

**New Castle Town Council Meeting
Tuesday, November 3, 2015, 7:00 p.m.**

Call to Order

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

Pledge of Allegiance

Roll Call

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

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Administrative Assistant Ryan Muse, Town Planner Tim Cain, 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-2015-1.

Conflicts of Interest

Councilor Riddile said that he was a property owner at River Park Condominiums and may have questions for the town attorney. Assistant Town Attorney Haley Carmer offered Councilor Riddile the opportunity to receive legal advice in private, or to call an executive session to discuss the issue with the council. Councilor Riddile and Attorney Carmer left council chambers so she could advise Councilor Riddile.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items
Consultant Engineer - not present
Code Enforcement – nothing to report

Items for Consideration

Consider a Letter of Interest from Denise Scheberle for Appointment to Seat on the Climate Action Advisory Committee

Denise Scheberle, 507 S. Wildhorse. Ms. Scheberle greeted the council and told them that her prior term on the Climate Action Advisory Commission had expired and there had not been any meetings. She said she was looking forward to serving on the Commission

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

Councilor Riddile and Attorney Carmer returned to council chambers.

Councilor Riddile told the council that he would recuse himself from the RV Park discussion. The council agreed.

Councilor Riddile left council chambers at 7:07 p.m.

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 (first reading)

Town Planner Tim Cain told the council that the applicant, Robert Chapmus would present his application for an RV Park. He indicated a large map the council could refer to.

Robert Chapmus, 3363 South Grand, Glenwood Springs. Mr. Chapmus said he had been through a number of PUD processes, and the New Castle staff had been very professional and respectful and he appreciated that.

Mr. Chapmus said he liked New Castle, and owned a lot in Lakota, and was a member of the golf club.

Mr. Chapmus said that his vision was that the property hold a boutique hotel with a restaurant and river access. He did not feel the economy would support a hotel at this time, and he felt the RV Park would be an appropriate temporary use. A direct benefit would be the collection of lodging tax. An indirect benefit would be tourism business and increased sales tax.

Mr. Chapmus said it would be an RV Park, not a resort or campground. There would be no showers or laundry. The RV’s he intended to attract would be fully self-contained units.

Mr. Chapmus told the council that there had been concerns voiced by the neighboring condominium residents that the RV Park would be visually unappealing. He explained that there would be a seven-foot rock-fall mitigation berm on the south side, along CR 335. This would screen the view from the south and privatize the park from traffic. He also explained that the zoning was Highway Business zoning which would allow for a Flying J or Pilot truck stop/fueling center, but he did not feel that would be the best use of the property because of the river frontage. He said that he wanted to put in the RV Park to justify installing the infrastructure

and for cash flow to help subsidize holding onto the land. Once the RV Park is up and running, he would begin the long, complicated design work for the motel. Mr. Chapmus said he would not rule out a franchise hotel/motel chain, but that he really intended for it to be a privately-held business.

Councilor Metzger asked if Mr. Chapmus owned any other RV Parks. He said he owned a 100-space park in Waco, Texas that began as a fifteen-space park. He said that would be the model for managing the park in New Castle. Mr. Chapmus said he thought he would bring his RV to New Castle and it would be his home base.

Councilor Metzger said she objected to the 29-day stay and the opportunity for people to renew that stay two times. Mr. Chapmus said the lodging tax in New Castle was applicable for any stay of less than 30 days. The contract would be for twenty-nine day so lodging tax would have to be paid. The renewal would be a new contract and lodging tax would have to be paid again. He felt that the ability for someone to stay would provide a person with the ability to visit grandkids in New Castle for the summer. There would also be a limitation that no RV in the park could be vacant for more than fourteen days.

Councilor Metzger said that she and her husband have camped all over western Colorado in many campgrounds, and they had never experienced the issues stated in the objection letters of noise, and dogs and drunken people. She said campground these days were very nice and well-run and she liked the idea of an RV Park.

Mr. Chapmus said there would be no public showers or restrooms, so there would not be tent campers, because that was not the market he wished to attract.

Councilor Leland said that the possible 87-day stay was allowed for persons who were "good citizens". Mr. Chapmus said he was not the one to determine that. The other comment that had come up was "ugly, unsightly campers" and he did not feel he could judge that either.

Councilor Leland clarified that guests that had not broken the park rules would be the ones allowed to get an extension on their stay, and Mr. Chapmus agreed this was the case. Councilor Leland asked if that would be in the PUD conditions, and Attorney Carmer said it would.

Councilor Means asked if Mr. Chapmus would stay in the park in his RV, and how often he would. Mr. Chapmus said he would bring his RV in March and leave it there until November. Councilor Means asked if he would live there or would he be storing his RV there. Mr. Chapmus said he would use his RV as his office because he had rented out his home and intended to live in his RV for the year. He would spend time in Waco, Texas and return to New Castle in the summer.

Councilor Stuckey asked what a typical stay would be. Mr. Chapmus said he did not know what the market on that was, but it seemed that RV Parks were full on weekends, and 25% full during the week.

Councilor Stuckey asked if any provisions would be made to screen the condominiums from the vehicle lights and noise in the park. Mr. Chapmus said nothing definitive, but the discussion with the HOA President was that they would build a three-foot berm with vegetation on the top. Staff and P&Z wanted a split-rail fence as well. He said that there is approximately 150 feet between the property and the condominiums, which the condo owners use for parking, so it was not as though the park was immediately adjacent to someone's home.

Councilor Means asked if the fourteen-day vacancy applied to the host, and Mr. Chapmus said it did not. He would have two hosts, and he hoped to have them for a long time, so they would be excluded from the limitations. The reason for two hosts was so that there was always someone on premises. Management would be on site for the park to be open.

Councilor Leland asked about landscape irrigation. Mr. Chapmus said he had already applied and received permission from the West Water Conservation to have one acre-foot of water. The berming will be native vegetation, but it would need to be watered to be established. The spots would each have town water and sewer hook-ups for the RVs, as well as electrical.

Planner Cain said that the council had three sets of rules and regulations in their packet and this came from the process with P&Z. He also said there would be a kiosk where someone could come in at night and register. The kiosk would have automatic lights, so it should not affect the condos. Each site would have downward facing light, so light pollution would be minimal.

Planner Cain said the applicant had met with Chief Pagni and the Fire Marshall in regard to public safety concerns.

The three-foot berming and fence will prevent trespassing onto the River Park Condominium property. Mr. Chapmus will construct a pedestrian/bike path the length of the property to connect with the existing trail.

Planner Cain showed the council the location of the sites and picnic areas on the map, as well as emergency accesses.

Planner Cain said that with respect to the three consecutive 29-day stays, he appreciated the option of P&Z, but had issues with the length of time because no one wanted the park to become a man-camp. Management would be very important. Planner Cain said the applicant had said numerous time that the intent was not to create a man-camp. Limiting guests to a single 29-day stay would eliminate the possibility.

Planner Cain said that with the requirement of self-contained vehicles, and the cost of \$40 per night would likely attract higher-end clientele.

Councilor Means asked if the spaces were large enough for a full-sized motorhome and a vehicle, and Planner Cain said they were.

Public Comments

Natalie Turell, Unit 1804, River Park Condominiums. Ms. Turell said that her unit was adjacent to the proposed RV Park, and she said she was concerned how the park would affect property values, as well as the aesthetic value having to view the park.

Susan Christianson River Park HOA Manager, Ms. Christianson said the homeowners were very concerned. Although they understood the property was zoned Highway Business, the Condominiums were residential homes, not apartments, that upgraded the neighborhood. Now a trailer park was moving in next door, so the residents were concerned. The berm will cost tens of thousands of dollars and nothing has been confirmed for sharing those costs. Ms. Christianson was concerned that there was no rule about the \$40 per night. The price could be discounted if things were no going as he expected. Last, she said that no one should be fooled because a tent camper could be towed in as well.

Mr. Chapmus said he did not feel the park would depreciate the neighboring properties. He also said that the zoning for the property also allowed livestock, petroleum or industrial construction storage. These uses were more likely to degrade the value of properties compared to an RV Park. Mr. Chapmus said his park would not allow tent campers, and eighty percent of complaints in campgrounds are about tent campers and restrooms.

Mayor Gordon asked if Mr. Chapmus met with the residents of the condominiums. Mr. Chapmus has met with P&Z, then with the residents at a mediated meeting where many of the rules were developed.

Mayor Gordon felt the RV Park would be a good thing for the town, and would not degrade property values. He said there were two such campgrounds in the middle of Farmington New Mexico that were great.

Mayor Gordon and Mr. Chapmus agreed that it was important that the people of River Park Condominiums be considered in the development of the PUD.

Mr. Chapmus felt that the issues brought up would be non-issues on a year.

Councilor Stuckey did not feel the location was appropriate for an RV Park, and that River Park Condominiums had set the standard for the area. He did feel a boutique hotel/motel was a good use. He said he felt more screening was necessary to protect the residents of River Park Condominiums because if an RV Park was not an appealing or appropriate use at the proposed location.

Mayor Gordon asked Planner Cain if the ordinance passed, if the rules and conditions of the PUD would change if the RV Park were sold. Planner Cain said they would not. Attorney Carmer agreed, saying that the council could structure the ordinance in such a way that prevented an unwanted future use.

Mr. Chapmus said that he felt the 29-day limit would eliminate a "man-camp". He also felt that the 14-day vacancy limit kept it from being a storage lot.

Councilor Leland told the River Park residents he was sympathetic to their concerns because when he purchased his home he had a nice view of an open space. He had been assured the adjacent open space would remain open space because there were wetlands there. Subsequently, five homes were built in the area, which was the legal right of the property owner.

Councilor Means stated that the property used to be an RV Park.

MOTION: Councilor Metzger 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 on first reading.

Discussion: Councilor Leland asked about Attorney McConaughy's memo suggesting a development agreement and if the agreement should be completed before second reading. They also discussed which option to accept, agreeing on option 2.

Councilor Metzger amended her motion to include accepting option 2, and to require the development agreement be complete before the second reading of the ordinance. Councilor Leland seconded the motion. The motion passed on a roll-call vote: Councilor Leland: yes; Councilor Means: yes; Mayor Gordon: yes; Councilor Stuckey: no; Councilor Metzger: yes.

Councilor Riddile returned to council chambers at 8:20 p.m.

Debrief from Augustana Care Visit

Administrator Baker summarized the visit and focus group discussions with Augustana Care earlier in the day. Augustana Care's services provided a continuum of care. This meant various types of senior living spaces from independent living homes, to congregate or cooperative housing, assisted living, memory care and finally skilled nursing facilities. Their facility in Eagle, Colorado was only assisted living, memory and skilled nursing because that was all that was needed in that area. Augustana Care likes to go into a community and understand what the needs were and what the feasibility was, and match the facility to those needs. Eagle did a cost/benefit analysis, and they were substantial: more than 10 million dollars in economic activity throughout the economy. Some of the local issues with senior housing were inaccessibility, transportation, costs and access to home-based care. Administrator Baker said that the big advantage for New Castle was that there was land available to build needed senior facilities. Since Glenwood and Rifle were building acute care facilities, New Castle should focus on the other types of facilities. One of the big problems were smaller, single-level homes because there was almost nothing available. The market area included the entire valley, Aspen and Pitkin County. Another need of the area were jobs with benefits that would support a family, and hopefully the project would provide those.

Administrator Baker said the project would need community support as well as the local governments.

The logical next step would be to perform a preliminary demand analysis. This will be needed to be able to show potential organization that there is a demand, to get them to consider New Castle.

MOTION: Councilor Leland made a motion to authorize Administrator Baker to contract with Elisabeth Borden to determine appropriate companies to perform a Demand Analysis. Mayor Gordon seconded the motion and it passed unanimously.

Consider Resolution TC-2015-21 – A resolution of the New Castle Town Council Authorizing a Mail Ballot Election on April 5, 2016 and Setting Forth Other Details Relating Thereto

Clerk Harrison told the council that they passed a resolution for every election, authorizing mail ballot and designating the Town Clerk as the Election Official. Typically, the council saw the resolution in February, but because of the changes in the statutes regarding elections, they were considering the election resolution earlier than normal.

MOTION: Councilor Leland made a motion to approve Resolution TC-2015-21 – A Resolution of the New Castle Town Council Authorizing a Mail Ballot Election on April 5, 2016, and Setting Forth Other Details Relating Thereto. Councilor Metzger seconded the motion and it passed unanimously.

Consent Agenda

Minutes of the October 6, 2015 council meeting

Minutes of the October 20, 2015 council meeting

October Bills of \$510,803.86

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

Staff Reports

Town Administrator – Administrator Baker told the council that Roaring Fork Mountain Bike Association (RFMBA) is seeking permission to contact some private property owners to obtain access for mountain bike trails. The trails would cross property owned by Warrior and the Atkinsons. They were asking council for permission as a courtesy. Councilor Riddile said that at the POSTR meeting there were many RFMBA members in attendance and they did a presentation. RFMBA would like to make the same presentation to the council to solicit council's support to approach BLM regarding recent trail restrictions. Mayor Gordon thought it was a great collaborative opportunity. Administrator Baker said that the APWA had given New Castle Public Works an award for the Flattops Bridge and the Talbott Trail. Assistant Public Works Director Dave Gray, Mark Gould and Town Engineer Jeff Simonson were all able to attend the luncheon in Breckenridge. SGM and Mark Gould were able to get lots of good PR over the projects. Administrator Baker said the public works staff was an essential part of almost every grant written for the town. Administrator Baker told the council that the staff Christmas party was scheduled for December 15, after the council meeting. The council meeting could begin at 6:00 p.m. and the party at 7:00 p.m. The party will be at the Lazy Bear. Administrator Baker said Clerk Harrison would write a thank you letter to the GFMLD for the grant the town received. He said the Chili Cook Off and Chamber Craft Fair were two events that staff was attempting to combine, but it was not working out well, so they would not be combined after all. Last, he told council that there would be some work being done on D Avenue and the alley. There was some settling of the retaining wall that needed to be stabilized.

Town Clerk – Clerk Harrison told the council that she had talked with Kim Rider in public works about the town's Tree City USA designation. Ms. Rider said that they would make sure to change all the signs to show the same number of years as having been a designated town. Additionally, she said that she could not find evidence of that designation being any older than eleven years. Ms. Rider had requested that the Arbor Day Foundation research New Castle's history as a tree city to verify the eleven years. Clerk Harrison told the council that she and Deputy Town Clerk Mindy Andis would be out of town the week of November 16-20 for the Region VIII conference in Denver. She also said she would be out two weeks in December for vacation.

Town Planner – not present

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Economic Advisory Committee – nothing to report

Climate Action Advisory Committee – nothing to report
Senior Program – Councilor Metzger said the Administrative Assistant Debbie Nichols had made pumpkin pancakes for the Senior Program members, and everyone had enjoyed them. She also said that the group loved meeting in New Castle.

RFTA – nothing to report

AGNC – nothing to report

GCE – nothing to report

Council Comments

Councilor Stuckey said that the foundation walls had been poured for clubhouse, and that excavation of the cart barn had begun as well. Progress was being made on the two projects, which was good news.

Councilor Leland said that his wife had attempted to complete some online forms for a business license in Carbondale. He said it had not been successful and they had to call the town several times. The online system had also charged the incorrect price for the license. He had discussed online form submittal with Clerk Harrison, and they agreed that online submittal was somewhat unreliable and probably not something for New Castle at this time.

Councilor Metzger asked about the liquor license for Chapman's Pub. Clerk Harrison told the council that the applicant was Terri Ferguson, who had spoken on behalf of the Silver Club during the renewal hearing. She said that an affidavit of transfer was submitted along with all the other required documents. Her office had issued a temporary liquor license to the applicant and they could remain open and serve alcohol pending the approval of their license.

Councilor Metzger asked if there was a requirement for P&Z attendance for the commissioners because Les Taylor had missed a number of meetings, and she had a friend who was interested in being on the commission. She asked the council what they wanted to do, because they were the ones who could remove someone from the commission. Administrator Baker said he would make contact with Mr. Taylor to find out if he was still interested in being a commissioner.

Councilor Metzger asked what the completion date was for the streetscape project and Administrator Baker said Mid-December.

Councilor Riddile said that Administrative Assistant Debbie Nichols and Finance Technician Debbie Guccini were working with John Lee on a mock-up for the DuBois brochure, and that Councilor Leland would do some editing. He showed the council a mock-up of the sculpture.

Councilor Riddile said that Administrator Baker had received an e-mail asking the council's support for Garfield RE-2 School District's search for a superintendent, and he felt that was an opportunity for the town to secure help them secure someone who would be more cooperative in sharing their facilities.

Councilor Riddile asked if the town had a drone policy, or if it should be considered. He also asked if the town was covered by any policy held by the county or FAA. Administrator Baker said staff would look into it.

Councilor Means gave a letter to each councilor, and stated that at a previous meeting an applicant had been spoken to in what he felt was an unprofessional manner. He asked that the council consider a code of conduct.

Mayor Gordon suggested that the town attorney could review protocol for the council.

Mayor Gordon said he was excited about the Augustana Group as well as the bicycle club that wanted to collaborate with the town. He felt that these were both great opportunities.

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

The meeting adjourned at 9:50 p.m.

Respectfully Submitted,



Mayor Bob Gordon



Town Clerk Melody Harrison, CMC

