

**New Castle Town Council Meeting
Tuesday, January 17, 2017, 5:30 p.m.**

Call to Order

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

Pledge of Allegiance

Roll Call

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

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Police Chief Tony Pagni, Assistant Town Attorney Haley Carmer and members of the public.

Meeting Notice

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

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

Clerk Harrison told the council that the proclamations honoring the cub scouts and cheer team had been removed from the agenda the previous day because neither group was able to attend the meeting. Unfortunately, she had run into an issue with the town website and the changed agenda had not updated until that morning.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – not present
Consultant Engineer – not present

Items for Consideration

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Councilor Leland made a motion at 5:33 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 A Riddile 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 6:17 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; Town Clerk Harrison and Town Administrator Baker. 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.

Public Safety Committee

Police Chief Tony Pagni reviewed the 2016 incident report with the council, noting that over that past several years the traffic stops had been reduced by about half. Chief Pagni said that the officers were spending more time in face-to-face interactions with citizens than they were making traffic stops. Administrator Baker said that the council's direction for community policing were evident in the reduction of traffic issues in town. Chief Pagni told the council that New Castle had been rated the fourth safest city in Colorado. He also noted that there had been a recent increase in homeless persons in town and they were working with the River Center and other organizations to help provide assistance. Chief Pagni said they had been working with the schools on their lockdown/lockout policies and procedures, as well as training for lockdown/lockout and crossing guards. He said that the Junior Academy had sixteen students graduate the program the previous year, and he hoped to start up the academy in the following school year.

Chief Pagni said that the department continued to work with JKA Group on organizational development. He also told the council that Officer Chuck Burrows had accepted the position of Sergeant, and that he was considering Officer Brian Dominguez for the position of Corporal. Chief Pagni said that he was in the midst of a hiring process, and that he had several candidates to consider. Although the department was short one officer, they were in no hurry to fill the position because it was more important to hire someone who fit the department well.

Administrator Baker told the council that staff and the police department were working with Ms. Rosie Ferrin as necessary to implement the clean up of her property.

He said that Ms. Ferrin asked him to write a letter to the tenants in the building explaining what the clean-up goal was and he agreed to write the letter. She also asked if Chief Pagni would send Officer Dominguez out to red tag the vehicles that need to be removed. Administrator Baker said he would offer to provide a dumpster if it was needed. He told the council that as long as there was progress being made on the clean up, there would not be further enforcement action.

Chief Pagni updated the council on calls for service in the downtown area, noting that there had been 59 calls for Chapman's Pub in the past twelve months, and 7 calls for the Black Dog Saloon during the same time period. There had also been an issue with garbage from the pub collecting in the alley behind the establishment.

Chief Pagni summarized the various equipment upgrades accomplished in 2016 through grants from the GFMLD and the county commissioners, which included new radios and several vehicles. Administrator Baker and Chief Pagni said they would be reviewing the various grants available in 2017 for vehicles because the department needed probably four more.

Chief Pagni said that his department was actively involving itself in the community with the schools and charitable organizations, and he was serving on the Garfield County Communications Board. He was also an instructor at the law enforcement academy at Colorado Mountain College, and the assistant director of the academy, Stuart Curry, was a part-time officer for New Castle. Chief Pagni said he instructed at the academy, and in return, Stuart Curry provided training for the department and the trade reduced overall training expenses while keeping the officers up to date on their Colorado Peace Officer Standards Training (POST) certifications. In addition, Chief Pagni applied for and was awarded \$13k in grant funds from POST for officer training in 2016, and intended to apply again in 2017.

Mayor A Riddile told Chief Pagni and the council that the morale of the police department was as high as he had ever seen it, and although it could be a challenge to maintain that, he had confidence in the department's efforts. He felt the police department was the best he had seen in his twenty-four years living in New Castle. The council and Chief Pagni discussed the incident report as well as the problems in the downtown related to pedestrians, crosswalks and vehicles that do not stop. The council thanked Chief Pagni.

Award for Officer Chuck Burrows

Mayor A Riddile said that the council was honored to recognize exemplary service from Officer Chuck Burrows, and asked Chief Pagni to explain. Chief Pagni told the council that his department was fortunate to have Officer Burrows, and that Officer Burrows had accepted the position of Sergeant. Chief Pagni gave Sergeant Burrows his brass sergeant pins.

Chief Pagni said that Sergeant Burrows had been nominated for a lifesavers award, and upon research, found that his extraordinary actions qualified him for an award for valor.

Officer Dominguez explained the situation that had taken place, and the actions of (then) Officer Burrows that saved the life of a man who most certainly would have died. The council congratulated Sergeant Burrows.

Councilor Leland told the members of the police department that were in the audience that the council appreciated each of them for the great work they do.

Mayor A Riddile asked Stuart Curry to introduce himself to the council.

Stuart Curry, Assistant Director of the Police Academy at Colorado Mountain College, Spring Valley Campus. Mr. Curry said he was working part-time for New Castle PD, and had been fortunate to witness first-hand the amazing transformation of the department over the past few years, and he was proud to be part of it.

Councilor Hazelton thanked officer Dominguez for his part in saving the motorist's life because it was certainly a team effort.

Consider Ordinance TC-2017-1, an Ordinance of the New Castle Town Council Granting by Franchise to Public Service Company of Colorado d/b/a Xcel Energy, its Affiliates, Successors, and Assigns, for a Term of Twenty (20) Years, the Right to Use the Streets Within the Town to Furnish, Sell, Transmit, Transport and Distribute Electricity and Natural Gas to the Town and to all Residents of the Town, Granting the Right to Acquire, Construct, Install, Locate, Maintain, Operate, and Extend Into, Within and Through the Town All Facilities Reasonably Necessary to Furnish, Sell, Transmit, Transport and Distribute Electricity and Natural Gas Within and Through the Town and the Right to Make Reasonable Use of All Streets and Other Public Places and Public Easements as Herein Defined as May be Necessary, and Fixing the Terms and Conditions Thereof, Including the Payment to the Town of a Franchise Fee (second reading)

Administrator Baker explained to the council that the ordinance was at second reading for the franchise agreement. Ms. Kelly Flenniken was present and updated the council on the LED light program. A number of complaints had been received at the town and after a brief discussion, Ms. Flenniken agreed that lower wattage bulbs could be installed. She said she would check with the contractor doing the work to find out when they could return to New Castle to replace the bulbs with lower-wattage ones. The council agreed that the bulbs were too bright, and felt replacement would be necessary.

MOTION: Councilor Leland made a motion to approve Ordinance TC-2017-1, an Ordinance of the New Castle Town Council Granting by Franchise to Public Service Company of Colorado d/b/a Xcel Energy, its Affiliates, Successors, and Assigns, for a Term of Twenty (20) Years, the Right to Use the Streets Within the Town to Furnish, Sell, Transmit, Transport and Distribute Electricity and Natural Gas to the Town and to all Residents of the Town, Granting the Right to Acquire, Construct, Install, Locate, Maintain, Operate, and Extend Into, Within and Through the Town All Facilities Reasonably Necessary to Furnish, Sell, Transmit, Transport and Distribute Electricity and Natural Gas Within and Through the Town and the Right to Make Reasonable Use of All Streets and Other Public Places and Public Easements as Herein Defined as May be Necessary, and Fixing the Terms and Conditions Thereof, Including the Payment to the Town of a Franchise Fee on second reading. Mayor A Riddile seconded the motion and it passed on a roll-call vote: Councilor G Riddile: yes; Councilor Hazelton: yes; Councilor Owens: yes; Councilor Russi: no; Mayor A Riddile: yes; Councilor Metzger: yes; Councilor Leland: yes.

Kamm Property Update

Administrator Baker told the council that the subcommittee had been in discussion with the proposers for a project on the Kamm property. He said an impasse had been reached, and it may be prudent to list the property on the market and see what offers may come in. He said that the council had some specific goals related to the property use, and it had not been their desire to sell it and have the property sit unused.

Administrator Baker said that the town attorney felt the property could be listed for sale with certain conditions, such as requiring new business to be brought in and that construction must occur within a particular timeframe. There could be incentives as well. Such conditions would ensure that the town got the use they wanted if the property sold.

Administrator Baker said that the staff recommendation was to consider a six-month listing. Alternatively, the council could wait and see what happens with the interest that seems to be out there.

The council discussed the options at length, and decided that the original RFP should be redistributed to include specific interests such as microbrewers or boutique sports shops. In addition, Administrator Baker would speak to the original proposer and ask them to make a definitive proposal. He would also speak to other developers that he knew had an interest in developing in New Castle.

Follow-Up Discussion – Retreat Topics & Prep for Comprehensive Plan Discussion with P&Z

Administrator Baker told the council that they had been invited to attend the January 25, 2017 Planning & Zoning meeting to discuss the comprehensive plan. The council and Administrator Baker discussed the topics as outlined at the council retreat in October 2016. They included Managed Growth, Creating New Revenue, Impact Fees & Development Exactions, Affordable Housing, Building the New Castle Economy and the Downtown as a Key Feature of New Castle. The council and Administrator Baker discussed each item at length in preparation for the comprehensive plan meeting with P&Z. Administrator Baker also outlined how that meeting would proceed. The council agreed that they should probably have two council members on the comprehensive plan committee once it got started.

Prep for Joint Meeting with Garfield County Commissioners

Administrator Baker told the council that the council's annual meeting with the Board of County Commissioners was on February 7, 2017. He suggested that one or two items for discussion was a good idea. He noted that the list of grant funds he gave them was incorrect and noted the correction. He felt that it would be important to thank them for the \$4 million dollars they had given the town in the past four years. Administrator Baker and the council discussed how they would proceed with the commissioners.

Consider Ordinance TC-2016-9 – An Ordinance of the New Castle Town Council Amending Sections 10.16.070 and 12.12.050 of the New Castle Municipal Code (second reading)

Clerk Harrison told the council that the first reading of the ordinance had been on December 6, 2016, and was modifying the municipal code regarding the Model Traffic Code penalties.

MOTION: Mayor A Riddle made a motion to approve Ordinance TC-2016-9 – An Ordinance of the New Castle Town Council Amending Sections 10.16.070 and 12.12.050 of the New Castle Municipal Code on second reading.

Councilor Metzger seconded the motion and it passed on a roll-call vote:

Councilor Owens: yes; Councilor Metzger: yes; Councilor Leland: yes;

Councilor G Riddile: yes; Councilor Hazelton: yes; Councilor Russi: yes; Mayor A Riddle: yes.

Consent Agenda

Minutes of the November 15, 2016 council meeting

Minutes of the December 6, 2016 council meeting

Minutes of the January 3, 2017 council meeting

Spirits of New Castle Retail Liquor License Renewal

Lakota Canyon Ranch Recreation Center Optional Premises Liquor License Renewal

Lakota Canyon Ranch Golf Course Optional Premises Liquor License Renewal

Agreement with CVR Investors Regarding Deposit Refund

MOTION: Mayor A Riddle made a motion to approve the consent agenda.

Councilor G Riddile seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – Administrator Baker told the council that there had been a pre-application meeting with Beckley for four acres of the Kuersten property. Alpine Bank had earmarked \$20k for New Castle and want a project with an environmental focus. He asked the council to let him know if they had ideas for a project. He said that the planning department had received two building permit applications. Administrator Baker reminded the council about the January 25 combined meeting with P&Z to discuss the comprehensive plan. Last, Administrator Baker passed out information to the council about Mr. Shrull's proposal for the Kamm lot property.

Consider Employment Agreement with Lyle Layton

Finance Director Lyle Layton arrived at 9:05 p.m. He passed out a revised employment agreement to the council and a proposed policy for telecommuting. He reviewed some of the changes in the agreement with the council. Administrator Baker said the Town Attorney had reviewed the agreement as well. The council suggested that the Mayor should sign the agreement because Director Layton technically worked for the council, not for the Administrator.

Director Layton thanked the council for the opportunity to work remotely, and said he would do everything he could to make it successful.

MOTION: Councilor Leland made a motion to authorize the Mayor to sign a telecommuting agreement between the Town of New Castle and Finance Director Lyle Layton. Councilor Owens seconded the motion and it passed unanimously.

Town Clerk – Clerk Harrison told the council that because they had renewed their sponsorship of the Coal Ridge Booster Club, they had sent the council some Booster Club Titan Bucks to be used at school events. There was also information about what the booster club did with the funds they received. Clerk Harrison said there were flyers out about the New Castle Trails Movie Night and that they would be serving beer. The group had applied for their special event liquor license, but the application would not come to the council until February 7. Clerk Harrison said she had received a modification of premises for the Lakota Clubhouse, and that would be coming to the council soon. Last, Clerk Harrison said that she and Deputy Clerk Andis would be attending a liquor licensing class on Monday January 23 that was being conducted by Liquor Enforcement on the new rules that came out of the most recent legislative session.

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 – nothing to report

RFTA – Mayor A Riddile said that RFTA was working on an access control plan, and New Castle would not be able to vote on it because they were not adjacent to the right of way. He also said that ridership on the Hogback Route was up 10% in 2016

AGNC - nothing to report

GCE – Councilor Leland told the council that GCE was looking for proposals for a bulk purchase of electric vehicles. He also said that there would be a workshop on alternative power sources March 3, 8:30 a.m. to 2:00 p.m.

BEWG – Councilor Russi said that the Built Environment Working Group would meet Thursday

Council Comments

Councilor Leland said both the Rankins would attend the Founders Day celebration, weather permitting since they had to drive from the Front Range. Joyce Rankin will address education issues on western slope and Bob Rankin will talk about the legislature.

Councilor Leland showed the council the Post Independent article on Museum on the Street. The Council thanked Kara Warby for writing the article.

Councilor Russi thanked Deb Nichols for grant documents.

Councilor Metzger said there was a new assistant minister at New Hope Church whose name was Cody Falk. The Church would like to find projects to help the town, and she suggested that the church take over decorating Burning Mountain Park for the holidays. Councilor Russi said he would like to see New Hope encourage music in their venue.

Councilor Metzger said she agreed.

Councilor Owens said there were some changes in health care coming and they could negatively affect the residents. Mountain Family Health's Director of Capital Development would like to speak to the council about the issue on February 7.

Administrator Baker said it would be added to the agenda.

Councilor Owens asked about the policy change related to water leaks and how that had been received. Clerk Harrison said it had gone very well, explaining that the seven or eight people who it affected were delighted, and that it had been a great customer service experience for her department.

Councilor Hazelton said that he and Public Works Director John Wenzel had met at the museum to determine what repairs his department could make to the building, and the museum staff was very excited about it.

Mayor A Riddile thanked Councilor Metzger and her husband Larry for the great job done on the Mayor's photographs.

Mayor A Riddile told everyone that on Thursday at 6:00 p.m. there would be a Sports Park meeting at the Town Hall, and he encouraged the council to attend and voice their opinions.

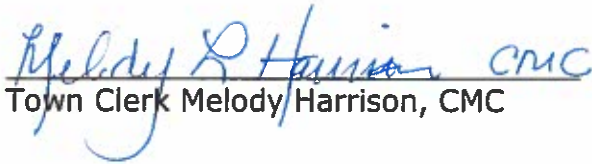
MOTION: Councilor Russi made a motion to adjourn. Mayor A Riddile seconded the motion and it passed unanimously.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,



Mayor Art Riddile



Town Clerk Melody Harrison, CMC

