

**TOWN OF PARKER COUNCIL
MINUTES
MARCH 7, 2022**

Mayor Jeff Toborg called the Town Council meeting to order at 5:02 p.m. All Councilmembers were present.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were four (4) items. Under C.R.S. § 24-6-402(4)(f) there was one (1) item concerning the Town Attorney. 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 regarding C.R.S Section 31-12-104, concerning the eligibility for annexation of the real property commonly known as the Coyle property, generally located at the southeast corner of Crowfoot Valley Road and Stroh Road; and the second item was to receive legal advice on specific legal questions concerning H.R. 1319, the American Rescue Plan Act of 2021. Under C.R.S. § 24-6-402(4)(c) there was one (1) item concerning Section 2.05.040 of the Parker Municipal Code.

EXECUTIVE SESSION

John Diak moved and Anne Barrington seconded to go into Executive Session at 5:03 p.m., to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f); 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 consider matters required to be kept confidential by federal or state law or rules and regulations, pursuant to C.R.S. § 24-6-402(4)(c).

The motion was approved unanimously.

Joshua Rivero left the meeting at 6:11 p.m.

John Diak moved and Todd Hendreks seconded to come out of Executive Session at 6:13 p.m.

The motion was approved unanimously.

John Diak moved and Todd Hendreks seconded to recess the regular Town Council meeting until 7 p.m.

The motion was approved unanimously.

REGULAR MEETING

Jeff Toborg reconvened the regular Town Council meeting at 7 p.m. All Councilmembers were present except Joshua Rivero.

The Mayor led the Pledge of Allegiance.

Joshua Rivero joined the meeting at 7:04 p.m.

SPECIAL PRESENTATIONS

Mayor Toborg and Councilmember Hefta presented Tony Young with a Certification of Recognition. Tony Young received a heart and kidney transplant in March 2020, in spite of the global shutdown due to COVID-19. Tony became a passionate Advocate for Life volunteer for Donor Alliance. Donor Alliance is a non-profit organization dedicated to saving lives through

organ and tissue donation. Tony has spent the last year of his life educating his community on the importance of organ, eye and tissue donations.

Judge Sidel recognized Sue Radcliff for her many years of service to the Town of Parker. He also provided an update on Teen Court and stated that when a new Court Administrator is hired, Teen Court will resume.

PUBLIC COMMENTS – There were none.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - February 22, 2022*

- B. *ORDINANCE NO. 9.286.3 – First Reading*
A Bill for an Ordinance to Approve the Third Amendment to an Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding Cost Sharing for the Dransfeldt Road Extension
Department: Engineering and Public Works, Chris Hudson
Second Reading: March 21, 2022

- C. *ORDINANCE NO. 9.346 – 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, State of Colorado, Regarding Ownership, Maintenance, and Operation of Traffic Signals At and Near Shared Jurisdictional Boundaries
Department: Engineering and Public Works, Chris Hudson
Second Reading: March 21, 2022

- D. *ORDINANCE NO. 4.91.8 – First Reading*
A Bill for an Ordinance to Amend Section 11.02.050 of the Parker Municipal Code Concerning Amendments to the Parker Residential Code for One- and Two-Family Dwellings Building Code Related to Secondary Family Space
Department: Town Attorney, Jim Maloney
Second Reading: March 21, 2022

