

**TOWN OF PARKER COUNCIL
MINUTES
NOVEMBER 4, 2019**

Mayor Mike Waid called the meeting to order at 5:32 P.M. Renee Williams was absent.

Town Attorney Jim Maloney announced that topics for discussion in Executive Session were six (6) items. Under C.R.S. § 24-6-402(4)(e) there was one item which was a Purchase and Sale Agreement - The Schoolhouse Property and under C.R.S. § 24-402(4)(b) there were five (5) items, the first was to receive legal advice on specific legal questions concerning Vista South, LLC, et al., v. City of Centennial, et al., Douglas County District Court, Case No. 2018CV030354, the second 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 third was to receive legal advice on specific legal questions concerning Colo. Rev. Stat. § 32-1-207(3)(b), "45-day Notice" from Parker Automotive Metropolitan District, the fourth was to receive legal advice on specific legal questions concerning Capital Pledge Agreement between Reata Ridge Metropolitan District Nos. 1 and 2 and the fifth was to receive legal advice on specific legal questions concerning HB 19-1234, concerning allowing delivery of regulated marijuana.

EXECUTIVE SESSION

Joshua Rivero moved and Debbie Lewis 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.

John Diak moved and Debbie Lewis seconded to come out of Executive Session at 6:25 P.M.

The motion was approved unanimously.

Debbie Lewis moved and Joshua Rivero seconded to recess the regular meeting at 6:25 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the Town Council meeting at 7 p.m.

Youth from the audience led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Mayor Waid recognized the Fall 2019 Police Department Citizens Academy and presented each with a certificate.

Chief David King thanked Chris Peters and Bri Rock for organizing the academy. There have been 25 academies to date.

PARKER CHAMBER OF COMMERCE UPDATES

None.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Jeff with the Downtown Business Alliance provided an update on their activities.

PUBLIC COMMENTS

Chris Rawson spoke on trails and bike paths and asked that a resolution be passed regarding people who live in all types of housing are made to feel welcome in the Town of Parker.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

Kristen Schledorn, Deputy Town Attorney, provided an update on the Citizens Initiative on behalf of the Town Clerk.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - October 7, 2019 and October 21, 2019*
- B. *ORDINANCE NO. 3.326.2 - First Reading*
A Bill for an Ordinance to Amend Sections 13.06.020, 13.10.160, 13.10.200 and 13.16.040 of the Parker Municipal Code Concerning the Town of Parker Development Design Standards
Department: Community Development, Carolyn Washee-Freeland
Second Reading: November 18, 2019
- C. *ORDINANCE NO. 1.523.5 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
Second Reading: December 2, 2019

D. ORDINANCE NO. 9.302 - First Reading

A Bill for an Ordinance Approving the Agreement Regarding Funding of Major Drainageway Planning for Cherry Creek Upstream of Cherry Creek Reservoir By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District, Southeast Metro Stormwater Authority, Town of Parker, and Douglas County

Department: Engineering/Public Works, Jacob James

Second Reading: November 18, 2019

E. RESOLUTION NO. 19-090

A Resolution to Amend Resolution 14-028, Series of 2014, Concerning the Town of Parker, Colorado, Policy for Access to Criminal Justice Records

Department: Police, Commander Andrew Coleman

F. RESOLUTION NO. 19-094

A Resolution to Adopt the Town of Parker, Colorado, 2019 Three-Mile Area Plan

Department: Community Development, Carolyn Washee-Freeland

G. RESOLUTION NO. 19-095

A Resolution Approving the Form of Capital Pledge Agreement Between Reata Ridge Village Metropolitan District No. 1 and Reata Ridge Village Metropolitan District No. 2

Department: Town Attorney, Kristin Schledorn

H. CONTRACTS OVER \$100,000

2019 Townwide Concrete Replacement Program (CIP19-006) Contract Modification

Amount: \$235,000

Contractor: Stone & Concrete, Inc

Department: Engineering and Public Works, Danny Smith

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

The motion passed unanimously.

PUBLIC HEARINGS

A. ORDINANCE NO. 1.539 - First Reading

A Bill for an Ordinance to Adopt the 2020 Budget and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown

Second Reading: December 2, 2019

7:23 P.M.

The 2020 Town of Parker Annual Budget has been prepared for Town Council consideration and approval.

Staff is required by Town Charter to submit a budget for the coming year to Council prior to October 15, 2019. The document was emailed to Council on Wednesday, October 9, 2019, and posted on the Town of Parker Internet site on Friday, October 11, 2019, in compliance with that requirement. In addition, a budget retreat was held on September 27, 2019, where the Town budgets were reviewed. On October 28, 2019, a study session was held with Council.

The projected budget is balanced across all funds. The General Fund cash balance meets the requirement of maintaining at least a 25% reserve equal to the total annual General Fund appropriations.

Public Comment - None

Public Hearing was closed at 7:47 P.M.

John Diak moved to approve Ordinance No. 1.539 and to schedule the second reading and Public Hearing for December 2, 2019.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

B. NEWLIN CROSSING FILING NO. 1 - Minor Development Plat

Applicant: Plan West - Representative, David Brehm

Location: Generally located at the northeast corner of Mainstreet and Chambers Road

Department: Community Development, Carolyn Parkinson

TRAKiT No.: SUB19-013

7:48 P.M.

The subject property was annexed into the Town in 2016 and zoned as the Newlin Crossing Planned Development (PD). The PD zoning allows up to 450 residential units, 14.5 acres of commercial development and approximately 19 acres of open space. As required by the Annexation Agreement, the Minor Development Plat (MDP) includes separate tracts (O, P) for the future Newlin Gulch Trail. This is a regional trail that will be constructed through the

subject property with future development and connect to existing segments that have been constructed north and south of the site.

If approved, the proposed MDP will create unbuildable tracts that may be sold to developers but are not yet developable. The purchasers of the unbuildable tracts will need to plan and design their development projects, submit development applications for review and obtain approvals from the Town. This process will address residential subdivision design; commercial site plan design; the parks, trails and open space system and all infrastructure necessary to support development.

Staff has reviewed the proposed MDP against the Parker 2035 Master Plan and has determined that the request is consistent with the goals of the Plan. The proposal would create tracts for future residential and commercial use with an internal street network and parks, trails and open space that are consistent with Medium Density Residential and Neighborhood Commercial Center designations in the Master Plan for this area.

David Brehm of Plan West, explained the 16 parcels and was available for questions.

Public Comment;

- * Chris Rawson, 20506 Willowbend Lane, asked that a sidewalk be built.
- * Ray Traffis - 10680 Stonemeadow Dr., stated it would impact five property owners and their families and asked that it be referred back to the Planning Commission.
- *Julie Swear (sp), Stonemeadow Dr., echoed Mr. Traffis.
- *Chris Short, Stonemeadow, echoed Mr. Traffis.

The Public Hearing was closed at 8:11 P.M.

Joshua Rivero moved to approve Newlin Crossing Filing No. 1 - Minor Development Plat.

John Diak seconded the motion.

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

ORDINANCES

A. ORDINANCE NO. 3.01.120 - Second Reading

A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in Light Industrial Zone Districts

Department: Community Development, Bryce Matthews

The Town Council approved an emergency ordinance on May 20, 2019 establishing a 180-day suspension on approving new hemp processing and storage uses within the Town. The purpose of this suspension was to give the Town time to research the unique issues related to uses involving hemp and prepare amendments to the Parker Municipal Code to address them especially where processing is involved.

The proposed ordinance will amend the Municipal Code at Chapter 13, Land Development Ordinance, to:

1. Include certain definitions that relate to hemp and hemp processing;
2. Allow limited industrial hemp processing in the Light Industrial zone district;
3. Not allow the initial processing of raw industrial hemp in any zone district in Town;
4. Not allow the storage of raw hemp in any zone district in Town;
5. Not allow the growing of hemp in the light industrial district; and
6. Address potential nuisance impacts associated with uses involving hemp

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 3.01.120 on second reading.

Debbie Lewis seconded the motion.

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

B. ORDINANCE NO. 9.286.1 - Second Reading

A Bill for an Ordinance to Approve the First Amendment to an Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding Cost Sharing for the Dransfeldt Road Extension

Department: Engineering/Public Works, Chris Hudson

The purpose of this ordinance is to approve an amendment to the Intergovernmental Agreement (IGA) with Douglas County for the conceptual/preliminary design of the proposed Dransfeldt Road extension project. This IGA is needed to formalize negotiations and jointly fund the conceptual/preliminary design effort.

Public Comment

* Mike Smith, 11321 Dransfeldt Rd., Denver Pope Limited Partnership, stated it will impact their farm. They have worked out details with Douglas County and guidelines have been put in

place. They are satisfied with the amendment.

* Pat Bredan (sp), see Mr. Smith's comments.

Chris Rawson, asked that the amenities (sidewalks for bike and foot traffic) be added.

Debbie Lewis moved to approve Ordinance No. 9.286.1 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 3.01.121 - Second Reading

A Bill for an Ordinance to Amend Subsections 13.12.030(c), (d) and (e), 13.12.040(b), (c) and (e) of the Parker Municipal Code Concerning Commercial Wireless Communications Facilities

**Department: Community Development, Bryce Matthews
Engineering/Public Works, Alex Mestdagh**

The proposed ordinance will update the Parker Municipal Code, Chapter 13.12 Wireless Communication Facilities, as provided below:

1. Set consistent height standards for small cell facilities that are located in the Town right-of-way with different heights for local residential streets versus busy collector and arterial roads;
2. Clarify additional submittal requirements as determined by the Town for small cell facilities;
3. Increase the fee for the review of proposed small cell facilities; and
4. Clarify height requirements for roof mounted wireless communication facilities.

Add more from staff report.

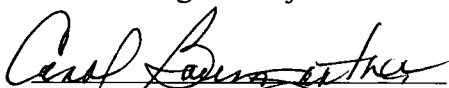
Public Comment - None

Joshua Rivero moved to approve Ordinance No. 3.01.12 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:51 P.M.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor