

TOWN OF PARKER COUNCIL AGENDA

September 5, 2023

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.

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 - YouTube: Town Council meetings may be viewed live on YouTube at www.youtube.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through YouTube.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:30 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. **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.*

3. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

4. 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 - August 21, 2023*

- B. *ORDINANCE NO. 3.286.4 - First Reading*
A Bill for an Ordinance to Amend Subsection 13.07.130(h) of the Parker Municipal Code
Concerning Dedication Statements
Department: Community Development, Stacey Nerger
Community Development, Bryce Matthews
Second Reading: September 18, 2023

- C. *ORDINANCE NO. 3.362.1 - First Reading*
A Bill for an Ordinance to Amend Section 13.02.010 and Section 13.10.090 of the Parker Municipal Code Concerning Utilities
Department: Community Development, Stacey Nerger
Community Development, Bryce Matthews
Second Reading: September 18, 2023
- D. *LOOKING GLASS FILING NO. 9 DRAINAGE EASEMENTS*
Department: Engineering and Public Works, Michael Walton
1. *RESOLUTION NO. 23-080*
A Resolution Accepting the Conveyance of a Drainage Easement From VPDF LG LLC, a Delaware limited liability company, for the Southeast Quarter of Section 5, Township 7 South, Range 66 West of the 6th Principal Meridian
Department: Engineering and Public Works, Michael Walton
2. *RESOLUTION NO. 23-081*
A Resolution Accepting the Conveyance of a Drainage Easement From VPDF LG LLC, a Delaware limited liability company, for the Northwest Quarter of Section 5, Township 7 South, Range 66 West of the 6th Principal Meridian
Department: Engineering and Public Works, Michael Walton
3. *RESOLUTION NO. 23-082*
A Resolution Accepting the Conveyance of a Drainage Easement From VPDF LG LLC, a Delaware limited liability company, for the Southeast Quarter and Southwest Quarter of Section 5 and the Southeast Quarter of Section 6, Township 7 South, Range 66 West of the 6th Principal Meridian
Department: Engineering and Public Works, Michael Walton
- E. *CONTRACTS OVER \$100,000*
1. *Stroh Road Widening 30% Design Contract*
Amount: \$491,374.29
Contractor: RMS, Inc.
Department: Engineering and Public Works, Nathan Klass
2. *Hilltop Road and Canterbury Parkway Area Improvements CIP 22-039-CM Professional Services Agreement – Contract Modification*
Amount: Addition of \$64,437 for a total of \$133,550
Contractor: Alfred Benesch & Company
Department: Engineering and Public Works, Tom Gill

3. *Snow Mitigation Material*

Amount: \$100,000

Contractor: GMCO

Department: Eng. & Public Works, Jim Gilbert & Scott Borzillo

F. *PROCLAMATION - Constitution Week - Daughters of the American Revolution*

5. **PUBLIC HEARINGS**

OLDE TOWN METROPOLITAN DISTRICT

Department: Town Attorney, Kristin Hoffmann

1. **RESOLUTION NO. 23-059**

A Resolution to Approve the Amended and Restated Service Plan for Olde Town Metropolitan District

2. **ORDINANCE NO. 9.362 - Second Reading**

A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker, Colorado, and Olde Town Metropolitan District

6. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

7. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

September 5, 2023

“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. Chapter 4.10 of the Parker Municipal Code concerning a Shopping Center Assistance Program application

“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).”

2. Greater Downtown Special Private Art Permit and House Bill 23-1061

3. American Academy Charter School traffic impacts and potential litigation

**TOWN OF PARKER COUNCIL
MINUTES
SEPTEMBER 5, 2023**

Mayor Jeff Toborg called the meeting to order at 5:30 p.m. All Councilmembers were present, except for Joshua Rivero.

Town Attorney Kristin Hoffmann announced there were three topics for discussion in the Executive Session. The first item, pursuant to C.R.S. § 24-6-402(4)(e), was regarding Chapter 4.10 of the Parker Municipal Code concerning a Shopping Center Assistance Program application. The other two items, pursuant to C.R.S. § 24-6-402(4)(b), were concerning the Greater Downtown Special Private Art Permit and House Bill 23-1061 and the American Academy Charter School traffic impacts and potential litigation.

EXECUTIVE SESSION

Brandi Wilks moved and Laura Hefta seconded to enter into Executive Session at 5:31 p.m. 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.

Anne Barrington moved and Todd Hendreks seconded to come out of Executive Session at 6:42 p.m.

The motion was approved unanimously.

