

**MINUTES OF A REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF LONE TREE  
HELD  
September 1, 2015**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, September 1, 2015, at 6:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

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Attendance

In attendance were:

James D. Gunning, Mayor  
Jacqueline Millet, Mayor Pro Tem  
Harold Anderson, Council Member  
Kim Monson, Council Member

Susan Squyer, Council Member, was absent

Also in attendance were:

Seth Hoffman, City Manager  
Jennifer Pettinger, City Clerk  
Steve Hebert, Deputy City Manager  
Torie Brazitis, Assistant to the City Manager  
Jeff Holwell, Economic Development Director  
Chief Jeffery Streeter, Lone Tree Police Department  
Kristin Baumgartner, Finance Director  
Kelly First, Community Development Director  
Lisa Rigsby Peterson, Lone Tree Arts Center Director  
Neil Rutledge, City Attorney, White, Bear and Ankele, P.C.  
John Cotten, Public Works Director, TTG Corp.

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Call to Order

Mayor Gunning called the meeting to order at 6:00 p.m., and observed that a quorum was present.

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Executive Session

Mayor Gunning announced City Council intends to convene in Executive Session. Neil Rutledge, City Attorney, stated the Executive Session is for a conference with the City Attorney 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) and to discuss the

purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a) regarding property issues with Argonaut Holdings. Also 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) regarding an economic development agreement.

Council Member Anderson moved, seconded by Mayor Pro Tem Millet, for City Council to recess and convene in Executive Session for the reasons stated.

The motion passed with a 4 to 0 vote by those members present.

Council adjourned to an Executive Session at 6:00 p.m.

The Executive Session was adjourned at 6:47 p.m.

Mayor Gunning reconvened the meeting in Regular Session at 7:00 p.m., following a short recess.

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#### Pledge of Allegiance

Mayor Gunning led those assembled in reciting the Pledge of Allegiance.

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#### Amendments to the Agenda

Mayor Pro Tem Millet moved, seconded by Council Member Anderson, to amend the agenda to add the Approval of Chavez Construction Inc. Contract for the 2015 Parkway Drive Reconstruction (Phase 4). The motion passed with a 4 to 0 vote by those members present.

Council Member Monson moved, seconded by Council Member Anderson, to amend the agenda to add Resolution 15-12, REAPPOINTING A MEMBER TO THE YOUTH COMMISSION FOR THE CITY OF LONE TREE. The motion passed with a 4 to 0 vote by those members present.

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#### Conflict of Interest

There was no conflict of interest.

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#### Public Comment

Bill Robertson, 9278 E. Aspen Hill Circle, made a comment about a local restaurant.

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#### Announcements

Mayor Gunning announced upcoming events.

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## Presentations

### *Constitution Week Proclamation*

Mayor Gunning read the Proclamation declaring September 17-23, 2015, as Constitution Week.

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## Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which consisted of:

- *Minutes of the August 18, 2015 Regular Meeting*
- *Claims for the period of August 10-24, 2015*

Mayor Pro Tem Millet moved, Council Member Anderson seconded, to approve the Consent Agenda. The motion passed with a 4 to 0 vote by those members present.

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## Community Development

***Public Hearing: General Motors replat, rezone (First reading) and SIP amendment (continued from August 18, 2015)***

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*Parkway Filing 1, Block 3, Lot 1 and Tract H Project SB15-51 (subdivision replat)*

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***Public Hearing: Ordinance 15-02, APPROVING THE REZONING OF CERTAIN TERRITORY KNOWN AND DESIGNATED AS A PORTION OF TRACT H, PARKWAY SUBDIVISION FILING NO. 1, IN THE CITY OF LONE TREE, COLORADO (GENERAL MOTORS) (First Reading) Project ZR15-37***

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*Parkway Filing 1, Block 3, Lot 4, Project SP15-36 SIP amendment for added parking and related changes*

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Mayor Gunning opened the public hearing at 7:05 p.m.

Jennifer Drybread, Senior Planner, introduced the items. Donnell Laux, Argonaut Holdings, representing the applicant, spoke about the application.

The public hearing was opened for comment at 7:09 p.m.

There was no public comment.

The public hearing was closed for comment at 7:09 p.m.

Council Member Monson moved, and Mayor Pro Tem Millet seconded, that the City Council approve the replat of Block 3, Lot 1 and Tract H, conditioned on: 1. Xcel Energy approval of a utility easement to accommodate existing infrastructure. 2. Approval of the associated rezoning and SIP. 3. Final approval by Public Works. The motion passed with a 4 to 0 vote by those members present.

Council Member Monson moved, and Mayor Pro Tem Millet seconded, that the City Council approve the adoption of Ordinance 15-02 on first reading, rezoning certain territory known and designated as a portion of Tract H, Parkway Subdivision Filing No. 1, from POS to C-1, conditioned on the approval of the associated replat and SIP. The motion passed with a 4 to 0 vote by those members present.

Council Member Monson moved, and Mayor Pro Tem Millet seconded, that the City Council approve the SIP, conditioned on: 1. Final approval by City of Lone Tree Public Works. 2. Adding seeding specification outlined by South Suburban Parks and Recreation to the SIP. 3. City Council approval of associated replat and rezoning. The motion passed with a 4 to 0 vote by those members present.

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*Approval of RidgeGate Filing 17, 1st Amdt Lot 6A Replat Project #SB15-42R*

Jennifer Drybread, Senior Planner, introduced the item.

Mayor Pro Tem Millet moved, Council Member Anderson seconded, to approve RidgeGate Filing 17, 1st Amdt Lot 6A Replat Project #SB15-42R subject to final approval by the Lone Tree Public Works Department. The motion passed with a 4 to 0 vote by those members present.

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Administrative Matters

***Ordinance 15-05, AN EMERGENCY ORDINANCE FOR THE DISSOLUTION OF THE EXISTING LONE TREE ENTERTAINMENT BUSINESS IMPROVEMENT DISTRICT***

Jeff Holwell, Economic Development Director, introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve **Ordinance 15-05, AN EMERGENCY ORDINANCE FOR THE DISSOLUTION OF THE EXISTING LONE TREE ENTERTAINMENT BUSINESS IMPROVEMENT DISTRICT**. The motion passed with a 4 to 0 vote by those members present.

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***Public Hearing: Ordinance 15-03, AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES (Second Reading)***

Mayor Gunning opened the public hearing at 7:18 p.m.

Kristin Baumgartner, Finance Director, introduced the item.

Mayor Gunning opened the public hearing for comment at 7:21 p.m.

There was no public comment.

The public hearing was closed at 7:21 p.m.

Council Member Anderson moved, Council Member Monson seconded, to approve **Ordinance 15-03, AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES** on Second Reading. The motion passed with a 4 to 0 vote by those members present.

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***Public Hearing: Affirmation of Emergency Ordinance 15-04, ACCEPTING A PETITION FOR THE ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING THE LONE TREE BUSINESS IMPROVEMENT DISTRICT (BID)***

Mayor Gunning opened the public hearing at 7:21 p.m.

Jeff Holwell, Economic Development Director, introduced the item.

Mayor Gunning opened the public hearing for comment at 7:29 p.m.

Dave Smith, owner Go-Putt, agreed with the Mayor's comments encouraging the board of the BID be made up of the property owners.

Sharon Van Ramshorst, 8177 Arrowhead Way, asked about the budget amount.

The public hearing was closed at 7:32 p.m.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to affirm of **Emergency Ordinance 15-04, ACCEPTING A PETITION FOR THE ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING THE LONE TREE BUSINESS IMPROVEMENT DISTRICT**. The motion passed with a 4 to 0 vote by those members present.

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***Resolution 15-11, APPOINTING A REPRESENTATIVE TO THE DOUGLAS COUNTY HOUSING PARTNERSHIP (Bryant)***

Council Member Anderson introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve **Resolution 15-11, APPOINTING A REPRESENTATIVE TO THE DOUGLAS COUNTY HOUSING PARTNERSHIP (Bryant)**. The motion

passed with a 4 to 0 vote by those members present.

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Amended Agenda Items

***Approval of Chavez Construction Inc. Contract for the 2015 Parkway Drive Reconstruction (Phase 4)***

John Cotten, Public Works Director, introduced the item.

Mayor Pro Tem Millet moved, Council Member Monson seconded, to approve the contract with Chavez Construction Inc. in the amount of \$658,314.00 for the City of Lone Tree 2015 Parkway Drive Reconstruction and authorize the Public Works Director to execute the contract documents. The motion passed with a 4 to 0 vote by those members present.

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***Resolution 15-12, REAPPOINTING A MEMBER TO THE YOUTH COMMISSION FOR THE CITY OF LONE TREE (Schaffer)***

Jennifer Pettinger, City Clerk, introduced the item.

Council Member Monson moved, Council Member Anderson seconded, to approve **Resolution 15-12, REAPPOINTING A MEMBER TO THE YOUTH COMMISSION FOR THE CITY OF LONE TREE** (Schaffer). The motion passed with a 4 to 0 vote by those members present.

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Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 7:50 p.m.

Respectfully submitted,

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Jennifer Pettinger, CMC, City Clerk



## FINAL STAFF REPORT

**To:** Mayor Gunning and City Council

**From:** Kelly First, Director of Community Development  
Jennifer Drybread, Senior Planner

**Date:** September 3, 2015

**SUBJECT:** RidgeGate Section 15, Filing 17, 1<sup>st</sup> Amendment  
Replat (RidgeGate III)  
Project File #SB14-29R

Owner:  
RidgeGate Investments, Inc.  
10270 Commonwealth St., Suite B.  
Lone Tree, CO 80124

Representative:  
Keith Simon  
10270 Commonwealth St. #B  
Lone Tree, CO 80124

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<b>Planning Commission Hearing Date:</b>	<b>Not applicable</b>
<b>City Council Hearing Date:</b>	<b>September 1, 2015</b>

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The City Council unanimously approved the replat of 1 lot into 2 lots and one tract, subject to final City of Lone Tree Public Works approval.

END