

**EDGEWATER CITY COUNCIL
REGULAR BUSINESS MEETING
MINUTES
NOVEMBER 5, 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 8:00 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, Finance Director Ken Keeley and Police Chief John Hough

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** Councilwoman Janet Spangenberg to approve the 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 5. CONSENT AGENDA – MINUTES OF OCTOBER 1, 2015

Moved by Councilwoman Laura Keegan, **Seconded by** Councilman David Fleck 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 Staf turned the floor over to Community Services Director Dan Maples. Director Maples provided an update on the current City infrastructure projects which included: lead line replacement; street paving; and the need for a supplemental appropriation.

No further reports were given.

ITEM 7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Dr. Jill Bert and Pamela Hemker introduced themselves as new business owners in the City. Dr. Bert spoke about the positive experience they'd had obtaining their business licenses and working with City Staff. Dr. Bert expressed her concerns over the sign code. The updates made to the Code did not take into effect the smaller store fronts with respect to the allowable size of the signs. Dr. Bert said that she would be applying for a variance. She was concerned about future businesses. She requested that City Council review the sign code.

Pamela Hemker said that the sign code was confusing which caused more work for the City and the businesses.

Steven Martin offered a fine farewell to Mayor Bonnie McNulty and Councilman David Fleck. He thanked them for their service. Mr. Martin said that he had brought a neighbor and friend, Maree Cobb. He'd had a problem with his tree and Maree Cobb and diagnosed the problem as aphids. Mr. Martin said that his neighbor faced challenges with her property owner. House Representative Jessie Danielson would be sponsoring a bill to address black mold.

Maree Cobb congratulated Kris Teegardin on the recent election. She said that Councilwoman Keegan had made the referral for her to House Representative Jessie Danielson. Ms. Cobb said that she had contracted terminal black mold toxic poisoning. She thanked Councilwoman Keegan for her assistance.

ITEM 8. NATIONAL FAMILY CAREGIVERS MONTH PROCLAMATION – NATIONAL FAMILY CAREGIVERS MONTH “RESPIRE: CARE FOR CAREGIVERS” NOVEMBER 2015

Mayor McNulty read the proclamation and presented it to Karen Johnson a member of the Jefferson County Aging Well Project Caregiving and Supportive Services team.

ITEM 9. GOLD CROWN FOUNDATION GRANT RESOLUTION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2015-13, A RESOLUTION TO APPROVE A 2016 JEFFERSON COUNTY OPEN SPACE LOCAL PARK & RECREATION GRANT APPLICATION (THE "GRANT APPLICATION") FOR JOINT YOUTH CENTER INTERIOR FINISH

Councilman Riddle said that his better half worked for Open Space and he wanted to be certain that he did not have a conflict of interest. Attorney Renaud advised that he did not see any personal interest or benefit for Councilman Riddle and that he did not believe a conflict of interest existed.

Director Maples noted that the grant submittal deadline was the following day. Director Maples explained the particulars of the grant application and the purpose behind the grant to finish the Heritage Center for a youth facility with the Gold Crown Foundation. The City would look for an Open Space Grant to finish the Heritage Center and the Gold Crown Foundation would contribute the grant match. The Gold Crown Foundation had shown interest in a long term lease at a minimal cost for the building. Director Maples provided a history behind the purchase of the property and the property's initial purposes.

Discussion was held regarding: ADA accessibility; the State Historical Fund; and the timeline for the project.

Mayor McNulty thanked the Parks, Recreation, Historical Preservation Board for their support.

Moved by Councilman David Fleck, **Seconded by** Councilman Steve Conklin to approve Resolution 2015-13, a resolution to approve a 2016 Jefferson County Open Space Local Park & Recreation Grant Application (the "Grant Application") for Joint Youth Center interior finish 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 10. COMCAST FRANCHISE AGREEMENT ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-18, AN ORDINANCE APPROVING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF EDGEWATER, COLORADO, AND COMCAST OF COLORADO IV, LLC (“COMCAST”), THAT IS ATTACHED HERETO AND THAT GRANTS TO COMCAST THE NONEXCLUSIVE AUTHORIZATION TO USE CITY RIGHTS-OF-WAY AND SIMILAR LOCATIONS TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM TO PROVIDE CABLE TELEVISION SERVICE WITHIN THE CITY, AND THAT FIXES THE TERMS, CONDITION AND COMPENSATION THEREFOR (FIRST READING)

Andy Davis Director of Government Affairs for Comcast was present. Mr. Davis spoke about the contents of the Franchise Agreement for television services. He also referenced Comcast's Internet Essentials Program which provided internet access for low income families. This was a separate issue from the Franchise Agreement. **Moved by** Councilwoman Janet Spangenberg, **Seconded by** Councilwoman Laura Keegan to approve on first reading and order published by law, Ordinance 2015-18, an ordinance approving the Franchise Agreement between the City of Edgewater, Colorado, and Comcast of Colorado IV, LLC (“Comcast”), that is attached hereto and that grants to Comcast the nonexclusive authorization to use City rights-of-way and similar locations to construct, operate and maintain a cable system to provide cable television service

within the City, and that fixes the terms, condition and compensation therefor 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 11. 20TH & DEPEW CONTRACT ORDINANCE – REVIEW AND DISCUSSION OF CITY’S CURRENT PROPERTY HOLDINGS AND SPACE NEEDS AND DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-14, AN ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 5505 AND 5507 WEST 20TH AVENUE (20TH AVENUE AND DEPEW STREET) TO TRINITY DEVELOPMENT GROUP, INC. (SECOND AND FINAL READING)

Moved by Councilman Todd Riddle, **Seconded by** Councilman Steve Conklin to approve on second and final reading and order published by law, Ordinance 2015-14, an ordinance authorizing the sale of City-owned property located at 5505 and 5507 West 20th Avenue (20th Avenue and Depew Street) to Trinity Development Group, Inc. as presented. It was noted that no changes had been made to the Ordinance or to the Agreement since first reading. **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. EXCAVATION ORDINANCE - DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-15, AN ORDINANCE REPEALING ORDINANCE 2015-01 AND 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 (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 2015-15, an ordinance repealing Ordinance 2015-01 and 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. It was noted that there had been no changes to the Ordinance since first reading. **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 13. GENERAL BUSINESS – PRESENTATION OF WINNER OF BLOCK BEAUTIFICATION CHALLENGE

Director Maples reported that his was the first year for the Block Beautification Challenge. Two (2) blocks had participated. He spoke about the criteria which included posting house numbers in the alley. The winners would receive a free month of trash service. Mr. Maples presented the

award to Dominique Skeeahan, who represented her alley on the 2200 block between Depew and Eaton Streets. Ms. Skeeahan said that it had been a fun thing to do. She had met some new neighbors during the process of handing out house numbers. Ms. Skeeahan thanked Ace Hardware for donating the house number stickers. She thanked City staff for graffiti cleanup.

ITEM 14. PUBLIC COMMENTS

There were no public comments.

ITEM 15. MAYOR AND COUNCIL COMMENTS

Councilwoman Keegan thanked Steven Martin and Mary Cobb for attending the meeting. She said that it had been empowering to listen to them. Councilwoman Keegan expressed concerns about lack of tree watering and said that it was important to water during dry spells. She had spoken with Director Maples about sending out information to the citizens regarding watering during dry spells. Lakewood Arts Center had moved into the Lamar Plaza. Councilwoman Keegan thanked everyone for their campaign and she congratulated the new and returning Council members. Councilwoman Keegan said Mayor McNulty was unique and would be missed. Councilwoman Keegan thanked Councilman Fleck for his service and said he had been a breath of fresh air.

Councilman Conklin thanked everyone in the audience for attending. He said it had been a joy working with Mayor McNulty and Councilman Fleck and he wished them well and thanked them for their service. Councilman Conklin said he was a member of the Broadcaster Pioneers in Colorado. They had recently honored Ken Palmer of KIMN radio by inducting him into the Hall of Fame.

Councilwoman Spangenberg said, "great campaign everyone". It was nice to see everyone at the meeting. Councilwoman Spangenberg said that she would miss Councilman Fleck and his sense of humor. She thanked Mayor McNulty for making sure that Council had been civil.

Councilman Riddle offered his personal condolences to Larry Welshon and his family for the tragic recent loss of his wife. He thanked Mayor McNulty for her decades of service to the community. She had made a huge impact on hundreds of people. Councilman Riddle thanked Councilman Fleck and said that he always appreciated his candor and the knowledge base he had brought to Council.

Councilman Teegardin offered condolences to Larry Welshon and his family. He thanked Director Maples for his customer service during the paving process. Councilman Teegardin thanked the Parks and Recreation Advisory Board. He thanked Mayor McNulty for being a mentor and said that he looked forward to future collaboration. Councilman Teegardin said that Councilman Fleck was an awesome guy and a great legislator. Councilman Teegardin said he looked forward to working with everyone on Council in the future. He thanked Pauline York for her campaigning. Councilman Teegardin sent a shout out to Adam Paul the new Mayor of Lakewood and said that he would be a strong Mayor and partner for Edgewater.

Councilman Fleck said that he appreciated the trust that the community had given to him to be a community leader. Councilman Fleck said that he had learned very much over his term. In his heart he would like to return to Council sometime in the future. He thanked Mayor McNulty, City Council and City Staff.

Mayor McNulty echoed comments of Council members. She said she had appreciated all of the support of the community for the last eight (8) years. She would be there to support the new Council. She congratulated the new Council and Mayor Teegardin. Mayor McNulty received a round of applause.

ITEM 16. BUSINESS MEETING ADJOURNMENT

There being no further business, Mayor McNulty adjourned the meeting at 9:14 PM.

Submitted by:

/s/ Beth A. Hedberg, MMC
City Clerk