

**EDGEWATER CITY COUNCIL
REGULAR BUSINESS MEETING
MINUTES
MARCH 3, 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, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan, Councilwoman Myra A. Keeble and Councilman Todd Riddle who arrived at 8:14 PM.

Also Present: City Attorney Thad Renaud, City Manager HJ Stalf, Community Services Director Dan Maples 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

Mayor Kris Teegardin asked that the Jefferson County School Foundation presentation be moved from the work session to the business meeting after communications from the City Manager. **Moved by** Councilwoman Laura Keegan, **Seconded by** Councilwoman Kate Mulcahy to approve the agenda as amended. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 5. CONSENT AGENDA – MINUTES OF FEBRUARY 4, 2016

Moved by Councilwoman Janet Spangenberg, **Seconded by** Councilwoman Myra A. Keeble to approve the consent agenda as presented. **Vote:** Motion passed (**summary:** aye = 5, nay = 0, abstain = 1). **Aye:** Councilman Steve Conklin, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and

Councilwoman Myra A. Keeble. **Abstain:** Councilwoman Janet Spangenberg as she had not been in attendance at the meeting of February 4, 2016.

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

City Manager Staff said that one of his daughters was expecting and he would be a grandfather this summer.

Community Services Director Dan Maples provided an update on the rental registration program. A request for proposal for street overlay would be issued soon. Director Maples spoke about: snow plow operations; street sweeping plan; sewer videoing and cleaning; and service line installation projects. Director Maples reviewed upcoming parks and recreation programs and events. He reported on code enforcement.

Police Chief John Mackey said that the rental registration program would be a benefit toward crime prevention. He spoke about the large number of rental units in the City and crime free leasing.

No further reports were given.

ITEM 7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

There was no public comment.

ITEM 8. URBAN DRAINAGE CONTRACT RESOLUTION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2016-05, A RESOLUTION APPROVING A CONTRACT WITH URBAN DRAINAGE

Moved by Councilwoman Laura Keegan, **Seconded by** Councilwoman Kara Swanson to approve Resolution 2016-05, a resolution approving a contract with Urban Drainage as presented. City Attorney Renaud advised that the agreement provided for the update of the existing flood hazard map and the cost allocation attributed to that update. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 9. CONVEYANCE AND ACQUISITION OF REAL PROPERTY ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-07, AN ORDINANCE AMENDING CHAPTER 4 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING REVENUE AND FINANCE, BY AMENDING SECTION 4-6-120, CONCERNING THE CONVEYANCE AND ACQUISITION OF REAL PROPERTY (FIRST READING)

Moved by Councilwoman Myra A. Keeble, **Seconded by** Councilwoman Janet Spangenberg to approve on first reading and order published by law, Ordinance 2016-07, an ordinance amending Chapter 4 of the Edgewater Municipal Code, concerning revenue and finance, by amending Section 4-6-120, concerning the conveyance and acquisition of real property as presented. City Attorney Renaud advised that it was very uncommon for appraisals to be required prior to entering into lease agreements of public property. The cost of property appraisals was addressed. Public comment was called for. There was no public comment. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 10. AWNING AND CANOPY PERMIT ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-08, AN ORDINANCE AMENDING CHAPTER 11 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING STREETS AND SIDEWALKS, BY AMENDING SECTION 11-2-70, CONCERNING AWNING OR CANOPY PERMITS AND OTHER PERMITTED USES OF STREET AND SIDEWALKS, TO ESTABLISH A PERMIT APPLICATION FEE REQUIREMENT (FIRST READING)

Moved by Councilwoman Janet Spangenberg, **Seconded by** Councilman Steve Conklin to approve on first reading and order published by law, Ordinance 2016-08, an ordinance amending Chapter 11 of the Edgewater Municipal Code, concerning streets and sidewalks, by amending Section 11-2-70, concerning awning or canopy permits and other permitted uses of street and sidewalks, to establish a permit application fee requirement as presented. City Attorney Renaud said that the purpose of the ordinance was for the Municipal Code to be in line with the fee schedule. Public comment was called for. There was no public comment. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 11. UTILITY ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-09, AN ORDINANCE AMENDING CHAPTER 13 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING MUNICIPAL UTILITIES, BY AMENDING SECTION 13-2-280, CONCERNING THE CITY ENGINEER’S DETERMINATION OF THE SIZE AND LOCATION OF NEW WATER SERVICE FACILITIES, SUBSECTION 13-3-230(A), CONCERNING CONSTRUCTION REQUIREMENTS FOR SANITARY SEWERS, AND SECTION 13-3-610, CONCERNING THE ESTABLISHMENT OF SANITARY SEWER RATES (FIRST READING)

Moved by Councilwoman Laura Keegan, **Seconded by** Councilwoman Janet Spangenberg to approve on first reading and order published by law, Ordinance 2016-09, an ordinance amending Chapter 13 of the Edgewater Municipal Code, concerning municipal utilities, by amending Section 13-2-280, concerning the City Engineer’s

determination of the size and location of new water service facilities, Subsection 13-3-230(a), concerning construction requirements for sanitary sewers, and Section 13-3-610, concerning the establishment of sanitary sewer rates as presented. City Attorney Renaud advised that the ordinance was regarding the technical specifications that would be required by the City for the construction of new water service and sewer. Public comment was called for.

Guy Reano inquired as to sewer lines that were not serviced by the City and the effect the ordinance would have on homeowners similar to his circumstances. Director Maples noted that Mr. Reano was serviced by the East Jefferson County Sanitation District and he would not be affected by the ordinance. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 12. BUILDING REGULATIONS ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-10, AN ORDINANCE AMENDING CHAPTER 18 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING BUILDING REGULATIONS, BY ADDING A NEW SECTION 18-1-80, CONCERNING PROHIBITED BUILDING MATERIALS, AND BY AMENDING SECTIONS 18-2-30, CONCERNING AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, AND 18-3-30, CONCERNING AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE, TO PROVIDE FOR BETTER ENFORCEMENT OF STOP WORK ORDERS (FIRST READING)

Moved by Councilwoman Kate Mulcahy, **Seconded by** Councilwoman Myra A. Keeble to approve on first reading and order published by law, Ordinance 2016-10, an ordinance amending Chapter 18 of the Edgewater Municipal Code, concerning building regulations, by adding a new Section 18-1-80, concerning prohibited building materials, and by amending Sections 18-2-30, concerning amendments to the International Building Code, and 18-3-30, concerning amendments to the International Residential Code, to provide for better enforcement of stop work orders as presented. City Attorney Renaud advised that a new section had been added prohibiting a certain building material that had previously been contained in the Site Development Plan regulations and had been inadvertently deleted. The second change made to the ordinance was the unification of the stop work order provisions contained in the International Building Code and the International Residential Code. Public comment was called for. There was no public comment. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan and Councilwoman Myra A. Keeble.

ITEM 13. SITE DEVELOPMENT PLAN ORDINANCE – DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2016-11, AN ORDINANCE AMENDING CHAPTER 17 OF THE EDGEWATER MUNICIPAL CODE,

**CONCERNING SUBDIVISIONS, BY AMENDING SECTION 17-4-10(B),
CONCERNING THE APPLICABILITY OF SITE DEVELOPMENT PLAN
REGULATIONS (FIRST READING)**

Moved by Councilwoman Myra A. Keeble, **Seconded by** Councilman Steve Conklin to approve on first reading and order published by law, Ordinance 2016-11, an ordinance amending Chapter 17 of the Edgewater Municipal Code, concerning subdivisions, by amending Section 17-4-10(b), concerning the applicability of site development plan regulations as presented. Attorney Renaud advised that the ordinance deleted the need for a of site development plan for interior remodeling of existing nonresidential structures unless the interior remodeling was for the purposes of a change of use. Public comment was called for. There was no public comment. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, Councilwoman Kara Swanson, Councilwoman Kate Mulcahy, Councilwoman Laura Keegan, Councilwoman Myra A. Keeble.

