

Agenda
New Castle Town Council Meeting
Tuesday, January 6, 2015, 5:30 p.m.

Call to Order

Mayor Gordon called the meeting to order at 5:30 p.m.

Pledge of Allegiance

Roll Call

Present	Councilor Means Councilor Riddile Councilor Metzger Mayor Gordon Councilor Breslin Councilor Leland Councilor Stuckey
Absent	None

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Finance Director Lyle Layton, Human Resource Manager Mike Edgar, Town Attorney David McConaughy, Police Chief Tony Pagni, Town Planner Tim Cain and Town Engineer Jeff Simonson.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC-2014-1.

Conflicts of Interest

Councilor Stuckey told the council that he had a conflict with the Lakota Canyon Ranch item and would recuse himself. He also stated a conflict with the Chamber Space Planning item and asked council for permission to recuse himself and to be allowed to sit as the consultant architect on the project. The council agreed.

Councilor Breslin said he had a conflict with the Police Department Remodel item, and would recuse himself from that discussion.

Agenda Changes

Town Clerk Melody Harrison told the council that staff had not completed the revisions to the Flat Tops Bridge Sign Language and would like to remove the item from the agenda. The council agreed.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – nothing to report
 Consultant Planner – nothing to report
 Consultant Engineer – nothing to report

Items for Consideration

Executive Session

MOTION: Councilor Metzger made a motion at 5:35 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding an employee evaluation of the Finance Director, 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 Leland 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 6:05 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 and Finance Director Lyle Layton. 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.

Executive Session

MOTION: Mayor Breslin made a motion at 6:07 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding an employee evaluation of the Town Clerk, 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. Mayor Gordon 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 6:35 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 and Town Clerk Melody 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.

Executive Session

MOTION: Mayor Gordon made a motion at 6:39 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding an employee evaluation of the Town Administrator, 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 Means 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 7:12 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 and Town Attorney McConaughy. 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.

Consider Awarding a Construction Bid for the Police Department Remodel

Police Chief Tony Pagni described the recent bid process to the council, saying that five bids had been received. He told the council the amount of each bid. Chief Pagni explained that in addition to the actual construction bids, there were other expenses that would be incurred relating specifically to police business that were not part of the construction bids.

He also felt it would be fiscally responsible to include a ten percent cost overrun to the total project costs. In all, he felt the project would require approximately \$40k in additional funds. He said he had spoken to Finance Director Lyle Layton and they discussed where the additional funds could come from.

Chief Pagni and Town Administrator Tom Baker said they would bring the item back at the January 20 council meeting for the council to consider.

Councilor Stuckey left council chambers.

Consider Amendment to Development Agreement for Lakota Canyon Ranch

Town Attorney McConaughy said that the amendment was essentially reiterating the existing agreement, with the exception of the remaining scope of warranty work that Engineer Simonson detailed in the exhibits. The document extends the deadline for completion of the work to the end of June, 2015. It retains the \$250k in security in the form of letters of credit. He said staff felt the \$250k more than covered the remaining work and that the \$500k mortgage could be released. Attorney McConaughy said a disbursement agreement could be done closer to the end of the project, and that Warrior's attorney was amenable to that. The council discussed disbursement agreements. The council also discussed the problem of water drainage from the residential lots draining under the sidewalks and streets, rather than draining over the sidewalk like it should. The council asked Attorney McConaughy to explore the possible remedies for the drainage issue. Bob Gibson, Representative for Warrior, said he felt the HOA in Lakota could manage some of it through their process.

MOTION: Councilor Leland made a motion to authorize the Mayor to sign 2015 Amendment to Development Agreements for Lakota Canyon Ranch. Councilor Breslin seconded the motion and it passed unanimously.

Councilor Stuckey returned to council chambers.

Ordinance TC-2015-1 – An Ordinance of the New Castle Town Council Amending the Town Procurement Code (first reading)

Attorney McConaughy explained that the ordinance added language to the town procurement code that corresponded with the state statutes.

MOTION: Councilor Riddile made a motion to approve Ordinance TC-2015-1, An Ordinance of the New Castle Town Council Amending the Town Procurement Code on first reading. Councilor Means seconded the motion and it passed on a roll call vote: Councilor Riddile: yes; Councilor Leland: yes; Mayor Gordon: yes; Councilor Means: yes; Councilor Metzger: yes; Councilor Stuckey: yes; and Councilor Breslin: yes.

Chamber Space Planning

Councilor Stuckey recused himself from the council discussion, and sat at the applicant table as the project consultant.

Administrator Baker told the council that at the last meeting, it seemed there was not full agreement among the council members which alternatives for redesign should be explored further.

The council discussed the possibility of grant funding for the project. They agreed that energy efficiency was a priority. They also discussed the merits of each of the alternatives. Councilor Metzger said she was comfortable with the council chambers, and did not really agree it needed a change. She felt it was not necessary to spend the funds on something wanted, as opposed to an actual need. Mayor Gordon felt a rearrangement of the room that was more professional and quality would garner a higher level of respect for everyone, council, staff and guests. He felt the council worked hard for the town and deserved nicer chambers. Councilor Leland agreed, saying that nice chambers created a better impression for everyone. He felt it made a difference. Councilor Means felt that an improved chambers would inspire a higher level of town pride, and town pride started with the council. He said the energy in the current chambers was poor, and a redesign was for the whole town. Councilor Riddile asked where the funding would come from.

Administrator Baker said that staff intended to apply for a grant for the remodel. At a minimum, a grant would require conceptual plans so a cost estimate could be calculated. Because the focus for 2015 was streetscape, staff would have to wait until 2016 to apply for an FMLD grant. For now, council needed to determine which alternative should be pursued as a first step towards a grant application.

Councilor Riddile said he liked alternative two, but only if the grant funded it one hundred percent.

Administrator Baker said that the town would need to provide a thirty-percent match. Councilor Metzger said that she thought funding improvements to the community center would better serve the people.

Councilor Leland said he was in favor of improving the chambers, but he was having trouble visualizing the options. He felt he needed to see something, and the proposal before the council would provide the council the opportunity to see what some of the alternatives actually would look like.

MOTION: Councilor Riddile made a motion to approve obtaining conceptual plans for alternatives two and three. Councilor Means seconded the motion.

Discussion: Councilor Leland said he would like alternative four included, but said he would make another motion.

The motion passed with Councilor Stuckey recused, and Councilor Metzger voting no.

MOTION: Councilor Leland made a motion to add alternative four to the previous motion. Councilor Breslin seconded the motion.

Discussion: Councilor Breslin felt that the town attorneys and judge should be consulted on the design, because the council chambers were also used for municipal court. He also felt the aesthetics were important for staff because they had to work in the building. Councilor Means felt that extending room to maximum length would make it like a boxcar. Consultant Stuckey said the room would be wider as well. Councilor Metzger said she was not familiar with the bid process and asked if it should go out to bid. She said she did not want the council to come under any scrutiny. Councilor Means clarified that all Consultant Stuckey would provide is conceptual drawings, not

building plans or anything else. Consultant Stuckey confirmed that it would only be conceptual drawings.

The motion passed with councilors Riddile and Metzger voting no.

Mayor Gordon asked the council to decide if they should allow Patrick Stuckey Architects to provide the conceptual plans or if it should go to another architect.

Councilor Stuckey asked the council to be recused from the discussion. The council agreed, and Councilor Stuckey left council chambers.

Councilor Breslin said that over the years, almost all council members have contributed something that was within their expertise, generally without charging for it. He said that Councilor Stuckey has taken an interest in the museum and had worked to improve that. He felt Councilor Stuckey had a keen interest in preserving the town, and had made it his business to be familiar with the building. His great effort to understand the town hall, the council and staff needs should not go unnoticed. Councilor Breslin said he could not see taking the project to another architect. Councilor Leland agreed. Councilor Means did not see a problem with Councilor Stuckey providing the conceptual plans, but said when it came time to build, the right thing would be for the project to go out to bid. Councilor Riddile agreed with Councilor Means.

MOTION: Councilor Leland made a motion to assign the conceptual plan project for alternatives two, three and four to Patrick W. Stuckey Architects for the dollar amount indicated in his memo to the council. Councilor Breslin seconded the motion and it passed unanimously.

Councilor Stuckey returned to council chambers.

Update on BLM EIS process

Planner Cain told the council that the town had agreed to cooperate with the Bureau of Land Management (BML) on the site-specific analysis that the BLM would be conducting on sixty-five oil and gas leases, primarily in the Thompson Divide area. He said he would attend the monthly meetings and report to the council regularly on their progress.

~~Flat Tops Bridge Sign Language Review~~

Item was removed from the agenda.

Founders Day Program Update

Administrator Baker said that the Founders Day idea had only come up recently. The Jolley Trail needed to be dedicated, and staff felt it would be good to do that dedication as part of a town event. He added that Councilor Leland had been exploring the idea of a founders day for some time.

Administrator Baker and Councilor Leland had worked quickly and gotten the Coal Ridge High School to provide entertainment at the event, as well as Representative Bob Rankin to attend. The Jolley family will attend and give the history of the Jolley Brothers Sheep Company. There would also be a potluck of period foods. Staff would get information of what those foods were. Councilor Breslin though authentic game meat would be an appropriate addition to the potluck.

Administrator Baker said the proposed program was still in draft form and would likely change. He felt that with Debbie Nichols' assistance, the event would go well. There was already a marketing plan in place for the event. Administrator Baker said that Representative Rankin would bring a certified flag for the Jolley family.

Consider Proposed Contract with John Cutler and Associates for Audit Services

Administrator Baker said the Finance Director Lyle Layton strongly recommended approving the contract with Cutler & Associates because they have served the town well, and for a very affordable price.

MOTION: Councilor Leland made a motion to approve the contract with John Cutler & Associates for three years. Councilor Riddile seconded the motion and it passed unanimously.

Consent Agenda

Minutes of the December 16, 2014 meeting

December Bills of \$714,175.90

Resolution TC-2015-1 – Posting Places

Resolution TC-2015-2 – Waiving Bonds

Resolution TC-2015-3 – Adopting a Fee Schedule

MOTION: Councilor Leland made a motion to approve the consent agenda consisting of the December 16, 2014 minutes, the December bills and Resolution TC-2015 1, 2 and 3. Councilor Breslin seconded the motion.

Discussion: Councilor Breslin said he liked the new procedure for adopting the town fee schedule.

The motion passed unanimously.

Staff Reports

Town Administrator – Administrator Baker reminded the council that the February 3 council meeting would be a joint meeting with the Board of County Commissioners, and asked the council to consider topics for that agenda. He said he would be meeting with Mayor Gordon to discuss it. He reminded the council of the ICS training in Rifle in January 8, and asked who would be able to attend. He said everyone could meet at the town hall at 3:15, and could carpool to the class. Administrator Baker said he had several conversations with the owners of Maud's on Main who have been experiencing escalating issues with Silver Club Saloon. He asked the council to provide him with some direction to gather information about the activity at the bar to determine if it were necessary to consider a special meeting between liquor license renewals. Mayor Gordon directed Administrator Baker to research and gather information as needed. Administrator Baker said that he would work with Chief Pagni and Attorney McConaughy, and he would provide a report to the council.

Administrator Baker said he met with the Mayor and Mayor Pro Tem regarding a Visitors Center space in the community center. He said a proposal would come back to the council for some funding. He also asked that Councilor Metzger help with the aesthetics of the space. Councilor Metzger suggested there be a touch screen computer for people to explore the town website and things to do in the local area. Administrator Baker said there was a lot of enthusiasm for a memorial for Captain Dubois. He said when Mayor Gordon presented the family with the proclamation honoring Will, they seemed open to the memorial idea, but it was premature to discuss

it at the time. Administrator Baker asked for one or two councilors to accompany him to speak with the family. Mayor Gordon and Councilor Riddile agreed to speak with the family.

Human Resources Manager – Manager Edgar told the council that there were two new employees on staff. Debbie Guccini, Finance Assistant, and Lisa DiNardo in Public Works.

Town Clerk – Clerk Harrison told the council that staff had begun the process to incorporate online bill pay to the town’s website. She also said that the administrative staff would attend a training class on January 23 for the town website.

Town Planner – not present

Public Works Director – not present

Committee Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Economic Advisory Committee – nothing to report

Senior Programs – nothing to report

RFTA – nothing to report

Council Comments

Councilor Metzger said there were homes being built on Foxwood Lane in Castle Valley, but there were no street signs. She also said a street sign was needed for Eagle Falls Drive. Administrator Baker said he would have staff look into it.

Councilor Metzger asked if there was a posting board in Lakota. Councilor Stuckey said that when the mailboxes were vandalized, the posting board had been destroyed. The mailboxes were relocated near the recreation center, but a new posting board had not been installed. Clerk Harrison told the council that the town charter required that notices be posted in three places in town, and that the posting requirements were being met without the Lakota posting board.

Councilor Metzger asked if the Conditional Use Permit for Lakota come to council for approval. Administrator Baker said it would.

Councilor Metzger asked if Ryan Muse would attend a council meeting, and Councilor Leland said he had attended the previous council meeting, and had stayed for most of the meeting.

Councilor Breslin asked if council would consider allowing a future agenda item in the way of a possible culture grant for the museum. The council felt it would be a good idea.

Councilor Breslin said that Angela Meraz at Alpine Bank will be asking for help to pay off the piano at the library. He said they were trying to get a Friday Afternoon Piano club started, where kids could come play music.

Councilor Breslin thought some LiveWell documentaries would be an interesting cultural thing to do.

He said there would be a LiveWell meeting January 20, from 12 to 3:00 p.m. at the Glenwood Community Center.

Councilor Breslin thought that the town was lacked proper marketing. He felt that Councilor Leland was doing a great job with Visit New Castle, but he was doing it all by himself. He said that everyone celebrated Teddy Roosevelt in Glenwood, but New Castle was where he hunted and explored. He felt they should celebrate the exploration component of New Castle. He suggested that the council put the idea on a

future agenda for further branding the town. He had several ideas he would to bring to the discussion.

Councilor Stuckey said there had been a design review committee meeting at Lakota, and they received a letter regarding a pigeon problem. The request was to allow a pest control company to come handle the bird problem, but the solution included poison. Councilor Stuckey asked if there were regulations in New Castle regarding poison. He said he personally had a concern with it. Administrator Baker said he would look into the issue and put the information in his manager's report.

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

The meeting adjourned at 9:25 p.m.

Respectfully Submitted,



Mayor Bob Gordon



Town Clerk Melody Harrison, CMC

