

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 15, 2018**

Mayor Mike Waid called the meeting to order at 5:34 p.m. Councilmember John Diak was absent.

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)(e) there were three items, the first was Centennial Airport Community Noise Roundtable Memorandum of Understanding, the second was a proposed extension of plats/subdivision agreements for Compark Village South and proposed Third Amendment to Intergovernmental Agreement with Douglas County concerning Belford Avenue, and the third was a proposed extension of plats/subdivision agreements for Trails at Crowfoot Filing Nos. 9-13; under C.R.S. §-6-402(4)(b) there were three (3) items, the first was to receive legal advice on specific legal questions concerning Section 13.04.020(h) of the Parker Municipal Code (plat exemption), the second was to receive legal advice on specific legal questions concerning Benjamin Ramsey et. al. v. Southwest Correctional Medical Group, et al., United States District Court and the third was to receive legal advice on specific legal questions concerning South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment, et al., Douglas County District Court Case No. 17CV30549.

EXECUTIVE SESSION

Josh Martin moved and Joshua Rivero seconded the motion to go into Executive Session at 5:40 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.

Debbie Lewis moved and Renee Williams seconded to come out of Executive Session at 6:20 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:01 p.m.

The Mayor led the Council and audience in the Pledge of Allegiance.

SPECIAL PRESENTATIONS - None

PARKER CHAMBER OF COMMERCE UPDATES - None

PUBLIC COMMENTS - None

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

TOWN ADMINISTRATOR

Fall 2018 Town Administrator's Report - Mayor Waid advised the audience that the Town Administrators Report is available on the Town's website.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - October 1, 2018*
- B. *ORDINANCE NO. 1.520 - First Reading*
A Bill for an Ordinance Conveying a 50-Foot Nonexclusive Easement to Parker Water and Sanitation District for Water and Sewer Lines to be Located in Stroh Road
Department: Engineering/Public Works, Chris Hudson
Second Reading: November 5, 2018
- C. *ORDINANCE NO. 4.89.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.01.030, 11.01.060 and 11.01.080 of the Parker Municipal Code Concerning the Parker Administrative Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- D. *ORDINANCE NO. 4.91.6 - First Reading*
A Bill for an Ordinance to Amend Sections 11.02.020, 11.02.050, 11.02.060 and 11.02.080 of the Parker Municipal Code Concerning the Parker Residential Code for One- and Two-Family Dwellings Building Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- E. *ORDINANCE NO. 4.92.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.03.020, 11.03.050, 11.03.060 and 11.03.080 of the Parker Municipal Code Concerning the Parker Building Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- F. *ORDINANCE NO. 4.93.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.04.020, 11.04.050, 11.04.060 and 11.04.080 of the Parker Municipal Code Concerning the Parker Fire Protection Code
Department: Building, Randy Sale
Second Reading: November 5, 2018

- G. *ORDINANCE NO. 4.94.4 - First Reading*
A Bill for an Ordinance to Amend Sections 11.06.020, 11.06.050, 11.06.060 and 11.06.080 of the Parker Municipal Code Concerning the Parker Mechanical Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- H. *ORDINANCE NO. 4.95.4 - First Reading*
A Bill for an Ordinance to Amend Sections 11.07.020, 11.07.050, 11.07.060 and 11.07.080 of the Parker Municipal Code Concerning the Parker Plumbing Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- I. *ORDINANCE NO. 4.96.4- First Reading*
A Bill for an Ordinance to Amend Sections 11.14.020, 11.14.050, 11.14.060 and 11.14.080 of the Parker Municipal Code Concerning the Parker Energy Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- J. *ORDINANCE NO. 4.97.4 - First Reading*
A Bill for an Ordinance to Amend Sections 11.15.020, 11.15.050, 11.15.060 and 11.15.080 of the Parker Municipal Code Concerning the Parker Fuel Gas Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- K. *ORDINANCE NO. 4.101.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.16.010, 11.16.050, 11.16.060 and 11.16.080 of the Parker Municipal Code Concerning the Parker Property Maintenance Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- L. *ORDINANCE NO. 4.105.2 - First Reading*
A Bill for an Ordinance to Amend Sections 11.08.020, 11.08.050, 11.08.060 and 11.08.080 of the Parker Municipal Code Concerning the Parker Existing Building Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- M. *ORDINANCE NO. 4.106.2 - First Reading*
A Bill for an Ordinance to Amend Sections 11.09.020, 11.09.050, 11.09.060 and 11.09.080 of the Parker Municipal Code Concerning the Parker Swimming Pool and Spa Code
Department: Building, Randy Sale
Second Reading: November 5, 2018

