

**MINUTES OF THE TOWN OF PARACHUTE
BOARD OF TRUSTEES REGULAR MEETING
DECEMBER 17, 2015**

222 GRAND VALLEY WAY, PARACHUTE, CO

6:30 P.M.

(A) CALL TO ORDER

MEETING WAS CALLED TO ORDER BY MAYOR MCCLUNG AT 6:30 P.M.

ROLL CALL:

**TRUSTEES PRESENT: DANIEL MANZANARES
TIM OLK
TRAVIS SPROLES
JUANITA WILLIAMS**

MAYOR: ROY McCLUNG

TRUSTEES ABSENT: JOHN LOSCHKE

**STAFF PRESENT: TOWN MANAGER, STUART McARTHUR
TOWN CLERK, DENISE CHIARETTA
POLICE CHIEF, CARY PARMENTER
PUBLIC WORKS DIRECTOR, MARK KING**

AUDIENCE / PUBLIC ATTENDANCE LIST ATTACHED

(B) PLEDGE OF ALLEGIANCE

(C) APPROVE AGENDA

MOTION NO. 1:

Moved and seconded by Trustees Rugaard / Olk to approve the agenda with the change of the date.
Vocal Vote passed unanimously.

(D) CONSENT AGENDA:

- (1) MINUTES FROM THE OCTOBER 15, 2015, REGULAR MEETING
- (2) MINUTES FROM THE NOVEMBER 19, 2015, REGULAR MEETING
- (3) EXPENDITURES PAID IN NOVEMBER 2015
- (4) BOARD CONSIDERATION OF A LIQUOR LICENSE RENEWAL APPLICATION FOR A 3.2 BEER OFF-PREMISE LICENSE

**APPLICANT: Rocky Mountain C Stores Inc.
DBA: Parachute Shell**

ADDRESS: 200 County Road 215

Parachute, CO 81635

(5) BOARD CONSIDERATION OF A HOTEL LIQUOR LICENSE RENEWAL APPLICATION

APPLICANT: JKLMN LLC
DBA: Shommy's
ADDRESS: 28 Cardinal Way
Parachute, CO 81635

MOTION NO. 2:

Moved and by Trustees Williams / Olk to approve the consent agenda with the change of the date.

Motion passed with the correction to the agenda of the date for the work study session from May 2, 2015 to May 21, 2015.

Motion passed unanimously.

(E) COMMENTS FROM CITIZENS REGARDING ITEMS NOT ON THE AGENDA

Pamela Jarrett 184 South 2nd Court addressed the Board in regards to her request for itemized bill from the Town attorney, the first time she made the request she received an itemized bill from August, when she asked for the itemized bill from September she received a redacted bill and a response stating that the billing is attorney client privilege. Ms. Jarrett asked whether the attorney works for the Town or the Town Manager.

Judith Hayward 180 South 2nd Court thank the Board and Public Works for the amount of work that was done at the rest area getting the Christmas tree up and for putting lights on the tree she had planted in honor of her late husband.

Ms. Hayward also addressed the volunteers at the rest area may need some guidance on referring tourists to business in the Town.

(F) DEPARTMENTAL REPORTS:

- (1) Mayor and Board of Trustees Mayor and Trustees
Mayor and Trustees had no input this month.
- (2) Town Manager Monthly Update Stuart McArthur, Town Manager
Town Manager McArthur went over the 2015 budget tracking report summary. Town Manager McArthur also went over the wastewater cost as a pump has gone out at the lift station and the town needs to find a way to pay for this expense as the wastewater fund cannot cover this expense.
- (3) Community Development Report Stuart McArthur, Town Manager
Town Manager McArthur stated that Derick has issued some building permits
- (4) Police Department Monthly Update Cary Parmenter, Police Chief
Chief Parmenter stated that with Justin Mayfield working part time for the department there will be 24 hour coverage again for the first time in over two years.
- (5) Public Works Department Monthly Update Mark King, Public Works Director
Public Works Director King stated that it is not the pump itself that is the big expense but, the value before the pump. To do the work, the wet well has to be drained and that is the biggest expense.

(G) CONTINUATION OF PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF AN APPLICATION FOR RETAIL LICENSE FOR A MARIJUANA RETAIL STORE (WITHDRAWN BY APPLICANT – PUBLIC HEARING CANCELLED)

APPLICANT/OWNER: Heavenly Healing LLC
PROJECT NAME: Application for license from the Town of Parachute for a retail marijuana store
PROJECT LOCATION: 254 South Railroad Avenue
Parachute, CO 81635
LEGAL DESCRIPTION: Assessor Parcel No: 240707200013
Section: 7 Township: 7 Range: 95 TR IN LOT 4

No action taken. Public Hearing cancelled.

(H) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM WEST RUN, INC. TO RE-ZONE A PARCEL FROM NEIGHBORHOOD COMMERCIAL TO LIGHT INDUSTRIAL (WITHDRAWN BY APPLICANT PUBLIC HEARING CANCELLED)

APPLICANT/OWNER: West Run, Inc
3435 Grand Valley Canal Road
Grand Junction, CO 81520
PROJECT NAME: Public meeting to seek authorization from the Town of Parachute to re-zone a property that is currently zoned Neighborhood Commercial to Light Industrial.
PROJECT LOCATION: 104 Cardinal Way
Parachute, CO 81635
LEGAL DESCRIPTION(S): Section: 12
Township: 7
Range: 96 West
Lot: 013
6th Prime Meridian
County of Garfield
State of Colorado

No action taken. Public Hearing cancelled.

(I) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM WEST RUN, INC. FOR A SPECIAL USE REVIEW TO ACQUIRE LICENSE FROM THE TOWN OF PARACHUTE TO ESTABLISH A RETAIL MARIJUANA CULTIVATION FACILITY (WITHDRAWN BY APPLICANT – PUBLIC HEARING CANCELLED)

APPLICANT/OWNER: West Run, Inc
3435 Grand Valley Canal Road
Grand Junction, CO 81520

PROJECT NAME: Public meeting for a Special Review Use to seek authorization from the Town of Parachute to receive a license to establish a Retail Marijuana Cultivation Facility.

PROJECT LOCATION: 104 Cardinal Way
Parachute, CO 81635

LEGAL DESCRIPTION(S): Section: 12
Township: 7
Range: 96 West
Lot: 013
6th Prime Meridian
County of Garfield
State of Colorado

No action taken. Public Hearing cancelled.

(J) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF A DEVELOPMENT REVIEW APPLICATION FROM THE TOWN OF PARACHUTE TO AMEND THE TOWN OF PARACHUTE MUNICIPAL CODE TITLE 15.

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

PROJECT NAME: Revisions to its Municipal Code: Title 15 (Town of Parachute Land Use Regulations), regarding the Zoning Use Table, revise “Administrator” to “Manager” throughout the code in accordance to the Town Charter, and references to Town Meetings.

PROJECT LOCATION: N/A

LEGAL DESCRIPTION: N/A

Public Hearing Called to Order at 7:05 p.m.

Public Notices and Proof of Publication

Enter staff report in the record.

Town Manager McArthur stated that in 2016, the entire code will be rewritten and if you bear with him at this time the Town will just make minor necessary revisions to Title 15 (Town of Parachute Land Use Regulation) until that time.

Town Manager McArthur went over the changes that will be made to the code at this time, if the Board agrees.

Questions from the Board of Trustees.

There were none.

Public Comments

Pamela Jarrett 184 South 2nd Court read a statement that she had prepared regarding Mr. Gerhart having a grow facility on 104 Cardinal Way.

Judith Hayward 180 South 2nd Court stated that she is not as adverse to marijuana in the Town as she was five (5) or six (6) months ago, but she feels that the Town should not allow grow operations in Service Commercial.

Ron Jarrett 184 South 2nd Court stated that there are several areas in Town that are too close to residential areas.

Mayor McClung asked if the Board had any question for the staff.

Trustee Manzanares asked if the reason the Service Commercial changed is due to interest from property owners.

Town Manager McArthur stated “yes” and showed on the zone map where the interest was.

Trustee Manzanares asked if they could do spot zoning for the property owners.

Town Manager McArthur stated that we should not. The applicant still has to come before the Board to get approval before they can put in a cultivation operation. If the applicant comes before the Board and if they feel that it is too close to residential it can be denied.

There was general discussion on the size of grows and in what areas, such as 80 plants to 1,800 plants and large grows will not be in service commercial.

Closed Public Hearing at 7:45 p.m.

(K) BOARD CONSIDERATION OF ORDINANCE NO. 690

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS AND AMENDING TITLE 15 REGARDING REFERENCES TO THE TOWN ADMINISTRATOR AND REGULAR MEETINGS.

MOTION NO. 3:

Moved and Seconded by Trustees Williams / Rugaard to Adopt Ordinance NO.690

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS AND AMENDING TITLE 15 REGARDING REFERENCES TO THE TOWN ADMINISTRATOR AND REGULAR MEETINGS.

Motion Passed Unanimously.

(L) BOARD CONSIDERATION OF ORDINANCE NO. 691

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING LOCATION LIMITATIONS OF RETAIL MARIJUANA ESTABLISHMENTS.

MOTION NO. 4:

Moved and Seconded by Trustees Rugaard / Olk to adopt Ordinance NO.691

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING LOCATION LIMITATIONS OF RETAIL MARIJUANA ESTABLISHMENTS.

Motion passed unanimously.

(M) OTHER MATTERS

(1) NONE

(N) EXECUTIVE SESSION

FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT

TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. SECTION 24-6-402(4)(E); SUBJECT: LAW SUITS

MOTION NO. 5:

Moved and seconded by Trustee Williams / Manzanares to go into executive session *FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. SECTION 24-6-402(4)(E); SUBJECT: LAW SUITS.*

Motion passed unanimously.

(O) MOTION TO ADJOURN

MOTION NO. 6:

Moved and seconded by Trustees Rugaard / Williams to adjourn.

Vocal vote unanimously.

Adjourned at: 8:20 p.m.

Mayor

ATTEST:

Town Clerk