



**MINUTES  
TOWN OF PARACHUTE  
TOWN COUNCIL REGULAR MEETING  
222 GRAND VALLEY WAY, PARACHUTE, CO  
AUGUST 20, 2020 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.

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- (A) CALL TO ORDER:** **6:30 PM – This meeting was held in person for the council and via Zoom for the public.**
- COUNCIL MEMBERS PRESENT** Claudia Flores Cruz  
Tom Rugaard  
Tim Olk  
Leah Frink  
Artemio Baltazar
- MAYOR:** Roy McClung
- COUNCIL MEMBERS ABSENT:** Fred Andersen
- STAFF PRESENT:** Town Administrator, Stuart McArthur  
Town Clerk, Lucy Spalenka  
Finance Director, Teresa Beecraft  
Public Works Director, Mark King – Via Zoom  
Police Chief, Sam Stewart - Via Zoom  
Community Development, Lauralee Patton  
Town Attorney, Jeff Conklin – Via Zoom

**AUDIENCE LIST ATTACHED**

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

**MOTION 1:** Moved and seconded by Olk / Rugaard to approve Agenda  
Motion passed with a 5-0 vote

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**(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 JUNE 25, 2020, SPECIAL MEETING & JULY 23, 2020, REGULAR MEETING**
- 2. EXPENDITURES PAID JULY 8 THROUGH AUGUST 11, 2020.**
- 3. LICENSE RENEWAL FOR A RETAIL MARIJUANA STORE**  
**APPLICANT:** BUDS, LTD  
**LOCATION:** 104 CARDINAL WAY  
PARACHUTE, CO 81635
- 4. LICENSE RENEWAL FOR A BEER AND WINE LIQUOR LICENSE**  
**APPLICANT:** L.W.C. INC  
**DBA:** GRAND VISTA HOTEL PARACHUTE  
P.O. BOX 249  
PARACHUTE, CO 81635  
**LOCATION:** 228 RAILROAD AVENUE  
PARACHUTE, CO 81635
- 5. PREMISE MODIFICATION FOR A RETAIL MARIJUANA CULTIVATION FACILITY THAT DOES NOT EXPAND IN SIZE**  
**APPLICANT:** MOUNTAIN MANAGERS, LLC  
**LOCATION:** 111 DIAMOND LOOP, UNIT B

**MOTION 2:** Moved and seconded by Rugaard / Baltazar to approve Consent Agenda  
Motion passed with a 5-0 vote

**(E) PUBLIC COMMENTS ON ISSUES NOT ON THE AGENDA**

No Public Comment

**(F) TOWN COUNCIL CONSIDERATION OF THE TOWN OF PARACHUTE FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR’S REPORT FOR THE YEAR OF 2019**

STAFF: PETE BLAIR, BLAIR & ASSOCIATES, P.C.

**MOTION 3:** Moved and seconded by Rugaard / Olk to approve 2019 financial audit  
Motion passed with a 5-0 vote

**(G) DEPARTMENTAL REPORTS:**

- 1) Mayor and Town Council .....Mayor and Council Members
- 2) Town Manager Update.....Stuart McArthur, Town Manager  
Town Manager McArthur went over his monthly report.
- 3) Public Works Update ..... Mark King, Public Works Director  
Public Works Director King gave an update on day to day activities
- 4) Police Department Update .....Samuel Stewart, Police Chief  
Police Chief Stewart went over his monthly report
- 5) Economic Development Update ..... Jessica Paugh, Economic Development  
No Economic Development report included in Town Manager report.

**(H) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER AN ORDINANCE OF THE TOWN OF PARACHUTE AMENDING SECTIONS 11.06.120 AND 11.06.160 OF THE PARACHUTE MUNICIPAL CODE REGARDING PROHIBITED USE AND POSSESSION OF A FIREARM**

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

**PROJECT NAME:** Amendment to 11.06.120 & 11.06.160

Mayor McClung opened public hearing  
Town Manager Stuart McArthur went over his staff report and recommendation of approval  
Public comment: Juanita Williams – 312 Pioneer Ave, Parachute, CO – spoke in support  
Peter Caldwell Parachute, co – Spoke in opposition  
Public comment portion of public hearing closed.  
Council discussion ensued.  
Public hearing closed.

**TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 785-2020**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTIONS 11.06.120 AND 11.06.160 OF THE PARACHUTE MUNICIPAL CODE REGARDING PROHIBITED USE AND POSSESSION OF A FIREARM

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 4:** Moved and seconded by Olk / Baltazar to approve Ordinance No. 785-2020  
*AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTIONS 11.06.120 AND 11.06.160 OF THE PARACHUTE MUNICIPAL CODE REGARDING PROHIBITED USE AND POSSESSION OF A FIREARM*  
Motion passed with a 4-1 vote with a No from Council member Rugaard

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**(I) TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2020-22**

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.

