

TOWN OF PARKER COUNCIL AGENDA

August 1, 2022

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

Public comment for items that are not on the agenda may be made in person or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person or electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments submitted electronically through the website that are received by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.

Public Viewing Only - Facebook Live: Town Council meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through Facebook Live.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 6:30 P.M. – Call to Order Town Council Meeting and Roll Call
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)
- C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.

2. SPECIAL PRESENTATIONS

- **Douglas County School District Update - Superintendent Erin Kane**

3. **PUBLIC COMMENTS** (No action will be taken on these items.) *Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.*

4. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

5. **CONSENT AGENDA**

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. *APPROVAL OF MINUTES - July 18, 2022*

B. *ORDINANCE NO. 9.170.2 - First Reading*

A Bill for an Ordinance to Approve the Second Amendment to the Intergovernmental Agreement for the Administration and Operation of a Joint Service Facility Between and Among South Metro Fire Rescue Authority, Douglas County School District RE-1 and the Town of Parker

Department: Engineering and Public Works, Jim Gilbert

Second Reading: August 15, 2022

C. *ORDINANCE NO. 9.351 - First Reading*

A Bill for an Ordinance to Approve the Memorandum of Understanding Between the Board of County Commissioners of the County of Douglas, Douglas County School District, the Town of Castle Rock, the City of Castle Pines, the Town of Larkspur, the City of Lone Tree, the Town of Parker, Highlands Ranch Metro District, Douglas County Libraries, the Castle Rock Economic Development Corporation, Denver South, and the Northwest Douglas County Chamber and Economic Development Corporation Concerning the Formation of the Douglas County Economic Development Collaborative.

Department: Town Administrator, Bo Martinez

Second August 15, 2022

Reading:

D. *RESOLUTION NO. 22-043*

A Resolution Assigning and Transferring to Douglas County Housing Partnership All of the Town of Parker's 2022 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds, and Authorizing the Execution and Delivery of an Assignment and Other Documents in Connection Therewith

Department: Community Development, Bryce Matthews

E. *RESOLUTION NO. 22-044*

A Resolution Finding Substantial Compliance of the Chambers Road North of Belford Avenue Right-of-Way Property's Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on September 19, 2022 for the Purpose of Considering Said Annexation

Department: Community Development, Carson Byerhof

F. *RESOLUTION NO. 22-030.1*

A Resolution to Amend Resolution No. 22-030, Series of 2022, to Approve the Revised Bylaws for the Parker Youth Commission.

Department: Town Administrator, Michelle Kivela

- G. *RESOLUTION NO. 22-046*
A Resolution Amending Resolution No. 21-026.1, Series of 2021, to Adopt an Amended Town Council Policy Statement 1-8 Concerning Public Hearing Procedure and Public Comment Policy
Department: Town Administrator, Michelle Kivela
- H. *MOTION TO APPROVE A LETTER OF SUPPORT FOR THE DOUGLAS COUNTY OPEN SPACE INITIATIVE*
Department: Parks, Recreation & Open Space, Mary Colton
- I. *CONTRACTS OVER \$100,000*
1. *Zoom UCaaS Phone System*
Amount: \$309,646.15 (over 5 years)
Contractor: Zoom
Department: Information Technology, Matt Lynch
2. *Sound of Music Performance Agreement*
Amount: \$111,992.51
Contractor: Sasquatch Productions Ltd.
Department: Cultural, Carrie Glassburn
3. *2022 Townwide Diamond Grind and Joint Seal Program, CIP 22-008 \$50,000 Contract Modification*
Amount: Original Amount \$1,945,041.62, Modified Amount \$1,995,041.62
Contractor: Penhall Company
Department: Engineering & Public Works, John Mournier

6. **PUBLIC HEARINGS**

KIME RANCH SKETCH AND PRELIMINARY PLAN

Applicant: Century Communities
Location: The site is located on the north side of Mainstreet at the intersection with Willow Park Drive.
Department: Community Development, Julia Duncan
TRAKiT No.: SUB21-053 & SUB21-054

1. **Sketch Plan**
2. **Preliminary Plan**

7. **ORDINANCES**

- A. **ORDINANCE NO. 9.334.1 - Second Reading** *(continued from May 2, 2022 and to be continued to October 3, 2022)*
A Bill for an Ordinance Approving the First Amendment to Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Cherry Creek at Dransfeldt Road (Agreement No. 21-05.04A Project No. 108515) by and between Urban Drainage and Flood Control District d/b/a Mile High Flood District, the Town of Parker, and Cherry Creek Basin Water Quality Authority
Department: Engineering and Public Works, Michael Grabczyk
- B. **ORDINANCE NO. 9.350 - 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 Conduct and Administration of the November 8, 2022, Coordinated Election
Department: Town Clerk, Chris Vanderpool
Town Attorney, Kristin Hoffmann
- C. **ORDINANCE NO. 1.391.2 - Second Reading**
A Bill for an Ordinance to Amend Sections 1.02.010 and 2.03.020 of the Parker Municipal Code to Change the Terminology of "Town Administrator" to "Town Manager"
Department: Town Attorney, Kristin Hoffmann

8. **RESOLUTIONS**

RESOLUTION NO. 22-040

A Resolution to Allow a Partial Waiver of Subsections 13.01.140(b) of the Parker Municipal Code to Extend the Expiration Date of the Use by Special Review for Lincoln Professional Park for a Gas Station

Department: Community Development, Stacey Nerger

9. **CONTRACTS OVER \$100,000**

Comprehensive Economic Development Strategic Plan

Amount: \$138,125

Contractor: Progressive Urban Management Associates, Inc.

Department: Town Administrator, Bo Martinez

10. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

11. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

August 1, 2022

“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).”

1. My Mainstreet plan and downtown development/Confluence Companies
2. New CORE Electric Cooperative utility easement standards

**TOWN OF PARKER COUNCIL
MINUTES
AUGUST 1, 2022**

Mayor Jeff Toborg called the meeting to order at 6:30 p.m. All Councilmembers were present.

Town Attorney Kristin Hoffmann announced the topics for discussion in the Executive Session were two items. Under C.R.S. § 24-6-402(4)(e), the first item was regarding the My Mainstreet plan and downtown development/Confluence Companies, and the second item related to new CORE Electric Cooperative utility easement standards.

EXECUTIVE SESSION

Joshua Rivero moved and Anne Barrington seconded to go into Executive Session at 6:32 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).

The motion was approved unanimously.

Cheryl Poage moved and Todd Hendreks seconded to come out of the Executive Session at 7:05 p.m.

The motion was approved unanimously.

REGULAR SESSION

Mayor Toborg reconvened the regular Town Council meeting at 7:07 p.m.

Mayor Toborg led the Council and audience in the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Douglas County School District Superintendent Erin Kane gave an update on the School District, its current funding, and future needs for a mill levy override and bond for capital funds.

PUBLIC COMMENTS

A written comment was received by email from Christine Schrader, distributed to Council, and entered into the record.

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 - July 18, 2022*
- B. *ORDINANCE NO. 9.170.2 - First Reading*
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Department: Town Administrator, Bo Martinez
Second Reading: August 15, 2022
Reading:
- D. *RESOLUTION NO. 22-043*
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Department: Town Administrator, Michelle Kivela

H. *MOTION TO APPROVE A LETTER OF SUPPORT FOR THE DOUGLAS COUNTY OPEN SPACE INITIATIVE*

Department: Parks, Recreation & Open Space, Mary Colton

I. *CONTRACTS OVER \$100,000*

1. *Zoom UCaaS Phone System*

Amount: \$309,646.15 (over 5 years)

Contractor: Zoom

Department: Information Technology, Matt Lynch

2. *Sound of Music Performance Agreement*

Amount: \$111,992.51

Contractor: Sasquatch Productions Ltd.

Department: Cultural, Carrie Glassburn

3. *2022 Townwide Diamond Grind and Joint Seal Program, CIP 22-008 \$50,000 Contract Modification*

Amount: Original Amount \$1,945,041.62, Modified Amount \$1,995,041.62

Contractor: Penhall Company

Department: Engineering & Public Works, John Mournier

Joshua Rivero moved to approve Consent Agenda Items 5A through 5I.

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.

PUBLIC HEARING**KIME RANCH SKETCH AND PRELIMINARY PLAN**

Applicant: Century Communities
Location: The site is located on the north side of Mainstreet at the intersection with Willow Park Drive.
Department: Community Development, Julia Duncan
TRAKiT No.: SUB21-053 & SUB21-054

The Public Hearing was opened at 7:38 p.m.

The site is located on the north side of Mainstreet at the intersection with Willow Park Drive. The subject area is bounded on the north by unincorporated Douglas County with large lot single-family homes, to the south by open space and Willow Pointe South single-family homes, to the east by Willow Pointe North single-family homes, and to the west by Parker Vista single-family homes.

Seven and a half acres of the property were annexed into the Town on December 6, 2021, and the entire 42.91 acres of the property were zoned Planned Development at that time. The subject property is located within the Medium Density Residential Character Area which consists of an overall gross density of three and a half dwelling units per acre. The Kime Ranch Planned Development (PD) permits a maximum of one hundred and fifty single-family residential lots with associated parks and open space.

The proposed sketch and preliminary plan would allow a total of one hundred and fifty single-family lots on 42.91 acres at a proposed density of 3.49 units per acre along with the required roadway, drainage, parks and open space. The Sketch and Preliminary Plans propose 10.32 acres of open space and 3.67 acres of park space to meet the minimum requirements of the Annexation Agreement and Town Land Development Ordinance.

Buffers have been provided along the entire perimeter of the property exceeding those required by the Kime Ranch PD:

- Increased the northern landscape buffer from the 40 feet required in the PD to 65 feet
- Increased the average buffer on the eastern boundary from the 30 feet required in the PD to 39 feet
- Increased the minimum setback along Mainstreet from 35 feet minimum required to 48 feet. The average setback is over 110 feet with the furthest lots being 250 feet from Mainstreet.

These buffer areas will include landscaping and parks amenities for the development.

Access will be provided through an extension of Willow Park Drive to the north of Mainstreet. Willow Park Drive will be a full-movement signalized intersection. Parklane Drive and Gray's Peak Drive will also be connected through the development.

The development is required to provide 3.58 acres of park space and is providing 3.67 acres. The development will include several park amenities to satisfy the required park dedication

requirements. The park area will consist of both active and passive elements including playgrounds, shelter with seating, ping pong tables, slope sledding hill, barbecues, and gardens.

Staff reviewed the proposal and determined that:

- the project is consistent with the Master Plan,
- all platting requirements of the Kime Ranch PD and Land Development Ordinance have been satisfied,
- the proposal provides adequate access, infrastructure, drainage facilities and design considerations,
- utilities providers have confirmed capacity and availability,
- all referral agency comments have been addressed or will be addressed at the time of the final plat, and
- the public notice requirements have been satisfied.

The Planning Commission unanimously recommended approval for the Plans on July 14, 2022, and staff also recommends that Town Council approve the Kime Ranch Sketch and Preliminary Plans.

Applicant: Paul Shoukas, Denver, gave a brief presentation on the project.

Public Comment: None.

The Public Hearing was closed at 8:01 p.m.

1. Sketch Plan

Cheryl Poage moved to approve the Sketch Plan, based on staff findings, contained in the staff report.

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.

2. Preliminary Plan

Cheryl Poage moved to approve the Preliminary Plan, based on staff findings, contained in the staff report.

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.

ORDINANCES

A. ORDINANCE NO. 9.334.1 - Second Reading (*continued from May 2, 2022 and to be continued to October 3, 2022*)

A Bill for an Ordinance Approving the First Amendment to Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Cherry Creek at Dransfeldt Road (Agreement No. 21-05.04A Project No. 108515) by and between Urban Drainage and Flood Control District d/b/a Mile High Flood District, the Town of Parker, and Cherry Creek Basin Water Quality Authority

Department: Engineering and Public Works, Michael Grabczyk

Mayor Toborg advised that staff requested a continuance on this item until October 3, 2022.

John Diak moved to continue Ordinance No. 9.334.1 to a date certain of October 3, 2022.

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.

B. ORDINANCE NO. 9.350 - 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 Conduct and Administration of the November 8, 2022, Coordinated Election

**Department: Town Clerk, Chris Vanderpool
Town Attorney, Kristin Hoffmann**

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.

Todd Hendreks moved to approve Ordinance No. 9.350 on second reading.

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.

C. ORDINANCE NO. 1.391.2 - Second Reading

A Bill for an Ordinance to Amend Sections 1.02.010 and 2.03.020 of the Parker Municipal Code to Change the Terminology of "Town Administrator" to "Town Manager"

Department: Town Attorney, Kristin Hoffmann

This ordinance amends Sections 1.02.010 and 2.03.020 of the Code to change the terminology of "Town Administrator" to "Town Manager". The Charter will not be amended, and both terms can be used interchangeably. Manager is the more accurate title for the work done, and is also the more commonly used term in municipal government with a Council-Manager form of government.

Public Comment: None.

Anne Barrington moved to approve Ordinance No. 1.391.2 on second reading.

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.

RESOLUTIONS**RESOLUTION NO. 22-040****A Resolution to Allow a Partial Waiver of Subsections 13.01.140(b) of the Parker Municipal Code to Extend the Expiration Date of the Use by Special Review for Lincoln Professional Park for a Gas Station****Department: Community Development, Stacey Nerger**

The subject site is located at the southeast corner of Lincoln Avenue and Dransfeldt Road. The Use by Special Review (UbSR) Application was approved by Town Council on May 17, 2021 and was valid for a period of twelve months from the date of approval unless a grading or building permit had been issued. The code allows the Planning Director to extend the expiration date an additional 90 days for good cause, and, on April 29, 2022, the Planning Director approved a 90-day extension. This action extended the UbSR approval through August 17, 2022 but exhausted the administrative extensions available.

After the Town Council approved the UbSR, the applicant submitted a Minor Development Plat application to subdivide the property into lots, a Preliminary Site Plan as required by the Annexation Agreement, and a site plan application illustrating the design of the gasoline service station and convenience store. Each application is under review for compliance with the Town's development standards, and the applicant indicated that they need additional time to respond to review comments and demonstrate compliance. The requested extension would preserve the applicant's approval while they complete the development review process.

Under Section 13.01.100 of the Municipal Code, Town Council may authorize waivers from provisions of the Land Development Ordinance (LDO), if deemed to be in the public interest and not impair the intent and purposes of the LDO. Staff believes that the request is in the public interest for the following reasons:

1. This use has been planned at this location and has been determined to meet the 9 approval criteria.
2. Approval of the waiver would provide for greater efficiency in the development process.
3. The proposal is consistent with the Parker 2035 Master Plan.

Staff recommended that Town Council approve Resolution 22-040.

Public Comment: None.

Todd Hendreks moved to approve Resolution No. 22-040.

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.

CONTRACTS OVER \$100,000

Comprehensive Economic Development Strategic Plan

Amount: \$138,125
Contractor: Progressive Urban Management Associates, Inc.
Department: Town Administrator, Bo Martinez

This item is to approve a contract with Progressive Urban Management Associates, Inc. (PUMA) to work in partnership with the Town of Parker to develop a comprehensive economic development strategic plan. PUMA was selected as the preferred consultant during the Town's Request for Proposals process.

Public Comment: None.

Anne Barrington moved to approve the staff recommendation, as part of the regular agenda.

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.

ADJOURNMENT

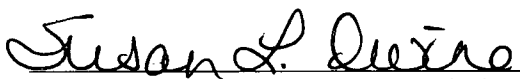
Joshua Rivero moved to adjourn the Regular Meeting at 8:36 p.m.

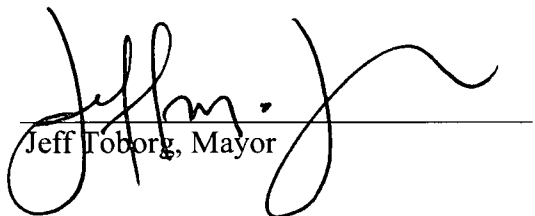
Todd Hendreks seconded the motion.

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.


Susan L. Irvine, Deputy Town Clerk


Jeff Toborg, Mayor

Vanderpool, Chris

From: noreply@civicplus.com
Sent: Monday, August 1, 2022 12:01 PM
To: Clerk; Sullivan, Cheri; Anderson, Andy
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. The general public comment period held during these meetings is an opportunity for the public to provide comments on items that are not on that meeting's agenda. Public comments can be made in writing via the online form below, live during the meeting via the Zoom application, or in person at the public meeting.

Written general public comments via the form below can be submitted from noon on the Friday prior to the next meeting until 5 p.m. Monday (the day of the meeting). To learn how to submit a live public comment during a meeting via the Zoom application, visit www.ParkerOnline.org/Calendar and go to the specific meeting date for details.

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	Christine
Last Name	Schrader
Address	6673 East Rustic Dr
City	Parker
State	CO
Zip Code	80138

General Public Comment

Last June, the updated Noise Ordinance was instituted. I would like the Town Council to review the enforcement and effectiveness of the Noise Ordinance. I would like the Council to request from the Parker Police Dept, copies of the Noise Complaints that were placed with the Parker Police Dept from 6/29/21 thru 7/30/22, regarding noise from businesses on Parker Mainstreet. I am asking that these complaint calls be reviewed in light of the enforcement of these calls. Did the Parker Police follow the new laws of the ordinance to measure the decibel level of the sound from the prescribed distance and for the correct duration, as set out in the ordinance, and were citations given in the event the decibel level was over the prescribed limit?

Evaluating the implementation and effectiveness of this new ordinance, is a critical part of a needed feedback loop to study if this ordinance is being implemented properly, and to determine if perhaps the ordinance needs to be changed, based on the fact that the noise pollution has not been eliminated.

I am asking the Town Council to collect the needed report information from the Parker Police Department, and place the review and evaluation of those Noise Ordinance Complaints, on the next Town Council Meeting Agenda, so the public can attend and comment on the Noise Ordinance's implementation and effectiveness.

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