

**EDGEWATER CITY COUNCIL  
REGULAR BUSINESS MEETING  
MINUTES  
MAY 28, 2015**

A regular business meeting of the Edgewater City Council was held in the City Council Chambers.

**ITEM 1.     CALL TO ORDER**

Mayor McNulty called the meeting to order at [7:00:11 PM](#).

**ITEM 2.     ROLL CALL**

City Clerk Beth A. Hedberg called the roll.

**Present:**                   Mayor Bonnie McNulty  
                                  Councilwoman Laura Keegan  
                                  Councilman David Fleck  
                                  Councilwoman Myra A. Keeble  
                                  Councilman Kristian A. Teegardin  
                                  Councilwoman Janet Spangenberg  
                                  Councilman Steve Conklin

**Absent:**                    Councilman Todd Riddle

**Also Present:**           City Attorney Thad Renaud  
                                  Community Services Director Dan Maples  
                                  City Manager HJ Staf  
                                  Police Chief John Hough  
                                  Finance Director Ken Keeley

Full and timely notice of the meeting had been given and a quorum was present.

**ITEM 3.     PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ITEM 4.     APPROVAL OF AGENDA**

Councilwoman Keegan moved, seconded by Councilwoman Spangenberg, to approve the agenda as presented. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** Councilman Riddle. **ABSTAIN:** None.

**ITEM 5. CONSENT AGENDA – MINUTES OF MAY 7, 2015**

A minor editorial correction was made. Councilman Fleck moved, seconded by Councilman Conklin, to approve the consent agenda as corrected. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** Councilman Riddle. **ABSTAIN:** None.

**ITEM 6. COMMUNICATIONS FROM THE CITY MANAGER, STAFF, AND BOARDS AND COMMISSIONS**

City Manager Stalf said that he had nothing to report and he turned the podium over to Police Chief John Hough. Chief Hough introduced the latest Police Department hire, Officer Aaron Johnson.

Community Services Director Dan Maples provided an update on the 25<sup>th</sup> Avenue Sewer Replacement Project. With the recent rains and the resulting high water table, sewer videoing had taken place. The contractor was looking for intrusion spots. The asphalt paving and maintenance contract had been finalized. It had come in lower than expected. Director Maples said that he believed it was a result of the reduced price of oil. Staff might be back before Council to request an appropriation so that more asphalt work could be done while the prices were low. There would be a one day delay in trash pickup and recycling due to the Memorial Day holiday.

Other items discussed included: street buckling caused by water seepage; recent Xcel Energy activity in the City; and water quality.

No further reports were given.

**ITEM 7. PUBLIC COMMENTS (NON-AGENDA ITEMS)**

Larry Welshon said he wanted to share what was good. What was good was City Clerk Hedberg chasing down unlicensed solicitors that had come to his door. Mr. Welshon reported that his father had recently passed away. He'd been given the opportunity to move into his father's home located in Applewood. Mr. Welshon said that his family had chosen to remain in Edgewater for many reasons. The most important reason being that he had the opportunity to speak with his elected representatives and he appreciated it. He appreciated the hard work of City Council even though he did not always agree with them.

Gina Hartley thanked Councilman Teegardin. Ms. Hartley discussed the importance of communication. She would like the City to be proactive in its use of social media for the people that could not be present at the Council meetings. Ms. Hartley thanked City Council for what they did. She appreciated the communication that the City did have.

Mayor McNulty noted that Council discussed communication at every Council retreat and understood its importance. It was a matter of available resources.

**ITEM 8. NOISE ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-05, AN ORDINANCE AMENDING SECTION 10-14-10 OF THE EDGEWATER MUNICIPAL CODE CONCERNING UNREASONABLE NOISE (SECOND AND FINAL READING)**

Councilwoman Keeble moved, seconded by Councilwoman Keegan, to approve on second and final reading and order published by law, Ordinance 2015-05, an ordinance amending Section 10-14-10 of the Edgewater Municipal Code concerning unreasonable noise as presented. Attorney Renaud noted that changes had been made to the ordinance prior to second reading at Council’s direction. The word “gas” had been added to Section 10-14-10(c)(1) following the words “electric or”. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** Councilman Riddle. **ABSTAIN:** None.

**ITEM 9. RC-2 DISTRICT ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-06, AN ORDINANCE AMENDING CHAPTER 16 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING ZONING, BY REPEALING ARTICLE 9 THEREOF, CONCERNING THE R-C2, RESIDENTIAL-COMMERCIAL 2 ZONE DISTRICT, AND BY AMENDING SECTION 16-3-10, CONCERNING THE ESTABLISHMENT OF ZONE DISTRICTS, AND SUBSECTION 16-30-130(D), CONCERNING BULK PLANE LIMITATIONS, TO REMOVE REFERENCES THEREIN TO THE R-C2 ZONE DISTRICT (SECOND AND FINAL READING)**

Councilwoman Keegan moved, seconded by Councilman Conklin, to approve on second and final reading and order published by law, Ordinance 2015-06, an ordinance amending Chapter 16 of the Edgewater Municipal Code, concerning zoning, by repealing Article 9 thereof, concerning the R-C2, Residential-Commercial 2 Zone District, and by amending Section 16-3-10, concerning the establishment of zone districts, and Subsection 16-30-130(d), concerning bulk plane limitations, to remove references therein to the R-C2 Zone District as presented. Attorney Renaud noted the changes that had been made to the ordinance prior to second reading at Council’s direction to correct a typographical error. Attorney Renaud provided a brief history on the ordinance and noted that there was no land in the City currently zoned R-C2. The Planning and Zoning Commission had recommended the deletion of the zoning district. **VOTE** was called for. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** Councilman Riddle. **ABSTAIN:** None.

**ITEM 10. MARIJUANA REGULATION ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-07, AN ORDINANCE AMENDING ARTICLES 30 AND 32 OF CHAPTER 16 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING MEDICAL MARIJUANA AND RETAIL MARIJUANA, RESPECTIVELY, TO ESTABLISH LIMITS ON THE NUMBER OF MARIJUANA BUSINESSES WITHIN THE CITY AND TO AMEND EXISTING CITY REGULATIONS CONCERNING THE LOCATIONS OF SUCH BUSINESSES, BY AMENDING SECTIONS 16-30-100 OF THE CODE, CONCERNING THE LOCATION OF MEDICAL MARIJUANA BUSINESSES, 16-30-130 OF THE CODE, CONCERNING PROHIBITED ACTS RELATED TO MEDICAL MARIJUANA BUSINESSES, 16-32-90 OF THE CODE, CONCERNING THE LOCATION OF RECREATIONAL MARIJUANA BUSINESSES, AND 16-32-130 OF THE CODE, CONCERNING PROHIBITED ACTS RELATED TO RETAIL MARIJUANA BUSINESSES; AND REPEALING THE TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF ANY APPLICATION FOR A CITY OF EDGEWATER PERMIT OR LICENSE RELATED TO THE OPERATION OF A MARIJUANA-RELATED BUSINESS (SECOND AND FINAL READING)**

Councilwoman Spangenberg moved, seconded by Councilwoman Keeble, approve on second and final reading and order published by law, Ordinance 2015-07, an ordinance amending Articles 30 and 32 of Chapter 16 of the Edgewater Municipal Code, concerning medical marijuana and retail marijuana, respectively, to establish limits on the number of marijuana businesses within the City and to amend existing City regulations concerning the locations of such businesses, by amending Sections 16-30-100 of the Code, concerning the location of medical marijuana businesses, 16-30-130 of the Code, concerning prohibited acts related to medical marijuana businesses, 16-32-90 of the Code, concerning the location of recreational marijuana businesses, and 16-32-130 of the Code, concerning prohibited acts related to retail marijuana businesses; and repealing the temporary moratorium on the submission, acceptance, processing, and approval of any application for a City of Edgewater permit or license related to the operation of a marijuana-related business as presented. Attorney Renaud advised that there had been no changes to the ordinance prior to second reading. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** Councilman Riddle. **ABSTAIN:** None.

**ITEM 11. GENERAL BUSINESS**

There was no general business to discuss.

**ITEM 12. PUBLIC COMMENTS**

There were no public comments.

**ITEM 13. MAYOR AND COUNCIL COMMENTS**

Councilman Fleck noted that it was the last day of school and that the streets would become livelier for the next few months.

Councilman Teegardin said that he and Councilman Fleck had participated in the Senior Day of Service sponsored by Colorado Senior Connections. He thanked Felica Goett and Eric Strother for organizing the event and the volunteers that had participated. It had been a lot of fun. He had mowed two yards and almost killed his lawn mower. It felt good to roll up your sleeves and be active in your community. Councilman Teegardin said that another event would be held in the fall and he would be happy to sign up volunteers.

Councilwoman Keegan spoke about the recent wet weather and expressed her sympathy to residents who had their basements flooded. She advised people to make certain that their down spouts were clear and to divert water away from their homes using dirt and gardens.

Councilwoman Keeble said the rain had made the yards look nice and green. She thanked the public for attending the meeting that evening.

Councilwoman Spangenberg also thanked the public for attending the meeting.

Councilman Conklin thanked the public for coming. He said he was one of the people who had been wrestling with water in his cellar. Councilman Conklin referenced the severe flooding in other parts of the country and said that Edgewater residents were actually pretty lucky in comparison.

Mayor McNulty spoke about a phone call she had received from a resident regarding a pot hole at the Post Office. She had explained that the post office was federal property and that the City had no jurisdiction. The citizen had suggested that the City repair the pot hole in the dead of night. Mayor McNulty said that the City would be caught. The citizen replied that it would take years for the Federal Government to do anything about it. Mayor McNulty said she appreciated the citizen's comment and sense of humor.

**ITEM 14. BUSINESS MEETING ADJOURNMENT**

There being no further business, Mayor McNulty adjourned the meeting at [7:22:18 PM](#).

Submitted by:

*/s/ Beth A. Hedberg, MMC*  
City Clerk