

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 1, 2018**

Mayor Mike Waid called the meeting to order at 5:33 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were six (6) items. Under C.R.S. § 24-6-402(4)(f) there were three items, the first was the Town Administrator Evaluation Process, the second was the Town Attorney Evaluation Process and the third was the Municipal Court Judge Evaluation Process; 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 concerning Section 13.05.020 of the Parker Municipal Code (airport regulations), the second was to receive legal advice on specific legal questions concerning Vista South, LLC, et al., v. City of Centennial, et al., Douglas County District Court, Case No. 2018CV030354 and the third was to receive legal advice on specific legal questions concerning South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment, et al., Douglas County District Court Case No. 17CV30549.

EXECUTIVE SESSION

Josh Martin moved and Renee Williams seconded to go into Executive Session at 5:34 P.M. to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f) and 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.

Amy Holland moved and Renee Williams seconded to come out of Executive Session at 6:35 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:00 P.M.

A Boy Scout from the audience led the Mayor, Council and audience in the Pledge of Allegiance.

SPECIAL PRESENTATIONS – There were none.

PARKER CHAMBER OF COMMERCE UPDATES - There were none.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Shelly Mango gave an update of the Alliance's activities. She pointed out that they will have a Meet and Greet for candidates on October 9 from 5:00 to 7:00 p.m. at Vines.

PUBLIC COMMENTS – There were none.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember reported on meetings they attended since the last Town Council meeting.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - September 17, 2018*
- B. *RESOLUTION NO. 18-064*
A Resolution Finding Substantial Compliance of the Lincoln Professional Park Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on November 19, 2018, for the Purpose of Considering Said Annexation
Department: Community Development, Stacey Nerger
- C. *RESOLUTION NO. 18-065*
A Resolution Accepting the Conveyance of a Drainage Easement from Veterinary Property Management, LLC, for a Portion of Lot 4A, Cottonwood Commercial Filing No. 1, Amendment No. 5
Department: Engineering and Public Works, Tyler Sandt
- D. *RESOLUTION NO. 18-066*
A Resolution Accepting the Conveyance of a Drainage Easement from Sinclair Oil Corporation for a Part of Lot 5, Robinson Ranch Filing No. 2, Second Amendment
Department: Engineering and Public Works, Tyler Sandt

Joshua Rivero moved and Amy Holland seconded to approve Consent Agenda Items 7A through 7D.

The motion was approved unanimously.

RESOLUTIONS

RESOLUTION NO. 18-067

A Resolution Opposing "Amendment 74," Which is an Attempt to Amend the Colorado Constitution to Drastically Limit State and Local Government Services at a High Cost to Taxpayers

Department: Town Attorney, Jim Maloney

The purpose of this resolution is to oppose "Amendment 74," which is a statewide ballot issue that seeks to amend the Constitution of the State of Colorado in a manner that would significantly expose state and local governments to excessive litigation and liability, and to authorize Town staff to report the passage of and distribution of this resolution through established customary means used by the Town for distribution information to the public.

This ballot amendment would modify the language quoted to provide: "(p)ivate property shall not be taken, or damaged, OR REDUCED IN FAIR MARKET VALUE BY GOVERNMENT LAW OR REGULATION for public or private use, without just compensation." The addition of these eleven (11) words will turn Article II, Section 15, and over 100 years of case law, on its head. The approval of Amendment 74 will result in excessive legal costs to the Town from lawsuits and payouts to individual property owners, the cost of which will be borne by Parker taxpayers, which will have a crippling effect on the ability of the Town to provide the most basic of services to its residents.

Public Comment - None

Amy Holland moved to approve Resolution No. 18-067.

Josh Martin seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 9.54.2 - Second Reading

A Bill for an Ordinance to Approve the Third Amended and Restated Establishing Contract for the E-470 Public Highway Authority

Department: Town Attorney, Jim Maloney

The E-470 Public Highway Authority (the "Authority") has requested that members of the Authority consider amending the contract that established the Authority (the "Establishing Contract"). The purpose of the amendment is to address language changes to the Establishing Contract that are consistent with the Public Highway Authority Law and acknowledge the Authority's ability to finance, construct, operate and/or maintain other public highways as defined under the Public Highway Authority law within or outside of the Authority's boundaries.

Public Comment - None

Josh Martin moved to approve Ordinance No. 9.54.2 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 1.515 - Second Reading (to be continued to 11/5/18)
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Tract B, Reata West Filing No. 1, 2nd Amendment

Department: Alex Mestdagh

Joshua Rivero moved to continue this item to November 5, 2018.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 1.519 - Second Reading
A Bill for an Ordinance to Approve the Memorandum of Understanding for Prequalified Building Departments for Public School Construction Pursuant to C.R.S. §§ 22-32-124 and 23-71-122 Between the Colorado Department of Public Safety, Division of Fire Prevention and Control and the Town of Parker

Department: Community Development, Randy Sale

The Town of Parker has a Memorandum of Understanding (MOU) with the State of Colorado to provide construction plan review, permitting and field inspection services for public schools that are in need of renewal. The Community Development Department Building Division wishes to enter into an MOU for Pre-Qualified Building Departments for Public School Construction in order to continue to provide the aforementioned services for public schools.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 1.1519 on second reading.

Josh Martin seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 7:29 P.M.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor