

**New Castle Town Council Meeting
Tuesday, January 19, 2016, 7:00 p.m.**

Call to Order

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

Pledge of Allegiance

Roll Call

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| Present | Councilor Means Councilor Riddile Councilor Metzger Mayor Gordon Councilor Breslin Councilor Leland Councilor Stuckey |
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Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Town Planner Tim Cain, Town Engineer Jeff Simonson, Town Attorney David McConaughy, Assistant Town Attorney Haley Carmer and members of the public.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC-2016-1.

Conflicts of Interest

Councilor Stuckey told the council he had a conflict with item D because Mr. Bartlomiejczuk was his client, and he asked to be recused. The council agreed.

Agenda Changes

Clerk Harrison said that Town Administrator Tom Baker has several agenda changes.

Administrator Baker told the council he wanted to add a letter of support for RFTA regarding the Regional Tourism Act legislation passed in 2009. In addition, he wanted a discussion regarding the Colorado Employee Residency Reporting that DOLA used to provide mineral lease and severance tax funds, and whether the streamlined process used the prior year would still be acceptable. The council agreed to add the two items to the end of the agenda.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items
Consultant Engineer – present for agenda items

Code Enforcement – nothing to report

Items for Consideration

Consider Letter of Interest from Ginny Schroeder for seat on the Climate Action Advisory Commission

MOTION: Councilor Means made a motion to appoint Ginny Schroeder to the Climate Action Advisory Commission. Councilor Stuckey seconded the motion and it passed unanimously.

Review of PUD Agreement for Riverside RV Park

Mayor Gordon spoke to the audience and applicant and said that their comments should be addressed only to the council.

Town Attorney David McConaughy told the council that the review of the PUD agreement and the Ordinance were one in the same because the ordinance would approve the PUD agreement. He suggested that Town Planner Tim Cain begin with his staff report and note any changes. Assistant Town Attorney Haley Carmer could then review changes to the ordinance and agreement. Then the council could hear from the applicant, and take public comments.

Planner Cain said that his memo to council included the most recent documents submitted by the applicant, Rob Chapmus, as well a report from the Town Engineer Jeff Simonson and comments from the Public Works Director John Wenzel. Mr. Chapmus' engineer, Gamba & Associates, sent a response letter stating that they could address all the engineering concerns prior to a grading permit being issued. Planner Cain said he wanted to clarify a statement made by Mr. Chapmus regarding allowable uses in the Highway Business Zoning. Statements that convenience stores, stockyards, and gas stations were allowed uses was not correct; in fact, they were all conditional uses that would have to go through the same approval process as the RV Park.

Planner Cain said Mr. Chapmus would have to address the emergency access road that leaves River Park Condominiums. Planner Cain said the road had not been fully reviewed by the engineers, therefore Fire Marshall Orrin Moon could not state whether the emergency access road will have a sufficient turning radius. The site plan did not show cross sections of the existing access road, or of any proposed one. Planner Cain said he was concerned about the emergency access road issue. Planner Cain noted that his memo contained the same recommendations as before, although slightly modified. He said that water use would have to be monitored for the first year to determine how many EQRs to bill the property.

Pamela Whittington, 836 A Donegan, Glenwood Springs. Ms. Whittington asked if the RV Park had a final design. Planner Cain said the construction drawings did not show a turning radius for the emergency access road, and Mr. Chapmus needed to explain why. Additionally, the engineers needed to submit a revised raw water irrigation plan. Mr. Chapmus had secured water rights to use for the initial care of vegetation on the property, which is why the irrigation and landscape plan was necessary.

Councilor Leland clarified that should the council approve the ordinance, there would need to be conditions requiring approval from Colorado River Fire & Rescue

regarding the emergency access as well as an approval of the raw water system. Planner Cain affirmed that the two items would need to be conditions of approval.

Susan Christianson, Eagle resident and HOA Manager for River Park Condominiums. Ms. Christianson asked if the emergency access road improvements would have an impact on the HOA . Planner Cain said he felt the applicant could make it work, and that the current issue was that no cross-section drawings had been submitted.

Robert Chapmus, applicant. Mr. Chapmus reviewed the steps he had taken over the past year to bring the RV Park proposal:

He said he had met informally with the council more than a year earlier, and came away with favorable feeling from the town council. He then began the application process that included significant engineering, etcetera. At the first Planning & Zoning meeting received an affirmative vote to move forward to the second meeting. The P&Z required a mediated meeting between the applicant and the River Park Condominiums HOA and property owners to work out some of the issues. That meeting resulted in a set of rules and regulations for the RV Park that were brought back at the second meeting with the P&Z. Mr. Chapmus received a unanimous vote of approval from the P&Z to move on to the first meeting with the town council.

Mr. Chapmus said that each step of the process had required additional engineering, additional legal work and additional review by staff. He said each step also cost him additional money.

Mr. Chapmus said his application then went to the first meeting with the town council, at which he received an affirmative vote on the first reading of the ordinance to approve Riverside RV Park. A requirement of that approval was to complete the engineering documents, which was more money he had to spend on engineers, attorneys and staff. Mr. Chapmus said he received comments from the town engineer and Fire Marshall Moon on Thursday the prior week, and although his engineer said the changes could be done, they would not be completed in time to be included in the council packet. They had to get the changes on paper where everyone could agree. Regarding the emergency access road/turnaround, Mr. Chapmus said he accepted blame for that. He said he had spoken to Mr. Blocker of the HOA who indicated they might want to change the exit of the access road to remain on their property, and Mr. Chapmus told them he would work with the HOA on the access road, and his engineer simply placed landscaping in the egress on the drawings. He felt the problem was solvable by continuing the access road through his property and installing a breakaway gate. Nothing would change on the adjacent property. He would only have to move some landscaping.

Mr. Chapmus said that he was now at the final hearing. He said he had spent close to \$50k in engineering and legal fees, and well a lot of the very courteous town staff time, and his own time on the project. He had received affirmative votes at every step of the approval process, but was now concerned that there was a lot of opposition at the final approval meeting. Mr. Chapmus said he could answer every engineering question or concern; all legal issues had been addressed and the project fit within the town's comprehensive plan. Mr. Chapmus felt that the property was not zoned to be a quiet, residential neighborhood, it was an interstate exit ramp and in most small towns that included gas stations and convenience stores and RV Parks. He said his intent was to eventually build a small, boutique motel on the property, and had submitted renderings to the town. He felt that

economically, it was not currently feasible to build the motel. He felt that the empty land caused people to pass by New Castle and go to places such as Silt and Glenwood Springs for the services they wanted. The RV Park would place infrastructure on the property in readiness for the future motel. Mr. Chapmus felt that there was not a physical, legal or zoning reason not to allow the RV Park, and the project had received three votes in the affirmative. He felt that only reason for denial was an emotional reason. Mr. Chapmus said he would not sit on the property for four or five years until the economy would support a motel, and he could not imagine the opposition a motel would likely face. He felt no other developer would be interested in developing the property knowing how long and costly a process he had been through, which effectively sterilized the property. Mr. Chapmus told the council that New Castle wanted a developer in control of the property to be someone who had some attachment to New Castle, not Corporate Flying J, or Real Estate Acquisitions for Motel 6. It should be someone who was a long-term valley resident, someone who is experienced in developing and who has an interest in New Castle. Mr. Chapmus said he owned a lot in Lakota, owned a membership at the Golf Course and he planned to make the RV Park his summer home. Mr. Chapmus told the audience he wanted to be a good neighbor, and that he wanted to work with them and prove that it could be productive without harming anything. He wanted someone in the group to come back when he proposed the motel, say that he had been a good neighbor and had done what he said he was going to do and that they would support a motel.

Mr. Chapmus said that a nine-foot berm would be placed along County Road 335 for rock fall mitigation, and would block visibility from the road. On the east side, there was a 150-foot open space which was meant as a buffer between the condos and the commercial property. He felt there would be perhaps six units affected by the RV Park, and no one else would be affected.

