

**EDGEWATER CITY COUNCIL
REGULAR BUSINESS MEETING
MINUTES
SEPTEMBER 3, 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 PM.

ITEM 2. ROLL CALL

City Clerk Beth A. Hedberg called the roll.

Present: Mayor Bonnie McNulty, Councilman David Fleck, Councilman Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

Absent: Councilwoman Myra A. Keeble.

Also Present: City Attorney Thad Renaud, City Manager HJ Stalf, Police Chief John Mackey, Finance Director Ken Keeley and Community Services Director Dan Maples.

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

Moved by Councilman Todd Riddle, **seconded by** Councilman David Fleck to approve the agenda as presented. Mayor McNulty asked that a brief item be added to the agenda between the approval of the agenda and the consent agenda. Councilman Riddle and Councilman Fleck agreed to the amendment. **Vote:** Motion carried by unanimous roll call vote (**summary:** Aye = 6). **Aye:** Councilman David Fleck, Councilman Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

Mayor McNulty presented Pauline York with a 2015 Municipal Hero Nominee award from the Colorado Municipal League. Mayor McNulty read aloud the reasons for the nomination, "Pauline has been a staple of the community since 1957. Over the years, she has served on the parks and recreation board, started a senior program for aging

residents, served on the Edgewater Redevelopment Authority, and organized community services for juveniles.” Mrs. York received a standing ovation.

ITEM 5. CONSENT AGENDA – MINUTES OF AUGUST 6, 2015

Moved by Councilwoman Laura Keegan, **seconded by** Councilman Steve Conklin to approve the consent agenda as presented. **Vote:** Motion carried by unanimous roll call vote (**summary:** Aye = 6). **Aye:** Councilman David Fleck, Councilman Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

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

City Manager Staff introduced Interim Police Chief John Mackey. Chief Mackey spoke about his experience with the Community and former Police Chiefs over the years. He spoke about his employment experience in the City of Lakewood and said that he appreciated the opportunity to serve.

City Manager Staff said that Chief Mackey was well qualified and that the City was fortunate to have him. City Manager Staff reported that: a new business called Lakeview Eye Care would be opening in the Edgewater Marketplace in the fall; the location of a men’s community correction center would be before the Lakewood planning board on September 2nd; and Car 2 Go had decided to shrink their service area and Edgewater would be excluded for the foreseeable future. City Manager Staff said that he was now the senior City Manager in Jefferson County with Mike Besters recent retirement.

Community Services Director Dan Maples provided updates on the 25th Avenue water main replacement and the lead line replacement projects. He reported that the City was working with Martin Marietta to determine the street paving schedule. Director Maples spoke about the Keep Edgewater Beautiful Block Challenge and he invited the community to attend the Celtic Harvest Festival.

Councilman Conklin thanked Director Maples and Parks and Recreation Coordinator Patrick Martinez for their work on the community picnic and he said that the music had been great.

Planning and Zoning Commission Chair Karen Hing said that the Commission would like to have another Council representative at their meetings. Their meeting schedule was discussed.

No further reports were given.

ITEM 7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Gina Hartley said that she missed being in the Edgewater downtown district. Code Coffee was due to open soon. She appreciated the bicycle racks that had been installed along West 25th Avenue. Ms. Hartley spoke about traffic concerns. She said that she appreciated the weekly updates from the Police Department that were posted on Nextdoor Edgewater.

Amanda Stevens said that she was a candidate for the Jefferson County School Board and that she wanted to connect with the Edgewater Community. She provided information regarding her residential background, her educational background and her platform.

Pauline York spoke about the police presence near the 40 West Arts Center. Homeless people had been pushed out and were now hanging around the Edgewater post office. Mrs. York said that she had spoken with the Post Master about the problem. Mrs. York expressed concerns over the location of the clothing donation box at 20th and Depew and said that it had become a furniture dumping ground. The box needed to be removed.

ITEM 8. FINAL PLAT RESOLUTION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2015-10, A RESOLUTION APPROVING A FINAL PLAT FOR EXISTING LOTS 6, 7, 8 AND 9, BLOCK 100, EDGEWATER SUBDIVISION, TO BE KNOWN AS THE MOORE SUBDIVISION

Moved by Councilman Todd Riddle, **seconded by** Councilwoman Janet Spangenberg to approve resolution 2015-10, a resolution approving a final plat for existing Lots 6, 7, 8 and 9, Block 100, Edgewater Subdivision, to be known as the Moore Subdivision as presented. Councilman Riddle inquired as to the length of time that it took for the final approval of the plat as presented. Councilwoman Keegan said that everything was well in order. Councilwoman Spangenberg said that she lived on the block and it would be a welcome change. **Vote:** Motion carried by unanimous roll call vote (**summary:** Aye = 6). **Aye:** Councilman David Fleck, Councilman Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

ITEM 9. LIBRARY LEASE RESOLUTION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2015-11, A RESOLUTION APPROVING AN AMENDED AND RESTATED LIBRARY LEASE AGREEMENT BETWEEN THE JEFFERSON COUNTY PUBLIC LIBRARY AND THE CITY OF EDGEWATER

Moved by Councilman David Fleck, **seconded by** Councilwoman Laura Keegan to approve Resolution 2015-11, a resolution approving an Amended and Restated Library Lease Agreement between the Jefferson County Public Library and the City of Edgewater as presented. Utilities expenses were discussed and the meaning of quiet enjoyment was considered. **Vote:** Motion carried by unanimous roll call vote (**summary:** Aye = 6). **Aye:** Councilman David Fleck, Councilman Kris Teegardin,

Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

ITEM 10. LOITERING ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-13, AN ORDINANCE AMENDING CHAPTER 10 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING GENERAL OFFENSES, BY AMENDING SECTION 10-3-90, CONCERNING LOITERING, TO REMOVE A PROHIBITION OF LOITERING FOR THE PURPOSE OF BEGGING (FIRST READING)

Moved by Councilwoman Janet Spangenberg, **seconded by** Councilman David Fleck to approve on first reading and order published by law, Ordinance 2015-13, an ordinance amending Chapter 10 of the Edgewater Municipal Code, concerning general offenses, by amending Section 10-3-90, concerning loitering, to remove a prohibition of loitering for the purpose of begging as presented. City Attorney Renaud provided information on the purpose behind the ordinance with respect to an open records request from the ACLU regarding citations that had been issued under the loitering regulations and First Amendment concerns. **Vote:** Motion carried by unanimous roll call vote (**summary:** Aye = 6). **Aye:** Councilman David Fleck, Councilman Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

ITEM 11. FEE SCHEDULE ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-12, AN ORDINANCE ADOPTING FEES AND SURCHARGES FOR VARIOUS ADMINISTRATIVE, RECREATIONAL, MUNICIPAL COURT, LICENSING, DEVELOPMENT, BUILDING, CONSTRUCTION, INSPECTION AND UTILITY SERVICES, COSTS AND EXPENSES INCURRED BY THE CITY (SECOND AND FINAL READING)

Moved by Councilwoman Laura Keegan, **seconded by** Councilwoman Janet Spangenberg to approve on second and final reading and order published by law, Ordinance 2015-12, an ordinance adopting fees and surcharges for various administrative, recreational, municipal court, licensing, development, building, construction, inspection and utility services, costs and expenses incurred by the City as presented. **Vote:** Motion carried by unanimous roll call vote (**summary:** Aye = 6). **Aye:** Councilman David Fleck, Councilman Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Janet Spangenberg and Councilwoman Laura Keegan.

ITEM 12. GENERAL BUSINESS – DISCUSSION AND POSSIBLE APPROVAL OF A REFUSE HAULER CONTRACT WITH REPUBLIC SERVICES

Attorney Renaud advised that negotiations were still ongoing and that the contract with Republic Services was expected for Council's consideration at their next business meeting.

ITEM 13. PUBLIC COMMENTS

Steven Martin said that he was a neighbor and a concerned citizen for the people who lived across the street from him. The neighbors were unwilling to attend the meeting that evening so he had come in their stead. Mr. Martin spoke about the poor conditions of the residence. One of the residents had just received an eviction notice. The landlord had chosen to evict rather than remedy the situation. Mr. Martin said that he hoped to gather the residents some support.

ITEM 14. MAYOR AND COUNCIL COMMENTS

Councilman Fleck said that his daughter Anabelle had loved every second of the fireworks at the Community Picnic.

Councilman Teegardin thanked City staff for putting on the Community Picnic and for continuing to work diligently throughout the City.

Councilwoman Keegan thanked Mr. Martin for coming and speaking and attempting to help his neighbors. She spoke about her efforts to help residents with landlord tenant issues. Councilwoman Keegan reported that she had attended a meeting of Tobacco Free Jeffco Alliance the previous evening and the Breath Easy campaign at Jefferson High School was addressed. Councilwoman Keegan noted that the Poetry Society of Colorado had recently signed a lease at the JCRS location. She said that the Art Gallery was fabulous and she encouraged partnerships with the City.

Councilwoman Spangenberg thanked staff for their efforts in the Community Picnic and said that she had enjoyed it. Councilwoman Spangenberg said that she had attended the Farmers Market the previous week and had liked the hometown atmosphere.

Councilman Riddle said that he concurred about the fireworks and he thanked City staff for their efforts. Councilman Riddle said that he too enjoyed his trips to the Farmer's Market. Councilman Riddle thanked staff for their efforts in the ongoing construction projects.

Councilman Conklin said that he also enjoyed the fireworks. He would like Council to address how to promote the community picnic while keeping it a community event. Councilman Conklin said that he wanted to recognize Ken Palmer, an Edgewater business owner from back in the 1960s. Mr. Palmer had owned the KIMN radio station in Edgewater. Mr. Palmer would be inducted in the Colorado Broadcasters Hall of Fame in October. Councilman Conklin reported that his father was back home after a prolonged illness.

Mayor McNulty said that she had enjoyed the Community Picnic.

ITEM 15. BUSINESS MEETING ADJOURNMENT

There being no further business, Mayor McNulty adjourned the meeting at 7:47 PM.

Submitted by:

/s/ Beth A. Hedberg, MMC
City Clerk

Below is the action that occurred during the work session that followed the business meeting.

At 10:04:29 Councilwoman Janet Spangenberg moved, seconded by Councilman Todd Riddle to enter into executive session for the purposes of (i) to Confer with the City Attorney to Receive Legal Advice on Specific Legal Questions Concerning Potential Litigation, Under C.R.S. § 24-6-402(4)(b); (ii) Determining Positions Relative to Matters that May be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators Under C.R.S. § 24-6-402(4)(e) Concerning Potential Litigation; and (iii) to Provide the City Manager's Annual Performance Evaluation Under C.R.S. Section 24-6-402(4)(f)(I).