

**New Castle Town Council Meeting  
Tuesday, September 15, 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
Absent	Councilor Stuckey None

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Public Works Director John Wenzel, Police Chief Tony Pagni, Town Planner Tim Cain, Town Finance Director Lyle Layton, Town Engineer Jeff Simonson 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**

There were no conflicts of interest.

**Agenda Changes**

**MOTION: Councilor Leland made a motion to add a continuation of the Health & Wellness Uses & Elements of Market Study discussion with Elisabeth Borden. Councilor Stuckey seconded the motion and it passed unanimously.**

Ms. Borden completed her slide show presentation. The council thanked her.

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**Citizen Comments on Items not on the Agenda**

There were no citizen comments.

Police Chief Tony Pagni reviewed his crime report for the council. He also gave the council an update on the police department's fleet rotation program. Councilor Metzger asked if panhandling was illegal in town. Chief Pagni said it was illegal, and the department had a procedure for moving panhandlers out of town

that worked well. He said he had heard about the family that had been in the City Market Plaza.

Councilor Riddile said he had recently met some people who had moved to New Castle several years ago and at that time, they felt the police department was quite aggressive. They now felt the police department was much more friendly. Councilor Leland said that at Burning Mountain Festival he had been told the same thing. Chief Pagni pointed out that at Burning Mountain Festival, they had not utilized officers from other agencies whose policing values were not the same as New Castle, and he felt this made a much different impression for the citizens. Mayor Gordon told Chief Pagni his officers did a great job at the festival. He also thanked John Wenzel and the public works staff for their efforts, and Clerk Harrison's department as well. Mayor Gordon said that Administrator Baker did a great job facilitating everything.

### **Consultant Reports**

Consultant Attorney – not present

Consultant Engineer – present for agenda items

Code Enforcement – Town Planner Tim Cain said he spoke with a homeowner on the east end of town who seemed to be having a perpetual garage sale which is not allowed in town. The tenant said he had signed a commercial lease with the owner because it was the owner's claim that the property was commercial and sales were allowed.

He said he would be investigating an alleged illegal additional dwelling unit. He said he was also mediating a dispute between some neighbors over use of a private alley.

Mayor Gordon said a citizen had told him about a vehicle that had been parked on private property for fifteen years. He asked Planner Cain to look into it.

Planner Cain gave the council a short list of items that had been removed from the Texaco property. He said he and Administrator Baker had spoken to Mr. Shrull, and the cleanup was a work in progress.

Planner Cain said he was interested to hear what the council felt should happen.

Mayor Gordon said he understood that some of the mess on the Shrull property could be removed, but he hesitated doing anything that could affect Mr. Shrull's livelihood. Councilor Stuckey felt that Mr. Shrull has a responsibility to maintain the property at a higher standard. Councilor Leland said the business had been in operation for a very long time, and the town had accepted the condition of the property for that time. Expecting an immediate change may be unrealistic.

Councilor Leland felt that the council should remain patient and move slowly in trying to encourage Mr. Shrull to change the way he manages his property and business. Councilor Breslin said that Mr. Shrull has improved the building, but it was not visible because of all the stuff. He agreed some of it should be removed.

The council agreed that the cleanup was necessary, and thought that it may be a good idea to have Mr. Shrull come to a council meeting to open a dialog with them.

Town Planner – Planner Cain said the preliminary plan public hearing for the proposed RV park had been held. Approximately fifteen people attended the meeting. The Planning & Zoning Commission recommended that a facilitated workshop be held to further discuss the project with the River Park HOA and residents and that was scheduled for Tuesday, September 29. The final plan will be considered at the October 14 P&Z meeting.

## **Items for Consideration**

### **Kuersten Property Update: Site Analysis**

Town Engineer Jeff Simonson gave the council an update on the analysis of the Kuersten property. He said the developable space on the lot was seventeen to nineteen acres, and there was approximately five hundred and fifty thousand tons of material available. As much as sixty tons would have to remain on the site for infrastructure.

Engineer Simonson explained that the materials, called pit run, has a market value ranging from \$.50 to \$2.50 per ton. The demand for gravel is much less than it was a few years ago, and will likely take five or more years to sell all of it.

Engineer Simonson's preliminary estimate to develop the site for water and sewer was approximately \$500K.

### **Consider Resolution TC-2015-13 – Supporting the Colorado Water Plan**

Administrator Baker said the council had seen the item previously and staff had brought the resolution back for council approval.

**MOTION: Councilor Riddile made a motion to approve resolution tc-2015-13 – A Resolution of the New Castle Town Council Supporting a Western Slope Statement on the Colorado Water Plan. Councilor Stuckey seconded the motion and it passed unanimously.**

### **Consider Resolution TC2015-14 – Supporting a State Historic Grant Application for the Trimble Building**

**MOTION: Councilor Breslin made a motion to approve Resolution TC-2015-14, A Resolution of the Town of New Castle Town Council in Support of and Waiving the Administrative Fee of 10% for a Grant from the State Historical Fund of History Colorado. Councilor Means seconded the motion and it passed unanimously.**

### **Discussion: Dubois Memorial Funding**

Councilor Riddile reminded the council that at the last meeting they saw photos of a prototype for the memorial, and an example of a fundraising brochure. Councilor Riddile said they had a request for funding. He introduced John Lee.

Mr. John Lee told the council they had met with the sculptor and were given a price of \$100 to \$120k for the memorial. He said the committee was working on various fundraising efforts including an Elks Lodge dinner, the Fallen Aviators and The Springs in Glenwood Springs. He said he had spoken to the alumni association at CU Boulder, but they could not help. Mr. Lee said he was not experienced at fundraising, but was willing to learn. The committee opened an account with Alpine Bank, and the bank was working on a way to accept online donations.

Councilor Riddile said that Captain Dubois had been a member of Kappa Sigma, and he suggested that Mr. Lee contact the Kappa Sigma National Fraternal organization. He felt that Councilor Stuckey could assist because he was also a member of Kappa Sigma.

Mr. Lee said he had not pursued the fraternity connection yet.

Mr. Lee said they needed to raise \$120K, and they needed enough money to provide the first installment to the sculptor.

Mayor Gordon said the memorial was much more than a local thing, it was national. It was a landmark for all the US Veterans

**MOTION: Mayor Gordon made a motion to approve a donation of \$30K to the William Dubois memorial fund, and to include the piece of property in River Park proposed for the statue. Councilor Riddile seconded the motion.**

Discussion: Councilor Breslin said he felt that there were numerous funding sources that had not been considered yet. The Push It Up Pyro race had been run in four places, including the country of Italy. Councilor Breslin felt that all possible funding sources should be solicited before the town commits to an amount.

Mayor Gordon said that the \$30k would get the project started, otherwise it could be five or six months before the committee could raise the \$30k for the sculptor. He also said there would be other expenses to prep the site. Councilor Leland said providing funds now was important because there will be some expenses for brochures and mailing costs. Money needed to be invested to be able to solicit donations.

Mr. Lee said that in the event they were able to raise more money than they need, anything left over would go into the Pyro Scholarship Fund.

Councilor Riddile said he would like to see the town invest in the project because it would set a standard for others to understand the seriousness and importance of the project. With the town investing \$30k, other monies will follow.

Councilor Metzger felt that \$30k was too much for the town to invest because they would not get the money back. She felt that the funds could be raised.

Councilor Breslin suggested that the committee create a governing board to provide a checks and balances in managing the donated funds.

**The motion passed on a roll call vote: Councilor Stuckey: yes; Councilor Means: yes; Mayor Gordon: yes; Councilor Metzger: no; Councilor Breslin: no; Councilor Leland: yes; Councilor Riddile: yes.**

Councilor Leland suggested that Administrator Baker help facilitate creating a board. Councilor Breslin said Mr. Lee should speak to an attorney, and Mr. Lee said Innermountain had an attorney who could guide him in creating a governing board. Councilor Riddile agreed to be the point person for the project

### **Discussion: Retreat Agenda**

Administrator Baker said that the last council retreat agenda had many discussion items and although the council managed to get through everything, it was difficult.

Administrator Baker felt that placing the Kuersten property discussion on the retreat agenda for this year could be redundant and take up too much time. He suggested that it be removed from the retreat agenda to create space for other items. In addition celebrating some of the town accomplishments, staff will present a utility rate plan to maintain some reserve target numbers in the budget. There will also be a grant strategy item.

Councilor Leland said that at some point, the council would have to take a long view of the Kuersten property with all the information they have gathered. Administrator Baker said that could be done in regular work sessions. Councilor Breslin felt it may be helpful to lay out a strategy for the Kuersten property in an ICS format with four segments, just to help them organize the process.

Administrator Baker asked that the council send their project ideas to him and he will put together a planning matrix.

### **Consent Agenda**

Minutes of the September 1, 2015 meeting

Letter of Support for GCE

PD Vehicle Lease

Letter of support: LoVa Trail

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

### **Staff Reports**

Town Administrator – Administrator Baker told the council that the Governor recently announced Colorado Beautiful Trails Project, 16 in 2016. The project will identify sixteen trails projects that need to be addressed in 2016. The LoVa Trails letter in the packet was to show unified support for the LoVa Trail, and the more people that show support, the better. He asked the councilors to complete the online survey in support of the LoVa project, and said that even if they got funding for just the pinch-point in South Canyon, it would be a great thing.

Administrator Baker told the council that Greg Russi asked that the council consider a \$22k line item for the pocket park at their retreat.

Administrator Baker said he had been speaking with Engineer Simonson and Public Works Director John Wenzel about the streetscape project. There are two items that will need additional funding. One is the streetlights. The original budget was for \$10k, and the project needs an additional \$20k. The second items are the pavers to complete the sidewalks, which the town has done in the past to avoid additional mark-ups from the contractor. Councilor Metzger was concerned that the costs were under-estimated for the streetlights. Administrator Baker agreed it was a surprise, but said that in the end, the final cost would be the same even if the estimates had been more accurate. Mayor Gordon explained that every project contemplated cost overruns and the budget factored in a ten-percent contingency amount.

**MOTION: Mayor Gordon made a motion to approve an additional \$33k to \$36k to the streetscape project budget.**

Discussion: Councilor Riddile asked where the additional monies would come from. Administrator Baker said they would have to come out of the general fund reserve.

**Councilor Breslin seconded the motion and it passed with Councilor Metzger voting no.**

Administrator Baker said that the police department open house would be on September 26 from 2: 00 to 5:00 p.m. LaRue Wentz was organizing a potluck and it should be a nice event.

Town Clerk – nothing to report

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

Senior Program – nothing to report

RFTA – Councilor Stuckey said that there was \$800k needed for the New Castle Park and Ride. It seems that CDOT had put \$600k and GFMLD another \$200k. The project is supposed to go out to bid in January or February and the project should be started in 2016. Ridership for the Grand Hogback route is up 4.1%.

Councilor Stuckey also said that RFTA now has union, and negotiations will begin in November.

AGNC – Councilor Breslin said the AGNC meeting will be the next morning and they will discuss the Palisade Shooting Sports Range.

GCE – Councilor Leland said GCE would meet the next day.

CML – Councilor Breslin said he attended the first Western Slope CML Business meeting the week prior. He met the agent for CEBT who said the two clinics were incorporating wellness into every visit. He also learned the TABOR rules in regard to emergency funding.

Stuckey is committee member for policy committee – will forward to tom for distribution

Councilor Stuckey said he was the CML Policy Committee member, and he had received proposed legislature items that he would provide to everyone for their comments.

### **Council Comments**

Clerk Harrison told the council that Mayor Gordon's birthday had been on September 12. Staff had ordered a cake and intended to sing happy birthday to Mayor Gordon during Burning Mountain Festival, but he was not available. Clerk Harrison presented a cake and the council sang happy birthday.

Councilor Means said it had been a long time since there was a motion to extend the meeting past 10:00 p.m. and he really appreciated that.

Councilor Riddile said that staff had done an amazing job with Burning Mountain Festival and offered his appreciation. He said there were a lot of people in attendance, which was great. He also said that the Church In The Park event on Sunday drew a lot of Latino attendees, and Lee Price wanted to find a way to continue the participation of the Town's Latino population.

Councilor Riddile asked if the fundraising effort for the Dubois Memorial could be on the access channel and town website. Councilor Leland said he could do that and it would be in the December Newsletter as well.

Administrator Baker said he had been asked how the staff should be thanked for their efforts towards Burning Mountain Festival, and he felt that words of support and thanks were the best thing, and that the staff really appreciated hearing it from the council.

Councilor Metzger reminded the council that there had been a groundbreaking at Lakota the day before and how good that was.

Councilor Metzger asked if someone would be in charge of the geraniums in front of the building and Clerk Harrison said she would do it.

Councilor Breslin thanked the town staff for mulching the apricot tree in Ritter Plaza.

Councilor Breslin said he had talked with Mogli Cooper, owner of Iron Hot Springs in Glenwood, and she was interested in considering a corporate rate for the springs. She was also interested in wellness partnerships, and planned to attend the International Wellness Convention in Mexico City this November.

Councilor Breslin said he found a letter from 1993 from ShinShiro City, Japan, asking if the town wanted to be a sister city. He thought we could respond, even though it was many years later.

Councilor Breslin said he spoke to a friend of his who was the CEO of Smith Senior Properties in Chicago. He would be attending a conference in Palm Springs where there will be developers and finance organizations, and he wanted to talk up New Castle's wellness campus project.

Councilor Leland said he had received a compliment about the improvement in the police department during Burning Mountain Festival. He also got a complaint about the Silver Club Saloon, and because the Club's liquor license renewal was coming up shortly, he asked that the police department have information ready in advance of the renewal for the council to consider. Chief Pagni said he had Sergeant Walker writing a report that will include all reported incidents since the last hearing in April. Clerk Harrison said she had been consulting with Town Attorney David McConaughy in regard to the liquor license renewal hearing and how that will be conducted. Councilor Stuckey said he also had hear some unfavorable comments about the Silver Club as well.

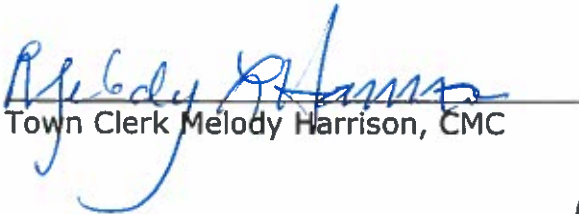
**MOTION: Mayor Gordon made a motion to adjourn. Councilor Metzger seconded the motion and it passed unanimously.**

The meeting adjourned at 9:25 p.m.

Respectfully Submitted,



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Mayor Bob Gordon



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Town Clerk Melody Harrison, CMC

