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City Councilman  
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# The Email Express



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## Turmoil is unending for DeBoer heirs



*S.R. DeBoer granddaughter Elizabeth Potts (right) was accosted by neighbors Pamela Pritzel (left) and her husband David Klibaner (arm with watch) while Potts was clearing brush on her property last April 22. Potts later obtained court protection orders against the two.*

*(Photo taken from video shot by Cynthia Geraud, Potts' daughter.)*

**M**any south Denver residents might assume that the nasty fight over the former property of S.R. DeBoer was settled on March 12 when City Council approved a scaled-down landmark designation for some of the land on and around the property at 515 East Iliff Ave.

Unfortunately, that's not the case. DeBoer's heirs, led by granddaughter Elizabeth Potts, have suffered harassment by neighbors, had to seek restraining orders and also are waging a court

fight against a neighbor who claims part of their property.

"People think this issue was settled on March 12, but it wasn't," says David Potts, Elizabeth's husband.

(Councilman Charlie Brown voted against the historic designation, calling it "legalized claim jumping." The council vote was 8-2.)

DeBoer was the city landscape architect from 1910 to 1931 and a city consultant until 1958. His hand can be seen in such city landmarks as Civic

Center, Cheesman Park, the mountain parks and the city's parkways. His home and an office, a Tudor-style brick building with a tower, were on the original property.

In 2005, with the death of DeBoer's daughter, Elizabeth T. Wright, the property passed, in a trust, to his grandchildren, Elizabeth Potts and Thomas and Lawrence Wright, but it has proven to be a bitter legacy.

"This is our inheritance, this is all we have," says Elizabeth Potts.

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*DeBoer (Continued from page 1)*

The struggle of the DeBoer heirs also should be a cautionary tale for any citizen, because it's exposed problems in Denver's landmark-designation system that could threaten property rights.

In late 2005, the DeBoer heirs, in an effort to settle their mother's estate, had the 1.17-acre property appraised and put it up for sale. In April 2006 the heirs signed a \$1.9 million contract with developer McStain Neighborhoods.

On May 16, 2006, some neighbors styling themselves the DeBoer Neighborhood Preservation Committee, presented a landmark designation proposal for the DeBoer property to the city's Landmark Preservation Commission. The suggested S.R. DeBoer Historic District included the heirs' property and land owned by neighbors Mark and Leigh LaFon and by Ana Novas, which had been part of the original DeBoer holdings.

But the DeBoer heirs had no idea that neighbors had designs on their land until David Potts, Elizabeth Potts' husband, found out about the application while reading a neighborhood association website.

The next few months were a blur of problems for the DeBoer heirs, including several revisions of the landmark proposal, harassment by neighbors while attempting to clear brush from the property on fire department orders, McStain's withdrawal of its offer and a failed effort at mediation.



S.R. DeBoer's former office at 515 E. Iliff Ave., now part of an historic district.

Finally, on Nov. 21, 2006, the Landmark Preservation Commission voted to recommend designation only for DeBoer's office and part of the land immediately surrounding it, while commission staff recommended designation of a larger, five-lot parcel. The Den-

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***"Miss Pritzel, you have a passion for the DeBoer Estate. ... Frankly, I think your passion is out of control."***

*- County Judge John Barajas to neighbor Pamela Pritzel during a court hearing on July 19, 2007.*

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ver Planning Board voted 5-2 on Jan. 17 against any landmark designation.

On Feb. 14, the Blueprint Denver Committee, composed of council members, at the urging of then-Councilwoman Kathleen MacKenzie, recommended to the full council that the entire five-lot parcel receive landmark designation.

Finally, on March 12, a majority of the council designated a smaller

historic district, including DeBoer's old office and part of the land around it, plus adjoining properties owned by two neighbors.

That wasn't the end of it. The DeBoer heirs again have the property on the market, but their legal bills, more than \$150,000 financed partly with loans, are mounting as they've continued to have problems with the neighbors.

On April 16, according to Denver County Court documents, Ana Novas (who lives next door to the DeBoer property) and Pamela Pritzel (who lives in the neighborhood) accosted surveyor David Steck, who was surveying the Novas/DeBoer property line for Elizabeth Potts. (Court documents also note that Novas and Pritzel "basically interfered with Ms. Potts and her brothers" on an earlier occasion, July 14, 2006, when the heirs were trimming bushes and cleaning up the property in

*(Continued on page 5)*

# City “diversity” video leaves sour taste

*This is a copy of a letter Councilman Brown sent to Mayor John Hickenlooper and Susan Maxfield, city diversity director.*

I’m writing to add my concerns to those of Dennis Supple, a District 6 resident, who has written to Ms. Maxfield about his objections to the city’s diversity training video, “Laughing Matters – Think About It.”

The otherwise well-produced and acted video unfortunately makes a diversity misstep of its own by portraying one white male as the sole tasteless-joke offender in a series of four “Saturday Night Live” parody vignettes. Mr. Supple, in his June 8 letter to the Career Service Authority, wrote, “I found the video to be racist, sexist, class divisive and in very bad taste. ... each vignette should have had someone from a different, diverse group acting badly. Instead, the stereotype that white people, especially blue-collar males, are inherently bad and act accordingly is reinforced throughout this video.”

As we all know from personal experience, insensitivity is an equal-opportunity failing. So, the video might have had more credibility with city workers if the vignettes had spread the blame around a bit more.

How can city employees have meaningful discussion after seeing only a Caucasian male making insensitive comments? All ethnic groups have a role in changing behavior across the board.

I do realize that in your first letter to Mr. Supple on July 11, you told him that the video is not meant to stereotype anyone and that the facilitators who lead city diversity training sessions try to make that clear. I also appreciate that you discussed Mr. Supple’s concerns with the Denver Diversity Advisory Committee in October. But I know that Mr. Supple remains unhappy about the message conveyed in the video, and I too am concerned about the impression it leaves.

As the city continues to develop its diversity-training programs and materials, I certainly hope you will keep those concerns in mind.



## ***“Laughing Matters – Think About It.”***

*The mishap-prone character, named “Andy” in the video and played by an actor (shown at left), manages to make an insensitive remark about an Hispanic coworker, be suggestive with a woman at an office vending machine, be offensive about the weight of another woman who’s making copies and tease a new coworker about his slight stature and young age.*

*At the end of the video, the helpful narrator gives Andy suggestions about how to use other types of humor – mostly self-deprecating – in such situations.*

*As is to be expected in a training video, Andy seems to have learned his lesson.*

*The six-minute video, produced by the city Diversity Advisory Committee and Channel 8, already has been shown to 2,000 city employees.*

*It is shown during training sessions that also include a facilitator leading discussion about inappropriate humor in the workplace.*

*It’s billed as the first in a series, so it’s to be hoped that the sequels will be a little more subtle.*

*You can see a preview of the video, including one of Andy’s “jokes,” at [http://www.denvergov.org/Diversity\\_Initiatives/](http://www.denvergov.org/Diversity_Initiatives/)*

# Many deserve credit for saving school



Artist's conception shows the former Washington Park School after its redevelopment as lofts, which are scheduled for completion next summer.

- Image from Colorado Land & Home Co.

A recent Historic Denver preservation award was only given to one party to the redevelopment of the old Washington Park School, an effort for which many should get credit.

What's named Myrtle Hill at Washington Park Place is rapidly coming together on the old elementary school site on East Mississippi Avenue between South Race and High streets. The project will include single-family homes on Race Street, conversion of the 1928 wing of the school into 10 new, exclusive loft-style homes and construction of eight brownstone-style homes.

Residents recently got a close look at progress during an Oct. 6 neighborhood fair sponsored by the developer, Jonathan Miller of Colorado Land & Home.

And, the preservation effort was honored by Historic Denver Inc. at its annual dinner on Oct. 24, when the Friends of Washington Park School received a Community Preservation Award. The developer was mentioned only in a video shown at the dinner but did not receive an award.

"The neighbors deserve an award, but so does the developer. It was a group effort. In a dance contest the award goes to the couple, not one dancer. I'm disappointed Historic Denver left out Colorado Land & Home," said Councilman Charlie Brown, who said he unsuccessfully asked Steve Turner of Historic Denver to change the award.

The project was a true collaborative effort involving lots of people from neighbors to the developer, architect The Lawrence Group, city staff

members and mediator Steve Charbonneau.

Miller bought the site from a private school in the spring of 2005, hoping to build 18 single-family homes. The plan didn't sit well with some neighborhood residents, who'd already applied for landmark status for the school. Councilman Charlie Brown enlisted Charbonneau to work with all the parties.

Over a year, there were 14 mediation sessions and many neighborhood meetings that led to a creative compromise.

The school site has been an important part of the surrounding community since 1906.

Now, with a historically compatible project rising on the site, the development promises a to be an important addition to its neighborhood.

# DeBoer Debacle: Heirs still battling

(Continued from page 2)

response to a Denver Fire Department directive.)

In the April 16 incident, County Judge John Barajas concluded in a decision issued on July 19, "The Court will find that basically he [surveyor Steck] was interfered with in what he was trying to do."

Things escalated on April 22, when the Potts family was attempting to clear dead vegetation on the property and Pritzel came onto the property and demanded they "stop it" in what the judge described as an "aggressive manner."

A short time before, Pritzel had confronted son Chris Potts on the property while he was operating a chain saw. ("If I ever heard a fact situation that fits legal definition of what reckless behavior is, that's it," Barajas said.) Then Pritzel twice grabbed Elizabeth Potts while Potts was holding a pruning tool.

