

**New Castle Town Council Meeting  
Tuesday, May 1, 2018, 7:00 p.m.  
New Castle Community Center  
423 W Main Street**

**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 Copeland Councilor Leland Councilor G Riddile
Absent	None

Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody Harrison, Building Inspector David Reynolds, Public Works Director John Wenzel 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-2018-1.

**Conflicts of Interest**

There were no conflicts of interest.

**Agenda Changes**

There were no agenda changes.

**Citizen Comments on Items not on the Agenda**

Susane Ruggles greeted the council. Ms. Ruggles explained to the council that she organized the Music in Ritter Plaza event, and she felt that she wanted to have the opportunity to serve alcohol at the five events in 2018. The issue was that the Lions Club did not have their 501 c-3 designation, and she asked the council if they would be willing to sponsor a liquor license for the event. Clerk Harrison said that eligibility for a special events liquor license required non-profit designation or you had to be a government entity. The town was eligible to sponsor the liquor license for the Music in Ritter Plaza event. Clerk Harrison offered that if the council was willing to sponsor the license, the council should consider that any eligible entity was only allowed 14 days per year for special events licenses. The town used four days for their own events and

had allowed the community market three days in the past. That would leave seven days available for other events in 2018.

After a brief discussion, the council agreed to allow Ms. Ruggles to apply for three days initially, and felt that by September they would better understand if they could offer the other two days to Ms. Ruggles.

### **Consultant Reports**

Consultant Attorney – present for agenda items

Consultant Engineer - not present

### **Items for Consideration**

Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

**MOTION: Councilor Leland made a motion to recess the town council meeting and to convene as the local liquor licensing authority. Councilor G Riddile seconded the motion and it passed unanimously.**

### **Consider a Special Events Liquor License for Roaring Fork Mountain Bike Association for the New Castle Trails Conference**

Clerk Harrison told the council that New Castle Trails had applied for a special events liquor license for their Summer Conference on August 4, 2018. Roaring Fork Mountain Bike Association who would be the license holder was a 501 c-3 organization, and eligible for a special events license. The event would be held in VIX Ranch Park, and the organizers would fence the park to delineate the licensed area. The event begins at 9:00 a.m., but alcohol service would not start until noon. The application was complete, all fees were paid, and staff recommended approval.

**MOTION: Councilor A Riddile made a motion to approve the application from Roaring Fork Mountain Bike Association for a special events liquor license for the New Castle Trails Summer Conference on August 4, 2018. Councilor Owens seconded the motion and it passed unanimously.**

### **Consider a Special Events Liquor License for Cinco de Mayo**

Special Events Coordinator Debbie Nichols told the council that a new event would be held in New Castle, and that was a Cinco de Mayo celebration. SEC Nichols said she and Dr. Lauren Roper were planning the event together, and it would be held on 5<sup>th</sup> Street, between Main Street and the alley, on Saturday May 5 from 2:00 p.m. to 6:00 p.m.

**MOTION: Councilor Leland made a motion to approve the special events liquor license for the town's Cinco de Mayo event on May 5, 2018. Councilor G Riddile seconded the motion and it passed unanimously.**

Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

**MOTION: Councilor Leland made a motion to adjourn the local liquor licensing authority and reconvene as the town council. Councilor Hazelton seconded the motion and it passed unanimously.**

### **Garfield RE-2 School Board**

Garfield RE-2 School District Superintendent Brent Curtice greeted the council, and introduced the school board members. He gave a power point presentation regarding the school districts' strategic plan, and their intent to place a mil levy on the November ballot that, if passed, would make their strategic plan feasible.

### **Xcel Energy Renewable Connect Program – Kelly Flenniken**

Kelly Flenniken, Xcel Area Manager for Community and Local Government Affairs. Ms. Flenniken greeted the council. She said the Xcel Energy had a new program called Renewable Connect, which was an offering within their Colorado Energy Plan. She said the Renewable Connect Plan was currently in front of the Public Utilities Commission for their consideration, and if approved would provide their base fuel mix to be 55% renewable by 2026.

The plan was a 50-megawatt solar array in Deer Trail, Colorado, and customers would be able to apply for kilowatt subscriptions for month-to-month, five year or ten year terms.

Ms. Flenniken said that the program was a great way to build renewable capacity on the system and to provide renewable energy for the customers. Customers had been requesting renewable energy options, and the program would be at a very low cost. She felt that many New Castle residents that would utilize the program.

Administrator Baker suggested that the town could put information about the plan in the monthly newsletter.

The council thanked Ms. Flenniken.

Mayor A Riddile told Public Works Director John Wenzel that the town looked great, the trees and other items in the planter boxes downtown looked great, the artwork placed around looked great as well. He also said that Bear Dance Park looked amazing with the new play equipment.

### **Consider Awarding Bid for the 5<sup>th</sup> Street Improvement Project**

Director Wenzel told the council that staff was looking for approval from the council to enter into a contract with Johnson Construction for the improvements on 5<sup>th</sup> Street. He said that the project was broken into three different schedules, and the bid allowed the town to perform schedule A and C. Indicating a map, he showed the council the areas that would be improved. Director Wenzel said that the budget was \$265k, and scheduled A & C equaled \$242K. The project would begin after the contract was approved and negotiations with Johnson Construction were complete. The grant for the project required that it be complete by October 31, 2018.

**MOTION: Councilor G Riddile made a motion to authorize the mayor to sign a contract to award the bid for the 5<sup>th</sup> Street Project to Johnson Construction. Mayor A Riddile seconded the motion and it passed unanimously.**

### **Consider Employee Wellness Plan**

Councilor Leland said that he and the Wellness Committee had been working in a wellness plan for the town staff for several months, and the plan was complete. He asked that the council consider supporting the reimbursement plan that allowed for \$200 per year, per employee for wellness-related expenses. The total cost, should every employee get involved, would be \$7,600.00 per year. He also said that Finance Director Lyle Layton said the \$200 would be taxed as required by law, but that an additional \$40 would be provided to each employee to offset the payroll tax. He said that the committee had produced a lengthy list of pre-approved items such as running shoes, ski passes, race bibs, cooking or dance classes and more. A few items would not be reimbursable such as guns or ammunition. The committee will consider any items in question.

Councilor Leland said that the committee members were Jared Stueber, Hannah Bihl, Debbie Nichols, Melody Harrison and himself.

Councilor Leland said that the committee had also attended the Health & Wellness Symposium and learned that Marathon Health, the company that runs the CEBT clinics, had wellness programs and other services available, and that the committee would be meeting with a Marathon representative the following week.

After a brief discussion, the council agreed that they could be included in the wellness program.

### **MOTION: Mayor A Riddile made a motion to approve the Health & Wellness Plan.**

Discussion: Councilor G Riddile asked which fund would pay for the wellness plan. Director Layton said that it could be paid fifty percent from the general fund and fifty percent from the utility fund. The council agreed.

**Councilor G Riddile seconded the motion and it passed unanimously.**

**Councilor Leland made a motion and 8:39 p.m. to go into Executive Session (1) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) concerning the Town Administrator Position. Councilor Hazelton 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 9:02 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 Copeland, Leland and G Riddile; Town Administrator Baker, Town Clerk Harrison and Assistant Town Attorney Carmer. 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 Appointment of Town Administrator and Employment Contract**

Assistant Town Attorney Haley Carmer told the council that they had a contract for their consideration to hire Mr. David Reynolds as the Town Administrator. The council had discussed the contract during the executive session. She described the minor changes made which included removing the references to building inspector licenses in paragraphs 8 and 9, and adding a provision to paragraph 6 to provide reimbursement for any fees for licensure certifications or trainings in the first year of employment, if he were to return to the inspector position.

Attorney Carmer told the council that their options were: 1. To approve the contract as originally presented; 2. Approve the contract with the changes mentioned; 3. Reject the contract and open the position up to more candidates.

**MOTION: Councilor Leland made a motion to authorize the Mayor to sign amended contract with David Reynolds as Town Administrator beginning July 6, 2018. Councilor G Riddile seconded the motion and it passed unanimously.**

David Reynolds thanked the council and said he was looking forward to working with everyone. Mr. Reynolds also stated that he appreciated that the council had such faith in the staff that they could look internally for a candidate.

