

**TOWN OF PARKER COUNCIL
MINUTES
JUNE 3, 2024**

Mayor Pro Tem John Diak called the meeting to order at 6:00 p.m. All Councilmembers were present, except for Mayor Jeff Toborg, Todd Hendreks, and Joshua Rivero.

Town Attorney Jamie Wynn announced that there was one topic for discussion in the Executive Session. The topic, 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), was a follow-up on contract negotiations related to a proposed redevelopment agreement between the Town, Parker Authority for Reinvestment, and the Parker Meadows Condominium Association concerning improvements to Becket Drive, Woodman Drive, and the extension of Brompton Way.

EXECUTIVE SESSION

Brandi Wilks moved and Anne Barrington seconded to enter into Executive Session at 6:02 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).

The motion was approved unanimously.

Anne Barrington moved and Brandi Wilks seconded to come out of Executive Session at 6:20 p.m.

The motion was approved unanimously.

Brandi Wilks moved and Laura Hefta seconded to recess the regular meeting until 7:00 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

No work session was held.

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

Bella Harper and Izzy Sanchez from the Parker Youth Commission spoke about a resource page where teens can find volunteer opportunities, scholarships and other resources. One of their goals for this year was to make resources more available to the teens, and the resource page is the first step in increasing this availability.

Karen Swanson, Parker, from Nourish Meals on Wheels advised that they are serving the Parker community three days a week and hope to expand to five days a week. They are looking for community volunteers to assist in delivering meals.

Robin O'Meara, Aurora, United Sovereign Americans, spoke about what they believe are voter and election discrepancies.

Karen Tallentine, Littleton, Scott Russell, Highlands Ranch, Kevin Monahan, Highlands Ranch, Jaime West, Centennial, and Susan Baker, Aurora, all United Sovereign Americans, spoke about the request for a resolution they would like the Town Council to consider.

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 - May 20, 2024*

- B. *TANTERRA FILING NO. 1 SIA AMENDMENT NO. 1*
 - Applicant: Chris Elliott, E6X Development*
 - Location: South of Hess Road between Motsenbocker and Chambers Road*
 - Department: Community Development, Stacey Nerger*

- C. *ORDINANCE NO. 4.118 - First Reading*
A Bill for an Ordinance Establishing the Vertical and Horizontal Alignment and the Grade of Stroh Road from J Morgan Boulevard to Jacqueline Boulevard
 - Department: Engineering and Public Works, Nathan Klass*
 - Second Reading: June 17, 2024*

- D. *ORDINANCE NO. 5.28.35 - First Reading*
A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Authorizing the Town Clerk to Administratively Approve Special Events Permits
 - Department: Town Clerk, Chris Vanderpool*
 - Second Reading: June 17, 2024*

- E. *ORDINANCE NO. 9.370 - First Reading*
A Bill for an Ordinance Approving the Intergovernmental Agreement for Snow Removal and Street Sweeping for Kings Point Way By and Between City of Aurora, Colorado, and the Town of Parker
 - Department: Engineering and Public Works, Chris Hudson*
 - Second Reading: June 17, 2024*

- F. *ORDINANCE NO. 1.617- First Reading*
A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement By and Between Outdoor Storage II, LLC, and the Town of Parker Concerning Motsenbocker Road
 - Department: Engineering and Public Works, Chris Hudson*
 - Second Reading: June 17, 2024*

G. *PARKER PAVILIONS*

Department: Engineering and Public Works, Chris Hudson

1. *RESOLUTION NO. 24-031*

A Resolution Accepting the Conveyance of Real Property from BRE DDR Parker Pavilions LLC (as the Successor in Interest to JDN Intermountain Development, Parker Pavilion, LLC) and Wal-Mart Real Estate Business Trust for Tracts E and F, Parker Pavilions Final Plat Filing No. 1 First Amendment (Parcel Numbers 223322301028 and 22332230141, respectively)

