



# TOWN COUNCIL MEETING UPDATE

*May 16, 2022*



**PARKER**  
C O L O R A D O

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## **PUBLIC HEARINGS AND SECOND READINGS**

### ***Public Hearings***

- **Auburn Hills Minor Development Plat and Right-of-Way Vacation**

Town Council approved three items related to a minor development plat (MDP) that subdivides an existing property located at the southwest corner of Mainstreet and Jordan Road into five lots for future commercial development. In addition to the MDP was an ordinance vacating a portion of excess right-of-way (0.48 acres) located on the west side of Jordan Road south of Mainstreet, as well as a subdivision improvement agreement to secure the public improvements associated with the MDP. The MDP establishes the framework for future commercial use, however, all proposals for development will require a site plan application and approval. These will be processed administratively under the Land Development Ordinance. The Bradbury Ranch PD zoning designates the property as Neighborhood Commercial with the intention of providing a broad range of retail goods and services and business and professional services that support residential use and surrounding residential neighborhoods. The developer requested that the Town sell and vacate the excess right-of-way and allow it to be incorporated into the new development. Based on the market value of the land and the added value that the land would bring to the overall development, a sale price of \$165,000 was negotiated with the developer.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Parker Youth Commission**

Town Council approved an ordinance and resolution resulting in the creation of a new Town commission, the Parker Youth Commission. The Mayor, Town Council and Town Administrator proposed the creation of this commission to offer Parker youth an opportunity to interact with their government, build leadership skills and enhance civic engagement. Ordinance No. 1.560 establishes the Town of Parker Youth Commission with the purpose of providing an opportunity for community youth to learn about government, participate in the process and represent and articulate the needs of Parker's youth.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Hess Road Slope Easement Release**

Town Council approved an ordinance to release a portion of the slope easement for Hess Road held by the Town on Lot 3, Pine Bluffs Filing 4, Amendment 1. In 2004, the Town acquired a slope easement over portions of the Pine Bluffs development in order to accommodate the construction of Hess Road east of Parker Road. This easement was necessary to allow the backslope of the roadway grading to be tied-in on the adjacent properties. This slope easement included a portion of subject property, which is now proposed to be developed as a commercial property within the Pine Bluffs development. With the roadway slope now constructed and established, the portion of the slope easement located on this property is no longer necessary, provided the property is developed in accordance with the proposed site plan.

**Approved 5-1 (In Favor: Barrington, Diak, Hefta, Hendreks, Rivero; Opposed: Poage)**

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## **PUBLIC HEARINGS AND SECOND READINGS (con't)**

### ***Resolutions***

- **Paid Family Medical Leave Insurance Program Opt Out**

Town Council passed a resolution to decline the Town's participation in the State of Colorado's Paid Family and Medical Leave Insurance (FAMLI) Program. Local government employers are permitted to decline to participate in the FAMLI Program. If the local government declines participation, individual employees can still elect to participate in the program and will be responsible for 50% of the premium. To decline participation, the Town must vote on a resolution to decline participation in the Program and then provide notice of that vote to its employees and the state. Town employees were provided notice of this hearing, including information about the FAMLI Program and the effects of the Town opting out of the program, via email from the Town Administrator on April 20, 2022. Employees were provided two options to send written comments about the proposed opt-out resolution prior to this hearing, and were informed of the date, time and location of the hearing should they desire to provide in-person testimony. The Town currently offers paid leave to its employees, including sick leave, vacation leave, short-term disability and long-term disability coverage. Employees may also be eligible for federal Family and Medical and Leave Act ("FMLA") coverage based on their individual circumstances. Therefore, employees do have leave options available to them when they need to take time off for family or medical reasons.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

### ***Contracts Over \$500,000***

- **O'Brien Park Playground Improvements**

Town Council approved a trade contractor agreement with Richdell Construction, Inc., in the amount of \$1,823,800 for the O'Brien Park Playground Improvements Project, plus a 10% construction contingency in the amount of \$165,800. This project includes a complete renovation of the existing playground that will expand play opportunities, provide universally accessible play equipment, add musical instruments, add shade structures and increase the amount of picnic table seating. Project construction is anticipated to start in June and be completed by November.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

## CONSENT AGENDA

### ***First Readings - Second Readings Scheduled for June 6***

- **Mountain View Senior Center Easement Conveyance**

This proposed ordinance would result in the dedication of an easement to Parker Water and Sanitation District (PWSD) over a Town-owned property, Tract B, Mountain View Senior Center Filing No. 1. In 1997, a Minor Development Plat for the Mountain View Senior Center Filing No. 1 subdivision was recorded. This plat created the lot for the American Academy Charter School located on Motsenbocker Road. As part of the Minor Development Plat, a small tract (Tract B) was dedicated to the Town as public right-of-way to accommodate a north-south roadway connection between Clarke Farms and future development to the south. As the land to the south was eventually developed as the Olde Town subdivision, the roadway network in this area was ultimately modified to no longer include a roadway connection over Tract B. The vacant land to the west of Mountain View Senior Center is now proposed to be developed as townhomes as part of the Senderos Creek subdivision. As part of the construction drawings for that development, waterline infrastructure is proposed to be located within Tract B. PWSD has requested that the Town dedicate a waterline easement to the District to cover the proposed infrastructure.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Parker Municipal Code Definition Concerning Harassment**