**ITEM 14. 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; SECTION 6-1-90,
CONCERNING CHANGES IN BUSINESS LICENSE INFORMATION;
AND ARTICLE 1 OF CHAPTER 4, CONCERNING GENERAL AND
SPECIAL FUNDS, BY THE ADDITION OF A NEW SECTION 4-1-120
(SECOND AND FINAL READING)**

Moved by Councilwoman Janet Spangenberg, **Seconded by** Councilwoman Laura Keegan to approve on second and final 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 Staff advised that the ordinance would not limit the development at the 20th Avenue and Depew Street site. City Attorney Renaud and City Manager Staff suggested minor changes to the ordinance. Mayor Teegardin spoke about that the purpose of the ordinance and said that it was to encourage responsible development. Public comment was called for.

Guy Reano inquired as to whether or not the ordinance affected residential parking.

Jason Bump inquired as to whether or not the ordinance addressed bike parking for new commercial developments.

Discussion was held regarding parking reductions.

City Attorney Renaud reviewed the changes that had been made to the ordinance which included:

- Table 1 – Change the language from, “A new 5,000 sq ft office building must provide 15 spaces” to “In contrast, a new 5,000 sq ft office building would require 15 spaces”.
- §16-3-160(b)(3) – Add the word “additional” after the words “requires more than four (4)”.
- Insert a new Table 5.
- Table 5 – Add the words, “and/or Alcohol Service” after the words, “Coffee Shop with or without a Drive Through”.
- §16-3-160(e)(11) – Re-letter the subsections.
- §16-3-160(f)(1) – Add the word “new” in front on the words, “single- and two-family dwellings”.

Councilwoman Keegan and Spangenberg were in agreement with the amendments to their motion. **Vote** was called for. **Vote:** Motion carried by unanimous vote (**summary:** Aye = 6). **Aye:** Councilman Steve Conklin, Councilwoman Janet Spangenberg, 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

Councilman Steve Conklin said that DRCOG had added a second monthly meeting which would be a work session to address the Metro Vision plan. He had also attended some DRCOG training sessions. Councilman Conklin thanked staff and the Planning and Zoning Commission for their work on the parking ordinance.

Councilwoman Kate Mulcahy had no comments.

Councilwoman Myra Keeble thanked everyone who had worked on the parking ordinance. Councilwoman Myra Keeble said that she had attended the Art of Neighboring dinner on February 9th. It had been a great opportunity to hear from someone who had a simple premise to lean into an awkward situation.

Councilwoman Kara Swanson had no comments.

Councilwoman Laura Keegan said that she had attended the Planning and Zoning Commission meeting the previous evening as the Council liaison. The Commission had made huge progress on residential design standards. Councilwoman Laura Keegan thanked the Commission for their work. She also thanked Police Chief John Mackey for speaking out on how the rental registration program would assist his department. Councilwoman Laura Keegan said that she was proud of Council for passing the ordinance as she believed it would be an asset to the City.

Councilwoman Janet Spangenberg echoed the previous comments regarding the Planning and Zoning Commissions' work and she thanked everyone else who had contributed to the parking ordinance. Councilwoman Janet Spangenberg said that she was happy to see all of the faces in the audience and she thanked the audience for coming.

Councilman Todd Riddle arrived at 8:14 PM.

Mayor Kris Teegardin recognized Kent Johnson in the audience. Mr. Johnson served on the Wheat Ridge Fire Protection District Board. Mayor Teegardin thanked Mr. Johnson for keeping the best interests of the community at heart.

ITEM 18. BUSINESS MEETING ADJOURNMENT

There being no further business, Mayor Kris Teegardin adjourned the meeting at 8:16 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 9:35 PM Councilman Steve Conklin moved, seconded by Councilwoman Kate Mulcahy to enter into executive session for the purposes of 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 20th and Depew and other City properties, and to discuss the purchase of certain real property by the City and the sale of certain other real property by the City, under C.R.S. § 24-6-402(4)(a).