

**TOWN OF PARKER COUNCIL
MINUTES
FEBRUARY 5, 2018**

TOWN COUNCIL MEETING SCHEDULE

- A. 5:30 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**

Mayor Mike Waid called the meeting to order at 5:37 p.m. Councilmembers Debbie Lewis and Amy Holland were absent.

Jim Maloney announced the topics for the Executive Session were six (6) items. He stated the Subdivision Agreement between the Town and Mustang Development Company, LLC, dated May 15, 2006, for Pine Bluffs Filing No. 4 would be discussed at another date. Under C.R.S. § 24-6-402(4)(e) there were two (2) items, the first was the proposed economic incentive concerning Chambers Highpoint Property, Pine Bluffs Commercial Property, Takota Tavern, and Gander Mountain Outdoors; and the second was the Tap House purchase and sale agreement. Under C.R.S. § 24-6-402(4)(b) there were four (4) items, the first was *Town of Parker v. Douglas County*, Douglas County District Court; the second item was *Ironstone/Stroh Ranch HOAs v. Town of Parker*, Douglas County District Court; the third was *Town of Parker v. Oltmann, et al*, Douglas County District Court; and the fourth item was *South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment*, Douglas County District Court.

EXECUTIVE SESSION

Josh Martin moved and Joshua Rivero 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.

Renee Williams moved and John Diak seconded to recess the Executive Session at 6:58 p.m.

The motion was approved unanimously.

C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.

Mayor Waid reconvened the meeting at 7:03 p.m.

Webelos Pack 396 led the Pledge of Allegiance.

Legend High School students were in attendance.

SPECIAL PRESENTATIONS

None.

PARKER CHAMBER OF COMMERCE UPDATES

None.

DOWNTOWN BUSINESS ALLIANCE

Shelley Mango and Theresa Hawkins were present. Shelley reported that for 2018 there would be four committees: a fund raising events committee, a marketing committee which would be working on the web site, a government action committee, and the Parker Creative District Committee.

PUBLIC COMMENTS

7:11 p.m. - None.

REPORT, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. APPROVAL OF MINUTES

January 2, 2018

January 15, 2018

B. SECOND ADDENDUM TO AGREEMENT FOR POSSESSION AND USE - Norton

Department: Town Attorney, Jim Maloney

C. ORDINANCE NO. 5.23.9 - First Reading

A Bill for an Ordinance to Repeal and Readopt Section 7.02.080 of the Parker Municipal Code Concerning Large Vehicle Parking, and Amending Chapter 7.02 by the Addition Thereto of a New Section 7.02.085 Concerning Overtime Parking Violations

Department: Police, Doreen Jokerst

Second Reading: February 20, 2018

D. ORDINANCE NO. 9.266.1 - First Reading

A Bill for an Ordinance to Approve the 2018 Intergovernmental Agreement to Provide Recreation Programming By and Between the Town of Parker, the Town of Castle Rock, and the Rueter-Hess Recreation Authority Concerning the Rueter-Hess Reservoir

Department: Parks, Recreation and Open Space, Mary Colton

Second Reading: February 20, 2018

E. ORDINANCE NO. 9.259.1 - First Reading

A Bill for an Ordinance to Approve Amendment #01 to the Intergovernmental Agreement By and Between the Town of Parker and Colorado Department of Transportation (CDOT) Concerning Funding for the Construction of the Parker Road Sidewalk Connection Project (East Side – Sulphur Gulch Trail to Plaza Drive)

Department: Engineering, Chris Hudson

Second Reading: February 20, 2018

F. RESOLUTION NO. 18-006

A Resolution to Determine that the Heirloom Parkway Serial I Right-of-Way Property Annexation Petition Substantially Complies with the Requirements of the Annexation Act of 1965 and to Set a Public Hearing Date for March 19, 2018

Department: Community Development, Carolyn Parkinson

TRAKiT No. ANX17-004

G. RESOLUTION NO. 18-007

A Resolution to Determine that the Heirloom Parkway Serial II Right-of-Way Property Annexation Petition Substantially Complies with the Requirements of the Annexation Act of 1965 and to Set a Public Hearing Date for March 19, 2018

Department: Community Development, Carolyn Parkinson

TRAKiT No. ANX17-005

H. RESOLUTION NO. 18-008

A Resolution to Determine that the Village Center Drive Right-of-Way Property Annexation Petition Substantially Complies with the Requirements of the Annexation Act of 1965 and to Set a Public Hearing Date for March 19, 2018

Department: Community Development, Carolyn Parkinson
TRAKiT No. ANX17-006

I. RESOLUTION NO. 18-010

A Resolution to Appoint New Members and Alternates on the Town of Parker Special Licensing Authority and to Appoint the Chairperson and Vice Chairperson

Department: Town Council

J. RESOLUTION NO. 18-011

A Resolution Stating the Town's Intent to Participate in the Douglas County Coordinated Election on November 6, 2018

