

TOWN OF PARKER COUNCIL AGENDA

April 21, 2025

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://parkerCO.gov/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. 5:00 P.M. – Call to Order Town Council Meeting and Roll Call
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)
- C. Council Updates/Work Session - Immediately following Executive Session, if time allows.
- D. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.

2. SPECIAL PRESENTATIONS

- **PROCLAMATION - National Donate Life Month - Cheryl Talley**

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. As any matters raised by individuals during public comment are not on the agenda and other potentially interested parties would not, therefore, be aware of the discussion of these matters, the Town Council will not engage in dialogue regarding any items raised during public comment.*

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 - April 7, 2025*
- B. *ORDINANCE NO. 9.264.2 - First Reading*
A Bill for an Ordinance Approving the First Amendment to Intergovernmental Agreement Between the Town of Parker, Colorado, and Anthology West Metropolitan District Nos. 2, 3, and 4, and Second Amendment to Intergovernmental Agreement Between the Town of Parker, Colorado, and Anthology West Metropolitan District Nos. 5 and 6
Department: Town Attorney, Jamie Wynn
Second Reading: May 5, 2025
- C. *ORDINANCE NO. 1.644 - First Reading*
A Bill for an Ordinance Zealously Asserting the Town of Parker's Home Rule Authority to Regulate Accessory Dwelling Units, which Authority Supersedes and Preempts House Bill 24-1152
Department: Town Attorney, Jim Maloney
Second Reading: May 5, 2025
- D. *ORDINANCE NO. 1.645 - First Reading*
A Bill for an Ordinance Zealously Asserting the Town of Parker's Home Rule Authority to Determine Residential Occupancy Limits for Single Dwellings Constructed in the Town, which Authority Supersedes and Preempts House Bill 24-1007
Department: Town Attorney, Jim Maloney
Second Reading: May 5, 2025
- E. *ORDINANCE NO. 9.386 - First Reading*
A Bill for an Ordinance to Approve the Trust Agreement for Colorado Peace Officers Benefit Trust Concerning Cardiac Screenings and Other Recommended Testing
Department: Police Department, Jim Prior
Second Reading: May 5, 2025
- F. *ORDINANCE NO. 9.299.2 - First Reading*
A Bill for An Ordinance to Approve the Addendum to the First Amended and Restated Intergovernmental Agreement Between Douglas County School District RE-1 and the Town of Parker Regarding the Sharing of Costs for Providing Police Officers to Act as School Resource Officers (SROs)
Department: Police, Jim Tsurapas
Second Reading: May 5, 2024
- G. *RESOLUTION NO. 25-025*
A Resolution to Allow a Partial Waiver of Sections 13.09.020(e), 13.09.040(d), 13.09.040(e), and Table 13.09.B., of the Parker Municipal Code for Certain Businesses for Parker Days
Department: Community Development, Bryce Matthews

- H. *RESOLUTION NO. 25-026*
A Resolution Calling a Special Town Election on November 4, 2025, to Amend Certain Sections of the Town of Parker Home Rule Charter
Department: Town Council
- I. *RESOLUTION NO. 25-027*
A Resolution Stating the Town's Intent to Participate in the Douglas County Coordinated Election on November 4, 2025
Department: Town Council
- J. *RESOLUTION NO. 25-028*
A Resolution to Withdraw Approval of the TK Elevator Corporation Agreement for Goods and Services Regarding the Modernization of the Recreation Center Elevators
Department: Town Attorney, Jamie Wynn
- K. *CONTRACTS OVER \$100,000*
1. *2025 Townwide Resurfacing Program (CIP 25-004)*
Amount: \$4,015,520.00
Contractor: Brannan Sand and Gravel Company, LLC
Department: Engineering and Public Works, John Mounier
2. *2025 Townwide Preservation Program (CIP 25-005)*
Amount: \$ 1,756,729.52
Contractor: Vance Brothers, Inc.
Department: Engineering and Public Works, John Mounier
3. *Looking Glass Subdivision Bridges Settlement (CIP25-012)*
Amount: \$138,320
Contractor: Concrete Stabilization Technologies
Department: Engineering and Public Works, Chris Hudson
4. *2025 Townwide Concrete Replacement Program (CIP 25-006)*
Amount: \$ 2,651,122.50
Contractor: Norra Concrete Construction Corporation
Department: Engineering and Public Works, John Mounier
5. *2026 Winter Musical - Shrek*
Amount: \$140,000 with total walkout potential of \$150,000
Contractor: Sasquatch Productions, Ltd.
Department: Cultural, Britni Minichino-Sikora

6. *2025 Development Inspection Services*

Amount: \$138,184.00

Contractor: Alfred Benesch & Company

Department: Engineering and Public Works, Alex Mestdagh

6. **TOWN MANAGER**

- **Spring 2025 Town Manager's Report**

7. **ORDINANCES**

A. **ORDINANCE NO. 9.385 - Second Reading**

A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the State of Colorado for the use and benefit of the Colorado Department of Transportation and the Town of Parker Regarding Maintenance and Operation Responsibilities Associated with the Parker Road Multiuse Path Pine Drive to Stroh Road Project CDOT Project Number CRP M039-010 (Subaccount #: 25906) and Town of Parker Project CIP23-042

Department: Engineering and Public Works, Patrick Burke

B. **ORDINANCE NO. 3.372.3 - Second Reading**

A Bill for an Ordinance to Amend Subsection 13.05.030(e) of the Parker Municipal Code Concerning Car Washes

Department: Community Development, Bryce Matthews

8. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

9. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

April 21, 2025

“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).”

1. Colorado Revised Statute Section 29-20-104(1)(g) concerning the process to approve and locate car washes in the Town

“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 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).”

2. Chapter 10.11 of the Parker Municipal Code concerning the authority of special districts to issue debt and proposed amendments to the Hess Ranch Metropolitan Districts 5-8 Intergovernmental Agreements

TOWN OF PARKER COUNCIL
MINUTES
APRIL 21, 2025

Mayor Joshua Rivero called the meeting to order at 5:02 p.m. All Councilmembers were present.

Mayor Rivero advised the Town Council that he had been recently contacted by a resident and board member of one of the Anthology West Metropolitan Districts, who requested a meeting. At that meeting, the board member started discussing an item and Mayor Rivero learned that the item was on the next Town Council meeting agenda and told the board member he could not discuss the item. However, due to the information discussed prior to Mayor Rivero learning that the matter was pending before the Town Council, and out of an abundance of caution, Mayor Rivero advised the Town Council about the meeting and that some information about the pending item had been shared by the board member.

Although the Mayor would not directly be voting on the items pending before the Town Council, he would be allowed to cast a vote in the event of a tie. While the Town Council does not have concerns with the Mayor's judgment regarding this matter, due to any potential for there to be an impact on public confidence regarding a vote, based on information that was provided to the Mayor prior to the matter coming before the public meeting, Councilmember Hefta moved and Todd Hendreks seconded that based on the potential for an impact to the public confidence in the integrity of the governing body, the Mayor should be determined to have a conflict of interest for the pending matter related to the Anthology West Metropolitan Districts.

The motion was approved unanimously.

Town Attorney Jamie Wynn announced that there was one topic 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) which was Colorado Revised Statute Section 29-20-104(1)(g) concerning the process to approve and locate car washes in the Town. The second topic for discussion was 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 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) which was Chapter 10.11 of the Parker Municipal Code concerning the authority of special districts to issue debt and proposed amendments to the Hess Ranch Metropolitan Districts 5-8 Intergovernmental Agreements.

EXECUTIVE SESSION

Brandi Wilks moved and Anne Barrington seconded to enter into Executive Session at 5:07p.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) and 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.

Brandi Wilks moved and Erik Frandsen seconded to come out of Executive Session at 5:54 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

Items discussed during the Work Session were noted as follows:

- Update on the jury trial held on April 16 and April 18, 2025.
- Dogs off leash on the trail under the powerlines at Canterbury.
- Status of the mound of dirt on the Kime Property.
- Meeting with the Douglas County Commissioners regarding the Home Rule Charter Initiative.

Brandi Wilks moved and Anne Barrington seconded to recess the regular meeting until 7 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Joshua Rivero reconvened the meeting at 7 p.m. All Councilmembers were present.

Boy Scout Troop #280 led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

PROCLAMATION - National Donate Life Month - Cheryl Talley

Mayor Rivero read the Proclamation into the record and then presented the Proclamation to Cheryl Talley.

PUBLIC COMMENTS

There were 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 - April 7, 2025*

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Contractor: Alfred Benesch & Company

Department: Engineering and Public Works, Alex Mestdagh

Brandi Wilks moved and Erik Frandsen seconded to approve Consent Agenda Items 5A through 5K.

A roll call vote was taken:

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Erik Frandsen - yes

Brandi Wilks – yes

The motion was approved unanimously.

TOWN MANAGER

Spring 2025 Town Manager's Report

A written report from the Town Manager was supplied to Town Council as part of the Council packet and is available on the Town's website and social media.

ORDINANCES

A. ORDINANCE NO. 9.385 - Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the State of Colorado for the use and benefit of the Colorado Department of Transportation and the Town of Parker Regarding Maintenance and Operation Responsibilities Associated with the Parker Road Multiuse Path Pine Drive to Stroh Road Project CDOT Project Number CRP M039-010 (Subaccount #: 25906) and Town of Parker Project CIP23-042

Department: Engineering and Public Works, Patrick Burke

The Town of Parker is proposing to construct two segments of trail/sidewalk on the east side of Parker Road where there are currently gaps in the sidewalk. The first segment consists of a multi-use trail between Pine Drive and the existing multi-use trail that terminates at the Town of Parker open space property near the Pine Bluffs neighborhood. The second segment consists of a multi-use trail between the existing trail fronting the Big Tool Box property, crossing J Morgan Boulevard, and then connecting to the existing multi-use trail just south of Robinson Ranch.

Through the Denver Regional Council of Governments (DRCOG), the Town was granted partial state/federal multi-modal funding for the construction of this trail/sidewalk and pedestrian bridge. In December 2023, Town Council approved an IGA with CDOT to receive

direct construction funding for this project in the amount of up to \$3,596,000. The Town is required to fund the remaining \$1,404,000 of the estimated \$5,000,000 direct construction cost. The funding cannot be used for non-direct construction expenses such as design, materials testing or construction administration as the Town is responsible for these costs.

The Town's consultant is in the process of finalizing the design for this section of trail/sidewalk and pedestrian bridges. The Town is intending to competitively bid and award the construction contract in mid-2025 with construction occurring during the 2025 construction season. This maintenance and operation IGA is one of CDOT's remaining requirements that must be completed prior to issuing a Concurrence to Advertise.

Public Comment: None.

John Diak moved and Laura Hefta seconded to approve Ordinance No. 9.385 on second reading.

A roll call vote was taken:

Todd Hendreks - yes
Anne Barrington - yes
Brandi Wilks - yes
John Diak - yes
Erik Frandsen - yes
Laura Hefta - yes

The motion was approved unanimously.

B. ORDINANCE NO. 3.372.3 - Second Reading

A Bill for an Ordinance to Amend Subsection 13.05.030(e) of the Parker Municipal Code Concerning Car Washes

Department: Community Development, Bryce Matthews

As the Town approaches future build-out, Community Development staff closely monitor the remaining commercial, light industrial and mixed-use areas in order to assess conditions, ensure consistency with the Parker 2035 Master Plan and support appropriate development that protects future economic vitality. The reason for this is that the Town relies upon having an adequate base of commercial, light industrial and mixed-use areas that generate sales tax revenue and employment to ensure the long-term economic health and fiscal sustainability of the community. In recent years, the Town has experienced a proliferation of car wash development that is a concern because this use generates very limited sales tax revenue and employment while seeking to locate in high-visibility commercial areas, such as arterial corners.

In response to the above, Community Development staff are proposing to amend the LDO with new use-specific standards to more appropriately locate car washes within commercially zoned areas. The proposed changes described below are intended to permit the development of car washes in certain locations while preserving the limited, remaining high-visibility commercial

areas for appropriate commercial uses that promote economic vitality, generate sales tax revenue and create employment. The proposed amendment to the LDO would establish the following use-specific standards for car washes throughout the Town, including in PD zoning districts:

1. Minimum 500-foot buffer to schools and other sensitive uses;
2. Minimum 250-foot buffer to a *Hard Corner* or residentially zoned property; and
3. Maximum of two (2) car wash uses within 660 feet of a *Hard Corner*.

The proposed amendment to LDO *Section 3.05.030, Use-Specific Standards*, will read as follows:

(e) (28) Car wash. Car washes in all zone districts including Planned Developments (PD):

- a. *Car washes shall not be located within five-hundred (500) feet of an elementary or secondary school, a hospital, a continuing care facility, a group home, a group residential facility, or a day care establishment.*
- b. *Car washes shall not be located within two-hundred and fifty (250) feet of:*
 1. *A Hard Corner; or*
 2. *A residentially zoned property.*
- c. *There shall not be more than two (2) car washes located within six-hundred sixty (660) feet of any single Hard Corner.*

The proposed amendment to the LDO for car wash use will have the following public benefit(s):

1. It strikes a balance by continuing to permit car wash use while directing the development of the use to appropriate locations in commercial districts.
2. It establishes new standards for the use to address concerns about community character, economic vitality and mitigation of impacts.
3. It aligns the use-specific standards for car washes with those for similar auto-oriented uses such as automotive fuel sales (gas stations).
4. It preserves *Hard Corners* for appropriate commercial uses that support the Parker 2035 Master Plan goals for community character, economic vitality and future growth/development.

The proposed amendment to the LDO that establishes new use-specific standards for car washes is consistent with the goals and strategies of the Parker 2035 Master Plan as described in the attached Planning Commission staff report.

For context, staff has attached a map showing the location of existing car washes, where they may be developed in the future and those areas that are designated as a *Hard Corner*.

The Planning Commission considered the proposed amendment to the LDO at their meeting on March 27, 2025, and voted unanimously to recommend that the Town Council adopt Ordinance No. 3.372.3 regarding use-specific standards for car washes.

Public Comment: None.

Todd Hendreks moved and Brandi Wilks seconded to approve Ordinance No. 3.372.3 on second reading.

A roll call vote was taken:

Todd Hendreks - yes
Anne Barrington - yes
Brandi Wilks - yes
John Diak - yes
Erik Frandsen - yes
Laura Hefta - yes

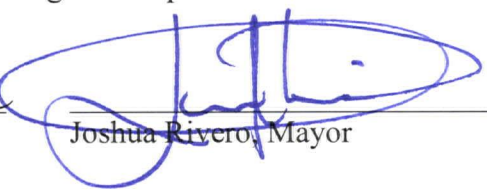
The motion was approved unanimously.

ADJOURNMENT

Mayor Joshua Rivero adjourned the meeting at 7:46 p.m.

A handwritten signature in blue ink, reading "Chris Vanderepool".

Chris Vanderepool, Town Clerk

A large, stylized handwritten signature in blue ink, reading "Joshua Rivero".

Joshua Rivero, Mayor