- E. *ORDINANCE NO. 1.553.1 - First Reading*
A Bill for an Ordinance to Adopt the 2022 Revised Budget for the Town of Parker and to Make Appropriations for the Same
Department: Finance, Jennifer Campbell
Second Reading: March 21, 2022
- F. *ORDINANCE NO. 9.347 - First Reading*
A Bill for an Ordinance to Approve the U.S. Department of Treasury Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions
Department: Town Attorney, Jim Maloney
Second Reading: March 21, 2022
- G. *RESOLUTION NO. 22-013*
A Resolution to Appoint Members to the Investment Advisory Committee
Department: Finance Department, Mary Lou Brown
- H. *CONTRACTS OVER \$100,000*
1. *2022 Fleet Replacement - Swap Loader with Plow*
Amount: \$225,486.00
Contractor: OJ Watson
Department: Engineering and Public Works, Jim Gilbert
 2. *Traffic Control Truck with Crash Attenuator*
Amount: \$152,205.84
Contractor: McCandless International
Department: Engineering and Public Works, Jim Gilbert
 3. *Parker Road (SH83) Multi-Use Trail (West Side) CIP 21-017 Professional Services Agreement – Contract Modification*
Amount: \$70,000
Contractor: Felsburg Holt & Ullevig
Department: Engineering and Public Works, Tom Gill
 4. *ESRI Small Municipal and County Government Enterprise Agreement*
Amount: \$106,700.00
Contractor: ESRI
Department: Finance/Information Technology, Matt Lynch

Joshua Rivero moved to approve Consent Agenda items 5A through 5H.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. ANTHOLOGY NORTH - Segments 1b/1c Preliminary Plan

Applicant: John Prestwich, PCS Group

Location: Generally located on the south side of Hess Road between Chambers Road and Motsenbocker Road

Department: Community Development, BrieAnna Simon

TRAKiT No.: SUB20-030

The Public Hearing was opened at 7:23 p.m.

The subject applications are for the Anthology North Planned Development (PD) located in the southwestern section of the Town. The developer, E5X Management, is advancing their Segment 1 residential development proposal and has submitted Preliminary Plan applications for Segments 1B and 1C incorporating a total of 860 detached single-family lots, 72 attached single-family (townhome) lots, 106 attached single-family (duplex) lots, parks with a total area of 9.35 acres and open space with a total area of 60.5 acres.

The Town Council approval of the proposed Preliminary Plans for Segment 1B and 1C would advance the project design, but does not formally create lots and supporting improvements. Instead, Council approval of the Preliminary Plans will enable the applicant to proceed to final design and prepare final plats consistent with the approved Sketch and Preliminary Plans. The final plats, when approved, will be filed/recorded with Douglas County once all required security for public improvements have been provided to create official lots of record and trigger the required construction of supporting improvements such as roads, stormwater infrastructure and parks.

In addition to the proposed Preliminary Plans for Segment 1B and 1C, the applicant is also requesting a further amendment to the Annexation Agreement and the Partial Waiver Resolution that was approved by the Town Council on May 23, 2019. Resolution No. 21-022.1 was approved on November 1, 2021, and amended the Annexation Agreement to incorporate the agreement between the Town and the property owner for their development partner E5X Management to advance the construction of Chambers Road in its full extent/final design through the Anthology North PD.

The proposed amendment to the Annexation Agreement and the Partial Waiver Resolution would defer the construction of the multi-use sidewalk on the west side of Chambers Road until probationary acceptance of the public improvements associated with the first final plat within

Segment 3. It would also require the property owner and their development partner to construct the sidewalk on the west side of Chambers Road adjacent to the commercially zoned Planning Area 18 between Hess Road and Great Plain Way should this property develop prior to Segment 3.

Applicants:

Chris Elliott, Anthology North a/k/a Tantera, 7353 S. Alton Way, Suite A-100, Englewood, was present to answer any questions.

John Prestwich, PCS Group, 200 Kalamath St., Denver, reviewed and updated the Council on the project.

Public Comment:

Ian Elfner, 15750 E. Indian Brook Cir., Parker, was generally in favor of the project. He asked about the timing of the Chambers Road completion. He also asked about saving as much native vegetation as possible in the area. Lastly, he asked about the number of homes in each area.

Mr. Elliott responded that Chambers Road would be done as soon as possible.

Mr. Prestwich responded that most of the native vegetation would be saved. He also stated the number of homes in each segment area are 445 in 1A, 555 in 1B, and 480 in 1C.

The Public Hearing was closed at 7:56 p.m.

John Diak moved to approve the submitted Anthology North Preliminary Plans for Segments 1B and 1C subject to the following condition: *The remaining comments provided by AzTec Consulting Inc. on January 14, 2022 shall be addressed with each associated final plat.*

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

1. Fifth Amendment to Amended and Restated Stroh Ranch/Hess Annexation Agreement

Joshua Rivero moved to approve the Fifth Amendment to the Amended and Restated Stroh Ranch/Hess Annexation Agreement.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes
Cheryl Poage - Yes
Todd Hendreks - Yes
John Diak - Yes
Anne Barrington - Yes
Laura Hefta - Yes

The motion was approved unanimously.

2. RESOLUTION NO. 22-014

A Resolution to Amend Resolution No. 19-023, Series of 2019, to Allow, Subject to the Satisfaction of Certain Conditions, a Partial Waiver to Defer Compliance with Certain Requirements of Sections 13.07.060 and 13.07.070 of the Parker Land Development Ordinance as Amended, Associated with the Processing of the Sketch and Preliminary Plan for Certain Segments of the Real Property Commonly Known as the Anthology North Property Until Those Segments are Ready for Development

Todd Hendreks moved to approve Resolution No.22-014.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes
Cheryl Poage - Yes
Todd Hendreks - Yes
John Diak - Yes
Anne Barrington - Yes
Laura Hefta - Yes

The motion was approved unanimously.

B. CHAMBERS HIGHPOINT AND COMPARK *(Continued from February 22, 2022)*

Applicant: Jeff Robinson, Compark 190, LLC
Location: Southwest corner of Chambers Road and E-470
Department: Community Development, Stacey Nerger
TRAKiT No.: SUB19-048

The Public Hearing was opened at 8:04 p.m.

The applicant, Compark 190, L.L.C., proposed a Minor Development Plat (MDP) to subdivide property located at the southwestern corner of the intersection of E-470 and Chambers Road into three (3) lots, six (6) tracts and the future Belford Avenue right-of-way. The applicant also requires a Subdivision Improvement Agreement (SIA) to secure the public improvements associated with the MDP. Related, the property owner for the adjacent Compark Village South

Planned Development proposes to amend the Compark Village South Filing No. 1 Subdivision Improvement Agreement to formalize the shared obligations between the two (2) developments.

Applicants:

Jeff Robinson, Compark 190, LLC, 424 Columbine St., Denver, was available to answer any questions.

Larry Jacobson, Westside Investment Partners for Compark Village South, 4100 E. Mississippi Ave., Denver, was also available to answer any questions.

Public Comment: None.

The Public Hearing was closed at 8:18 p.m.

1. Chambers Highpoint

a. Minor Development Plat

Todd Hendreks moved to approve the Chambers High Point Filing No. 1 Minor Development Plat based on staff findings.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

b. Subdivision Agreement

Anne Barrington moved to approve the Chambers High Point Filing No. 1 Subdivision Agreement, based on staff findings.

Todd Hendreks seconded the motion

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

2. Compark

a. 1st Amendment to Compark Subdivision Agreement

Cheryl Poage moved to approve the First Amendment to the Compark Village South Filing No. 1 Subdivision Improvement Agreement, based on staff findings.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

ADJOURNMENT

Joshua Rivero moved to adjourn the meeting at 8:24 p.m.

Cheryl Poage seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

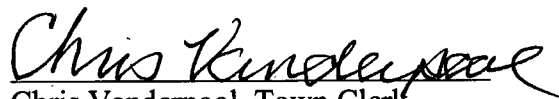
Todd Hendreks - Yes

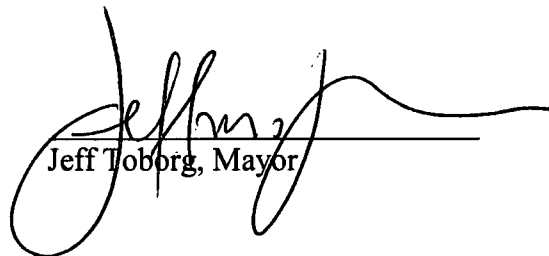
John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.


Chris Vanderpool, Town Clerk


Jeff Toborg, Mayor