

**TOWN OF PARKER COUNCIL
MINUTES
JUNE 17, 2024**

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

Town Attorney Jamie Wynn announced that there were four topics for discussion in the Executive Session 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 first topic was Proposition 123 concerning an Intergovernmental Agreement with the Douglas County Housing Authority. The second topic was Subsection 13.04.010(b) of the Parker Municipal Code concerning the replacement of the Town of Parker zoning map. The third topic was Chapter 4.07 of the Parker Municipal Code concerning the residential development excise tax. The final item was House Bill 24-1152 (accessory dwelling units), House Bill 24-1304 (parking bill), and House Bill 24-1007 (occupancy bill) passed in the 2024 Legislative Session.

Mayor Toborg announced that he would be leaving the Executive Session at 5:45 p.m.

EXECUTIVE SESSION

Brandi Wilks moved and Joshua Rivero seconded to enter into Executive Session at 5:02 p.m. 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.

Brandi Wilks moved and Joshua Rivero seconded to come out of Executive Session at 6:19 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

Council discussed the following topics during the work session:

- Gazebo lights and the Rotary.
- Brandi Wilks asked for permission to speak with Chief Tsurapas and Representative Hartsook regarding possible public safety legislation
- Town Hall expansion.

Laura Hefta moved and Joshua Rivero seconded at 6:45 p.m. 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.

SPECIAL PRESENTATIONS

Mayor Jeff Toborg, Chief Jim Tsurapas, and Commander Chris Peters recognized the Spring 2024 Citizen's Police Academy Participants.

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 - June 3, 2024

B. ORDINANCE NO. 9.372 - First 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 5, 2024, Coordinated Election

Department: Town Clerk, Chris Vanderpool

Town Attorney, Jamie Wynn

Second Reading: July 8, 2024

C. LINCOLN AVENUE/JORDAN ROAD WIDENING PROJECT

Department: Engineering and Public Works, Patrick Burke

Second Reading: July 8, 2024

1. ORDINANCE NO. 1.619 - First Reading

A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement By and Between DSSM Holdings, LLC, and the Town of Parker for a Portion of Lot 2, Lincoln Meadows Filing No. 3, for the Lincoln Avenue Widening Project

2. ORDINANCE NO. 1.620 - First Reading

A Bill for an Ordinance to Approve the Right-of-Way Purchase and Sale Agreement By and Between Richie's Parker Express Carwash, LLC, and the Town of Parker for a Portion of Lot 4C, Lincoln Meadows Filing No. 2, 1st Amendment, for the Lincoln Avenue Widening Project

D. PARKER ROAD SIDEWALK/TRAIL IMPROVEMENTS

Department: Engineering and Public Works, Tom Gill
Second Reading: July 8, 2024

1. *ORDINANCE NO. 1.618 - First Reading*
A Bill for an Ordinance to Approve the Memorandum of Agreement By and Between the Town of Parker and Brian M. Burr and Bryn L. Spencer-Burr Concerning the Parker Road Sidewalk/Trail Improvements South of Parker Square Drive
2. *ORDINANCE NO. 1.621 - First Reading*
A Bill for an Ordinance to Approve the Memorandum of Agreement By and Between the Town of Parker and Colorado Flooring Industries, Inc., and RED Parker (TIC), LLC, Concerning the Parker Road Sidewalk/Trail Improvements South of Parker Square Drive
3. *ORDINANCE NO. 1.622 - First Reading*
A Bill for an Ordinance to Approve the Memorandum of Agreement By and Between the Town of Parker and Masini DT, LLC, Concerning the Parker Road Sidewalk/Trail Improvements South of Parker Square Drive

E. RESOLUTION NO. 24-035

A Resolution to Exempt Certain Real Property Commonly Known as the Parkglenn Filing No. 8 Property from the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance

Applicant: Town of Parker
Location: Northeast corner of Parker Road and Parkglenn Drive
Department: Community Development, Ashley Chasez
Engineering and Public Works, Chris Hudson
TRAKiT No.: SUB24-017

F. CONTRACTS OVER \$100,000

1. *Parker Road Sidewalk - Parkglenn Way to Parker Keystone - Final Design Contract*
Amount: \$155,540
Contractor: Merge Resource Group Ltd.
Department: Engineering and Public Works, Patrick Burke
2. *Third Amendment to Master Agreement for On-Call Professional Services (RFP-22-009)*
Amount: \$260,000
Contractor: Jon P. Dickey LLC
Department: Community Development, Randy Sale

