



**MINUTES
TOWN OF PARACHUTE
TOWN COUNCIL REGULAR MEETING
222 GRAND VALLEY WAY, PARACHUTE, CO
FEBRUARY 21, 2019 6:30 PM**

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

- (A) **CALL TO ORDER:** **6:30 PM**
TRUSTEES PRESENT
Tim Olk
John Loschke
Tom Rugaard
Brittany Van Teylingen
Juanita Williams
- MAYOR:** Roy McClung
- TRUSTEES ABSENT:** Fred Andersen
- STAFF PRESENT:** Town Administrator, Stuart McArthur
Town Clerk, Lucy Cordova
Finance Director, Teresa Beecraft
Community Development, Derek Wingfield
Police Chief, Sam Stewart

AUDIENCE LIST ATTACHED

- (B) **PLEDGE OF ALLEGIANCE**
(C) **APPROVE AGENDA**

MOTION 1: Motion to approve Agenda with the amendment of removing item O
Vocal vote passed unanimously

(D) **CONSENT AGENDA:**

Items of a routine nature are placed on the consent agenda to allow the town council to spend its time and energy on more important items on a lengthy agenda. Any councilmember or any member of the public may request that an item be "removed" from the consent agenda and considered on the regular agenda.

1. **MINUTES FROM THE JANUARY 17, 2019, REGULAR MEETING**
2. **EXPENDITURES PAID JANUARY 10, 2019 THROUGH FEBRUARY 13, 2019**
3. **RESOLUTION NO. 2019-03 - RESOLUTION SUPPORTING THE APPLICATION FOR A MINI-GRANT/TECHNICAL ASSISTANCE GRANT FROM THE ASSOCIATED GOVERNMENTS OF NORTHWEST COLORADO FOR THE ACQUISITION OF BICYCLES AND RACKS FOR TOP ADVENTURES**
4. **RESOLUTION NO. 2019-04 - RESOLUTION SUPPORTING AN APPLICATION FOR THE RURAL ECONOMIC DEVELOPMENT INITIATIVE (REDI) GRANT PROGRAM FOR A GRANT FROM THE COLORADO STATE DEPARTMENT OF LOCAL AFFAIRS FOR THE DEVELOPMENT OF A CO-WORKING SPACE**
5. **RESOLUTION NO. 2019-05 - RESOLUTION SUPPORTING THE APPLICATION FOR A MINI GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE SHADE STRUCTURES AND LANDSCAPING FOR DOG PARK AND REST AREA**
6. **RESOLUTION NO. 2019-06 - RESOLUTION SUPPORTING THE TRADITIONAL GRANT APPLICATION FOR A GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE COMPLETION OF THE SPLASH PAD**

7. RESOLUTION NO. 2019-07 - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING AN ANNEXATION PLAN AS REQUIRED UNDER THE MUNICIPAL ANNEXATION ACT OF 1965, AS AMENDED.

MOTION 2: Moved and seconded by Van Teylingen / Olk to approve consent agenda
Motion passed with a 5-0 vote

(E) PUBLIC COMMENTS ON ISSUES NOT ON THE AGENDA

No Public Comment

(F) DEPARTMENTAL REPORTS:

- 1) Mayor and Town CouncilMayor and Council Members
Mayor McClung gave a summary of his State of the Community presentation. Public Works Supervisor Harley Walker introduced 2 new public works employees.
- 2) Town Manager Update.....Stuart McArthur, Town Manager
Town Manager McArthur went over his monthly report as well as the Public Works report because Public Works Director Mark King was not present.
- 3) Community Development Department Update.....Derek Wingfield, Community Development Manager
Community Development Manager Wingfield went over his monthly report.
- 4) Public Works Department Update Mark King, Public Works Director
- 5) Police Department UpdateSamuel Stewart, Police Chief
Police Chief Stewart went over his monthly report

(G) PUBLIC HEARING BEFORE THE BOARD OF TRUSTEES TO CONSIDER AN APPLICATION FROM DIVISIONAL SOLUTIONS, LLC FOR A LICENSE TO OPERATE A RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY

APPLICANT/OWNER: Divisional Solutions, LLC
1187 Gore Trail
Edwards, CO 81632
Sherri Marzario
1187 Gore Trail
Edwards, CO 81632

PROJECT NAME: Public hearing to seek authorization from the Town of Parachute for a license to operate a Retail Marijuana Products Manufacturing Facility

PROJECT LOCATION: 101 Cardinal Way #6, Parachute, CO 81635

STAFF: STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 6:50pm
Town Manager McArthur introduced Applicant Representative Marissa Cortes and gave his staff report and recommendation of approval
Marissa Cortes- 101 Cardinal Way #6, Parachute CO – gave her presentation
No Public comment
Public Hearing closed at 6:59pm

TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2019-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ACTING AS THE LOCAL LICENSING AUTHORITY, GRANTING TO DIVISIONAL SOLUTIONS, LLC A LICENSE TO OPERATE A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY AT PROPERTY LOCATED AT 101 CARDINAL WAY, UNIT #6.

MOTION 3: Moved and seconded by Olk / Van Teylingen to approve Resolution No. 2019-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ACTING AS THE LOCAL LICENSING AUTHORITY, GRANTING TO DIVISIONAL SOLUTIONS, LLC A LICENSE TO OPERATE A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY AT PROPERTY LOCATED AT 101 CARDINAL WAY, UNIT #6.
Motion passed with a 5-0 vote

(H) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER A LAND USE APPLICATION FROM EMERGENT INVESTMENT PARTNERS, LLC AND PARACHUTE DEVELOPMENT CORPORATION TO REZONE THE FOLLOWING PROPERTIES FROM SERVICE COMMERCIAL TO LIGHT INDUSTRIAL

APPLICANT/OWNER: Emergent Investments, LLC &
Parachute Development Corporation
PO Box 2, Parachute, CO 81635

PROJECT NAME: Rezoning from Service Commercial to Light Industrial

PROJECT LOCATION: Lot 1 Block 3, PIN 2409-123-01-001, 310 Parachute Park Blvd
Lot 2, Block 2, PIN 2409-123-01-002, 144 Diamond Ave
Lot 3, Block 2, PIN 2409-123-01-003, 142 Diamond Ave
Lot 8, Block 3, PIN 2409-123-02-008, 107 Diamond Loop

LEGAL DESCRIPTION(S): Section: 12
Township: 7
Range: 96

Legal: Parachute Park PUD Blocks 2&3 Lots:1-3&
8 Amended Lots 1-3, 6-10, Block 2 & Lots 1-18,
Block 3 Rec#784960

STAFF:STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 7:00 pm
Town Manager McArthur introduced Applicant James Brinkerhoff
James Brinkerhoff- 192 Eagle Ridge Dr. Parachute – James gave his presentation
Town Manager McArthur gave his staff report and recommendation of approval
No Public comment
Public Hearing closed at 7:12pm

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 758-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, REZONING LOTS 1-3, BLOCK 2 AND LOT 8, BLOCK 3 OF THE PARACHUTE PARK PUD

MOTION 4: Moved and seconded by Van Teylingen / Ruggard to approve Ordinance No. 758-2019
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, REZONING LOTS 1-3, BLOCK 2 AND LOT 8, BLOCK 3 OF THE PARACHUTE PARK PUD
Motion passed with a 5-0 vote

(I) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER A LAND USE APPLICATION FROM EMERGENT INVESTMENT PARTNERS, LLC AND PARACHUTE DEVELOPMENT CORPORATION FOR A SPECIAL USE REVIEW, SITE SPECIFIC DEVELOPMENT PLAN AND VESTED PROPERTY RIGHTS TO DEVELOP A FACILITY FOR ONE OR MORE OF THE FOLLOWING USES: RETAIL MARIJUANA CULTIVATION FACILITY, RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, RETAIL MARIJUANA TESTING FACILITY, MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION, MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURER, AND/OR MEDICAL MARIJUANA TESTING FACILITY

APPLICANT/OWNER: Emergent Investments, LLC &
Parachute Development Corporation

PO Box 2, Parachute, CO 81635

PROJECT NAME: Special Use Review, Site Specific Development Plan, & Vested Property Rights

PROJECT LOCATION: Lot 1 Block 3, PIN 2409-123-01-001, 310 Parachute Park Blvd
Lot 2, Block 2, PIN 2409-123-01-002, 144 Diamond Ave
Lot 3, Block 2, PIN 2409-123-01-003, 142 Diamond Ave
Lot 8, Block 3, PIN 2409-123-02-008, 107 Diamond Loop
Lot 14, Block 3, PIN 2409-123-02-014, 411 Diamond Loop
Lot 15, Block 3, PIN 2409-123-02-016, 511 Diamond Loop

LEGAL DESCRIPTION(S): Section: 12
Township: 7
Range: 96
PIN: 2409-123-01-002
Legal: Parachute Park PUD Blocks 2&3 Lots:1-3, 8, 14,& 15 Amended Lots 1-3, 6-10, Block 2 & Lots 1-18, Block 3 Rec#784960

STAFF: STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 7:12 pm
Town Manager McArthur introduced Applicant James Brinkerhoff
James Brinkerhoff- 192 Eagle Ridge Dr. Parachute – James gave his presentation
Town Manager McArthur gave his staff report and recommendation of approval
No Public comment
Public Hearing closed at 8:00

TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2019-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO APPROVING WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOTS 1-3, BLOCK 2 AND LOTS 8, 14, AND 15, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

MOTION 5: Moved and seconded by Ruggard / Williams to approve Resolution No. 2019-09
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO APPROVING WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOTS 1-3, BLOCK 2 AND LOTS 8, 14, AND 15, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.
Motion passed with a 5-0 vote

14 Minute Recess

(J) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER PROPOSED REVISIONS TO ITS MUNICIPAL CODE: TITLE 15 (TOWN OF PARACHUTE LAND USE REGULATIONS) SPECIFICALLY RELATED TO DESIGN STANDARDS

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Revisions to Municipal Code Title 15: Land Use Regulations, Design Standards

STAFF:STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 8:14 pm
Town Manager McArthur gave his presentation and recommendation of approval
No Public comment
Public Hearing closed at 8:45

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 759-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ADDING A NEW CHAPTER 15.09 OF THE PARACHUTE MUNICIPAL CODE CONTAINING PARACHUTE DESIGN GUIDELINES.

MOTION 6: Moved and seconded by Loschke / Williams to approve Ordinance No. 759-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ADDING A NEW CHAPTER 15.09 OF THE PARACHUTE MUNICIPAL CODE CONTAINING PARACHUTE DESIGN GUIDELINES

Motion passed with a 5-0 vote

(K) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER PROPOSED AMENDMENTS TO ITS MUNICIPAL CODE SECTIONS 9.17 AND 9.20 OF THE PARACHUTE MUNICIPAL CODE RELATING TO WATER AND SEWER SERVICE

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Revisions to Municipal Code

STAFF:STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 8:46 pm

Town Manager McArthur gave his presentation and recommendation of approval

No Public comment

Public Hearing closed at 9:28pm

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 760-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTIONS 9.17 AND 9.20 OF THE PARACHUTE MUNICIPAL CODE RELATING TO WATER AND SEWER SERVICE.

MOTION 7: Moved and seconded by Ruggard / Loschke to approve Ordinance No. 760-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTIONS 9.17 AND 9.20 OF THE PARACHUTE MUNICIPAL CODE RELATING TO WATER AND SEWER SERVICE.

Motion passed with a 5-0 vote

(L) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER PROPOSED AMENDMENTS TO ITS MUNICIPAL CODE CHAPTER 15.08 RELATING TO PERMITTED AND PROHIBITED MATERIALS TO BE USED IN THE CONSTRUCTION OF FENCES AND HEIGHT REQUIREMENTS IN THE OLD TOWN ZONE DISTRICT

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Revisions to Municipal Code

STAFF:STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 9:29 pm

Town Manager McArthur gave his presentation and recommendation of approval

No Public comment

Public Hearing closed at 9:34pm

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 761-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 15.08 OF THE PARACHUTE MUNICIPAL CODE RELATING TO PERMITTED AND PROHIBITED MATERIALS TO BE USED IN THE CONSTRUCTION OF FENCES AND HEIGHT REQUIREMENTS IN THE OLD TOWN ZONE DISTRICT.

MOTION 8: Moved and seconded by Van Teylingen / Williams to approve Ordinance No. 761-2019
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 15.08 OF THE PARACHUTE MUNICIPAL CODE RELATING TO PERMITTED AND PROHIBITED MATERIALS TO BE USED IN THE CONSTRUCTION OF FENCES AND HEIGHT REQUIREMENTS IN THE OLD TOWN ZONE DISTRICT.
Motion passed with a 5-0 vote

(M) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER AMENDING CHAPTER 15.04 OF THE PARACHUTE MUNICIPAL CODE RELATED TO PARKING SPACE REQUIREMENTS FOR NEW CONSTRUCTION OF CERTAIN USES.

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Revisions to Municipal Code 15.04

STAFF:STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 9:35 pm
Town Manager McArthur gave his presentation and recommendation of approval
No Public comment
Public Hearing closed at 9:37pm

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 762-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 15.04 OF THE PARACHUTE MUNICIPAL CODE RELATING TO PARKING SPACE REQUIREMENTS FOR NEW CONSTRUCTION OF CERTAIN USES.

MOTION 9: Moved and seconded by Van Teylingen / Williams to approve Ordinance No. 762-2019
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 15.04 OF THE PARACHUTE MUNICIPAL CODE RELATING TO PARKING SPACE REQUIREMENTS FOR NEW CONSTRUCTION OF CERTAIN USES.
Motion passed with a 5-0 vote

(N) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER AMENDING MUNICIPAL CODE CHAPTER 11.11 OF THE PARACHUTE MUNICIPAL CODE RELATING TO THE DECLARATIONS OF NUISANCES AND ABATEMENT THEREOF.

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Revisions to Municipal Code

STAFF:STUART McARTHUR, TOWN MANAGER

Mayor McClung opened Public Hearing at 9:37 pm
Town Manager McArthur gave his presentation and recommendation of approval
No Public comment
Public Hearing closed at 9:41 pm

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 763-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 11.11 OF THE PARACHUTE MUNICIPAL CODE RELATING TO THE DECLARATIONS OF NUISANCES AND ABATEMENT THEREOF.

MOTION 10: Moved and seconded by Olk / Loschke to approve Ordinance No. 763-2019 with the amendment to change any reference from City to Town
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 11.11 OF THE PARACHUTE MUNICIPAL CODE RELATING TO THE DECLARATIONS OF NUISANCES AND ABATEMENT THEREOF.

Motion passed with a 5-0 vote

~~(O) **TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 764-2019**~~

~~AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ADOPTING THE MOST RECENT FLOOD INSURANCE RATE MAP AND AMENDING CHAPTER 15.05 OF THE PARACHUTE MUNICIPAL CODE TO PROVIDE FOR FLOOD DAMAGE PREVENTION.~~

~~STAFF:STUART McARTHUR, TOWN MANAGER~~

(P) TOWN COUNCIL CONSIDERATION OF AGREEMENT AND CONTRACT TO BUY AND SELL REAL ESTATE WITH JRP PROPERTIES, LLC AND TO AUTHORIZE SALE OF REAL PROPERTY LOCATED AT 220 1ST STREET AND 232 1ST STREET IN THE TOWN OF PARACHUTE

TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 765-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH JRP PROPERTIES, LLC AND TO AUTHORIZE SALE OF REAL PROPERTY LOCATED AT 220 1ST STREET AND 232 1ST STREET IN THE TOWN OF PARACHUTE

STAFF:STUART McARTHUR, TOWN MANAGER

- Add Exhibit A – Legal description of property

MOTION 11: Moved and seconded by Loschke / Van Teylingen to approve Ordinance No. 765-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH JRP PROPERTIES, LLC AND TO AUTHORIZE SALE OF REAL PROPERTY LOCATED AT 220 1ST STREET AND 232 1ST STREET IN THE TOWN OF PARACHUTE

Motion passed with a 5-0 vote

(Q) EXECUTIVE SESSION – C.R.S. 24-6-402(4)(b)

FOR CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC ENTITY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS SPECIFICALLY RELATING TO MINERAL RIGHTS, BLONDE STONER CONTRACT, AND

C.R.S. 24-6-402 (4)(e)

DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS SPECIFICALLY RELATING TO ECONOMIC DEVELOPMENT INCENTIVES.

STAFF: STUART McARTHUR, TOWN MANAGER

MOTION 12: Moved and seconded by Van Teylingen / Ruggard to approve Executive Session under CRS 26-6-402eb and 26-6-4024e

Motion passed with a 5-0 vote

(R) ADJOURN

MOTION 13: Motion to Adjourn

Vocal vote passed unanimously

Roy McClung, Mayor

ATTEST:

Lucy Cordova, Town Clerk