" and missing pieces of information on the report that he wished to talk about.

When I returned to work on 040418 I called SB1 WALKER and left a voicemail. I advised I would be working that day if he wished to call or come by the station. SB1 WALKER did not return my call on 040418 or 040518.

SB1 (JERRY WALKER) came to E.P.D. on 04/06/18, to have a typed statement added on to this report.

See attached.
ADDENDUM
Case Report 1803642
March 29, 2018

Submitted by Jerry Walker

The following is an addendum to the narrative provided by Officer Jacob Davis. It is my request that this addendum be part of, and included with the file of CASE NUMBER 1803642.

NARRATIVE:
On March 28, 2018, I was in my vehicle parked on the west side of the 4300 block of South Broadway photographing the homeless people blocking the sidewalk on the east side of the same block. Officer Davis reported that one homeless person came to harass me. The truth is, as I stated at the time, that two homeless persons, one male and one female, crossed the street, began beating on the rear of my vehicle and then came to the driver's side window in an attempt to intimidate me. I photographed both of these perpetrators. After they left a third homeless perpetrator came to the window of my vehicle and verbally threatened me. He said, "If you don't stop taking pictures of us you will be very very sorry." He then left prior to the arrival of the police. I gave this statement to officer Davis. This can be confirmed by a witness who was present during my conversation with officer Davis. That would be the person who witnessed the attack on my vehicle and called the police. I was asked by the officer as to why I was photographing the homeless and I replied, "Because I can." I then showed officer Davis photographs of all 3 homeless perpetrators.

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