3. *ePlus - Customer Master Agreement*
Amount: \$100,000+
Contractor: ePlus
Department: Information Technology, Matt Lynch

4. *North Parker Road Operational Improvements Night Work*
Amount: \$140,000
Contractor: Goodland Construction, Inc.
Department: Engineering and Public Works, Tom Gill

5. *Third Amendment to the Construction Contract (CIP22-051-CI) for the Town Hall Expansion Project*
Amount: \$99,950
Contractor: JHL Constructors
Department: Engineering and Public Works, Bob Exstrom

Joshua Rivero moved and Laura Hefta seconded to approve Consent Agenda Items 5A through 5F.

A roll call vote was taken:

Joshua Rivero - yes
 Anne Barrington - yes
 Todd Hendreks - yes
 John Diak - yes
 Brandi Wilks - yes
 Laura Hefta - yes

The motion was approved unanimously.

PUBLIC HEARINGS

PARKER TOWN HALL EXEMPTION PLAT AMENDMENT 3 LOT 1 - SITE PLAN

Applicant: Bob Exstrom, Town of Parker
Location: Southwest corner of Mainstreet and Pine Drive
Department: Community Development, Stacey Nerger
TRAKiT No.: SP23-097

Mayor Toborg opened the Public Hearing at 7:21 p.m.

The applicant, the Town of Parker, is proposing a site plan amendment to renovate and improve Town Hall with a 32,043 square foot addition to the existing building. The proposed building addition will be used for office space to support Town services with improvements for operations, safety, and technology. The subject property is located on Mainstreet within the Greater Downtown District - Historic Center zone district. Professional offices are a permitted use in the zone district.

Site plan applications are typically reviewed and processed administratively. However, site plan applications for public facilities owned by the Town are required to be scheduled for public hearing

pursuant to Section 13.06.040 of the Municipal Code. Staff from the Community Development and Engineering/Public Works Departments have reviewed the proposal for compliance with use, bulk/mass, architecture/urban design, landscaping/lighting, parking, drainage and infrastructure standards. After careful review and analysis, staff has determined that the proposed site plan amendment application has satisfied all requirements for approval pursuant to Section 13.06.040 of the Municipal Code. The Planning Commission completed its public hearing for the proposed site plan amendment application on May 23, 2024, and voted unanimously to recommend that the Town Council approve the application.

James Taylor, AMD Architects, gave a presentation on behalf of the applicant and answered questions of the Town Council.

Public Comments: None.

Mayor Toborg closed the Public Hearing at 8:03 p.m.

Joshua Rivero moved and Laura Hefta seconded to approve, based on staff findings, with the following conditions as contained in the staff report:

1. Approved Site Plan: The Site Plan Amendment exhibit, building elevations exhibit and landscape plan exhibit stamped 'Final Document' on June 17, 2024 and uploaded to eTRAKiT on June 18, 2024, shall be the approved plans.
2. Approved Construction Plan Documents: The construction plan documents signed by the Building Division, Engineering/Public Works Department and Parker Water and Sanitation District shall be the approved construction plans.
3. Removal of Public Notice Signs: All public notice signs posted on the property must be removed with ten (10) business days from the date of this letter.
4. Approval Expiration: This approval has been based upon the review of information submitted as part of the application for site plan amendment approval and shall remain in effect for 15 MONTHS from the date of approval. If a Grading Permit or Building Permit is not obtained within 15 months, this approval becomes null and void. The Community Development Director, upon written request, may grant a 180-day extension.
5. Prairie Dog Certification Required: A Certification of Compliance with Municipal Code Section 13.10.250, Prairie Dog Management, is required prior to issuance of a Grading Permit and the start of work on any site where prairie dogs are present.
6. Permits Required: It is the applicant's responsibility to obtain all required permits prior to starting work on the site, including Grading Permits, Building Permits and Electrical Permits.
7. Above Ground On-Site Utilities: The utilities for the provision of service to nonresidential use(s) may not be located in the front-yard between the building and the public or private street and shall only be located in a rear yard or side yard. Any above ground UTILITY EQUIPMENT SHALL BE SCREENED with landscaping or a screening wall in coordination with the utility company. Where utility meters and connections are attached to the building, they shall be located away from the public realm to the greatest extent possible and be painted to match the building. The location of all utility equipment shall be reviewed and approved by the Community Development Department prior to installation. Any deviation from this standard may result in the relocation of the equipment.
8. Screening of Mechanical Equipment and Utility Boxes Required: All MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED with permanent material and painted to match the building color. All rooftop vents and other appurtenances shall be painted to match the roof or building color to minimize their visual impact. All rooftop mechanical systems, HVAC,

vents or appurtenances that are not shown on the approved plans may require additional conditions for screening in accordance with code and as determined by the Town.

9. Final Grading Certificate Required: The Town requires the submittal of a Final Grading Certificate as a prerequisite to obtaining a Certificate of Occupancy or Temporary Certificate of Occupancy.
10. The applicant shall submit an as-built drawing of the individual lot which indicates the installed improvements, finished floor elevation(s) and the finished grade site elevation points sufficient to show positive drainage away from the building(s).
11. The applicant shall provide a certification statement by a licensed professional engineer and surveyor, accompanied by their stamp and signature. Please contact the Planning Division to obtain the specific language that is required.
12. Signage Not Included: The approval of this site plan amendment DOES NOT INCLUDE SIGNAGE. All signage for this site and building will be required to meet the Town Sign Code Chapter 13.09 and will require a separate sign permit application.

A roll call vote was taken:

Joshua Rivero - yes
 Anne Barrington - yes
 Todd Hendreks - yes
 John Diak - yes
 Brandi Wilks - yes
 Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 4.118 - Second 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

In 2025, the Town plans to commence construction of the widening of Stroh Road, which includes the extension of J Morgan Boulevard. Since the widening of Stroh Road is the addition of an existing road, the Town, through passage of Ordinance No. 4.118, established the vertical alignment, horizontal alignment, and grade for this roadway for any developer that will connect to the road in the future.

Public Comments: None.

Todd Hendreks moved and Brandi Wilks seconded to approve Ordinance No. 4.118 on second reading.

A roll call vote was taken:

Joshua Rivero - yes
 Anne Barrington - yes
 Todd Hendreks - yes
 John Diak - yes
 Brandi Wilks - yes
 Laura Hefta - yes

The motion was approved unanimously.

B. ORDINANCE NO. 5.28.35 - Second 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**

This ordinance allows the Town Clerk to administratively approve special event permit applications instead of the application being heard by the Special Licensing Authority. The Special Licensing Authority unanimously recommended that the Council approve this item.

Public Comments: None.

Anne Barrington moved and Todd Hendreks seconded to approve Ordinance No. 5.28.35 on second reading.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

Mayor Toborg advised that he was exercising his authority to veto this ordinance. The matter will be brought before the Town Council at the next meeting to consider upholding the vote of the Town Council.

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

The purpose of this ordinance was to approve the Intergovernmental Agreement (IGA) with Aurora regarding snow removal and street sweeping of Kings Point Way and to convey a portion of Kings Point Way to Aurora.

Public Comments: None.

Joshua Rivero moved and Todd Hendreks seconded to approve Ordinance No. 9.370 on second reading.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

D. ORDINANCE NO. 1.617- Second 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

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 was needed for planned improvements to Motsenbocker Road.

Public Comments: None.

Laura Hefta moved and Anne Barrington seconded to approve Ordinance No. 1.617 on second reading.

A roll call vote was taken:

Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

Joshua Rivero asked for clarification on the veto process, received clarification from the Town Attorney, and a discussion ensued.

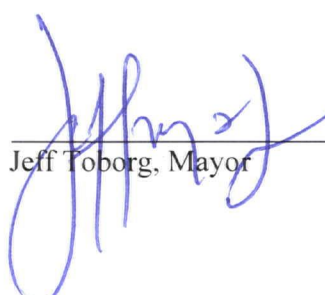
Laura Hefta moved and Todd Hendreks seconded to adjourn the meeting at 9:00 p.m.

A roll call vote was taken:

Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - no
Laura Hefta - yes

The motion was approved on a 5-1 vote with Brandi Wilks opposing.


Susan L. Irvine, Deputy Town Clerk


Jeff Toborg, Mayor