



**TOWN BOARD AGENDA
REGULAR MEETING**

(All items listed for discussion and possible action)

Hybrid Meeting

South Metro Fire Protection District Station #42
7320 South Parker Road

**Thursday, August 4, 2022
6:30 p.m.**

1. Call to Order
2. Roll Call of Board Members
3. Audience Participation Period (limit 4 minutes per speaker)
4. Consent Agenda
 - a. Approval of Minutes – July 21, 2022
5. For Possible Action
 - a. Resolution 05-2022 A Resolution Adopting A Traffic Control Gate Policy
 - b. Resolution 06-2022 Authorizing Staff to Approve Minor Amendments to Our Lady of Loreto Development Plan
6. For Discussion
 - a. Open Space
7. Reports
 - a. Correspondence
 - b. Mayor
 - c. Members of Town Board
 - d. Staff
8. Future Agenda Items
9. Adjournment

STUDY SESSION to discuss the Town of Foxfield Master Plan



MINUTES

BOARD OF TRUSTEES MEETING

July 21, 2022

Call to Order/Roll Call

The virtual meeting was called to order at 6:31 p.m. via Microsoft Teams.

The following Trustees were present in person: Mayor Jones, Trustee Cockrell, Trustee Thompson, Trustee Goddard and Trustee Herold.

The following Trustees were present via Microsoft Teams: Trustee Farreau. Trustee Schultz was not available for roll call. A quorum was present.

Audience Participation

None.

Consent Agenda

Mayor Jones moved, seconded by Trustee Goddard, to approve the following items on the Consent Agenda:

- a. Approval of Minutes – June 16, 2022
- b. Financial Reports – May and June 2022

The motion passed by unanimous roll call vote.

Board Recognition:

Mayor Jones and the Town Trustees recognized Frank Lawrence of E Davies Avenue and Bob Farreau, who was not present, for their work on the gate camera installation.

For Possible Action

Town Administrator Proctor suggested an upgrade for two Town software applications: Caselle and Laserfiche. The upgrade would change the support model from server-based to a cloud-based configuration, and would provide enhanced access, security and backup.

Mayor Jones moved to approve the cloud upgrade for Caselle and Laserfiche. Trustee Goddard seconded and the motion passed by unanimous consent.

For Discussion:

- A) Mayor Jones introduced Austin Pierce Flanagan, a lawyer with Hoffmann, Parker, Wilson & Carberry, P. C., to discuss the update to the Town of Foxfield Master Plan and Municipal Code. The Town will organize a study session to review the Master Plan and suggest changes to Mr. Flanagan. Mr. Flanagan will advise the Board on any trends or potential considerations for the Code update.

- B) A discussion was held concerning the request for stop signs on Norfolk. The Town Engineer recommends a warrant process be initiated to see if the addition of a stop sign is supported. Trustee Thompson noted that the residents in the area desire a simple solution. Trustee Cockrell noted that stop signs are not an effective mitigation for speeding. It was agreed to gather data, and if warranted implement a temporary center island to narrow the roadway, which is a recognized speed mitigation technique.
- C) A discussion was held regarding the Centennial Congregation of Jehovah's Witnesses request to change the operational hours for the gates. Resident Zoellner of Costilla Avenue voiced an objection to any change of the current hours and also believes that the traffic has, in fact, increased over the years. Resident Guzman of E Hinsdale Ave noted that the traffic from Our Lady of Loretto is equally heavy. The Board agreed to deny the change request. Town Clerk Schmitz will communicate the decision.
- D) Town Administrator Proctor discussed the impact of the off-duty officer changes on the Long-Range Financial Forecast and asked whether any changes to the hours were desired. The Board desired to keep the hours, but requested information on the number of traffic stops to evaluate effectiveness. Town Clerk Schmitz will follow-up with a report from the Sheriff's office, and will invite The Town's officer liaison to the next Board meeting.

Reports

Mayor

Mayor Jones recognized Trustee Thompson and resident Guzman for their 4th of July celebration help.

