

**TOWN OF PARKER COUNCIL
MINUTES
MARCH 16, 2020**

Mayor Mike Waid called the meeting to order at 5:33 P.M. Councilmembers Williams and Diak were absent; Town Administrator Michelle Kivela was absent. Michelle Kivela and John Diak attended the Executive Session via telephone.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were six (6) items; under C.R.S. § 24-6-402(4)(b) there were four (4) 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 Chapter 4.07 of the Parker Municipal Code (Development Excise Tax), the third was to receive legal advice on specific legal questions concerning Colo. Const. Art 11, Section 25, and Section 2.05.060(a) of the Parker Municipal Code (procedural due process/quasi-judicial matter) and the fourth was to receive legal advice on specific legal questions concerning Section 15.14 of the Town of Parker Home Rule Charter (emergency powers); under C.R.S. § 24-6-402(4)(e) there were two items, the first was Listing Agreement for Town properties between NavPoint Real Estate Group and the Town (My Mainstreet) (East Main) and the second was agreement for Sale and Purchase of Land (Schoolhouse) between the Town and ACG, LC

EXECUTIVE SESSION

Joshua Rivero moved and Debbie Lewis seconded to go into Executive Session at 5:36 P.M. 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) and 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).

The motion was approved unanimously.

Debbie Lewis moved and Joshua Rivero seconded to come out of Executive Session at 6:46 P.M.

The motion was approved unanimously.

Following discussion by Town Council, Councilmember Poage agreed to recuse herself from participating in any Town Council decision associated with a residential metropolitan district service plan or amendment to a residential metropolitan district service plan.

Joshua Rivero moved and Debbie Lewis seconded to recess the regular meeting at 6:56 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:02 P.M.

Mayor Waid led the Town Council and audience in the Pledge of Allegiance.

The Mayor made the following statement:

"...As COVID-19 relates to this meeting, please know that this meeting and all regular Town Council meetings are livestreamed on FaceBook. For those that are in attendance please:

- * Do not approach the dais.
- * Do attempt to maintain a distance of six feet of separation from others.
- * If you do not feel well, please leave the meeting and watch the meeting on Facebook live.
- * Vacate Town Hall immediately upon meeting adjournment.

SPECIAL PRESENTATIONS

Citizens Offering Parker Police Support (COPPS) Recognition

This will be rescheduled.

PUBLIC COMMENTS

Rob Tinnes spoke on the veterans memorial banners. He asked that the Town include recognizing those individuals who have lived in the area a long time. Presently the Town only recognizes Town residents.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

There were none.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - March 3, 2020*
- B. *FOURTH AMENDMENT TO TRANSIT SHELTER AGREEMENT - Outdoor Promotions of Colorado, LLC*
Department: Community Development, Mary Munekata
- C. *ORDINANCE NO. 3.353 - First Reading*
A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code by the Addition Thereto of a New Section 13.10.250 Entitled Prairie Dog Management
Department: Community Development, Bryce Matthews
Second Reading: April 6, 2020
- D. *CONTRACTS OVER \$100,000*
 1. *2020 Townwide Pavement Markings - Long Line Project (CIP20-009)*
Amount: \$140,100.00
Contractor: American Striping Company
Department: Engineering/Public Works, Spencer Raish

Joshua Rivero moved and Cheryl Poage seconded to approve Consent Agenda Items 5A through 5D.

The motion was approved unanimously.

PUBLIC HEARINGS

ORDINANCE NO.1.539.1 - Second Reading

A Bill for an Ordinance to Adopt the 2020 Revised Budget for the Town of Parker and to Make Appropriations for the Same

**Department: Finance, Mary Lou Brown
Finance, Rhonda Willey**

7:10 P.M.

This item is for a revision of the 2020 annual budget. Details of the revision are listed as Exhibit A attached to the ordinance.

This ordinance covers two categories of adjustments:

1. Carryovers, which are the re-appropriation of an unspent appropriation from the prior year to the current year.
2. Amendments, which consist of additional or new appropriation requests that were not anticipated at the time of the development of the budget.

