

**New Castle Town Council Meeting
Tuesday, September 2, 2014, 7:00 p.m.**

Call to Order

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

Pledge of Allegiance

Roll Call

Present	Councilor Means Councilor Riddile Councilor Metzger Mayor Gordon Councilor Breslin Councilor Leland Councilor Stuckey
Absent	None

Also present at the meeting were Town Administrator Tom Baker, 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-2014-1.

Conflicts of Interest

Councilor Means said that he may have a conflict with the executive session.

Agenda Changes

Town Administrator Tom Baker told the council that the executive session would need to be removed from the agenda.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – not present
Consultant Planner – not present
Consultant Engineer – not present

Items for Consideration

Consider a Letter of Interest from Jean Brown for a Seat on the Climate Action Advisory Committee

Mayor Gordon greeted Ms. Brown, and asked her to introduce herself.

Ms. Jeanne Brown said she lived at 853 Mt View Drive in Castle Valley Ranch. She said that after the solar meeting it appeared that the Climate Action Advisory Committee

(CAAC) would be revived, and that she was interested in the types of issues they would address.

Councilor Breslin said he had worked with Ms. Brown on the New Castle Ambulance, and that he felt she was a generous and skilled person and would do well on CAAC.

Councilor Leland asked if she knew anyone else would may be interested in joining CAAC, because there were several seats available, and the council had hoped there would be others interested in a seat. Ms. Brown said she would certainly recruit people if she could. The council thanked her for applying.

MOTION: Councilor Leland made a motion to appoint Ms. Jeanne Brown to the Climate Action Advisory Committee. Councilor Means seconded the motion and it passed unanimously.

Consider a Letter of Interest from Joseph Urnise for Appointment to a Seat on the Planning & Zoning Commission

Joe Urnise, of 57 Crestone Way, told the council that he was wanted to be considered for a seat on the Planning & Zoning Commission. He said he and his wife had lived in New Castle for 2 ½ years, and found it was a great place to live. He felt he wanted to give back to the community.

Councilor Riddile said he had known Mr. Urnise for several years, and said that it would be a great asset to have someone with a structural engineering background on the P&Z.

Councilor Riddile also said that Mr. Urnise had many friends that were outdoors enthusiasts and of an age-bracket whose involvement in the community would be very beneficial.

Councilor Stuckey asked what engineering firm Mr. Urnise was with, and he said he had his own firm that he ran from his home. He said some day he would like to have an office downtown.

Councilor Leland said that Planning & Zoning was great place to start volunteering.

Councilor Breslin asked Mr. Urnise what his vision for the town and the future was. Mr. Urnise said he hoped to dine more often in town.

Councilor Metzger asked Mr. Urnise about his wife, and he said she owned her own dental practice in Glenwood Springs.

MOTION: Councilor Stuckey made a motion to appoint Mr. Joe Urnise to a seat on the Planning & Zoning Commission. Councilor Means seconded the motion and it passed unanimously.

New Castle Police Officer Al Walker introduced new Officer Curt Donaldson to the town council. Officer Donaldson thanked the council for allowing him to work for the town. He said he and his wife had moved to Colorado from Georgia five months earlier. He said he had fourteen years of law enforcement experience, and had been post-certified in Colorado for two weeks. He said he was a veteran of the Iraq war, and had a degree from Oklahoma State University in Department of Defense Firefighting, Airport Crash Rescue and Hazmat. He said he is a certified instructor, and for the past seven years he worked as an undercover narcotics agent. Officer Donaldson thanked the council again, and said he looked forward to a long career in New Castle.

Officer Donaldson said he and his wife traveled to Colorado a year ago and liked the area. He said he found the New Castle position online, and that the application and hiring process was very smooth. He said everyone was very polite and professional.

The council welcomed Officer Donaldson for coming in.

Introduction: The New Principals of Kathryn Senor Elementary and Elk Creek Elementary Schools

Theresa Hamilton, Communications Director for the Garfield RE School District. Ms. Hamilton introduced Jana Price, new principal at Kathryn Senor Elementary, and Lisa Pierce, new principal at Elk Creek Elementary.

Ms. Pierce said this was her twenty-fifth year in education. Thirteen of those years were in Garfield RE2, and the last two in Montrose. She felt the knowledge and experience gained in Montrose will help her in her new position as principal of Elk Creek, and to help the school be successful. Ms. Pierce said that she was glad to be back in New Castle.

Ms. Jana Price greeted the council. She said she was in her tenth year with Garfield RE2, and was honored to be the principal of Kathryn Senor Elementary. She said five years ago, the River Center got its start, and she thanked the council for their support of the River Center as well.

Ms. Price told the council that math scores would be a focus this year. She passed out a letter that listed volunteer opportunities, and invited the council to volunteer at the "Math Café" and "Hawk Café", and to tour the school. The council and Ms. Price briefly discussed the Jr. Police Academy and pedestrian safety in the area of the schools in the morning and afternoon.

The council invited both Ms. Pierce and Ms. Price to volunteer on any town committees or events. They also said they would like to have good communications with the schools, and for the council members who do not have children in the school system, they felt having children involved in community helped them stay involved with the children.

RFTA Park and Ride Update

Mike Hermes, Director RFTA. Mr. Hermes said that he was present to talk about the New Castle Park and Ride, and what was happening with it. He reminded the council that Dan Blankenship had sent the council a letter after the bids for the project were opened. He said that the RFTA engineer estimated the project to cost about half a million dollars, and the bids came back at \$1.1 million. He said there was no way that large of a shortfall could be made up, so all the bids were rejected. RFTA had done a bid analysis to determine what went wrong and right. Mr. Hermes said that with the upswing in the economy, they had a difficult time getting contractors to bid the project, and he said that August is not the optimum time of the year to bid a concrete and asphalt project. The three bids were all similar and that was good. There were addendums added, and procurement was not as smooth as preferred. There is a federal mandate that all materials for federally funded projects be American made, and the contractors seemed to think that mandate applied although the project did not include federal funds.

Mr. Hermes said RFTA would be changing the plan some, and that he had a few items to discuss with the council that may bring the project back in to the available budget. First, he said the landscaping came in at about \$300k, which was more than expected. He said the idea was that eventually the site would be redeveloped into something else, which rendered most of the project sacrificial. The project only had a five to ten year design life, so RFTA wanted to look closely at the landscaping. They proposed temporary irrigation and native grasses. The berm on the west would have a landscape screen, but everything else would be native grass. They will bid all the fancy landscaping as alternate, and if the budget allows, they could pick and choose other landscaping items to make it nicer. One of the big items in the bid were boulders to create the planting spaces, so he is a resource for free rocks they would utilize. Mr. Hermes said they will reconsider other

items such as the fancy trash cans, the infrastructure for electric vehicle charging stations, and some of the pavement design, hoping they could save more money. Mr. Hermes said there was another, very similar park and ride project that will go out to bid at the same time as the New Castle, and if one contractor bid both jobs, perhaps they could get some economies of scale out of it. RFTA is considering applying for more grants for the project to help make up the shortfall.

The thought is the bids will come back around \$800k, which is better, and will make the shortfall easier to overcome.

Mayor Gordon asked that Mr. Hermes explain the issues with federal funds.

Mr. Hermes told the council that requirements for certified American made materials, the extensive paperwork and the higher costs involved. He explained how on the BRT stations the brown wood paneling for the soffit and ceilings was purchased by a supplier to a third-tier subcontractor, and it turns out it was manufactured in Canada. The federal government is requiring it all be torn out and replaced, which will cost around \$500k.

Mr. Hermes said the project will go out to bid again in January.

Discussion: Downtown Parking - Greg Russi

Mr. Greg Russi greeted the council. He described the long history with parking issues in the downtown, and said that he and Administrator Baker and Engineer Simonson had been working on the problem for a while. After walking the downtown, and reviewing various possibilities, they developed several options to increase parking.

Mr. Russi passed out maps to the council and staff.

The first option, shown on pages one and two, showed a new striping scheme that provided angled parking spaces on Main Street from 6th Street to 2nd Street. The restriping would eliminate one lane of traffic, both eastbound and westbound. There would be parallel parking on the South side, and angled parking with a back-out lane on the North side. This scenario increased the available parking by 26 spaces. The approximate cost would be \$800.00 per space.

The second option was providing sidewalk, curb and gutter on 3rd Street and 5th Street. This would give the opportunity for angled parking on those streets within walking distance of downtown businesses. This option was very expensive, and the increase on parking was a net of approximately 12 spaces. The cost per space was approximately \$5,000.00, which did not contemplate possible land acquisition. Mr. Russi felt this was an appropriate project to request FMLD funds in the 2014 spring grant cycle.

The third option was a process called devolution. This meant that the jurisdiction of the state (Main Street/State Highway 6) would devolve to the Town of New Castle's jurisdiction, for a limited area for the purpose of the town having the right to manipulate the street. Mr. Russi said that devolution is used all over the state and it occurs when there has been a change in the character of the highway or road such that the local jurisdiction would make better use of it. He felt that was the case in New Castle, and that it could effectively be argued to the State Board of Transportation that New Castle should be allowed to take over a section of Main Street. He cautioned that the section should be limited on the West so that maintenance or replacement of the Elk Creek Bridge would remain in the state's jurisdiction; and on the East so that funding for the roundabout was not jeopardized. He suggested devolving the section of Highway 6 shown on page one and two of the map. Devolution also included funding from the state for a percentage of maintenance costs for several years. Devolution is a long, fairly expensive process.

Mr. Russi told the council that it was his suggestion that the town ask the state to allow New Castle to take over the street and restripe it for economic development purposes. It

would not include a devolution. The town would abide by the state's safety and other guidelines. He felt first striping option was the best one for the town.

The council discussed the various options in depth, including snow removal, backing safety, speed limits and costs. They also talked about the possibility of purchasing land downtown for a parking lot.

The council thanked Mr. Russi for his work on the downtown parking issues.

Administrator Baker felt it was relatively low-risk to pursue the striping idea, and he agreed that the idea for applying a grant for the curb, gutter and sidewalk on 3rd and 5th was good too. The council decided that the restriping of Main Street, with angled parking on the North, was the best option and directed Mr. Russi and staff to move forward accomplishing that goal.

~~**Executive Session (1) for conference with Town Attorney for purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and (2) for purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) concerning Colorado Resource Housing Development Corporation (8:25 p.m.)**~~
Removed from the agenda.

Councilor Metzger told the council she had received two telephone call from residents who had attended the last council meeting. They asked why Councilor Means was allowed to stay through the meeting. She said he had asked to be recused, and was told that he did not have to recuse himself. Councilor Metzger said not only did Councilor Means stay, but he voted on the item, and the residents were not happy.

Mayor Gordon said that Councilor Means' wife worked for the company, but he did not.

Councilor Stuckey said there was not a vote on anything. Councilor Riddile agreed there had not been a vote.

Councilor Metzger felt it was a conflict of interest.

Councilor Breslin disagreed. Councilor Stuckey said there would be a conflict if there had been a vote, and Councilor Riddile said if action had been taken, there would have been a conflict.

Councilor Stuckey said that Town Attorney McConaughy had advised him that it was in the council members' best interest to recuse themselves if they had to state any conflict.

Councilor Leland noted that Councilor Stuckey always used excessive caution and left chambers.

Administrator Baker said he would have Attorney McConaughy refresh everyone on conflicts of interest. He said he would be giving an update, and it was an open meeting, but he did not know how to advise the council on the matter.

Mayor Gordon invited Councilor Breslin to state his thoughts since he had many years' experience as mayor.

Councilor Breslin said that if there was the potential for an elected official to receive some sort of direct compensation because the official's decisions (meaning a vote), that official should declare a possible conflict of interest. He further stated that in a small town, people have skills, and people are elected because of those skills. Sometimes they are the only ones capable. He gave the example of a bricklayer who is the only one who could repair a chimney, the bricklayer would declare a conflict and then go ahead and bid the job to perform the repair. Administrator Baker said that this is the company that Councilor Means' wife works for, and direct benefit or not, there may be an appearance of a benefit and he should declare a conflict. He thought Councilor Metzger felt that he should not

have participated in the discussion, in the way that Councilor Stuckey does not participate. He did note that the financial impact for Councilor Means was much more indirect than for Councilor Stuckey.

Councilor Stuckey advised Councilor Means to speak directly to the town attorney, and said a refresher course for the council would be good. He said that the appearance of conflict should be avoided. Councilor Leland thought 'appearance of conflict' was a good standard.

Mayor Gordon told councilor Means he should not be part of the conversation.

Councilor Means left council chambers 8:37 p.m.

UPDATE: Senior Housing

Administrator Baker said he had been waiting for the draft land lease documents from Mr. Gold so staff could review it, and it could have been discussed it in tonight's executive session. Staff had not received it. Instead, he got a phone call from Al Gold who said that CRHDC had changed their plan on how to proceed. They had reviewed the project, and the 4% tax credit approach discussed before was not the approach they felt they should take. Instead, they wanted to take the 9% approach, which would require them to purchase the property. Mr. Gold understood that the town was under a constraint in that the land could not be sold for four years, and CRHDC could work with that. Mr. Gold also stated that they were comfortable doing whatever it took to continue to move the project forward, and they would put the money up front. The first round of consideration for the tax credit would be the first quarter of 2015. There is no guarantee they would receive funds in the first round; it may take several applications.

Administrator Baker said CRHDC wanted to come speak to the council on the tax credit/land-purchase idea. Basically, they have reconsidered the financial model and want to change it. Councilor Leland thought that would be fine, but asked that they should be reminded that if the town gave up the land, they would also be giving up the opportunity for the county to build the infrastructure. CRHDC would have to bear the expense of the infrastructure.

Councilor Breslin said that the way everything was set up made the town a corporate partner, and perhaps the town should not sell the property, because the profit could be deferred to future years.

Administrator Baker said he would like to invite CRHDC to come the first meeting in October when Attorney McConaughy can attend. The council agreed.

Councilor Means returned to council chambers at 8:51 p.m.

Consider Names for the Pedestrian Bridge and Pedestrian Trail

Councilor Leland said there were two suggestions from HPC for naming the projects: the pedestrian bridge after Greg Russi, since he was vital in getting the bridge project completed, and the pedestrian trail named for the Talbott Family because they have been invaluable in the trail project. He thought the council should move on it since the bridge and trail will be opening in November. Councilor Leland thought that the bridge name would be on a bronze plaque attached to the North end, and that it would inevitably be referred to as the pedestrian bridge. He said the trails in town were called by their given names.

Councilor Riddile said he did not feel public projects should be named after living persons. He felt honoring the people who contributed was appropriate by a plaque and mentioning

their names, but actually naming the projects after living people was not appropriate. He also felt there should be public input like was done with Hotshot and VIX parks. Councilor Riddile said that to commemorate the opening of the bridge and trail, there could be community event such as a 5 or 10k race going over the bridge and down the trail and back, with the the strong contributors at the event.

Councilor Means agreed. Councilor Breslin also agreed saying that he thought the names should be historic. Councilor Leland pointed out that there was a very early precedent of naming things after living people in Roderick and Medaris, who actively promoted themselves for the naming of Mt. Medaris and Roderick Ridge. More recently was Mattivi Plaza which was named after Pete Mattivi who was still alive when it was named.

Councilor Leland said he understood the reluctance, but it has been done before. Councilor Stuckey agreed that public should be involved, and also that more historic names were appropriate. A directional name for the trail may also work, such as Apple Tree Trail.

Mayor Gordon agreed that honoring the contributors was a good plan, and he was unconcerned about a person who was living or dead at the time of the naming. Rollie Gordon Park and Bridge were named when Rollie Gordon was still alive.

Clerk Harrison suggested that guests at Burning Mountain Festival be given the opportunity to name the bridge and trail. A ballot box and entry forms could be made available for the weekend. Mayor Gordon liked the idea of a suggestion box and the festival, and he also liked the idea of a race across the bridge. He felt strongly that the contributors be honored, because Greg Russi had worked for more than three years to get the bridge done, and the Talbotts have given and done a lot for the town.

The council decided the Clerk should place a voting box at the town's table at the festival, and that something should go out in the October 1 water bills. The council agreed that only town residents should probably vote, and that all votes should be received by October 15 so that the council could consider them at the October 21, 2014 council meeting.

Mayor Gordon said he would speak with Mike Miller about the naming of the cemetery road.

Consent Agenda

Minutes of the August 19, 2014 meeting

August Bills of \$589,743.02

Alder Ridge Townhomes Amended Plat of Block 4

MOTION: Councilor Riddile made a motion to approve the consent agenda. Councilor Stuckey seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – Administrator Baker told the council that staff had completed three grant applications. One FMLD Mini Grant application for trail maintenance equipment, one traditional FMLG Grant application for the police department and a GoCo Grant for the Sports Park. Awards for the FMLD grants should be in October, and the GoCo grant in December.

Human Resource Manager – Human Resources Manager Mike Edgar told the council that the Police Department had made an offer to former officer Pete Chiodo, and he should be starting soon. Manager Edgar also told the council that after some consideration, he had decided to retire. His last day will be January 31, 2015.

Town Clerk – Clerk Harrison told the council that Administrative Assistant Leah Feeley had taken a position with Holy Cross Energy, and that her last day with the town would be September 12. She also said that she had attended the first Discover RE-2 for the 2014-15 school year, and this year they were offering to send summary reports to each committee member. Clerk Harrison told the council she would provide that information in the DropBox for the council if they wished.

Town Planner – not present

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Economic Advisory Committee – nothing to report

Senior Programs – nothing to report

RFTA – nothing to report

Council Comments

Councilor Stuckey said he had walked the pedestrian trail with Councilor Breslin, and they discussed the lighting of the trail. He thought perhaps conduit could be placed for future lighting, or if solar would work. The council did not think solar would work because the area is in the shade all winter. Administrator Baker asked if he should have the town engineer provide an estimate for a change order. The council discussed it, and it was decided that Engineer Simonson should come to council and discuss the item. The council agreed.

Councilor Leland told the council that at Burning Mountain Festival, the booth that sells tickets for alcohol would also be the town booth, and he asked that anyone who had some extra time could come and relieve the people working the booth. He asked that they contact Clerk Harrison about it.

Councilor Breslin said that he wanted the council to support disk golf course since the new trail will go right through it. He expected there would be complaints from walkers about the flying Frisbees, and felt the two activities should be able to coexist.

Councilor Breslin told the council there would be a well-maintenance workshop in Glenwood Springs the following day, and he wondered if anyone was interested in going. He said he would be attending.

Mayor Breslin said he had talked with Administrator Baker after a conversation with Lee Price. They were discouraged that the greens being grown at the community garden were not being used. He wanted to do a demonstration at the festival on how to cut and use greens to make smoothies. Dana Wood from LiveWell provided cutting boards and water bottles they could hand out, as well as a banner that could be hung. The council liked the idea.

Councilor Metzger asked who owned the recreation center in Lakota. Administrator Baker said that Warrior owned it. Councilor Metzger said that there were Lakota residents who were not happy with the current uses in the recreation center, since the golf pro-shop was there, and the aerobics classrooms were being used as offices. Cabinetry was being sold there. The pool use was unsupervised and there seemed to be no control. Administrator Baker said he did not blame the residents for being unhappy, but there was nothing the town could do because it was an HOA issue. Councilor Metzger said the residents wanted to know if the town was going to allow them to use the rec center as a pro shop next years too, and thought the council should discuss it. Councilor Stuckey told her that it was not a council issue, it was a Lakota HOA issue, and if the residents were unhappy, they

should speak with the owners of the recreation center. Councilor Metzger said the residents were unhappy with Bob Gibson also, because they claim he does not listen to the residents' concerns. Councilor Leland reiterated that the council could do nothing about it. Councilor Stuckey suggested that the people who complained should attend an HOA meeting.

Councilor Means said that the asphalt in VIX Park was cracked and weedy, and felt repairs should be considered before the winter freeze. Administrator Baker said he would look into it. Councilor Stuckey said the same situation was occurring with the asphalt in Lakota, on Silverado and Clubhouse Drive.

Mayor Gordon described a situation on 7th Street recently where there was a knife fight in the church parking lot. He felt that situations like that were the direct result of legalized marijuana, and he was concerned for the safety of the residents.

Councilor Stuckey added that since the mailbox kiosks for Lakota were moved from the top of Clubhouse Drive, there was no reason for there to be traffic all hours of the night heading up Clubhouse, but there was. He said he was concerned about what was taking place.

Councilor Breslin reminded council that some time ago, they had discussed the commercial EQR table, and asked that the council think about how they might reconsider it in the future.

Mayor Gordon said that he thought the health club would be a good location to study EQRs owned as compared to actual water use.

MOTION: Councilor Riddile made a motion to adjourn. Mayor Gordon seconded the motion and it passed unanimously.

The meeting adjourned at 9:50 p.m.

Respectfully Submitted,



Mayor Bob Gordon



Town Clerk Melody L. Harrison, CMC

