

**New Castle Town Council Meeting
Tuesday, February 2, 2016, 7:00 p.m.
423 W. Main Street – Community Center**

Call to Order

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

Pledge of Allegiance

Roll Call

Present	Councilor Riddile Councilor Metzger Mayor Gordon Councilor Breslin Councilor Leland Councilor Stuckey
Absent	Councilor Means

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Police Chief Tony Pagni, Public Works Director John Wenzel 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

There were no conflicts of interest.

Agenda Changes

Clerk Harrison asked the council to remove the IGA with the county for election services from the consent agenda because the attorneys had not completed their review of the document. The council agreed.

Items for Consideration

Recess Town Council meeting, convene as local liquor licensing authority

MOTION: Councilor Leland made a motion to recess the town council meeting and to convene as the local liquor licensing authority. Councilor Metzger seconded the motion and it passed unanimously.

Consider Resolution TC-2016-4, A Resolution of the New Castle Town Council Approving an Application from Ferguson Enterprises LLC, dba Chapman's Pub, for Transfer of a Tavern Liquor License

Mayor Gordon told the audience that the item would be a public hearing. He outlined how the hearing would proceed:

- Council will hear staff reports and a memo from the town clerk.
- Council will hear from the applicant.
- Council will open the public hearing and take public comments, then close the public hearing.
- Council will consider their decision.

Mayor Gordon told the applicant and the audience that all comments should be directed to the council. He asked Clerk Harrison to read her memo.

Clerk Harrison read the following:

There has been some confusion regarding the licensing process for the premises located at 366. W Main Street.

The Silver Club Saloon was suspended last year in May following a show-cause hearing.

The hearing that took place on October 6, 2015 was a renewal hearing, NOT a revocation hearing. On October 6, 2015 the Silver Club's liquor license renewal application was denied. This meant that the existing license, which was good until October 31, 2015, would not be renewed on November 1, 2015.

Many people were confused by this thinking the bar was shut down, but in fact was not. To further confuse things, the Silver Club was able to legally transfer ownership of their liquor license to Chapman's Pub.

This is a legal process under the state liquor laws. The council has approved two other transfers very recently: Lazy Bear Restaurant and New Castle Liquors. The hearing this evening is the very same as these two other transfers.

The liquor license transfer that you will be considering has two possibilities:

Approve or deny. The council in its capacity as the liquor authority cannot place conditions on approval of the license, however: any representations made by the applicant during the hearing becomes part of the application.

The item is a public hearing, and any person interested in voicing their opinions in support of, or against the license will have an opportunity to do so.

Council should consider public opinion in making their decision to determine if the application meets 12-47-301(2)(a) (excerpt) of the Colorado Liquor Code that states: ".....all licensing authorities shall consider ... the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances or otherwise"

The issues surrounding the previous bar and its owner do not apply to this application. The complaints and punishments related to the Silver Club only had bearing on the Silver Club, and is separate from the current owner and her application for a liquor license.

The Mayor confirmed that everyone understood what Clerk Harrison said. He asked Police Chief Pagni to report.

Chief Pagni told the council that he had been in contact with Terri Ferguson, but had not yet met with her due to scheduling conflicts. Chief Pagni read the following report:

Since the opening of Chapman's Pub (366 W. Main St.) on 10-31-2015, there have been approximately 12 reported incidents.

There were two reported officer follow-ups, one building check, and one alarm.

There were three reported fights at the pub.

The first reported fight occurred on their opening night (10-31-20 15), was reported by a person at or with the bar, and the alleged combatants were gone prior to law enforcements arrival. Seth Graby was present and recording the incident with his cell phone, shining the light from his phone directly into the eyes of Cpl. Burrows. Cpl. Burrows warned Mr. Graby to stop shining the light from his phone directly into his eyes. Mr. Graby apologized to Cpl. Burrows stating that he did not know the light was on.

The second fight occurred on 12-13-2015, and appeared to be mutual combating between two bar patrons, and was reported by the pub. Both men were charged criminally, and one of the men was trespassed from the establishment.

The third fight occurred on 01-01-2016, and was also reported by the pub. That incident involved a bar patron and person hired as security for New Year's Eve. The bar patron was trespassed from the establishment, after being detained briefly, and was released on a warning.

There have been two noise complaints, both of which occurred on the night of 01-09-2016. There was apparently a live band playing in the pub on that night. Both complaints were cleared on verbal warnings.

There was a reported criminal mischief on 01-08-20 16, with the pub being the apparent victim.

There was one REDI report on 01-23-20 16 involving a suspected intoxicated female preparing to drive away from the area of the pub. The vehicle was not located.

There was a reported disturbance on the night of 01-26-2016. Upon officer's arrival at the pub, there did not appear to be any disturbances, and the scene was cleared, unfounded.

Chief Pagni told the council that he felt he could work with the owner of Chapman's to help mitigate any issues.

Mayor Gordon invited the applicant to speak.

Terri Ferguson, 121 N 1st Street.

Ms. Ferguson told the council that Chapman's opening had been on 10/31/2015. She said that she knew the pub had experienced a few issues, but they had noticed a drastic change in the type of patrons that frequented the establishment. Ms. Ferguson said the pub had a zero-tolerance policy on fighting and the like. All of the bartenders were safe-serv certified and were careful not to over serve their patrons. The staff provided water or coffee, and had given a few rides home. Ms. Ferguson said they wanted to become Chamber members and do things like fundraisers and be a positive member of the community. Ms. Ferguson said they wanted to bring live music in.

Ms. Ferguson said that they knew that had a lot of work to do, and welcomed complaints, comments and suggestions.

Brett Ferguson, 121 N 1st Street. Mr. Ferguson said that they had met with several of the neighbors who had issues with the previous establishment, and invited them to communicate their concerns. The Fergusons had provided their cell phone numbers and asked the neighbors to call any time of the day or night. Mr. Ferguson said they needed to learn to work and live together, and they were there to do whatever they could to take care of the situation immediately.

Ms. Ferguson said there had been a few noise issues. The Pub had hired a promoter to bring in local music. The promoter they hired struggled with noise limitations, and they had to let him go. Ms. Ferguson said the pub owned a decibel meter and used it to ensure the sound was not a nuisance.

Councilor Riddile asked how many people were employed by the Pub. Ms. Ferguson said there were six employees.

Councilor Riddile asked how they planned to mitigate noise issues at 11 or 12 at night. Mr. Ferguson told the council that they had a popular local band in to perform, and they had a rather large crowd. He said the police did their normal walk-through which the Fergusons liked because it helps them gauge the situation and stop issues before they become issues.

Councilor Riddile stated that previously there had been a noise issue in the summertime of the front door being left open. Also general cleanliness, cigarette butts and vomit on the sidewalks. He asked how those issues would be addressed. Ms. Ferguson said that they had removed the butt can from the front area, which created the problem that people still went out front to smoke, and although they spent six straight weeks directing people to the back patio, it remained an issue. She said they swept up every day, but told the council they would like to put a butt can back in the front, something more aesthetically pleasing than the ugly orange one there before. They asked if the council felt that would be acceptable, because they wanted to keep things clean. Cleaning the front sidewalk was on the

bartender's list of opening responsibilities. Mr. Ferguson said that they also employed full-time security on the weekends, which cut down the problems. They moved inebriated individuals along, often locating transportation home so they are not out in traffic. Mr. Ferguson said the front sidewalk was the responsibility of the security person.

Councilor Leland asked again about the front door being open. Ms. Ferguson said the front door would never be open. Councilor Leland said that was easy to say while the weather was cold, but when the summer came it's likely that someone would prop the door open. Mr. Ferguson said that a new door had been purchased a commercial, glass door with a door closer on it. He said that the swamp coolers worked very well inside the building and there should not be a reason to open the front door. If they do not work, he was in the heating & air conditioning business and he could repair them.

Ms. Ferguson said they did not want the noise leaving the building because they had neighbors to think about, and it was a priority for them to manage it.

Councilor Leland said he had a question and he did not know what the answer was. He said that once the bar closes and patrons leave the pub, they do not necessarily leave Main Street, and even after a moderate amount to drink, they were often jovial and noisy. He asked if there might be a way they could partner with the police department to keep the patrons from disrupting the residents in the middle of the night. Mr. Ferguson said their philosophy was that the patrons were no longer pub customers once they left, although they did want to see people walk home or get to their vehicle so they were not milling about. He also said they were all about working with the police department, and that the PD had been great providing assistance and input. The security person is also responsible to encourage people to move along.

Councilor Stuckey said that in the past, the patio area had been a problem and he asked what their plan was to manage it. Ms. Ferguson said they had cameras installed. Mr. Ferguson said that the back gate now had a panic bar on the inside that alarmed if someone went out. The rear gate was now an emergency exit only. In addition, they no longer allowed parking in the back. Councilor Stuckey said there had also been problems with people throwing things over the wall. Ms. Ferguson said they had posted signs and the patrons were aware they were on camera, and very aware of the zero-tolerance policy of the pub. Ms. Ferguson said that she had been in the bar prior to her ownership of the business, and said there was a different crowd and a different atmosphere. Mr. Ferguson said the weekend security person checked the patio area every fifteen to twenty minutes. He also said that they had met several times with the neighbor and the neighbor felt that things were better. Mr. Ferguson said that as far as he knew, there had been no additional issues.

Councilor Riddile asked Chief Pagni if he had an idea how many incidents there had been at other establishments in the downtown. Chief Pagni said the security checks would be similar, but without looking into it, he was not aware of other incidents in other establishments.

Mayor Gordon opened the public hearing at 7:34 p.m.

Leonard Petrakis, 386 W. Main Street. Mr. Petrakis said he felt that the Fergusons were sincere, but in order to get it done they needed a certain amount of expertise

that he was not certain they had. Mr. Petrakis said he had been in the business for more than 40 years in New York, and although he was not an expert, he knew there would be liquor and women and loud music. Men become very brave after a few drinks, so the staff really needed to be on top of things so that when people come in, they have a good time, they go home and they want to come back. He said that a certain amount of expertise was needed to run a bar, and he wanted the council to consider that when granting the license.

Susan Ruggles, 386 W. Main Street. Ms. Ruggles said she understood the importance of welcoming a new business into New Castle. She said she understood the town had hired a marketing firm to brand New Castle in hopes of expanding business development. There were also committees working to reinstitute New Castle as a historic destination. Liberty Park, which is adjacent to Chapman's Pub, will be breaking ground in the spring. The town and the council were talking positive, proactive steps towards expanding the growth of New Castle. As a property owner, Ms. Ruggles commended the council for their forward thinking. She said she had lived in town for two years, and since November there was more trash, cigarette butts and beer bottles all around. Ms. Ruggles said she knew the council had received a letter from a new condo owner in the Watts building who could not attend. This person had lived in town for less than a month and has had to call the police three times for disorderly conduct, noise and public intoxication. Ms. Ruggles asked the council how Chapman's Pub folded into the steps the council was taking to encourage economic development in New Castle.

Amanda Stone, 111 Current Drive. Ms. Stone said she was not practiced in public speaking, so she read a prepared statement:

"The importance of having Chapman's in our society

First there's the obvious: there's local revenue. Sales tax is important to help keep our town running properly, and they are a part of it. This establishment is a great place to enjoy entertainment, like concerts, stand-up comedy, sports events on TV. It's a place to enjoy the company of friends, meet other locals and engage in community-broadening activities such as pool days, football games, karaoke, cards, etcetera. Socialization is vital to the health of our community. Inadequate socialization is the leading cause of depression and alcoholism in stay-at-home mothers and housewives. Without this tavern to socialize with other adults, there would be the risk of drastic increase in depression among our citizens which has a negative impacts on everyone. The unsocialized women would be sad, irritable, have less patience with children whose educations will suffer along with their self-esteem. They would have less empathy towards spouses who are exhausted from a hard days' work, because at least they got to talk to other adults. This will cause spouses stress levels to rise and affect them in their daily work at their jobs. Also these homemakers will begin to neglect their household chores due to being burnt out emotionally, which would lead to grass and gardens around their homes dying off and becoming overgrown with weeds. Without the local plant life to feed on, the herbivores populations will be forced to move elsewhere in search of new food sources, or die off from starvation. Without the local herbivores, carnivores will have lost their natural food source. When the mountain lions have run out of your pets to eat, you can

guess what comes next. Please keep Chapman's Pub open for business so we don't have to watch our town collapse into ruins and get eaten by mountain lions. Thank you for your consideration."

Donald Zordel, 5033 CR 335, #262. Mr. Zordel said he moved to the valley in the late fifties, and had been going to the establishment since the early sixties. Mr. Zordel said it was probably the best it has ever been in all the years, and (the Fergusons) were working hard to make it better. It is one of the few places to play pool in New Castle, and if it closed, he will have to go to Glenwood or Rifle. Mr. Zordel said he had many friends there, and it was a good place to socialize. Regarding beer bottles, he said they never left the establishment, so the ones on the street were coming from somewhere else. Mr. Zordel said that it is a far better place under the new ownership, and felt it would improve in the future as well. He felt that pub patrons were no longer the pub's problem once they left the establishment. He reiterated that the owners were working hard to keep the noise down. Mr. Zordel said he liked the place and wanted it to stay open.

Bronwyn Rittner, 111 N 3rd Street. Ms. Rittner told the council she had purchased the home right behind the bar, and she had researched it beforehand, learning that the establishment had been there a very long time. Ms. Rittner said that in the past five months there had been a dramatic change for the better. She felt the owners had made a real effort to be part of the community. She said she appreciated their efforts and also that she could go to them at any time and have a conversation. Ms. Rittner said the traffic in the back alley had decreased as well. She felt that diversity and a lively nature was important to a community to help it thrive.

Susan Ruggles asked how the issue of noisy people out on the streets would be cleared up if it was not the responsibility of the pub, and whose responsibility it was. Mayor Gordon said if someone was disturbing the peace, as a homeowner you would call the police. Ms. Ruggles said the police had been repeatedly called, and wanted to know if the police could do more so people did not have to keep calling.

Chief Pagni said that on any given weekend night, there were two officers on duty. Regarding the disturbing-the-peace issues, the police have to develop probable cause or have a written statement from a complainant. Many complainants are anonymous reporters, and are not willing to file a complaint. The police show up and the parties are meandering down the street, and if the police cannot develop probable cause, there are no charges. Many times the issues can be quelled with verbal warnings, and with the adopted community policing values, the officers do not want to appear over-zealous. The police do multiple business checks during the night, everyone knows they are out and about, and again, the police have to be at the right place at the right time to develop probable cause that would lead to a viable charge. He said there would be time that the officers were on other calls, and not be able to respond immediately to issues at the bar.

Ms. Ruggles asked if the only option was to call the police. Chief Pagni said yes, and of course people should regulate themselves. He also said that they cannot

mandate that people move along at specific paces, but they could regulate what they do to other citizens if they could develop appropriate probable cause.

Ms. Ruggles asked what the protocol was for public intoxication on the street. Chief Pagni said that it was interesting in that the officer had to determine where the person became intoxicated. If that person is violating a law such as disturbing the peace, that could be charged for that. There are no laws pertaining to public intoxication, no statute against it. If the person is a danger to traffic, they could be charged. Also, there is no detox center in the area, so the police try to encourage people to move along; if viable charges are developed, then they are housed, and charges filed.

Bronwyn Rittner. Ms. Rittner suggested that in small communities there are sometimes signs warning people that they were entering a residential area. She was considering putting one up at her house just to remind people. It was a pro-active approach to accepting that there was activity in the downtown. The activity was good, but it should be respectful of the residents, as the residents were respectful of the businesses. Communication between neighbors was important.

Ann Anzel, 316 W. Main Street, next door to Chapman's. She said she appreciated everything the neighbor was doing, and has been surprised that it had calmed down as it had. She felt more needed to be done, as there was still a lot of noise when people leave. It was better, but still noisy. Two weeks earlier, there was something big happening on the patio in back, and she got up to see what was happening. She was concerned that as summer came, there would be more of that type of activity. Ms. Anzel said she wanted to be fair and say that the place was much better than it had been before, it was clean and looked nice. There were still beer bottles and cigarettes around, but not as bad as previously. People leaving the bar at 1 or 2 in the morning were still very loud and took too long to leave. Ms. Anzel said it was better, but not perfect.

Katie Bjorn, 22 Buckskin Circle. Ms. Bjorn said she thought Chapman's Pub was doing an amazing job. She said it had changed in the last four months, and that she now felt safe going there by herself. She said she understood that a local watering hole was not the best at night for those people who were sleeping, but that it also brought life to the town. The music and people walking livened things up, and she fully supported them.

Randall Jarrod Pierce, 38 Silver Queen Circle, Parachute. Mr. Pierce said he was the former manager of the Silver Club Saloon. He said that he thought it had been made clear that the former owner of the former establishment had no bearing on the application for Chapmans, yet, the police chief mentioned that one of the reported fights had involved the former owner. Mr. Pierce said the council had made three references to the former establishment, including a specific one from Councilor Stuckey. Councilor Stuckey said his reference was stating that there had been at one time some concerning issues, and he wanted to verify that similar issues were not repeated in the future. Mr. Pierce felt that the references were not applicable to the community and council's opinion of the new liquor license

applicant because it was biased. Mr. Pierce said he was no longer involved in the new ownership or management of the bar, he was a patron only, and he loved the new place. He said all his friends lived in New Castle and he wanted to purchase a home in New Castle. Chapman's Pub was a centrally located establishment that provided common ground for everyone, and if it were denied that would affect his decision to buy a home. He said that Chapman's had made all the correction that the previous owner had promised and not done. He felt that that the community would miss out on a lot of good fun and potential tourist revenue if they did not approve the license.

Benjamin Allen, 542 W. Main Street. Mr. Allen said he had been a patron of the bar for a long time, He felt that since the Ferguson's had taken over the place they had done a very good job. Mr. Allen said he played in a pool league on Monday nights. He said he thought the bar added a benefit to the town in that it provided a social life, and he asked that the license be approved.

Christina Crabtree, 166 N. 3rd Street. Ms. Crabtree said she had been in New Castle for three years, and felt that the applicant had done an amazing job of cleaning up the building, making sure everyone got home safe, and providing an enjoyable place to go. She said it was a great bar and asked that the council consider approval.

Sean Speller, 701 Burning Mountain Avenue. Mr. Speller said he had only been in New Castle a few months, but felt that Chapman's was one of the few places in the valley that took him in and made him feel like family. Mr. Speller said his family was in New York and that he was alone here. He said he sang locally, and enjoyed the Thursday karaoke night. He felt that the socialization was helping him grow personally, and that it would be a shame for the bar to be taken away so soon.

Mayor Gordon closed the public hearing at 7:58 p.m.

Councilor Breslin said he and his wife lived across the street and down a ways from the bar, and he agreed that it could be annoying at 1 a.m. It's a sacrifice he made to have a tavern in town that he could take friends to for a game of pool. Chapman's has the only two pool tables in town. Councilor Breslin said he had never felt unsafe there, and none of his women friends felt unsafe there either. He said he liked having a tavern in town. He said they had repaired the façade of the building, and to his recollection it was the first time that had been done in forty years. Councilor Breslin said offering people water was the great and he appreciated that effort.

Councilor Riddile said he took a little field trip with his family, and they went to Chapman's. He had not been there is several years, and was pleasantly surprised with the clientele and noise levels. It wasn't very late, perhaps 9 p.m. on a Wednesday. However, based on the neighbors comments, it sounded to him as thought there was still room for improvements, and it would require constant maintenance, and vigilance regarding the activities out front. Councilor Riddile said

that he hoped the applicant could improve the bar, and make it better so the council does not have to hear about issues at the location again.

Councilor Stuckey agreed that New Castle needed a pub or tavern because it helped the personality of the town. He heard from testimony that the applicant was doing their best to improve things, and had improved things. He also agreed with Councilor Riddile that they needed to maintain the positive direction.

Councilor Leland reminded the applicant that the things they had agreed to were binding, and said that the council would hold them to those representations. Without prejudice to the current applicant, he said he felt that the biggest thing they had to overcome was the reputation that had been established by the previous owners. He agreed that it would take constant vigilance, and willingness to remove people from the location. He knew this would be difficult, but it was necessary. Councilor Leland said the council was willing to hold a show-cause hearing if necessary. He said that it sounded like they were moving in the right direction, but that there were still things to be addressed. He also said they needed to make the time to sit down with the police chief and officers. He said again that they had made representations to the council that they would be looking at.

Councilor Stuckey asked the applicant to reach out to their critics in the audience to discuss with them their specific wants and needs to see if there was a good compromise.

Councilor Leland said there would be a park going in next door to the tavern, and although it was town-owned, the tavern would have some responsibility for the area as well.

MOTION: Councilor Riddile made a motion to approve Resolution TC-2016-4, A Resolution of the New Castle Town Council Approving an Application from Ferguson Enterprises LLC, dba Chapman's Pub, for Transfer of a Tavern Liquor License. Councilor Metzger seconded the motion and it passed on a roll call vote: Councilor5 Metzger: yes; Councilor Stuckey: yes; Mayor Gordon: yes; Councilor Riddile: yes; Councilor Leland: yes Councilor Breslin: yes.

Mayor Gordon wished the applicant well, and encouraged them to reach out to their neighbors.

Adjourn local liquor licensing authority, reconvene town council meeting

MOTION: Councilor Leland made a motion to adjourn the local liquor licensing authority and to reconvene the town council meeting. Councilor Stuckey seconded the motion and it passed unanimously.

Discussion: Snow/Ice Removal/Plowing in Castle Valley Ranch

Administrator Baker told the council that the President of the Castle Valley Ranch HOA, Mr. Brad Gates, had been in to speak with Public Works Director John Wenzel and himself regarding snow removal in CVR, looking for ways to make it better. It had been a big snow year and public works had worked very hard to keep up. The question was posed about trucking the snow out, but that would be very costly. Mr. Gates took Administrator Baker on a tour of CVR and pointed out where private citizens who have snow removal equipment had been piling snow to the point that it was a safety hazard. There were also residents who were not shoveling their sidewalks, and other who pushed their snow into the streets, not understanding what a hindrance that could be to good snow removal. Administrator Baker said there would be an article in the quarterly newsletter that described the importance of proper snow management.

Mr. Gates took Administrator Baker to North Wildhorse and showed him an area where snow was being pushed to the sides of the road, but there was a fence close enough to the street that it limited the snow storage. Mr. Gates asked if the town could consider moving the fence back ten feet or so, and Director Wenzel said they could look at it. Another idea was that of someone had an area in front of their house where the town could store snow, the area could be flagged to indicate the snow storage. Snow routes may be one of the most effective solutions.

Administrator Baker allowed Mr. Gates to explain.

Mr. Gates explained the different snow route options the HOA had discussed. Many of the problems experienced by the plow drivers are from vehicles that do not move for weeks or months at a time causing the snow to build up on the outside of the vehicle, leaving more snow to build up into the street. Mr. Gates felt that educating the residents was necessary. He asked if snow routes had been considered, and how the council felt about them. He said he wanted to discuss some solutions for the next big snow year.

Administrator Baker said if snow routes were implemented, the streets would have to be signed and the unmoved vehicles would have to be towed to the impound lot. The cost of impounding and the parking ticket related to unmoved vehicles was more than \$200 and would quickly prevent someone from failing to remove their vehicle in the future.

Mayor Gordon said that snow storage had been problematic for a long time, but with the amount that had fallen, it was terribly apparent. He thought designated snow storage may help. Director Wenzel said that the biggest problem was the design of some of the neighborhoods because of a lack of storage. There was nothing that could be done about that now. The primary complaints were from the same neighborhoods of the same vintage all without snow storage. Also, the very narrow streets were a problem.

Director Wenzel said all the ideas presented were helpful. Parked cars created difficulties for the plows because the plows could not carry snow for any distance. One of the standards was not to block driveways, and when there was a parked cars in close proximity to a driveway, something had to give. There were two outcomes: public works had to plow snow in front of a driveway or in front of a parked car, and neither made the residents happy. He felt the suggested parking solution was a good one. The flagged snow storage was great as it would give staff some snow storage mid-block, and it gave the residents a bit of control.

Councilor Riddile said that he lived on Ginseng Road for 22 years, and understood the concern about too many vehicles for a single home. He asked if there were codes regarding too many people or families in one home. Town Planner Tim Cain said the code allowed no more than four unrelated persons living in one home, and that he could contact identified homes with multiple families.

Mr. Gates also said that there was confusion in that the residents felt that the town-owned right-of-way in front of their house was parking specific to them or their address. People did not understand that the right-of-way was the snow storage for those areas, and not a parking space specific to them. Clerk Harrison said that most of the complaints received in the administration office were related to people who were mad that 'their' parking space was not plowed or was plowed in and wanted it removed immediately.

Councilor Leland said another potential issue with snow routes was the resident who worked nights, but then had to get up at 6 a.m. to move their vehicle; or what if there were more vehicles than parking spaces on one side of the street, and a person had to go three blocks over to park during a snowstorm. He thought there would be some logistic problems that will arise, but that snow routes were likely a good solution.

Mr. Gates said that homes were also required to have off-street parking.

Director Wenzel said that one of the other big problems for the plow trucks were what they called street shovelers: people who shovel their driveway and sidewalks out into the street. Many people believe that they are supposed to shovel their snow into the street and it disappears. The reality is that street shovelers are the source of most the complaints because one of two things happens: that snow gets pushed in front of their neighbors' house, or if they do it after the plowing was done, the shoveled snow is driven on, creating great snow-packs in front of the driveway.

Councilor Metzger thought the HOAs should require everyone to clean out their garages so it could be used to park their car. Mr. Gates did not think regulating garages was feasible.

Councilor Stuckey said part of the education piece was that snow had more nitrogen than rain, and was very good for lawns.

Administrator Baker suggested that the HOA run an education campaign. The town could use the quarterly newsletter. He said there were four education topics: Sidewalk shoveling; shoveling snow into the street and why it was problematic; snow should not be piled in a way that impedes visibility; and that snow has more nitrogen than rain and your yards could benefit from it. He said raising awareness was key. He also asked for input from the HOA if there were one or two places on each block where snow could be stored, either street or yards. Last, there was the fence on North Wildhorse that could be moved back ten feet in the spring.

Police Chief Pagni suggested that in terms of snow routes, Buckthorn should be the test street because that was the thoroughfare for the school busses. Mr. Gates suggested that Dragonroot be included since that was part of the bus route too.

Mayor Gordon thanked Mr. Gates for his work.

County Detox Task Force Request for Attorney Time

Administrator Baker told the council that a task force had been formed to bring a sustainable detox center to Garfield County. Currently there is no detox center and the lack placed a large burden on law enforcement. The task force felt the center would be best near one of the hospitals. There would be an operating budget of approximately \$900k per year for a six-bed facility. The task force has asked for permission for each municipal attorney to provide information on what fees and taxes are possible in our community. Town Attorney David McConaughy said he would be very interested in it because there was a big need. If the council approved, he would like to allow Attorney McConaughy spend an hour or two with the other municipal attorneys. The council agreed.

Councilor Breslin said he knew it was a burden on law enforcement, and it had unfortunately been thrust on the police departments. He felt public safety needed to be relieved from having to deal with it as it should not be their responsibility. Mayor Gordon agreed, and he felt it should be near a hospital because a person admitted to detox could need medical treatment. He also thought there could be other funds available. He felt having the town attorney look into it would be good. He felt being part of the solution to the problem would be great. If the council recalled, several years ago the town sent someone to the hospital for detox, and the PD had to guard that person.

Administrator Baker said that the task force would probably come back to the council with an intergovernmental agreement with all the other entities in the county to say you would place the tax question on the ballot.

Councilor Breslin felt that counseling should be part of the treatment plan at the detox center. Administrator Baker said the task force developed two models and both included case workers.

Consent Agenda

January Bills of \$708,548.22

Maud's On Main Beer & Wine Liquor License Renewal

~~IGA with Garfield County for Election Services-Removed~~

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

Staff Reports

Town Administrator – Administrator Baker told the council that staff was beginning to implement the grant strategy discussed during the retreat. The mini grant would be for police radios, and the traditional grant for police vehicle, and public works vehicles and equipment. He said staff was considering the fifth Tuesday in March for the community meeting on the Health & Wellness Campus. He thought New Hope would be a good location for the meeting because it is close to the property.

Administrator Baker said staff was looking at a candidates night, where the council candidates could engage the community. They would ask Steve Rippey to moderate

as he had in the past. Clerk Harrison suggested the third week of March, after ballots have been sent out and before spring break. Administrator Baker handed out programs for Founders Day coming up on Saturday. Eddie Piker would say the opening prayer, and Councilor Breslin will sing the national anthem. Food would be served, and the Steve Rippey would tell stories about the early days, using a power point show that he worked with Clerk Harrison to create. An affordable housing meeting would be held in Carbondale at 6:30 p.m. on Wednesday, February 3. He and Councilor Metzger will attend. They will meet with Steve Craven beforehand. Councilor Breslin sent the application for the AGNC grant. The Downtown Group was working on the Museum on the Street project, and Councilor Leland was involved. Nine signs would be created and placed in important locations. The signs cost approximately \$350 each without installation. Administrator Baker asked if the council would allow the Museum on the Street project to be the AGNC grant request for this year.

MOTION: Councilor Leland made a motion that the town apply for a grant from the AGNC to fund the Museum on the Street signs for the Downtown Group. Councilor Stuckey seconded the motion and it passed unanimously.

Councilor Metzger asked how the marketing meeting had gone. Administrator Baker said it had gone well, there was a lot of information, and they were making revisions. The task is to create a recommended list of priorities. They will come to council on March 16. Councilor Leland felt that it had been money well-spent, and highlighted the importance of hiring local. The marketing people were from the area, knew the area and had a commitment to the area. They had done much more than expected.

Town Clerk – Clerk Harrison said there had not been any withdrawals from candidacy, so there were five candidates that would be on the ballot. There were also no write-in candidates. She said that the IGA that had been on the consent agenda, was with Garfield County to use their counting machines. The County was not running the New Castle election, we were only using their equipment. There had been some language in the IGA that Attorney McConaughy was discussing with the county and the IGA will come back to the council at the next meeting. Clerk Harrison said that she and Deputy Town Clerk Mindy Andis had completed all the ballot, secrecy sleeve and ballot envelope instructions and language and provided that information to the printer. On Thursday morning, she and Deputy Andis will meet with the County to complete the counting machine verification tests. The representation made by the liquor license applicant she will prepare and add them to the liquor license application. Administrative Assistant Debbie Nichols had ordered solar shades for the conference room upstairs as well as a credenza. Councilor Riddile asked when ballots would go out. Clerk Harrison said overseas voter ballots had to be out by February 22, and all other ballots had to be sent between March 14 and March 21.

Town Planner – not present

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – Councilor Riddile said a gentleman named Mark Rodman from History Colorado was at the meeting and he spoke to the commission

about grant funding for historic surveys. His attendance also qualified HPC for their certified local government designation.

Economic Advisory Committee – nothing to report

Climate Action Advisory Committee – nothing to report

Senior Program – Councilor Metzger said they had voted to continue meeting in New Castle

RFTA – nothing to report

AGNC – Councilor Breslin said there was a new grant available that they did not want to rush. Several initiatives died which was good because they were not vetted. An OHV initiative looked as though it would move on because it had been well-researched.

GCE – nothing to report

Council Comments

Councilor Breslin said that the town had forty chairs to get rid of because the grant the community center had received would purchase new chairs. If anyone knew a church or other group that needed chairs, they should contact Larry McDonald. Councilor Breslin asked if anyone was interested in acknowledging the town staff at Founders Day, which may be a great thing.

Councilor Metzger said that she wanted to discuss Planning & Zoning term limits at the next council meeting. Clerk Harrison and Administrator Baker said they would clarify at the meeting on the February 16.

Mayor Gordon said that Councilor Breslin was a great asset to the council, and thanked him for his service.

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

The meeting adjourned at 9:35 p.m.

Respectfully submitted,



Mayor Bob Gordon



Town Clerk Melody Harrison, CMC

