

**New Castle Town Council Meeting  
Tuesday, August 18, 2015, 7:00 p.m.**

**Call to Order**

Mayor Gordon called the meeting 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 Clerk Melody Harrison, Public Works Director John Wenzel, Town Planner Tim Cain, Police Chief Tony Pagni and Town Attorney David McConaughy.

**Meeting Notice**

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

**Conflicts of Interest**

There were no conflicts of interest. Stuckey with warrior update but not a conflict.

**Agenda Changes**

There were no agenda changes.

**Citizen Comments on Items not on the Agenda**

Ola Johannssen and Thora Einarsdottir, 303 West Main Street, the Trimble Building. Mr. Johannsson introduced himself and his wife, Thora. He said they had recently purchased the eastern half of the Trimble Building, and intended to pursue a grant to restore the building. He said he hoped for the support of the town council for his grant application. Mr. Johannsson said that unfortunately, his portion of the building had not been historically designated, so he was looking into that with Planner Cain. The council thanked Mr. Johannsson and Ms. Einarsdottir for coming in and wished them luck with their new building.

## **Consultant Reports**

Consultant Attorney – Attorney McConaughy told the council that DeBeque had approved a boat ramp license agreement with a man who intended to provide Jet-Boat Tours on the Colorado River as far up the river as Glenwood Springs. Attorney McConaughy said New Castle had adopted an ordinance years ago prohibiting motorized vessels on the river. He thought that if the boat tour business succeeded, the council might want to reconsider the ordinance in the future.

Consultant Planner – not present

Consultant Engineer – present for items on the agenda

Town Planner – Planner Cain told the council there had been numerous complaints about weeds on the Anderson property, and he had contacted Mr. Anderson who said he would handle the problem. Planner Cain said he was making progress but it was slow.

## **Items for Consideration**

### **Policy Discussion Regarding LoVa Trail**

Greg Russi greeted the council. He said he and Larry Dragon, of LoVa Trail Group had similar presentations. Mr. Russi gave a brief history of the LoVa Trail Group and their intent to complete a continuous trail system from Aspen to the Mesa County line. Mr. Russi said that he was the town's representative to LiveWell's Built Environment Group, which was inventorying the hard and soft trails system in Garfield County. He said that New Castle was disconnected from the trails system because of the complications and expense of completing the portion through South Canyon.

Mr. Russi read parts of an outline that only he had, and asked the council if they would agree to some support and maintenance items. He clarified that he was not asking for funds and he was aware the trail would be discussed during the council retreat. Mr. Russi said the trail would be costly, and his group as well as LoVa would be working on the funding. He said that state and federal grant programs required a government subdivision as an applicant, and neither LoVa or LiveWell were government subdivisions. He hoped that New Castle would be willing to be involved, perhaps collaborating with Glenwood Springs. He also hoped that eventually there would be a regional authority, or that Garfield County or RFTA would take over the project.

Larry Dragon, LoVa Trails. Mr. Dragon described the reason LoVa came into existence, and described how the various municipalities in the county had participated by building trails in their towns. Mr. Dragon said large trail projects took years to build, and were done in phases or sections. The Rio Grande trail had taken almost thirty years to complete. He felt the trail from Glenwood to New Castle could be done in three to five sections, most being flat trail. He said the big cost for the trail was in South Canyon because of some pinch-points there.

Mr. Dragon said the state trails program had funds available for trails planning and thought that would be a good place to obtain planning funds in 2016.

Councilor Leland felt that any approval should wait until council could see Mr. Russi's documents first. He thought it could be placed on a future agenda for approval.

Mayor Gordon said it would be discussed at the retreat as well.

**Consider Ordinance TC-2015-3 – An Ordinance of the New Castle Town Council Amending Portions of Chapters 17.20, 17.36, and 15.44 of the New Castle Municipal Code Concerning the Certificate of Approval Process in the C-1 and R-1 Zone Districts (first reading)**

Planner Cain explained that the text changes were to clean up code sections that were conflicting.

**MOTION: Councilor Riddile made a motion to approve Ordinance TC-2015-3, An Ordinance of the New Castle Town Council Amending Portions of Chapters 17.20, 17.36, and 15.44 of the New Castle Municipal Code Concerning the Certificate of Approval Process in the C-1 and R-1 Zone Districts on first reading. Councilor Stuckey seconded the motion.**

Discussion: Councilor Leland asked how property owners in the C-1 zone district would be notified of the changes. Planner Cain said he had not decided how to do that yet, but was open to suggestions. Attorney McConaughy said it was not really changing the rules, just changing the process.

