

**TOWN OF PARKER COUNCIL
MINUTES
FEBRUARY 1, 2021**

Mayor Jeff Toborg called the meeting to order at 5:00 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(e), there was (1) item which was the Potential acquisition of the privately owned right-of-way owned by the Parker Meadows Condos Homeowners' Association and commonly known as Becket Drive. Under C.R.S. § 24-6-402(4)(b) there were two (2) items, the first item was to receive legal advice on specific legal questions concerning C.R.S. Section 31-12-108 related to the annexation of Compark Boulevard at Upland Drive right-of-way; the second item was to receive legal advice on specific legal questions concerning Colo. Rev. Stat. Sections 24-6-402(1)(b), (2)(b) and (2)(d.5)(II)(D) concerning electronic meetings and executive session directives.

EXECUTIVE SESSION

Cheryl Poage moved and Todd Hendreks seconded to go into Executive Session at 5:03 P.M. to hold a conference with the Town's attorney 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), 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.

Mayor Toborg stated, "the subject matter of the first item on executive session is Becket Drive, which is a private street that is owned by Meadows Condo Homeowners' Association. I have a personal conflict of interest concerning this item because my father-in-law is the president of this homeowner's association. As a result of the disclosure of this conflict of interest, I will not be participating in the discussion related to this executive session item and for the record I will not be present in Town Council chambers when this item is discussed. Additionally, I will refrain from discussing this topic with members of Town Council or participating in any future deliberations concerning this topic."

Mayor Toborg left the meeting at 5:04 P.M. and returned to the meeting at 5:41 P.M., after the first item was discussed.

Todd Hendreks moved and John Diak seconded to come out of Executive Session at 5:55 P.M.

The motion was approved unanimously.

Mayor Toborg recessed the meeting until 7:00 P.M.

REGULAR MEETING

Mayor Toborg reconvened the meeting at 7:00 P.M. All Councilmembers were present.

Preston Hartsook led the Pledge of Allegiance by Zoom.

SPECIAL PRESENTATIONS

There were none.

PARKER CHAMBER OF COMMERCE UPDATES

Kara Massa provided a monthly update of activities happening at the Chamber.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Shelli Mango provided a monthly update of activities happening with the Downtown Business Alliance.

PUBLIC COMMENTS

There was one written general public comment which will be attached to the approved minutes.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - January 19, 2021*
- B. *ORDINANCE NO. 9.136.4 - First Reading*
A Bill for an Ordinance to Approve the Addendum to Amended and Restated Funding Agreement By and Between the Town of Parker and the Douglas County Emergency Telephone Service Authority Concerning the Hosted 911 NICE Recording Services
Department: Town Attorney, Jamie Wynn
Second Reading: February 16, 2021
- C. *ORDINANCE NO. 9.329 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas Regarding Cost Sharing for Construction of the High Plains Trail
Department: Parks, Recreation and Open Space, Dennis Trapp
Second Reading: February 16, 2021
- D. *ORDINANCE NO. 1.550 - First Reading*
A Bill for an Ordinance Stating the Intent of the Town of Parker to Acquire Real Property for the Purpose of Constructing and Improving Motsenbocker Road, 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 and Public Works, Chris Hudson
Second Reading: February 16, 2021

E. CONTRACTS OVER \$100,000

1. *2021 Townwide Resurfacing Program Contract CIP21-004*
Amount: \$1,950,414.20
Contractor: Martin Marietta Materials, Inc.
Department: Engineering and Public Works, Danny Smith
2. *2021 Townwide Shurry/Chip Seal Program Contract CIP21-005*
Amount: \$1,524,610.34
Contractor: Vance Brothers, Inc.
Department: Engineering and Public Works, Danny Smith
3. *Fleet Capital - Replacement Street Sweeper*
Amount: \$242,500.00
Contractor: Faris Machinery Company
Department: Engineering and Public Works, Jim Gilbert

John Diak moved to approve Consent Agenda items 7A through 7E.

Todd Hendreks seconded the motion.

The motion was approved unanimously.

ORDINANCES

ORDINANCE NO. 9.326 - Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Douglas County Clerk and Recorder and the Town of Parker Regarding the April 20, 2021, Special Election

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

The Town Council called a special election for April 20, 2021, to fill two vacancies on the Town Council. The special election will be held as a mail ballot election under the Municipal Election Code, as authorized by Section 2.1 of the Town's Home Rule Charter. Historically, the Douglas County Clerk has conducted the Town's regular elections in November, as a coordinated election. For the reason that the special election is being held in April instead of November, the special election cannot be conducted as a coordinated election. However, the county has agreed to assist the Town with the special election, as provided in the attached 2021 IGA. The Town and Douglas County will enter into the 2021 IGA in a substantially similar form as the draft, which is attached to the ordinance.

Public Comment: None.

Cheryl Poage moved to approved Ordinance No. 9.326 on second reading.

Laura Heft seconded the motion.

The motion was approved unanimously.

RESOLUTIONS

A. RESOLUTION NO. 21-009

A Resolution to Accept Donations from the Greater Parker Foundation

Department: Finance, Rhonda Willey

Donations raised through Greater Parker Foundation are transferred to the Town of Parker as they are received and used by the Town for the specific purpose of the donation. This resolution formalizes the Town's acceptance of the donations that were given to the Town for year 2020 according to Section 15.7 of the Town of Parker Home Rule Charter.

Public Comment: None.

Todd Hendreks moved to approve Resolution No. 21-009

Laura Hefta seconded the motion.

The motion was approved unanimously.

B. RESOLUTION NO. 21-007

A Resolution Finding Substantial Compliance of the Compark Boulevard at Upland Drive Right-of-Way Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on March 15, 2021, for the Purpose of Considering Said Annexation

Department: Community Development, Mary Munekata

The Town proposes to annex a Town-owned portion of Compark Boulevard right-of-way (ROW) between Upland Drive to the west and Prairie Trail Drive to the east. This section of Compark Boulevard is located in unincorporated Douglas County within the Compark Village Planned Development (PD) and is approximately 600-feet in length.

On November 2, 2019, Douglas County deeded the section of the roadway to the Town, which conveyance was related to the annexation of the adjacent properties. The purpose of this resolution is to set a Public Hearing date to consider the annexation of the Compark Boulevard right-of-way on March 15, 2021.

Public Comment: None.

Laura Hefta moved to approve Resolution No. 21-007.

Todd Hendreks seconded the motion.

The motion was approved unanimously.

C. RESOLUTION NO. 21-011

A Resolution to Extend the Conditions Deadline for the Minor Development Plat and Subdivision Agreement for Douglas 234 Filing No. 6 through June 1, 2021

Department: Community Development, BrieAnna Simon

The applicant's representative, RICK Engineering Company, is requesting an amendment to the conditions of approval for the Douglas 234 Minor Development Plat that was approved by Town Council on November 16, 2020. The requested amendment would extend the required dates for the transfer of property ownership and the provision of security for public improvements from February 14, 2021 to June 1, 2021.

The applicant is requesting an amendment to the above conditions to extend the dates from February 14, 2021 to June 1, 2021. The current property ownership consists of 31 individuals and the applicant has represented that coordinating the documents to sell the property among all 31 owners has caused delays in the closing process. The applicant is therefore requesting an extension to allow for the closing to take place after February 14, 2021.

The requested extension does not alter the Minor Development Plat or any future development on the site. The future development is required to comply with the Town Council approval, Douglas 234 Planned Development zoning and all Town development criteria and standards. Should the Town Council approve the requested amendment, the current property owners would sell the property to the applicant by June 1, 2021 for future development on each of the 11 commercial lots created by Town Council approval of the Minor Development Plat last year.

Public Comment: None.

Applicant spoke regarding the extension and explained the reasoning for this request due to coordination with all the parties to close.

Todd Hendreks moved to approve Resolution No. 21-011.

Cheryl Poage seconded the motion.

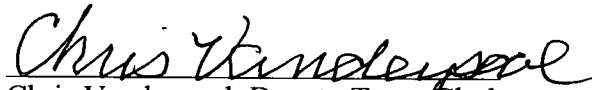
The motion was approved unanimously.

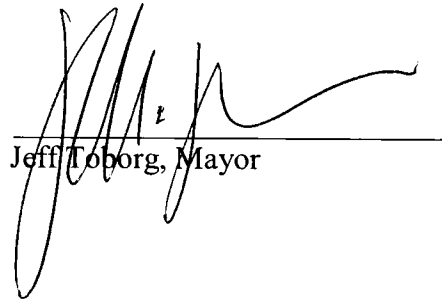
ADJOURNMENT

Cheryl Poage moved to adjourn the meeting at 7:30 P.M.

Todd Hendreks seconded the motion.

The motion was approved unanimously.


Chris Vanderpool, Deputy Town Clerk


Jeff Toborg, Mayor

From: noreply@civicplus.com
Sent: Sunday, January 31, 2021 2:01 PM
To: Clerk; Cleveland, Jim; Robberson, Dannette; Anderson, Andy; Penington, Elise
Subject: Online Form Submittal: Town Council Meetings - General Public Comment

Town Council Meetings - General Public Comment

Regular Town Council meetings are held on the first and third Monday of each month, unless announced otherwise. As per Town Emergency Order No. 8-2020, general public comment rules regarding participation have been adjusted due to the COVID-19 health emergency. In lieu of attending in person, community members may submit a general public comment online starting at noon on the Friday prior to the next meeting until 5 p.m. Monday (the day of the meeting).

This online form will also be used for other virtual meetings held by the Town of Parker's Special Licensing Authority. Public comments that are provided by 5 p.m. on the day of the Special Licensing Authority meeting will be provided to the Authority and will be included with the approved meeting minutes.

General Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. No action will be taken on these items. Public comments will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting. For those unable to provide comments electronically through this form, please contact the Clerk's Office to make arrangements. The Town Clerk can be reached by phone at 303.805.3198.

First Name Dianne

Last Name Bailey

Address 21557 Omaha Ave

City Parker

State CO

Zip Code 80138-7240

General Public Comment Follow up to Public Comment on 1/19/2021.
To test the waters on whether the Town would like partisan elections in Parker, I propose sending out 100 letters to 42 unaffiliated/independent voters, 37 Republicans, 20 Democrats and 1 Libertarian to see how they would have voted in the last

council election, if party affiliation were disclosed. I will perform this service using my own funds and data from the County Clerk's office showing the results from the last election. I will share results with you after results are tabulated.

Dianne Bailey
MA Research Psychology, NAU
MA Public Policy, CU
Former Member Parker Planning Commission
Former County Public Trustee

Email not displaying correctly? [View it in your browser.](#)