Councilor Owens said that he was impressed with Mr. Reynolds' contributions to the town since he had been on staff, and it spoke volumes to what the future held now that he would be the town's leader.

Councilor Leland said that he was impressed with how quickly Mr. Reynolds learned the inspector job and quickly gained certifications and training. Councilor Leland said Mr. Reynolds had another steep learning curve ahead, but he had shown he could accomplish it. Mr. Reynolds said he knew it would be tough, but he had a great staff to lean on for a bit while he learned the position. He thanked the council for their comments.

Attorney Carmer said she would amend the contract and sent it to Clerk Harrison to following day.

**Arbor Day Proclamation**

Mayor A Riddile read the proclamation into the record.

**Consent Agenda**

Minutes of the April 17, 2018 council meeting

Resolution TC-2018-11 – Approving an IGA with Garfield County for Mosquito Control

April Bills of \$404,970.02

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

## **Staff Reports**

Finance Director – Finance Director Lyle Layton explained to the council that the town had received a letter from the state auditor about a couple errors in the audit. The errors were minor and would be corrected.

Director Layton said that the town's auditors had been working on the audit for 2017, and there had been a projected surplus in the general fund of a little more than \$240k. The auditors found a bigger surplus of \$320k, about \$80k more than expected. Director Layton and the council discussed the value of keeping the same auditor for so many years.

Town Administrator – Administrator Baker said staff has been working on the lane diet. CDOT had approved painting the lane green to delineate it, but that would not happen until after CDOT does the road overlay in 2019. The lane diet discussion would come to the council to determine what should happen with the 7<sup>th</sup> Street intersection. The council discussed their concerns regarding the 7<sup>th</sup> Street and Main Street intersection. Administrator Baker said that the town staff was really great, and hardly a week goes by that someone hasn't done something out of the ordinary to help the community members. He said he had been talking with the ladies at the museum, and they told him that their toilet leaked so badly they had to turn the water to it off. Public Works Director John Wenzel and his crew went in and repaired the toilet, and they were very happy.

Administrator Baker said he had forwarded an e-mail to the council from the county who had received a parcel in New Castle from the tax delinquencies. He had gone to look at the property and it did not appear to be anything the town would want to acquire. The council agreed.

Administrator Baker said that in the memo for the Cinco de Mayo liquor license, Debbie Nichols asked for \$200 for the event, but the item moved quickly and she wasn't able to ask. He felt that the funds could be taken economic development or outdoor recreation. The council agreed. Administrator Baker said that staff had been talking about the mixed use zoning that was on Castle Valley Boulevard and the Atkinsons were interested to know what the process was to rezone the property to be only residential. Administrator Baker felt that the best way would be an amendment to the master plan, and he asked the council if they felt there were any problems with rezoning. The council discussed it at length.

Town Clerk – Clerk Harrison told the council that she had completed all the paperwork necessary to move forward with obtaining fiber optic internet services through Cedar Networks. Mayor A Riddile asked that she explain how the whole situation came about. Clerk Harrison explained that the internet service for the town was Comcast, and it fed wirelessly from the town hall building to the community center and then to the public works and police department facility. Since Comcast had lost a relay station in a fire the previous fall, there had been ongoing issues with the internet service, and those issues were exaggerated at the public works/police building and resulted in a lot of down time. It also created complications with Director Layton's ability to connect to the systems since he was working remotely from California. Clerk Harrison said that Garfield County Communications was on Cedar Networks, along with most of the other law enforcement agencies in the county. She said that Chief Pagni gave her contact information for the local Cedar Networks offices, and she had been working with them to obtain service. Clerk Harrison said that Cedar Networks had fiber in the railroad right-of-way as well as on Main Street and up Wheeler Lane, which provided

the opportunity for downtown businesses to be on fiber optic services as well. Cedar would eventually be running fiber to the wastewater plant, and wirelessly to the water plant. Clerk Harrison said that the costs of fiber optic service will be somewhat more than what town was paying currently, but those costs would be offset in a reduction in downtime, higher staff productivity and the cost of staff's need for constant IT services to chase issues and repair problems.

The council agreed that an article in the town newsletter about the availability of fiber optics would be a great idea. They thanked Clerk Harrison for a job well done.

Clerk Harrison told the council that they had provided her with a modest budget in 2017 to make some improvements to the foyer area of the administrative offices. She said that at the end of 2017 there was still about \$1,100.00 of those funds that she had not spent. One of the plans for the foyer was to remove the glass partition at the front counter and to install a security shutter to secure the office area after hours.

Clerk Harrison said she had not been successful locating anyone locally that could build a shutter. In a recent search, Clerk Harrison said she had located a company, and the shutter quote was less than the funds left over. She asked the council if they would be willing to allow her to use the unspent funds from 2017 to buy the shutter. Clerk Harrison said that she and her staff felt that removing the window did not pose any risk to them, and would make the front office more customer-friendly. She showed the council photographs of the shutter. The council agreed to the purchase of the shutter. Clerk Harrison thanked the council.

Town Planner – nothing to report

Public Works Director – nothing to report

### **Commission Reports**

Planning & Zoning Commission – nothing to report

Historic Preservation Commission – nothing to report

Climate Action Advisory Committee – nothing to report

Senior Program – Councilor Metzger passed out information on the Senior Programs luncheon that the council was invited to attend. She also said that the new conference room at the Community Center was very nice.

RFTA – nothing to report

**MOTION: Mayor A Riddile made a motion to continue the meeting past 10:00 p.m. Councilor G Riddile seconded the motion and it passed with Councilor Owens voting no.**

AGNC – Councilor Hazelton said that one of the speakers at the AGNC meeting was a representative from Cedar Networks, and it had been very interesting. Councilor Hazelton said there had been a presentation on the USDA Rural Development opportunities, and they had a number of different grant opportunities. Many went unused. He said that there were grants for law enforcement that the town could look in to. Mayor A Riddile said the New Castle would be hosting an AGNC meeting in July, and encouraged the council to attend.

GCE – nothing to report

BEWG – Mayor A Riddile said that former council member Greg Russi was willing to attend the BEWG meetings until he moved to Costa Rica.

EAB – nothing to report

### **Council Comments**

Councilor Hazelton said that he was disappointed to learn that the Lakota Recreation Center had decided to restrict the use of their pool to Lakota residents only. He felt it was a step backwards for community togetherness. Inspector Reynolds explained that the HOA, who now owned the recreation center, had a lot to take on particularly since they had no experience in owning a recreation center. They listened to the opinions of the residents and carefully considered their options. He said that there had allegedly been management issues with the pool previously, and Warrior had not left any records related to the use of the pool or other facilities. The HOA did not know who most frequented the pool in the past. They felt that because the residents were now paying for the recreation center through increased HOA dues that they open the pool to residents only for at least the first half of the summer. If they see that the pool is underutilized, they would reevaluate opening the pool to other residents of New Castle on a pay-basis. He also said that the Lakota residents would get a certain number of guest passes for their visitors and if necessary, additional guest passes could be purchased.

Inspector Reynolds said that there was good news in that Capital Deli had opened in the recreation center, and was open to all the public.

Councilor Owens said he had lunch with Chief Pagni and they discussed allowing golf carts on the town streets. He also received an email from a Lakota resident who was interested in assisting in the exploration of making New Castle a golf cart community. Warrior Golf agreed verbally that they would allow privately owned golf carts on the Lakota course. Councilor Owens said that he felt that allowing golf carts on the town streets was something worth pursuing, and recommended a working group to take the idea further. Administrator Baker said a group could be formed to look into the idea.

Councilor Metzger gave the council copies of an e-mail from Steve Craven that verified that neither the newspaper or Nancy Thal had told Mr. Craven that there would be an article in the newspaper about the proposed co-housing. Councilor Metzger said that Ms. Thal thought something was happening with the proposal when nothing really was happening.

Councilor Metzger showed the council the Carbondale Activity Guide, and said that she felt New Castle should do more with their activity guide. Councilor Hazelton said that his kids bring home activity guides from other towns, but not the New Castle activity guide.

Councilor Metzger said that Steve Craven told her that the Hilltop people would be visiting New Castle on May 18 to look at his property. Mayor A Riddile reminded Councilor Metzger that Councilor G Riddile was now on the sub-committee that could speak to Mr. Craven and she should include him in any correspondence. She agreed she would.

Councilor Metzger asked what was happening with kiosks at City Market. Councilor Leland said the first sign was installed the week prior, and the second one that same day. Labels had been ordered so that people would know they could use them. He also said there would be an article in the newsletter explaining them.

Councilor Metzger ask when clean-up day would be. Clerk Harrison said it would be in October.



Councilor Copeland asked about the Windridge HOA fee that had been in the bills report. Administrator Baker said that the town owned two condominiums in the Windridge complex.

Councilor Copeland also asked about a tenant being evicted. Administrator Baker said that the units were intended for employee housing, but when no one on staff needed the units, it is opened up to other renters. The tenant was significantly behind in their rent. The tenants came up with the money, and were not evicted.

Councilor Leland said that the new public bulletin boards were up near City Market. Councilor Leland passed out the new trails map to the council.

Councilor G Riddile said there was a problem with people using right turn lanes on Castle Valley Boulevard as passing lanes. He asked if it would be okay to request that arrows or signs be installed. Administrator Baker said he would have Public Works Director John Wenzel call Councilor G Riddile.

Councilor G Riddile said that it seemed there had been quite a few HR items come up and he asked if it would be a good idea that the council have an HR work session to talk about the items. Administrator Baker said he thought that was a good idea.

Mayor A Riddile asked the council members to return the executive session paperwork to Clerk Harrison.

Mayor A Riddile said he had attended the Mayor's meeting the week prior in Parachute, and the all the mayors in the county were there. The next mayors meeting would be on June 26, 2014 at 6:30 p.m. in New Castle. He encouraged the council members to attend.

Mayor A Riddile told the council that Mike Samson, who leads the mayors meetings, said that the Anvil Points Naval Oil Shale Fund had finally been distributed back to the five counties. Garfield County had received 6.8 million dollars. The funds were currently in a sequestered FMLD account and could not be touched until the offset of the PILF had been satisfied, at which point the funds could be disbursed. Mayor A Riddile said the FMLD had been encouraged to disburse the funds directly to the municipalities, but that it yet was unknown how it would be handled.

Mayor A Riddile said he had attended the Inter Mountain Planning Transportation Region in Eagle and they had discussed the transportation funding initiative issue coming up on the November ballot.

Mayor A Riddile said he had spoken with the City of Glenwood Springs, and there had been an article in the paper about a proposal on the quarry near the Glenwood Adventure Park. The quarry had been purchased by a company that was talking about expanding the production from 13 acres to 300 acres, and production would be 24 hours per day, 7 days per week with as many as 700 truck trips per day. The City of Glenwood Springs had concerns, and wondered if New Castle would support them in preventing the expansion. He said that the City of Glenwood Springs wanted to come speak to the council.

Mayor A Riddile said that the Chamber of Commerce was up and running and the office was staffed every day from 9:00 a.m. to noon.

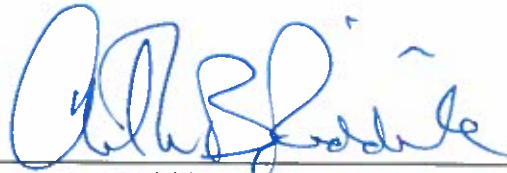
Mayor A Riddile said that the Capital Deli was open, and some of the council member's wives had dinner there and could report on the restaurant.

Mayor A Riddile said that he had met the food and beverage manager at the Lakota Club House, which was beautiful. He said Warrior had done a nice job. He felt it could be a nice amenity to New Castle.

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

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

  
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Mayor Art Riddile

  
\_\_\_\_\_  
Town Clerk Melody Harrison, CMC

