

**TOWN OF PARKER COUNCIL
MINUTES
SEPTEMBER 3, 2019**

Mayor Mike Waid called the meeting to order at 5:35 P.M. Councilmember Williams was absent; Cheryl Poage arrived at 5:36 p.m.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were four (4) items; under C.R.S. § 24-6-402(4)(e) , there were two items, the first was to Compark South Filing No. 2 (Resolution Nos. 18-091 and 18-092, Series of 2018), the second was the Purchase and Sale Agreement - The Schoolhouse Property; under C.R.S. § 24-6-402(4)(b) there were two items, the first was to receive legal advice on specific legal questions concerning Parker Automotive PD Guide and Plan concerning real property commonly known as the Eisenberg Property and the second was to receive legal advice on specific legal questions concerning Article XIV of the Home Rule Charter of the Town of Parker (Citizen Initiative Committee Affidavit concerning the zoning for the real property commonly known as PACE Lot 2 and Pine Curve).

EXECUTIVE SESSION

Joshua Rivero moved and John Diak seconded to go into Executive Session at 5:37 P.M. 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 Joshua Rivero seconded to come out of Executive Session at 7:00 P.M.

The motion was approved unanimously.

Joshua Rivero moved and Jeff Toborg seconded to recess the regular meeting at 7:00 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:06. P.M. Councilmember Williams was absent.

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

PARKER CHAMBER OF COMMERCE UPDATES

Omar Castillo introduced Kara Massa, the interim director of the Chamber. They updated Council on their various activities.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Omar Castillo gave the monthly report for the DBA.

PUBLIC COMMENTS

Stephen Curtis 22104 E. Idyllwilde Drive asked for an update on parking dedicated to Legend High School.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. RESOLUTION NO. 19-076

A Resolution Accepting the Conveyance of Real Property from Monarch Lincoln Meadows, LLC, for Tract B, Lincoln Meadows Filing No. 1, Third Amendment

Department: Engineering/Public Works, Alex Mestdagh

B. RESOLUTION NO. 19-077

A Resolution Accepting the Conveyance of Real Property from Monarch Lincoln Meadows, LLC, for Tract C, Lincoln Meadows Filing No. 1, Third Amendment

Department: Engineering/Public Works, Alex Mestdagh

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 6A and 6B.

The motion was approved unanimously.

PUBLIC HEARINGS

A. ORDINANCE NO. 1.523.4 - Second 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

7:19 P.M.

The purpose of this budget revision is to amend the appropriated funds for 2019. The total budget amendment is a net increase of \$500,000 to the Parks and Recreation Fund. The expenditure for the transfer from the Recreation Fund was not accounted for in the prior budget revision contained in Ordinance No. 1.523.3. This revision is also an increase of revenues and expenditures in the General Fund in the amount of \$3,651 and an increase of revenues and expenditures in the Cultural Fund in the amount of \$9,900. Both of these are for contributions from external agencies.

Public Comment - None

The Public Hearing was closed at 7:20 P.M.

Debbie Lewis moved to approve Ordinance No. 1.523.4 on second reading.
Joshua Rivero seconded the motion.

The motion was approved unanimously.

B. MOST OF LOT 4 GOBLERS NOB SUBDIVISION - Use by Special Review for Exotic Pet Boarding

Applicant: Jennifer Piccin-Shaw, Creature Comforts Pet Hotel
Location: Northwest corner of Parker Road and Pine Lane
Department: Community Development, BrieAnna Simon
 Community Development, Paul Workman
TRAKiT No.: Z19-010

7:21 P.M.

The subject property is developed with the existing Pine Lane Plaza multi-tenant commercial building. The applicant, Creature Comforts Pet Hotel, is requesting a Use by Special Review (UbSR) approval to allow an exotic pet boarding facility. The proposed boarding facility will also have an accessory retail element for the sale of items such as pet treats, beds, harnesses, etc. The proposed boarding facility will not substantially impact the existing development because of its location, noise mitigation to be provided and ventilation that will be added.

Applicant

Jennifer Piccin-Shaw and Jennifer Nystrom gave their background credentials and experience and were available for questions.

Public Comment - None

The Public Hearing was closed at 7:28 P.M.

Joshua Rivero moved to approve the Goblers Nob Lot 4 Use by Special Review request to allow an exotic pet boarding facility based on staff findings, with the six (6) conditions contained in the staff report.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 5.75.2 - Second Reading

A Bill for an Ordinance to Amend Chapter 6.02 of the Parker Municipal Code Concerning Protection of Nonsmokers From Involuntary Exposure to Tobacco and Marijuana Smoke in Indoor Areas Open to the Public

Department: Town Attorney, Kristin Schledorn

This ordinance amends Chapter 13.02, to include revisions to the Colorado Clean Indoor Air Act, as amended by House Bill 19-1076.

The new legislation allows municipalities to increase the minimum distance from which an individual is permitted to smoke near the entryway of specified businesses and public buildings from 15 feet to 25 feet. The amended Colorado Clean Indoor Air Act also tightens up restrictions on secondhand emissions in workplaces by requiring all employers to prohibit smoking of any type in the workplace. Hotels and motels are no longer listed as an exception under the new legislation and are no longer permitted to have smoking rooms.

Public Comment - None

Joshua Rivero advised that the 15 feet to 25 feet is a burden on the business owners and he does not agree with it.

Cheryl Poage moved to approve Ordinance No. 5.75.2 on second reading.

Jeff Toborg seconded the motion.

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

B. ORDINANCE NO. 1.537 - Second Reading**A Bill for an Ordinance to Amend Chapter 2.06 of the Parker Municipal Code Concerning Municipal Campaign Finance Complaints**

Department: Town Attorney, Kristin Schledorn

This ordinance adds a new Section 2.06.050, entitled Municipal Campaign Finance Complaints, to the Parker Municipal Code, to address the requirements of SB 19-232, which requires that any campaign finance complaint arising out of a municipal campaign matter be filed exclusively with the clerk of the applicable municipality.

Council was given proposed temporary rules to be adopted by the Town Clerk, if this ordinance is adopted by Council. Differences between the Secretary of State's rules and the proposed Town Clerk's rules include: (1) complaints are filed with the Town Clerk and the Town Clerk is authorized to investigate and impose fines (rather than the Secretary of State), and (2) complaints must be filed within 10 days of a report being filed (versus 180 days under the Secretary of State's rules.

This will require additional funds be budgeted for hearing officers for municipal campaign finance complaints (estimated at \$100 - \$200 per hour).

Public Comment - None

John Diak moved to approve Ordinance No. 1.537 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 9.300 - Second Reading (To be continued to 9-16-19)**A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Town of Parker and American Academy Regarding the Sharing of Costs for a Police Officer to Act as School Resource Officer**

Department: Police, David King

Joshua Rivero moved to continue this item to September 16, 2019.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

D. ORDINANCE NO. 9.301 - Second Reading (To be continued to 9-16-19)

A Bill for an Ordinance Approving the Amended and Restated Intergovernmental Agreement Between Douglas County School District RE-1 and the Town of Parker Regarding Providing Police Officers to Patrol Elementary and Middle Schools and Other Facilities Under the School Marshall Program (SMP)

Department: Police, David King

Joshua Rivero moved to continue this item to September 16, 2019.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

E. ORDINANCE NO. 5.59.1- Second Reading

A Bill for an Ordinance to Amend Chapter 6.03 of the Parker Municipal Code Concerning Noise Regulations

Department: Town Attorney, Kristin Schledorn

This ordinance amends Chapter 6.03, to allow loudspeakers or public address systems during the hours of 7 a.m. to 10 p.m., whether for a commercial or non-commercial purpose.

At their study session on August 12, 2019, Town Council directed staff to bring forward an ordinance to allow outdoor loudspeakers and public address systems during the hours of 7 a.m. and 10 p.m. (regardless of whether it was for a commercial purpose or non-commercial purpose), while staff gathers information on other possible noise regulations to address the use of loudspeakers in the downtown area by local businesses (outdoor bands, music, etc.).

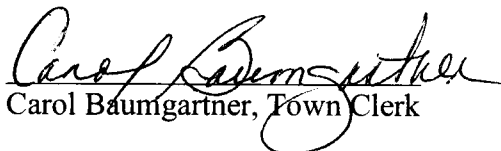
Public Comment - None

Joshua Rivero moved to approve Ordinance No. 5.59.1 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 7:46 p.m.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor