



**Town of Castle Rock
100 North Wilcox Street
Castle Rock, CO 80104**

Mayor Paul Donahue
Mayor Pro Tem Jennifer Green
Mark Heath
Chip Wilson
Renee Valentine
George Teal
Brett J. Ford

Town Council Meeting Minutes

Tuesday, May 19, 2015

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

The Meeting was Called to Order at 6:00 PM

Present: 7 - Council Member Ford, Council Member Teal, Council Member Valentine, Mayor Donahue, Mayor Pro-Tem Green, Council Member Wilson, and Council Member Heath

COUNCIL COMMENTS

[ID 2015-133](#)

Appointments to Boards and Commissions

Ford moved, seconded by Wilson, to appoint William Leung (2 year term) and Kira James (1 year term) to the Public Works Commission and Kevin McNeill to the Board of Building Appeals.

The motion passed by the following vote:

Aye: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[ID 2015-151](#)

Discussion on Unscheduled Public Appearances

Donahue moved, seconded by Teal, that to facilitate Council's ability to move through the agenda in an orderly and efficient manner, unscheduled public comment be limited to thirty (30) minutes; that each speaker be given three (3) minutes to address the Council and that the Council would hear from residents first (in the order of sign up), and as time permitted, to hear from others wanting to speak (again in the order of sign up), and that the foregoing remain in effect (applying to all future Council meetings) unless modified.

Wilson expressed strong objections to placing any restrictions on Public Comment, noting he felt Council should listen to anyone who wanted to speak.

Heath recommended allowing all residents to speak, regardless of the amount of total time this took, and then hearing from non-residents if time permitted.

Teal moved, seconded by Heath, to AMEND the motion to state that the Council would take Unscheduled Public Comment for thirty (30) minutes or until all residents had been heard, whichever was longer.

The motion on the Amendment passed by the following vote:

Aye: 6- Donahue, Green, Teal, Ford, and Valentine
No: 1 - Wilson

The main motion, as AMENDED, passed by the following vote:

Aye: 6 - Donahue, Green, Heath, Teal, Ford and Valentine
No: 1 - Wilson

[ID 2015-132](#) Proclamation: National Public Works Week

[ID 2015-135](#) Introduction: New Police Officers

UNSCHEDULED PUBLIC APPEARANCES

Donahue reviewed the revised rules regarding Unscheduled Public Comment which had been approved by the Council at the beginning of the meeting. Noted comments would be limited to 3 minutes per speaker and that the total time would be limited to thirty (30) minutes total OR until all residents had been heard, whichever was longer. Reviewed expectations that audience members not disturb or disrupt or otherwise engage in actions that impede any speaker or the Council's ability to conduct business.

The following members of the public made comments or asked questions of the Council related to a variety of items that were NOT included on the regular agenda:

Bernie Goldberg	Stacey Rogers
Elyse McNaulty	Gary Herr
Angie Vencill	Chris Demarest
Jill Herr	Deb Butrim
Ron Zuroff	Deana Meyer

The Council and various staff responded to issues / concerns raised by members of the public

TOWN MANAGER'S REPORT

[ID 2015-134](#) Update: Quasi-Judicial Projects

[ID 2015-136](#) Update: Monthly Department Reports

[ID 2015-137](#) Call Special Meeting: June 9, 2015

Donahue moved, seconded by Green, to call a Special Meeting for 6:00 PM on June 9, 2015 in the Council Chambers.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford and Valentine

[ID 2015-138](#) Update: 2015 Major Projects Work Program

TOWN ATTORNEY'S REPORT

Slentz requested authorization to move forward with the public notice for first reading of an Ordinance calling a Special Election and setting the ballot title for June 9, 2015, should Council decide on June 2, 2015 to refer the pending Referendum to the voters. Noted due to newspaper deadlines for submitting the notice, this had to occur prior to the June 2, 2015 decision by Council if the June 9, 2015 date was to be preserved as an option for first reading, which was necessary to keep the issue on track for an August election.

Teal moved, seconded by Donahue, to authorize the Town Attorney to proceed with notice of an Ordinance for the June 9, 2015 meeting as requested.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

ACCEPTANCE OF AGENDA

Green moved, seconded by Valentine, to accept the agenda as presented.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

CONSENT CALENDAR

Ordinance No. 2015-20 was removed from the Consent Calendar

This was Approved.

[ID 2015-139](#)

Minutes: April 7, 2015 Town Council Meeting

[ORD 2015-18](#)

Ordinance: Approving an Easement Agreement Between the Town of Castle Rock and Intermountain Rural Electric Association (Second Reading)

Green moved, seconded by Ford, to approve the Consent Calendar as amended, including the Minutes of the April 7, 2015 Town Council meeting and Ordinance No. 2015-18 (second reading)

The motion passed by the following vote

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

[ORD 2015-20](#)

Ordinance: Amending Section 2.01.300 of the Castle Rock Municipal Code Concerning the Conduct of Special Elections; and Providing for its Emergency Adoption on Second and Final Reading (Second Reading)

Misare requested an amendment to Section 2.01.300 (B) to indicate the Intergovernmental Agreement with the County must be signed no less than forty five (45) days prior to the election rather than the 60 days as currently written. This change would provide additional flexibility to finalize the agreement and get it signed by all parties.

The following members of the public made statements or asked questions on this item:

*Frank Earley
Tim Brown*

Stacey Rogers

Green moved, seconded by Ford, to approve Ordinance No. 2015-20 as amended to

change the date for signing of the IGA to 45 days prior to the election, on an Emergency Basis.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2015-22](#) Ordinance: Amending Section 17.02.010 and Repealing and Reenacting Chapter 17.26 of the Castle Rock Municipal Code Concerning the Manufactured Home District

Shaw reviewed proposed updates to the Town's Municipal Code regarding set back requirements for manufactured homes, and noted the changes were consistent with provisions of the building code.

Green moved, seconded by Heath, to approve Ordinance No. 2015-22 as presented on first reading

The motion passed by the following vote:

Aye: 7 - Donahue, Green Heath, Wilson, Teal, Ford, and Valentine

[RES 2015-48](#) Resolution: Designating Karen Goldman as Hearing Officer For Any Referendum Protest Hearing

Misare noted this action was being requested as a proactive measure for the possible filing of a protest related to the Referendum Petition on Ordinance No. 2015-09. Noted having Ms. Goldman designated in advance of the May 26, 2015 deadline would allow the Town Clerk's office to move forward with the process in the most expedient manner, should a protest be filed.

The following members of the public made statements or asked questions on this item:

Stacey Rodgers

Green moved, seconded by Ford, to approve Resolution No. 2015-48 as presented.

The motion passed by the following vote

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

[ORD 2015-19](#) Ordinance: Adopting a New Chapter 5.18 and Amending Section 17.01.080 of the Castle Rock Municipal Code Regulating Marijuana Cultivation (Second Reading)

Cauley reviewed the key provisions of proposed Ordinance, specifically the restrictions that would be imposed on cultivation operations in an effort to reduce the off site impacts.

The following members of the public made statements or asked questions on this item:

Stacey Rogers

Green moved, seconded by Valentine, to approve Ordinance No. 2015-19 as presented on second reading.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

[ORD 2015-23](#) Ordinance: Amending Title 15.34.010 of the Castle Rock Municipal Code adopting by reference as Primary Code the 2015 the Grading, Erosion, and Sediment Control (GESC) and Drainage, Erosion and Sediment Control (DESC) Manual.

Van Dellen provided a high level overview of the manual and what it covered, as well as the proposed changes and updates since the prior version was adopted. Staff and Utilities Commission recommended approval.

The following members of the public made statements or asked questions on this item:

Frank Earley

Ford moved, seconded by Heath, to approve Ordinance No. 2015-23 as presented on first reading.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

[ID 2015-140](#) Update: Agreement for the Purchase and Sale of Capacity in Facilities Owned by United Water and Sanitation District

Ford moved, seconded by Green, that the Informational Report be Tabled.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

[ORD 2015-21](#) Ordinance: Authorizing the Issuance and Sale of Water and Sewer Enterprise Revenue Refunding Bonds, Series 2015, In An Aggregate Principal Amount Not To Exceed \$6,200,000 Payable Solely Out Of The Net Pledged Revenues To Be Derived From The Operation Of The Town's Water and Sewer Enterprise; Providing Other Details Concerning The Bonds, Including, Without Limitation, Covenants And Agreements In Connection Therewith; Providing Other Matters Relating Thereto; And Providing For Its Emergency Adoption on Second and Final Reading (Second Reading)

Muller reviewed the terms of the proposed refinancing of the 2006 water and sewer bonds and the parameters under which the Town would move forward.

The following members of the public made statements or asked questions on this item:

Frank Earley

Green moved, seconded by Ford, to approve Ordinance No. 2015-21 on second reading on an Emergency Basis.

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford, and Valentine

ADJOURN TO EXECUTIVE SESSION

[ID 2015-141](#)

Executive Session: Former Town Manager Mark Stevens Exit Interview

Donahue moved, seconded by Ford, to adjourn to Executive Session for the purpose of conducting an exit interview with the former Town Manager Mark Stevens under C.R.S. §24-6-402(4)(f)(I).

The motion passed by the following vote:

Aye: 7 - Donahue, Green, Heath, Wilson, Teal, Ford and Valentine

Meeting Adjourned at 9:10 PM