

**EDGEWATER CITY COUNCIL
REGULAR BUSINESS MEETING
MINUTES
FEBRUARY 4, 2016**

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

ITEM 1. CALL TO ORDER

Mayor Kris Teegardin called the meeting to order at 7:00 PM.

ITEM 2. ROLL CALL

City Clerk Beth A. Hedberg called the roll.

Present: Mayor Kris Teegardin, Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

Absent: Councilwoman Janet Spangenberg.

Also Present: City Attorney Thad Renaud, City Manager HJ Stalf, City Planner Patty McCartney and Police Chief John Mackey.

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 Laura Keegan to approve the agenda as presented. **Vote:** Motion carried by unanimous (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 5. CONSENT AGENDA – MINUTES OF JANUARY 21, 2016

Moved by Councilwoman Laura Keegan, **Seconded by** Councilwoman Kate Mulcahy to approve the consent agenda as presented. **Vote:** Motion carried by unanimous vote (**summary:** aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

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

City Manager HJ Stalf said that he and Mayor Kris Teegardin had met with Denise Delgado the Executive Director of the Jefferson County School Foundation along with Andy Davis from Comcast regarding some changes at Jefferson County Schools. Ms. Delgado wanted to come before Council to discuss what the Foundation did and some projects that the Foundation were trying to do in Edgewater. The Foundation was also holding a luncheon in the near future and Ms. Delgado had invited the City Council to attend. City Manager HJ Stalf said that he'd had lunch with Dan McMinimee, Superintendent of Jefferson County School District, and they had discussed scheduling a joint meeting with City Council and the School Board. City Manager HJ Stalf said that he would be out of the office to attend the Colorado City and County Management Association winter conference on February 25th through February 27th. City Manager Stalf asked Police Chief John Mackey to come to the podium. Mr. Stalf spoke about the interview process that had been undertaken and said that he had only received positive feedback. City Manager Stalf announced that Chief John Mackey was now the permanent and official Police Chief of the Edgewater Police Department as of that evening. Chief John Mackey received a round of applause.

Police Chief John Mackey thanked City Attorney Thad Renaud, City Councilman Todd Riddle and City Manager HJ Stalf for taking the time to speak with him the previous Friday. He had conducted an assessment of the Department over the past five (5) months. The major deficiencies in law enforcement agency structure was usually in management, command and control. Chief Mackey noted that there had not been anyone in a commander position for the last four (4) years. During his Friday meeting he had spoken about his assessment and the need for a part time commander. Chief Mackey said that he was fortunate that he had someone with a lot of experience in mind for the position who would be willing to work part time. The last police officer position to be filled would be put on hold.

Mayor Kris Teegardin thanked Councilman Riddle, City Manager Stalf and City Attorney Renaud for meeting with Mackey. He said that he had met with Chief Paletta, Chief Brennan and Mayor Paul and they all held Chief Mackey in the highest esteem and were excited for his new position. Mayor Teegardin thanked Chief Mackey for accepting the position.

Councilman Todd Riddle said that he was thankful for being invited to participate in the interview process. He had learned a lot about the City and Chief Mackey. He had been impressed with what Chief Mackey had accomplished in the past and he looked forward to what he would accomplish in the future with the City.

No further reports were given.

ITEM 7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Pauline York thanked the Public Works Department for keeping the streets drivable during the storm. She also thanked the firemen who had shoveled walks for seniors. Bonnie McNulty said that she had received an email from Joan Martin's daughter and had learned that Joan had passed away on January 11, 2016. A memorial service would be held in the near future. Mrs. McNulty noted that Joan Martin had won a Council seat in 2007 by one vote.

ITEM 8. WORLD SPAY DAY PROCLAMATION – DESIGNATING TUESDAY, FEBRUARY 23, 2016 AS “WORLD SPAY DAY” IN THE CITY OF EDGEWATER, COLORADO

Mayor Kris Teegardin read the World Spay Day Proclamation. He then presented a signed copy of the proclamation to Cassie Strenstrom, Executive Director of SpayToday, Neuter Now. Ms. Strenstrom thanked Mayor Teegardin and the City Council for their support. Ms. Strenstrom introduced their Senior Veterinarian and Founder Dr. Angelina Piccoli, their Board President Tracy O'Brian and Office Manager and Co-Founder Marina Wilson.