2. *RESOLUTION NO. 24-032*

A Resolution Accepting the Conveyance of Real Property from BRE DDR Parker Pavilions LLC (as the Successor in Interest to JDN Intermountain Development, Parker Pavilion, LLC) for a Portion of Property Lying Within Lot 9, Parker Pavilions, Filing No. 1 First Amendment (Parcel Number 223322300020)

H. *RESOLUTION NO. 24-033*

A Resolution to Appoint the Chair, to Appoint Members and Alternates to, and to Fill a Vacancy on, the Town of Parker Planning Commission

Department: Community Development, Bryce Matthews

I. *CONTRACTS OVER \$100,000*

1. *ePlus - Customer Master Agreement*

Amount: NA

Contractor: ePlus

Department: Information Technology, Matt Lynch

2. *Parker Road Sidewalk - Pine Drive to Stroh Road - Preliminary Design Contract Modification*

Amount: \$25,749 additional for a revised contract amount of \$175,749

Contractor: Merge Resources Group Ltd.

Department: Engineering and Public Works, Patrick Burke

3. *Police Station Carpet Replacement Project- Phase II*

Amount: \$105,862.47

Contractor: Larkin and Associates/Tarkett

Department: Police Department, Ron Combs

Mayor Toborg advised that an item was being pulled from the consent agenda.

John Diak moved and Brandi Wilks seconded to approve Consent Agenda Items 4A through 4I, except for item 4.I.1. which he asked to pull from the consent agenda.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

John Diak moved and Brandi Wilks seconded to continue item 4.I.1. to a date certain of June 17, 2024.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. NEWLIN CROSSING FILING 3 *(Continued from May 6, 2024)*

Applicant: Lennar Colorado

Location: Northeast of Chambers Road and Mainstreet

Department: Community Development, Julia Duncan
Engineering and Public Works, Alex Mestdagh

TRAKiT No.: SUB22-043

Mayor Toborg opened the Public Hearing at 7:33 p.m.

The subject property is part of the Newlin Crossing Planned Development (PD) that is approved for future mixed-use development and located at the northeast corner of the intersection of Mainstreet and Chambers Road. The applicant, Lennar Colorado, LLC, submitted a final plat to create 85 residential lots along with 16 tracts with required parks, open space, and trails. The prior, approved plat for the Newlin Crossing Filing No. 1 created and dedicated land known as Tract L to the Town for right-of-way (ROW). This plat was done for the purposes of dividing the residential areas from the commercial areas, and the Tract L ROW was based off a conceptual roadway design. The applicant has completed final design work for the associated roadway and determined that the ROW must be realigned. As a result of this design change, the applicant requested that the Town vacate the original ROW, and they will again dedicate land to the Town for a revised ROW that supports the updated road design. Final plat applications are typically processed administratively; however, the Municipal Code requires applications involving the vacation of ROW to be decided by the Town Council at a public hearing.

Brian Wilson was available to answer questions on behalf of the applicant.

Public Comments: Ray Travis, Parker, asked where the storm water was going to go, and Alex Mestdagh advised it would drain through an underground gravity system.

Mayor Toborg closed the Public Hearing at 7:42 p.m.

1. Final Plat

Laura Hefta moved and Anne Barrington seconded to approve the Newlin Crossing Filing No. 3 Final Plat based on staff recommendations.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

2. ORDINANCE NO. 1.608 - Second Reading

A Bill for an Ordinance Conveying Certain Real Property by Quit Claim Deed to Lennar Colorado, LLC, for Tract E, Newlin Crossing Filing No. 1

Laura Hefta moved and Brandi Wilks seconded to approve Ordinance No. 1.608 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

3. Subdivision Agreement

Laura Hefta moved and John Diak seconded to approve the Subdivision Agreement, Newlin Crossing Filing No. 3, based on staff recommendations.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES

A. My Mainstreet - Correction of the Legal Description for the Pine Curve Property as Contained in the Development and Financing Agreement and Related Bargain and Sale Deed

