

**New Castle Town Council Meeting
Tuesday, July 7, 2015, 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, Town Clerk Melody Harrison, Police Chief Tony Pagni, Public Works Director John Wenzel, Town Planner Tim Cain, and Assistant Town Attorney Haley Carmer.

Meeting Notice

Clerk Harrison verified that her gave notice of the meeting in accordance with Resolution TC-2015-1.

Conflicts of Interest

Councilor Stuckey asked to be recused from the discussion regarding the Permit Fee Agreement because Stanley Bartlomiejczuk was his client. The council agreed.

Agenda Changes

Clerk Harrison told the council that staff would like to remove item A., the discussion regarding colors for the livery, because the appeal had been withdrawn. Clerk Harrison asked the council to table item B. to the July 21, 2015 council meeting because Michael Watts was unable to attend. The council agreed.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items
Consultant Planner – not present
Consultant Engineer – not present

Items for Consideration

~~Discussion Regarding HPC Decision for Colors on the Livery Building~~

Item was removed from the agenda.

Consider Property Donation from Michael Watts

Item was tabled until the July 21, 2015 council meeting.

Councilor Stuckey left council chambers.

Permit Fee Agreement – Stanly Bartlomiejczuk – AB & SB Construction

Town Planner Tim Cain told the council that they had approved a fee agreement with Stanley Bartlomiejczuk. The agreement allowed Mr. Bartlomiejczuk ninety days to pay building permit fees on four units he is building in Castle Ridge. Mr. Bartlomiejczuk had not closed on a property in the ninety days, but was scheduled to close on Friday, July 10, 2015. Planner Cain said he had spoken to the president of Mr.

Bartlomiejczuk's bank, who said the bank would process a check to the Town of New Castle for the monies owed, after the closing. If the property does not close, Planner Cain asked the council for permission to file a breach of contract.

MOTION: Councilor Breslin made a motion to authorize the mayor to sign a breach of contract in the event the property does not sell, and Mr. Bartlomiejczuk is unable to pay by July 16, 2015. Councilor Means seconded the motion and it passed unanimously.

Councilor Stuckey returned to council chambers.

Consider Funding Request from Parks, Open Space, Trails & Recreation (POSTR) committee for Trail Maintenance

Public Works Director John Wenzel said that Public Works had met with the POSTR Committee and discussed trail maintenance on select trails throughout town. The maintenance would be to improve their longevity and aesthetics. POSTR requested that the Public Works department evaluate the condition of the trails and develop a maintenance plan or schedule.

Director Wenzel said he told POSTR that he thought the cost would be approximately \$8k, but the final cost is closer to \$20k. He offered two options. One was to proceed with the entire maintenance project at the \$20k, or the project could be phased down to be closer to the original estimate.

Director Wenzel said the areas identified for maintenance were the trails along Clubhouse Drive, VIX Park, Hotshot Park and the C Avenue Trail.

Director Wenzel said the proposal was to spend as much as \$19,600.00. The Conservation Trust Fund currently has a balance of \$120k, and also has an annual revenue stream of \$30 to \$40k.

Director Wenzel said POSTR was asking for approval to spend the \$19,600.00 out of the Conservation Trust Fund.

Motion: Councilor Means made a motion to approve \$19,666.50 from the Conservation Trust Fund for trail maintenance. Councilor Stuckey seconded the motion and it passed unanimously.

Administrator Baker said that it may be important to let the Lakota HOA know that the town is performing the trail maintenance, and not Warrior. Sometimes the two are

confused, so he would work with Administrative Assistant Nichols to ensure the proper information is relayed to the HOA and Lakota residents.

Executive Session

Councilor Leland made a motion at 7:18 p.m. to go into executive session (1) for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); regarding property acquisition. Councilor Riddile seconded the motion and it passed unanimously.

Executive session concluded.

At the end of the executive session, Mayor Gordon made the following statement:

"The time is now 7:40 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Means, Riddile and Metzger; Mayor Gordon; Councilors Breslin, Leland and Stuckey, Administrator Baker, Clerk Harrison, Police Chief Pagni and Attorney Carmer. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record."

No concerns were stated.

MOTION: Councilor Leland made a motion to direct the town attorney to prepare a contract for real estate as proposed to the council by the property owners. Councilor Means seconded the motion and it passed unanimously.

Consent Agenda

Minutes of the June 16, 2015 meeting

June Bills of \$349,555.24

MOTION: Councilor Leland made a motion to table the minutes until the July 21, 2015 council meeting. Councilor Riddile seconded the motion and it passed unanimously.

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

Staff Reports

Town Administrator – nothing to report

Town Clerk – nothing to report

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 Program – Councilor Metzger said Senior Programs held a caregiver conference that was very good.
RFTA – nothing to report
AGNC – nothing to report
GCE – nothing to report

Council Comments

Councilor Leland said there had been a brush fire near his house. He said there was quick response from the police department and fire department and the flames were extinguished quickly. He said that the fire danger was high in town and people should take care.

Councilor Breslin said there had been a workshop on micro-hydro electric opportunities. He wanted the council to keep in mind there were grants available for small agricultural or municipal projects. Administrator Baker said Town Engineer Simonson would be happy to speak to the council about micro-hydro electric. Mayor Gordon thought it was a great idea and the council should keep in mind for future projects.

Councilor Breslin said he and Administrator Baker had spoken with Glen Adams who is a retired Forest Service District Chief. He recalled that New Castle had helped the Forest Service develop a deal for East Elk Creek access. He provided information indicating that Cemetery Road was a legal historic county road. Councilor Breslin felt that access to public lands was something that could be negotiated with the property owners since the easement appeared to still exist.

Councilor Metzger asked why the sports park grant had been delayed. Administrator Baker said that GOCO had changed their grant process and applications would not be accepted until November.

Councilor Metzger asked if Warrior had begun on the warranty road work. Administrator Baker said they had started, and Engineer Simonson said it was going well.

Councilor Metzger asked if there was any indication when they would start the clubhouse, and Administrator Baker that staff had not yet heard a start date for the clubhouse project.

Councilor Metzger said she had spoken to Mike Miller and he indicated he may need help mowing the cemetery. Administrator Baker said he would contact public works.

Councilor Metzger asked about Mike Miller Way, if a sign would be placed.

Administrator Baker said he thought the council had not come to a conclusion on how to approach Mr. Miller.

Councilor Riddile said the Talbotts had put on a great show on July 4th, and wanted the Town to send letter of gratitude. Councilor Riddile also thanked Clerk Harrison, Bob Byram, Administrator Baker and Debbie & Ed Nichols for their participation. He said it was a great time, many children, fun games and an over-all wonderful event. Mayor Gordon said Clerk Harrison was crafting a letter to the Talbotts, and would include Councilor Riddile's sentiments.

Councilor Means said that the panel truck had been removed from the LaRoca property. He asked what was happening with the sale of the property. Administrator Baker said he had heard there was a realtor working on selling it.

Police Chief Pagni said he wanted to extend thanks to the Kiwanis of Glenwood Springs for their support of the Bike Rodeo, as well as Debbie Nichols for manning the food booth. He said the bike rodeo was a great success with more than 100 kids attending. Mayor Gordon

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

The meeting adjourned at 8:06 p.m.

Respectfully Submitted,



Mayor Bob Gordon



Town Clerk Melody Harrison, CMC

