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Agenda
New Castle Town Council Meeting
Tuesday, December 5, 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 Owens
- Councilor Hazelton
- Mayor A Riddile
- Councilor Russi
- Councilor Leland
- Councilor G Riddile

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Assistant Town Attorney Haley Carmer, Town Planner Tim Cain, Accounting Assistant Debbie Guccini and Police Chief Tony Pagni.

MOTION: Mayor A Riddile made a motion to excuse Councilor Russi's absence. Councilor Hazelton 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

Patricia Sell, 359 Coryell Lane. Ms. Sell said that she had received a notice of violation of a town ordinance because of some landscaping and ornaments she had placed on a public right-of-way. She also said that there was an issue with a neighbor. Ms. Sell asked the council for permission to leave the shrubs in place until the spring so that they would not die. Administrator Baker told the council that he and Planner Cain would work with Ms. Sell to consider her request for an extension of the deadline to remove the shrubbery. If necessary, the issue could be placed on a future council agenda.

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Consultant Reports

Consultant Attorney – nothing to report
Consultant Engineer -nothing to report

Items for Consideration

Consider Resolution TC-2017-20, A Resolution of the New Castle Town Council Concerning the Adoption of a Multi-Jurisdictional Hazard Mitigation Plan

Town Planner Tim Cain explained the history of the hazard mitigation plan that kept Garfield county in line with FEMA regulations for hazard mitigation. He said that the plan and the resolution would provide an opportunity for hazard funding from FEMA should the need arise. Police Chief Tony Pagni said that recently there was the fire just outside the town limits that could have proven costly, and that emphasized the importance of maintaining the town’s involvement in the hazard mitigation plan with the county. The council agreed.

MOTION: Mayor A Riddile made a motion to approve Resolution TC 2017-20, A Resolution of the New Castle Town Council Concerning the Adoption of a Multi-Jurisdictional Hazard Mitigation Plan. Councilor G Riddile seconded the motion and it passed unanimously.

Public Hearings

Consider Resolution TC-2017-25 – A Resolution of the Town Council of the Town of New Castle, Colorado, Making Findings of Fact and Conclusions Regarding the Annexation of a Portion of County Road 335 to the Town

Mayor A Riddile opened the public hearing at 7:21 p.m.
Assistant Town Attorney Haley Carmer explained that the section of roadway was the section of County Road 335 that ran through properties that were already annexed into the town. The agreement with that county was that the town would annex the property and maintain it. Ms. Carmer said that the resolution made findings of fact and conclusions regarding the annexation and was necessary to move forward with the annexation.

There were no citizen comments.
Mayor A Riddile closed the public hearing at 7:23 p.m.
Councilor Leland said he understood the order was the resolution of findings of fact, then the ordinance to annex, and then an ordinance to zone, in that order. Ms. Carmer agreed.

MOTION: Councilor Leland made a motion to approve Resolution TC 2017-25, A Resolution of the Town Council of the Town of New Castle, Colorado, Making Findings of Fact and Conclusions Regarding the Annexation of a Portion of County Road 335 to the Town. Councilor G Riddile seconded the motion and it passed unanimously.

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4 **Consider Ordinance TC-2017-7 – An Ordinance of the Town Council of the**
5 **Town of New Castle, Colorado Concerning the Annexation of a Portion of**
6 **County Road 335 into the Town (first reading)**
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8 Mayor A Riddile opened the public hearing at 7:24 p.m.
9 Attorney Carmer said the ordinance was to annex the property into the town.
10 There were no citizen comments.

11 Mayor A Riddile closed the public hearing at 7:25 p.m.

12 **MOTION: Councilor Leland made a motion to approve Ordinance TC-2017-**
13 **7, An Ordinance of the Town Council of the Town of New Castle, Colorado**
14 **Concerning the Annexation of a Portion of County Road 335 into the Town**
15 **on first reading. Councilor A Riddile seconded the motion and it passed on**
16 **a roll-call vote: Councilor G Riddile: yes; Councilor Metzger: yes; Councilor**
17 **Hazelton: yes; Mayor A Riddile: yes; Councilor Owens: yes; Councilor**
18 **Leland: yes.**
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21 **Items for Consideration**
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23 **Consider Ordinance TC-2017-8 – An Ordinance of the Town of New Castle,**
24 **Colorado, Town Council Zoning a Portion of County Road 335 Upon**
25 **Annexation Thereof into the Town (first reading)**

26 Attorney Carmer said that P&Z was the entity that held the public hearing for
27 zoning. The P&Z Approved industrial zoning for the property.
28 There were no public comments.

29 **MOTION: Mayor A Riddile made a motion to approve Ordinance TC 2017-8,**
30 **An Ordinance of the Town of New Castle, Colorado, Town Council Zoning a**
31 **Portion of County Road 335 Upon Annexation Thereof into the Town on**
32 **first reading. Councilor Hazelton seconded the motion and it passed on a**
33 **roll-call vote: Councilor Leland: yes; Councilor Metzger: yes; Mayor A**
34 **Riddile: yes; Councilor Owens: yes; Councilor Hazelton: yes Councilor G**
35 **Riddile: yes.**
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39 **Public Hearings**
40

41 **Consider Resolution TC-2017-24 – A Resolution of the Town Council of the**
42 **Town of New Castle Adopting a Budget for the Town of New Castle,**
43 **Colorado, for the Fiscal Year Beginning on January 1, 2018 and Ending on**
44 **December 31, 2018, Appropriating the Amounts Specified in the Budget as**
45 **Expenditures from the Funds Indicated, Levying the Property Tax Proposed**
46 **in the Budget, and Reserving and Designating Certain Amounts in Each**
47 **Fund.**
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1 Mayor A Riddile opened the public hearing at 7:28 p.m.
2 Administrator Baker and the council discussed the changes made at the special
3 council meeting on November 27, 2017. They made decisions on specific additional
4 items as well.
5 There were no public comments.
6 Mayor A Riddile closed the public hearing at 8:00 p.m.

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8 **MOTION: Councilor Leland made a motion to approve Resolution TC 2017-**
9 **24, A Resolution of the Town Council of the Town of New Castle Adopting a**
10 **Budget for the Town of New Castle, Colorado, for the Fiscal Year Beginning**
11 **on January 1, 2018 and Ending on December 31, 20189, Appropriating the**
12 **Amounts Specified in the Budget as Expenditures from the Funds**
13 **Indicated, Levying the Property Tax Proposed in the Budget, and Reserving**
14 **and Designating Certain Amounts in Each Fund, as amended. Councilor**
15 **Owens seconded the motion and it passed unanimously.**

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19 **Consider Ordinance TC-2017- 6, An Ordinance of the Town of New Castle,**
20 **Colorado summarizing additional expenditures for the General Fund and**
21 **adopting a supplemental budget for the Town of New Castle, Colorado, for**
22 **the calendar year beginning on the first day of January, 2017 and ending**
23 **on the last day of December, 2017(first reading)**

24
25 Mayor A Riddile opened the public hearing at 8:01 p.m.
26 Finance Director Lyle Layton told the council that the supplemental budget was
27 done yearly to accommodate additional expenditures. He described the various
28 changes in the budget numbers.
29 There were no citizen comments.
30 Mayor A Riddile closed the public hearing at 8:04 p.m.

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32 **MOTION: Councilor Owens made a motion to approve Ordinance TC 2017-**
33 **6, An Ordinance of the Town of New Castle, Colorado summarizing**
34 **additional expenditures for the General Fund and adopting a supplemental**
35 **budget for the Town of New Castle, Colorado, for the calendar year**
36 **beginning on the first day of January, 2017 and ending on the last day of**
37 **December, 2017 on first reading. Councilor Mayor A Riddile seconded the**
38 **motion and it passed on a roll-call vote: Councilor Owens: yes; Councilor**
39 **Metzger: yes; Councilor Leland: yes; Councilor G Riddile: yes; Councilor**
40 **Hazelton: yes; Mayor A Riddile: yes.**

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44 **Councilor Leland made a motion to go into Executive Session at 8:07 p.m.**
45 **(1) for a conference with the Town Attorney for the purpose of receiving**
46 **legal advice on specific legal questions under C.R.S. Section 24-6-**
47 **402(4)(b),(2) for discussion of a personnel matter under C.R.S. Section**
48 **24-6-402 (f)(I) and not involving: any specific employees who have**

1 **requested discussion of the matter in open session; any member of this**
2 **body of any elected official; the appointment of any person to fill an office**
3 **of this body or of an elected official; or personnel policies that do not**
4 **require the discussion of matters personal to particular employees. Mayor**
5 **A Riddile seconded the motion and it passed unanimously.**

6
7 Executive session concluded.

8
9 At the end of the executive session, Mayor A Riddile made the following statement:

10
11 “The time is now 8:33 p.m. and the executive session has been concluded. The
12 participants in the executive session were: Councilors Metzger, Owens and Hazelton;
13 Mayor A Riddile; Councilors Leland and G Riddile; Town Clerk Harrison, Town
14 Administrator Baker, Town Planner Cain and Town Attorney Carmer. For the record,
15 if any person who participated in the executive session believes that any substantial
16 discussion of any matters not included in the motion to go into the executive session
17 occurred during the executive session, or that any improper action occurred during
18 the executive session in violation of the Open Meetings Law, I would ask that you
19 state your concerns for the record.”

20
21 No concerns were stated.

22 23 24 **Consent Agenda**

25 Minutes of the November 21, 2017 council meeting
26 Minutes of the November 27, 2017 special council meeting
27 November Bills of \$388,612.81
28 Lazy Bear Restaurant Hotel & Restaurant Liquor License Renewal
29 New Castle Liquors Tasting Permit Renewal
30 Motion to Start the December 19, 2017 Council Meeting at 5:30 p.m.

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

33 34 **Staff Reports**

35 Town Administrator – Administrator Baker said that he and Planner Cain had been
36 working with Ms. Patricia Sell and the neighbors regarding the issues that Ms. Sell
37 had mentioned during citizen comments. He felt that allowing Ms. Sell to wait until
38 the spring to remove the shrubs was acceptable. He said that he and Planner Cain
39 would handle the situation. Administrator Baker said there had been issues with
40 parking on Lariat Loop and Mustang by people who used the Colorow Trail. He said
41 that it was likely that in the future, parking on Lariat may need to be limited to
42 residents of the neighborhood only, and it would show the BLM that the town was
43 following through with the commitment to improve the parking. Administrator
44 Baker said that the attendance at the Chili Cook-Off took everyone by surprise. He
45 said that Special Event Coordinator Debbie Nichols felt that it would be a good idea
46 to put together a team to manage events in the future. Administrator Baker said
47 that staff had met with the senior housing people who had submitted some
48 significant changes to the senior housing project. He said he had administrative

1 authority to sign off on changes to a PUD if he deemed the changes to be minor. If
2 he deemed the changes major, he could require a public hearing in front of the
3 P&Z, and then a meeting at council. Administrator Baker said that the changes
4 submitted were budget related, and he felt they were sub-standard changes. After
5 two meetings, staff sent them back to the drawing board to improve the changes to
6 be more representative of the PUD. Administrator Baker said the Peach Valley RV
7 Park applicant had presented to the P&Z, and there seemed to be quite a bit of
8 disparity between what the applicant was saying and what the application said, and
9 the commission was disappointed. P&Z submitted a referral comment to the county
10 that the town was not happy with the proposal. The developer will hold a
11 community meeting on December 14 to try to rally support. Administrator Baker
12 said that he, Jeff Simonson and John Wenzel had met with CDOT people who said
13 that CDOT would be installing new conduit and LED bulbs at the 105 interchange,
14 and wanted the town to assume responsibility for maintenance. Administrator Baker
15 said they did not feel the information was accurate and it seemed unusual because
16 the town was not equipped to handle the maintenance.
17 Councilor Owens asked Administrator Baker what his opinion was of the HOA
18 meeting in Lakota. Administrator Baker said that it seemed to him that the
19 membership got everything they needed, provided Warrior followed through.
20 Town Clerk – Clerk Harrison told the council that she had written a congratulatory
21 letter to the City of Rifle on because Rifle had been voted one of the 15 best small
22 towns in Colorado. She gave the letter to the council to sign. Clerk Harrison said
23 that Senior Programs was asking that the council consider their 2018 representative
24 for the board. Councilor Metzger said she would be happy to continue to serve. The
25 council agreed. Clerk Harrison told the council that Cori Gerstner had closed on the
26 Chapman’s building and intended to open for pastries and coffee within a few
27 months. Clerk Harrison said that some Coal Ridge High School students who wanted
28 to organize a winter formal for the Senior Citizens had contacted the town. Clerk
29 Harrison reminded the council that the December 19 council meeting would begin
30 at 5:30, and the town Christmas Party would be at 6:00 p.m. at Elk Creek Mining
31 Company. Clerk Harrison told the council that the 2018 election would be on April
32 3, and nomination petitions would be available on January 2, 2018.

33 Town Planner
34 Public Works Director

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36 **Commission Reports**

37 Planning & Zoning Commission – Mayor A Riddile said that the P&Z had listened to
38 the Peach Valley RV Park proposal and they did not like the proposal much. In
39 addition, the applicant had not contacted the Moultons who were adjacent property
40 owners. The Moultons attended the meeting to voice their displeasure with the
41 project. Mayor A Riddile said that Planner Cain had presented the CDOT wayfaring
42 signs.

43 Historic Preservation Commission – nothing to report

44 Climate Action Advisory Committee – nothing to report

45 Senior Program – nothing to report

46 RFTA – nothing to report

47 AGNC – nothing to report

48 GCE – nothing to report

1 BEWG – nothing to report

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3 **Council Comments**

4 Councilor Metzger said that she felt Parks Manager Jared Stueber deserved a thank
5 you for how nice Burning Mountain Park looked.

6 Councilor Metzger said she had received a few complaints about how messy the
7 thrift store looked on Main Street. Administrator Baker said he would have Planner
8 Cain to speak with them.

9 Councilor Metzger Said she thought it would be beneficial to have a critique of
10 events so that everyone understood what went well and what could be improved for
11 the following year. Administrator Baker said he would schedule that with Debbie
12 Nichols at a work session.

13 Councilor Metzger said that she thought it would be a good idea for the council to
14 discuss how the vehicle tax was handled so they were differently prepared in two
15 years when they could put it back on the ballot.

16 Councilor Owens asked if there was still a media person assigned to New Castle.
17 Councilor Leland said there was, but he was apparently unable to make it to the
18 meetings.

19 Councilor Owens asked if there was any update on the Kamm Lot. Administrator
20 Baker said that the coffee roasters had faded away, but he was still speaking with
21 another potential

22 Councilor Owens said that the Chili Cook-Off was great need more events

23 Councilor Owens said that the issues with Lakota and Warrior had been
24 unfortunate, but the hope was that with a new president things would get better.

25 Councilor Hazelton asked if there was a sign that said 'public parking' in the 2
26 Coronas parking lot. Administrator Baker said he thought there was, but he would
27 follow up.

28 Councilor G Riddile said he appreciated how the downtown looked and thanked the
29 staff for their work.

30 Councilor Leland said that he felt that the new Parks Manager, Jared Stueber, was a
31 wonderful addition to the staff and he looked forward what he will do in the other
32 town parks.

33 Councilor Leland said something about thanking Dana Wood about Garfield county
34 being healthiest in Colorado. Proclamation.

35 Mayor A Riddile asked the council members to consider helping the Lions Club bell
36 ringing for the Salvation Army.

37 Mayor A Riddile thanked Councilor Hazelton for his donation of the Ore Cart. He
38 said it looked great outside Elk Creek Mining Company. The council agreed.

39 Mayor A Riddile said that Xcel Energy had approved the virtual net metering for the
40 solar array on the public works building. Building Inspector Dave Reynolds deserved
41 a thank you for his work on the project.

42 Mayor A Riddile said he had visited with the 4th graders at KSE who had all attended
43 the chili cook off. They loved the event, but missed Santa being there. He told them
44 Santa would be at Ritter Plaza on December 15.

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

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4 The meeting adjourned at 9:28 p.m.

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8 Respectfully submitted,

9
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11 _____
12 Mayor Art Riddile

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14 _____
15 Town Clerk Melody Harrison, CMC

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DRAFT