



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

Town Council Meeting Minutes

Mayor Jennifer Green
Mayor Pro Tem Renee Valentine
Councilmember Jess Loban
Councilmember James Townsend
Councilmember Jason Bower
Councilmember George Teal
Councilmember Brett Ford

Tuesday, February 21, 2017

6:00 PM

Council Chambers

INVOCATION - Ebassa Berhanu, Faith Lutheran Church

CALL TO ORDER / ROLL CALL

Mayor Green called the meeting order at 6:05 PM

Present: 5 - Council Member Loban, Council Member Townsend, Mayor Green, Council Member Bower, and Mayor Pro Tem Valentine

Not Present: 2 - Council Member Teal, and Council Member Ford

PLEDGE OF ALLEGIANCE

Wolf Pack Den 788 led the Pledge of Allegiance.

COUNCIL COMMENTS

Loban requested staff work with representatives of Douglas County regarding removal of graffiti from the former Urgent Care building on the east side of I-25 at the north end of Town.

Other comments were informational only and did not require direction or action by Council.

[APPT
2017-002](#)

Appointment: Downtown Development Authority

Valentine moved, seconded by Bower to appoint Nick Heir to the Downtown Development Authority for a term ending in June 2017.

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

UNSCHEDULED PUBLIC APPEARANCES

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:

Gary Herr
Randy Reed
Taryn Thomas
Mary Wilson

Wayne Harlos
Randy Hulburt
Stacey Rogers

TOWN MANAGER'S REPORT

[INTRO](#)
[2017-001](#)

Introduction: New Police Officers

[ID 2017-006](#)

Update: 2016 Service Contract Year-End Reports

[ID 2017-007](#)

Update: Administrative Easement Abandonments, Right-of-Way Vacation and Easement Grant *[Easement Abandonments, Right-of-Way Vacation, Easement Grant]*

[ID 2017-008](#)

Update: Residential Unit Data

[DIR 2017-004](#)

Discussion/Direction: Weekend Rights-of-Way Sign Removal

[ID 2017-009](#)

Update: Quasi-Judicial Projects

[ID 2017-010](#)

Presentation: 2016 Year in Review

[ID 2017-011](#)

Update: Monthly Department Reports

TOWN ATTORNEY'S REPORT

Slentz reported staff was working with property owner in effort to resolve issues related to expired easement on Sellars Gulch Trail which resulted in section of the trail being blocked.

[DIR 2017-005](#)

Town Attorney's Report: Special Legal Services

Green moved, seconded by Valentine, to approve the Letter of Engagement with Inman & Flynn PC.

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

[DIR 2017-006](#)

Town Attorney's Report - Animal Code

Slentz provided status update on review of Town's Animal Code, and plans for public outreach on key issues prior to bringing recommendation to Town Council.

ACCEPTANCE OF AGENDA

Green noted the Discussion / Direction on 2015 TABOR Revenue - proposed expenditures - would be deferred until a later date.

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

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

CONSENT CALENDAR

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

[MIN 2017-003](#) **Minutes: January 17, 2017 Town Council Meeting**

[RES 2017-014](#) **Resolution Ratifying the First Amended Contract for Purchase and Sale of Water Rights Between the Town of Castle Rock and PV, LLC and the First Amendment to Contract for Purchase and Sale of Water Line Capacity Between the Town of Castle Rock and Pioneer Metropolitan District No. 3** *(Ratifying time extension for water right purchases)*

Valentine moved, seconded by Loban, to approve the Consent Calendar as amended to remove Resolution No. 2017-013.

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

[RES 2017-013](#) **Resolution Approving a Purchase Agreement with Boise Mobile Equipment for One (1) Type 3 Brush Truck**

Croom reviewed key provisions of proposed purchase agreement.

Valentine moved, seconded by Bower, to approve Resolution No. 2017-013 as presented.

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2017-002](#) **Ordinance Approving a Public Finance Agreement between the Town of Castle Rock, Citadel Development, LLC, the Miller's Landing Business Improvement District and the Castle Rock Urban Renewal Authority** (Second Reading) *[Northwest corner of Plum Creek and I-25] (to be continued)*

Citadel Development Group, applicant, reviewed major elements of proposed 65 acre mixed use development. Noted development allowed for remediation of the old land fill, provided for construction of the extension of Prairie Hawk Dr. and expansion of Plum Creek Parkway, and provided for the extension of trails and utilities. Noted proposed development included a full service hotel with conference center, and office retail uses.

Carolyn White, bond counsel for the applicant, reviewed the proposed Public Finance Agreement (PFA), noting the agreement put into place various financial tools which were required to make this property developable, as the total cost of the project was estimated at over \$65 million.

Bower expressed concern regarding the potential negative impact of significant retail development in this area on business in downtown Castle Rock.

Several Councilmembers expressed concern that the minimum requirement of 150 keys for the hotel was too low given the requested level of shareback.

Slentz provided overview of Town's commitments under the PFA and the various performance criteria included in the agreement.

Detweiler reviewed proposed timing of development and key triggers that had to be met in order for certain provisions of the PFA to kick in.

Corliss noted staff had hired EPS to undertake a full analysis of the feasibility of the development proposal, and noted this report would be available prior to second reading on the Ordinance.

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

Marcus Notheisen

Frank Gray

Valentine moved, seconded by Loban, to approve Ordinance No. 2017-002 on First Reading as presented.

The motion passed by the following vote:

Yes: 4 - Loban, Townsend, Green, and Valentine

No: 1 - Bower

Not Present: 2 - Teal, and Ford

[ORD 2017-003](#) Ordinance Amending Chapter 3.04 of the Castle Rock Municipal Code Concerning the Town's Sales Tax by Providing for a Sales Tax Credit Against Certain Public Improvement Fees Paid at Miller's Landing (First Reading) *[Northwest corner of Plum Creek and I-25]*

Slentz reviewed the proposed Code amendment which would provide for a certain percentage of the Town's sales tax to be reimbursed to the developer to help

offset costs incurred in building infrastructure and otherwise developing the site. Noted proposal for this development was for a 2.4 cent credit for every 4 cents collected.

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

Frank Gray

Valentine moved, seconded by Townsend, to approve Ordinance No. 2017-003 on First Reading as presented.

The motion passed by the following vote:

Yes: 4 - Loban, Townsend, Green, and Valentine

No: 1 - Bower

Not Present: 2 - Teal, and Ford

[DIR 2017-007](#) **Discussion/Direction: TABOR 2015 Revenue Proposed Expenditures**

Consideration of this item was deferred until a later date.

BREAK

The meeting went into recess at 8:56 PM

RECONVENE

The meeting reconvened at 9:06 PM

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2017-015](#) **Resolution of the Castle Rock Town Council Making Required Statutory Findings Concerning the Eligibility of Certain Property for Annexation (*Pleasant View Annexation*) [*Castle Oaks Drive*]**

Detweiler stated proposed Resolution was second step in state mandated annexation process, and was used to establish that property met statutory requirements to be eligible for annexation.

Townsend moved, seconded by Bower, to approve Resolution No. 2017-015 as presented.

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

[DIR 2017-008](#) **Discussion/Direction: Draft Community Survey**

Zagurski presented final draft of citizen survey and requested Council authorization to proceed with distribution to random scientific sampling of residents. Also presented draft business survey. Noted results would be presented in May.

Green requested that any questions related to transit clearly indicate that the issue was transit within the Town limits, not regional transit.

Bower moved, seconded by Valentine, to authorize staff to work with Northwest Research Group to finalize the survey and to administer as presented.

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

[DIR 2017-009](#)

Discussion/Direction: Construction Defects

Detweiler provided an overview of current requirements in place in the Town of Castle Rock and other local jurisdictions as it related to this issue. Also reviewed status of several potential actions pending at the State Legislature.

EXTENSION OF MEETING

At 9:57 PM, Loban moved, seconded by Bower, to extend the meeting until 10:00 PM

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Green, Bower, and Valentine

Not Present: 2 - Teal, and Ford

[DIR 2017-009](#)

Discussion/Direction: Construction Defects

After discussion of the issue, it was the general consensus of Council to continue to monitor State Legislation on this issue, and to bring the item back for further discussion and direction if the State failed to act on it during the current session.

ADJOURN

The meeting was adjourned at 9:45 PM