

**New Castle Town Council  
Special Council Meeting  
Tuesday, January 7, 2014, 6:00 p.m.**

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**Call to Order**

Mayor Pro Tem Riddile called the meeting to order at 6:00 p.m.

**Pledge of Allegiance**

**Roll Call**

Present	Mayor Pro Tem Riddile
	Councilor Metzger
	Councilor Gordon
	Councilor Leland
	Councilor Stuckey
Absent	Mayor Breslin
	Councilor Russi

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Town Finance Director Lyle Layton and Human Resources Manager Mike Edgar.

**Meeting Notice**

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC-2013-1.

**Items for Consideration**

**Executive Session**

**MOTION: Councilor Gordon made a motion at 6:05 p.m. to go into executive session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding an employee evaluation of the Town Finance Director, and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Councilor Metzger seconded the motion and it passed unanimously.**

**Executive Session concluded 6:29 p.m.**

At the end of the executive session, Mayor Pro Tem Riddile made the following statement:

"The time is now 6:29 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Metzger, Gordon Leland and

1 Stuckey, Town Administrator Tom Baker, Human Resources Manager Mike Edgar and  
2 Town Finance Director Lyle Layton. For the record, if any person who participated in  
3 the executive session believes that any substantial discussion of any matters not  
4 included in the motion to go into the executive session occurred during the executive  
5 session, or that any improper action occurred during the executive session in violation  
6 of the Open Meetings Law, I would ask that you state your concerns for the record."

7 No concerns were stated.

8

9 **Executive Session**

10 **MOTION: Councilor Gordon made a motion at 6:32 p.m. to go into executive**  
11 **session for discussion of a personnel matter under C.R.S. Section 24-6-402**  
12 **(f)(I) regarding an employee evaluation of the Town Clerk, and not involving:**  
13 **any specific employees who have requested discussion of the matter in open**  
14 **session; any member of this body of any elected official; the appointment of**  
15 **any person to fill an office of this body or of an elected official; or personnel**  
16 **policies that do not require the discussion of matters personal to particular**  
17 **employees. Mayor Pro Tem Riddile seconded the motion and it passed**  
18 **unanimously.**

19 **Executive Session concluded 6:59 p.m.**

20 At the end of the executive session, Mayor Pro Tem Riddile made the following  
21 statement:

22 "The time is now 6:59 p.m. and the executive session has been concluded. The  
23 participants in the executive session were: Councilors Metzger, Gordon Leland and  
24 Stuckey, Town Administrator Tom Baker, Human Resources Manager Mike Edgar and  
25 Town Clerk Melody Harrison. For the record, if any person who participated in the  
26 executive session believes that any substantial discussion of any matters not included  
27 in the motion to go into the executive session occurred during the executive session,  
28 or that any improper action occurred during the executive session in violation of the  
29 Open Meetings Law, I would ask that you state your concerns for the record."

30 No concerns were stated.

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3 **New Castle Town Council Meeting**  
4 **Tuesday, January 7, 2014, 7:00 p.m.**  
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6 **Call to Order**

7 Mayor Pro Tem Riddile called the meeting to order at 7:00 p.m.  
8

9 **Pledge of Allegiance**

10  
11 **Roll Call**

12 Present	Mayor Pro Tem Riddile
	Councilor Metzger
	Councilor Gordon
	Councilor Leland
	Councilor Stuckey
	Councilor Russi arrived at 7:44 p.m.
18 Absent	Mayor Breslin

20  
21 Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody  
22 Harrison, Town Planner Tim Cain and Human Resources Manager Mike Edgar.  
23

24 **Meeting Notice**

25 Town Clerk Melody Harrison verified that her office gave notice of the meeting in  
26 accordance with Resolution TC-2013-1.

27  
28 **Conflicts of Interest**

29 Councilor Stuckey stated that Warrior Golf was a client of his through his personal  
30 business and that he had a conflict with the agenda item regarding the draft letter to  
31 warrior for security for warranty work, and the two liquor licenses on the consent  
32 agenda.  
33

34 **Agenda Changes**

35 There were no agenda changes.  
36

37 **Citizen Comments on Item not on the Agenda**  
38

39 **Consultant Reports**

40 Consultant Attorney – not present

41 Consultant Planner – not present

42 Consultant Engineer – Consultant Engineer Jeff Simonson updated the council on the  
43 pedestrian bridge project, saying that CDOT had questions about the project that were  
44 expected, and that they had received conditional approval from Union Pacific Railroad.  
45 He said the goal was to bid out the project in March 2014, and to be under  
46 construction by May. He explained a few other requirements that will have to be met  
47 before the project could be under way.

