

**EDGEWATER CITY COUNCIL
REGULAR BUSINESS MEETING
MINUTES
JULY 16, 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 [7:00:19 PM](#).

ITEM 2. ROLL CALL

City Clerk Beth A. Hedberg called the roll.

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

Absent: None

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

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

ITEM 5. CONSENT AGENDA – MINUTES OF JUNE 4, 2015

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

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

City Manager Staff reported that the vacant land at West 29th Avenue and Kendall Street would soon be developed. Eighty-six (86) high end units would be built. The corner lot located at 29th Avenue and Sheridan Boulevard located in Denver is also to be developed. The plan is for forty-five (45) apartments to be built. The City recently applied for enterprise zone status for the majority of the commercial properties in the City. Approval was anticipated in the fall. Significant tax incentives would be available for those businesses who created jobs and rehabilitated abandoned buildings.

Chief Hough reported that the Department had gotten a new police vehicle. Chief Hough introduced the Department's newest employee Officer Randy Palmer and provided some background information with respect to his previous employment and experience. Council welcomed Officer Palmer.

Councilman Teegardin thanked Chief Hough for the police bicycle patrol.

Director Dan Maples provided updates on the following projects: 25th Avenue sewer line replacement; 26th Avenue water line replacement; lead line replacement; Emerald Ash Borer Plan; installation of ADA compliant sidewalk ramps; sidewalk repair project; and the paving contract. Director Maples reported on the Dragon Boat Festival street closure on West 25th Avenue between Ames Street and Sheridan Boulevard. He noted that Joyride Brewery had applied for a special event permit for the same closure later in the month.

No further reports were given.

ITEM 7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

House District 24 Colorado State Representative Jessie Danielson provided a summary of bills she had sponsored during the last legislative session. Representative Danielson invited citizens to contact her with any questions or issues.

Francis Scarlatti described an interaction she'd had with El Colorado Tire with respect to a wheel she had purchased. She reported her complaint to City Hall and the Better Business Bureau. It bothered her that citizen complaints had no bearing on business license renewals. She asked Council to consider revising the business licensing code.

Larry Welshon said that Director Dan Maples was a great staff member and he really liked the idea of putting up no parking signs for street sweeping. Mr. Welshon referenced a recent article in the Neighborhood Gazette written by Councilwoman Spangenberg regarding compromise. Mr. Welshon asked Council to consider that compromise might not be a good thing. Mr. Welshon quoted Ayn Rand, "Contrary to the fanatical belief of its advocates, compromise on basic principles does not satisfy, but dissatisfies everybody; it does not lead to general fulfillment, but to general frustration; those who try to be all things to all men, end up by not being anything to anyone. And more: the partial victory of an unjust claim, encourages the claimant to try further; the partial defeat of a just claim, discourages and paralyzes the victim." Mr. Welshon challenged Council to find some future ordinance that they would not compromise on. Mr. Welshon said that a principled piece of legislation should be based on solid "whereas" statements. He encouraged Council to draft quality statements based on research.

Marceil Case said she was an Edgewater resident and that she worked for the State Medicaid Office. Ms. Case spoke about handicapped parking spaces. Medicaid was partnering with other organizations to bring awareness of the handicapped parking laws. She encouraged Edgewater to look at handicapped parking enforcement.

ITEM 8. POLICE DEPARTMENT RECORDS MANAGEMENT SYSTEM RESOLUTION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2015-08, A RESOLUTION APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT AMONG THE CITIES OF ARVADA, EDGEWATER, GOLDEN, LAKEWOOD AND WHEAT RIDGE AND THE TOWN OF MOUNTAIN VIEW FOR THE USE AND MAINTENANCE OF A REGIONAL CRIMINAL JUSTICE RECORDS MANAGEMENT SYSTEM

Councilwoman Spangenberg moved, seconded by Councilwoman Keeble, to approve Resolution 2015-08, a resolution approving an Amended and Restated Intergovernmental Agreement among the Cities of Arvada, Edgewater, Golden, Lakewood and Wheat Ridge and the Town of Mountain View for the use and maintenance of a Regional Criminal Justice Records Management System as presented. Attorney Renaud advised that the Council had approved a prior version earlier in the year. The City of Lakewood had requested that the Agreement be revised. These changes were included in the fifth whereas clause. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Riddle, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** None. **ABSTAIN:** None.

ITEM 9. SUPPLEMENTAL APPROPRIATION ORDINANCE – PUBLIC HEARING AND DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-10, AN ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND FOR PURPOSES OF FUNDING EXPENSES RELATED TO

SEWER AND STREET IMPROVEMENTS AND ADOPTING A REVISED QUARTERLY BUDGET (FIRST READING)

Councilwoman Keeble moved, seconded by Councilwoman Keegan, to approve on first reading and order published by law, Ordinance 2015-10, an ordinance appropriating funds from the General Fund for purposes of funding expenses related to sewer and street improvements and adopting a revised quarterly budget as presented.

Mayor McNulty opened the public hearing at [7:32:16 PM](#). City Manager Stalf explained that the City budgeted cautiously. Yearly revenues were up and the price of oil was down. The City wanted to take advantage of this to pave the streets west of Harlan Street and to finalize sewer work. Mayor McNulty closed the public hearing at [7:34:49 PM](#).

The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Riddle, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** None. **ABSTAIN:** None.

ITEM 10. STREET CUT ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-11, AN ORDINANCE AMENDING VARIOUS PROVISIONS OF ARTICLE 3 OF CHAPTER 11 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING EXCAVATIONS IN STREETS, ALLEYS, SIDEWALKS AND OTHER PUBLIC PLACES WITHIN THE CITY (FIRST READING)

Councilman Riddle moved, seconded by Councilman Conklin, to approve on first reading and order published by law, Ordinance 2015-11, an ordinance amending various provisions of Article 3 of Chapter 11 of the Edgewater Municipal Code, concerning excavations in streets, alleys, sidewalks and other public places within the City as presented. Discussion was held regarding trench maintenance and restoration. Councilman Fleck said that it was rare to codify timely performance by staff. Attorney Renaud advised that he would revise the ordinance prior to second and final reading. Councilwoman Keegan said that she appreciated the ordinance and that it would make the City safer in the long run. Councilman Riddle said the ordinance would protect the City's investment. **VOTE** was called for. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Riddle, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** None. **ABSTAIN:** None.

ITEM 11. RENTAL PROPERTY REGISTRATION ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-08, AN ORDINANCE AMENDING CHAPTER 6 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING BUSINESS LICENSES AND REGULATIONS, BY THE AMENDMENT OF SECTION 6-1-30, CONCERNING THE REQUIREMENT FOR A BUSINESS LICENSE AND EXCEPTIONS TO

SUCH REQUIREMENT, AND BY THE ADDITION OF A NEW ARTICLE 12, CONCERNING THE ESTABLISHMENT OF A RENTAL PROPERTY REGISTRATION REQUIREMENT, WHICH REQUIREMENT, IN CONJUNCTION WITH THE ADOPTION OF THE CITY OF EDGEWATER RENTAL PROPERTY MAINTENANCE CODE, IS NECESSARY IN ORDER TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, HEALTH, PROPERTY, AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE USE, OCCUPANCY AND MAINTENANCE OF ALL RESIDENTIAL STRUCTURES AVAILABLE FOR RENT WITHIN THE CITY OF EDGEWATER (SECOND AND FINAL READING)

Councilwoman Spangenberg moved, seconded by Councilman Riddle, to approve on second and final reading and order published by law, Ordinance 2015-08, an ordinance amending Chapter 6 of the Edgewater Municipal Code, concerning business licenses and regulations, by the amendment of Section 6-1-30, concerning the requirement for a business license and exceptions to such requirement, and by the addition of a new Article 12, concerning the establishment of a rental property registration requirement, which requirement, in conjunction with the adoption of the City of Edgewater Rental Property Maintenance Code, is necessary in order to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use, occupancy and maintenance of all residential structures available for rent within the City of Edgewater as presented. The motion **PASSED** on the following vote:
AYES: Councilwoman Keegan, Councilman Riddle, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin.
NAYS: None. **ABSENT:** None. **ABSTAIN:** None.

ITEM 12. RENTAL PROPERTY MAINTENANCE ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-09, AN ORDINANCE AMENDING CHAPTER 7 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING HEALTH, SANITATION AND ANIMALS, BY THE ADDITION OF A NEW ARTICLE 7, CONCERNING THE ESTABLISHMENT OF A RENTAL PROPERTY MAINTENANCE CODE, IN ORDER TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE AND LIMB, HEALTH, PROPERTY, AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE USE, OCCUPANCY AND MAINTENANCE OF ALL RESIDENTIAL STRUCTURES AVAILABLE FOR RENT WITHIN THE CITY OF EDGEWATER, INCLUDING BUT NOT LIMITED TO STANDARDS FOR BASIC EQUIPMENT AND FACILITIES, FOR OCCUPANCY, FOR PLUMBING, HEATING AND ELECTRICAL SYSTEMS, AND FOR EXITS, PEST CONTROL AND THE SANITARY MAINTENANCE OF SUCH PROPERTIES (SECOND AND FINAL READING)

Councilwoman Keegan moved, seconded by Councilwoman Spangenberg, to approve on second and final reading and order published by law, Ordinance 2015-09, an

ordinance amending Chapter 7 of the Edgewater Municipal Code, concerning health, sanitation and animals, by the addition of a new Article 7, concerning the establishment of a Rental Property Maintenance Code, in order to provide minimum standards to safeguard life and limb, health, property, and public welfare by regulating and controlling the use, occupancy and maintenance of all residential structures available for rent within the City of Edgewater, including but not limited to standards for basic equipment and facilities, for occupancy, for plumbing, heating and electrical systems, and for exits, pest control and the sanitary maintenance of such properties as presented.

Public comment was called for. Larry Welshon said he did not like this ordinance or the previous ordinance. Council had compromised to get something passed. The ordinance had been so watered down that even the egress window requirement had been removed. Mr. Welshon urged one of the Council Members to vote no if only to avoid the appearance that Council was cut from the same progressive political cloth.

Mayor McNulty expressed her reservations over the ordinance and said that she was no longer in favor of it as she did not believe it was necessary.

Francis Scarlatti handed out a map of Jefferson County that showed the plains area of Jefferson County. Ms. Scarlatti referenced a chart that Councilwoman Keegan had previously provided. Ms. Scarlatti said that Jefferson County could not tell her the number of complaints that had been received from Edgewater. Ms. Scarlatti asked Council to vote no.

Gina Hartley said she was representing her parents her rented a home to her brother. She thought the ordinance needed more work and was disappointed it was up for final reading. Ms. Hartley said that there would soon be five (5) empty seats on Council.

Pauline York spoke about how many of the City land owners lived out of state. She spoke about landlords believing that they could get away with anything after a renter signed a lease. She believed that some citizens needed to be protected such as senior citizens.

Councilman Riddle said that the Council had been addressing this subject for four (4) to five (5) years and had held many spirited debates. He did not agree with the assertion that Council had not done their due diligence.

VOTE as called for. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Riddle, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** None. **ABSTAIN:** None.

ITEM 13. GENERAL BUSINESS

Councilman Teegardin moved, seconded by Councilwoman Spangenberg, to approve the consent to Assignment of Enhanced Sales Tax Agreements with Sloans Lakefront Market, LLC and 2001 Sheridan Pad, LLC as presented. Attorney Renaud advised

Enhanced Sales Tax Agreements were a financing tool that gave the developer a rebate of a portion of the sales tax generated from the property. The purpose of the assignment furthered the purpose of incentivizing economic development by allowing owners and lenders to transfer the benefit. The motion **PASSED** on the following vote: **AYES:** Councilwoman Keegan, Councilman Riddle, Councilman Fleck, Councilwoman Keeble, Councilman Teegardin, Councilwoman Spangenberg and Councilman Conklin. **NAYS:** None. **ABSENT:** None. **ABSTAIN:** None.

ITEM 14. PUBLIC COMMENTS

Gina Hartley said she apologized if she offended any of Council. She hoped that legislation could be passed in the future for property owners who did not take care of their property. Ms. Hartley said that she did appreciate the work that Council put into the ordinances.

Francis asked Council to consider citizen complaints against businesses with respect to licensing.

Jeanette Papp said that was what the Better Business Bureau was for.

Larry Welshon said he would not be in favor of that. The written documentation for the ordinances were insubstantial and unsubstantiated. He hoped that in the future the Council would produce written documentation with clear evidence.

Bob Cardwell thanked Council for passing Agenda Item no. 13. He said that he represented the new owner. Mr. Cardwell said they looked forward to be a long term owner of the property. There were three (3) partners in the project who all lived in Colorado.

ITEM 15. MAYOR AND COUNCIL COMMENTS

Councilman Fleck welcomed Mr. Cardwell to town and said he was happy they were investing in the City.

Councilman Teegardin said that he had attended the Parks & Recreation Advisory Board meeting that morning. They were going to hold a Keep Edgewater Beautiful alley competition. Councilman Teegardin thanked City staff and the Board for rolling out a standard operating procedure. He thanked Bobbie Schuppert for her work with historical items. Councilman Teegardin said that he had attended a bike Jeffco seminar with other local leaders. They discussed 32nd Avenue and bicycle lanes.

Councilwoman Keegan thanked Council for all of their hard work on the ordinances. It was huge to be able to protect sixty percent (60%) of the City's population if they should need it. Council spent a lot of time listening to the public and made compromises. Ms. Keegan said that she was proud of their work. The Celtic Harvest Festival was looking for volunteers. The information was up on their website.

Councilwoman Keeble said she was impressed with the large list of infrastructure projects and it was being managed well even if it was inconvenient. Ms. Keeble spoke about the recent HEAL meeting she had attended. Ted Heyd from Bicycle Colorado had given an interesting presentation on the kinds of support he could provide the City such as shaping policy, working on existing infrastructure, or alternative transportation projects. Edgewater Walks would start in August. They were thinking of walking on Tuesday evenings such as garden tours, historic walks and/or walk with a doc.

Councilwoman Spangenberg said that she had enjoyed the Farmer's Market last week. It warmed her heart to see all of the citizens out. It also warmed her heart to see all of the citizens present at the meeting that evening.

Councilman Riddle said that he too enjoyed seeing a full house. At the end of the day he believed Edgewater was a community where citizens could agree to disagree. Councilman Riddle said that he'd had a birthday recently and he had gotten his AARP card in the mail that day.

Councilman Conklin said he was originally not going to be present that evening. He was glad that he was able to attend. Councilman Conklin said that he appreciated the meeting attendance and for the attendees being a part of the process.

Mayor McNulty thanked the audience for attending. Mayor McNulty advised that all five (5) Councilmembers whose terms were up in November, could run again. Mayor McNulty said that she was term limited.

ITEM 16. BUSINESS MEETING ADJOURNMENT

There being no further business, Mayor McNulty adjourned the meeting at [8:12:04 PM](#).

Submitted by:

/s/ Beth A. Hedberg, MMC
City Clerk