1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:40 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
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Engineering Technician I Dye, Public Works
Planner I Kirk, Community Development
Senior Planner Stitt, Community Development
Batallion Chief Ertle, Fire
Deputy Fire Chief Petau
Police Detective Garrett
Police Commander Englert

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

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 4, 2012.

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) Lewis Fowler, an Englewood resident, spoke about the Englewood Depot and offered some suggestions and solutions for locations, renovations, preservation, and ownership by the Englewood Historical Society.

(b) Carlos Fraga, an Englewood resident, reviewed the problems of street parking on Elati Street near Bishop Elementary School. He believes that there should be a restriction on the parking and asked for Council’s assistance.

(c) Cynthia Searfoss, an Englewood resident, spoke about the meeting held on August 25, 2012 for the Craig Hospital expansion involving South Clarkson Street. She believes that the hospital missed a good opportunity to build goodwill with the citizens.

(d) Heather Jordan, a Cherry Hills Village resident, discussed No on Amendment 64 and handed out information to Council. She would like to see a resolution passed opposing this amendment, which would legalize marijuana.

(e) Frank Sargent, a Littleton resident, spoke about Amendment 64 and presented medical facts regarding the usage of marijuana.

(f) Carly Sellaro, an Englewood student, (with Brandy Bartholomew, an Englewood High School advisor) asked Council for $680.00 for the Englewood High School homecoming parade, which is this Friday. The money is primarily to offset traffic control costs billed from the City for the parade.

(g) Ira David Sasina, an Englewood resident, spoke about the new corner by Englewood High School, the fact that he is losing some of his property, and the parking issues the High School will face. He has put his property up for sale and would like to sell his house to the City.

8. Communications, Proclamations and Appointments

There were no communications, proclamations, or appointments.

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 McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEM 9 (b) (i).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 48, SERIES OF 2012 (COUNCIL BILL NO. 48, INTRODUCED BY COUNCIL MEMBER WOODWARD)

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE WATER CONSERVATION PLANNING GRANT AWARDED TO THE CITY OF ENGLEWOOD, COLORADO BY THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS.
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. (See Agenda Item 11 (c.).)

10. Public Hearing Items

(a) COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON THE PROPOSED 2013 CITY OF ENGLEWOOD BUDGET.

Vote results:

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

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Director Gryglewicz presented background information regarding the proposed City of Englewood 2013 Budget.

Citizens who spoke include:

Cynthia Searfoss, an Englewood resident, said she actually read the budget. She said she appreciated seeing actual goals for the various departments and hopes that they meet them.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON THE PROPOSED 2013 CITY OF ENGLEWOOD BUDGET.

Vote results:

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

Motion carried and the Public Hearing closed.

(b) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 47, A PROPOSED BILL FOR AN ORDINANCE REZONING THE OXFORD STATION TOD FROM LIGHT INDUSTRIAL (I-1) TO THE PLANNED UNIT DEVELOPMENT.

Vote results:

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

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Planner I Kirk, from Community Development, presented background information regarding rezoning the Oxford Station TOD from Light Industrial (I-1) to the Planned Unit Development.

Jonathan Bush, a principal of Littleton Capital Partners, detailed the process and development of the project. He discussed the benefits to the City from this project including the future design and possible expansion. He hopes the rezoning is approved.
Joseph Poli, from Humphries/Poli Architects, asked for Council’s approval for the rezoning of the PUD. He presented a PowerPoint presentation regarding the proposal of the transit-oriented development and the strategies involved.

Citizens who spoke include:

Cynthia Searfoss, an Englewood resident, said parking spaces seem to be crucial to this development and that that area is already stressed with the lack of parking availability. She thinks the City is running a fire sale regarding the lowering of the cost of land being developed in several projects and at the cost of less green space in the community. Ms. Searfoss stated that she is confused regarding the funding and timing some of these developments.

Pamela Beets, an Englewood resident, talked about how the development took the whole neighborhood into account in their planning. She sees how City Council has vested in this project. Ms. Beets would like to see a sense of space, a sense of community, and a sense of economic value added to this project.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 47, A PROPOSED BILL FOR AN ORDINANCE REZONING THE OXFORD STATION TOD FROM LIGHT INDUSTRIAL (I-1) TO THE PLANNED UNIT DEVELOPMENT.

Vote results:
Ayes: Council Members Jefferson, McCaslin, Wilson, Penn, Woodward, Olson, Gillit
Nays: None
Motion carried and the Public Hearing closed.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

   (i) Director White presented a recommendation from the Community Development Department to adopt a Bill for an Ordinance to vacate the 3400 block of South Clarkson Street. Staff further recommends that Council set October 1, 2012 as the date for a Public Hearing to gather public input on the proposed ordinance.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 49 AND TO SET OCTOBER 1, 2012 AS THE DATE FOR A PUBLIC HEARING TO GATHER PUBLIC INPUT ON THE PROPOSED ORDINANCE.

COUNCIL BILL NO. 49, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE VACATING THE 3400 BLOCK OF SOUTH CLARKSON STREET BETWEEN GIRARD AND HAMPDEN AVENUES IN THE CITY OF ENGLEWOOD, COLORADO BUT RESERVING UTILITY EASEMENTS AND CITY BICYCLE ROUTE ON SOUTH CLARKSON.

Vote results:
Ayes: Council Members Jefferson, McCaslin, Wilson, Penn, Woodward, Olson, Gillit
Nays: None
Motion carried.

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The meeting recessed at 9:42 p.m.

The meeting reconvened at 9:48 p.m. with all City Council Members present
(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

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEMS 11 (c) (i), (ii), (iii), (iv), and (v).

COUNCIL MEMBER JEFFERSON PULLED AGENDA ITEM 11 (c) (iv).

Director Gryglewicz presented recommendations from Finance and Administrative Services Department to approve the resolutions for Agenda Items 11 (c) (i), (ii), (iii), and (v).

(i) RESOLUTION NO. 77, SERIES OF 2012

A RESOLUTION TRANSFERRING AND APPROPRIATING FUNDS FROM THE RISK MANAGEMENT FUND AND EMPLOYEE BENEFITS FUND TO THE CAPITAL PROJECTS FUND (CPF) FOR THE HR ORACLE OSB PROJECT.

(ii) RESOLUTION NO. 78, SERIES OF 2012

A RESOLUTION TRANSFERRING AND APPROPRIATING FUNDS FROM THE PUBLIC IMPROVEMENT FUND (PIF) TO THE CAPITAL PROJECTS FUND (CPF) FOR EMERGENCY ALERT SIREN PROJECT.

(iii) RESOLUTION NO. 79, SERIES OF 2012

A RESOLUTION APPROPRIATING FUNDS FOR THE ENGLEWOOD, OXFORD AND BATES STATION AREA MASTER PLAN PROJECT.

(v) RESOLUTION NO. 80, SERIES OF 2012

A RESOLUTION REQUESTING COVERAGE UNDER THE FPPA DEFINED BENEFIT SYSTEM ADMINISTERED BY THE FIRE AND POLICE PENSION ASSOCIATION FOR NEW POLICE OFFICERS FOR THE CITY OF ENGLEWOOD AND PROVIDING ACTIVE POLICE OFFICERS THE OPTION TO PARTICIPATE IN THE FIRE AND POLICE ASSOCIATION DEFINED BENEFIT SYSTEM.

Vote results on Agenda Items 11 (c) (i), (ii), (iii), and (v):

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

Motion carried.

(iv) Director Gryglewicz presented a recommendation from Finance and Administrative Services Department to approve a resolution authorizing a transfer of $200,000.00 from the Risk Management Fund to the General Fund.

COUNCIL MEMBER GILLIT MOVED, AND MAYOR PENN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv) – RESOLUTION NO. 81, SERIES OF 2012.

RESOLUTION NO. 81, SERIES OF 2012

A RESOLUTION TRANSFERRING FUNDS FROM THE RISK MANAGEMENT FUND TO THE GENERAL FUND.
Vote results:

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

Motion carried.

(vi) Senior Planner Stitt presented a recommendation from the Community Development Department to adopt a resolution authorizing Community Development Block Grant Application for FY2013.

COUNCIL MEMBER WOODWARD MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (vi) – RESOLUTION NO. 82, SERIES OF 2012.

RESOLUTION NO. 82, SERIES OF 2012

A RESOLUTION AUTHORIZING THE CITY OF ENGLEWOOD, COLORADO, TO FILE APPLICATIONS WITH ARAPAHOE COUNTY FOR A 2013 COMMUNITY DEVELOPMENT BLOCK GRANT.

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) Council considered the funding request for the Englewood High School Homecoming Parade.

COUNCIL MEMBER OLSON MOVED, AND MAYOR PENN SECONDED, TO APPROVE GIVING $400.00 TO ENGLEWOOD HIGH SCHOOL FOR THEIR HOMECOMING PARADE.

COUNCIL MEMBER OLSON AMENDED THE AMOUNT FROM $400.00 TO $340.00, WITH THE STIPULATION THAT THE ENGLEWOOD HIGH SCHOOL STUDENTS AND THEIR ADVISOR BE NOTIFIED THAT THEY ARE TO COME BEFORE COUNCIL IN NOVEMBER/DECEMBER WHEN COUNCIL IS DECIDING ON AID TO OTHER AGENCIES. MAYOR PENN ACCEPTED THE AMENDMENT.

Vote results on the motion as amended:

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

Motion carried.

13. City Manager’s Report

(i) A motion approving the South Metro Denver Animal Shelter Options Memorandum of Understanding was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE SOUTH METRO DENVER ANIMAL SHELTER OPTIONS MEMORANDUM OF UNDERSTANDING.

Vote results:

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

Motion carried.
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 10:16 p.m.

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/s/ Loucrishia A. Ellis  
City Clerk