

1  
2  
3 **New Castle Town Council Meeting**  
4 **Tuesday, May 7, 2013, 7:00 p.m., Town Hall**  
5

6 **Call to Order**

7 Mayor Breslin called the meeting to order at 7:00 p.m.  
8

9 **Pledge of Allegiance**

10  
11 **Roll Call**

12 Present Councilor Russi  
13 Councilor Riddile  
14 Councilor Metzger  
15 Mayor Breslin  
16 Councilor Gordon  
17 Councilor Leland  
18 Councilor Stuckey

19 Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody  
20 Harrison, Human Resources Manager Mike Edgar, Public Works Director John Wenzel,  
21 Consultant Engineer Jeff Simonson  
22

23 **Meeting Notice**

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

27 **Conflicts of Interest**

28 There were no conflicts of interest.  
29

30 **Citizen Comments on Items NOT on Agenda**

31 There were no citizen comments.  
32

33 Councilor Russi suggested that council speak to the destination imagination team before  
34 convening as the liquor authority. The council agreed.  
35

36 **Coal Ridge High School Destination Imagination Team Request for Support**

37 The Destination Imagination team members James Valenteen, Jorge Vazquez, Garrett  
38 Senor, Ruger Goodwin Bradley, and Justin Burk explained to the council what destination  
39 imagination was and how belonging to the team had benefitted them. They also described  
40 their experiences at the two prior global final tournaments the team had been to. Karen  
41 Valenteen, Team Manager, told the council the team hoped to place in the top ten percent  
42 at finals this year. She thanked the council for their support and said the team would  
43 gladly provide their services to the town in exchange for financial support. She said the  
44 team had raised \$6,500.00 of the \$9,600.00 they needed to travel to Tennessee to the  
45 finals. The council agreed the team would be a big help to the town for the 125 celebration  
46 events coming up.

47 **MOTION: Councilor Leland made a motion to allocate \$1,000.00 for the**  
48 **Destination Imagination Team in exchange for their useful public service.**

49 **Councilor Metzger seconded the motion and it passed unanimously.**

1  
2  
3 **Consultant Reports**

4 Consultant Attorney – Consultant Attorney David McConaughy told the council he  
5 expected the actual legislation on the retail sale of marijuana would be published and  
6 available for review. He suggested that the council consider the process by which they  
7 would consider regulating it in New Castle, saying that public hearings beginning in June  
8 should provide enough time for thoughtful consideration of public input before the October  
9 1 deadline. Town Administrator Tom Baker said he would put together a schedule of  
10 meetings.

11 Consultant Planner – nothing to report

12 Consultant Engineer – nothing to report  
13

14 **Items for Consideration**  
15  
16

17 Recess Council, Convene Liquor Authority

18 **MOTION: Councilor Leland made a motion to recess the council meeting and**  
19 **convene as the local liquor authority. Councilor Stuckey seconded the motion**  
20 **and it passed unanimously.**  
21

22 **Continue Approval of a Hotel and Restaurant Liquor License Application for**  
23 **Lazy Bear Café to the May 21, 2013 council meeting**

24 Clerk Harrison told the council that the application was being continued for two reasons.  
25 First, because the Colorado Bureau of Investigations had not sent a background report on  
26 the applicant. Receipt of the report was still three weeks out. The second reason was that  
27 a final occupancy inspection had not been completed, and there were safety issues that  
28 needed to be addressed in the unit. The council asked if they could conditionally approve  
29 the license, and Attorney McConaughy said they could not because the public hearing had  
30 been noticed as a continuance. Councilor Russi asked that Clerk Harrison place items on  
31 future agendas as considerations so that the council had some leeway in offering  
32 approvals. Clerk Harrison agreed to do that.

33 **MOTION: Councilor Leland made a motion to continue the Lazy Bear Hotel and**  
34 **Restaurant Liquor License application to the May 21, 2013 council meeting.**  
35 **Councilor Russi seconded the motion and it passed unanimously.**  
36

37 **Consider a Special Event Liquor License Application for the New Castle**  
38 **Chamber of Commerce**

39 Clerk Harrison explained that the license was for the June 14 & 15 125th Anniversary  
40 events. She said that the June Events Committee had applied for the park use special  
41 event permit, and that the Chamber of Commerce was part of that committee. The  
42 chamber, being a non-profit agency, was the entity with the ability to request the special  
43 event liquor license that was before the council. Susan Alexander, Chamber Treasurer,  
44 greeted the council, and asked if there was an opportunity to combine special event  
45 licenses since the chamber had several coming up. Clerk Harrison said she would look into  
46 it. Councilor Leland, who is a member of the June Events Committee, explained the slight  
47 discrepancy in hours of operation on the two different events applications.  
48

1 **MOTION: Councilor Russi made a motion to approve the special event liquor**  
2 **license for the Chamber of Commerce. Councilor Riddile seconded the motion**  
3 **and it passed unanimously.**

4  
5 **MOTION: Mayor Breslin made a motion to adjourn the liquor authority and to**  
6 **reconvene council. Councilor Riddile seconded the motion and it passed**  
7 **unanimously.**

8  
9 Adjourn Liquor Authority, Reconvene Council

10  
11 **Councilor Russi made a motion at 7:50 p.m. to go into Executive Session(1) for**  
12 **conference with Town Attorney for purpose of receiving legal advice on specific**  
13 **legal questions under C.R.S. Section 24-6-402(4)(b); and (2) for purpose of**  
14 **determining positions relative to matters that may be subject to negotiations,**  
15 **developing strategy for negotiations, and/or instructing negotiators, under**  
16 **C.R.S. Section 24-6-402(4)(e) concerning County Road 335 and real property.**  
17 **Councilor Gordon seconded the motion and it passed unanimously.**

18  
19 **Executive Session concluded 8:47 p.m.**

20  
21 "The time is now 8:47 p.m. and the executive session has been concluded. The  
22 participants in the executive session were: Councilors Russi, Riddile and Metzger, Mayor  
23 Breslin, Councilors Gordon and Leland, Town Clerk Melody Clerk Harrison, Consultant  
24 Attorney David McConaughy, Town Administrator Tom Baker, Human Resources Manager  
25 Mike Edgar, Public Works Director John Wenzel and Consultant Engineer Jeff Simonson.  
26 For the record, if any person who participated in the executive session believes that any  
27 substantial discussion of any matters not included in the motion to go into the executive  
28 session occurred during the executive session, or that any improper action occurred  
29 during the executive session in violation of the Open Meetings Law, I would ask that you  
30 state your concerns for the record."

31 There were no concerns stated.

### 32 33 **Economic Development Update**

34 Councilor Leland said that he and several other councilors felt they should move ahead  
35 with a public private partnership on the Kamm Avenue lot. This would include moving the  
36 ambulance barn to the public works compound, and building a two-story, u-shaped  
37 structure with an old train depot design. The structure could have space for a police  
38 department, perhaps the New Castle Museum, and then commercial to lease, including  
39 spaces for the local organic farmers.

40 Councilor Gordon said the land could be given to a developer who would then build the  
41 building to the value of the land, and then own all the building except the police  
42 department. Councilor Russi said the building would be condominiumized, and the police  
43 department unit sold back to the town. Councilor Leland said they would have funding  
44 opportunities through grants and the money the town has already set aside for the police  
45 station if they needed it. Administrator Baker said that they would see a presentation at  
46 the next meeting regarding the police department needs, and at a meeting after that  
47 perhaps it was time to consider some concept development on the Kamm Avenue  
48 property. Mayor Breslin said he had read some good articles about public private  
49 partnerships in a publication by the Sonoran Institute called "Community Builders." The

1 council agreed that they needed a conceptual plan before they began soliciting a  
2 developer and potential tenants.