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 5:** Moved and seconded by Rugaard / Olk to approve Resolution No. 2020-22

*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 passed with a 6-0 vote

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**(J) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER A LAND USE APPLICATION FROM BATTLEMENT MESA PARTNERS, LLC BY ERIC SCHMELA FOR THE ANNEXATION OF 6 PARCELS INTO THE TOWN OF PARACHUTE.**

**APPLICANT/OWNER:** Battlement Mesa Partners, LLC  
By Eric Schmela  
73 G Sipprelle Drive  
Parachute, CO 81635

**PROJECT NAME:** Battlement Mesa Partners, LLC Annexation

**PROJECT LOCATION:** Battlement Mesa PUD

**LEGAL DESCRIPTION(S):** Please see attachments for maps & full legal descriptions

Mayor McClung opened public hearing

Town Manager Stuart McArthur went over his staff report, recommendation of approval, and introduced applicant Eric Schmela 73 G Sipprelle Drive - Applicant

Public comment:

Juanita Williams – 312 Pioneer Ave, Parachute, CO – spoke in support

Joyce Landrum 11 Lupine – Spoke in opposition and asked clarifying questions

Bob Arrington 60 Willow Creek – Spoke in opposition and asked clarifying questions

Lawrence Foreman 47 Locust Way – Spoke in opposition and asked clarifying questions

Michelle Foster – Spoke in opposition and asked clarifying questions

Peter Caldwell Parachute, co – Spoke in opposition and asked clarifying questions

Doug 81 Ridge View – Spoke in opposition and asked clarifying questions

David Walc 102 Willow Creek – Spoke in opposition and asked clarifying questions

Public comment portion of public hearing closed.

Applicant Eric Schmela and Town Manager McArthur address questions asked.

Council discussion ensued.

Public hearing closed.

**TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2020-23**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, CONCERNING THE PETITION FOR ANNEXATION TO THE TOWN OF PARACHUTE FROM BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC, FINDING THE PROPERTY IS ELIGIBLE FOR ANNEXATION.

**TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2020-24**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING AN ANNEXATION AGREEMENT WITH BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC

**TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 786-2020**

AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ANNEXING TO THE TOWN OF PARACHUTE, COLORADO CERTAIN REAL PROPERTY INCLUDED IN THE PETITION FOR ANNEXATION TO THE TOWN OF PARACHUTE FROM BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 6:** Moved and seconded by Olk / Flores-Cruz to Approve Resolution No. 2020-23

*A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, CONCERNING THE PETITION FOR ANNEXATION TO THE TOWN OF PARACHUTE FROM BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC, FINDING THE PROPERTY IS ELIGIBLE FOR ANNEXATION.*

Motion passed with a 5-0 vote

**MOTION 7:** Moved and seconded by Olk / Baltazar to Approve Resolution No. 2020-24

*A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING AN ANNEXATION AGREEMENT WITH BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC*

Motion passed with a 3-2 vote, with No votes from Council Members Frink & Rugaard

**MOTION 8:** Moved and seconded by Olk / Baltazar to Approve Ordinance No. 786-2020

*AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ANNEXING TO THE TOWN OF PARACHUTE, COLORADO CERTAIN REAL PROPERTY INCLUDED IN THE PETITION FOR ANNEXATION TO THE TOWN OF PARACHUTE FROM BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC*

Motion passed with a 3-2 vote, with No votes from Council Members Frink & Rugaard

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**(K) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER A LAND USE APPLICATION FROM BATTLEMENT MESA PARTNERS, LLC BY ERIC SCHMELA FOR ZONING OF ANNEXED PARCELS**

<b>APPLICANT/OWNER:</b>	Battlement Mesa Partners, LLC By Eric Schmela 73 G Sippelle Drive Parachute, CO 81635
<b>PROJECT NAME:</b>	Battlement Mesa Partners, LLC Annexation
<b>PROJECT LOCATION:</b>	Battlement Mesa PUD
<b>LEGAL DESCRIPTION(S):</b>	Please see attachments for maps & full legal descriptions

Mayor McClung opened public hearing

Town Manager Stuart McArthur went over his staff report, recommendation of approval, and introduced applicant Eric Schmela 73 G Sippelle Drive - Applicant

Public comment:

Juanita Williams – 312 Pioneer Ave, Parachute, CO – spoke in support

Joyce Landrum 11 Lupine – Spoke in opposition and asked clarifying questions

Bob Arrington 60 Willow Creek – Spoke in opposition and asked clarifying questions

Lawrence Foreman 47 Locust Way – Spoke in opposition and asked clarifying questions

Michelle Foster – Spoke in opposition and asked clarifying questions

Peter Caldwell Parachute, co – Spoke in opposition and asked clarifying questions

Doug 81 Ridge View – Spoke in opposition and asked clarifying questions

David Walc 102 Willow Creek – Spoke in opposition and asked clarifying questions

Public comment portion of public hearing closed.

Applicant Eric Schmela and Town Manager McArthur address questions asked.

Council discussion ensued.

Public hearing closed.

**TOWN COUNCIL CONSIDERATION OF ORDINANCE NO. 787-2020**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ZONING CERTAIN REAL PROPERTY ANNEXED TO THE TOWN PURSUANT TO THE PETITION FOR

ANNEXATION TO THE TOWN OF PARACHUTE FROM BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 9:** Moved and seconded by Olk / Baltazar to Approve Ordinance No. 787-2020  
*AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ZONING CERTAIN REAL PROPERTY ANNEXED TO THE TOWN PURSUANT TO THE PETITION FOR ANNEXATION TO THE TOWN OF PARACHUTE FROM BATTLEMENT MESA LAND INVESTMENTS, LLC AND BATTLEMENT MESA PARTNERS, LLC*  
Motion passed with a 5-0 vote

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**(L) PUBLIC HEARING BEFORE THE TOWN COUNCIL TO CONSIDER A RESOLUTION OF THE TOWN OF PARACHUTE AMENDING THE 2019 BUDGET WITH ADDITIONAL APPROPRIATIONS OF REVENUES AND EXPENDITURES TO THE CONSERVATION TRUST FUND**

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

**PROJECT NAME:** CTF Supplemental Appropriation

Mayor McClung opened public hearing  
Town Manager Stuart McArthur went over his staff report and recommendation of approval  
No public comment  
Public comment portion of public hearing closed.  
Council discussion ensued.  
Public hearing closed.

**TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2020-25**

A RESOLUTION AMENDING THE 2019 BUDGET WITH ADDITIONAL APPROPRIATIONS OF REVENUES AND EXPENDITURES TO THE CONSERVATION TRUST FUND

STAFF: STUART McARTHUR, TOWN MANAGER  
TERESA BEECRAFT, FINANCE DIRECTOR

**MOTION 10:** Moved and seconded by Rugaard / Frink to Approve Resolution No. 2020-25  
*A RESOLUTION AMENDING THE 2019 BUDGET WITH ADDITIONAL APPROPRIATIONS OF REVENUES AND EXPENDITURES TO THE CONSERVATION TRUST FUND*  
Motion passed with a 5-0 vote

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**(M) TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2020-26**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE TOWN AND EMERGENT #2 LLC AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT.

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 11:** Moved and seconded by Rugaard / Olk to Approve Resolution No. 2020-26  
*A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE TOWN AND EMERGENT #2 LLC AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT.*  
Motion passed with a 5-0 vote

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**(N) THANK YOU**

- 1) THANK YOU – FLAG FOR POLICE DEPARTMENT
  - 2) THANK YOU – HISTORICAL SOCIETY
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**(O) EXECUTIVE SESSION (IF NECESSARY)**

No executive session

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**(P) ADJOURN**

**MOTION 12:** Moved and seconded by Olk / Andersen to Adjourn

Motion passed with a 6-0 vote

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**Roy B. McClung, Mayor**

**ATTEST:**

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**Lucy Spalenka, Town Clerk**

Hi there,

You are invited to a Zoom webinar.

When: Jul 16, 2020 06:30 PM Mountain Time (US and Canada)

Every month on the Third Thu, 4 occurrence(s)

Jul 16, 2020 06:30 PM

Aug 20, 2020 06:30 PM

Sep 17, 2020 06:30 PM

Oct 15, 2020 06:30 PM

Please download and import the following iCalendar (.ics) files to your calendar system.

Monthly: [https://us02web.zoom.us/webinar/upUud-mpqjotGNM9vL\\_AOMhZs-8YEScBFFVx/ics?icsToken=98tyKu6prTsqG9CUtxuAR7YcA4igc-vwiH5ajY1wxQnJPAF8TwwMJa8aC5dME\\_r2](https://us02web.zoom.us/webinar/upUud-mpqjotGNM9vL_AOMhZs-8YEScBFFVx/ics?icsToken=98tyKu6prTsqG9CUtxuAR7YcA4igc-vwiH5ajY1wxQnJPAF8TwwMJa8aC5dME_r2)

Topic: **Regular Town Council Meeting**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/71300141727?pwd=bXQ4Q1MzcVdRWWNiY3UrTHIRUUwyQT09>

Password: **Parachute**

Or iPhone one-tap :

US: +12532158782,,71300141727#,,,,0#,,113571# or +13462487799,,71300141727#,,,,0#,,113571#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 713 0014 1727

Password: 113571

International numbers available: <https://us02web.zoom.us/j/71300141727?pwd=bXQ4Q1MzcVdRWWNiY3UrTHIRUUwyQT09>