

**TOWN OF PARKER COUNCIL
MINUTES
JUNE 17, 2019**

Mayor Mike Waid called the Town Council and Parker Authority for Reinvestment combined meeting to order at 5:30 P.M. Councilmember Joshua Rivero was absent.

Cheryl Poage left the meeting because she has a conflict with the Combined Executive Session item.

Town Attorney Jim Maloney and PAR Attorney Corey Hoffmann announced that there was one (1) item for the Combined Executive Session under C.R.S. § 24-6-402(4)(b) to receive legal advice on specific legal questions concerning South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment, et al., Douglas County District Court Case No. 17CV30549.

COMBINED EXECUTIVE SESSION

Debbie Lewis moved and Renee Williams seconded to go into the Combined Executive Session to hold a conference with the Town attorney and PAR attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Debbie Lewis moved and Renee Williams seconded to come out of the Combined Executive Session at 6:00 P.M.

The motion was approved unanimously.

Debbie Lewis moved and John Diak seconded to adjourn the PAR meeting at 6:01 P.M.

The motion was approved unanimously.

Cheryl Poage returned to the meeting at 6:01 P.M.

EXECUTIVE SESSION

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session where four (4) items. Under C.R.S. § 24-6-402(4)(e) there was one item which was a listing agreement for Town properties between NavPoint Real Estate Group and the Town (My Mainstreet); under C.R.S. 24-6-402(4)(b) there were three (3) items, the first was to receive legal advice on specific legal questions concerning C.R.S. Section 31-12-1-6(1) concerning the involuntary annexation of the KOA property, the second was to receive legal advice on specific legal questions concerning Chapter 4.07 of the Parker Municipal Code concerning excise tax and Article XX of the Colorado Constitution concerning development impact fees, and the third was to receive legal advice on specific legal questions concerning Memorandum of Understanding with Douglas County concerning the Community response Team.

Renee Williams moved and Debbie Lewis seconded to go into the Town Council Executive Session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. 24-6-402(4)(e) and to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Debbie Lewis moved and Renee Williams seconded to come out of Executive Session at 7:15 P.M.

The motion was approved unanimously.

Mayor Waid reconvened the regular meeting at 7:23 P.M.

The Mayor led the Council and audience in the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES

None.

PUBLIC COMMENTS

None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Councilmembers reported on meetings they attended since the last Council meeting.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - May 20, 2019 and May 23, 2019*
- B. *AGREEMENT REGARDING DESIGN AND PERMITTING FOR GREEN ACRES TRIBUTARY IMPROVEMENTS*
Department: Engineering/Public Works, Jacob James
- C. *ORDINANCE NO. 1.523.2 First Reading*
A Bill for an Ordinance to Adopt the 2019 Revised Budget for the Town of Parker and to Make Appropriations for the Same
Department: Finance, Rhonda Willey
Finance, Mary Lou Brown
Second Reading: July 1, 2019

- D. *ORDINANCE NO. 9.291- First Reading*
A Bill for an Ordinance Approving the Agreement Regarding Final Design and Construction of Fee-In-Lieu Drainage and Flood Control Improvements for Green Acres Tributary at Compark Village South (Agreement No. 19-06.01, Project No. 107382) By and Between Urban Drainage and Flood Control District and the Town of Parker
Department: Engineering/Public Works, Jacob James
Second Reading: July 1, 2019
- E. *RESOLUTION NO. 19-040*
A Resolution to Appoint the Chair and to Appoint Members and Alternates to the Town of Parker Planning Commission
Department: Community Development, Rosemary Sietsema
- F. *RESOLUTION NO. 19-041*
A Resolution Setting the Date for Consideration of the Annexation Ordinance for the KOA Enclave Property for Second Reading on August 5, 2019
Department: Community Development, Stacey Nerger
- G. *RESOLUTION NO. 19-047*
A Resolution Accepting the Conveyance of a Drainage Easement from Halle Properties, L.L.C., for a Part of Lot 2, Country Meadows Square, 3rd Amendment
Department: Engineering/Public Works, Tyler Sandt
- H. *RESOLUTION NO. 19-048*
A Resolution Accepting the Conveyance of a Drainage Easement from WMG Development, LLC, for a Portion of Lot 5, Block 10, Stroh Crossing Filing No. 1, Amendment No. 1
Department: Engineering/Public Works, Tyler Sandt
- I. *RESOLUTION NO. 19-049*
A Resolution Accepting the Conveyance of a Drainage Easement from Reata Ridge Realty Partners LLC, for a Portion of Lot 6, Block 10, Stroh Crossing Filing No. 1, Amendment No. 1
Department: Engineering/Public Works, Tyler Sandt
- J. *RESOLUTION NO. 19-050*
A Resolution Accepting the Conveyance of a Drainage Easement from Reata Ridge Realty Partners, LLC, for a Portion of Lot 7, Block 10, Stroh Crossing Filing No. 1, Amendment No. 1
Department: Engineering and Public Works, Tyler Sandt

Cheryl Poage moved and Jeff Toborg seconded to remove Consent Agenda Item 5B.

The motion was approved 3-2. (Councilmembers Lewis and Williams voted no.)

Cheryl Poage moved and Renee Williams seconded to approve Consent Agenda Items 5A through 5J, with exception of 5B.

The motion was approved unanimously.

Jacob James explained that the developer was providing the Town with the engineering design funds in lieu of the developer doing this work themselves.

Cheryl Poage moved and Debbie Lewis seconded to approve Consent Agenda Items 5B..

The motion was approved unanimously.