In the July 19 protective order barring Pritzel from the DeBoer property and from harassing family members, Barajas said, "With Ms. Pritzel, the conduct I described clearly crosses the line," citing the April 22 incident and others. "Ms. Pritzel, you have a passion for the DeBoer Estate ... Frankly, I think your passion is out of control."

The judge also had hard words for Pritzel's husband, David Klibaner, who had threatened the Potts with legal action during the April 22 confrontation. "Basically you lost your perspective, and in the Court's opinion, your rationality as to what was happening." The judge later issued a permanent protective order against Klibaner, who is a lawyer, as is his wife. "It's hard for the court to see two lawyers in this predicament," Barajas commented. (Pritzel and Klibaner have appealed the permanent protective orders.)

Finally, Barajas criticized Novas, the neighbor, saying "this whole mess frankly is around you."

On May 8, Novas filed an action in Denver District Court, seeking legal possession of a strip of land 15 feet wide on the western edge of the DeBoer property, claiming she's had actual possession and use of it since 1978. The DeBoer heirs are fighting that claim, but a hearing isn't set until February. The fight faced by the DeBoer heirs highlights a larger problem, as Barajas noted:

"The way the laws are written right now ... it creates a lot of headaches for us judges, because on the one hand you've got these ordinances that allow people who have no interest in property to petition local government to have a place design-



*Pamela Pritzel (left) and Elizabeth Potts during April 26 confrontation on the DeBoer property.*

nated as a historic landsite. The present process is such that a homeowner may not even get notice that it's going on. And unfortunately we have some of that in this situation. ... I wish the City Council would fix this stupid law."

Councilman Brown will bring forward amendments to the city's landmarks preservation ordinance in November that, hopefully, will "fix this stupid law."

"I am very concerned about abuses within the process of landmark designation in dealing with an individual family's constitutional right to the ownership of their personal property," Brown said. "Serious questions have been raised about the commission and staff," citing the DeBoer heirs case as a prime example of abuses of the landmark process.

**"The way the laws are written right now ... it creates a lot of headaches. ... I wish the City Council would fix this stupid law."**

*- Denver County Judge John Barajas, July 19, 2007*

## Good deed all in a day's work for one Denver employee

Bob Gollick's heart sank on the morning of Oct. 9, after he'd rushed out to the alley to empty a wastebasket into a Dumpster as the city trash truck made its way down the alley in the 600 block of South Gaylord Street.

As Gollick emptied his waste basket, a valued ring, given to him 37 years ago by his wife, slipped off his right hand and into the trash.

Gollick said he feared the worst, but driver **Kevin Chavez** (pictured at right), stopped the truck, pulled on his gloves and hopped into the Dumpster. He found the ring.

"It was such a cool thing that he did," said Gollick. "I will always be grateful to Kevin."



## Don't forget to vote

Haven't cast your mail ballot yet for the Nov. 6 Denver election? There's still time, but you better act fast.

If you're planning to put it in the mail, remember that big envelope needs 75 cents postage. But also remember that a mailed ballot has to be received at the elections division by Nov. 6, so it may be safer to drop your ballot off.

**Drop-off sites** in and near District 6 include the **District 3 Police Station**, 1625 S. University Blvd., and the **Eisenhower Recreation Center**, 4300 E. Dartmouth Ave. If you're headed toward the center of town, you also can drop ballots at the Tattered Cover Bookstore, 1628 16<sup>th</sup> St.; the **Tattered Cover** at 2626 E. Colfax Ave.; the **Wellington Webb Municipal Office Building**, 201 W. Colfax Ave., or the **Elections Division Office Lobby** 303 W. Colfax Ave. (Colfax and Court Place). That office will be open at 8 a.m. on the dates listed below, and drive-through ballot drop-off is available beginning at 7 a.m. on Election Day on Court Place between Colfax and 14th Street.

The drop-off locations will be open through Friday, Nov. 2 (10 a.m. to 7 p.m.) and on Monday, Nov. 5 (10 a.m. to 7 p.m. both days) and Tuesday, Nov. 6 from 7 a.m. to 7 p.m..

## Brown's "good neighbor" policy OK'd by council

Denver property owners now have some protection against unwanted citizen-initiated zoning changes with City Council passage of Bill 525 on Oct. 22.

City law previously allowed "any person" to submit an application to rezone any property – even if the applicant didn't live in Denver, own the property in question or have the owner's agreement to rezone.

The change, sponsored by Councilman Charlie Brown, allows applications for rezoning to be made only by the council, all owners of the land that are to be rezoned, or by one or more owners who submit petitions signed by the owners of at least 51 percent of the total land involved.

In addition to bringing basic fairness to rezoning, the change also brings Denver in line with the laws of many neighboring cities.

The issue was examined in detail in the September edition of The Email Express.