Brandi Wilks moved and Anne Barrington seconded to recess the Regular Meeting until 7:00 p.m.

The motion was approved unanimously.

REGULAR SESSION

Mayor Toborg reconvened the meeting at 7:00 p.m.

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

PUBLIC COMMENTS

None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - August 21, 2023*
- B. *ORDINANCE NO. 3.286.4 - First Reading*
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Department: Engineering and Public Works, Michael Walton

E. CONTRACTS OVER \$100,000

1. Stroh Road Widening 30% Design Contract

Amount: \$491,374.29

Contractor: RMS, Inc.

Department: Engineering and Public Works, Nathan Klass

2. Hilltop Road and Canterbury Parkway Area Improvements CIP 22-039-CM Professional Services Agreement – Contract Modification

Amount: Addition of \$64,437 for a total of \$133,550

Contractor: Alfred Benesch & Company

Department: Engineering and Public Works, Tom Gill

3. Snow Mitigation Material

Amount: \$100,000

Contractor: GMCO

Department: Eng. & Public Works, Jim Gilbert & Scott Borzillo

F. PROCLAMATION - Constitution Week - Daughters of the American Revolution

John Diak moved to approve Consent Agenda Items 4A through 4F.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

PUBLIC HEARINGS

OLDE TOWN METROPOLITAN DISTRICT

Department: Town Attorney, Kristin Hoffmann

Mayor Toborg opened the Public Hearing at 7:06 p.m.

In 2004, the Town approved a Service Plan for Olde Town Metropolitan District (the "District"). The District is comprised of approximately 13 acres of commercial property at the corner of Mainstreet and Jordan. The Town received an application for approval of an amended and restated service plan and intergovernmental agreement (IGA) for the District. This item was for approval of the District's proposed service plan and IGA with the District.

Karlie Ogden with Icenogle Seaver Pogue made a presentation on behalf of the applicant and answered questions from the Council.

Public Comments: None.

Mayor Toborg closed the Public Hearing at 7:16 p.m.

1. RESOLUTION NO. 23-059

A Resolution to Approve the Amended and Restated Service Plan for Olde Town Metropolitan District

Laura Hefta moved to approve Resolution No. 23-059.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

2. ORDINANCE NO. 9.362 - Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker, Colorado, and Olde Town Metropolitan District

Todd Hendreks moved to approve Ordinance No. 9.362 on second reading.

Laura Hefta seconded the motion.

A roll call vote was taken:

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

Anne Barrington moved to adjourn the meeting at 7:19 p.m.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

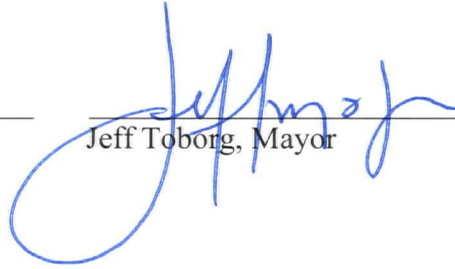
Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.



Susan L. Irvine, Deputy Town Clerk



Jeff Toborg, Mayor

From: noreply@civicplus.com
Sent: Thursday, September 7, 2023 12:07 PM
To: Clerk; Sullivan, Cheri; Anderson, Andy; Brooks, Liana
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 person at the public meeting or in writing via the online form below.

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).

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 Josh

Last Name Hellinger

Address 10440 Harrisburg st

City	Parker
State	Colorado
Zip Code	80134

General Public Comment

Dear town council, our names are Benton Fuhrmann, Wyatt Sparks, and Josh Hellinger. We are juniors that attend Legend High School. We would like to express our opinions about the traffic at Legend. People in the community have continuously expressed their concerns about the traffic and how it delays them getting to places such as work. Students have to leave their homes at least 30 minutes before school starts if they want a chance to make it to school on time. It also causes problems for the people trying to get into Idyllwilde. Whether they forgot something at home or are returning after dropping off a student, they have to sit in traffic from not only Legend but Cimarron too. Our proposal is to change the aspects of the traffic lights on Hilltop Road and Canterbury Parkway. We believe the most beneficial solution would be to add another lane and to change the timing on the traffic lights. We understand that it might be difficult to add another lane, so we strongly believe that if the time a green arrow is shown is increased, then more students will be able to make it on time. We feel this solution will help the ongoing problem because it will allow more students to get off of Hilltop and Canterbury and into the parking lot with more time to park and get to their lockers before class. We really hope that you consider our proposal and help us make a change.

-Thank you
-Benton, Wyatt, & Josh

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From: noreply@civicplus.com
Sent: Friday, September 8, 2023 2:07 PM
To: Clerk; Sullivan, Cheri; Anderson, Andy; Brooks, Liana
Subject: Online Form Submittal: Town Council Meetings - General Public Comment

Town Council Meetings - General Public Comment

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First Name	Reese
Last Name	Brzuziwski
Address	22767 Hopewell Ave

City	parker
State	colorado
Zip Code	80138

General Public Comment

Dear Parker Town Council,
Hello, we are Tara Warren, Bailey Beach, and Reese Brzuziowski. As a part of our U.S. Government class we have been tasked with reaching out to local government with an issue we feel is important. We would like to address an issue with the traffic involving the intersection of Canterbury and Hopewell Ave. Our neighborhood sits right outside of Cimarron Middle School and is constantly bombarded with parents trying to drop their kids off without using Cimarron's line dropoff. The traffic in and out of our neighborhood is atrocious both in the morning and after school. We go to Legend High School, down the street, and due to the parents of the middle schoolers leaving early, we are not able to get out of the neighborhood. This causes us to not be able to make it to work and school on time. What is normally a 4-minute drive takes upwards of 30 minutes on a good day if we leave our houses at 7:00 A.M. Legend starts at 7:30 A.m., so leaving at 7:00 A.m. should be more than enough time to make it, even with Legend's traffic. Cimmaron's parents are dropping their kids off in our neighborhood, causing a commotion at the intersection. Legend has done a couple of things to try to alleviate the Cimarron traffic issue from asking parents of the middle schoolers to leave their house after 7:30 A.M., to asking us high schoolers to carpool. None of what our administration has done has helped in a noticeable way. So, our solution is to get a crossing guard. This would help greatly with the traffic problems. They would help direct cars and keep the flow of traffic going. We think this is a great solution to help us get out of our neighborhood at a reasonable time. Another solution to keeping Cimmaron parents out of our neighborhood would be having a license plate reader somewhere on the median sitting at the entrance to our neighborhood, and all residents register their plates at their houses. This would allow police to come into our neighborhood every morning and afternoon when school lets out, and make sure that the people parked outside of our homes are the people that live there. By the police giving out tickets to these cars, we hope to eliminate the non-residents who park there. With these solutions combined, we hope to make traffic lighter and safer.

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From: noreply@civicplus.com
Sent: Saturday, September 9, 2023 5:25 AM
To: Clerk; Sullivan, Cheri; Anderson, Andy; Brooks, Liana
Subject: Online Form Submittal: Town Council Meetings - General Public Comment

Town Council Meetings - General Public Comment

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First Name	Bailey
Last Name	Beach
Address	21517 e wanderlust pl

City	parker
State	Colorado
Zip Code	80138
General Public Comment	Dear Parker Town Council, Hello, we are Tara Warren, Bailey Beach, and Reese Brzuziowski. As a part of our U.S. Government class we have been tasked with reaching out to local government with an issue we feel is important. We would like to address an issue with the traffic involving the intersection of Canterbury and Hopewell Ave. Our neighborhood sits right outside of Cimarron Middle School and is constantly bombarded with parents trying to drop their kids off without using Cimarron's line dropoff. The traffic in and out of our neighborhood is atrocious both in the morning and after school. We go to Legend High School, down the street, and due to the parents of the middle schoolers so leaving early, we are not able to get out of the neighborhood. This causes us to not be able to make it to work and school on time. What is normally a 4 minute drive takes upwards of 30 minutes on a good day if we leave our houses at 7:00 A.M. Legend starts at 7:30 A.m., so leaving at 7:00 A.m. should be more than enough time to make it, even with Legend's traffic. Cimmaron's parents are dropping their kids off in our neighborhood, causing a commotion at the intersection. Legend has done a couple of things to try to alleviate the Cimarron traffic issue from asking parents of the middle schoolers to leave their house after 7:30 A.M., to asking us highschoolers to carpool. None of what our administration has done has helped in a noticeable way. So, our solution is to get a crossing guard. This would help greatly with the traffic problems. They would help direct cars and keep the flow of traffic going. We think this is a great solution to help let us get out of our neighborhood at a reasonable time. Another solution to keeping Cimmaron parents out of our neighborhood, would be having a license plate reader somewhere on the median sitting at the entrance to our neighborhood, and all residents register their plates to their houses. This would allow police to come into our neighborhood every morning and afternoon when school lets out, and make sure that the people parked outside of our homes are the people that live there. By the police giving out tickets to these cars, we hope to eliminate the non-residents who park there. With these solutions combined, we hope to make traffic lighter and safer.

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