TOWN OF PARKER COUNCIL
VIRTUAL MEETING
MINUTES
JUNE 1, 2020

Mayor Mike Waid called the meeting to order at 5:30 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were five (5) 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 concerning Section 8.07.100 of the Parker Municipal Code (unauthorized camping on public property prohibited), the second was to receive legal advice on specific legal questions concerning Chapter 4.05 of the Parker Municipal Code concerning unclaimed property and the third was to receive legal advice on specific legal questions concerning 15.14 of the Town of Parker Home Rule Charter (emergency powers); under C.R.S. § 24-6-402(4)(e) there were two (2) items, the first was proposed extension of plats/subdivision agreements for Compark Village South concerning Belford Avenue and the second was the proposed Amended and Restated Intergovernmental Agreement between the Town and the Meadowlark Metropolitan District.

EXECUTIVE MEETING

Cheryl Poage moved and John Diak 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) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

The motion was approved unanimously.

It was noted that Cheryl Poage has a conflict with Item #5, which was established on March 20, 2020, and Cheryl will leave the meeting at the time this item comes up for discussion.

Cheryl Poage left the meeting at 6:15 P.M.

Joshua Rivero moved and Renee Williams seconded to come out of Executive Session at 6:18 P.M.

The motion was approved unanimously.

REGULAR MEETING

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

Mayor Waid recited the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES

Omar Castillo provided an update of their activities. He pointed out that they are planning for Parker Days 2021.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Kristopher Schnell provided an update of their activities. They have started a web page on how to deal with COVID-19 issues.

PUBLIC COMMENTS

There were

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. *ORDINANCE NO. 5.37.1 - First Reading*
A Bill for an Ordinance to Amend Chapter 4.05 of the Parker Municipal Code Regarding Unclaimed Property
Department: *Town Attorney, Kristin Schledorn*
Second Reading: *June 15, 2020*

B. *ORDINANCE NO. 5.32.5 - First Reading*
A Bill for an Ordinance to Amend Section 10.01.060 of the Parker Municipal Code Concerning Pedestrians on Medians and Shoulders
Department: *Town Attorney, Jamie Wynn*
Second Reading: *June 15, 2020*

C. *ORDINANCE NO. 9.317 - First Reading*
A Bill for an Ordinance to Approve the Amended and Restated Intergovernmental Agreement By and Between the Town of Parker and Meadowlark Metropolitan District
Department: *Town Attorney, Kristen Schledorn*
Second Reading: *June 15, 2020*

D. *CONTRACTS ABOVE $100,000*

1. *J. Morgan Extension - Phase 1 Final, Design Professional Services Agreement*
Amount: *$141,631.00*
Contractor: *Stanley Consultants, Inc.*
Department: *Engineering and Public Works, Tom Gill*

2. *Dransfeldt Road Extension - Preliminary Drainage*
Amount: *$104,832*
Contractor: *Muller Engineering Company*
Department: *Engineering and Public Works, Chris Hudson*

Joshua Rivero moved and John Diak seconded to remove Consent Agenda Item 6C.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 6A through 6D except Item 6C.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Item 6C.

The motion was approved 5-0-1 abstention. (Poage abstained from voting).

ORDINANCES

A. ORDINANCE NO. 1.545 - Second Reading
A Bill for an Ordinance Stating the Intent of the Town of Parker to Acquire Temporary Construction Easements for the Purpose of Constructing and Improving Cottonwood Drive, a Town Roadway, through the Utilization of the Town's Power of Eminent Domain, and Directing the Town's Staff and Town Attorney to Notify All Persons Affected Thereby of the Above-Stated Intent of the Town, and Thereafter to Comply with all Pertinent Provisions of C.R.S. § 38-1-101, et seq. Relating to Good Faith Negotiations

Department: Engineering/Public Works, Chris Hudson

This ordinance provides notice of the Town's intent to acquire needed temporary construction easements for proposed improvements at Cottonwood Drive between Jordan Road and Parker Road.

The Town is anticipating commencing construction on the Cottonwood Drive widening/improvement project between Jordan Road and Parker Road (State Highway 83) in the second half of 2020. Due to continued growth in the area, the traffic on Cottonwood Drive has reached a point that it needs to be widened as originally planned in the 1980's to the ultimate four (4) lane configuration.

As part of this planned roadway improvement project, Town Council approved an intergovernmental agreement (IGA) with the Cottonwood Metropolitan District (CMD) on April 20, 2020. This IGA approved the conveyance of the Cottonwood trailhead parcel to the Town and requires that CMD grant a temporary construction easement on its property for the construction of the roadway improvements. As consideration of the temporary construction easements, the IGA required that the Town replace the privacy fence on the south side of Cottonwood Drive between Cherry Creek and Cottonwood Way. This fence replacement will affect ten (10) residential lots in Cottonwood Filing 2. Ten (10) separate temporary construction easements are needed to complete the privacy fence replacements for each residential lot. These fence related temporary easements total 3,041 square feet (0.07 acres) in area.

The Town has identified an additional five (5) temporary construction easement areas that are needed to construct the proposed roadway improvements that are outside of the Cottonwood Metropolitan District property. Although the proposed roadway improvements are within existing Town owned right-of-way, temporary construction easements are needed to properly

construct the abutting public improvements. These additional easements are 9,886 square feet (0.23 acres) in area.

John Diak moved to approve Ordinance No. 1.545 on second reading.

Debbie Lewis seconded the motion.

Roll call vote was taken:

Joshua Rivero	- Yes
Cheryl Poage	- Yes
Jeff Toborg	- Yes
Renee Williams	- Yes
Debbie Lewis	- Yes
John Diak	- Yes

The motion was approved unanimously.

B. ORDINANCE NO. 5.06.40.1 - Second Reading
A Bill for an Ordinance to Amend Section 8.07.110 of the Parker Municipal Code Concerning Sitting or Lying Down in the Public Right-of-Way
Department: Town Attorney, Jamie Wynn

The purpose of this amendment is to update the Parker Municipal Code and provide clarification by removing the term "high traffic areas" and replacing it with terms already defined in the Code, as well as modifying provisions to focus more specifically on safety concerns.

Language is being added to Section 8.07.110 to include specific terms already defined in the Code, as well as to further focus on the safety concerns which are created when there is an interference with the safe passage of pedestrians, bicycles, or vehicles on a public right-of-way.

Public Comment:
Laura Hefta, 18236 Shadbury Lane, Parker, CO

Joshua Rivero moved to approve Ordinance No. 5.06.40.1 on second reading.

Cheryl Poage seconded the motion.

Roll call vote was taken:

Joshua Rivero	- Yes
Cheryl Poage	- Yes
Jeff Toborg	- Yes
Renee Williams	- Yes
Debbie Lewis	- Yes
John Diak	- Yes

The motion was approved unanimously.

C. ADMINISTRATIVE CODE AND FEES

Department: **Town Attorney, Kristen Schledorn**
Town Administrator, Dannette Robberson
Community Development, Randy Sale

The purpose of this item is to adjust the Town of Parker development-related user fees to better align with the market and with the costs incurred by the Town for providing the services. It also updates the Parker Administrative Code to remove the specific permit fees from Section 304.1 and instead references that fees will be established by Town Council resolution. Finally, it changes the process for Engineering fees from a charge-back agreement to single-application fees to minimize accounting/administrative issues for developers and to provide them up-front costs to assist with project cost predictability.

Ordinance No. 4.89.5 adopts by reference a new edition of the Parker Administrative Code.

Ordinance No. 3.01.122 amends Section 13.01.080 of the Land Development Ordinance to provide that application fees shall be established by resolution.

Public Comment
Laura Hefta, 18236 Shadberry Lane, Parker, Colorado

1. **ORDINANCE NO. 4.89.6 - Second Reading**
   A Bill for an Ordinance to Amend Sections 11.01.030 of the Parker Municipal Code Concerning the Parker Administrative Code

   Joshua Rivero moved to approve Ordinance No. 4.89.6 on second reading.

