

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

Call to Order

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

Pledge of Allegiance

Roll Call

Present	Councilor Metzger Councilor Hazelton Mayor A Riddile Councilor Russi Councilor Leland Councilor G Riddile
Absent	Councilor Owens

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Accounting Assistant Debbie Guccini, Town Planner Tim Cain, Town Attorney David McConaughy and members of the public.

Town Clerk Melody Harrison told the council that Councilor Owens had requested his absence excused.

MOTION: Mayor A Riddile made a motion to approve Councilor Owen's absence. Councilor G Riddile seconded the motion and it passed unanimously.

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

Councilor Hazelton told the council that he was the applicant for item C, the Request for a Private Road, and would recuse himself from council and sit as the applicant for the discussion. The council agreed.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – Town Attorney David McConaughy told the council that the reason the Town of New Castle could not vote on the RFTA Access Control Plan for the

trail corridor because the current master plan for the trail said that the plan could only be changed by a unanimous vote of the original RFTA members. Those members were the members of the predecessor entity called the Roaring Fork Railroad Holding Authority, who helped pay to acquire the trail, and they made the deal with Great Outdoors Colorado. All took place before New Castle was involved. Attorney McConaughy said he felt that New Castle should be able to vote as part of the RFTA board and that the original members basically had veto power. Attorney McConaughy said that he felt New Castle should be able to vote, regardless of the fact that they did not have veto ability. The council agreed that they were okay with a symbolic vote.
Consultant Engineer – not present

Items for Consideration

Proclamation Honoring the Coal Ridge Cheer Team

Mayor A Riddile said that the Coal Ridge Cheer Team had won the Colorado High School Activities Association 3A Cheer championship. It was the first time they had won at state championships, and the community was very proud of them. Mayor A Riddile read the proclamation into the record.

The council thanked the Cheer Team and congratulated them on their extraordinary achievement.

Consider Request from Molly Mogavero for Town Property Lease

Ms. Mogavero greeted the council. She said that she and her husband, Jeff, intended to reopen their restaurant, and were preparing to apply for their liquor license. She said they would like to serve alcohol at the small tables that were on the sidewalk in front of the restaurant which would require a lease of the property from the town. Ms. Mogavero said that they needed sixty square feet of sidewalk in a lease, and requested that the council consider waiving any lease fees as a business incentive. The council said that there would need to be pedestrian access along the sidewalk, and Ms. Mogavero said there would be. The council discussed with Ms. Mogavero how the area would be controlled, and she said they intended to use theater roping around the area as a barrier, and that they would be providing table service, rather than counter service, so the tables would be monitored all the time.

Attorney McConaughy said that because the space was town right-of-way, the document would need to be a license instead of a lease.

Clerk Harrison said that liquor laws required contiguity between the licensed premises inside and outside the building, so an additional 25 or 30 square feet would be needed in the license to include the ROW in front of the restaurant doorway.

MOTION: Councilor Russi made a motion to approve a license agreement with EAT Bistro & Drinks for the area of ROW outside the restaurant, and; to waive any attorney fees; and to require a license fee of \$1.00 per year; and authorizing staff to complete and the mayor to sign the license agreement. Mayor A Riddile seconded the motion.

Discussion: Councilor Metzger asked if the bakery would stay. Ms. Mogavero said they would not, that the bakery's lease would end in August. Councilor Metzger asked of

alcohol would be served inside the restaurant as well as outside. Ms. Mogavero said yes.

The motion passed unanimously.

Consider Hazelton Request for Private Road

Councilor Hazelton recused himself at 7:22 p.m. and sat as the applicant for the discussion. The council agreed.

Attorney McConaughy told the council that the P&Z had approved a lot line adjustment for Mr. Hazelton to convert nine existing lots into a reconfiguration of five new lots. For clarification, the application was not technically a subdivision because it did not create any new lots. The improvements for the lot line adjustment included installation of a fire hydrant, the extension of a six-inch water line, and a provision for connecting a forced-main sewer line to the sewer service main line. On the property an access road existed that was not improved to town standards, and the question was whether the access road that served the five lots should be a dedicated public street. If the application were for a subdivision, the code would require the road to be a dedicated public street. The effect of approving the plat would be to allow the sale of the five lots without access to a public street. When homes are built on the five lots, the concern will be how the town would ensure the public improvements were constructed. Because the application was not a subdivision, there would not be a security deposit for public improvements that could be used for the town to construct the improvements should they not be completed by the applicant.

The P&Z approved the access road as a private road with the condition that the town would hold certificates of occupancy and building permits until there was a provision for the improvements to be built to the town's engineering standards. It created a small risk that the cost of the improvements may end up the responsibility of the first person who applied for a building permit.

Attorney McConaughy said that one condition in the P&Z resolution approving the application was that the council must ratify two items: 1. Allowing the road to remain private; and 2. That no public improvement security would be required before the plat could be recorded. He clarified that the council decision was not a public hearing, they only needed to make a motion. He also said that the P&Z felt that requiring a publically dedicated road and security would be restrictive enough that the applicant would not perform those items prior to selling lots. Because they were not technically required for a lot line adjustment under the code, P&Z felt it would be acceptable, but wanted the council to concur.

Mr. Hazelton told the council that there would be a road maintenance agreement on the five lots that would guarantee the road would remain in good condition.

Councilor Leland said that a road maintenance agreement would normally be administered by an HOA, and he asked how that would be handled. Mr. Hazelton said he was in contact with someone who had done such agreements before and there would be a formality regarding the road maintenance. Attorney McConaughy said that the P&Z did impose a condition that that there would be either an HOA or a recorded agreement that would be recorded at the same time as the plat, and that the town attorney would review and approve the plat and agreement.

Mayor A Riddile asked if everything had been approved by the P&Z, and Attorney McConaughy said that it had been approved, and that he only needed a motion of approval by the council.

MOTION: Mayor A Riddile made a motion to approve Planning & Zoning Resolution PZ 2017-2, A Resolution of the New Castle Planning & Zoning Commission Approving a Multiple Lot Line Adjustment for Certain Lots and Blocks of the Coryell Addition to the Town of New Castle and an Amended Plat for the Same. Councilor G Riddile seconded the motion.

Discussion: Councilor Metzger said that she thought it would be helpful in future applications to see a drawing. Councilor Russi said that there was a plat in the application. Town Planner Tim Cain showed the council a large plat and he and Mr. Hazelton described where the property was located.

The motion passed unanimously.

Councilor Hazelton returned to the dais at 7:34 p.m.

Discussion: Existing Business Incentives

Administrator Baker said the discussion was a continuation of earlier conversations on how the town could provide incentives for existing businesses to assist them to operate, continue, or expand their business. When there was new development, the town often waived fees or provided tax increment financing. The council had also approved deferred tap fees, and for the new senior housing, there had been significant effort to incentivize. He said that for existing businesses there was not much in the way of incentives, and the council had previously stated they wanted to hear from the businesses what would work best for them. Administrator Baker said he had contacted Ms. Sue Ruggles, Terri Knobb with the Chamber, and several business owners to help brainstorm ideas.

The council and staff and community members discussed various ideas including waived sign fees, waived licensing fees for outdoor seating for restaurants, waived permit fees, deferred tap fees, more town events with more advertising, art walks, the return of the Ghost Walk, economic development grants, referral services for business loans, incentives and assistance, additional wayfinding signs directing people to the downtown, and broader marketing of New Castle and its businesses.

The council also talked with Cori and Jen Gerstner who owned Burning Mountain Bakery, about options for where they could relocate their business since they would need to move.

The council agreed that incentives for existing businesses were likely to be on a case-by-case basis because each business had different needs. They also agreed that further discussion was needed.

Administrator Baker said he would speak to other businesses and developers and bring more information to the council at a future date.

Consider Funding Request for Lobby Upgrades

Clerk Harrison explained that in an effort to improve her department's customer service, she had considered that improvements to the lobby area might create a more inviting atmosphere. She said that she and Councilor Metzger had discussed the idea

several weeks earlier and had agreed that several things could happen. Those included fresh paint and refinished bathroom doors, removal of the window at the front desk, more organized placement of photographs and brochure holders as well as new shades on the west windows in the stairwell. Mayor A Riddile suggested that new shades be purchased for council chambers as well.

MOTION: Mayor A Riddile made a motion to approve \$4,500.00 for improvements to the town hall lobby area. Councilor G Riddile seconded the motion and it passed unanimously.

Recess Town Council Meeting, Convene as the Water & Sewer Enterprise

MOTION: Councilor Russi made a motion to recess the town council meeting and convene the water & sewer enterprise. Councilor Leland seconded the motion and it passed unanimously.

Consider Ordinance 2017 E -1 – An Ordinance of the New Castle Water & Sewer Enterprise Amending Section 13-16-020(H) Regarding Water Utility Charges (first reading)

Attorney McConaughy explained that the ordinance was in response to a council discussion that took place in December 2016 to provide a higher level of customer service as related to citizen utility accounts that experience water leaks.

MOTION: Councilor A Riddile made a motion to approve Ordinance 2017 E-1, An Ordinance of the New Castle Water & Sewer Enterprise Amending Section 13-16-020(H) Regarding Water Utility Charges on first reading. Councilor Hazelton seconded the motion and it passed on a roll-call vote: Councilor Russi: yes; Mayor A Riddile: yes; Councilor Leland: yes; Councilor Hazelton: yes; Councilor Metzger: yes.

Adjourn the Water & Sewer Enterprise, Reconvene as Town Council

MOTION: Councilor Leland made a motion to adjourn the water & sewer enterprise and reconvene the town council meeting. Mayor A Riddile seconded the motion and it passed unanimously.

Consent Agenda

Minutes of the February 21, 2017 council meeting

February Bills of \$869,278.71

New Hope Park Lease

MOTION: Councilor Leland made a motion to approve the consent agenda. Councilor G Riddile seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – Administrator Baker said that Public Works Director John Wenzel expected that the Lakota sports park would be under construction from mid-May through the end of July. The community market, utility bills and the newsletter

will be utilized for the naming contest. The council agreed they would not begin the naming contest until after ground was broken for the project. Administrator Baker said that he and Engineer Simonson had been in contact with Representative Tipton's office about the town's roundabout project, because Rep. Tipton's office was looking for an infrastructure project in the area, and County Commissioner Jankovsky directed him to New Castle.

Administrator Baker told the council he had attended the Clean Energy Conference on Friday, and there was discussion about whether the Coal Seam Fire could be a source of energy production. He said the Executive Director of Heat Is Power, Susan Brodie, was considering the idea.

Administrator Baker said that the \$10k in grant funds that the town had received from LiveWell would be used for the CR 335 crosswalk and trail project.

Administrator Baker told the council that he had put a brief memo in the packet about the pump track that explained there was \$3,500.00 in the budget for pump track maintenance. He said that staff had found a person in Carbondale that specialized in pump track maintenance and staff would like to hire him for the new pump track. In addition, he could assist the town when the jump line is constructed. Eventually the town staff and volunteers would learn how to maintain the tracks.

Administrator Baker said that very soon, Warrior would be requesting a certificate of occupancy for the clubhouse. There were outstanding bills that Warrior owed the town for legal and engineering, and they wanted a discount. The council agreed that discounting the fees was not acceptable, although the outstanding balances could be used as leverage for trails access on the Lakota property. Administrator Baker said he would speak with Walter Bolen.

Town Clerk – Clerk Harrison told the council that Councilor Leland had asked about the Garfield County Energy Resource Inventory, and she had located it one on the GCE website. Councilor Leland said that it was not the full report. Clerk Harrison said she would contact GCE. Clerk Harrison suggested that the council could consider promotional discount cards that are sold by the high schools to raise money. The card could include all the town restaurants or businesses, and any proceeds could go into the business incentives fund.

Town Planner – not present

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – Councilor G Riddile said that at the last P&Z meeting the commission approved the Hazelton Lot Line Adjustment.

Historic Preservation Commission – nothing to report

Climate Action Advisory Committee – nothing to report

Senior Program – nothing to report

RFTA – nothing to report

AGNC – nothing to report

GCE – Councilor Leland said that he and Mayor Riddile, Councilor Russi and Administrator Baker attended the CLEER Energy Resource Seminar and there was a lot of information provided. He felt that he needed direction from the council about what to do with the information.

BEWG – Councilor Russi said that the Needs Assessment needed updating and he asked the council to authorize himself, Director Wenzel and Administrator Baker to reprioritize the list and to add new items.

Council Comments

Councilor Metzger asked if staff had considered issuing an RFP for the town-owned lots. Administrator Baker said that the RFP had been sent to local developers, but if there was not any interest, it may require a more broad distribution. He said he had several meetings set up in the coming weeks, and would report to the council.

Councilor Metzger asked if the New Castle key rings were available for people to purchase, and where they were sold. Clerk Harrison said they sold them at the front window, as well as at events. Administrator Baker said that occasionally they were given away.

Councilor Metzger said that Founders Day was a phenomenal success.

Councilor Metzger asked when the Date Night event would be. Administrator Baker said it would be April 21, 2017.

Councilor Hazelton said that his restaurant gave discounts if patrons brought in receipts from other businesses in Rifle, which could be an idea for restaurants in New Castle. Councilor Hazelton also suggested that a mountain bike poker run may be a way to bring people to town.

Councilor Hazelton asked if the new sign had been placed in Breslin Park.

Administrator Baker said it had not, and the thought was to order it at the same time the sign for the Lakota Sports Park was ordered.

Councilor Hazelton said he would be absent from Council on March 21 because he would be on vacation.

Councilor Russi asked the council if they would allow him to extend an invitation to Symphony of the Valley to perform in New Castle at the new venue at New Hope Church. The council agreed.

Councilor Leland told council that the town had a Spellibration Team – Clerk Harrison, her son Jonathan, and Administrator Baker. The theme was circus; Administrator Baker would be a magician, Clerk Harrison his assistant, and Jonathan would be the rabbit in the top hat. The team name was The Magic Castle.

Councilor Leland said he had received a thank you from Rankins and he read it to the council.

Councilor G Riddile thanked Clerk Harrison and Administrative Assistant Debbie Nichols for their assistance with the New Castle Trails Movie Night that had been a great success.

Mayor A Riddile said that SGM had been surveying around the 105 interchange because CDOT was preparing for on and off ramp extensions. New Castle had been had been moved up the priority list for interchange improvements.

Mayor A Riddile said the Rocky Mountain Youth Corps would be funded by the Garfield County Commissioners to work four weeks on New Castle trails.

Administrator Baker said that he got a call from Mark Werthheim, the assistant director of Rocky Mountain Youth Corps. He said that there would be a grant opportunity in April that would provide five days of a maintenance crew of high school kids. He said that if the town could keep them busy, New Castle could have them. The


Youth Corps would cover the grant match. Administrator Baker told the council that he would like to donate \$500 to the Corps if the council agreed. He also said that he would check with Public Works Director John Wenzel to see if there was enough work for them, and if staff could provide a supervisor.

Councilor Metzger asked if anyone had heard from Rosie Ferrin. Administrator Baker said he had not, but it was probably time to speak with her again. He agreed that a deadline probably needed to be set. He would also offer her that the town would pay for a dumpster. Administrator Baker said he would get in contact with Ms. Ferrin.

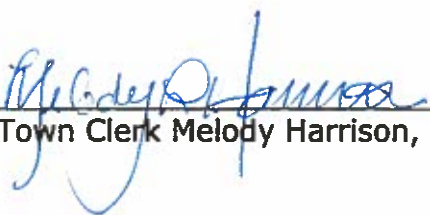
MOTION: Councilor Metzger made a motion to adjourn. Councilor Russi seconded the motion and it passed unanimously.

The meeting adjourned at 9:23 p.m.

Respectfully submitted,



Mayor Art Riddile



Town Clerk Melody Harrison, CMC