Section 9.12 of the Parker Home Rule Charter provides the authority under which these adjustments may be made.

Public Comment - None

Cheryl Poage moved to approve Ordinance No. 1.539.1 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 9.307 - Second Reading (To be continued to 4//6/20)

A Bill for an Ordinance Approving the Agreement Regarding Construction of Fee-In-Lieu Drainage and Flood Control Improvements for Lemon Gulch Upstream of Crowfoot Valley Road (Agreement No. 20-01.13, Project No. 107087) By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District and the Town of Parker

Department: Engineering and Public Works, Alex Mestdagh

Joshua Rivero moved to continue Ordinance 9.307 to a date certain of April 6, 2020.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 9.267.3 - Second Reading

A Bill for an Ordinance Approving the Second Amendment to Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Cherry Creek at the KOA Property Town of Parker (Agreement No. 17-05.19C Project No. 106722) By and Between Urban Drainage and Flood Control District, the Town of Parker, and Cherry Creek Basin Water Quality Authority

**Department: Engineering and Public Works, Michael Grabczyk
 Engineering and Public Works, Alex Mestdagh**

This ordinance accompanies an amendment to an intergovernmental agreement (IGA) between the Town of Parker, the Mile High Flood District (MHFD - Formerly the Urban Drainage and Flood Control District), and the Cherry Creek Basin Water Quality Authority (CCBWQA). This amendment is necessary to include additional funding for the complete construction of Reach C of the project, which is located between the McCabe Meadows trailhead and the KOA Tower property.

Additional contributions to this project were included within the 2020 budget approved by Town Council. The Town will contribute \$440,000 to the project through a transfer to the MHFD. The MHFD and the Cherry Creek Basin Water Quality Authority will contribute an additional combined \$445,000 to the project, for a total supplemental budget of \$885,000. These additional funds will provide for the complete construction of Reach C of the project. The total project budget is \$2,035,000.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 9.267.3 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 1.352.1

A Bill for an Emergency Ordinance to Amend Section 2.01.070 of the Parker Municipal Code Concerning Emergency Meetings

Department: Town Attorney, Kristin Schledorn

The Town Code authorizes the Town Council to conduct meetings by telephone, electronically or by other means of communication when meeting in person is not prudent due to a health pandemic or other extraordinary emergency affecting the Town. The proposed emergency ordinance would extend this authority to the Planning Commission and the Special Licensing Authority."

Governor Jared Polis declared a State of Disaster Emergency and the World Health Organization declared a Global Pandemic in response to the outbreak of the coronavirus (COVID-19) resulting in restrictions to public assemblies.

Section 2.01.070 of the Parker Municipal Code authorizes the Town Council to hold Town Council meetings by telephone electronically or by other means when meeting in person is not prudent due to a health pandemic. This Section of the Code does not provide the same authority to the Planning Commission or the Special Licensing Authority. The purpose of this emergency ordinance is to extend the authority contained in this Section to the Planning Commission and the Special Licensing Authority to address the Town's business during a health pandemic or other extraordinary emergencies.

Public Comment - None

Debbie Lewis moved to approve Emergency Ordinance No. 1.352.1.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

RESOLUTIONS

RESOLUTION NO. 20-017

A Resolution Consenting to the Order Declaring a Local Disaster Emergency in and for the Town of Parker, Colorado

Department: Town Attorney, Kristin Schledorn

In response to the COVID-10 pandemic, the Town Administrator issued an Order Declaring a Local Disaster Emergency in and for the Town of Parker. This resolution expresses the Town Council's support and consent to that Order and also provides the support and consent of Town Council to the extension of the order beyond seven days, at the discretion of the Town Administrator.

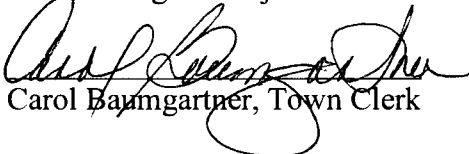
There are likely to be significant financial impacts to the Town, but it is difficult to quantify those at this time.

Debbie Lewis moved to approve Resolution No. 20-017.

Josh Rivero seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 7:27 P.M.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor