

**New Castle Town Council Meeting
Tuesday, June 20, 2017, 7:00 p.m.**

Call to Order

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

Pledge of Allegiance

Mayor A Riddile called for a moment of silence to honor resident Larry Borgard, who had been an amazing asset to the Town of New Castle over the past several decades.

Roll Call

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

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Town Planner Tim Cain, Town Assistant Attorney Haley Carmer and members of the public.

Town Clerk Melody Harrison said that Councilors Russi and Owens had both requested excused absences.

MOTION: Councilor Leland made a motion to approve both Councilor Owens and Councilor Russi's absences. Mayor A 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

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

Brad Gates, 219 Buckthorn Road. Mr. Gates said he recently became interested in buying and selling collectables online. He suggested that because online retail was so popular, he asked the council to consider providing a safe, videotaped location for sellers/buyers to make their transactions. Mayor A Riddile suggested using the police department because there was always someone on duty, but said that the council would consider the idea.

Consultant Reports

Consultant Attorney – Assistant Town Attorney Haley Carmer introduced Emily Halvorsen who was an intern working in the Garfield & Hecht offices for the summer. Attorney Carmer said that Ms. Halvorsen was attending the University of Boulder.
Consultant Engineer – not present

Items for Consideration

Jesse Henning - Garfield County Library District Executive Director

Jesse Henning greeted the council and introduced himself as the new Executive Director of the library district.

Perry Sweeny, Garfield County Library Board Member and New Castle Representative. Mr. Sweeny told the council that he had been on the board for approximately 20 months, and offered his services to the council should they need anything.

Director Henning reviewed the library fact sheet for the council. The fact sheet included an abbreviated district budget for 2016, as well as statistics for memberships, meetings, programs and materials checked out for 2016. Director Henning and the council discussed the budget complications the library had experienced due to the state being required to refund some oil and gas tax monies, as well as the distributions being drastically reduced. He said the district had worked hard to keep the library branches open for the communities regardless of their budget difficulties. Mayor A Riddile asked if the library board would consider a mill levy increase. Board Member Sweeny said that the board felt there was more they needed accomplish before they considered a mil levy increase on the ballot.

Mayor A Riddile thanked Director Henning and Board Member Sweeny for their presentation to the council.

Director Henning thanked the council and said that if there was anything the library could do for the town, or anything they could partner on, he would be glad to be part.

Consider Ordinance TC-2017-3, An Ordinance of the New Castle Town Council Amending Title 17 of the New Castle Municipal Code to Add a New Zone District Known as the Mixed-Use Commercial District (first reading)

Attorney Carmer told the council that the Planning and Zoning Commission (P&Z) had considered a new zone district at their last meeting. The new zone district was called a Mixed-Use Commercial. She explained some of the details regarding the P&Z recommendations on what uses would be allowed, what uses would be conditional and what uses would be prohibited. Other items the P&Z were recommending were some changes to the minimum and maximum lot sizes and dimensions. Staff and the council also discussed the proposed sizes for commercial and residential units, setbacks, access, landscaping requirements, building height and number of stories allowed.

Administrator Baker said that he felt the P&Z had done a good job trying to distinguish the zone district from the downtown so there was not a direct competition in uses. He suggested that because the zone district would likely be used in other areas, he wanted to add another use under permitted uses called Recreation Center/Fieldhouse. He said that the idea behind the zone district was to create distinct districts that supported the intent of the area being an area of family supporting jobs. He felt the new zone district would be a benefit to the town.

MOTION: Mayor A Riddile made a motion to approve Ordinance TC-2017-3, An Ordinance of the New Castle Town Council Amending Title 17 of the New Castle Municipal Code to Add a New Zone District Known as the Mixed-Use Commercial District, adding "Recreation Center/Fieldhouse" in permitted uses, on first reading. Councilor Leland seconded the motion and it passed on a roll-call vote: Councilor Leland: yes; Councilor G Riddile: yes; Councilor Metzger: yes; Councilor Hazelton: yes; Mayor A Riddile: yes.

Consider Ordinance TC-2017-2, An Ordinance of the Town Council of the Town New Castle, Colorado, Concerning the Annexation of the Property Known as TBD Bruce Road into the Town, and the Approval of an Annexation Agreement Regarding the Same (second reading)

Attorney Carmer said that at the June 6, 2017 council meeting the public hearing for the annexation had taken place, and a resolution of finding of fact had been adopted that acknowledged that the annexation was meritorious and met the statutory requirements. The ordinance was the document that would officially accomplished the annexation, and two readings were required. Attorney Carmer said that the council had made some changes to the annexation agreement on June 6, and the changes had been included in the version in the packet.

Administrator Baker said that part of the reason that the 3-acre parcel was being annexed without a development plan was because there was hope that the CDOT Glenwood Springs residency (CDOT engineering and support staff) would move to New Castle. He said that the importance of the CDOT Glenwood Springs residency was that those jobs were family-supporting jobs, and were an example of what professional offices could be, and create a new view of New Castle. He said that it had been agreed that if the CDOT vision could be achieved, the road impact fee would be reduced, and the parkland dedication fee would be eliminated. Administrator Baker

said there was a difference of opinion on how specific the language in the development agreement should be, and he was concerned that the intent would be diluted by the vagueness of the 'professional offices' description. In the event there was another owner in the future, they would look at the specific language in the annexation agreement and if it wasn't clear or specific, then opportunity could be lost. He suggested that the burden could be placed on the applicant by specifying in the agreement that if the vision could be obtained, consideration would be given to reducing the impact fees.

Attorney Carmer asked the applicant to comment.

Mogli Cooper, Applicant.

Ms. Cooper said that she did not feel it was appropriate for her to advertise for CDOT potentially moving to New Castle, and she pointedly left their name out. She said her goal was to bring CDOT in, but to be that specific in the annexation agreement was elitist in her opinion. Ms. Cooper said her goal was to bring medical and professional offices in to town. Naming specific entities put them on the spot, and Ms. Cooper was not comfortable with it. In addition, naming specific incomes put her and/or town staff in the position of leveling judgements about professions or incomes. She said she understood the staff position, and suggested that the goal be jobs for families who live and work in New Castle. Attorney Carmer suggested alternative language that did not include salary limitations or specific entities. Mayor A Riddile asked if it would be possible to table the second reading of the ordinance until the council could see the proposed alternate language in writing so they were very clear on what they were considering. He said that all the council would be present as well, and their opinions were valuable. Attorney Carmer said the second reading could be tabled, but it would delay the effective date of the annexation until the first week in August. Ms. Cooper stated that she began the annexation process in March 2017, and then there had not been a quorum at the first P&Z hearing, which began the delays. Councilor G Riddile said that he respected her concern, but he felt it was appropriate that the council be able to review the proposed change in writing, particularly since she was asking for the change. He said he that he did not see the rush because it did not appear that any entity was pressing to move in. Ms. Cooper said that she had purchased the entire property (22 acres) just to accomplish the annexation of the 3 acres, and she would sell the other 19 acres once the smaller project was complete. She said she wanted to make sure that everything was done properly, and then she would put the 19 acres on the market. Councilor Hazelton said that the council agreed that they wanted everything done properly as well, which was why they wanted to table the ordinance until the next council meeting. The delay was only a few meetings. Attorney Carmer explained that the delay would be until the July 18, 2017 council meeting, at which the Zoning ordinance would also be at second reading, making everything effective the first week of August. She said that the annexation ordinance was actually one meeting ahead of the zoning ordinance, and tabling the annexation would make everything effective the same day.

Attorney Carmer clarified with the council that they were looking for language that eliminated specific entities (CDOT) and did not limit income levels, but did say a

specific number of jobs provided and suggested professions such as architect, attorneys and engineers and like professions. The council agreed.

MOTION: Mayor A Riddile made a motion to table Ordinance TC 2017-3 until the July 18, 2017 council meeting. Councilor G Riddile seconded the motion and it passed with Councilor Metzger voting no.

Councilor Leland asked that if Ms. Cooper or any of the council members saw anything in the agreement that needed editing, to please write it down so any proposed changes could be reviewed by all the council.

Consider Ordinance TC-2017-4, An Ordinance of the Town Council of the Town of New Castle, Colorado Zoning Certain Property Located at TBD Bruce Road Upon Annexation into the Town (first reading)

Administrator Baker explained that the ordinance was applying the new zone district that the council had approved on first reading to the Turtlepooop property.

MOTION: Councilor Leland made a motion to approve Ordinance TC-2017-4, An Ordinance of the Town Council of the Town of New Castle, Colorado Zoning Certain Property Located at TBD Bruce Road Upon Annexation into the Town on first reading. Councilor G Riddile seconded the motion and it passed on a roll-call vote: Councilor G Riddile: yes; Mayor A Riddile: yes; Councilor Metzger: yes; Councilor Leland: yes; Councilor Hazelton: yes.

Administrator Baker said that at the next council meeting on July 18, 2017 the annexation and zoning would be approved at the same time, and said that the project was not really delayed.

Ms. Cooper thanked the council.

Consider Ordinance TC-2017-5, An Emergency Ordinance of the New Castle Town Council Authorizing the Sale of Real Property

Administrator Baker told the council that Attorney Carmer's colleague, Emily Halvorsen, had been doing some research and found that an ordinance was required for the town to sell property. The subject property was that for the senior housing project. There would be a ribbon cutting on Thursday, and the project was moving forward, and staff recommended approval of the ordinance.

Attorney Carmer added that was an emergency ordinance to ensure everything was in place for the closing.

MOTION: Mayor A Riddile made a motion to approve Ordinance TC-2017-5, An Emergency Ordinance of the New Castle Town Council Authorizing the Sale of Real Property. Grady Hazelton seconded the motion and it passed on a roll-call vote: Mayor A Riddile: yes; Councilor G Riddile: yes; Councilor Metzger: yes; Councilor Hazelton: yes.

Councilor Leland was not in council chambers during the consideration of Ordinance TC-2017-5, therefor did not vote on it.

Garcia Parking Lot Lease

Administrator Baker told the council that the Garcias had accepted the draft lease. There were two, automatic one-year extensions of the agreement. The lot would be used for public parking. Any improvements to the lot would be by mutual agreement, and the parties would discuss and agree who would be responsible for the improvement. The town had the right to install informational signage and to create rules for the parking area. The town had responsibility for maintenance of the lot, but the landscaping would remain the responsibility of the owner. The town would insure the lot. No subletting would be allowed.

Councilor Hazelton said that he felt it was important that in the rules it should state there was no 24-hour parking rather than no overnight parking. The reason was if there were people who had been drinking, they should be allowed to leave their vehicle overnight rather than driving home. The council agreed.

Administrator Baker said that staff recommended approval.

MOTION: Councilor G Riddile made a motion to authorize the Mayor to sign the parking lot lease with Sam and Leticia Garcia. Mayor A Riddile seconded the motion and it passed unanimously.

Consent Agenda

Minutes of the June 6, 2017 council meeting

Cancellation of the July 4, 2017 Council Meeting

Resolution TC-2017-11 – Approving an IGA with Garfield County for Mosquito Control

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 told the council that the Talbots would hold their annual 4th of July celebration in Apple Tree Park, and additional volunteers were always welcome. Administrator Baker said he had met with Mountain Roasters who were looking at the Kamm lot for their coffee roasting business. He also said that he understood that Burning Mountain Bakery may be moving into the New Hope Church. Administrator Baker said he had spoken to Pastor Eddie Piker who would be forming a community group to plan a celebration of life for Larry Borgard. He said there would be a ribbon cutting Thursday morning at 11:00 a.m. for the senior housing project that everyone was invited to attend. Administrator Baker told the council that he would send some suggested dates for the council retreat. Last, he said that the community revenue group would likely not be able to make a suggestion for the November ballot.

Town Clerk – Clerk Harrison told the council that at the July 18, 2017 council meeting they had approved a business incentive, and she was working with Sue Ruggles to ensure that each business receiving an incentive had a business license. She said that there would be an application from the town for a special event liquor license to hold a sampling garden at the community market like had been done in 2016. The

community market had yet to receive their 501-c3 designation, so the request would be for the town to obtain the liquor license. She also said that the license application for EAT Bistro would be on the July 18 agenda. Clerk Harrison told the council that she and Deputy Town Clerk Mindy Andis would attend an elections class in August.

Town Planner – not present

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – Councilor Hazelton said that the HPC looking at grants to fund upgrades to the museum.

Climate Action Advisory Committee – nothing to report

Senior Program – Councilor Metzger said that the Senior BBQ had gone very well.

RFTA – nothing to report

AGNC – Councilor Hazelton said he would be attending the meeting in Hayden.

GCE – nothing to report

BEWG – nothing to report

Council Comments

Councilor Metzger commented that the flower baskets in the downtown were beautiful.

Councilor Metzger said that the sign for the park and ride very small and not visible, and she felt a larger sign should have been placed where the public could see it.

Councilor Leland suggested that the town could install an additional sign.

Councilor Metzger said that she had spoken to the New Castle City Market Manager, Kim Renteria, who said that they were bringing in a wider variety of foods to the New Castle store. Councilor Metzger said that Ms. Renteria would be moving to the Rifle store as manager there.

Councilor Metzger said that when she was driving on I-70 heading east from Silt, she did not notice any signs that said New Castle on them. Councilor Leland said there were two.

Councilor Metzger said that she was disappointed that the annexation ordinance was postponed because two council members were absent. She disagreed with the council decision to table it until the next meeting.

Mayor A Riddile said that the primary reason it was tabled was because it was important to have the new language in writing, and to be sure it was corrected in the document, not just because the two councilors were absent. He also felt it would be good to have the other councilors see it.

Councilor Leland said there had been a lot of discussion at the Lions Club to move the Hogback Hustle to Burning Mountain Festival rather than in July. The Lions, however, will return it to the July date. Administrator Baker said there had been a proposal from a resident to do a 5-k Pyro run for Burning Mountain Festival.

Councilor Leland said that Councilor G Riddile has done a presentation on behalf of CDOT about the bridge project, and he asked if that would be done elsewhere.

Councilor G Riddile said the presentation would be done many other places, but he would not be doing those. Councilor Leland said that Councilor G Riddile had done a great job, particularly with a difficult person in the audience. He said the information was important, and felt it should be distributed to all the residents.

Councilor Leland mentioned it was the Mayor and his wife's 30-year anniversary. The council congratulated the Mayor.

Councilor Metzger asked about the clubhouse. Administrator Baker said they had a final inspection to go through, but they were not ready for it yet.

Mayor A Riddile asked everyone to try to attend the upcoming events. The Bike Rodeo, the Town BBQ, the Senior Project ground breaking, and the Fire Department Open House.

Mayor A Riddile said he would be away at the Colorado Municipal League conference for the remainder of the week, and would be out of the country July 2 through July 11.

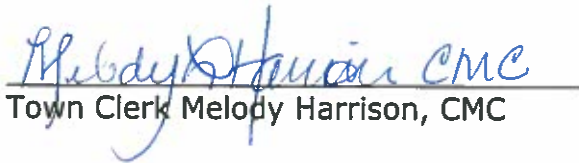
MOTION: Councilor Metzger made a motion to adjourn. Councilor Hazelton seconded the motion and it passed unanimously.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,



Mayor Art Riddile



Town Clerk Melody Harrison, CMC

