

**New Castle Town Council Meeting  
Tuesday, January 3, 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**

Present	Councilor Metzger Councilor Owens (arrived at 5:40 p.m.) Councilor Hazelton Mayor A Riddile Councilor Leland Councilor G Riddile
Absent	Councilor Russi

Also present at the meeting were Town Administrator Tom Baker and Deputy Town Clerk Mindy Andis. Assistant Town Attorney Haley Carmer arrived at 8:00 p.m.

**MOTION: Councilor Leland made a motion to excuse Councilor Greg Russi's absence. Mayor A Riddile seconded the motion and it passed unanimously.**

**Meeting Notice**

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2016-1.

**Conflicts of Interest**

There were no conflicts of interest.

**Agenda Changes**

Town Administrator Tom Baker asked that the November 15 and December 6 minutes be removed from the consent agenda because they were not complete. He also asked to add to the end of the regular agenda a request from Mr. Leffler for the town to lower their flag for his son's memorial. The council agreed.

**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

~~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. (5:35 p.m.)~~

The Town Clerk was absent from the meeting.

**MOTION:** Councilor Leland 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 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. 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 7:52 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; 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.

**MOTION:** Mayor A Riddile made a motion at 7:54 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 G 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 8:37 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; and Finance Director 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.

**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 (first reading)**

Administrator Baker introduced Kelly Flenniken of Xcel Energy and said she had a brief power point presentation. He also said that Assistant Town Attorney Haley Carmer and Mr. Spiller, Attorney for Xcel Energy, had negotiated the franchise agreement. Ms. Flenniken described the outreach they performed prior to the election to educate residents and businesses, including digital ads, flyers, a social media campaign and postcards mailed to the residents. Ms. Flenniken said that the voters had approved the ballot question at 76%. She asked that the council approve the ordinance approving the 20-year franchise agreement.

Councilor Leland clarified that the original franchise agreement expired in November 2016, and the new franchise agreement won't be effective until February. He asked if the town would still receive the franchise fee for the three months that there was no agreement. Ms. Flenniken said that because they had been in negotiations and in the election process, the franchise fees would still be paid to the town for the three months.

Attorney Carmer gave the council some details about the franchise agreement, explaining how it protected the town and its facilities as well as the protecting Xcel.

**MOTION: Mayor A Riddile 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**

Town Council Meeting  
Tuesday, January 3, 2017

**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 first reading. Councilor Leland seconded the motion and it passed on a roll-call vote: Councilor Leland: yes; Councilor Metzger: yes; Mayor A Riddile: yes; Councilor Owens: yes; Councilor G Riddile: yes; Councilor Hazelton: yes.**

Ms. Flenniken thanked the council. She told them that the street light bulb replacement project should begin very soon.

### **Consider Funding Request from the Downtown Group for Community Center Improvements**

Administrator Baker said that staff felt the proposal seemed to be a good project. The photos were taken on the Flattops. He said if the council approved the project, funds could come from the Economic Development line item.

Ms. Sue Ruggles, Downtown Group member told the council that the photographs were from Kane Englebert who is a landscape photographer in Denver. Local New Castle resident and photographer Charles Englebert is his brother. Kane Englebert donated the photographs, and Charles helped put them together. The expenses will be from printing, a protective UV coating for durability, and installation. Ms. Ruggles said that Charles Englebert wanted to attend the council meeting, but he had a photo shoot.

Ms. Ruggles also said that the community center would be painted. The New Castle Trails group volunteered to assist with the painting, and they hoped to have everything done before the Founders Day Celebration.

The council felt that the pictures were beautiful, but were not necessarily identifiable as the Flattops. They thought that pictures of specific places such as Trapper's Lake would be preferable. They also asked if local photographers had been solicited for the project. Ms. Ruggles said that Kane Englebert already had the photographs of the Flattops which is why they were free.

Administrator Baker told the council that staff and Ms. Ruggles would contact local photographers and come back to the council with an updated photo selection.

**MOTION: Councilor G Riddile made a motion to approve an expenditure of \$125.00 from the economic development fund for paint for the Community Center. Councilor Leland seconded the motion and it passed unanimously.**

The council thanked Ms. Ruggles for her hard work beautifying the town.

### **Consider Health & Welfare Grants to Outside Agencies**

Administrative Assistant Debbie Nichols said that the staff suggestions were carefully considered because the funding was limited. She described how a few of the applicants used the funds to leverage other grants and programs and further their missions. The council asked if a motion was needed to award the grants.

Administrator Baker said that he suggested that the council move to approve the grants with the LoVa and New Castle Trails being removed from the Health & Welfare fund, and the Middle Colorado Watershed being taken from the utility fund.

**MOTION: Mayor A Riddile made a motion to approve the staff recommendation for the Health & Welfare grants to outside agencies, with the LoVa and New Castle Trails grants being taken from other funds and Middle Colorado Watershed request being taken from the utility fund. Councilor G Riddile seconded the motion and it passed unanimously.**

Councilor Leland told the council that he wanted the council to consider sponsoring a team for the Literacy Outreach Spellebration. He said he would have more information at the next council meeting.

### **Leffler Request for Flags at Half-Staff**

Administrator Baker gave the council printed information about Mr. Lefflers' request. Mr. Leffler's son, Noah, was in the Army, and the family had lived in the area for thirty years. Noah passed away from causes unrelated to his military service. Memorial services would be held on Saturday, January 7, 2017. He said Town Clerk Melody Harrison had done some research, and found out that the town could lower their flags in honor of Mr. Leffler's son without a governor's order, because Noah's passing was not in the line of duty.

The council told Administrator Baker that he could make the order.

Kara Warby introduced herself and told the council that she worked for the Post Independent and would be covering the New Castle area. She invited the council to contact her if they had ideas on articles.

### **Consent Agenda**

~~Minutes of the November 15, 2016 council meeting removed~~

~~Minutes of the December 6, 2016 council meeting removed~~

Minutes of the December 20, 2016 council meeting

December bills of \$659,025.62

Resolution TC-2017-1 – Posting Places

Resolution TC-2017-2 – Waiving Bonds for Employees

Resolution TC-2017-3 – Adopting a Fee Schedule

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

### **Staff Reports**

Town Administrator – Administrator Baker said there would be a meeting the following evening regarding the proposed improvements and repairs to 5<sup>th</sup> Street. There are engineered drawings to review, and the 5<sup>th</sup> Street residents all received flyers notifying them of the neighborhood meeting. Staff intended to apply for a GFMLD grant for the project. One of the concerns was angled parking, and the meeting would give residents an opportunity to talk through any issues. Administrator Baker said that the week of the 16<sup>th</sup> staff expected to have the drawings for the sports park, including elevations from Castle Valley Boulevard, Clubhouse Drive and from the backyards of the adjacent homes. The would show the neighborhood what the park would look like. It will improve the opportunity for the residents to understand exactly what will be

visible from their yards. Administrator Baker said that on January 25, there would be a joint meeting with P&Z so they could discuss the comprehensive plan. Finally, Administrator Baker gave the council a thank you letter from LaRue Wentz, thanking them for all they have done for the town.

Administrator Baker said that the January 17 meeting would be in the Community Center, and he thought they could begin the meeting early and they could do the Town Clerk's annual review. Mayor A Riddile suggested that a half hour should be sufficient, particularly if the individual reviews are complied.

**MOTION: Mayor A Riddile made a motion to begin the January 17, 2017 meeting at 5:30 p.m. Councilor Hazelton seconded the meeting and it passed unanimously.**

Town Clerk – not present

Town Planner – not present

Public Works Director – not present

### **Commission Reports**

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – Councilor Hazelton said that Commissioner Rippy wanted to know about the funding they needed for the cemetery page upgrades.

Councilor Leland said that HPC would need to make the request of the council.

Councilor Hazelton said that the other main topic was the condition of the museum, and he wondered if there were small repairs that Public Works could do. Councilor Leland said there were also grant opportunities that should be explored.

Climate Action Advisory Committee – nothing to report

Senior Programs – nothing to report

RFTA – nothing to report

AGNC – nothing to report

GCE – Councilor Leland said that the last GCE meeting was to handle legally required business items.

### **Council Comments**

Councilor Metzger told the council that the senior facilities project was something that other municipalities were watching to see what would be done. Mr. Craven felt it was best not to discuss the project yet.

Councilor Leland said that the museum on the street signs were all in place and he had seen people reading them. The council agreed that they should send a thank you to Jerry Touslee. Administrator Baker said he would send it.

Councilor Leland said that Founders Day was scheduled for February 25, 2017. The food was generally foods of the time. The Ganley Family would be honored. Mayor A Riddile will speak. Liberty Classical Academy choir had been asked to sing but they have not committed yet. The council agreed that they would like to invite

Representative Rankin to attend. Councilor Leland said that if the council thought of anything else that could be done for Founders Day, to let Administrative Assistant Nichols know.

Councilor Leland said he was not sure about prayer at meetings, but given the New Castle history, it may be appropriate to acknowledge the religions in town, but he wanted the council to approve. Administrator Baker said it had been done at the two previous Founders Days. Mayor A Riddile said a moment of silence could be observed,

or there could be a blessing over the food. The council agreed that they would ask Pastor Jeff Gerber to speak.

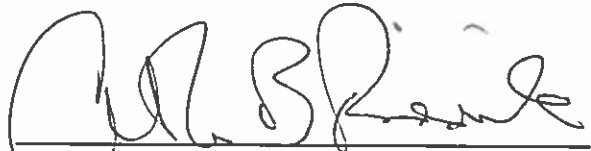
Councilor G Riddile told the council that he and his wife Alisha were expecting June 30, 2017. The council congratulated him.


Mayor A Riddile thanked the council, and said that he felt that staff was wonderful. He said 2017 would be a great year.

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

The meeting adjourned at 9:50 p.m.

Respectfully submitted,

  
Mayor Art Riddile

  
Town Clerk Melody Harrison, CMC