**The motion passed on a roll call vote: Councilor Riddile: yes; Councilor Means: yes; Mayor Gordon: yes; Councilor Stuckey: yes; Councilor Leland: yes; Councilor Breslin: yes and Councilor Metzger: yes.**

**Consider Ordinance TC-2015-4 – An Ordinance of the New Castle Town Council Amending Chapter 1.16 of the New Castle Municipal Code Concerning Elections (first reading)**

Attorney McConaughy told the council that the charter and municipal code had adopted the Municipal Election Code (MEC), but that as a Home Rule town, New Castle had adopted some specific time limits for elections, which at the time were consistent with the MEC. The legislature amended the MEC, so now the town code is in conflict with the MEC. The ordinance is to bring the town election code in compliance with the statutes, specifically in relation to the timing rules for overseas and military voters.

**MOTION: Councilor Leland made a motion to approve Ordinance TC-2015-4 – An Ordinance of the New Castle Town Council Amending Chapter 1.16 of the New Castle Municipal Code Concerning Elections. Councilor Means seconded the motion and it passed on a roll call vote: Councilor Leland: yes; Councilor Breslin: yes; Councilor Metzger: yes; Councilor Stuckey: yes; Councilor Means: yes; Mayor Gordon: yes; and Councilor Riddile: yes.**

**Update: Kuersten Property/ SGM Scope of Work for Site Development**

Attorney McConaughy told council that the contract was signed, earnest money deposited and the title work had been received.

Town Engineer Jeff Simonson said that the goal was to understand how much of the on-site materials were useable or saleable. The first step would be soils testing –

digging profile holes so an evaluation of the conditions could be done to determine if utilities can be placed, then some of the materials could be used for roads. The remaining materials could be sold. Then a base-conditions, 3-d model could be developed, and last would be a grading plan.

Engineer Simonson felt the work could be accomplished for less than \$7,200.00. Attorney McConaughy said there were exceptions in the title commitment for some old, hand-written documents creating driveway easements. He felt they could be plotted in a minimal survey to determine if it was necessary to file a title objection. Engineer Simonson said that information would be included in his analysis. Mayor Gordon explained that the work Engineer Simonson was proposing was necessary to decide whether or not to move forward with the project.

The council and staff discussed the value of doing the property analysis.

**MOTION: Councilor Stuckey made a motion to approve Public Works Director Wenzel and Engineer Simonson to proceed with analysis of the Kuersten Property. Councilor Leland seconded the motion and it passed unanimously.**

#### **Update: Warrior Warranty Work**

Engineer Simonson told the council that the chip seal was completed. There were a few last items, but the work is ninety-nine percent complete. All the test results have passed.

Engineer Simonson said he and Administrator Baker were in discussions regarding the landscaping issues in Lakota that direct water into the roadbeds. He said he would like to have a grading budget to address the problem, and that there were four or five properties to deal with.

Councilor Stuckey said that the HOA review committee were advising people that an appropriate landscaping plan was required for all new permits.

#### **Consideration of the CDOT Devolution Process for Main Street**

Mayor Gordon said they had met with Dave Eller. Director Wenzel said there were decisions to be made on how much of Highway 6 the town should take over. The council discussed the options and their advantages.

**MOTION: Councilor Leland made a motion to authorize the Mayor to sign a letter to the Colorado Department of Transportation to begin the devolution process for the Highway 6 road section from Elk Creek to E Avenue, Mile Post 105.8 to Mile post 106.5. Councilor Means seconded the motion and it passed unanimously.**

#### **Consider Resolution TC-2015-11 – Supporting a GFMLD Mini Grant Application for Community Center Upgrades**

**MOTION: Councilor Riddile made a motion to approve Resolution TC-2015-11 – A Resolution of the Town of New Castle Town Council Supporting the Application for a Grant from the Garfield County Federal Mineral Lease District for Improvements to the Community Center. Councilor Leland seconded the motion and it passed unanimously.**

### **Consider Resolution TC-2015-12 – Supporting a GFMLD Traditional Grant Application for Streets Maintenance**

Director Wenzel told the council that it has been predicted that the GFMLD's funds may not be as significant in the future as they were now, so the strategy of staff was to apply for as much grant funding as the budget could comfortably match. In 2016, staff felt a \$200k match for streets maintenance was possible. The funds would come from the general fund.

Councilor Leland asked if there were plans to seek another grant opportunity for lighting for the pedestrian bridge. Director Wenzel said he believed so. Clerk Harrison said she had spoken to Administrator Baker and he stated that there was an upcoming grant opportunity for bridge lighting.

**MOTION: Councilor Leland made a motion to approve Resolution TC-2015-12 – A Resolution of the Town of New Castle Town Council Supporting the Application for a Grant from the Garfield County Federal Mineral Lease District for the Construction and Maintenance of Public Facilities: Streets Maintenance. Councilor Stuckey seconded the motion and it passed unanimously.**

### **Consent Agenda**

Minutes of the August 4, 2015 meeting

Resolution TC-2015-10- Credit Cards

Beyer Contract

Hoffman Contract

Richards Contract

**MOTION: Councilor Breslin made a motion to approve the consent agenda. Councilor Means seconded the motion and it passed unanimously.**

### **Staff Reports**

Town Administrator – not present

Town Clerk – Clerk Harrison told the council that she had sent Councilor Stuckey's information to CML for his seat on the CML Policy Committee, and that she had signed Councilor Breslin up for the CML business dinner in Silt on September 9, 2015.

Town Planner – not present

Public Works Director – nothing to report

Police Chief – Chief Pagni told the council that the proposed RV Park wanted fire pits at each site, which violated the town burn ban. He said he was going to conduct some research on fire pit policies in neighboring communities. Chief Pagni said that the Open House for the new police facility would be on September 26 from 2:00 p.m. to 5:00 p.m.

### **Commission Reports**

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Economic Advisory Committee – nothing to report

Senior Program – nothing to report

RFTA – Mayor Gordon said RFTA was doing some studies and discussing the trail systems in the county.

AGNC – Councilor Breslin said that AGNC is concerned about how the new carbon standards for emissions will affect the coal-fired power plant in Craig. He asked that the council look at the information he will forward.

GCE – Mayor Gordon said that GCE had changed their meeting date to the third Wednesday of the month, from 11 to 1, and he had other obligations that day. He asked if anyone could attend in his place. Councilor Leland said he thought he would be able to attend.

### **Council Comments**

Councilor Means commented that he had not realized the Anderson property was not within town limits. His opinion was that the weeds did pose a health hazard to the seniors living in the senior housing. After a brief discussion about the problems on the property, the council asked Clerk Harrison to look into the cost of annexation, since the property was enclaved.

Councilor Riddile said he was getting e-mails from Growing Food Forward, a person named Andrea Matthews. He said the e-mails were accusatory towards Kim Willey and threatened legal action. Councilor Leland explained that there was a long history of a difficult relationship between Ms. Willey and Ms. Matthews. In addition, Ms. Willey posted a derogatory video about Apple Tree and Councilor Leland felt it would negatively affect the relationship with the Talbotts.

Councilor Metzger asked if Clerk Harrison knew who purchased the Lazy Bear Restaurant. Clerk Harrison did not know, but said she had spoken to the owner about transferring the liquor license.

Councilor Metzger asked if anyone knew what was happening with the clubhouse. Director Wenzel said he heard they would break ground in the fall.

Councilor Metzger said that she felt the with the parking issues downtown, something should be done about all the vehicles parked around the New Castle Garage and on the Kamm lot. She also felt that there were too many vehicles stored on the Reiger lot. Councilor Stuckey agreed, and said that it seemed nothing had been done about the junk and vehicles he mentioned on the East end of town. Mayor Gordon asked that Planner Cain follow up zoning regulations for the downtown area to determine compliance and the conditions for the Reiger Special Use Permit in regard to storage of vehicles.

Councilor Breslin told the council that John Heir, who used to be the Rifle Town Manager, had passed away.

Councilor Leland asked what the name of the public works building now that the police department was located there. The council decided on Municipal Operations Center.

Councilor Leland said he was working on the next newsletter, and the various town projects that would be mentioned. He said it was a good reminder of how much was being accomplished.

Mayor Gordon told Councilors Stuckey and Metzger that he wanted them to follow up with the issues they brought up.  
Mayor Gordon told the council they were doing a great job.

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

The meeting adjourned at 9:13 p.m.

Respectfully Submitted,

  
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Mayor Bob Gordon

  
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Town Clerk Melody Harrison, CMC