- N. *ORDINANCE NO. 5.81 - First Reading*
A Bill for an Ordinance to Amend Title 3 of the Parker Municipal Code Authorizing the Municipal Court to Maintain a Supervision Office Through the Court Clerk's Office
Department: *Municipal Court, Kevin Sidel*
 Municipal Court, Sue Ratcliff
Second Reading: *November 5, 2018*
- O. *RESOLUTION NO. 18-056*
A Resolution to Approve the First Amendment to Town Administrator Employment Agreement
Department: *Town Council*
- P. *RESOLUTION NO. 18-063*
A Resolution Finding Substantial Compliance of the Norton Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on December 3, 2018, for the Purpose of Considering Said Annexation
Department: *Community Development, Stacey Nerger*
 Community Development, Carolyn Parkinson
- Q. *RESOLUTION NO. 18-069*
A Resolution to Approve the Twelfth Amendment to Town Attorney Employment Agreement
Department: *Town Council*
- R. *RESOLUTION NO. 18-070*
A Resolution to Approve the Tenth Addendum to Agreement with Judge Kevin Sidel
Department: *Town Council*
- S. *RESOLUTION NO. 18-071*
A Resolution Accepting the Conveyance of a Drainage Easement from HR935, LLC, for a Part of the Northeast Quarter of Section 9, Township 7 South, Range 66 West of the Sixth Principal Meridian for Conveyance of the South Pond
Department: *Engineering/Public Works, Alex Mestdagh*
- T. *RESOLUTION NO. 18-072*
A Resolution Accepting the Conveyance of a Drainage Easement from HR935, LLC, for a Part of the Northeast Quarter of Section 9, Township 7 South, Range 66 West of the Sixth Principal Meridian for Conveyance of the North Pond
Department: *Engineering/Public Works, Alex Mestdagh*

U. CONTRACTS ABOVE \$100,000

Land Development Ordinance - Modernization

Amount: \$299,990

Contractor: Clarion Associates, LLC

Department: Community Development, Mary Munekata

V. PROCLAMATION - Community Planning Month, October 2018

Department: Town Council

W. PROCLAMATION - Small Business Saturday 2018 - November 24, 2018

Department: Town Council

Amy Holland moved and Renee Williams seconded to approve Consent Agenda Items 7A through 7W.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 3.01.115 - Second Reading

A Bill for an Ordinance to Amend Section 13.04.210 of the Parker Municipal Code Concerning Temporary Structures and Uses

Department: Town Attorney, Jim Maloney

Items 8A and 8B were presented together.

The Code does not authorize the Community Development Department to deny the issuance of a temporary use permit for a fireworks stand or suspend a temporary use permit that was issued for a fireworks stand when a Stage 1 or Stage 2 fire ban is in place.

Ordinance No. 3.01.115 would authorize the Planning Director or designee to deny the application for a temporary use permit for a fireworks stand if a Stage 1 or Stage 2 fire ban is in effect. Similarly, the ordinance would authorize the Planning Director or designee to suspend a temporary use permit for a fireworks stand for a Stage 1 or Stage 2 fire ban that goes into effect after the permit is issued. The ordinance would allow for an appeal of the Planning Director's or designee's decision to the Town Council.

Ordinance 5.74.2 will address the sale of fireworks when a Stage 1 or Stage 2 fire ban is in effect. The purpose is to authorize the Planning Director or designee to deny an application for a temporary use permit for a fireworks stand or suspend a temporary use permit that was issued for a fireworks stand when a Stage 1 or Stage 2 fire ban is in effect. If approved, the ordinance would make the purchase or sale of all fireworks in the Town unlawful while a Stage 1 or Stage 2 fire ban is in effect, including fireworks sold by a fire stand.

These items were presented to the Planning Commission and they recommended that Town Council deny both ordinances.

Ordinance No. 5.74.2 is to make it unlawful to offer for sale any fireworks in Town when a Stage 1 or Stage 2 fire ban is in place, including fireworks stands. Additionally, this ordinance would authorize the Town to seize impermissible fireworks offered for sale. This also includes fireworks sold by a fire stand.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 3 .01.115 on second reading.

Josh Martin seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.74.2 - Second Reading

A Bill for an Ordinance to Amend Section 6.06.050 and Section 6.06.100 of the Parker Municipal Code Concerning Unlawful Acts and Penalties Related to Stage 1 and Stage 2 Fire Bans

Department: Town Attorney, Jim Maloney

See text above regarding this ordinance.

Renee Williams moved to approve Ordinance No. 5.74.2 on second reading.

Debbie Lewis seconded the motion.

The motion was approved 5-0. (Rivero voted no.)

The meeting was adjourned at 7:10 p.m.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor