

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 7, 2019**

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

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were five (5) items. Under C.R.S. § 24-6-402(4)(b) there was one (1) item which was legal advice on specific legal questions concerning the unsolicited proposal from ROADIS; under C.R.S. § 24-6-402(4)(e) there was one (1) item for listing agreement for Town properties between NavPoint Real Estate Group and the Town (My Mainstreet)/Eastmain Property/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 Article XIV of the Town of Parker Home Rule Charter and Article 11 of Title 31 of the Colorado Revised Statutes (initiative petitions), the second was to receive legal advice on specific legal questions concerning in re National Prescription Opiate Litigation, Case No. 1:17-md-2804, United States District Court for the Northern District of Ohio and the third was to receive legal advice on specific legal questions concerning Pine Drive Property.

EXECUTIVE SESSION

Josh Rivero moved and John Diak seconded to go into Executive Session at 5:38 P.M. to hold a conference with the Town's attorney and legal counsel for the E-470 Public Highway Authority to receive legal advice on specific legal questions, pursuant to C.R.S. 24-4-402(4)(b) and the common interest privilege, 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 John Diak seconded to come out of Executive Session at 6:44 P.M.

The motion was approved unanimously.

Debbie Lewis moved and Josh Rivero seconded to recess the regular meeting at 6:47 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:03 P.M.

A Boy Scout led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

There were none.

PARKER CHAMBER OF COMMERCE UPDATES

Omar Castillo gave an update for the Chamber of Commerce.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Shelly Mango gave an update for the Downtown Business Alliance.

PUBLIC COMMENTS

- * Shelly Mango, 8632 E. Thunderbird Road, for downtown vibrancy there should be building in the downtown area.
- * Corey Poindexter stated he was here (did not give address)

The following individuals stated that they were against Resolution No. 19-087

- * Joy Overbeck - 19692 Creekside
- * Aleta Yu - 18140 French Creek Ave.
- * Al Thompson, 11198 Cambridge Ct.
- * Terry Dodd, 11450 Marlborough Dr.
- * Michael Roueche, 11425 Regency Ct.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - September 16, 2019*
- B. *ORDINANCE NO. 5.77.1 - First Reading*
A Bill for an Ordinance to Amend Section 10.13.080 of the Parker Municipal Code Concerning the Kiosk Program
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019
- C. *ORDINANCE NO. 3.01.118 - First Reading*
A Bill for an Ordinance to Amend Chapter 13.02 of of the Parker Municipal Code to add a Definition for "Tourist Home"
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019
- D. *ORDINANCE NO. 3.01.119 - First Reading*
A Bill for an Ordinance to Amend Section 13.03.030, Entitled Planning Department Adjustments, of the Parker Municipal Code
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019
- E. *ORDINANCE NO. 3.351 - First Reading*
A Bill for an Ordinance to Add a New Section 13.07.170, Entitled Associations, to the Parker Municipal Code
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019

F. ORDINANCE NO. 1.538 - First Reading

A Bill for an Ordinance Conveying the Moore Property Water Rights to the Parker Water and Sanitation District by Special Warranty Deed

Department: Parks and Recreation, Dennis Trapp

Second Reading: October 21, 2019

G. RESOLUTION NO. 19-085

A Resolution to Exempt Certain Real Property Commonly Known as the E-470 Maintenance Support Site A From the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance

Department: Community Development, Carolyn Parkinson

H. RESOLUTION NO. 19-087

A Resolution to Establish an Initiative or Referendum Petition Protest Procedure

Department: Town Attorney, Kristin Schledorn

Cheryl Poage moved and Jeff Toborg seconded to remove Consent Agenda Item 7H.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 7A through 7G.

The motion was approved unanimously.

Item 7H

Kristin Schledorn explained the resolution and the process and how the State Statute and the Town Charter conflict.

Joshua Rivero moved to approve Resolution No. 19-087.

Debbie Lewis seconded the motion.

The motion passed 3 to 2. (Poage and Toborg voted no.)

PUBLIC HEARINGS

A. 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

8:00 P.M.

The Town, acting on behalf of the E-470 Public Highway Authority (the "Authority"), proposes an annexation of the E-470 ROW. The purpose of this action is to ensure that the entirety of E-470 within the Town's Municipal Planning Area is annexed into the Town.

The Town also proposes to zone the property concurrently with the annexation as required by the Land Development Ordinance (LDO). This is the same zoning for the rest of E-470 ROW within the Town Limits.

Public Comment - None

The Public Hearing was closed at 8:05 P.M.

1. RESOLUTION NO. 19-060

A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the E-470 Right-of-Way Northeast Property for Annexation into the Town of Parker

Joshua Rivero moved to approve Resolution No. 19-060.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

2. ORDINANCE NO. 2.273 - Second 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

Joshua Rivero moved to approve Ordinance No. 2.273 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

3. ORDINANCE NO. 3.296.1 - Second 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

Joshua Rivero moved to approve Ordinance No. 3.296.1 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

4. ANNEXATION AGREEMENT

Joshua Rivero moved to approve the E-470 Right-of-Way Northeast Annexation Agreement, based on staff findings.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 13.109 - Second Reading

A Bill for an Ordinance Amending Chapter 10.11 of the Parker Municipal Code Concerning Special Districts

Department: Town Attorney, Kristin Schledorn

This ordinance amends Chapter 10.07 concerning special districts, to update the annual report requirements and application fees.

This ordinance also adds the term "Bond" or "Bonds" to the definition of "Debt", clarifies the definition for "Public Improvements", requires that the district boundary map be stamped by a registered professional engineer, and updates the application fees from \$7,000 per service plan to \$8,000, and from \$250 per amendment to \$4,000. This increase will capture the actual costs for staff and outside counsel review time.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 13.109 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.83 - Second 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**

This ordinance bans the sale of kratom for human consumption in the Town of Parker.

Dr. Bernadette Albanese, Medical Epidemiologist, with Tri-County Health Department, gave a presentation on kratom. Their stance on kratom use aligns with the U.S. Food and Drug Administration (FDA) and as a precautionary measure, Tri County Health Department strongly recommended that the Town of Parker proactively ban any sale of Kratom in its jurisdiction.

Public Comment - None

John Diak moved to approve Ordinance No. 5.83 on second reading.

Debbie Lewis seconded the motion.

C. ORDINANCE NO. 9.301 - Second Reading (Continued from 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**

The Town entered into an Intergovernmental Agreement (IGA) with the Douglas County School District to make available its police officers to function as School Marshal Officers (SMOs) at district elementary schools, in addition to four (4) charter schools within the District; Challenge to Excellence, Global Village Academy, Parker Performing Arts School and Leman Academy.

The Douglas County School District shall pay the Town the not to exceed amount of \$185,276 for the 2019-2020 school year. This amount will support the salary and benefits of one (1) full-time School Marshal officer and a maximum of 1,023.5 hours of coverage by additional officers during the 2019-2010 school year..

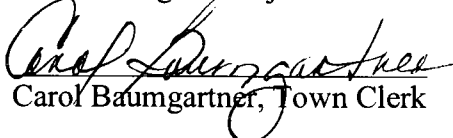
Public Comment - None

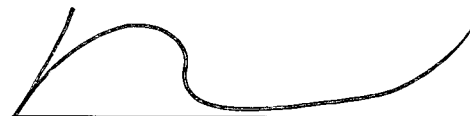
Cheryl Poage moved to approve Ordinance No. 9.301 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:27 P.M.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor