

**New Castle Town Council Meeting
Tuesday, April 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

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

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Town Planner Tim Cain, Police Chief Tony Pagni, 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

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

Brad Gates, Castle Valley Ranch resident and member of the CVR HOA board. Mr. Gates told the council that the previous week, Sylvia Duchscher, who is six years old, and Tom Regan organized a clean-up of the Alder Park trail. They contacted the town public works department who supplied pick-up tools and garbage bags. Originally, they were only going to clean the trail, but there were so many volunteers that they were able to clean up the park as well. Grady Hazelton said his family was able to participate and it was a great event.

Consultant Reports

Consultant Attorney – present for agenda items

Consultant Engineer – not present

Code Enforcement – Planner Cain told the council that he was addressing a number of open space violations he had received.

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Town Planner - Planner Cain said he had been in contact with Waste Management and Mountain Waste and should have responses to the RFPs very soon. Those responses will go to Climate Action Advisory Commission for their input. The RFPs will come back to the council for consideration. In addition, a request to extend the contract with Mountain Waste will come to council on May 3, 2016.

Oaths of Office – Councilor Metzger, Councilor Hazelton and Councilor G. Riddile.

Town Clerk Melody Harrison swore in the newly elected members of the town council: Councilor Graham Riddile, Councilor Grady Hazelton and Councilor Mary Metzger.

Presentation of Appreciation – Councilor Means and Councilor Stuckey

Mayor Gordon presented plaques to Councilor Means and Councilor Stuckey for their service to the citizens of the Town of New Castle.

Break

Items for Consideration

LiveWell Inspire Grant Update

Administrative Assistant Debbie Nichols gave an update of the LiveWell Inspire Initiative Planning Grant. She told the council that the LiveWell Inspire Grant was to inspire Coloradoans, particularly kids, to appreciate, enjoy and take care of the outdoors. They were beginning the process of hiring a consultant, hiring a Youth Liaison and forming a Youth Council for each community. The Youth visioning sessions will create a list of projects or ideas for methods to get youth outdoors. The goal was to begin implementation of selected projects in each community by the spring of 2017. Admin. Asst. Nichols said she would keep the council informed of progress. The council complimented Admin. Asst. Nichols on a job well done.

Consider Request from Community Market

Town Clerk Melody Harrison explained to the council that the Community Market organizers wanted to have two wine tastings in Burning Mountain Park, hosted by Spirits Liquor. Tastings are only permitted on the licensed premises of a retail liquor store or liquor licensed drug store. Spirits Liquor is very small and a tasting on that premises would be nearly impossible. Spirits cannot hold a tasting in the Burning Mountain Park with the Community Market. The Community Market organization is not a designated non-profit, and cannot apply for or obtain a special events liquor license. They approached staff and asked what the opportunity was to hold the event. Clerk Harrison said that the town as a government agency could obtain a special events liquor license on behalf of the Community Market. She suggested that if the council was willing to consider obtaining the license, certain limitations could be included such as limiting the licensed area to a small, manageable sampling garden; requiring that both liquor retailers in town be offered the opportunity to host the garden, and that ServSafe certified town staff assist in operating the sampling garden. She also suggested that sampling by patrons be limited so that over-consumption was contained.

Clerk Harrison said that since alcohol was intended to be donated by the retail liquor stores, a 'per drink' charge could not be implemented, but a small fee could be collected for wristbands. By including both liquor retail stores, it gave them the opportunity to display their products at the Community Market. Other businesses in town are able to get a booth or space and sell their products, whereas a liquor store cannot. If patrons found something they liked at the sampling garden, the liquor store staff could pass out sampling cards that described the wine and provided a coupon for purchase of products at the store.

Clerk Harrison told the council that if they were willing to consider obtaining the liquor license for the Community Market, the application would come back to the liquor authority at a future date. After a brief discussion, the council agreed to consider a special events liquor license obtained by the town for the community market provided that both retail liquor stores were given the opportunity to host; that a limit be set on how many samples a patron could have and that town staff work the ID/wristband booth and the sampling garden.

Consider Ordinance TC 2016-1, An Ordinance of the New Castle Town Council Amending Publication Requirements Throughout the New Castle Municipal Code (first reading)

Clerk Harrison explained that in 2010 the voters approve a change in the Home Rule Charter to define 'publication' as being the posted on the town website. There were sections of the municipal code that referenced publication in a newspaper of general circulation that had not been changed to reflect the Charter definition. The ordinance was to clean up the errant sections of the code. Attorney Carmer clarified that there were statutory requirements to publish in the newspaper for certain items such as annexations and budget, which would not change.

MOTION: Councilor A. Riddile made a motion to approve Ordinance TC-2016-1, An Ordinance of the New Castle Town Council Amending Publication Requirements Throughout the New Castle Municipal Code on first reading. Councilor Metzger seconded the motion and it passed on a roll call vote: Mayor Gordon: yes; Councilor Metzger: yes; Councilor G. Riddile: yes; Councilor Leland: yes; Councilor A. Riddile: yes; Councilor Hazelton: yes and Councilor Breslin: yes.

Trails Update and Request for Funds

Administrator Baker said he would update the council on trails that are on private lands as well as public lands. He also said that the request for funding was premature.

Administrator Baker said that Adam Connelly had been in discussion with the owners of the Lakota property for access to the Colorow Trail, and with the owners of the Castle Valley Ranch property for access to an extension of the Jolley Trail. There was concern from the property owners regarding liability. CIRSA, the town's insurance carrier, provided information on how the property owners could be protected. Town staff and Roaring Fork Mountain Bike Association (RFMBA) felt they had a strategic approach to their negotiations with the property owners.

Administrator Baker said that RFMBA will be holding a trail building class in May, and will work on local trails as well. One of the problems they felt needed to be addressed in New Castle was the lack of parking on Lariat Loop for the Colorow Trail access. They suggested that formalizing Colorow trailhead parking at Alder Park, with adequate signage, would demonstrate to the BLM that the Town was a

partner committed to addressing problems that the BLM raised, such as the trailhead parking at Lariat Loop.

Administrator Baker said he and Mr. Connelly had met with the BLM who were supportive of completing the necessary environmental studies to complete formalizing some of the existing bandit trails north of the Colorow, and building new ones as well. The cost will be around \$20k. The thought is the town might give \$10k, Castle Valley HOA may consider \$7500 and RFMBA may consider \$2500. This financial partnership will show the BLM that the town was serious about the trail system.

Mr. Connelly told the council that if the town funded the first phase of the trail project, it would create a marketable trail system in 2017. If not, it could be several years before the project got into the BLM's funding cycle.

The council had a brief discussion about trail maintenance, advertising and marketability of a formal trail system.

Administrator Baker asked Council for permission to use the open space, on the north side of Alder Avenue between Wagon Wheel and Lariat Loop, to create an alternate access to the Colorow Trail using the International Mountain Bike Association Trail Care Crew class to begin building the trail and use Alder Park parking lot for trailhead parking. Administrator Baker asked if the council was comfortable with staff working with CIRSA, private property owners and the town attorney, and they were.

Administrator Baker asked for permission to give the BLM MOU to the town attorney for review. They agreed.

Councilor Breslin said he thought there were people in town who could assist in the environmental study.

Administrator Baker said they would work on the MOU and negotiating with the private property issues, and everything would come back to the council at a future meeting.

Consider Letters of Interest in Appointment to Planning & Zoning Commission from Larry Borgard and Brad Gates

Clerk Harrison explained that there were two persons interested in appointment to the three open seats on P&Z. Because Graham Riddile was now on council, that seat was now available for appointment as well. Appointing Mr. Borgard and Mr. Gates left two seats open on P&Z, and she said that staff would advertise them.

MOTION: Councilor Leland made a motion to appoint Brad Gates and Larry Borgard to the Planning & Zoning Commission. Councilor A. Riddile seconded the motion and it passed unanimously.

Discussion: The council spoke briefly with Mr. Gates.

The motion passed unanimously.

Consider Letters of Interest in Appointment to Climate Action Advisory Commission from Jean Brown and Greg Russi

MOTION: Councilor Leland made a motion to appoint Jean Brown and Greg Russi to the Climate Action Advisory Commission. Councilor A. Riddile seconded the motion and it passed unanimously.

Consider Letter of Interest in Appointment as Municipal Judge from Amanda N. Maurer, P.C.

Ms. Amanda Maurer greeted the council. She explained how the New Castle Municipal Court had been working the past several years, and some of the changes she, Prosecutor Angela Roff, and Court Clerk Mindy Andis had implemented. After a lengthy discussion on court proceedings and procedure, the council thanked Ms. Maurer for her continued service.

MOTION: Councilor A. Riddile made a motion to appoint Amanda Maurer as Municipal Judge. Councilor Metzger seconded the motion and it passed unanimously.

Mayor Gordon told the council that people's situations create their activities. He said his situation is that he has purchased a house in Battlement Mesa, and that it was his last day as Mayor. He said he felt the council was in good hands. He felt there were two rules to abide by. The first was whether something was good for the town. The second was whether it was good for the people. He asked that they consider both questions for every subject. The other thing to consider was transparency, and that their activities should always remain transparent to the people. He felt that any one councilor's idea was not good without the other councilors. He felt the council was great.

Consider Appointing Mayor Pro Tem

Administrator Baker told the council that appointment of a mayor was not something that could be done immediately, but had to be done within sixty days. Regardless of who is appointed, a councilor or citizen, that person will have to run for election in the November 2016 coordinated election. He said that if the council chose to fill the mayor seat from the council, they would then have sixty days to fill the council seat. If the council chooses to appoint someone to the council seat, that person would be seated for the remainder of the term; they would not have to run for election in November. For clarification, he said that a seated councilor appointed to the mayor seat would lose their council seat, and if they are not elected in November, they are then off the council completely.

Mayor Gordon said that the town attorney advised that a mayor pro-tem should be appointed, and he felt that Councilor Leland would be a good choice.

Mayor Gordon made a motion to appoint Councilor Leland as Mayor Pro Tem. Councilor A. Riddile seconded the motion.

Discussion: Councilor Hazelton said he had wondered why Mayor Gordon had not planted his garden. Mayor Gordon said the people that purchased his home were great people and he felt everyone would feel the same.

The motion passed unanimously.

Consider Setting Terms for Council Members on Planning & Zoning Commission, Historic Preservation Commission, Economic Advisory Committee, Climate Action Advisory Commission, Public Works, Public Safety, Personnel and Finance Committees. Also, RFTA, GCE

Councilor G. Riddile asked not to be considered for RFTA because it was something of a conflict. After some discussion, the council decided who would sit on which committees.

Warrior Development Agreement Amendment

Assistant Town Attorney Haley Carmer explained that the original development agreement included a requirement that the owner dedicate parkland, including the sports park or Park # 2. When Warrior bought Lakota, the agreement was amended and the sports park was to include tennis courts and volleyball courts. Construction was to be funded through a GoCo grant with matching funds from Warrior and the town. If the town was not able to obtain the grant, Warrior would be required to construct the park at its own expense by December 1, 2015. The town has obtained a GoCo grant, although it is past the December 2015 deadline. A third-party contractor will construct the sports park with SGM serving a project manager. The amendment memorialized the new arrangement.

In addition, Community Resource Housing & Development Corporation (CRHDC) has pursued development of a lot in Lakota for affordable senior housing. The lot 2A, Phase 7 was not incorporated into the area governed by the Lakota HOA, and Warrior agreed that the CRHDC senior development need not be subject to HOA dues or governance. Attorney Carmer felt that there was some pushback from the HOA and she asked for the council's thoughts. The council felt the senior development should not be subject to HOA dues, and Carly Johannsen from CRHDC indicated that HOA dues were not something they had budgeted for, nor was it likely that the seniors would use Lakota amenities. She offered that the HOA issue could be removed from the amendment

MOTION: Councilor Leland made a motion to approve the Warrior Development Agreement Amendment with the following changes:

That section 7 shall include a sentence providing the town sole discretion to alter the sports park plans to keep the project within the proposed budget; and

The section 8 be removed completely.

Councilor A. Riddile seconded the motion.

Discussion: Councilor G. Riddile asked if there was a way to not penalize the senior development regarding the number of units allowed. Administrator Baker said that the approval stood as it was, but there was the opportunity that Warrior could ask for a rezoning to increase the density in the future.

The motion passed unanimously.

Consent Agenda

Minutes of the March 15, 2016 council meeting

March Bills of 385,379.32

Resolution TC-2016-5 - Amending the Retention Schedule

Hongs Garden Hotel & Restaurant Liquor License Renewal

Senior Programs MOU

RFTA IGA

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

Staff Reports

Town Administrator - Administrator Baker told the council that public works had installed the new trail signs that the town had gotten a LiveWell grant for, and they looked wonderful. He said that Councilor Metzger had alerted him that construction of the clubhouse in Lakota seemed to have stopped, and he would check in with

Warrior on what their plans were. Administrator Baker told the council that the town had purchased admission to the Oil and Gas Symposium, and he encouraged the council to attend. He also reminded the council that the Volunteer New Castle Appreciation dinner was on Sunday. He said that the PD had organized a "BBQ with a Cop" event on May 22 in the lower parking lot at Kathryn Senior.

Police Chief – Chief Tony Pagni told the council that he was glad they had appointed Amanda Maurer as municipal judge and said that she was great to work with.

Town Clerk – Clerk Harrison said that Councilor Breslin had mentioned at last council meeting that there was a special events class in Glenwood that staff may be interested in. She said that she and Debbie Nichols had attended, and the organization was called W.I.N., a women's business network. The class didn't necessarily apply to New Castle, but connecting with other business women was great. Clerk Harrison said she had created a new folder in the DropBox called "reference materials" and placed the comprehensive plan and public works manual in it for the council. She asked that they let her know if there were other documents they wanted in the folder. She told the council that she had received a brochure for the 23016 CML conference, and she was glad to register anyone who wished to attend. Clerk Harrison said that her new employee, Darlene Harrison, would attend the May 3 council meeting to meet them.

Town Planner – not present

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Climate Action Advisory Committee – nothing to report

Senior Program – nothing to report

RFTA – nothing to report

AGNC – Councilor Breslin told the council that the OHV bill had passed all committees.

GCE – nothing to report

Council Comments

Councilor Metzger thought it would be nice for the council to recognize resident Jacob Morgan for accomplishments, and Sylvia Duchscher for the Alder Park clean-up.

Councilor Metzger asked why Warrior Golf was unhappy. Administrator Baker said that Warrior felt they were not well-received by the community, which may be due to the criticism they had received with the road repairs, the swimming pool and now the clubhouse.

Councilor Metzger said she had been into the new dress store and they had many lovely items. She also said there would be a ribbon-cutting.

Councilor Metzger suggested that the daffodils in front of town hall could be cleaned up.

Councilor A. Riddile reminded everyone about the Volunteer New Castle event on April 24.

Councilor Metzger told the council that a friend of her who was a CPA was looking for office space in New Castle and there did not seem to be any. She thought the council could consider selling the 6th Street lot.

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

Councilor Hazelton thanked the council for the warm welcome, and he said the staff and everyone had made him feel very welcome.

Councilor Breslin wished Mayor Gordon the best, and said he knew the council was grateful for his service. He also said that he knew the council was great and he was proud to be part of it.

Councilor Breslin said he was concerned about the ladder on the Dubois Memorial and thought they should consider a solution. Councilor A. Riddile said the Memorial Board was discussing it.

Councilor Leland said the Northwest Colorado Cultural Heritage Tourism will hold a meeting for the sixteen towns in the northwest and one topic will be adding the Buford Road to the Flattops Byway, and signing it. They were also considering hiring a college student to design the signage for the four-regions, and also designing a brochure.

Councilor Leland said he would write a proclamation for Lee Price if the council was okay with it. They were.

Councilor Leland said there had been a lot of support on Facebook from the townspeople regarding the sports park.

Councilor Leland said when he was a new councilor, the seated council was very patient with him, and he said that they would try to be patient with the new councilors.

Councilor Breslin said that the AGNC had approved the town for the museum on the streets grant.

Councilor G. Riddile thanked the council and staff for welcoming him as they had and said he looked forward to serving.

Mayor Gordon told they council he felt they were great, and said he was proud to have served with them. He also said that his resignation was not something planned, and he was sad to leave.

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

The meeting adjourned at 10:14 p.m.

Respectfully submitted,



Mayor Pro Tem Bruce Leland



Town Clerk Melody Harrison, CMC



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