   Debbie Lewis seconded the motion.

   Roll call vote was taken:

Joshua Rivero	- Yes
Cheryl Poage	- Yes
Jeff Toborg	- Yes
Renee Williams	- Yes
Debbie Lewis	- Yes
John Diak	- Yes

   The motion was approved unanimously.

2. **ORDINANCE NO. 3.01.122 - Second Reading**
   A Bill for an Ordinance to Amend Section 13.01.080 of the Parker Municipal Code Concerning Fees to be Established by Council Resolution

   Joshua Rivero moved to approve Ordinance No. 3.01.122 on second reading.

   Cheryl Poage seconded the motion.

   Roll call vote was taken:

Joshua Rivero	- Yes
Cheryl Poage	- Yes

Jeff Toborg - Yes
Renee Williams - Yes
Debbie Lewis - Yes
John Diak - Yes

The motion was approved unanimously.

3. **RESOLUTION NO. 20-028**
A Resolution to Adopt the Development-Related User Fee Schedule and Administrative Code Fee Schedule, Effective June 15, 2020

John Diak moved to approve Resolution No. 20-028 as amended.

Joshua Rivero seconded the motion.

Roll call vote was taken:

Josh Rivero - Yes
Cheryl Poage - Yes
Jeff Toborg - Yes
Renee Williams - Yes
Debbie Lewis - Yes
John Diak - Yes

PUBLIC HEARINGS

A. CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 10
(Continued from 5/18/20 and to be continued to June 15, 2020)
Department: Town Attorney, Kristin Hoffmann

Debbie Lewis moved to continue the Public Hearing to June 15, 2020, on second reading.

John Diak seconded the motion.

Roll call vote was taken:

Joshua Rivero - Yes
Cheryl Poage - Yes
Jeff Toborg - Yes
Renee Williams - Yes
Debbie Lewis - Yes
John Diak - Yes

The motion was approved unanimously.

1. **RESOLUTION NO. 20-020**
A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 10

2. **ORDINANCE NO. 9.315 - Second Reading**
   A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No.10

B. CHERRY CREEK SOUTH METROPOLITAN DISTRICTS NOs. 4-9 and 11 (Continued from 5/18-20 and to be continued to 6/15/20)

Department: Town Attorney, Kristin Hoffmann

Joshua Rivero moved to continue the Public Hearing to June 15, 2020, on second reading.

Debbie Lewis seconded the motion

Roll call vote was taken:

Joshua Rivero	- Yes
Cheryl Poage	- Yes
Jeff Toborg	- Yes
Renee Williams	- Yes
Debbie Lewis	- Yes
John Diak	- Yes

The motion was approved unanimously.

1. **RESOLUTION NO. 20-021**
   A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 4

2. **ORDINANCE NO. 9.309 - Second Reading**
   A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 4

3. **RESOLUTION NO. 20-022**
   A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 5

4. **ORDINANCE NO. 9.310 - Second Reading**
   A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 5

5. **RESOLUTION NO. 20-023**
   A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 6

6. **ORDINANCE NO. 9.311 - Second Reading**
   A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 6

7. **RESOLUTION NO. 20-024**
   A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 7

8. **ORDINANCE NO. 9.312 - Second Reading**
   A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 7

9. **RESOLUTION NO. 20-025**
   A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 8

10. **ORDINANCE NO. 9.313 - Second Reading**
    A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 8

11. **RESOLUTION NO. 20-026**
    A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 9

12. **ORDINANCE NO. 9.314 - Second Reading**
    A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No. 9

13. **RESOLUTION NO. 20-027**
    A Resolution to Approve the First Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 11

14. **ORDINANCE NO. 9.316 - Second Reading**
    A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Cherry Creek South Metropolitan District No.11

The meeting was adjourned at 7:58 P.M.

Carol Baumgartner, Town Clerk

~~Mike Waid~~, Mayor *PRO TEM*
Joshua Rivero