The Colorado Supreme Court recently ruled that the phrase “intended to harass” in the context of the state’s anti-harassment statute is constitutionally overbroad because it could implicate speech that is protected by the First Amendment. The Town has a similarly worded provision in its harassment ordinance; therefore, the ordinance should be updated to conform with the Supreme Court’s ruling.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

### ***Motions, Contracts, Resolutions, Proclamations, Agreements***

- **Chambers Road Property Conveyance**

Town Council passed a resolution accepting the conveyance of right-of-way from Douglas County for Chambers Road south of the E-470 interchange to the planned Belford Avenue intersection. Belford Avenue west of Chambers Road is now under construction, and Douglas County wished to not assume responsibility for the operation and maintenance of the new traffic signal as it is not a Douglas County development responsibility. The Town already maintains the Chambers Road and E-470 interchange traffic signals to the north; therefore, it was logical for the Town to assume maintenance responsibility for the new traffic signal since the new signal is a requirement of a Town development. Following this approval of the conveyance, a separate annexation process will be undertaken later in 2022 to clean up this area jurisdictionally.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

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## **CONSENT AGENDA (con't)**

### ***Motions, Contracts, Resolutions, Proclamations, Agreements (con't)***

- **Valley Hope of Parker Sidewalk Easement Conveyance**

Town Council passed a resolution accepting the conveyance of a sidewalk easement covering a new public sidewalk on Mainstreet that is proposed in a site plan amendment for Lot 1, Block 1, of Valley Hope of Parker. The Town requires that all sidewalks and trails along public roadways be located either within public right-of-way or within a sidewalk easement that preserves the public's right to access them. The construction drawings for this site plan amendment propose a new public sidewalk on the south side of Mainstreet east of Canterbury Parkway, of which a portion is located outside of public right-of-way and on private property. Because the sidewalk is proposed to be constructed with a site plan and not with a plat, the required sidewalk easement needed to be dedicated via separate instrument.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Valley Hope of Parker Drainage Easement Conveyance**

Town Council passed a resolution accepting the conveyance of a drainage easement covering drainage improvements for Lot 1, Block 1, of Valley Hope of Parker. The Town's Stormwater criterion requires that drainage easements be dedicated over all storm drainage facilities located on private property. The drainage easements are necessary to ensure the long-term operation and maintenance of drainage infrastructure to minimize flooding and protect the quality of stormwater runoff. Since the drainage facilities for the Valley Hope of Parker improvements are being constructed as part of a site plan process, and not a plat, the easement needed to be dedicated by a separate instrument.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Mark 6 Business Subdivision Multi-Use Easement Conveyance**

Town Council passed a resolution accepting the conveyance of a multi-use utility easement covering drainage improvements proposed with the site plan for Lot 5, Mark 6 Business Subdivision, 2nd Amendment. Because the proposed drainage improvements will share a corridor with water and sewer utilities, a multi-use utility easement was proposed to reflect the arrangement.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Mark 6 Business Subdivision Drainage Easement Conveyance**

Town Council passed a resolution accepting the conveyance of a drainage easement covering drainage improvements proposed with the site plan for Lot 5, Mark 6 Business Subdivision, 2nd Amendment. Since the drainage facilities are being constructed as part of a site plan process, and not a plat, the easement needed to be dedicated by a separate instrument.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

## CONSENT AGENDA (con't)

### ***Motions, Contracts, Resolutions, Proclamations, Agreements (con't)***

- **National Public Works Week Proclamation**

Town Council made a proclamation designating the week of May 15 through 21 as National Public Works Week in the Town of Parker. The American Public Works Association has celebrated National Public Works Week annually since 1960.

**Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**

- **Contracts Over \$100,000**

Three contracts over the amount of \$100,000 were awarded by Town Council:

1. A trade contractor agreement with Land Ethics of Colorado, LLC in the amount of \$269,200 for the landscaping portion of the Cottonwood Drive Widening Project. Work includes landscape and irrigation of three median islands on Cottonwood Drive between Apache Plume Drive and Cottonwood Way.
2. A revised contract with Landscape Structures, Inc. in the amount of \$376,232 for playground equipment for the O'Brien Park Playground Improvements Project. The previous amount approved for this contract of \$338,900.97 only included play equipment for the base bid construction project. Subsequently, staff recommended approval of both the base bid and the "add alternate" bid to complete the entire project and avoid a phase 2 project and future disturbance to the park. This increased the amount needed to purchase the playground equipment for the "add alternate" bid.
3. A trade contractor agreement with 53 Corporation in the amount of \$316,669 for the 2022 Cimarron Middle School Pond Improvements Project. Work includes, but is not limited to, replacement of a concrete forebay, installation of a concrete trickle channel, installation of a maintenance access path, modifications of an existing outlet structure, and regrading of the existing pond bottom.

- **Approved 6-0 (In Favor: Barrington, Diak, Hefta, Hendreks, Poage, Rivero)**