Councilor Metzger asked if trees could be planted to mitigate the views. Mr. Chapmus said he could, but they would have to be mature trees, and eventually they would be removed for the motel, so he did not feel it was a good plan. He did not feel the RV Park was going to be much of an impact visually.

Councilor Leland asked what Mr. Chapmus' marketing study showed regarding a motel. Mr. Chapmus said he did not really understand it, just that it was not yet feasible.

Councilor Stuckey asked if Mr. Chapmus has considered doing some real mitigation between his property and the River Park Condominiums. Mr. Chapmus said he did not feel he was impacting the condo properties in any physical manner at all. He informally offered in an informal conversation with Mr. Blocker, that they place a berm with vegetation on the top between the properties. The time to do it was when there was heavy equipment moving dirt on the property. He felt this was cooperation, but he did not feel it was his obligation to change anyone's aesthetics, because he was not causing any physical change to the condo property. He felt that no matter the business on the commercial property, it would still not be that business' obligation to mitigate River Park Condominium's aesthetics. One complaint quoted a \$25k price tag to mitigate the visual impact, and he felt that with 153 condo owners, that was only \$163.00 per owner.

Councilor Stuckey said that it was always the developer who was obligated to mitigate impact on the existing neighboring use, not the other way around. Mr. Chapmus said that he would agree if he was asking for a zoning change or

variance, but that was not what he was doing. He said no matter the business, it would be hard to mitigate visual impacts to a three-story building.

Mr. Chapmus reiterated that he would be delighted to work with the condos and be a good neighbor to them.

George Blocker, President of the River Park Condominium HOA. Mr. Blocker said he felt that highest and best use of the property would be more homes rather than a commercial use. He agreed that an RV Park may have minimal impact, but a motel would have a huge impact. He suggested that the council choose option 2 in the ordinance if they choose to approve it. He also said the HOA has considered expenses related to mitigation between the properties, and creating additional reserves to pay for it. They had consulted with a landscaper, and were willing to submit drawings if the council wished.

Beth Cotlar, River Park Homeowner. Ms. Cotlar felt the decision was a fork in the road for the council. She lived in Grand Junction, but her condo was her second home. She felt that the condo complex had elevated the area to a higher and better use, and caused the zoning to become antiquated. While Ms. Cotlar appreciated Mr. Chapmus' effort and expense, there were 153 homeowners next door. To the homeowners it was not an exit to a highway business, it was an exit to New Castle. Fifteen RV spaces at a part-time, seasonal business would generate minimal revenues for the town. She felt that development on the property should wait until a better use was proposed, and approving the RV Park now was not a long-term vision for the town. Ms. Cotlar said property values at River Park Condominiums had been going up, and there was potential for negative impact to property values in approving the RV Park. In addition, mitigating the visual impact was more than the estimated \$25k, because there would be the cost of long-term maintenance of the berm and landscaping.

Brad Gates, 219 Buckthorn. Mr. Gates said he had lived in Glenwood for a number of years and watched the Glenwood council succumb to emotional arguments that resulted in lawsuits. His opinion was that the council should consider the benefits of approving the commercial project, and suggested they make a decision based on the non-emotional aspects of the project.

Beth Cotlar said that she was emotional about the project as was the applicant regarding the amount of money he had spent. She also agreed that a commercial tax base was needed in New Castle but felt the town should hold out for a better and higher use on the property. Ms. Cotlar felt the town should wait for something that would not negatively affect the recent increases in property values.

Mr. Chapmus said he had spoken to the Town Planner several years ago and asked why the property had not been developed, because he felt the property was ideal. Mr. Chapmus said that Planner Cain had told him that other developers had inquired, but when they found out what the approval process was they did not pursue development.

Mr. Chapmus said if the council denied approval, it would place a red flag on the property for all developers. He said he could not see himself making any further effort.

Lynn Simmons, River Park Condominiums homeowner. Ms. Simmons said she bought her condo in September 2015 and was unaware of the RV Park proposal when she purchased her home, and it would have affected her decision to buy. She stated she had spent twice what Mr. Chapmus had spent and he should consider that. She agreed the exit ramps were the gateway to New Castle, and that the question was what the residents wanted that gateway to look like. She felt a good, sound judgement regarding the future of New Castle was important, and that the decision was for everyone, not only the River Park homeowners.

Ms. Simmons said a fifteen space RV Park did not sound too unappealing, but that an 80-room motel sounded horrible. There may be revenue from the commercial use, but that would be outweighed by the costs of more lanes, a new bridge and a traffic circle if those had to be installed to accommodate the increase in traffic. She asked that the council think about it long-term.

Lisa Moreau, River Park Condominium homeowner. Ms. Moreau said she had attended all the meetings she could, and said that if the RV Park was approved, there should be some very stiff rules. Ms. Moreau noted that Amie's Acres in Glenwood had trailers with plywood additions, and garbage all over. She asked the council to make sure the project did not turn into another Amie's Acres.

Mayor Gordon said that the ordinance provided some good regulations on the park, and there would not be any plywood additions. He told the audience that he and the council were carefully considering everyone's opinions and concerns. He said a lot of effort had gone into the project, and that he hoped everyone had carefully studied the ordinance and other documents so they understood clearly what was taking place.

Councilor Leland said that the ordinance included a clause that said any complaint of issues that violated the ordinance would cause the council to review the project again. He felt this protected everyone.

Katie Turner, River Park Condominium homeowner. Ms. Turner said she and her boyfriend, Zack Meseke, closed on their home in October, 2015. Ms. Turner said they would not have purchased their home if they had been aware of the RV Park project. She stated it was not just an emotional issue, but also a financial issue. Ms. Turner said they had invested everything they had in their condo, and did not want to see their property value decrease. Ms. Turner was also concerned about the ability for a guest to stay for ninety days, as it would encourage transients, which could very well impact her way of life.

Mayor Gordon asked Ms. Turner if her realtor ever mentioned the project, because it was under way in October 2015. Ms. Turner said her agent had not mentioned it.

Susan Christenson, HOA manager, River Park Condominiums. Ms. Christenson stated that most of the people in the room were against the RV Park, and she asked the council if there was any way the council could make Mr. Chapmus' promise of cooperation on a berm a solid thing. Attorney McConaughy said that anything represented by the applicant on the record becomes a part of the application and a condition of the approval. The council also has the option to make it explicit as part of the motion and it becomes part of the ordinance.

David Reynolds, River Park Condominium owner, and New Castle resident. Mr. Reynolds said that there are parts of New Castle visible from I-70 that are unappealing and the town can do nothing about. The RV Park was being presented as 'up-scale' but there was concern that it could possibly end up looking like an Amie's Acres. He felt the 29-day stay was inaccurate because it can be renewed twice, totaling an 87-day stay. He felt there was nothing in the ordinance that would prevent someone from checking out and checking back in under their wife's name and staying another 87 days. The limitations on the motorhomes really only exclude tents and nothing else. He felt that if the council approved the project, the ordinance needed more enforceable statements.

Beth Cotlar said she would not have purchased her unit had she known an RV Park would be moving in next door, and she felt that the theme would carry forward to and negatively affect future sales of River Park homes. Ms. Cotlar said home prices were currently on the rise, and she wanted to future values. She asked the council again to look long-term and better future uses on the commercial property.

Consider Ordinance TC-2015-5 – An Ordinance of the New Castle Town Council Approving Riverside RV Park, Inc.'s Final PUD Development Plan Application and Amending Section 17.124.010 of the New Castle Municipal Code (second reading)

Assistant Town Attorney Haley Carmer reviewed the changes to the ordinance since first reading, noting that council had approved option two at first reading. In addition, the PUD development agreement had been finalized. The purpose of the agreement was to set forth the timeline for public improvements and utility infrastructure. There may be some changes based on the town engineer's comments, and staff would ensure all requirements would be met before and work would be started. Attorney Carmer said Mr. Chapmus had agreed to the agreement. All exhibits to the ordinance and development agreement were in place, with only minor adjustments based on engineering comments, and approval of the documents was what the council would be considering.

Attorney McConaughy suggested that if the ordinance is approved, that the motion delegate authority to Town Engineer Simonson for the final sign-off of the cost estimates.

MOTION: Councilor Leland made a motion to approve Ordinance TC-2015-5, An Ordinance of the New Castle Town Council Approving Riverside RV Park, Inc.'s Final PUD Development Plan Application and Amending Section 17.124.010 of the New Castle Municipal Code, and Authorizing Town Engineer Simonson to sign off on final cost estimates, and Requiring Final Approval from Colorado River Fire & Rescue, on second reading. Mayor Gordon seconded the motion.

Discussion: Councilor Stuckey said he disagreed with Mr. Chapmus that the property would be sterilized if the project was not approved. It is a prime location that could be developed under the current zoning, and as the economy improved, there would be interested developers. Councilor Stuckey agreed that the area was the gateway to New Castle, and the council had an opportunity to make certain that whatever went in there was visually pleasing for New Castle's front door. He also explained that New Castle Municipal Code called out that conditional uses should be

compatible with surrounding uses and would further the purpose of the zone district. Councilor Stuckey felt that it was the developer's responsibility to mitigate the impact to the residential area, because he was asking for a conditional use that could have substantial impact on the residents. He did not feel the tax revenue brought in by the RV Park would be enough to even police the area. Councilor Stuckey felt that an RV Park in another area of New Castle would be beneficial, but not neighboring a well-kept, established, respectable residential community. Further, he felt that the boutique motel was a carrot offered to entice the council into approving an RV Park use that may become endless. Councilor Stuckey felt the council needed to set their standards higher and wait for a better use on the property.

Councilor Riddile said he felt that as elected officials, it was their duty to be good stewards for the people of the town, and they had a duty to listen to the residents.

Councilor Leland agreed with Councilor Riddile's statements, and said he felt they had a responsibility to the economic health of the community as well as a responsibility to the health and welfare of the citizens. He felt the RV Park created a conflict between those two duties. He thought a solution may be to require a written commitment to begin the procedure to build a motel. He asked the Town Attorney to advise how that could be done.

Attorney McConaughy said that he did not think the council could require private property owners to build a private facility if they do not want to or do not have the money or if the market is not supportive. The council could impose conditions, perhaps for a periodic review and hold a hearing to determine if they are in compliance with the conditions. The council could also make the conditional use expire, and make the approval good for five years at which point the applicant would have to reapply for the conditional use. Either of these could tie the land use approval to some future event or future determination.

Amendment: Councilor Leland amended his motion to include a condition that the land use approval will expire five years from the date of signing; and, that the developer would provide a suitable barrier between his property and River Park Condominiums.

Attorney McConaughy asked who determined what 'suitable' meant, and offered Mr. Chapmus the opportunity to comment in terms of what he felt was feasible.

Mr. Chapmus said that working with 153 opinions of what was suitable may be complicated, and that he did not believe anything could be done. He said a nine-foot high berm would be built on the south side of the property, and although the same could be done on the east side, it would do nothing for the second or third floor residents. Additionally, it would create issues with the engineered drainage.

Mr. Chapmus felt a monetary value could be placed on the mitigation, but restated that it was physically impossible to put anything there that would be effective.

Attorney McConaughy suggested that the condition could say "..... shall construct a visual barrier or other mitigation as may be agreed between the developer and the HOA, and if an agreement is not reached within ninety days, a cash-in-lieu fee shall be paid to the town...." At which point the town would use the funds to construct the barrier.

Councilor Leland felt the ninety days was too quick because construction would not begin until spring, and final engineering plans were not complete. Mr. Chapmus agreed that ninety days was too soon, and asked for one year. He also said that the HOA said \$25k would be necessary for a mitigation berm, and Mr. Chapmus offered that the HOA could offer \$12.5k and he would offer \$12.5k and if they could come to an agreement, the work would be completed. If they could not come to an agreement, each party would get their money back.

Attorney McConaughy said the council could not condition Mr. Chapmus' PUD approval on a third party paying money. Attorney McConaughy said there could be language that said if Mr. Chapmus could not agree with the HOA he would turn the \$12.5k over to the town, placing the town in the position of working out an agreement with the HOA. Councilor Leland did not feel this was a good position for the town.

Councilor Leland reiterated that Mr. Chapmus had orally agreed to work with the HOA to find a suitable barrier, and Mr. Chapmus reaffirmed his agreement.

Mayor Gordon asked for any further discussion.

Attorney McConaughy clarified that the motion and the second had three conditions:

- 1. That Town Engineer Simonson sign off on the cost estimates, and;**
- 2. That Colorado River Fire & Rescue provide final approval, and;**
- 3. That the conditional use would expire in five years from the date of signing unless approved by resolution by a vote of the council after a public hearing.**

Mr. Chapmus said that they were asking a business owner to invest several hundred thousand dollars in a project that could go away in five years. Councilor Leland said that Mr. Chapmus had stated on the record that his goal was to build a motel in five years. If in five years, Mr. Chapmus was not ready to build a motel, he could ask for an extension of the conditional use for the RV Park. It also provided protection for the residents of River Park Condominiums.

Mayor Gordon asked for a roll call vote: Councilor Riddile: no; Councilor Stuckey: no; Councilor Means: no; Councilor Gordon: no; Councilor Leland: yes; Councilor Metzger: yes.

Attorney McConaughy said that the motion failed, and told the council they could make a motion with different conditions, or they could make a motion to deny.

MOTION: Councilor Stuckey made a motion to deny Ordinance TC-2015-5 – An Ordinance of the New Castle Town Council Approving Riverside RV Park, Inc.'s Final PUD Development Plan Application and Amending Section 17.124.010 of the New Castle Municipal Code on second reading. Councilor Means seconded the motion and it passed on a roll call vote: Councilor Metzger: no; Mayor Gordon: yes; Councilor Stuckey: yes; Councilor Means: yes; Councilor Riddile: yes; Councilor Leland: no.

Councilor Stuckey left the meeting room at 9:03 p.m.

Consider Request from Stanly Bartlomiejczuk, AB & SB Construction, for a Permit Fee Agreement

Town Planner Tim Cain explained that Mr. Bartlomiejczuk had asked the council for a similar agreement the previous year, and had paid the fees back, with interest, in a timely manner. He also explained that the funds would pay for building permit fees on the last lots in Castle Ridge, and would build out the subdivision.

MOTION: Councilor Riddile made a motion to approve the Permit Fee Agreement between the Town of New Castle and AB & SB Construction. Councilor Leland seconded the motion.

Discussion: Attorney McConaughy told the council they could approve the permit fee agreement as it was legal, but clarified that the town was not a bank and typically people went elsewhere for loans. He said that the town's investments should remain highly conservative. He felt there was some risk that they could not get the money back in that the applicant could hit hard times and go bankrupt or the properties could be foreclosed on. The council had approved an agreement with the same applicant previously and had been paid back as agreed, and it was the council's option to move forward with the agreement.

The motion passed unanimously.

Mr. Bartlomiejczuk thanked the council.

Councilor Stuckey returned to the meeting at 9:09 p.m.

RFTA Support Letter

Administrator Baker told the council that Dave Johnson of RFTA asked if the council would consider signing the letter of support that was in the packet. The letter supports an amendment to a 2009 law that allowed RFTA to seek up to five mils in property tax, with voter approval, to offset the cost of capital acquisitions. The law will sunset in 2019, and RFTA will pursue legislation to extend that sunset date to 2029. The letter of support is for the change of the sunset date.

MOTION: Councilor Leland made a motion to authorize the Mayor to sign the letter to the House Transportation & Energy Committee in support of RFTA. Councilor Stuckey seconded the motion and it passed unanimously.

Colorado Residency Reporting – DOLA

Administrator Baker told the council he had received an email from Kirby Winn asking for an informal agreement from New Castle to continue the reciprocal agreement amongst all the municipalities in Garfield County. The agreement provided for DOLA to accept challenges from any of the municipalities on the Colorado Employee Resident Reporting which was how DOLA allocated impact funds from energy. The council agreed.

Consent Agenda

Minutes of the January 5, 2016 council meeting

Lakota Food & Beverage Optional Premises Liquor License Renewal – Recreation

Lakota Food & Beverage Optional Premises Liquor License Renewal – Golf Course

Spirits of New Castle Retail Liquor Store Liquor License Renewal

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

Staff Reports

Town Administrator – Administrator Baker told the council that the Governor’s Office had requested a representative statement from the town about the LoVa Trail for the 16 by 2016 State Trails Grant program. Garfield County agreed to write the statement, which indicated regional support of the LoVa Trail. Administrator Baker told the council that Ag Day would be January 26 for those interested. The GFMLD Awards Luncheon had been held a week earlier, and New Castle had received the highest amount of funding in the spring and fall grant cycles. During the lunch, Mike Samson commented that he would like to see all the entities collaborate on a single, large project that would benefit the whole county. Administrator Baker said he did not yet know what that project would be so the town would continue to pursue spring grants for police radios, police vehicles and public works equipment. Administrator Baker said that Drew Gorgy had indicated that in February the GFMLD would ask all the municipalities for their strategic plan or capital improvement plan. The purpose would be to determine if the grant requests submitted to the GFMLD matched the strategic plans. Administrator Baker said that New Castle’s exactly matched. He told the council that their long-term strategic plan would pay off, not only because they had good planning, but also because the GFMLD grants would depend on it in the future. Administrator Baker said that the Energy Symposium was scheduled for April 20 – 21, 2016. Administrator Baker said he had spoken to Joel Starbuck of City Market regarding a fuel station, and they were interested in some neighboring properties, but there seemed to be nothing definitive regarding an expansion.

Town Clerk – Clerk Harrison told the council that the next council meeting on February 2 was the joint meeting with the Board of County Commissioners. The meeting would take place in the Community Center, will begin at 6:00 p.m. and dinner will be served. After the joint meeting, the council will hold the liquor hearing for Chapman’s Pub. Public notices will be posted so the community can be aware. Additionally, although the council had approved the liquor license renewal for the golf course, that renewal did not include a clubhouse. She said it was her intention to have Warrior start the process to modify their liquor license to include the new clubhouse once the framing inspection has been complete and approved. At that time, they would have solid evidence of the floor area and be able to decide how much of the area should be a license premises. This would hopefully be enough time to complete the licensing process and allow them to serve alcohol at their grand opening of the clubhouse.

Clerk Harrison said there were five petition packets picked up for council candidates, but only one petition had been turned in. She also said that they had received a few compliments from citizens regarding snow plowing, and that public works had been very responsive to citizens who needed special help or to staff requests.

Town Planner – nothing to report

Public Works Director - nothing to report

Commission Reports

Planning & Zoning Commission – Councilor Metzger said that at the last P&Z meeting there was a conditional use permit, and the applicant had the most impressive and beautiful presentation that would be coming to council.

Historic Preservation Commission – Councilor Riddile said the representative from History Colorado had been there which qualified the town to maintain their certified local government status.

Economic Advisory Committee – nothing to report

Climate Action Advisory Committee – nothing to report

Senior Program – nothing to report

RFTA – Mayor Gordon said RFTA finalized their budget at the last meeting. He also told them that Councilor Stuckey would be attending the RFTA meetings. He felt that he and Councilor Stuckey had been successful in changing the attitude of RFTA towards the down-valley municipalities.

AGNC – Administrator Baker said that Finance Director Layton had attended, and Doctor Wolke was there and spoke about the Clean Power Act and how it affected the coal mining industry as well as the ozone compliance and how that may affect affordable housing. Last, he spoke about how the Affordable Care Act was affecting insurance companies. Most of the information was valuable to finance, but not necessarily the council.

GCE – nothing to report

Council Comments

Councilor Metzger said there were two New Castle kids in the Sunday paper, and she thought it would be nice for the council to write a congratulations to them.

Councilor Stuckey and the rest of the council agreed.

Councilor Metzger said she and Administrator Baker had met with Jo Anderson. Ms. Anderson started a senior housing coalition in Carbondale because she was well aware of the need for senior housing in Garfield County. Ms. Anderson thought it might be a good idea to invite the Post Independent to one of the meetings about the wellness campus and ask them to write an article about what New Castle was trying to do, and tie a survey to it for input from the community.

Administrator Baker clarified that the demand analysis indicated that there was only a modest need for senior housing. This seemed to be contrary to what was believed to be true. The idea was to have the Post Independent conduct a survey to better understand the needs. The survey results would not be scientific, and would not assist with financing but it may garner some interest as well as raise awareness.

Ms. Anderson also suggested that New Castle meet with the director of Casey's Pond in Steamboat Springs and understand how they got their senior housing project done. Unfortunately, Casey's Pond is not full and the project is allegedly underwater because they oversized their market area and got a false reading on how much demand there was. Administrator Baker said it would be good to speak with them and see what they say they would have done differently. The council agreed it would be valuable to learn from Casey's Pond. Administrator Baker said staff would not make the appointment until late February.

Councilor Metzger said that she felt that the RV Park application could have been handled better and that it was unfortunate that the applicant spent the money he did and had been approved up until the last meeting, then was suddenly denied. Mayor Gordon said that the applicant had been advised all along on what needed to be done, and he failed to do those things. In addition he attempted to intimidate the council into approving the RV Park, rather than providing the mitigation necessary. Councilor Metzger asked if the residents had been notified. Clerk Harrison said they had definitely been notified, and the residents had objected at the first P&Z meeting resulting in P&Z requiring a mediated meeting with those residents. Councilor Riddle and Councilor Stuckey felt that the application would probably not have been approved through P&Z if the approval resolution had been clearly explained. He did not feel the commission understood what they were voting

on. Administrator Baker said that the applicant should have had a complete presentation with maps and color graphics, similar to the presentation Councilor Metzger told the council about, but he did not. More effort could have been put into selling the project.

Administrator Baker told the council that he and Mayor Gordon and Councilor Leland had met with Terry Clausen who is doing a for-profit, high-end senior housing project in Carbondale. They asked Mr. Clausen to vet the report from the Highland Group and Mr. Clausen was not surprised about the demand numbers. Administrator Baker said it was a good meeting and Mr. Clausen offered to assist as an unofficial or official advisor. Councilor Leland felt he was someone the council could work with.

MOTION: Councilor Riddile made a motion to extend the meeting past 10:00 p.m. Councilor Means seconded the motion and it passed unanimously.

Councilor Leland told the council that Clark Anderson left the Sonoran Institute and started his own business. He is someone who could be a resource for the campus project.

Councilor Leland thanked the clerk's office staff for all the work done to prepare for the meeting. The council was accustomed to paperless, and preparing a paper packet was a great deal of work and they had done a good job.

Councilor Stuckey said that as an example of people who would probably stay in the area if there were available senior housing was Judy Beattie. He also thanked Mayor Gordon for his compliment regarding RFTA.

Mayor Gordon said he had worked with a number of councils over the years, and he felt the seated council was the best. They were prepared, informed, and made good decisions.

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

The meeting adjourned at 10:05 p.m.

Respectfully submitted,



Mayor Bob Gordon



Town Clerk Melody Harrison, CMC

