

**TOWN OF PARKER COUNCIL
MINUTES
SEPTEMBER 16, 2019**

Mayor Waid called the meeting to order at 5:30 P.M. Councilmember Diak was absent.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were six (6) items. Under C.R.S. § 24-6-402(4)(e) there were three (3) items, the first was Moore water rights/Pine Curve Property, the second was an Intergovernmental Agreement with Douglas County-Dransfeldt Extension and the third was a listing agreement for Town properties between NavPoint Real Estate Group and the Town (My Mainstreet)/Schoolhouse Property; 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 Colorado Revised Statute Section 31-12-106(1) (Enclave annexation), the second was to receive legal advice on specific legal questions concerning Intergovernmental Agreements among Anthology West Metropolitan Districts and the third 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 Renee Williams seconded to go into Executive Session at 5:32 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 Cheryl Poage seconded to come out of Executive Session at 6:44 P.M.

The motion was approved unanimously.

Debbie Lewis moved and Joshua Rivero seconded to recess the regular meeting at 6:44 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the regular meeting at 7:05 P.M.

Skylah Pratt, Honorary Mayor of the Day, led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Mayor Waid presented Skylah Pratt with a Certificate of Recognition as Honorary Mayor for the Day.

PUBLIC COMMENTS

- * Martin McLamon, Parker, CO, spoke on climate change and asked Council to review the climate change initiative.
- * Lois McLauchlan, Sedalia, CO, asked Council to draft a letter taking a position on climate change.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember reported on meetings they each attended since the last meeting.

It was noted that P3 and My Mainstreet Project won the Silver Circle Award for Community Visioning and Branding from 3CMA.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - August 12, 2019, August 19, 2019 and September 3, 2019*
- B. *E-470 Right-of-Way Northeast - Annexation and Zoning*
 - Applicant: Town of Parker*
 - Location: The subject property is part of the E-470 Right-of-Way (ROW) and is generally located north of Cottonwood Drive adjacent to the east and west borders of E-470 in unincorporated Douglas County*
 - Department: Community Development Department, Carolyn Parkinson*
 - TRAKiT No.: ANX19-008 and Z19-015*
 - Second Reading: October 7, 2019*
1. *ORDINANCE NO. 2.273 - First Reading*
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the E-470 Right-of-Way Northeast Property in Douglas County
2. *ORDINANCE NO. 3.296.1 - First Reading*
A Bill for an Ordinance to Amend Zoning Certain Property Within the Town of Parker, Colorado, Known as the E-470 Right-of-Way Northeast Property to PD-Planned Development District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
- C. *ORDINANCE NO. 13.109 - First Reading*
A Bill for an Ordinance Amending Chapter 10.11 of the Parker Municipal Code Concerning Special Districts
 - Department: Town Attorney, Kristin Schledorn*
 - Second Reading: October 7, 2019*

- D. *ORDINANCE NO. 5.83 - First Reading*
A Bill for an Ordinance to Add a New Chapter 6.07 to the Parker Municipal Code to Prohibit the Sale of Kratom
Department: Town Attorney, Kristin Schledorn
Second Reading: October 7, 2019
- E. *COMPARK VILLAGE FILING NO. 4, Drainage Easements from Edge 470 Land LLC*
Department: Engineering/Public Works, Tyler Sandt
1. *RESOLUTION NO. 19-078*
A Resolution Accepting the Conveyance of a Drainage Easement from Edge 470 Land LLC, for a Part of Lot 1, Compark Village Filing No. 4, Amendment No. 1
 2. *RESOLUTION NO. 19-079*
A Resolution Accepting the Conveyance of a Drainage Easement from Edge 470 Land LLC, for a Part of Lot 2, Compark Village Filing No. 4, Amendment 1
 3. *RESOLUTION NO. 19-080*
A Resolution Accepting the Conveyance of a Drainage Easement from Edge 470 Land LLC, for a Part of Lot 3, Compark Village Filing No. 4, Amendment No. 2
- F. *COMPARK VILLAGE FILING NO. 4, Drainage Easements from Compark Land Company*
Department: Engineering/Public Works, Tyler Sandt
1. *RESOLUTION NO. 19-081*
A Resolution Accepting the Conveyance of a Drainage Easement from Compark Land Company, for a Portion of Tract D, Compark Village Filing No. 4
 2. *RESOLUTION NO. 19-082*
A Resolution Accepting the conveyance of a Drainage Easement from Compark Land Company, for a Portion of Tract E, Compark Village Filing No. 4
- G. *RESOLUTION NO. 19-083*
A Resolution Approving the Form of Capital Fee Pledge Agreement Between Anthology West Metropolitan District No. 6 and Anthology West Metropolitan District No. 5
Department: Town Attorney, Kristin Schledorn
- H. *RESOLUTION NO.19-084*
A Resolution Approving the Form of First Amendment to Mill Levy Equalization and Pledge Agreement By and Among Anthology West Metropolitan District No. 2, Anthology West Metropolitan District No. 3, Anthology West Metropolitan District No. 4, Anthology West Metropolitan District No. 5 and Anthology West Metropolitan District No. 6
Department: Town Attorney, Kristin Schledorn

Joshua Rivero moved to approve Consent Agenda Items 5A through 5H.

Renee Williams seconded the motion.

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

PUBLIC HEARINGS

A. COTTONWOOD HIGHLANDS FILING NO. 7 - Sketch and Preliminary Plans

Applicant: Lennar Homes, John Cheney
Location: South of Cottonwood Drive between Chambers Road and Jordan Road
Department: Community Development, Stacey Nerger
TRAKiT No.: SUB18-037 and SUB18-045

7:24 PM

The proposed Sketch and Preliminary Plan incorporates a total of 238 lots for single-family attached residential use to be developed with duplex homes. The proposed lots range in size from 2,490 s.f. to 6,321 s.f. and are consistent with the approved PD zoning as to residential yield and density. The proposal incorporates 5.99 acres of parks and 2.56 acres of open space as required by the Land Development Ordinance (LDO) and the Cottonwood Highlands Annexation Agreement. The Planning Commission recommended approval on August 22, 2019.

Applicant, John Chaney summarized their background and the project. They are not seeking any changes to the PD Guide.

Public Comment - None

Joshua Rivero stated that he would be making a motion to include several conditions and asked the applicant if he would like to continue the Public Hearing for 30 days -- October 21, 2019.

Joshua Rivero moved to continue the Public Hearing to a date certain of October 21, 2019.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

B. LOT 1 O'BRIEN PARK

7:44 PM

The proposed project will improve the available amenities and operations of H2O'Brien Pool to ensure the continued use of this popular Town facility. The project will include minor modifications to the exterior of the building such as updated lighting, new outdoor changing areas, improved seating and a new aquatic play element.

A trade contract agreement with A.D. Miller Services, Inc. for the H2O'Brien Pool and Building Remodel Project (CIP 19-017) for \$2,488,720.33 plus a 10.65% contingency held outside the

agreement by the Town for unforeseen conditions and/or scope changes. The total potential contract amount is \$2,753,720.33.

Staff and Planning Commission recommend approval of this application.

Public Comment - None

1. Site Plan Amendment - H2O'Brien Pool and Building Remodel

Applicant: Town of Parker
Location: H2O'Brien Parker
Department: Community Development, BrieAnna Simon
TRAKiT No.: SP19-049

Joshua Rivero moved to approve the site plan amendment for Lot 1 O'Brien Park based on staff findings in the staff report.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

2. H2O'Brien Pool and Building Remodel Project (CIP19-017)

Amount: \$2,753,720.33
Contractor: A.D. Miller Services, Inc.
Department: Engineering and Public Works, Bob Exstrom

Debbie Lewis moved to approve the staff recommendation for this contract.

Renee Williams seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 9.300 - Second Reading (Continued from 9-3-19)

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

The Town entered into an Intergovernmental Agreement (IGA) with American Academy, a component unit of the Douglas County School District, to make available a police officer to function as a School Resource Officer (SRO) for American Academy's Motsenbocker and Lincoln Meadows campuses. The School Resource Officer will provide services to include law enforcement, counseling and education at both campuses.

The School shall reimburse the Town fifty percent (50%) of the Town's costs to make a police

officer available as the School Resource Officer. Such reimbursable costs shall include, but not be limited to, the salary, benefits, and pay plan market movement for the School Resource Officer. In addition to the one-half of the equipment costs for each School Resource Officer, which one-half amount is equal to \$7,500 per School Resource Officer, and all costs of attendance at the NASRO conference by the School Resource Officer. For the 2019-2020 school year, the total costs to be reimbursed by the School will not exceed \$71,490.

Joshua Rivero moved to approve Ordinance No. 9.300 on second reading.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 9.301 - Second Reading (To be continued to 10-7-19)

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

Renee Williams moved to continue Ordinance No. 9.301 to a date certain of October 7, 2019.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

RESOLUTIONS

RESOLUTION NO. 19-063

A Resolution of the Town Council Supporting an Increase in the Excise Tax on New Residential Development in the Town of Parker

Department: Town Attorney, Kristin Schledorn

7:54 P.M.

At the July 15, 2019, Town Council meeting, Town Council voted to submit to the Town's voters a ballot measure to increase the excise tax imposed on new residential development.

The Fair Campaign Practices Act allows the Town Council to pass a resolution of support on any issue of official concern before the Town electorate.

Public Comment: - None

Renee Williams moved to approve Resolution No. 19-063.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

PUBLIC COMMENT CONTINUED IF NECESSARY

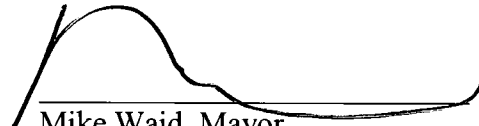
There were no additional comments.

ADJOURNMENT

The meeting was adjourned at 7:58 P.M.



Carol Baumgartner, Town Clerk



Mike Waid, Mayor