

**TOWN OF PARKER COUNCIL
MINUTES
JUNE 18, 2018**

Mayor Mike Waid called the meeting to order at 5:32 p.m. Councilmember Joshua River was absent.

Jim Maloney announced the topics for the Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(b) there were three (3) items; the first was to receive legal advice on specific legal questions regarding Vista South, LLC, et al v. City of Centennial, et al Douglas County District Court Case No. 2018CV030354; the second was to receive legal advice on specific legal questions regarding Pawnee Daniels Park 375Kv Project; and the third was to receive legal advice on specific legal questions regarding Chapters 13.06 and 13.07 of the Parker Municipal Code concerning residential roadway buffers.

EXECUTIVE SESSION

Amy Holland moved and Josh Martin seconded to go into Executive Session at 5:33 p.m. to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Josh Martin moved and Amy Holland seconded to adjourn the Executive Session at 6:15 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Mike Waid reconvened the meeting at 7:00 p.m.

Youth from the audience led the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES - None

PUBLIC COMMENTS

7:01 P.M.

Stephen Curtis - 22104 E. Idylwilde Drive, Parker - Requested Town Council to reconsider the approval of the proposed red light at Idylwilde Drive.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL - None

CONSENT AGENDA

A. *APPROVAL OF MINUTES - June 4, 2018*

B. *THIRD ADDENDUM TO AGREEMENT FOR POSSESSION AND USE - Norton*
Department: Town Attorney, Jim Maloney

C. *ORDINANCE NO. 3.316.1 - First Reading*

A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Corporate Park at Stonegate Property from Modified Light Industrial to PD-Planned Development District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

Department: Community Development, Stacey Nerger

TRAKiT No.: Z17-019

Second Reading: July 2, 2018

D. *PINE LANE AND PARKER ROAD PROPERTIES - Annexation and Zoning*

*Applicants: HDG of Parker, LLC; Pine Lane Plaza, LLC; Peakview Parker, LLC; Durham Douglas Properties; Lattner Investment Group; S & Jabez, LLC; Car Bis Co Park, LLC
Town of Parker Community Development Department (as to zoning)*

Location: Northwest and Southeast Corners of Parker Road and OP

Department: Community Development, Stacey Nerger

TRAKiT No.: ANX18-002 and Z18-010

Second Reading: July 2, 2018

(1) *ORDINANCE NO. 2.261 - First Reading*

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Pine Lane and Parker Road Properties in Douglas County

(2) *ORDINANCE NO. 3.335 - First Reading*

A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pine Lane and Parker Road Properties to Modified C-Commercial District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

E. *ORDINANCE NO. 1.507.3 – First Reading*

A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

*Department: Finance, Mary Lou Brown
Finance, Rhonda Willey*

Second Reading: July 2, 2018

F. RESOLUTION NO. 18-045

A Resolution to Appoint the Chair and to Appoint Members and Alternates to the Town of Parker Planning Commission

Department: Community Development, Rosemary Sietsema

G. CONTRACTS OVER \$100,000**1. Canterbury Parkway and Idyllwilde Drive Traffic Signal (CIP18-010)**

Amount: \$245,413

Contractor: Paonia, Inc.

Department: Public Works & Engineering, Chris Hudson

2. Sierra Middle School Detention Pond Improvements (CIP18-017)

Amount: \$115,166.38

Contractor: Iron Woman Construction and Environmental Services LLC

Department: Public Works & Engineering, Kurt Patrick

Renee Williams moved to approve the Consent Agenda Items 5A through 5G with the exception of Item 5E.

Josh Martin seconded the motion.

The motion was approved unanimously.

Renee Williams moved to continue the second reading of Item 5E (Ordinance No. 1.507.3) to July 16, 2018.

Amy Holland seconded the motion.

The motion was approved unanimously.

PRESENTATION OF CAFR BY CLIFTONLARSONALLEN LLP

Rhonda Willey introduced Jake Huolihan of CliftonLarsonAllen, LLP. He explained what the Comprehensive Annual Financial Report (CAFR) is and stated that the Town's financials are fair, clear and concise and gave the Town an unmodified opinion. The CAFR can be found on the Town's web site.

PUBLIC HEARINGS**Tax and Fee Assistance Program Agreement for Takoda Tavern, LLC**

Department: Economic Development, Matt Carlson

7:11 P.M.

Matt Carlson described Takoda's business concept and described the new site for Takoda Tavern. Matt stated Takoda Tavern, LLC filed an application with the Town to participate in

the Tax and Fee Assistance Program (TAP) pursuant to Parker Municipal Code 4.02. Based on Town Council direction, staff is recommending a TAP agreement to include:

1. a rebate of 50% of building permit fees and construction use taxes; and
2. a rebate of 50% of increased sales tax (excluding lodging taxes) for a period not to exceed five (5) years; and,
3. the combined maximum rebate of all fees and taxes shall not exceed \$110,000.

The Applicant, Bob Nobles, 6280 N. Woodglenn Dr., and introduced himself. He added to staff's presentation that the tavern has been operational for nine years.

Public Comment - None

Josh Martin moved to approve the Tax and Fee Assistance Program Agreement for Takoda Tavern, LLC.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 8.28.6 - Second Reading

A Bill for an Ordinance to Amend Section 4.03.030 and Subsection 4.03.200(a) of the Parker Municipal Code Concerning Sales Tax and Qualified Nonprofit Organizations

**Department: Finance, Mary Lou Brown
Finance, Linda Quade**

The Parker Municipal Code imposes sales tax on all non-profit organizations that do not meet the charitable purpose test set forth in Section 4.03.200(a)(2) of the Code. The Code relies on the following definition of a charitable organization, adopted in 2017 as part of the Town's revision of the Code consistent with the adoption of the CML standard sales tax definitions as applied to the Town:

Charitable organization means any entity which:

- (1) has been certified as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code; and
- (2) is an organization which exclusively, and in a manner consistent with existing laws and for the benefit of an indefinite number of persons or animals, freely and voluntarily ministers to the physical, mental, or spiritual needs of persons or animals, and thereby lessens the burden of government.

Code Section 4.03.030, as revised, includes the definition for qualified nonprofit organizations, and Code Section 4.03.200(a)(2), exempts from sales tax "(a)ll sales made to, billed directly to, and paid directly by, a qualified nonprofit organization.

Public Comment - None

Renee Williams moved to approve Ordinance No. 8.28.6 on second reading.

Josh Martin seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 8.28.7 - Second Reading

A Bill for an Ordinance to Amend Subsection 4.03.200(a) of the Parker Municipal Code Concerning Sales Tax on Gas and Electric Service

**Department: Finance, Mary Lou Brown
Finance, Linda Quade**

The proposed ordinance amendment adds gas and electric service and the sale and purchase of electricity or gas for industrial use to the list of goods and services that are exempt from sales tax.

Public Comment - None

John Diak moved to approve Ordinance No. 8.28.7 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 4.89.4 - Second Reading

A Bill for an Ordinance to Amend Section 11.01.030 of the Parker Municipal Code Concerning the Parker Administrative Code

Department: Town Attorney, Jim Maloney

Ordinance No. 4.89.3 authorizes the Town, by amending Section 11.01.030 of the Parker Municipal Code, to enforce violations by developers/contractors of the rules and regulations of the water and sewer providers that serve the Town by the issuance of stop work orders and to authorize the Town to withhold building permits for projects that are not in compliance with all applicable public utility requirements and regulations.

Public Comment - None

Josh Martin moved to approve Ordinance No. 4.89.4 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

D. ORDINANCE NO. 3.01.25.3 - Second Reading

A Bill for an Ordinance to Amend Section 13.10.160 of the Parker Municipal Code to Ensure Compliance of New Construction with Public Utility Regulations

Department: Town Attorney, Jim Maloney

Ordinance No. 3.01.25.3 authorizes the Town, by amending Section 13.10.160, of the Parker Municipal Code, to enforce violations by developers/contractors of the rules and regulations of the water and sewer providers that serve the Town by the issuance of stop work orders and to authorize the Town to withhold building permits for projects that are not in compliance with all applicable public utility requirements and regulations.

Public Comment - None

John Diak moved to approve Ordinance No. 3.01.25.3 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

E. ORDINANCE NO. 9.276 - Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement with the Douglas County Clerk and Recorder Regarding the Conduct and Administration of the November 6, 2018, Coordinated Election

**Department: Town Attorney, Jim Maloney
Town Clerk, Carol Baumgartner**

The Town's regular election will be conducted as a coordinated election with Douglas County. The Town and Douglas County are required to enter into an intergovernmental agreement to govern the conduct of the election, pursuant to C.R.S. § 1-7-116(2).

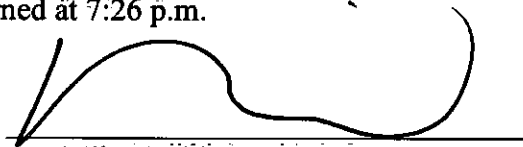
Public Comment - None

Amy Holland moved to approve Ordinance No. 9.276 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 7:26 p.m.


Carol Baumgartner, Town Clerk
Mike Waid, Mayor

Prepared by: Chris Vanderpool, Deputy Town Clerk