PUBLIC HEARINGS

A. HESS RANCH METROPOLITAN DISTRICT NOS. 1-3

Department: Town Attorney, Kristin Schledorn

7:35 P.M.

Items 1 through 6 approved the Amended and Restated Service Plans and Amended and Restated Intergovernmental Agreements (IGAs) between the Town of Parker, Colorado, and Hess Ranch Metropolitan District Nos. 1-3 (to be known as Trails at Crowfoot Metropolitan District Nos. 1-3). Items 7 and 8 approve forms of agreements (a Partial Termination of a Debt Allocation and Cost Sharing Agreement and an Amended and Restated District Operating Agreement) among the Districts related to the approval of the amended and restated service plans and IGAs.

Pursuant to the terms of the proposed IGAs and Service Plans, the Districts have agreed to levy and remit to the Town, a property tax of 5 mills, which will be used for the planning, design, construction and maintenance of Town infrastructure, as identified on Exhibit B of the IGAs.

Megan Murphy of White Bear Ankele Tanaka & Waldron gave a brief presentation and was available for questions.

Public Comment - None

The Public Hearing was closed at 7:45 P.M.

1. RESOLUTION NO. 19-032

A Resolution to Approve the Amended and Restated Service Plan for Hess Ranch Metropolitan District No. 1 to be Known as Trails at Crowfoot Metropolitan District No. 1

John Diak moved to approve Resolution No. 19-032.

Debbie Lewis seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

2. RESOLUTION NO. 19-033

A Resolution to Approve the Amended and Restated Service Plan for Hess Ranch Metropolitan District No. 2 to be Known as Trails at Crowfoot Metropolitan District No. 2

Debbie Lewis moved to approve Resolution No. 19-033.

Renee Williams seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

3. RESOLUTION NO. 19-034

A Resolution to Approve the Amended and Restated Service Plan for Hess Ranch Metropolitan District No. 3 to be Known as Trails at Crowfoot Metropolitan District No. 3

Renee Williams moved to approve Resolution No. 19-034.

Debbie Lewis seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

4. ORDINANCE NO. 9.287 - Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement By and Between the Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 1 to be Known as Trails at Crowfoot Metropolitan District No. 1

Renee Williams moved to approve Ordinance No.9.287 on second reading.

John Diak seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

5. ORDINANCE NO. 9.288 - Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement By and Between the Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 2 to be Known as Trails at Crowfoot Metropolitan District No. 2

John Diak moved to approve Ordinance No. 9.288

Debbie Lewis seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

6. ORDINANCE NO. 9.289 - Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement By and Between the Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 3 to be Known as Trails at Crowfoot Metropolitan District No. 3

Debbie Lewis moved to approve Ordinance No. 9.289 on second reading.

Renee Williams seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

7. RESOLUTION NO. 19-035

A Resolution Approving the Form of Partial Termination of Intergovernmental Agreement Regarding Debt Allocation and Cost Sharing Proposed Among Hess Ranch Metropolitan District Nos. 1-8

Renee Williams moved to approve Resolution No. 19-035.

Debbie Lewis seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

8. RESOLUTION NO. 19-036

A Resolution Approving the Form of Amended and Restated District Operating Agreement Among Hess Ranch Metropolitan District No. 1, Hess Ranch Metropolitan District No. 2 and Hess Ranch Metropolitan District No. 3

Renee Williams moved to approve Resolution No. 19-036.

Debbie Lewis seconded the motion.

The motion was approved 4-1. (Councilmember Poage voted no.)

ORDINANCES

A. ORDINANCE NO. 3.345.1 - Second Reading

A Bill for an Ordinance Affirming the Passage of Emergency Ordinance No. 3.345, Series of 2019, A Bill for an Emergency Ordinance to Impose a Temporary Suspension for One Hundred Eighty (180) Days in Duration on the Processing and Approval of any Application for a Town of Parker Permit or License Related to the Operation of a Business that Would Be Engaged in the Growing, Storage, Extraction, Processing or Manufacturing of Industrial Hemp or the Extraction, Processing or Manufacturing of Industrial Hemp in Commercial Products Containing Industrial Hemp; Directing the Prompt Investigation of the Town's Regulatory Authority Over Such Businesses Pursuant to the Authority Granted by Article XX, Section 6, of the Colorado Constitution; and Declaring the Intention of the Town Council to Consider the Adoption of Appropriate Town Regulations With Respect to Such Businesses if Permitted by Law

Department: Town Attorney, Kristin Schledorn

On May 20, 2019, Town Council approved Emergency Ordinance No. 3.345, Series of 2019. Pursuant to Parker Home Rule Charter Section 7.6, an emergency ordinance must be affirmed by Town Council within 90 days after passage to remain in effect.

It was noted that the Governor has signed this bill.

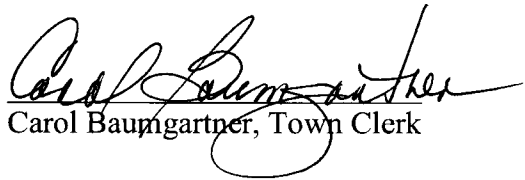
Public Comment - None

Cheryl Poage moved to approve Ordinance No. 3.345.2 on second reading.

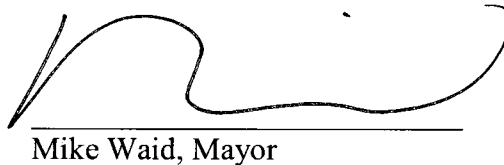
Debbie Lewis seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 7:53 P.M.



Carol Baumgartner, Town Clerk



Mike Waid, Mayor