

**TOWN OF PARKER COUNCIL
MINUTES
MAY 4, 2020**

Mayor Mike Waid called the meeting to order at 5:30 P.M. All Councilmembers were present.

Mayor Waid advised that on Item No. 8 of the Executive Session Agenda Cheryl Poage had a conflict of interest and will leave when that item is up for discussion.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were eight (8) 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 Community Development Block Grant (CDBG Program), the second was to receive legal advice on specific legal questions concerning Development User Fees, the third was to receive legal advice on specific legal questions concerning Section 8.07.100 of the Parker Municipal Code (unauthorized camping on public property prohibited) and the fourth was to receive legal advice on specific legal questions concerning Section 8.07.110 of the Parker Municipal Code (sitting or lying down in the public right-of-way); under C.R.S 24-6-402(4)(e) there were four items, the first was Letter of Intent to purchase the Pine Curve Property, the second was My Mainstreet proposed purchase and sale of the Schoolhouse property, the third was Intergovernmental Service Agreement between the Town and Parker Water and Sanitation District - Developer request for waiver and the fourth was Chapter 1 of Title 32 of the Colorado Revised Statutes and Chapter 10.11 of the Town of Parker Municipal Code concerning the proposed service plans and intergovernmental agreements with the Cherry Creek South Metropolitan District Nos. 4-11.

EXECUTIVE SESSION

Joshua Rivero moved and Renee Williams seconded to go into Executive Session at 5:34 P.M.

The motion was approved unanimously.

Josh Rivero moved and Jeff Toborg seconded to recess the Executive Session until after the regular Town Council meeting.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to recess the regular meeting at 6:41 P.M.

The motion was approved unanimously.

REGULAR MEETING

The Mayor reconvened the Town Council meeting at 7:00 PM.

The Mayor led the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES

There was none.

DOWNTOWN BUSINESS ALLIANCE UPDATES

There was none.

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

A. *APPROVAL OF MINUTES - April 20, 2020*

B. *TRANSIT SHELTER AGREEMENT - Outdoor Promotions of Colorado, LLC*

Department: Community Development, Mary Munekata

C. *ORDINANCE NO. 1.539.2 - First Reading*

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

Department: Finance, Mary Lou Brown

Second Reading: May 18, 2020

D. *CHERRY CREEK SOUTH METROPOLITAN DISTRICTS*

Department: Town Attorney, Kristin Schledorn

Second Reading: May 18, 2020

1. *ORDINANCE NO. 9.309 - First Reading*

A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 4

2. *ORDINANCE NO. 9.310 - First Reading*

A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 5

3. *ORDINANCE NO. 9.311 - First Reading*

A Bill for an Ordinance to Approve the Intergovernmental Agreement By and

Between the Town of Parker and Cherry Creek South Metropolitan District No. 6

4. *ORDINANCE NO. 9.312 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and
Between the Town of Parker and Cherry Creek South Metropolitan District No.7*
5. *ORDINANCE NO. 9.313 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and
Between the Town of Parker and Cherry Creek South Metropolitan District No. 8*
6. *ORDINANCE NO. 9.314 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and
Between the Town of Parker and Cherry Creek South Metropolitan District No.9*
7. *ORDINANCE NO. 9.315 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and
Between the Town of Parker and Cherry Creek South Metropolitan District No.10*
8. *ORDINANCE NO. 9.316 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and
Between the Town of Parker and Cherry Creek South Metropolitan District No.11*

E. *PROCLAMATION - National Public Works Week 2020 -- May 17 - 23*

Department: Town Council

F. *PROCLAMATION - Building Safety Month - May 2020*

Department: Town Council

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 5A, 5B, 5C, 5D7.

A roll call vote was taken:	Joshua Rivero	- Yes
	Cheryl Poage	- Yes
	Jeff Toborg	- Yes
	Renee Williams	- Yes
	Debbie Lewis	- Yes
	John Diak	- Yes

The motion was approved unanimously.

Joshua Rivero moved and Renee Williams seconded to remove Item 5D1 through 5D6 and 5D8.

A roll call vote was taken::

Joshua Rivero	- Yes
Cheryl Poage	- Yes
Jeff Toborg	- Yes
Renee Williams	- Yes
Debbie Lewis	- Yes
John Diak	- Yes

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 5D1 through 5D6 and 5D8.

A roll call vote was taken:

Joshua Rivero	- Yes
Cheryl Poage	- Abstained
Jeff Toborg	- Yes
Renee Williams	- Yes
Debbie Lewis	- Yes
John Diak	- Yes

The motion was approved 5-0-1 abstention.

It was pointed out that Cheryl Poage has a conflict of interest with Consent Agenda Items 5D1 through 5D6 and 5D8.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

PUBLIC HEARINGS

- A. ORDINANCE NO. 1.539.2 - Second Reading (to be continued to 5/18/20)**
A Bill for an Ordinance to Adopt the 2020 Revised Budget for the Town of Parker and to Make Appropriations for Same

Department: Finance, Mary Lou Brown

Renee Williams moved to continue the Public Hearing for Ordinance No. 1.539.2 to May 18, 2020.

Debbie Lewis seconded the motion.

A roll call vote was taken:	Joshua Rivero	- Yes
	Cheryl Poage	- Yes
	Jeff Toborg	- Yes
	Renee Williams	- Yes
	Debbie Lewis	- Yes
	John Diak	- Yes

The motion was approved unanimously.

B. ORDINANCE NO. 3.354 Second Reading

A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known as the Lot 2, Mark Six Business Subdivision Property from C-Commercial District to LI-Light Industrial District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Zoning Map to Conform Therewith

Department: Community Development, BrieAnna Simon
Trakit No.: Z18-021

7:09 PM

The applicant submitted an application to rezone the Mark Six Office/Warehouse Condominiums from C-Commercial to LI-Light Industrial. The subject property is developed and located on Clarke Road east of Dransfeldt Road. The intent of the rezoning application is to allow light industrial uses consistent with the Parker 2035 Master Plan. The proposal responds to and takes the light industrial character of this area into account.

Applicant

John Kopasz spoke in favor of light industrial zoning.

Public Comment - None

The Public Hearing was closed at 7:16 P.M.

Debbie Lewis moved to approve Ordinance No. 3.354 on second reading.

Joshua Rivero seconded the motion.

A roll call vote was taken:	Josh Rivero	- Yes
	Cheryl Poage	- Yes
	Jeff Toborg	- Yes
	Renee Williams	- Yes
	Debbie Lewis	- Yes
	John Diak	- Yes

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 8.20.5 - Second Reading

A Bill for an Ordinance to Amend Chapter 4.07 of the Parker Municipal Code Concerning Development Excise Tax

Department: **Town Attorney, Kristin Schledorn**
 Town Administrator, Jim Cleveland

This ordinance amends Chapter 4.07 of the Parker Municipal Code to provide for a residential development excise tax credit for regional recreational trails and facilities. The credit is structured almost identically to the one that was provided for under the previous impact fee ordinance, although the definitions have been revised to more specifically address what types of trails and facilities will qualify for the credit.

The Town anticipates collecting approximately \$55 million in excise taxes, with approximately \$13.5 million of that being credited back as a result of this amendment to the Municipal Code.

Public Comment - None

Jeff Toborg moved to approve Ordinance No. 8.20.5 on second reading.

Debbie Lewis seconded the motion.

A roll call vote was taken:	Josh Rivero	- Yes
	Cheryl Poage	- Yes
	Jeff Toborg	- Yes
	Renee Williams	- Yes
	Debbie Lewis	- Yes
	John Diak	- Yes

The motion was approved unanimously.

B. ORDINANCE NO. 1.352.2 - Second Reading

A Bill for an Ordinance Affirming the Passage of Emergency Ordinance No. 1.352.1, Series of 2020, 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**

Section 2.01.070 of the Town Code authorizes the Town Council to hold Town Council 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 affecting the Town. This section of the Code does not provide the same authority to the Planning Commission or the Special Licensing Authority. The proposed ordinance affirms the passage of Emergency Ordinance 1.352.1, which extended this authority to the Planning Commission and the Special Licensing Authority.

Public Comment - None

Joshua Rivero moved to approve Ordinance 1.352.2 on second reading.

Debbie Lewis seconded the motion.

A roll call vote was taken:	Josh Rivero	- Yes
	Cheryl Poage	- Yes
	Jeff Toborg	- Yes
	Renee Williams	- Yes
	Debbie Lewis	- Yes
	John Diak	- Yes

The motion was approved unanimously.

Jeff Toborg commended the Town Administrator, Michelle Kivela, for the work she is doing on the Covid-19 situation.

The regular meeting was recessed at 7:25 P.M.

Joshua Rivero moved and Debbie Lewis seconded to go back into Executive Session at 7:30 P.M.

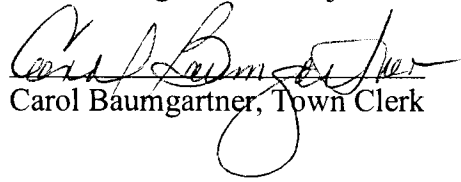
The motion was approved unanimously.

Councilmember Poage left the Executive Session at approximately 8 P.M. when Item #8 was discussed.

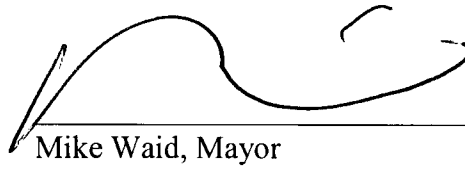
Debbie Lewis moved and Renee Williams seconded to come out of Executive Session at 8:14 P.M.

The motion was approved unanimously.

The meeting was then adjourned.



Carol Baumgartner, Town Clerk



Mike Waid, Mayor