

**New Castle Town Council Meeting
Tuesday, April 7, 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 Breslin
 Councilor Leland
 Councilor Stuckey

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

Meeting Notice

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

Conflicts of Interest

Councilor Stuckey stated that he had a conflict with the Warrior item and would recuse himself from the discussion. The council agreed.

Agenda Changes

Clerk Harrison told the council that staff wanted to remove the liquor license renewal application from the consent agenda. The council agreed.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items
Consultant Planner – not present.
Consultant Engineer – not present.

Items for Consideration

Recess Town Council meeting, Convene Local Liquor Licensing Authority

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

**Show-Cause Hearing and Potential Action on Alleged Liquor Code Violations
- Silver Club Saloon**

Town Attorney David McConaughy advised the council as to the procedure for the show cause hearing. He clarified that his position was only to advise the liquor authority and that he would not argue for or against any decision. He also stated that he was not a prosecutor in the case.

Clerk Harrison read the list of eight exhibits, which were as follows.

1. Excerpt from the October 2, 2012 council minutes, the initial liquor license hearing when the tavern license for Silver Club Saloon was considered.
2. Letter from Former Chief of Police Chris Sadler that included a list of seven items that the applicant, Seth Graby, had agreed to during the liquor hearing.
3. Resolution TC 2012-17, approving a tavern liquor license for the Silver Club Saloon.
4. The Current Town Liquor License.
5. Notice of Hearing and Order to Show Cause
6. Proof of Service: Notice of Hearing and Order to Show Cause
7. Copy of New Castle Police Department Citation
8. E-mail complaint against Silver Club Saloon

Clerk Harrison provided a packet of the exhibits to each authority member and Town Administrator Baker. She noted that the license holder, Mr. Seth Graby, was not in attendance. Mr. Jarrad Pierce introduced himself as the manager of the Silver Club Saloon, and said he was present on behalf of Seth Graby. Clerk Harrison gave a copy of the exhibits to Mr. Pierce.

Clerk Harrison read the three charges to the authority.

1. Violation of Colorado Liquor Regulation Section 47-900 – permitting disorderly conduct, rowdiness, and offensive activities by patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property, all causing disturbances to neighboring residences (March 14-16, 2015);
2. Violation of New Castle Municipal Code Section 9.24.070 – failure to report disorderly conduct by patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property (March 14-16, 2015); and
3. Violation of New Castle Municipal Code Section 8.08.030(A) – designated public nuisance – patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property (March 14-16, 2015).

Police Chief Tony Pagni told the authority that criminal charges had been filed on the two municipal code sections.

Attorney McConaughy explained to the authority that they were not making any decisions on the criminal charges because those would be handled by the municipal court at a later date. He further explained that in municipal court the burden of proof is beyond a reasonable doubt for a crime. For the liquor hearing, the burden of proof is a preponderance of the evidence, which means "more likely than not." Whatever decision made by the liquor authority will not be binding on the municipal court, because they are different standards.

Clerk Harrison directed the authority to exhibit 8, an e-mail from Jeff Ellis, New Castle business owner and resident, who was present as a witness.

Mr. Jeff Ellis stated he lived at 316 W. Main Street, next door to the Silver Club Saloon. Mr. Ellis said he purchased a home next door to a bar, and said he was a realist and understood there would be bar activities. Mr. Ellis said he enjoyed going to bars, and felt they were a vital part of downtown business. When his home and family did not feel safe, he felt it was time to voice his concerns. Mr. Ellis said he found burning cigarette butts in the area where he stored firewood, and a beer bottle in his yard. On the weekend in question, there was a fight that he felt was intentionally moving onto his property, causing him to feel defensive and to have to be ready to do something. Mr. Ellis said he was unwilling to live that way.

Administrator Baker asked Mr. Ellis how unsafe or threatened he felt when the fight was taking place. Mr. Ellis said he felt threatened by the out-of-control nature of the fight: two guys without shirts, a girl in the middle who was actually being struck by punches. He said it seemed they would fall into his entry gate because it was pretty out of control, so he grabbed a bat in preparation.

Administrator Baker asked if there was evidence that lit cigarettes were thrown and Mr. Ellis said that when a lit cigarette goes out it leaves a hot trail. In one instance, a cigarette burned a hole through a tarp.

Administrator Baker asked about a van that was parked all night on the street and what was found the following day. Mr. Ellis said he was not certain of its origin, but there was a Gatorade bottle in the gutter filled with something yellow. The van was for the band that had played at the Silver Club.

Administrator Baker asked if this was the first time there were incidents related to the bar. Mr. Ellis said there was the usual mayhem of the crazy bar scene. Although there had not been much recently, it was common for the police or ambulance to be there on the weekend.

Attorney McConaughy asked if the licensee had questions for Mr. Ellis. Silver Club Saloon Manager, Mr. Jarrad Pierce, declined.

Public hearing, 7:19 p.m.

Jerad Zelenka. Mr. Zelenka stated that he did not actually live in New Castle, but he was a patron of the Silver Club Saloon. He said he was there quite a bit, and the only time he ever saw police officers in the bar was when they do their walk-throughs, they were friendly and polite to everyone. Mr. Zelenka said he had never seen anyone throwing trash over the wall. He said there were good people that go to the Silver Club, but sometimes people do stupid things when they are drunk. Mr. Zelenka

said he liked the people who work at the Club, as well as the customers, but said he understood where Mr. Ellis was coming from.

Ben Allen, 542 W. Main Street. Mr. Allen said he lived down the street, and felt that the patrons of Silver Club were generally a good group. He agreed with Mr. Zelenka that it was a rare occurrence to see a fight. He also agreed that trash being thrown over the wall was unacceptable.

Jarrad Pierce, Silver Club Saloon Manager, 38 Silver Queen Circle, Parachute. Mr. Pierce addressed Mr. Ellis and apologized. He agreed that the behaviors were not acceptable. He asked that Mr. Ellis come speak with him if there were more problems.

Mr. Pierce said that the bar has had a bad reputation, and in the past, it had been a pretty low place. He felt that it was improving. He pointed out they supported local musicians, and brought art to the community through live entertainment. He said they were trying to change the stigma the bar has. Mr. Pierce said his patrons were locals, veterans, and the people who built New Castle. He said his patrons are people who visit the restaurants and parks with their families. Many come in daily and he had built relationships with them. He asked that everyone bear with them as they work to change the stigma of the bar.

Mayor Gordon told Mr. Pierce that the town valued his business, and would do everything they could to help his business, but that the behavior was unacceptable. He said they also valued all the other businesses in town very much. The unacceptable behaviors made him feel he had been lied to, and they showed no consideration for themselves or their neighbors. Mayor Gordon said it had to change.

Councilor Means asked Mr. Ellis if there were other occasions where bottles were thrown over the fence. Mr. Ellis said this was the only occasion.

Councilor Riddile asked for clarification of the steps Mr. Pierce was taking to remedy the issues. Mr. Pierce said there were clearly marked containers on the patio for cigarette butts. He said they were working on changing the back gate to be a fire exit only, to control the flow of patrons through the area.

Mr. Pierce said the incident in question was not brought to the attention of the saloon staff until 40 minutes later. He said the establishment did not condone the behavior. He felt that his patrons knew what proper behavior was.

Councilor Riddile asked if the persons involved in the fighting were intoxicated. Mr. Pierce felt they had not shown signs of intoxication, but he also said he could not control how much a person drinks prior to entering his establishment. He said he did not know there was a situation until Officer Burrows informed him. He reiterated that the rear gate would be reconfigured as a fire exit only with an alarm that will sound if opened.

Councilor Metzger asked Mr. Ellis about his vehicle being stolen. Mr. Ellis said his vehicle had been stolen over the holidays, and it was only speculation that the theft was related to the bar. He described a stalled/abandoned vehicle situation on Main Street where the suspect apparently ran away, subsequently stealing his wife's car, driving it down the alley and crashing it.

Councilor Metzger wanted to know why the owner of the bar was not present. Mr. Pierce said that Seth Graby is a veteran of the Iraq and Afghanistan wars and suffers

from severe anxiety. Mr. Graby is being treated at the VA for post-traumatic stress disorder and did not feel he could control his anxiety at the hearing.

Councilor Breslin asked Mr. Ellis if the people fighting in the alley appeared to be intoxicated, stumbling, etc. Mr. Ellis said that he was not able to tell if a person was drunk or otherwise under the influence, but that the two who were fighting were stumbling and barely able to hit one another. They were swinging at each other but hitting the girl. Councilor Breslin said he was concerned about intoxicated people being over-served.

Councilor Leland said that during the original liquor hearing, he had asked Mr. Graby how he would handle difficult customers, since the bar had a reputation for having difficult customers and some trouble there. Mr. Graby said he intended to meet with Chief Sadler, and Councilor Leland asked if either Chief Pagni or Mr. Pierce knew if that meeting had taken place. Mr. Pierce said he did not know if Mr. Graby had met with the former chief. Chief Pagni said Mr. Graby had met with Former Chief Sadler and himself. The staff did get their TIPS certification. Chief Pagni said that in the past three years, the police department had 142 directed bar foot patrols. This is standard protocol and not more than any other liquor establishment in town. No one establishment is singled out.

Councilor Leland asked what the procedure was when there was a situation with a difficult patron. Mr. Pierce said they cease alcohol service to that patron, and offer them soda or water. They make contact with other patrons to see if there is someone who can get them home safely. If someone becomes unruly, they are asked to leave or are escorted out. If they refuse, the police are called.

Councilor Leland asked if Mr. Pierce his position as manager was a paid position. Mr. Pierce said yes, he was paid. Councilor Leland asked if the bartenders still worked for tips only. Mr. Pierce said yes, they worked for tips. Councilor Leland asked if this could be a conflict because the bartenders work for tips yet they are supposed to stop service to intoxicated persons. Mr. Pierce said he saw the point being made, but noted that if a bartender is found guilty of overserving a patron, they received the ticket directly. Chief Pagni said both the establishment and the bartender would receive tickets.

Mr. Pierce felt the possible penalties kept the bartenders from over-serving.

Councilor Stuckey clarified that Mr. Pierce was completely unaware of the fight in the alley because the patio area and alley is not visible from the main bar area. Mr. Pierce agreed, and reiterated that the gate exiting the patio into the alley would be changed to a fire exit only, but the patio would still be available for patrons to use. Councilor Riddile stated that there would still be opportunity for the bar patrons to toss bottles and cigarettes over the wall. Mr. Pierce said yes, but that it was highly frowned upon and he would make corrections.

Councilor Riddile asked how many times the police department had been called to the establishment to quell problems. Chief Pagni said that in the past three years, the police had been called to the establishment for criminal and non-criminal issues sixty-two times. Seven of those calls resulted in citations and arrests.

Councilor Stuckey asked how that compared to the other liquor establishments in town. Chief Pagni said all other establishments combined there were eight calls.

Councilor Means asked Mr. Pierce what his function was at the bar. Mr. Pierce said he tended bar during the day and he was responsible for inventory and ordering. He was also responsible for safety and security within the building. Councilor Means asked if he was there at night, and Mr. Pierce said he was. He said protocol was that the bartenders all checked ID, he said he was TIPS certified, and that he had eight years'

experience as a bouncer. He was usually the person that handled problem patrons. Councilor Means asked if he was able to check the patio on a regular basis, and Mr. Pierce said yes, at night he was able to do that.

Close public hearing 7:41 p.m.

Attorney McConaughy told the council that they should now consider each of the three charges, and based on the evidence provided, determine if violations of each charge occurred or did not occur. He suggested that there should be three separate motions, one for each charge.

1. Violation of Colorado Liquor Regulation Section 47-900 – permitting disorderly conduct, rowdiness, and offensive activities by patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property, all causing disturbances to neighboring residences (March 14-16, 2015);

Councilor Leland asked if Attorney McConaughy could please site the code sections because the authority did not have them to review. Clerk Harrison read the Colorado Liquor Regulation Section 47-900 aloud to the authority.

MOTION: Councilor Metzger made a motion to find the Silver Club Saloon in violation of 47-900 – permitting disorderly conduct, rowdiness, and offensive activities by patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property, all causing disturbances to neighboring residences had occurred. Councilor Leland seconded the motion.

Discussion: Councilor Riddile said that all three charges seemed similar and appeared to be redundant. Attorney McConaughy said the three charges were based on the same underlying facts, but were in fact, three separate violations. He said they were not yet at the penalty stage and the authority could find violations of all three charges but find that no penalty was appropriate. Councilor Breslin said he thought they should look at the active words in each charge, and in number one, it says "permitting disorderly conduct" He thought the patio had a camera and the area was being observed. He did not necessarily think the conduct was permitted as much as it the area was neglected. In charge two, it says "failure to report", and in three it says a "designated public nuisance." Attorney McConaughy said the code sections will be read for the other two charges, and that they were only considering number one for now.

Councilor Leland said the establishment had indicated the patio would be monitored in some manner. Councilor Leland said that Mr. Pierce's promise that something will be done now was very important. People entering through the back gate was bad, and by not securing it, it permitted poor behavior there.

The motion passed with Councilors Riddile, Metzger, Leland, Stuckey and Mayor Gordon voting yes, and Councilors Means and Breslin voting no.

2. Violation of New Castle Municipal Code Section 9.24.070 – failure to report disorderly conduct by patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property

Attorney McConaughy read New Castle Municipal Code Section 9.24.070 to the authority.

MOTION: Councilor Leland made a motion to find the Silver Club Saloon in violation of New Castle Municipal Code Section 9.24.070 – failure to report disorderly conduct by patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property. Councilor Metzger seconded the motion.

Discussion: Councilor Leland was not comfortable with the charge, and felt that the bar had obviously reported problems. Councilor Stuckey agreed. Councilor Breslin said he could not support finding them guilty of failing to report. Councilor Riddile agreed with Councilors Breslin and Leland.

The motion failed with Mayor Gordon voting yes and Councilors Means, Riddile, Metzger, Breslin and Stuckey voting no.

3. Violation of New Castle Municipal Code Section 8.08.030(A) – designated public nuisance – patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property

Attorney McConaughy read New Castle Municipal Code Section 8.08.030(A) to the authority.

MOTION: Councilor Leland made a motion to find the Silver Club Saloon in violation of New Castle Municipal Code Section 8.08.030(A) - designated public nuisance – patrons fighting and patrons throwing beer bottles and cigarette butts on neighboring property. Councilor Means seconded the motion.

Discussion: Councilor Stuckey felt the key word was “encourage” and did not feel there was any evidence the establishment encouraged poor behavior. Councilor Leland said in the past complaints about establishments had come up at the time of renewal and did not allow the authority the opportunity to do anything about the problems. He felt that discussing the unacceptable behavior on the record would provide evidence for future renewal. Councilor Breslin did not feel declaring a public nuisance was correct, particularly because the behavior at that location was actually better than it had been in the past. He said he had seen bad behavior and bad management there, but defining the establishment as a nuisance he could not agree to. Councilor Metzger agreed with Councilor Leland and felt the establishment was a nuisance. Councilor Means said that he felt that because there seems to be no monitoring of the patio area, no way for the management to observe behavior on the patio, it encourages problems there. Because it is not properly supervised, it encourages the poor behavior. Councilor Leland said Councilor Breslin was seeing the language as declaring the bar a nuisance. He read it as declaring a nuisance had occurred. Attorney McConaughy said if they found a violation had occurred the town would not take any action to abate a nuisance. Councilor Stuckey did not feel that charge three was appropriate. Councilor Breslin agreed, but agreed that Councilor Means was correct in saying that failure to monitor the area encouraged the behavior.

The motion passed with Mayor Gordon and Councilors Metzger, Leland, and Means voting yes, and Councilors Stuckey, Riddile and Breslin voting no.

Attorney McConaughy told the authority that they could chose to impose penalties for the two violations found. It could be suspension of the license for a few days, weeks or revocation. Whatever they felt was appropriate. They could impose a single penalty for both, or make two motions for penalties, one motion for each violation. The council felt that a single penalty for both violation was more appropriate.

MOTION: Councilor Breslin made a motion suspend license for 10 (ten) days. Councilor Stuckey seconded the motion.

Discussion: Councilor Riddile agreed with the suspension, but felt that ten days was too long. He felt seven days was more appropriate. Councilor Means agreed with ten days because it would go through two weekends, which is a good statement. Councilor Leland thought ten days was too long as well. He wanted to send a strong message, but did not want to cause severe hardship to a business the town has tried to work with, and he would vote against the ten days.

The motion failed with Mayor Gordon and Councilors Means and Breslin voting yes, and Councilors Riddile, Stuckey, Leland and Metzger voting no.

Discussion: The authority briefly discussed options for a more suitable time frame.

MOTION: Councilor Riddile made a motion to suspend the Silver Club Saloon liquor license for seven days. Councilor Means seconded the motion.

Discussion: Councilor Leland asked if he was the only one who thought seven days was too long.

The motion passed unanimously.

Attorney McConaughy said his office would notice the licensee of the suspension, and that the suspension would take place after the statutory thirty-five day appeal period was over.

Councilor Leland said he would be encouraged if applicant could demonstrate the noted corrections.

Adjourn Local Liquor Licensing Authority, reconvene Town Council Meeting

MOTION: Councilor Breslin Made a motion to adjourn the local liquor licensing authority and reconvene council. Councilor means seconded the motion and it passed unanimously.

Community Resource Housing Development Corporation Update

Carly Johansson, Director of Real Estate Development for Community Resources Housing Development Corporation (CRHDC). Ms. Johansson told the council that CRHDC had fully committed themselves to the project, and was moving forward with the 9-percent tax credit program application. She said they appreciated the support of the Town of New Castle, the Garfield County Housing Authority and the Colorado Division of Housing.

CRHDC met with Town Planner Tim Cain as a first step in the PUD land use process. Ms. Johansson said that CRHDC now had a tax consultant, legal counsel, environmental engineer, surveyor, architect, and construction manager/general contractor on board with the project. The application for the tax credit program is due May 1, 2015. Part of the application is the land price in the lease-purchase agreement that will be finalized once the appraisals were completed.

Administrator Baker told the council that there were two items Ms. Johansson needed from the council. One was a certification of consistency with the comprehensive plan, which Planner Cain could do. The other was a letter of support from the town. He asked the council to make a motion to authorize the Mayor to sign the letter of support. The two documents will be needed for the tax credit application. Ms. Johansson, staff and the council clarified some details of the support documents briefly.

Motion: Councilor Leland made a motion to authorize the Mayor to sign the letter of support. Councilor Means seconded the motion and it passed unanimously.

Attorney McConaughy told the council that the initial appraisal came in at \$145K, and the second appraisal came in at \$250K. The average of the two is \$197.5K, which will be the purchase price for the land.

Warrior/Lakota Canyon Ranch Warranty Work Discussion

Councilor Stuckey left the council chambers at 8:37 p.m.

Administrator Baker told the council that Walter Bolen with Warrior had asked that the town complete the warranty road work in Lakota Canyon Ranch. Currently the town held \$250k in letters of credit, and the estimate for the remaining work was about \$207k. There would also be project management fees that staff felt was more than the town responsibility. The agreement would not include any cost figures until there was a solid bid for the project, and this would protect the town from cost overruns. Administrator Baker said staff would do a good job completing the work if the council wanted to take the project over. He suggested that SGM manage the warranty work because Public Works had many other projects to handle.

Attorney McConaughy told the council that much of the work that Warrior had completed had been accepted by the town, and that any future work would be inspected, signed off and accepted by the town. The letter of credit (LOC) would likely have to be extended. He recommended that no portion of the LOC be released until after the end of the project and the lien waiver process is complete. In addition, he suggested that the amount of the LOC be determined by Engineer Simonson, based on the project bids received, and the LOC amount to 125% of the bid amount. Attorney McConaughy felt that the town would not be responsible for any currently unpaid bills related to work done last year by Warrior because it was not a town contract/project, and the contractor does not have any lien rights.

Mayor Gordon asked what the remedies were if the town did not take over the project and Warrior did not complete it. Attorney McConaughy said the current contract states that a violation of the contract is a violation of all other contracts, and the remedies could include things such as holding building permits or down-zoning. The next step is to come to an acceptable agreement that protects the town, or Warrior is stuck with the existing agreement that says they must complete the work. The council agreed that Attorney McConaughy should move forward negotiating an agreement with Warrior for the town to take over the warranty road work.

Councilor Stuckey returned to council chambers at 8:54 p.m.

Consider Request for Funding for POSTR

Public Works Director John Wenzel told the council that the Parks, Open Space, & Trails (POSTR) committee decided it would be a good investment to purchase some

new signs for the disk golf course at Coal Ridge Park. They are requesting \$913.00 from the Conservation Trust Fund to purchase new vinyl signs.

MOTION: Councilor Riddile made a motion to give POSTR to give POSTR 913\$\$ from the Conservation Trust Fund for the purchase of new signs for the disk golf course. Councilor Breslin seconded the motion.

Discussion: Councilor Metzger asked how long the existing signs lasted. Director Wenzel said the existing signs only lasts a single season, but they were made in-house on the new plotter. Unfortunately, they did not have the proper weather and UV resistant ink. The signs new signs will last five-plus years. Councilor Breslin said the course was an important asset to town, and is more popular than expected. Director Wenzel said the course was very popular because of its location, length and topography. The council felt more information about the course should be published. **The motion passed unanimously.**

Consider Request for Funding – Community Market

Clerk Harrison told the council that Administrative Assistant Debbie Nichols wanted to start a lemonade stand at the Community Market to raise money to help fund a program for people who are on the supplemental nutrition assistance program (SNAP) program to shop at the market.

MOTION: Councilor Metzger a motion to approve \$100.00 for the lemonade stand. Councilor Riddile seconded the motion and it passed unanimously.

Water Treatment Plant Update

Administrator Baker told the council that staff had submitted a DOLA grant application for improvements to the water treatment plant. It is a one-to-one match. He explained some of the improvements that would happen with the improvement/expansion, to include correction of an issue with chlorine. Engineer Simonson explained the improvements in detail.

Motion: councilor Leland made a motion to go into Executive Session at 9:16 p.m. (1) for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and

(2) for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Councilor Metzger seconded the motion and it passed unanimously.

Executive session concluded

At the end of the executive session, Mayor Gordon made the following statement:

"The time is now 9:26 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Means, Riddile and Metzger; Mayor Gordon; Councilors Breslin, Leland and Stuckey; Town Administrator Baker, Human Resources Manager Edgar, Police Chief Pagni, Town Attorney McConaughy and

Town Clerk Harrison. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record."

No concerns were stated.

Consent Agenda

Minutes of the March 17, 2015 meeting

March Bills of \$ 353,533.24

2015 Mosquito Control IGA

~~Hongs Garden Liquor License Renewal~~ removed from consent agenda

MOTION: Councilor Leland made a motion to approve the consent agenda, excluding the Hongs Garden Liquor license renewal. Councilor Stuckey seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – nothing to report

Town Clerk – nothing to report

Human Resources Manager – Manager Edgar told the council that he would be moving to Fruit and moving there in May. The council wished him well and said they would miss him.

Town Planner – present for agenda items

Public Works Director – present for agenda items

Commission Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Economic Advisory Committee – nothing to report

Senior Program – Councilor Metzger said there had been an excess of funds in the 2014 budget for Senior Programs and it had been decided that the excess funds would be distributed back to the cities.

RFTA – nothing to report

Council Comments

Mayor Gordon said that Councilor Metzger had shared information about the branding process the city of Bayfield was going through and the information was very helpful.

Councilor Riddile asked if there would be an open house for the public when the new police department opened. Chief Pagni said there would be an open house, plus – they would invite the council and board of county commissioners and others involved in the grant process.

Councilor Means asked about the lights for the bridges. Administrator Baker said staff was waiting to hear from the FMLD on the grant, because the bridge lighting was part of the streetscape grant application.

Councilor Breslin said that at the last retreat there had been a discussion about assigning a project to P&Z to investigate a commercial zone in south alley, and

perhaps the north alley as well. Particularly in south alley, it would improve the look of New Castle from the interstate. Administrator Baker said he had not followed up on it, but would.

Councilor Breslin said there had been a large school basketball tournament in town that the town did not know about. He felt that if the town had known, it would have been good for economic development, and that it was a missed opportunity.

Councilor Leland said that one thing the Downtown Group had been looking at was the potential problems if the empty lot owned by Michael Watts became a pocket park.

Councilor Leland said that Steve Rippy had finished a project he had begun while he was the town manager. The project was creating a list of everyone who had served on the town council. He said the list had been framed and was in Clerk Harrison's office. He felt the council should decide where to place it, and should unveil it at a council meeting so the acceptance was on the record. Clerk Harrison said that administration would be commencing some minor work to the council chambers in June, and the list could be hung then.

Councilor Metzger said she had walked by the area where the solar garden had been proposed and someone had been dumping dirt there. She felt that the town should consider developing that park space because it was unattractive. Administrator Baker said he would follow up with public works to find out if they had been placing the dirt. He also said that improving the area would be a capital project and the council would have to budget for it. The council agreed that it could be considered at the retreat.

Councilor Metzger said the article about the Dubois Memorial came from the CU Boulder alumni magazine.

Councilor Metzger asked if there had been any work from the hospice people. Mayor Gordon said the chair was away on a mission so they would not hear back for a few weeks.

Councilor Metzger said the council had never really discussed how the new website should be used for marketing. Administrator Baker said there was now a budget for planning it, thanks to Councilor Breslin and the AGNC grant the town received

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