Members of the Town Board

Trustee Thompson reported the following:

- Recognized residents for assisting in the recent town events, in particular recognizing the Andersons, and the Johnsons.
- The Autistic Child sign is missing.
- The new guardrails on Fremont may need to be upgraded next year.
- Small paint project will be done in the tunnels.

Trustee Farreau reported the following:

- The cameras have added value in researching several recent violations.
- Data has been captured and used for church traffic behavior analysis.

Trustee Cockrell noted the following items:

- Met with an both Aurora and Centennial representatives to discuss the path project. Application strategies and community partnerships were discussed.
- Met with Arapahoe County Bicycle Pedestrian Planner, and there was mention of potential money available for trails.

Staff

- Town Administrator Karen Proctor noted that two gate violation letters have been issued.
- Town Clerk Schmitz noted that Colorado Municipal Clerks Associations classes are done for the year, and thanked Deputy Town Clerk Gallivan for covering duties while classes were in session.

Future Agenda Items:

- Open Space
- Master Plan Study Session

Executive Session

At 8:15 P.M. Mayor Jones motioned to convene into an Executive Session to discuss legal advice pursuant to C.R.S. 24-6-402 (4)(b) regarding a litigation matter.

Adjournment

Mayor Jones adjourned the meeting at 8:34 P.M.

Kathleen Schmitz, Town Clerk

Lisa Jones, Mayor



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: August 4, 2022

RE: Resolution 05-2022 A Resolution Adopting a Traffic Control Gate Policy

DISCUSSION:

The Traffic Control Gate Policy was drafted by the Gate Committee. The Policy was sent to the Board of Trustees on June 13, 2022, for comments and then to Attorney, Kathryn Sellars for her revisions and approval. Resolution 05-2022 is attached along with the final copy of the policy.

RECOMMENDED MOTION:

"I move to approve Resolution 05-2022 Adopting a Traffic Control Gate Policy for the Town of Foxfield."

ATTACHMENTS:

Exhibit A – Resolution 05-2022 A Resolution Adopting a Traffic Control Gate Policy

Trustee's Resolution

Resolution No 05, Series 2022

**A RESOLUTION ADOPTING A TRAFFIC CONTROL GATE POLICY
FOR THE TOWN OF FOXFIELD, COLORADO**

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FOXFIELD, COLORADO, THAT:

Section 1. The Traffic Control Gate Policy, as attached hereto, is hereby approved
by the Board of Trustees of the Town of Foxfield, Colorado.

DATED, at the Town of Foxfield, Colorado, this ____ day of _____ 2022.

Lisa Jones, Mayor

ATTEST:

Kathleen Schmitz
Town Clerk

APPROVED AS TO FORM:



COREY Y. HOFFMANN
City Attorney

Town of Foxfield Traffic Control Gate Policy

The Town of Foxfield has four (4) traffic control gates. Two (2) at South Richfield Street and Hinsdale Ave and two (2) at East Fremont Avenue and Easter Way. Tags are available to Foxfield residents for a fee.

Foxfield residents may purchase RFID tags on the Town of Foxfield website. A current vehicle registration will be required for each tag purchased. Once the purchase has been completed and property ownership has been verified, tags will be made available to the resident.

The Cherry Creek School District will be provided no more than three (3) RFID tags for their buses to access the bus stops located in the Town.

Our Lady of Loreto and Kingdom Hall of Jehovah's Witnesses will each be provided with no more than two (2) RFID tags.

TAG PURCHASE AND REQUIREMENTS

- Tags will only be issued to Department of Motor Vehicle Registered vehicles. Temporary registrations may be used for new vehicle applications.
- The vehicle must be either registered to a Town resident or it may be registered to a company; provide that, the company has submitted an attestation, on company letterhead, stating that the vehicle is to be solely used by the employee and/or any authorized person. The attestation must be presented along with the vehicle registration.
- The Town must be notified when a vehicle or property is sold so that the RFID tags can be inactivated.
- If the RFID tag is not working, please do not remove it. Contact the Town of Foxfield so staff can troubleshoot the problem. If the tag is removed, it will be destroyed, and a replacement will need to be purchased.

HOURS OF OPERATION

The gates will be in operation during rush hour from 6:00 A.M. until 9:00 A.M and from 4:00 P.M. until 7:00 P.M. Monday through Friday. The Town may adjust these hours at any time as needed.

Gates may be raised for inclement weather, federal holidays or traffic emergencies.

EMERGENCY ACCESS

The gates have a Fire Strobe system for emergency access. This provides rapid access to the gates and opens them when activated by an emergency vehicle properly equipped. The keypad is for Law Enforcement use only.

ACCESS AND RETENTION OF GATE DATA

The only data recorded in the gate system is an RFID tag number and time the tag was read. The data is retained for approximately 8,000 cycles and then it is overwritten. The data will only be retrieved for Town traffic studies, gate maintenance or if a timely CORA request is received. Data will be downloaded when required by the Town Administrator, Town Clerk, Mayor or a Trustee. Downloaded data will be retained in accordance with the Town's record retention schedule.

ACCESS AND RETENTION OF GATE CAMERA DATA

Data will be retained in the camera until the camera storage reaches maximum capacity; at which time it will automatically be overwritten. Camera data storage is approximately six days. Data will only be retrieved in the case of a violation, such as but not limited to, the gate being hit, the use of the keypad by an unauthorized user, driving around the gates in the Right-of-Way (ROW), damage to the gate or gate components in any way, traffic studies or a timely CORA request. Data will be downloaded by the Town Administrator, Town Clerk, Mayor or a Trustee. The Town Administrator and the Town Clerk will have access to the gate camera data. Downloaded data will be retained in accordance with the Town's record retention schedule.

VIOLATION PROCEDURE

A letter will be sent to the vehicle owner in the case of a violation. The letter will detail the date, time, description of damage (if applicable), fine(s) and costs of damage (if applicable). If the fine(s) and costs of the damage (if applicable) is not paid by the due date on the letter, the Town may choose to undertake enforcement action to recover the fine and the cost of damages. The Town may impose fines based solely upon the data obtained from the Town's systems. If a violation of this policy occurs an RFID tag may be revoked by the Town Administrator.

FINES

1. Hitting the gate arm and damaging breakaway components or driving around the gates, and unauthorized use of the keypad but no damage to gate arm, gate system/components or ROW property:

1 st violation:	\$250
2 nd violation:	\$300
3 rd violation:	\$350
4 or more violations:	\$500

The number of violations shall be determined by vehicle license plate regardless of driver.

2. Damage to gate arm, gate system/components or ROW property:

\$500.00 fine, in addition to restitution for actual repair costs.



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Kathleen Schmitz, Town Clerk/Treasurer

DATE: August 4, 2022

RE: Resolution 06-2022 A Resolution Authorizing Town Staff to Approve
Minor Amendments to Our Lady of Loreto Development Plan

DISCUSSION:

Town code allows for the use of chain link fencing except within 50 feet of any Town right-of-way in a large lot rural residential zone district but prohibits the use of chain link fencing in any nonresidential area (see 16-3-70 (b)(2)). The Planned Unit Development (PUD) zoning associated with the Our Lady of Loreto campus places it in the category of a non-residential land use. The Town Planner proposed a minor amendment to the original Our Lady of Loreto PUD, which was endorsed by the Town of Foxfield in 2002. The Town Attorney reviewed and endorsed the proposal.

RECOMMENDED MOTION:

"I move to approve Resolution 06-2022 Authorizing Town Staff to Approve Minor Amendments to the Our Lady of Loreto PUD."

ATTACHMENTS:

Exhibit A – Town Planner Recommendation

Exhibit B – Our Lady of Loreto Response

Exhibit C – Resolution 06-2022 A Resolution Authorizing Town Staff to Approve Minor Amendments to Our Lady of Loreto Development Plan



TO: Mr. Daniel Lowen, PE – Lowen Engineering Inc.
FROM: Travis Reynolds, Planning Manager, SAFEbuilt Studio – on behalf of the Town of Foxfield.
DATE: May 27, 2022
SUBJECT: Review of Our Lady of Loretto – Overlot grading, drainage analysis, and GESG

Town staff provides the following comments for review of the proposed grading associated with creation of a ball field at the existing campus of Our Lady of Loretto (LOL) church. Staff conducted the review in the context of the Town of Foxfield Municipal Code and previously approved documents in the form of amended development plans for the campus.

Minor Amendment to the existing Development Plan -

The campus of LOL is regulated for land use by the Town of Foxfield under a Planned Unit Development (PUD) and subsequent, required Development Plan since 2002. Throughout the last twenty years, as changes necessitated, amendments to the plan were made to reflect various changes from the original details of the initial Development Plan endorsed by the Town. To date, Town records are able to identify seven amendments that occurred.

Section 16-2-90 of the [municipal code](#) highlights stipulations regarding amendments to the official development plan. Based on the nature of the proposed changes identified in the submitted documents, it is requested that the applicant submit an amended Development Plan document in accordance with the stipulations of 16-2-90 and outlining the proposed changes to the campus. We recognize that the original Development Plan outlined the creation of athletic playing fields. The baseball field proposal deviates from the outlined athletic playing fields slightly in terms of scale and location. Therefore, we are prescribing a minor amendment to the existing Development Plan and will seek authorization, to process it as a minor amendment and thus, administratively, from the Board of Trustees in accordance with 16-2-90 (b) of the code.

The minor amendment process will allow the Town to memorialize the changes to the plan and create an updated record for future administrations. Existing records are limited. We will provide digital copies of what we have at our disposal, however, it may be necessary to contact the Town Clerk or the Arapahoe County Clerk and Recorder for the most recent, recorded copies of the last Development Plan Amendment for use as a baseline of information.

Proposed fencing for the outfield/foul line

As noted in your email correspondence, the Town code prohibits the use of chain link fencing within 50 feet of any Town right-of-way – however – this is a standard applied to the large lot rural residential zone district. The PUD zoning associated with the campus places it in the category of a non-residential land use – however - the code prohibits the use of chain-link fencing in any nonresidential area (see 16-3-70 (b)(2)).

Details of the proposed fencing are limited in the current submittal. Based on the location of the fence (behind a proposed berm), that nature of the use of the fence for delineation of the boundaries of the playing field, and the unique, often customized, approach to the standards allowed in a PUD, staff is requesting that the applicant provide additional details of fence alignments, materials, and detailed specifications. This will allow staff to understand the potential impacts of the use of the fencing in the context of the original intent of the code's prohibition. Staff makes this request in the interest of considering the fencing as part of the Minor Amendment in lieu of relief via a Variance.

Travis Reynolds
Planning Manager
SAFEbuilt Studio on behalf of
Town of Foxfield
P.O. Box 461450
Foxfield, CO 80046

Mr Reynolds,

Summary of original PUD

The original PUD shows the development of the Catholic Parish building and the future buildings associated with the Catholic School (which have since been constructed) in the north central portion of the site, three paved parking areas with a total of 595 parking spaces, a stormwater detention and water quality facility (detention pond) is located in the northwest portion of the site, a parish residence in the south central portion of the site, a stormwater conveyance swale located on the northeast corner of the property, Future multi-use athletic field located on the west central portion of the site and future ball field shown in the northwest portion of the site.

The proposed amendment to the approved development plan includes:

- The original ball field was shown in the northwest corner of the property, adjacent to the stormwater detention and water quality pond. The ballfield was originally proposed as approximately 1.36 acres in size. The proposed ballfield in the proposed current plan will be relocated to the southeast corner of the property and is approximately 1.65 acres in size (within the fence line). Amenities to this ballfield development include bleachers, dugouts, access walks (to accommodate Americans with Disabilities Act requirements) and emergency vehicle access to the field.
- As part of the proposed ball field development, 185 feet of proposed chain link fence will be within the 50-foot setback required from the Public R.O.W of South Waco Street. The fence is necessary for the development of the ballfield to provide safety/warning for the players at the edge of field. A detail of the 4-foot chain link fence has been provided in the attached Exhibit A-1 and its location and encroachment has been also shown on the plan.
- The original multi-use field is located in the approximate location as proposed with the current plan. The field was originally shown as approximately 1.05 acres in size and in the current plan is proposed to approximately 0.92 acres in size.

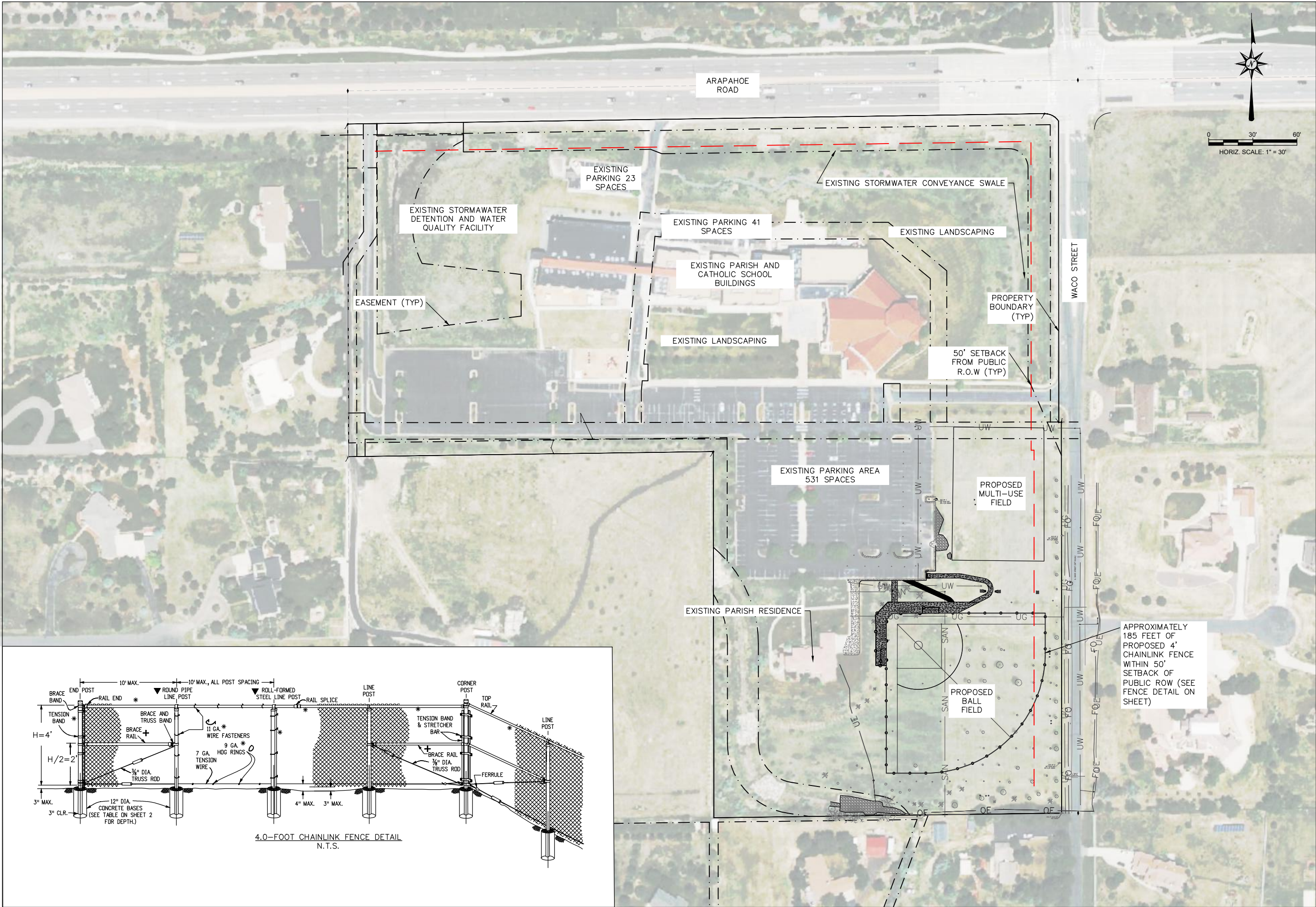
Quality * *Reliable* * *Responsible*



No other development plan amendments are proposed as part of this project. The attached exhibit shows the existing site and features

Regards,

Elysa Loewen, PE
Vice President
Loewen Engineering, Inc.



PREPARED BY:

LOEWEN
Engineering Inc.

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SUITE 601
CENTENNIAL, CO 80112
O: (720) 667-2063

PREPARED FOR:

OUR LADY OF LORETO

18000 E ARAPAHOE RD.
FOXFIELD, CO 80016
(303) 617-2988

VERIFY SCALE:
BAR IS ONE INCH
ON ORIGINAL
DRAWINGS

811

Know what's below.
Call before you dig.

OUR LADY OF LORETO BASEBALL FIELD
DEVELOPMENT PLAN
MINOR AMENDMENT -EXHIBIT

#	DATE	DESCRIPTION	INITIALS

DRAWN BY: KN
DESIGNED BY: KN
CHECKED BY: DL

DATE
JUNE 2022

SHEET
A-1

Trustee's Resolution

Resolution No 06, Series 2022

**A RESOLUTION AUTHORIZING TOWN STAFF TO APPROVE MINOR
AMENDMENTS TO OUR LADY OF LORETO DEVELOPMENT PLAN
FOR THE TOWN OF FOXFIELD, COLORADO**

WHEREAS, the Our Lady of Loreto Planned Unit Development (PUD), was approved by the Town of Foxfield in 2002; and

WHEREAS, a minor amendment is proposed to memorialize changes to the original Our Lady of Loreto PUD.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FOXFIELD, COLORADO:

Section 1. The Town Administrator or the Town Administrator's designee is hereby authorized to approve minor amendments to the Our Lady of Loreto Planned Unit Development ("PUD") so long as such amendments are "Minor Amendments" as defined by Section 16-2-90(b) of the Town of Foxfield Municipal Code.

DATED, at the Town of Foxfield, Colorado, this ____ day of _____ 2022.

Lisa Jones, Mayor

ATTEST:

Kathleen Schmitz
Town Clerk



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: August 4, 2022

RE: Open Space

DISCUSSION:

At the meeting on July 21, 2022, the Board requested a discussion regarding the following items in the Open Space:

1) Weed mitigation

Thistle is an issue in the open space. Should Terracare trim the perimeter as well as parts of the interior?
Should we also considering spot spraying the area?

2) Plant identification and marking

A suggestion has been made that we identify the plants we wish to retain using red tape so Terracare will be able to better maintain the area.

3) Controlling overgrowth

Trees are sprouting up. The next step is identifying and trimming them to control the growth, up not out. This would align with MHFD's practice of selecting and trimming the willows so that the lowest limbs are at a 5-foot height. This also allows for natural ground covers to regenerate.

4) Planting new trees

MHFD provided the following recommendations:

- New plantings should be clear of the channel.
- Continue to manage the area by keeping the center pathway of the channel cleared of growth.
- Allow new growth to come back in the uplands area.

- Wait until fall to plant anything new.
MHFD may be able to help fund new plantings.

5) Grate Update

Staff has been in contact with MHFD regarding securing of the grate. They have had some funding and scheduling difficulties, but still plan to do the work. As of July 22, 2022, this work has not be scheduled.

6) Other?