1 Engineer Simonson told the council that the operational feasibility analysis for the  
 2 roundabout project had been completed by his office, and a final report was being  
 3 written. The report will be submitted to Dan Roussin at CDOT, and then reviewed by  
 4 the roundabout engineering firm Orson & Associates.

5 Engineer Simonson told the council that the state had adopted new regulations for  
 6 flood plains that met the minimum requirements as set forth by FEMA. Although the  
 7 town had already adopted a flood plain ordinance that met the same requirements, the  
 8 state was asking that the council consider adopting their Colorado Flood Plain Damage  
 9 Prevention Ordinance, which would bring their regulations into the town's currently  
 10 adopted code. Engineer Simonson said he had reviewed the proposed ordinance and  
 11 could not see any conflicts. Administrator Baker said he would have our attorney  
 12 review the document and bring it to council for their consideration.

13 Engineer Simonson told the council that Administrator Baker, Public Works Director  
 14 John Wenzel and he had walked County Road 335 with the Talbots to determine  
 15 placement for a proposed eight-foot wide trail from Exit 105 to Apple Tree. He said he  
 16 would produce a report that will include a cost estimate, a schematic and a preliminary  
 17 design. The best location for the trail seemed to be on the north side of the road. At  
 18 Coal Ridge Park the trail would drop down by the river. Spring run-off had been  
 19 considered in the trail location. Administrator Baker said a cost estimate would also be  
 20 done for improvements to CR 335 so that a complete conceptual plan can be done for  
 21 the area. The goal was to complete the pedestrian bridge, CR 335 and a trail all at  
 22 once.

23 Engineer Simonson explained some details of recycling existing roadway materials as  
 24 opposed to removing and replacing them, which assisted in shortening the length of  
 25 the project, and reducing costs.

26 Engineer Simonson showed the council the storyboards they used for the DOLA grant  
 27 for the pedestrian bridge, and told the council they were welcome to look at them.  
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### 29 **Items for Consideration**

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 31 **Consider Resolution TC-2014-1 - A Resolution of the Town Council of the**  
 32 **Town of New Castle Designating Public Notice Posting Places.**

33 **MOTION: Councilor Leland made a motion to approve Resolution TC-2014-1 -**  
 34 **A Resolution of the Town Council of the Town of New Castle Designating**  
 35 **Public Notice Posting Places. Councilor Stuckey seconded the motion and it**  
 36 **passed unanimously.**  
 37

38 **Consider Resolution TC-2014-2 - A Resolution of the Town Council of the**  
 39 **Town of New Castle Waiving the Requirement for Posting of Bonds by Certain**  
 40 **Town Officers.**

41 **MOTION: Councilor Leland made a motion to approve Resolution TC-2014-2 -**  
 42 **A Resolution of the Town Council of the Town of New Castle Waiving the**  
 43 **Requirement for Posting of Bonds by Certain Town Officers. Councilor Gordon**  
 44 **seconded the motion and it passed unanimously**  
 45  
 46

### 47 **Warrior Golf Security for Warranty Work - Draft Letter**

48 Councilor Stuckey asked the council for permission to recuse himself. The council  
 49 agreed and Councilor Stuckey left council chambers.

1 The council briefly reviewed the letter to Warrior Golf drafted by Town Attorney David  
2 McConaughy. Administrator Baker told the council staff was asking them for  
3 authorization for the letter to be sent. Engineer Simonson said there was a range for  
4 the amount of security needed because until the road base was removed, the extent of  
5 the repair work was unknown. After a very brief discussion, the council agreed to send  
6 the letter.

7 **MOTION: Councilor Gordon made a motion to approve sending the letter**  
8 **written by Town Attorney McConaughy to Warrior Acquisitions. Mayor Pro**  
9 **Tem Riddile seconded the motion.**

10 Discussion: Councilor Gordon said that it was important that Warrior knew the  
11 warranty items were not forgotten and that they needed to complete the work.  
12 Councilor Leland said that although the clubhouse will be important for the community  
13 and for future economic development, fixing the roads affected the current residents.  
14 Administrator Baker said that Warrior had until February 18 to reply to the letter, and  
15 Councilor Leland clarified that if Warrior came back with a counter-offer on the security  
16 amount, there will be time for the council to discuss it then. Councilor Russi asked if  
17 certificates of occupancy or building permits could be issued. Administrator Baker said  
18 the town had issued building permits, and Clerk Harrison said she had spoken with the  
19 town attorneys before issuing the building permits to make sure there would be no  
20 violation of any agreements. Clerk Harrison said she would verify whether certificates if  
21 occupancy could be issued.

22 **The motion passed unanimously.**

23  
24 **Review: Comprehensive Plan Amendment done by Planning & Zoning**  
25 **Commission**

26 Administrator Baker told the council he and Town Planner Tim Cain had attended the  
27 Planning & Zoning meeting on December 12, 2014 where they followed up on the park  
28 development idea. He said P&Z wanted council to comment of the proposed language  
29 for the amendment. Councilor Leland said that he was sitting as the council liaison to  
30 the P&Z and that Attorney David Smith was a instrumental in drafting appropriate  
31 language for the amendment to be consistent with comprehensive plan language.  
32 Mayor Pro Tem Riddile said he thought the P&Z had done a great job on the  
33 amendment.

34 **MOTION: Councilor Leland made a motion that the Mayor send a memo to the**  
35 **Planning & Zoning Commission Chair, thanking the Planning and Zoning**  
36 **Commission for their good work on amending comprehensive plan.**

37 Discussion: Councilor Russi thought the motion should also include language for the  
38 record that the council endorsed the amendment because it is in line with the goal for  
39 future, phased development of parks that the developer is fully responsible for. He  
40 thought perhaps there should be some mention that the town council would establish  
41 the timeline, the phasing, the benchmark, just so there is a record or an appendix to  
42 the comprehensive plan in the future that the town council has a role, and they will  
43 establish when certain things take place.

44 Town Administrator said the memo would be brought back to the council. He clarified  
45 that the memo Planner Cain will rewrite should thank the P&Z for their good work,  
46 state that the council endorsed their action and add points to emphasize what the  
47 council found important. The council agreed with the staff direction for the memo.

48 **The motion died for lack of a second.**

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3 **Discussion Regarding the New Castle Fee Schedule**

4 Administrator Baker told the council that Planner Cain had done a comparison table of  
5 the various fees the neighboring communities charged, and he felt that New Castle's  
6 fees were comparable. He asked the council for direction regarding the fees schedule,  
7 particularly the recreation impact fee they had discussed previously. The entire fee  
8 schedule will then come back to council at a future meeting for approval. He said staff  
9 had reviewed all the other fees and did not have any changes.

10 Councilor Gordon asked if there were parkland dedication fees from other towns in the  
11 comparison table. Planner Cain said there was, but that every town used a different  
12 formula to calculate it, and comparing them was complicated. Administrator Baker said  
13 that staff suggested not changing the parkland dedication fees because council was  
14 trying to improve economic development, that the timing may not be optimal to  
15 increase parkland dedication fees, as it could send a mixed message. Staff's original  
16 recommendation was to not raise the parkland dedication fee.

17 **MOTION: Councilor Gordon made a motion not to raise any fees. Councilor**  
18 **Stuckey seconded the motion.**

19 Discussion: Councilor Leland said he had intended to argue that the recreation fee  
20 should be raised, but that it occurred to him that all the development in town had  
21 already met their park dedication requirements. He said future development could be  
22 small developments in which the town would not get a major park area, but a small  
23 open space instead. The town will not need the recreation impact fee to build parks,  
24 because future annexations would build them for the town. The recreation impact fee  
25 will end up going into a fund for improvements to existing parks.

26 **The motion passed unanimously.**

27 Administrator Baker said the fee schedule will come back at the next meeting.  
28

29 **Consent Agenda**

30 Minutes of the December 17, 2013 council meeting

31 December Bills of \$366,944.16

32 Lakota Golf Course Liquor License Renewal

33 Lakota Recreation Center Liquor License Renewal

34 **MOTION: Councilor Gordon made a motion to approve the consent agenda.**  
35 **Councilor Leland seconded the motion passed with Councilor Stuckey**  
36 **abstaining.**

37  
38 **Staff Reports**

39 Town Administrator - Administrator Baker told council that staff had been speaking  
40 with the senior housing group, and that their presentation to council had been moved  
41 to the second meeting in February. He said staff will begin on space planning in the  
42 public works building. He said he will stay in the town hall building, and that Tim, Mike,  
43 Debbie and Lyle will move to the other building.

44 Administrator Baker told council that he had talked with Councilor Metzger about the  
45 efficiency of building inspections for the town and he said because of that he felt it was  
46 time to bring an idea forth to the council. He said he Clerk Harrison had met with the  
47 Rifle City Manager Matt Sturgeon and discussed a regional building department. There  
48 are a number of counties where regional building departments have been established  
49 for as long as 20 years. Administrator Baker said Mr. Sturgeon would be speaking

1 about the idea to his city council, and he asked the council for their thoughts on the  
2 idea as well. He said that in discussing it with Clerk Harrison, there appeared to be  
3 some efficiencies that could be very beneficial, but other questions arose to which  
4 there were not yet answers. The council discussed what they felt would be the benefits  
5 of a regional building department. He said staff was looking for some answers, and  
6 that it was important given the calls coming into the building department about  
7 possible building projects. He asked if the council was comfortable with the direction  
8 staff was going and they said they were. Councilor Metzger asked Clerk Harrison about  
9 the real estate company who called about ten lots they intended to purchase.  
10 Administrator Baker said the company was named United Country Real Estate.  
11 Councilor Metzger was concerned that the town be prepared if building increases  
12 significantly, and Clerk Harrison and Administrator Baker assured the council they were  
13 paying close attention to the building department and needs for the immediate future.  
14 Town Clerk - Clerk Harrison told the council that the February 4, 2014 council meeting  
15 would be held jointly with the Board of County Commissioners (BOCC). The meeting  
16 would begin at 6:00 p.m. with a work session between the BOCC and the council, then  
17 from 7:00 p.m. to 8:00 p.m. will be a town-hall style public meeting. The council  
18 agreed that at the next council meeting, they would decide agenda items for the BOCC  
19 meeting.  
20 Town Planner - not present  
21 Public Works Director - not present  
22

### 23 **Council Comments**

24 Councilor Metzger said she had attended the HOA meeting for Castle Valley, and there  
25 was concern about property owners who were not removing snow from the sidewalks,  
26 and that no one was being fined for violating the code on sidewalk maintenance.  
27 Planner Cain said he was keeping in touch with those residents.  
28 Councilor Metzger said pet clean-up station on the Medaris Trail was out of waste bags.  
29 Administrator Baker said he would contact public works about it.  
30 Councilor Metzger said she had read an article about tourism, and felt it would be a  
31 good idea for the county to consider hiring a 'director' of tourism.  
32 Councilor Metzger asked if there had been any news on the EEOC claim, and  
33 Administrator Baker said there had not.  
34 Councilor Leland said that the council should discuss what level of support the town  
35 would provide the RREDC and asked that the item be placed on an upcoming agenda.  
36 Councilor Leland thought new guidelines could be considered for the access channel  
37 and newsletter advertising for local businesses.  
38 Last, Councilor Leland said he had participated in the interview process for the three  
39 police department candidates. The candidates were given private time with the  
40 officers, and the officers then gave feedback to Chief Sadler about that candidate. He  
41 said he thought it was a very effective tool. One of the candidates said that there had  
42 been much conversation in his meeting with the officers about how he dealt with  
43 citizens, which Councilor Leland thought was evidence that community policing was  
44 definitely a priority in the department, which was a great success.  
45 Mayor Pro Tem Riddile said that if Administrator Baker kept his office upstairs rather  
46 than moving to the public works building, it would lessen the autonomy of the police  
47 department in some respects.  
48 Councilor Metzger said that the newsletter from the police department that came in the  
49 January 1 water bill had information about where to put old Christmas trees which she

1 thought was a bit out dated. Administrator Baker said the police were trying some new  
2 things, and he asked for the council's patience while they worked them out.

3 Councilor Gordon said that he thought the document from the P&Z was a good  
4 document, but he thought some wordsmithing could be done and 'top priority' or 'a  
5 must' could be language in the memo Planner Cain will write.

6 Councilor Russi said the paradigm shift in the way the police department thinks was  
7 accomplished in one year, an accomplishment that Administrator Baker was  
8 instrumental in. Administrator Baker said it was a constant effort and it was done  
9 because the council provided the resources and policy direction. Mayor Pro Tem Riddile  
10 and Councilor Russi reiterated that Administrator Baker had provided the consistency  
11 without being intimidated, and they felt it was a really good accomplishment.

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13 **MOTION: Councilor Metzger made a motion to adjourn, Councilor Gordon**  
14 **seconded the motion and it passed unanimously.**

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16 The meeting adjourned at 8:51 p.m.

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18 Respectfully Submitted,

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24 Mayor Frank Breslin

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28 Town Clerk Melody Harrison  
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