3  
4 **Information Item: DOLA and Pedestrian Bridge Update**

5 Councilor Russi told the council that they had not received DOLA grant the town had  
6 applied for. There was significant competition for the grant funds, and DOLA had chosen  
7 applicants with serious infrastructure needs to receive funds. Councilor Russi said there  
8 were numerous pieces to the grant application process, and a part of that was public input  
9 on capital projects. He said capital development plans needed to be presented to the  
10 public for their consideration as well.

11 Councilor Russi asked Consultant Engineer Jeff Simonson to speak to the council regarding  
12 some federal grant opportunities coming up.

13 Engineer Simonson told the council about the US Department of Transportation TIGER  
14 Grant. He said there was \$170M in grant funds available in the state, and he felt the town  
15 had a strong application.

16 Councilor Russi felt it might be necessary to hire someone just as a grant writer, and  
17 suggested Randi Lowenthal from the Roaring Fork Business Resource Center. The council  
18 agreed.

19  
20 **Update: Ideas for Future Grants**

21 Administrator Baker said that Councilor Russi had covered both the grant opportunities.

22 Mayor Breslin said mentioned the ongoing discussion about downtown beautification, and  
23 thought perhaps there was an opportunity to zone the south alley as an old west  
24 commercial district where there could be a revolving fund to place facades on the backs of  
25 buildings and have retail there as well.

26 Councilor Russi thought the idea was one that could go to the Downtown Group for  
27 consideration. Councilor Metzger said she would like to see as many councilors at the May  
28 16 Downtown Group meeting to support Kathy Kopf because she was making a lot of  
29 effort and was a good leader.

30  
31 **Consent Agenda**

32 Minutes of the April 16, 2013 Council Meeting

33 April Bills of \$317,807.60

34 Drought Plan Policy

35 FMLD Grant Agreements

36 MRI Contract

37 **MOTION: Mayor Breslin made a motion to approve the consent agenda. Councilor  
38 Gordon seconded the motion and it passed unanimously.**

39  
40 **Committee Reports**

41 Planning & Zoning – nothing to report

42 Climate Action Advisory Committee – nothing to report

43 Historic Preservation – nothing to report

44 POSTR - nothing to report

45  
46 **Staff Reports**

47 Town Administrator – Administrator Baker said he hoped to be able to talk about City  
48 Market, but that is rescheduled to the 14th. He said he had been talking with staff about  
49 GIS, and staff has determined they need a plotter. He said at the next meeting he would

1 talk with the council about why it would be a worthwhile investment. Administrator Baker  
2 told the council that the 125th Anniversary planning is going exceptionally well, and in  
3 fact, recently a resident of Elk Run has volunteered to do the sound system for the parade  
4 and Westernaires show at 4J Arena. He also said the budget for the events was being  
5 spent quickly, but that fundraising was going well. Administrator Baker said that since the  
6 agreement with Warrior had been signed, staff was moving forward with the town's end of  
7 the agreement. Staff is pursuing a GoCo Grant for the park. Also, he had met with Bob  
8 Gibson and his contractor about their concerns regarding building permit requirements.  
9 Administrator Baker said he and Clerk Harrison were researching some issue and it may  
10 come to the council at a later date. On May 21, Warrior would be on the council agenda  
11 for a conditional use permit amendment for a new golf cart barn. Public works were  
12 working hard to prepare the downtown area for the weekend events and everything was  
13 looking wonderful. Last, Administrator Baker said that the town's insurance carrier,  
14 CIRSA, had denied the claim by the residents affected by the sewer back up because  
15 there was no negligence on the part of the town. Administrator Baker said he had asked  
16 CIRSA to have an appraiser look at the claims, and he would bring it back to the council  
17 with a recommendation for a resolution for the two families, perhaps to provide them  
18 some financial assistance.

19 Town Clerk - Clerk Harrison told the council she had attended the community needs  
20 assessment meeting at the River Center and had information about it if the council  
21 wished. She said the programs available through the River Center were amazing.

22 Administrator Baker thanked Councilor Metzger for her efforts for the Volunteer  
23 Appreciation Picnic.

24 Clerk Harrison told the council that the building department had worked out an effective  
25 plan to provide inspections for Warrior within the timelines agreed on. She said that  
26 Warrior had picked up their first building permit the previous week. She felt that after the  
27 first few review processes were complete, the process would go very smoothly.

28  
29 **MOTION: Councilor Russi made a motion to allow the meeting to go past 10:00**  
30 **p.m. Councilor Leland seconded the motion and it passed with Councilors Gordon**  
31 **and Riddile voting no.**

32  
33 Public Works Director – not present  
34 Town Planner – not present

### 35 36 **Council Comments**

37 Councilor Metzger asked what had happened in the meeting with the Aspen public radio  
38 station. Councilor Russi said he had received an e-mail about it but had not had a chance  
39 to look at it.

40 Councilor Metzger asked about the information kiosk, if anything was happening with it.  
41 Councilor Stuckey said the property was under contract. Administrator Baker said the  
42 property had sold and the new owners intended to put a coffee shop there, but that the  
43 project was on hold while they remodel their home.

44 Councilor Metzger said she had read an article that the senior population in Garfield  
45 County was expected to grow at rates higher than state and national averages. She  
46 thought that would be good for bringing in a new retirement complex.

47 She asked what had happened with Grand River Hospital. Councilor Leland said that  
48 Grand River Hospital was a taxing district, and could only build within that district. New  
49 Castle did not fall in the district; therefore, they could not build in town.

1  
2 Councilor Metzger asked about the vests for the ambassadors. Councilor Leland said they  
3 had not been delivered yet, but should be in by Friday.  
4 Councilor Stuckey told the council that since he had been working on projects in Lakota  
5 Canyon Ranch, he had discovered that the landscaping requirements and guidelines in the  
6 code were outdated, and suggested that the council consider revising them.  
7 Councilor Gordon agreed and said the council should come up with an alternative plan.  
8 Councilor Stuckey said that a new homeowner in Lakota had come to the Lakota design  
9 review committee and wanted to plant the native grass that the council was in favor of.  
10 Mayor Breslin said there was a lunchtime CML meeting on May 16th in Glenwood Springs  
11 for all the local communities.  
12 Councilor Russi said the e-mail from KJAX and that they had two different ideas about  
13 how to provide a signal to New Castle. Councilor Russi said in his discussions with them,  
14 the upfront cost would be around \$10k, and then about \$1,000.00 per month. He did not  
15 think they were suggesting the New Castle pay the \$1,000.00, instead that more people  
16 subscribe to KJAX. Last, they want to do an experiment and have people listening while  
17 they manipulate the radio signal in the area. He said he would speak with them, and  
18 asked the council if he could commit to some time after June 1 and the council agreed.  
19 Councilor Russi said Larry Dragon would like the council to come to county commissioners  
20 meeting on Monday May 13 to support LoVa and the South Canyon Trail.

21  
22 **MOTION: Councilor Metzger made a motion to adjourn. Councilor Riddile**  
23 **seconded the motion and it passed unanimously.**  
24

25 The meeting adjourned at 10:23 p.m.

26  
27 Respectfully Submitted,  
28  
29  
30  
31

\_\_\_\_\_  
Mayor Frank Breslin

32  
33  
34  
35  
36  
37 \_\_\_\_\_  
Town Clerk Melody Harrison  
38  
39

# Memo

**To:** Tom Baker  
**From:** Chris Sadler, Police Chief  
Melody Harrison, Town Clerk  
**Date:** 5/2/2012  
**Re:** Liquor License Renewal – Elmer’s Suds Liquor Mart

---

**Recommendation:** I recommend that Council approve the attached application to renew the retail liquor store license a submitted by Elmer’s Suds Liquor Mart.

**Policy Implications:** The policy implication of Council’s approving this license renewal application is that this business will continue to have the authority to sell malt, vinous and spirituous liquors for off-premises consumption, and to conduct alcoholic beverage tasting events.

**Budget Implications:** Renewing this liquor store license and tasting permit will allow this licensee to continue making sales for which the Town receives sales tax.

---

Department Head (signature)

---

Finance Director (signature)

---

Town Administrator (signature)

---

\_\_\_\_\_No\_\_\_\_\_

Consultant needed at Council Meeting? Whom? Estimated meeting time cost, if known.

**Background:** Elmer Suds Liquor Mart’s license expires June 18, 2013. The licensee filed the renewal application with the Town Clerk’s office on April 19, 2013, before the filing deadline of 45 days prior to expiration. The application is properly completed and appropriate fees have been paid to the Town and the State.

Please see Police Chief’s Sadler’s report attached.

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

**RECEIVED**

APR 19 2013

**Town of  
 New Castle, CO**

Fees Due	
Renewal Fee	\$227.50
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
<b>Amount Due/Paid</b>	<b>\$227.50</b>

Make check payable to: **Colorado Department of Revenue**. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name Elmer Suds Limited		DBA Elmer Suds Liquor Mart		
Liquor License # 23-96268-0000	License Type 1940	Sales Tax License # 23-96268	Expiration Date 6-18-13	Due Date
Street Address 820 Castle Valley Blvd. Ste. 104, New Castle, CO 81647-9453				Phone Number 970-984-3707
Mailing Address 820 Castle Valley Blvd. Ste. 104, New Castle, CO 81647-9453				
Operating Manager Douglas C. Lyons	Date of Birth 8-6-48	Home Address 2160 County Road 250, Silt, CO 81652		Phone Number 970-876-5803

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease 11-30-16
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Susan G. Lyons	Title Owner/ Secretary-Treasurer
Signature 	Date 4-18-13

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

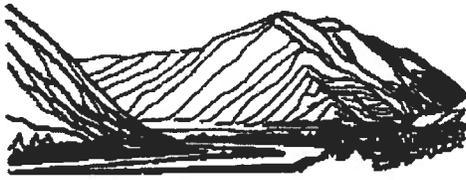
Local Licensing Authority For	Date
Signature	Title
	Attest

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

1. Complete entire application and attach details, if necessary.
2. Submit application 45 days prior to expiration to your local (city or county) licensing authority. **Do not submit to the State.**
3. Submit the appropriate renewal license fee by license type:

License Type	Fee
3.2% Beer Off Premise (city)	\$96.25
3.2% Beer Off Premises (county)	\$117.50
3.2% Beer On Premise (city)	\$96.25
3.2% Beer On Premises (county)	\$117.50
3.2% Beer On/Off Premises (city)	\$96.25
3.2% Beer On/Off Premises (county)	\$117.50
Arts License (city)	\$308.75
Arts License (county)	\$308.75
Beer & Wine (city)	\$351.25
Beer & Wine (county)	\$436.25
Brew Pub (city)	\$750.00
Brew Pub (county)	\$750.00
Club License (city)	\$308.75
Club License (county)	\$308.75
Hotel & Restaurant (city)	\$500.00
Hotel & Restaurant (county)	\$500.00
Hotel & Restaurant / Optional Premise (city)	\$500.00*
Hotel & Restaurant / Optional Premise (county)	\$500.00*
Liquor Licensed Drug Store (city)	\$227.50
Liquor Licensed Drug Store (county)	\$312.50
Liquor Store (city)	\$227.50
Liquor Store (county)	\$312.50
Optional Premises (city)	\$500.00
Optional Premises (county)	\$500.00
Racetrack License (city)	\$500.00
Racetrack License (county)	\$500.00
Resort Complex (city)	\$500.00
Resort Complex (county)	\$500.00
Retail Gaming Tavern (city)	\$500.00
Retail Gaming Tavern (county)	\$500.00
Tavern (city)	\$500.00
Tavern (county)	\$500.00
Vintner's Restaurant (city)	\$750.00
Vintner's Restaurant (county)	\$750.00

\*plus \$100.00 for each optional premise



"Burning Mountain" - 1888

## The New Castle Police Department

450 West Main - Post Office Box 90

New Castle, Colorado 81647

(970) 984-2302

05/01/13

To: Deputy Town Clerk Wendy Mead  
From: Chief Chris Sadler  
NCPD 601  
Re: Elmer Suds Liquor Mart license renewal

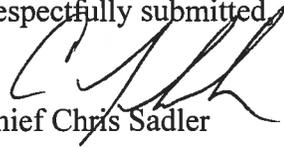
Dear Wendy,

I have reviewed the renewal application submitted by Mr. and Mrs. Lyons and it appears to be in order. I have no information which would be a detriment to the renewal process. On a positive note, I would like to thank Mr. and Mrs. Lyons for their excellent record and years of responsible service.

I have attached the standard requirement list (modified for off-premise consumption) provided to all establishments involved with the sales of liquor within the Town. I would like to request Elmer Suds continued cooperation and adherence to these requirements:

1. Management, and all employees tasked with dispensing alcohol are to be TIPS trained/certified. The initial certification is to be provided to the police department as well as the Town Clerk - prior to the service of alcohol. TIPS classes are to then be repeated yearly with associated certification forwarded to the PD and Town Clerk- prior to the yearly license renewal.
2. A notebook is to be kept behind the bar/service counter for the purpose of immediate employee documentation of any and all disturbances or incidents occurring on, or near the licensed premise. (names, description of subject, date, time, nature of incident, police called, etc.) This notebook is to be readily available to the police department upon request.
3. The applicant is responsible for the sidewalk in front of or adjacent to the establishment. All trash, cigarette butts or other waste should be cleaned from the sidewalk (and gutter) when necessary, and, at the end of each business day.
4. A telephone must be kept in working order at all times for employee use in case of emergency in an easily accessible location.
5. The occupancy load of the premise must be posted. The applicant will not allow the occupancy load to exceed the posted limit.

Respectfully submitted,



Chief Chris Sadler

**TOWN OF NEW CASTLE, COLORADO**  
**RESOLUTION NO. TC 2013-8**

A RESOLUTION OF THE NEW CASTLE TOWN COUNCIL APPROVING A  
CONDITIONAL USE PERMIT FOR FIRST BAPTIST CHURCH D/B/A NEW  
HOPE CHURCH FOR LOTS C9C AND C9D IN THE BURNING MOUNTAIN  
PHASE II PUD.

WHEREAS, the First Baptist Church d/b/a New Hope Church (hereinafter “Applicant”) is seeking special review use approval pursuant to municipal code section 17.112.040(B) for Lots C9C and C9D of the Burning Mountains P.U.D. (Phase II) (hereinafter “Subject Property”); and

WHEREAS, the Applicant is seeking to locate a church and related uses in the General (Lot C9) district; and

WHEREAS, special review uses under section 17.112.040(B) of the code are processed as conditional use permit applications pursuant to § 17.84 of the municipal code; and

WHEREAS, on April 10, 2013 the Planning Commission held a noticed public hearing on the special review use application, accepted testimony from Staff, the Applicant and members of the public and voted 6-0 to recommend approval of the Conditional Use Permit; and

WHEREAS, the Town Council considered the application at its meeting of April 16, 2013; and

WHEREAS, pursuant to Municipal Code § 17.84.050 the Town Council hereby finds that the conditional use permit application:

1. Is eligible for conditional review under Sections 17.112.040(B) and 17.84.040 of the New Castle Municipal Code;
2. Is generally compatible with adjacent land uses;
3. Meets all requirements of Section 17.84.020, is in compliance with this title and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. Is consistent with the comprehensive plan; and
5. The town has the capacity to serve the proposed use with water, sewer, fire and police protection.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Town Council.

2. Approval. The Town Council hereby approves the conditional use permit pursuant to Section 17.84.050 of the New Castle Municipal Code as follows:

3. Listing of Approved Uses. As more fully set forth on the site plan, which is expressly incorporated herein by this reference, the following constitute the permitted uses for the Subject Property:

1. Church
2. Community room
3. After school teen center

4. Conditions.

A. The applicant shall comply with all applicable building, residential, electrical and municipal code requirements including sign code regulations.

B. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf.

C. All representations of the Applicant made verbally or in written submittals presented to the Town in conjunction with the application and before the planning commission or Town Council shall be considered part of the application and binding on the applicant.

D. The applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.

THIS RESOLUTION TC 2013-8 was adopted by the New Castle Town Council by a vote of 7 to 0 on the 16<sup>th</sup> day of April, 2013.

NEW CASTLE TOWN COUNCIL

By: \_\_\_\_\_

Frank Breslin, Mayor

ATTEST:

\_\_\_\_\_  
Melody Harrison, Town Clerk

**TOWN OF NEW CASTLE, COLORADO  
RESOLUTION 2013-9**

**A RESOLUTION OF THE TOWN OF NEW CASTLE, COLORADO,  
EXTENDING THE EXPIRATION OF THE REQUIREMENTS FOR OFF-  
STREET PARKING IN THE C-1 ZONE DISTRICT FOR TWO YEARS**

WHEREAS, the Town of New Castle adopted Ordinance 2004-10 to add a section to Title 17 of the New Castle Municipal Code addressing off-street parking requirements and standards in the Town's C-1 zone district; and

WHEREAS, the Town adopted Ordinance 2005-19 to clarify Ordinance 2004-10; and

WHEREAS, the Town of New Castle adopted Ordinance 2012-1 extending the requirement for off-street parking for twelve (12) months in the C-1 zone district expiring on May 31, 2013; and

WHEREAS, Ordinance 2012-1 allowed for Council to extend the expiration deadline by Resolution in lieu of Ordinance; and

WHEREAS, the Town seeks to encourage development in the C-1 zone district while ensuring that there is adequate off-street parking in the C-1 zone district; and

WHEREAS, Section 17.92.010 of the Town Code provides that the Town Council may, from time to time, on its own motion, amend, supplement, or repeal the regulations and provisions of Title 17 of the Town Code; and

WHEREAS, the Town Council finds and determines that the extension of the off-street parking regulations for the C-1 zone district by Resolution 2013-9 is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The Town Council incorporates the foregoing recitals as findings of the Town Council.

2. Extension. Pursuant to Section 2 of Ordinance number 2012-1 the expiration date set forth in Section 5 of Ordinance number 2010-4 concerning parking requirements in the C-1 zone district is hereby extended an additional twenty-four (24) months to May 31, 2015. All other terms and conditions of those ordinances remain in full force and effect.

3. Effective Date. This Resolution shall be effective immediately upon passage.

THIS RESOLUTION was adopted by the New Castle Town Council at its regular meeting on the 21<sup>st</sup> day of May, 2013.

TOWN OF NEW CASTLE, COLORADO

By: \_\_\_\_\_  
Frank Breslin, Mayor

ATTEST:

\_\_\_\_\_  
Melody Harrison, Town Clerk

**TOWN OF NEW CASTLE  
RESOLUTION NO. TC-2013-10**

**A Resolution of the Town Council of the Town of New Castle Authorizing a Bank Account and Signers on the Bank Account.**

WHEREAS, the Town of New Castle's financial statement auditor has recommended that the Town Council review and authorize all Town bank accounts and signers on such accounts on an annual basis, to insure that access to such accounts is restricted to appropriate personnel.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

1. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. The Town Council authorizes the following bank account and the following signers on such account for the transaction of Town business:

<u>Institution</u>	<u>Account</u>	<u>Authorized Signers</u>
First Bank	Two Year CD	Tom Baker, Frank Breslin, Lyle Layton

Introduced, Read and Adopted at a Regular Meeting of the Town Council of the Town of New Castle, Colorado, on May 21, 2013.

TOWN OF NEW CASTLE

ATTEST:

\_\_\_\_\_  
Frank Breslin, Mayor

\_\_\_\_\_  
Melody L Harrison, Town Clerk