

**New Castle Town Council Meeting  
Tuesday, August 15, 2017, 7:00 p.m.**

**Call to Order**

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

**Pledge of Allegiance**

**Roll Call**

Present	Councilor Metzger Councilor Owens Councilor Hazelton Mayor Art Riddile Councilor Russi Councilor Leland Councilor G Riddile
Absent	None

Also present at the meeting were Town Administrator Tom Baker, Deputy Town Clerk Mindy Andis, Assistant Town Attorney Haley Carmer and members of the public.

**Meeting Notice**

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2017-1.

**Conflicts of Interest**

There were no conflicts of interest.

**Agenda Changes**

There were no agenda changes.

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

Mr. Ray Ortiz, City Market Manager. Mr. Ortiz introduced himself to the council. He said he had lived in the area since 1972, had grown up in Mountain Shadows and built a home there when he became an adult. Mr. Ortiz said he was excited to be back in his hometown.

Mayor A Riddile asked if he had seen an increase in business since the bridge closure, and Mr. Ortiz said he had, and there were many more vehicles in the parking lot. The council thanked Mr. Ortiz for coming in to meet them. Mr. Ortiz invited the council to contact him if there was anything City Market could do to support the town. Councilor Leland said that City Market had been very supportive of the town and of the various non-profit groups that utilize City Market for their events. Councilor Leland complimented Mr. Ortiz about the great staff he had. Mr. Ortiz thanked the council, and said that his staff had many years of experience, and he hoped that the New Castle

store would have a chance to expand with further improvements to their customer service and an increase in business during the bridge project. The council thanked Mr. Ortiz again, and welcomed him home to New Castle.

Recreation Director Hannah Bihr greeted the council and introduced her new Recreation Coordinator Jeff George.

Jeff George greeted the council. He told them he came from Iowa where he had worked for several municipalities as aquatics supervisor. He said he studied at Western Illinois University, and received his masters from Clemson University through an online program. Mr. George said he was very excited to be working for New Castle, and looked forward to meeting all the council personally.

The council welcomed Mr. George and thanked him and Director Bihr for coming in.

### **Consultant Reports**

Consultant Attorney – Assistant Town Attorney Haley Carmer told the council that she had attended a Garfield County Board of County Commissioners (BOCC) meeting with Town Attorney David McConaughy, at which the BOCC had approved annexing County Road 335. She said that she and Attorney McConaughy would begin the annexation petition process which will take approximately sixty days.

Consultant Engineer – not present.

### **Items for Consideration**

#### **Consider Ballot Language for Use Tax Issue**

Town Administrator Tom Baker said that in February the council had identified the need to increase the revenues for the town. A citizens committee had been formed to specifically consider whether a vehicle use tax should be put on the ballot for voters to consider.

Administrator Baker told the council that staff was looking for direction from them whether staff should draft a resolution that would approve language to go on the November ballot.

Administrator Baker asked the committee to introduce themselves to the council. John Harcourt, New Castle Cub Scouts. Mr. Harcourt told the council that he was something of a marketer by trade, and enjoyed marketing ideas and bring suggestions to the forefront and win approval for them.

Terri Knobb, New Castle Chamber.

Loran Randles. Mr. Randles told the council that he and his wife Sue had been in New Castle for eight years, and were impressed at what the town had accomplished. He was particularly impressed with the volunteerism in town, and they were volunteers and were happy to be on the committee.

Dave Reynolds. Mr Reynolds said he worked for the town and was an Elder at New Hope Church. He said he was happy to participate in the committee.

Mark Bintliff, Pastor of New Creation Church. Pastor Bintliff said he had been in the area for twenty-five years, and had many parishioners that lived in New Castle.

Lee Price, Founder of the River Center as well as an Elder at River Churches. He said he loved New Castle and its people, and wanted to help. He said he wanted to understand

what was most valued in New Castle, and how key people could be brought to the table for help and support.

Administrator Baker asked that the committee speak about the process they used and the connection between core values and the use tax, as well as what they saw as important for the future.

Mr. Harcourt said the group considered the potential budget shortfall created by the drastic reduction in oil and gas severance taxes paid to the town. He described how the vehicle use tax was collected, and noted that New Castle was the only municipality in Garfield County that did not have a vehicle use tax. Mr. Harcourt stated that a vehicle use tax had been on the ballot some years ago, but it had not been presented well, and there was also no support group. He felt that with a group to support the ballot issue was more likely to be approved by the voters.

Ms. Terri Knobb said that she had been in New Castle eight years, and had been involved with many things. She said she had asked council many times for funding, and had never been turned down. Ms. Knobb said she was a frugal person and not a fan of tax increases, but she also knew there were a lot of people who were passionate for New Castle, and wanted to do a lot of things for the town. The bottom line was always money. Ms. Knobb said she knew how gracious the council was and how much they do for the town, and she did not want that to go away. Ms. Knobb said she was happy to go out and push support for the vehicle tax to keep the momentum in New Castle going.

Mr. Randles said one of the starting points to the committee discussions was determining as a group what they liked and valued about the town. The committee identified five primary values: safety, family, recreation and volunteerism. The fifth was broadcasting the message about who or what New Castle was; how it would grow and what kind of town New Castle wanted to be. Mr. Randles said how the town grew was important because it shouldn't be random growth. It should be growth because New Castle had attracted people who believe in what New Castle believed in, and supported the town values. He felt approaching the tax issue should be approached based on the identified values.

Mr. Harcourt agreed. New Castle had been voted the safest town in Colorado, yet that was not being marketed in any way. People should know, perhaps a sign that said "Welcome to New Castle, the Safest Town in Colorado". Mr. Harcourt said that the vehicle tax would help fund things like a sign. The money from the vehicle tax could fund groups and projects, freeing the town budget to accomplish necessary town projects.

Councilor Russi asked what the committee would be telling the constituents about the vehicle use tax.

Pastor Bintliff said that the committee established their position on what they felt were the core values of New Castle. He felt that if value could be projected to people, they were more willing to give of their time, attention and resources. He felt that was evident in the volunteerism in New Castle. Pastor Bintliff said the group spent some time envisioning what the town was now and what it will be in the future that would bring people and revenue into the community, based on the town's core values. Pastor Bintliff said that talking about taxes was easier because it was connected to something the people valued.

Mr. Randles said that an example of a need was all the new trails in town. Those trails were going to require maintenance and the tax could provide a revenue for that. He said those were the types of things they could tell people and families, the things that benefitted them. He felt that if they could connect with enough people perhaps they could influence them to show up and vote. Mr. Randles said that the ballot language was crafted in a way that described to people what specifically the money would be used for. He also felt that it would be a good thing if the town communicated to the people in town that the thing they were enjoying was paid for by the use tax.

Mr. Harcourt said signs similar to the ones put up by the FMLD that said 'this project paid for in part by the vehicle use tax'. Additionally he thought volunteerism should be recognized with signage that said something like "This trail was built by 847 volunteer hours. Thank you".

Ms. Knobb felt that the volunteerism should be shared so the people understood how much time volunteers put into trails and flowers and many other things. She felt it was important that the whole community understood. She also felt that the people chosen for the committee were the best people that could network and have meetings and help the community understand that the volunteerism needed to be sustained and grown to continue to develop New Castle.

Mayor A Riddile thanked the committee for their dedication to the tax issue. He also thanked Administrator Baker for his time and effort. Mayor A Riddile said that it was a remarkable situation in which the committee was proof of the volunteerism in New Castle, and he expressed his appreciation for their efforts.

Councilor Hazelton asked what other municipalities recently approved a use tax.

Councilor Leland said he understood there were only three municipalities in all of Colorado that did not have a vehicle use tax, and New Castle was one.

Mr. Harcourt said that he thought the way it was presented made the difference. If it was presented as an uncollected purchase tax that was due, and that New Castle was one of only three in the state that did not have the use tax, and the town needed their fair portion of the uncollected taxes. He said to earmark the funds to the New Castle core values was key.

Mr. Price said it would be very helpful if there were a revenue source to assist the volunteerism projects, keep them going and perhaps increase them.

Councilor Russi said that the argument could be that if New Castle was the safest town on the western slope and there was so much volunteerism and the tax was not being collected, why does it need to change now.

Mr. Reynolds said it was more the loss of revenue by not collecting the tax. He said that one of the reasons the committee was formed was to address that loss of revenue.

Collecting the use tax would keep the town budget on an even plane and prevent the loss of any project or support that the town was currently providing.

Councilor Leland stated that the council funded a health and welfare line item every year in the budget. Years ago, that fund had \$20k in it. When the recession hit, that fund was reduced to about \$8k. That fund was one place that the vehicle use tax money could go so that the council had more money to support volunteer groups and projects. It was another way the committee could help the public understand how the loss of oil and gas money had negatively affected the town, and where the use tax money could be effectively utilized.

Councilor Russi said that the graphs on page three and four of the report were good tools to use as well.

Councilor Owens commented that New Castle was in a unique position that there were so many volunteers that they wanted more resources to do more projects. He felt it was more common that there were never enough volunteers.

Councilor Leland suggested that police vehicles be listed, because everyone understood the cost of vehicles, and that would help justify the estimated amount of use tax that would be collected. He also felt that planning for a field house was a one-time expense, and thought other language could be used to better describe the expenditure. Last, he felt that expansion of the town economy would not be important to people, because they were more concerned that it met their family needs.

Mr. Price said that the reason they used the work planning was because they did not want to mislead people into believing a multi-million dollar facility could be built with tax incomes, but they would consider another word.

Mayor A Riddile asked when they needed to make a decision about the ballot language.

Administrator Baker said they would bring the ballot language back at the September 5 council meeting, which would be the last day that the council would be able to decide.

The language needed to be to the county by September 8.

The council and the committee discussed the value of communicating the item to the people, and agreed that public meetings were likely the best way. They also agreed that it needed to be clear what the funds would be spent on, because the voters would probably not vote for it if they did not understand how the funds would be put back into the community.

Administrator Baker said that the committee needed to hear from the council if they should move forward with the amendments. The language would then go to the town attorney who will write a resolution, and then the council could further consider it at the September 5 council meeting.

Mayor A Riddile thanked the committee again for all their hard work.

The council directed the town staff to develop a resolution for consideration at the next council meeting.

### **Consider Selecting a Name for the Lakota Sports Park**

After a brief discussion, Mayor A Riddile suggested that the council members give the item some thought, and they could discuss it at the next council meeting. The council agreed.

The item was tabled until the September 5, 2017 council meeting.

### **Solar Garden Discussion**

Councilor Russi introduced John Sullivan of Microgrid Energy, Denver. Councilor Russi said that there were two organizations out of Denver that had been awarded capacities from Xcel Energy for Community Solar in and around Garfield County. He felt that Mr. Sullivan could explain the project better.

Mayor A Riddile clarified that the community solar was for the Town of New Castle facilities, not businesses or residents. Mr. Sullivan said that was correct, that it would be a solar subscription on meters on properties owned by the Town of New Castle.

Mr. Sullivan did a power point presentation for the council that described the company that he worked for and the solar garden subscription program. The council thanked Mr. Sullivan for his presentation and discussion.

**Councilor Russi made a motion at 8:35 p.m. to go into Executive Session (1) to discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property interest under C.R.S. Section 24-6-402(4)(a); and (2) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) and concerning town-owned property. Councilor Scott Owens seconded the motion and it passed unanimously.**

Executive session concluded.

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

"The time is now 9:09 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Metzger, Owens and Hazelton; Mayor A Riddile; Councilors Leland and G Riddile; Deputy Town Clerk Andis, Town Administrator Baker and Town Attorney Carmer. 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**

Resolution TC-2017-13 – Authorizing the November 2017 Coordinated Election Ratification of Council Motion to Approve Authorization for the Mayor to sign a lease with CDOT for the Kamm Lot lease.

Thank you letters to BOCC and Rocky Mt. Youth Corps

Resolution TC-2017-14 – Supporting an FMLD Grant Application for Lakota Sports Park

Resolution TC-2017-15 – Supporting an FMLD Mini Grant Application for Community Center Improvements

Resolution TC-2017-16 – Supporting a Historic Society & Museum Ballot Question

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

### **Staff Reports**

Town Administrator – Administrator Baker told the council that on October 16, at 11:00 a.m., CDOT would make their annual report to the Garfield County Commissioners, and all the communities were invited. He said he would attend.

Town Clerk – Deputy Town Clerk Andis told the council that the Colorado Municipal League Policy Committee was looking for a council member to attend their meetings. They will be held in Denver October 13, December 15 and February 16.

Town Planner – not present

Public Works Director – not present

### **Commission Reports**

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Climate Action Advisory Committee – nothing to report

Senior Program – Councilor Metzger said that Senior Programs would be meeting by telephone through October.

RFTA – Mayor A Riddile said that at the RFTA meeting they had a discussion about prohibiting e-bikes on the Rio Grande Trail. Class 1 and 2 E-bikes were approved on the trail between Glenwood Springs and Carbondale.

AGNC – nothing to report

GCE – nothing to report

BEWG – nothing to report

### **Council Comments**

Councilor Owens asked if one more player was still needed for the Titan Golf Tournament. Deputy Clerk Andis said that there were two complete teams. There was an additional person who wished to play, so three more would be needed to complete the team.

Councilor Metzger reminded the council that the symphony would be playing in New Castle in October. She asked how much the town was giving to them. Councilor Russi said that the town was giving \$500. \$400 would go for rent, and \$100 for programs. Administrator Baker told the council that Councilor Metzger had received some e-mails that illustrated an ongoing problem in Lakota. He read the e-mails that indicated that Warrior Golf had eliminated community participation such as the ladies and youth groups. Mayor A Riddile pointed out that they were hosting the Titan Golf Tournament. The council agreed that the issue was not a council issue, it was the customer's problem to address. Councilor Metzger offered to try to speak to Warrior, and Councilor Leland said she could do it as a private citizen, but not as a council representative because the council did not have any authority over the golf course.

The council briefly discussed issues related to recreation in the county.

Councilor Metzger asked the council if it was okay for her to speak with Warrior. The council reiterated that she could as a citizen, not as a council representative.

Councilor Metzger said that she did not understand the conversation with Attorney McConaughy at the previous council meeting about speaking to developers. She asked if that meant she could not speak to Steve Craven. Councilor Russi said he was the one who had asked about developer relations, and specifically in regard to Steve Craven because he wanted to know when the council members' role became quasi-judicial. He noted that Attorney McConaughy said the council took evidence in public hearings.

Council members cannot make up their minds before the hearings or interact with the developer before the hearings, because the hearings were where all the evidence was supposed to take place. The reason for that was that there might be people who were against a proposal, and those people should have equal chance to present their case as does the developer/applicant. Councilor Russi's question to Attorney McConaughy was on what date the council member's role became a quasi-judicial role. Attorney McConaughy said that if there was a sketch plan, the council was then quasi-judicial, and they could not speak with a developer about their application with the town. That conversation must then take place in a publically noticed council meeting. Councilor Leland said that up until sketch plan, councilors could speak informally to applicants and after could not. Councilor Russi said that a sketch plan application made it clear there was an application that would be heard by council, and a sketch plan application made it clear. Councilor Metzger said that the town had received a sketch plan from Mr. Craven. Councilor Russi said that they had gotten one from Jim Columbo as well. He said that councilors could talk to developers about bowling or anything else, but not their development applications unless it is in a noticed public hearing.

Councilor Metzger asked if there was any sign on the parking lot near 2 Coronas that indicated the public could use it. Administrator Baker said staff will be placing a sign, it just hadn't been done yet.

Councilor Metzger asked what was happening with Lakota Ridge Senior Housing. Administrator Baker said it had been sorted out earlier in the day. The building permit would be ready, and the project will begin soon.

Councilor Metzger said that she felt that the council should be informed of all the building projects that are on the books, all the developers and what plans they had. Councilor Russi said that was what the process was for, and that a developer did not need to tell the town anything at all until they were ready to submit a sketch plan. Administrator Baker said that if he heard of things, he included them in his weekly report.

Councilor Metzger said she thought a date should be set for the Christmas party. Councilor Metzger said she held a dinner party and invited some new residents, and they told her that they loved New Castle except for how dirty it was from the highway. Administrator Baker said that P&Z was working on the issue.

Councilor Metzger asked what it would take to get your name in the business directory. Councilor Leland said a person had to complete a business license application, which was free.

Councilor Leland said that the business directory will be given out in the welcome packet that the Chamber does, and the rest will be available at the town hall. Councilor Leland said that staff would be submitting a mini-grant application for the community center front-room remodel. He drew a map of how the plans were originally done, and noted that the conference room was too small, and there were issues with air circulation. He redrew the plan to show the council how it had been modified. Councilor Leland thanked Mayor A Riddle for being a great ambassador for the town because he was always involved. He represented New Castle at many occasions. Councilor Russi said that he met with Glenwood Springs City Manager Deb Figueroa and she had been impressed with the bike rack presentation.




Mayor A Riddile said that a while back he and Administrator Baker met with Deb Figueroa and Mayor Gamba to discuss collaborative ideas between the two towns, such as affordable housing, co-marketing, mountain biking and the LoVa Trail. He said it was a good step forward. He said that the New Castle and Glenwood Springs Council would be meeting after the first of the year to get to know one another and to collaborate. Mayor A Riddile said another item they had discussed was not being competitive in going for similar grants. Mayor A Riddile said that Attorney Carmer had talked about the annexation of CR 335, which would include renaming it since it would not be a county road any longer. Something he wanted the council to keep in mind. Mayor A Riddile thanked the council for the time and effort they put in.

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

The meeting adjourned at 9:50 p.m.

Respectfully submitted,

  
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Mayor Art Riddile

  
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Town Clerk Melody Harrison, CMC