ITEM 9. PAY PLAN RESOLUTION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2016-04, A RESOLUTION APPROVING THE REVISED 2016 PAY PLAN

Moved by Councilman Todd Riddle, **Seconded by** Councilwoman Laura Keegan to approve Resolution 2016-04, a resolution approving the revised 2016 Pay Plan as presented. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 10. PARKING ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-05, AN ORDINANCE ADOPTING OFF-STREET PARKING REQUIREMENTS BY AMENDING THE FOLLOWING PORTIONS OF THE EDGEWATER MUNICIPAL CODE: ARTICLE 3 OF CHAPTER 16, CONCERNING ZONING, BY THE ADDITION OF A NEW SECTION 16-3-160; PARAGRAPH 17-4-30-(B)(3), CONCERNING SITE DEVELOPMENT PLAN APPLICATION MATERIALS; AND SECTION 6-1-90, CONCERNING CHANGES IN BUSINESS LICENSE INFORMATION (FIRST READING)

Moved by Councilwoman Myra A. Keeble, **Seconded by** Councilwoman Kara Swanson to approve on first reading and order published by law, Ordinance 2016-05, an ordinance adopting off-street parking requirements by amending the following portions of the Edgewater Municipal Code: Article 3 of Chapter 16, concerning zoning, by the addition of a new Section 16-3-160; Paragraph 17-4-30-(b)(3), concerning site development plan application materials; and Section 6-1-90, concerning changes in business license information as presented.

City Manager HJ Stalf spoke about how the parking issue had come to the forefront and the work that the Planning and Zoning Commission had put into the ordinance. Mr. Stalf introduced Kari McDowell Schrader from McDowell Engineering. Ms. McDowell Schrader reviewed the handouts that had been provided to City Council which included: Table 5: Schedule of Off-Street Parking (“Rate Table”); and the 25th Avenue (Sheridan to Benton from West 24th Avenue to West 26th Avenue) parking analysis that had been conducted on a Friday evening in October.

Discussion was held regarding: parking models; peak hours; changing mix of tenants; parking standards contained in the ordinance compared to main street districts in Denver; impact of businesses on residential parking spaces; off-street parking; parking fund; shared parking; uses not specified section; and the flexibility of the options provided.

City Attorney Thad Renaud advised to the amendment to the motion that he had heard expressed by Council during their discussion which would include: to insert Table 5 that had been presented that evening into the Ordinance; to correct the typographical error on page 17; to direct staff to add daycare back into Table 5; and to direct staff to consider and bring back a recommendation on breaking out eating establishments, fast food or coffee shops without a drive through.

Councilwoman Myra Keeble moved to amend her motion to approve to include the provisions as referenced by City Attorney Renaud. Councilwoman Kara Swanson was in agreement with the amendment to the motion to approve.

Councilman Riddle thanked Ms. McDowell Schrader, the rest of staff and the Planning and Zoning Commission for their work on the ordinance.

Vote was called for. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 11. SUPPLEMENTAL APPROPRIATION ORDINANCE – PUBLIC HEARING AND DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2015-20, AN ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND, SEWER UTILITY FUND FOR PURPOSES OF ADJUSTING THE 2015 GENERAL FUND BUDGET, UTILITY BUDGETS AND ADOPTING A REVISED QUARTERLY BUDGET (SECOND AND FINAL READING)

Mayor Kris Teegardin opened the public hearing at 8:18 PM. Public testimony was called for. There was no public testimony. Mayor Kris Teegardin closed the public hearing at 8:19 PM. **Moved by** Councilwoman Laura Keegan, **Seconded by** Councilman Steve Conklin to approve on second and final reading and order published by law, Ordinance 2015-20, an ordinance appropriating funds from the General Fund, Sewer Utility Fund for purposes of adjusting the 2015 General Fund Budget, Utility

Budgets and adopting a Revised Quarterly Budget as presented. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 12. GOLD CROWN LEASE ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-06, AN ORDINANCE AUTHORIZING THE LEASE OF CITY-OWNED PROPERTY LOCATED AT 2501 CHASE STREET (KNOWN AS THE HERITAGE CENTER) TO THE GOLD CROWN FOUNDATION, A COLORADO NOT FOR PROFIT CORPORATION (SECOND AND FINAL READING)

Moved by Councilman Todd Riddle, **Seconded by** Councilwoman Kate Mulcahy to approve on second and final reading and order published by law, Ordinance 2016-06, an ordinance authorizing the lease of City-owned property located at 2501 Chase Street (known as the Heritage Center) to the Gold Crown Foundation, a Colorado Not for Profit Corporation as presented. It was noted for the record that Council had received an appraisal of the value of the lease hold estate pursuant to provisions of the Municipal Code. The building had been appraised at its current condition which appraisal had concluded that the building was currently suitable for storage. The square foot value of the building and the estimated amount of money that would be spent on tenant finish were considered. City Attorney Renaud advised that any improvements that were made to the building would be owned by the City at the end of the twenty (20) year lease. Attorney Renaud reviewed the changes that had been made to the lease agreement which included: the description of the leased premises now included the building only; and the addition of a sentence at the end of Section 6(a), "Tenant agrees that, as a condition of this Lease, Tenant and Landlord shall agree in writing as to the exact nature of the Tenant Finish Work on or before August 15, 2016."

City Manager HJ Stalf said that there was a possibility of joint use agreements with the City being requested in the future.

Councilwoman Myra Keeble said that she was very happy and that it would be a phenomenal use of space.

Councilman Todd Riddle said he was excited to get Gold Crown into the building.

Vote: Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 13. SIGN CODE ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-03, AN ORDINANCE AMENDING ARTICLE 19 OF CHAPTER 16 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING SIGNS, TO COMPLY WITH RECENT DEVELOPMENTS IN CASE LAW; AND AMENDING SUBSECTION 16-19-80(7), TO

FURTHER DEFINE PROJECTING SIGNS, AND PARAGRAPH 16-19-80(9)(A) AND 16-19-90(B), BOTH CONCERNING MAXIMUM WALL SIGN AREA (SECOND AND FINAL READING)

Moved by Councilman Steve Conklin, **Seconded by** Councilwoman Laura Keegan to approve on second and final reading and order published by law, Ordinance 2016-03, an ordinance amending Article 19 of Chapter 16 of the Edgewater Municipal Code, concerning signs, to comply with recent developments in case law; and amending Subsection 16-19-80(7), to further define projecting signs, and paragraph 16-19-80(9)(a) and 16-19-90(b), both concerning maximum wall sign area as presented. City Attorney Thad Renaud advised that a new category “Ghost signs” had been added to the exempt signs section of the Ordinance. Attorney Renaud recommended that the beginning language to Section 16-19-80 be changed to read, “The following standards outline requirements for all sign types, provided, however, that certain sign types and locations shall comply with the requirements established by Section 16-19-90 of this Article” to provide better clarity. Councilman Steve Conklin and Councilwoman Laura Keegan agreed to the amendment to their motion to approve. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 14. CHAPTER 16/LAND USE ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-04, AN ORDINANCE AMENDING CHAPTER 16 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING ZONING, BY AMENDING SECTION 16-1-50, CONCERNING DEFINITIONS; SECTIONS 16-4-70, 16-5-70, 16-6-70, 16-7-70, 16-8-70, 16-11-50, 16-12-70, 16-13-70 AND 16-14-70, ALL CONCERNING LOT COVERAGE; SECTIONS 16-10-10, 16-12-10, 16-13-10 AND 16-14-10, ALL CONCERNING PERMITTED USES; SECTION 16-20-20, CONCERNING VIEW OBSTRUCTIONS; SECTIONS 16-20-30 AND 16-20-60, CONCERNING FENCE MATERIALS; SECTION 16-30-60, CONCERNING MEDICAL MARIJUANA BUSINESS LICENSE TERMS AND RENEWALS; AND SUBSECTION 16-30-70(A), CONCERNING MEDICAL MARIJUANA LICENSE APPLICATION REQUIREMENTS (SECOND AND FINAL READING)

Moved by Councilman Todd Riddle, **Seconded by** Councilwoman Myra A. Keeble to approve on second and final reading and order published by law, Ordinance 2016-04, an ordinance amending Chapter 16 of the Edgewater Municipal Code, concerning zoning, by amending Section 16-1-50, concerning definitions; Sections 16-4-70, 16-5-70, 16-6-70, 16-7-70, 16-8-70, 16-11-50, 16-12-70, 16-13-70 and 16-14-70, all concerning lot coverage; Sections 16-10-10, 16-12-10, 16-13-10 and 16-14-10, all concerning permitted uses; Section 16-20-20, concerning view obstructions; Sections 16-20-30 and 16-20-60, concerning fence materials; Section 16-30-60, concerning medical marijuana business license terms and renewals; and Subsection 16-30-70(a), concerning medical marijuana license application requirements as presented. City

Attorney Thad Renaud advised that no changes had been made to the Ordinance since first reading. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilman Todd Riddle, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 15. GENERAL BUSINESS

There was no general business to discuss.

ITEM 16. PUBLIC COMMENTS

There were no public comments.

ITEM 17. MAYOR AND COUNCIL COMMENTS

Councilwoman Laura Keegan reported that she had not attended the latest Planning and Zoning Commission meeting as there had been a public hearing which she was not allowed to attend and that the work session had been cancelled. Mrs. Keegan said that she planned on attending the Commission's next meeting and she would have a report for Council following that meeting. Marty Pemkiewicz, the Code Enforcement Officer, had flagged her down to express his appreciation of the rental property registration program. It had assisted him with contacting property owners when there was a problem with their rental property to resolve the issues. Councilwoman Laura Keegan said that she had spoken with Floyd Jones. Floyd and his wife April had attended a tenant rights work session. Mr. Floyd said Council should be proud of their work and that the City and County of Denver were considering adopting some of the provisions of the Ordinance. Councilwoman Laura Keegan spoke about a disabled Vietnam veteran Michael Hazelett who had faced eviction from his apartment and the efforts that had been taken to assist him.

Councilman Todd Riddle said that he had passed the torch to Councilman Conklin with respect to representing the City at DRCOG. It had given him the opportunity to attend the Business on the Edge group and he believed that there was momentum behind it. Councilman Riddle said that he had recently purchased glasses from the new optometrist in the City. He encouraged people to shop local whenever possible. Councilman Riddle said that he had been humbled by the interview of the Chief. Chief John Mackey was very well respected in the community. Chief Mackey had challenged him by noting that the Council Goals did not include safety. Councilman Riddle said that he had looked at the 2015 Edgewater Community Survey and noted that one of the two (2) biggest issues facing the City was crime. Councilman Todd Riddle said that he would ask Council to consider safety when they were reviewing the Council Goals at their next retreat.

Councilwoman Kara Swanson thanked City Planner Patty McCartney and Traffic Engineer Kari McDowell Schrader for their work on the parking ordinance.

Councilwoman Swanson said that she was honored to be a part of the Council group. It was a great group of people.

Councilwoman Myra Keeble said that she believed the Council was beginning to gel with the new people and she was excited to be working with the Council. Councilwoman Keeble said that she had been walking the City and had noticed how many walks had been shoveled after the past snowstorm. She had never seen such compliance. She thanked the citizens for their efforts.

Councilwoman Kate Mulcahy said that Edgewater had a compliance of less than six percent (6%) when it came to the licensing of dogs. She wondered if there was a way to bring more awareness to the licensing program.

City Manager HJ Stalf said that he was not in agreement with Foothills Animal Shelter as to how many dogs they estimated were located in the City. He did not believe that the multi-family units that prohibited dogs were considered and that the Shelter had used incorrect demographics.

Councilman Steve Conklin thanked the Planning and Zoning Commission and staff for their work on the sign and parking ordinances. He was thrilled about Gold Crown going into the Heritage Center. Councilman Conklin said he wondered how the rental registrations were going and he requested an update at their next meeting. Councilman Conklin said that he had been approached by a couple of people at the DRCOG meeting he attended who told him how awesome Chief Mackey was. Councilman Conklin said he had spoken with a resident recently who, in their mind, did not believe the City was safe. Including a safety element in the Council Goals would be a welcome step.

Mayor Kris Teegardin thanked staff and the Planning and Zoning Commission for their work on the zoning ordinances. He was glad that Chief Mackey was on board. Mayor Teegardin spoke about disabled Vietnam veteran Michael Hazelett. He thanked Councilwoman Keegan for getting the ball rolling and Councilwoman Janet Spangenberg for helping with the financial side by setting up a GoFundMe page. Mayor Teegardin said that he had taken Mr. Hazelett to Intake at Jefferson Center for Mental Health. Mr. Hazelett would be assigned a case manager. King Soopers had bought Mr. Hazelett one hundred and fifty dollars (\$150) worth of groceries earlier in the day. Mayor Teegardin thanked Fox 31 Problem Solvers for their assistance. Negotiations had been held with the landlord for a rental payment plan and eviction had been avoided. Mayor Teegardin said that, unfortunately, it was a common problem and he found it disgusting that property owners were moving people out to raise rents on their properties. It led to homeless issues. Mayor Teegardin said that, in his opinion, Council members were class acts. He thanked Council.

ITEM 18. BUSINESS MEETING ADJOURNMENT

Council Business Meeting Minutes
February 4, 2016

There being no further business, Mayor Kris Teegardin adjourned the meeting at 9:10 PM.

Submitted by:

/s/ Beth A. Hedberg, MMC
City Clerk