Department: Town Attorney, Jim Maloney

K. RESOLUTION NO. 18-012

A Resolution Accepting the Conveyance of a Public Sidewalk Easement From CBH Properties South Parker, LLC, for a Portion of Lot 7, Reata West Filing No. 1, 3rd Amendment

Department: Engineering, Alex Mestdagh
Trakit No.: SP17-074

L. RESOLUTION NO. 18-017

A Resolution to Appoint an Assistant Judge for the Parker Municipal Court

Department: Town Attorney, Jim Maloney

M. CONTRACTS OVER \$100,000

1. Interview Room Cameras and Fleet Vehicle Cameras for the Police Department

Amount: \$467,984.25
Contractor: Axon Enterprise, Inc.
Department: Police, David King

2. Replacement and Additional Vehicles - Spradley Barr

Amount: \$189,012.00
Contractor: Spradley Barr Greeley
Department: Engineering and Public Works, Jim Gilbert

3. Fleet Replacement - Loader

Amount: \$136,744.00
Contractor: Power Equipment Company
Department: Engineering and Public Works, Jim Gilbert

4. Upfit of Fleet Replacement Equipment

Amount: \$142,765.80
Contractor: L.A.W.S
Department: Engineering and Public Works, Jim Gilbert

N. Proclamation - National Catholic Schools Week

Department: Town Council

Councilmember Joshua Rivero moved to approve Consent Agenda items 7A through 7N.

Councilmember Josh Marti seconded the motion.

The motion was approved unanimously.

TOWN ADMINISTRATOR

None.

PUBLIC HEARINGS

A. KIME RANCH ANNEXATION

Applicant: Shannon Robbins, Brookfield Residential
Location: Generally Located at the Northwest of the Sunset Ridge Neighborhood in the Vicinity of Crestone Needles Drive
Department: Community Development, Paul Workman
Trakit No. ANX17-007

RESOLUTION NO. 18-013

A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Kime Ranch Property for Annexation into the Town of Parker

7:18 PM

The owners of the subject property, the Elisabeth M. L. Kime Living Trust and the Reiboldt Family Trust have submitted an Annexation Petition in order to annex their land into the Town of Parker. On December 11, 2017, Town Council approved Resolution 17-059 which set the public hearing date of February 5, 2018 to determine compliance with the Municipal Annexation Act of 1965.

The proposed motion will approve Resolution No. 18-013 determining that the Kime Ranch property is eligible for annexation into the Town, as provided by the Municipal Annexation Act of 1965, and set the public hearing date for the consideration of the annexation ordinance for August 20, 2018. The Annexation has met the ten (10) State requirement for an annexation.

The applicant, Allison Guiters and Shannon Robbins were present and provided a brief description of the project stating there is two properties, one is owned by Kime and the other is owned by Prebolt ??. It is anticipated that 170 single family units will be built on the site.

Public Comment:

Dennis Fields, 1153 Brush Drive, Parker, Colorado, He stated that it was more urban sprawl and is incompatible with the horse properties at are in the area. Traffic will increase and will have an impact on the wildlife. He ask that a wildlife impact study be done in the area. He asked Council to vote no.

Public comments was closed at 7:25 p.m.

Joshua Rivero moved to approve Resolution No. 18-013 and set the annexation ordinance hearing on August 20, 2018.

Renee Williams seconded the motion.

**B. PARKER KEYSTONE AMENDMENT NO. 2 - Minor Development Plat
(Continued from January 2, 2018)**

Applicant: Armstrong Capital Development, LLC, Greg
Armstrong
Location: Southeast Corner of Parker Road and Lincoln Avenue
Department: Community Development, Ryan McGee
TRAKiT: SUB17-024

- (1) Parker Keystone Minor Development Amendment No. 2 Plat**
- (2) First Amendment to the Subdivision Agreement for Parker Keystone Filing No. 1, First Amendment**

7:31 PM

Armstrong Capital Development proposes a Minor Development Plat (MDP) in connection with the Parker Keystone project to expand the development site to its full extent for build-out. The application will combine Parker Keystone Minor Development Amendment No. 1, Lots 1 and 2 and Parker Heights Filing No. 1, Block 1, Lot 2 to create two commercial lots.

A second commercial building is proposed for Lot 1 northeast of the existing building that is currently under construction. The MDP also vacates utility easements and modifies a 24-foot public access easement. The Planning Commission approved the application on January 11, 2018.

The Applicants were available for questions.

Public Comment: None

(1) John Dial moved to approve the Parker Keystone Minor Development Amendment No. 2 MDP, based on staff findings, with the following conditions contained in the staff report:

1. Within ninety (90) days of approval of the minor development plat, the applicant shall submit: Two (2) photographic Mylar copies (Fix-line, emulsion down) of the approved final plat, ready for recordation (except for Town signatures), all required documentation not previously submitted, and all mapping and recordation fees to the Planning Department. The applicant shall also provide appropriate security in accordance with Paragraph 13.07.150(b)(1) of the Parker Municipal Code to secure the cost of construction of the public improvements in accordance with the requirements of the subdivision agreement. The Planning Director may grant no more than one extension of time, of no more than 30 days, upon a written request by the applicant or staff for good cause being shown.

RESOLUTIONS

RESOLUTION NO. 18-009

A Resolution Approving the 71.5 Acre Harvie Open Space Conceptual Plan Dated November 13, 2017

Department: Recreation, Dennis Trapp

In 1996, Mr. Harvie placed the entire 71-acre site in a Life Estate, including a Conservation Easement (held by Douglas Land Conservancy), and stipulated that ownership of the property would be transferred to Douglas County upon his death. After Mr. Harvie's death in 2010, the County subsequently conveyed the property to the Town in early 2017. Upon this conveyance the Town is also required to abide by the requirements of the Conservation Easement.

The proposed Conceptual Plan includes a series of soft-surface trails that provides limited access to the site. Scattered along the trail system are a number of informal seating areas, small shade shelters, and points of interest with interpretive signage and displays. Pedestrian access to the site will be from the soft-surface parking lot located off of Mainstreet. This parking area will also include one ADA accessible vault restroom facility. The park is planned to be open from dawn to dusk and signed as such, and therefore no on-site lighting is anticipated.

In addition to the site improvements illustrated in Exhibit 1 attached to the Resolution, the Town will also be modifying the Canterbury Parkway and Mainstreet intersection, allowing more convenient and safer access to the site. These intersection improvements will occur in 2018, with the remainder of the on-site improvements planned for the spring of 2019.

The draft Plan, in addition to being available for review and comment on the Town's website, was also presented at a public open house on November 1, 2017, which was attended by approximately 40 residents. Changes incorporated into the plan as part of the public input process included moving various trails, picnic shelters and seating areas further away from the existing residential areas that border the site on the west and north.

On December 13, 2017, the Douglas Land Conservancy Board Directors, which holds and administers the Harvie Conservation Easement, unanimously approved the Harvie Open Space – Conceptual Plan dated December 13, 2017, finding that the proposed plan was consistent with the purpose and intent of the Conservation Easement.

The preliminary cost estimate to complete this project, including design and engineering (soft costs), construction (hard costs), plus the proposed intersection improvements, is approximately \$2 - \$2.5 million. The Town will be using our existing Douglas County "share-back" funds to reimburse 100% of these costs.

ORDINANCES

A. ORDINANCE NO. 1.447.1 - Second Reading
A Bill for an Ordinance to Repeal Chapter 2.09 of the Parker Municipal Code
Concerning the Parker Creative District

Department: Cultural, Elaine Mariner

The Creative District Executive Committee recommended that Ordinance No. 1.447.1, which established the Parker Creative District and the Creative District Executive Committee, be repealed. Downtown art activities and related promotional efforts formerly fostered and supported through the Creative District Executive Committee will be absorbed within the mission and activities of the Downtown Business Alliance..

Public Comment: None.

Joshua Rivero moved to approve Ordinance No. 1.447.1 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.74.1 - Second Reading

A Bill for an Ordinance to Amend Sections 6.06.070 and 6.06.080 of the Parker Municipal Code Concerning the Restriction of Open Fires, Open Burning and Fireworks in the Town of Parker During Certain Fire Conditions

Department: Police Department, Doreen Jokerst

Professional commercial fireworks shows are not permitted during a Stage 2 Fire Ban. The Town of Parker staff recommends allowing a professional commercial fireworks show during a Stage 2 Fire Ban when additional safety provisions and mitigation measures are provided during the show. Under the proposed Ordinance, a professional commercial fireworks show during a Stage 2 Fire Ban is allowed if approved by the Emergency Manager after consultation with South Metro Fire Rescue Authority.

Public Comment: None.

John Diak moved to approve Ordinance No. 5.74.1 on seconded reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 5.06.39.1 - Second Reading
A Bill for an Ordinance Amending Title 7 of the Parker Municipal Code
Authorizing the Community Service Officer to Remove or Impound
Abandoned Motor Vehicles on Public Property

Department: Police Department, Doreen Jokerst

Currently, a Neighborhood Services officer must call a police officer to stand by when towing an abandoned vehicle, tying up two resources. The proposed Ordinance would allow Neighborhood Services to authorize the towing of vehicles without calling a police officer.

Public Comment: None.

Josh Martin moved to approve Ordinance No. 5.06.39.1 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

_____ moved and _____ seconded to go back into Executive Session at 7:59 p.m.

The motion was approved unanimously.

The Executive Session reconvened at 8:04 p.m.

Renee Williams move and Josh Martin seconded to come out of Executive Session at 8:34 p.m.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 8:34 p.m.

ADJOURNMENT

The meeting adjourned at _____ p.m.