Department: Town Attorney, Jim Maloney

The purpose of this agenda item was to correct the legal description for the Pine Curve property by amending the Development and Financing Agreement and exchanging corrective bargain and sale

deeds. On December 12, 2022, the Town conveyed the Pine Curve parcel to CD-Parker, LLC, by Bargain and Sale Deed (the “Deed”). The legal description for the Pine Curve parcel, which was included in the Town Purchase Agreement, the Development Agreement, and the Deed, contains minor errors. These errors do not affect the size or shape of the Pine Curve parcel, but nonetheless result in the legal description of the Pine Curve parcel not fully closing.

Public Comments: None.

1. Amendment to Development and Financing Agreement

Brandi Wilks moved and John Diak seconded to approve the Amendment to the Development and Financing Agreement.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

2. RESOLUTION NO. 24-029

A Resolution Accepting the Bargain and Sale Deed from CD-Parker, LLC, for the Pine Curve Property

Brandi Wilks moved and Laura Hefta seconded to approve Resolution No. 24-029.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

3. ORDINANCE NO. 1.610 - Second Reading

A Bill for an Ordinance Conveying Certain Real Property by Bargain and Sale Deed to CD-Parker, LLC

Brandi Wilks moved and John Diak seconded to approve Ordinance No. 1.612 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

B. ORDINANCE NO. 9.131.1 - Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement Amendment #1 By and Among the Town of Castle Rock, Douglas County, Elbert County, the Town of Elizabeth, the Town of Kiowa, the Town of Parker, and the State of Colorado Acting By and Through the Colorado Department of Transportation Concerning State Highway 83 Access (OLA # 331003251, Amendment Routing No. 24-HA1-XC-00274)

Department: Engineering and Public Works, Alex Mestdagh

This ordinance entered into an amendment to an intergovernmental agreement to adopt a revised Access Control Plan (ACP) for State Highway 83 (Parker Road). The proposed ACP includes minimal changes to the Town of Parker. The minor changes are reflective of access point modifications already approved as part of developments, or anticipated to be approved with future developments. The CDOT team performed public outreach regarding the ACP with property owners throughout the Parker Road Corridor. The segment through the Town received minor comments from the public regarding operational issues, but no significant concerns regarding access locations were received.

Public Comments: None.

Anne Barrington moved and Brandi Wilks seconded to approve Ordinance No. 9.131.1 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

C. LINCOLN AVENUE/JORDAN ROAD WIDENING PROJECT

Department: Engineering and Public Works, Patrick Burke

This item approved six (6) ordinances for Purchase and Sale Agreements for the conveyance of real property necessary to construct the Lincoln Avenue/Jordan Road Widening Project.

Public Comments: None.

1. ORDINANCE NO. 1.611 - Second Reading

A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement By and Between Vehicle Vault LLC and the Town of Parker for a Portion of Lot 4 Lincoln Meadows Filing No. 4, 1st Amendment, the Lincoln Avenue Widening Project

John Diak moved and Brandi Wilks seconded to approve Ordinance No. 1.611 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

2. **ORDINANCE NO. 1.612 - Second Reading**
A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement
By and Between The Nguyen LLC and the Town of Parker a Portion of Lot 4B
Lincoln Meadows Filing No. 2, 1st Amendment, for the Lincoln Avenue Widening Project

John Diak moved and Anne Barrington seconded to approve Ordinance No. 1.612 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

3. **ORDINANCE NO. 1.613 - Second Reading**
A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement
By and Between Halle Properties LLC and the Town of Parker for a Portion of Lot 3
Lincoln Meadows Filing No. 3, for the Lincoln Avenue Widening Project

John Diak moved and Anne Barrington seconded to approve Ordinance No. 1.613 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

4. **ORDINANCE NO. 1.614 - Second Reading**
A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement
By and Between Parker Meadows LLC and the Town of Parker for a Portion of Lot 4
Lincoln Meadows Filing No. 3, for the Lincoln Avenue Widening Project

John Diak moved and Laura Hefta seconded to approve Ordinance No. 1.614 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

5. ORDINANCE NO. 1.615 - Second Reading
A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement
By and Between 9910 MTW LLC and the Town of Parker for a Portion of Lot 3
Lincoln Meadows Filing No.2, for the Lincoln Avenue Widening Project

John Diak moved and Laura Hefta seconded to approve Ordinance No. 1.615 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

6. ORDINANCE NO. 1.616 - Second Reading
A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement
By and Between Twenty Mile Partners LLC and the Town of Parker for a Portion of
Lot 4A Lincoln Meadows Filing No. 2, 1st Amendment, for the Lincoln Avenue
Widening Project

John Diak moved and Brandi Wilks seconded to approve Ordinance No. 1.616 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

D. ORDINANCE NO. 9.371 - Second Reading
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Town of
Parker and the Board of County Commissioners of Douglas County Regarding Cost
Sharing for the Construction of the Traffic Signal at the Intersection of Hess Road and
Tammy Lane
Department: Engineering and Public Works, Chris Hudson

The purpose of this ordinance was to approve the Intergovernmental Agreement (IGA) with Douglas County for partial construction funding for the proposed Hess Road and Tammy Lane traffic signal construction project. This IGA was needed to formalize negotiations to jointly fund the construction effort.

Public Comments: None.

Laura Hefta moved and Brandi Wilks seconded to approve Ordinance No. 9.371 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

E. ORDINANCE NO. 1.609 - Second Reading

A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement By and Between Walker Farms, LLC and the Town of Parker Concerning Motsenbocker Road

Department: Engineering and Public Works, Chris Hudson

This item was to approve an ordinance for the right-of-way purchase and sale agreement for the conveyance of real property necessary to construct the Dransfeldt Road extension capital improvement project. This agreement is needed for planned improvements to Motsenbocker Road.

Public Comments: None.

Brandi Wilks moved and Laura Hefta seconded to approve Ordinance No. 1.609 on second reading.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

CONTRACTS OVER \$500,000

Parker PSCO Trail Construction Contract

Amount: \$777,626.75

Contractor: Powell Restoration, Inc.

Department: Parks, Recreation and Open Space, Brett Collins

This Trade Contractor Agreement award was with Powell Restoration, Inc., for \$694,309.75 for the Parker PSCO Trail Project (CIP22-057-CI), plus a 10% project contingency of \$83,317.00 for a total project budget of \$777,626.75.

Public Comments: None.

Anne Barrington moved and Laura Hefta seconded to approve the staff recommendation, as a part of the regular agenda.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

RESOLUTIONS

RESOLUTION NO. 24-034

A Resolution to Approve the Signal Light Pad and Trail Dedication Agreement By and Between Cinsique, LLC, and the Town of Parker

Department: Engineering and Public Works, Chris Hudson

This item was to approve a resolution regarding property conveyance from the parcel located at the northeast corner of Parker Road and Parkglenn Way for a planned traffic signal and a future sidewalk/trail along Parker Road.

Public Comments: None.

John Diak moved and Brandi Wilks seconded to approve Resolution No. 24-034, as part of the regular agenda.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

John Diak moved and Anne Barrington seconded to adjourn the meeting at 8:46 p.m.

A roll call vote was taken:

Anne Barrington - yes

John Diak - yes

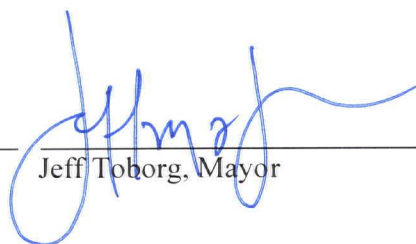
Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.



Susan L. Irvine, Deputy Town Clerk



Jeff Toborg, Mayor