



Town Council Meeting Minutes - Draft

Mayor Jason Gray
Mayor Pro Tem Desiree LaFleur
Councilmember Ryan Hollingshead
Councilmember Laura Cavey
Councilmember Kevin Bracken
Councilmember Max Brooks
Councilmember Tim Dietz

Tuesday, June 18, 2024

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
www.CRgov.com/CouncilMeeting

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COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray provided the invocation.

CALL TO ORDER / ROLL CALL

Mayor Pro Tem LaFleur attended remotely.

Present: 7 - Mayor Gray, Mayor Pro Tem LaFleur, Councilmember Hollingshead, Councilmember Cavey, Councilmember Bracken, Councilmember Brooks, Councilmember Dietz

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray noted the Car Show last weekend and emphasized the importance of empathy for others.

Councilmember Hollingshead congratulated the Parks department for receiving the Starburst award for two projects.

Councilmember Cavey thanked Jeff Brauer for the season passes to the summer concerts. She thanked Police Chief Cauley for honoring her request for the daughter of one of her constituents who asked for a police officer at her birthday party.

Councilmember Bracken spoke in support of the upcoming ballot issue to support Police and Fire. He equates a no vote is the same idea as defunding our Police and Fire department. He recognizes the frustration of residents regarding road construction and asked for their patience. He noted the traffic calming program if residents are interested in learning more about the program.

Councilmember Brooks asked the Mayor to announce the Mayor's pick from the Car Show. The Mayor stated it was a 1939 LaSalle. Brooks reminded residents there are 7 days to get ballots in, and reminded citizens to vote for the Congressional vacancy.

Councilmember Dietz asked citizens to remember joy and patriotism, and their vote matters.

Mayor Pro Tem LaFleur is looking forward to hearing all the great bands this summer. She is getting contacted about recreational vehicle parking; and asked staff to brief Council on the Town ordinances.

[APPT
2024-004](#)

Appointments: Design Review Board and Downtown Development Authority Board

Moved by Councilmember Hollingshead, seconded by Councilmember Brooks, to Approve Appointment APPT 2024-004 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

UNSCHEDULED PUBLIC APPEARANCES

Citizens that addressed Council:

Kevin Davis, is a resident of Town in Crystal Valley for 6 years. They have been affected 4 times in the past year from the storms and would like to see what can be done in the future.

Bill Gernert is a resident and wanted to thank Council for doing a good job.

Robin O'Meare lives in Arapahoe County and is with the United Sovereign Americans to share concerns over the voter database. She offered to meet with Council to provide more detail. She asked Council to listen to the Resolution and asked for them to pass it. It will be read by the next few speakers.

Scott Russell is a former firefighter for Castle Rock, and read the beginning of the Resolution.

Danny Uzechi a resident for 23 years and a public educator, continued to read the resolution.

Susan Bake lived in Castle Rock for several years and continued to read the resolution.

Jaime West lives in Arapahoe County and is a Colorado resident for 35 years and referenced the resolution. Their organization's website is United4freedom.com.

Cris Cristadoro is a Colorado resident for 17 years and noted the number of volunteers and hours spent to research and audit the voter rolls. He asked Council to pass the resolution to ensure a valid 2024 election.

TOWN MANAGER'S REPORT

[ID 2024-065](#) **Update: Calendar Reminders**[ID 2024-066](#) **Update: Legislative Update**

Kristin Read, Assistant Town Manager, gave an overall session update. The presentation is part of the packet.

Councilmember Cavey asked if we are altering our Code on occupancy limits, ADU's, and minimum parking requirements and if we will fight it if we are challenged. Corliss stated he will be checking with other municipalities at the CML conference.

[ID 2024-067](#) **Update: Wireless Communication Facilities**[ID 2024-068](#) **Update: Pickleball at Butterfield Crossing Park**

Councilmember Dietz suggested possibly changing the hours, and feels enforcement should be a last resort.

Councilmember Cavey feels there should be balance for getting exercise and to respect residents.

Councilmember Hollingshead noted seeing people playing pickleball late, and maybe change hours earlier during the week.

Councilmember Brooks confirmed the pickleball hours. Jeff Brauer stated Butterfield is 8am-10pm.

Mayor Gray feels we should respond to complaints.

Councilmember Dietz agreed with Hollingshead to cut the lights off at 9pm.

Mayor Gray agrees with 9pm.

Mayor Pro Tem LaFleur feels 9pm would be better at Butterfield.

Councilmember Cavey agrees to change the time to 9pm, and asked how it will be enforced. Corliss stated complaints can be made to the Police non-emergency number.

Moved by Councilmember Dietz, seconded by Councilmember Hollingshead, to have pickleball hours from 8am-9pm and lights off at 9pm. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[ID 2024-069](#) **Update: June 9, 2024 Storm Responses**

Mark Marlowe, Director of Castle Rock Water provided a storm summary.

Councilmember Dietz noted his district was hit particularly hard.

Councilmember Cavey is concerned that the impact is on the homeowners.

Councilmember Hollingshead feels this is a natural disaster and we can't change code because of a natural disaster.

Councilmember Brooks inquired if some of the instances were a result of not building to specifications.

Mayor Gray stated the last two years they have a lot of erosion, and asked when the criteria for a 100 year storm changes if we have had it two years in a row. Marlowe stated every year can have one, but it is based on historical data. It is being discussed to change the criteria.

Councilmember Cavey asked if they can take a look at those areas and be proactive in areas that are still to be developed.

Marlowe stated they were in the process of a review before the storm and may be bringing it back to Council.

[ID 2024-070](#)

Update: Monthly Department Reports

[ID 2024-071](#)

Development Services Project Updates

[ID 2024-072](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Hollingshead, seconded by Councilmember Bracken, to Accept the Agenda as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

CONSENT CALENDAR

Moved by Councilmember Brooks, seconded by Councilmember Dietz, to Approve the Consent Calendar as presented. The motion passed by a vote of:

Yes: 7 - Cavey, Bracken, Brooks, Gray, LaFleur, Hollingshead, Dietz

[RES 2024-057](#)

Resolution Approving the Water Lease Agreement between the Town of Castle Rock and the Town of Wiggins [Morgan County, Colorado]

[RES 2024-058](#)

Resolution Approving the Seventh Amendment to the Establishing Agreement with Plum Creek Water Reclamation Authority [4255 N. US Highway 85, Castle Rock CO 80108]

[RES 2024-059](#)

Resolution Approving the Separate Septic System at the StorHaus Garage Condo Recreational Vehicle Storage Facility Located at 4390

Regent Street (Meadows Filing 17, Area No. 2)[PROC
2024-008](#)**Proclamation: Smart Irrigation Month - July 2024** (For Presentation - Approved on June 18, 2024, by a vote 7-0)[MIN 2024-012](#)**Minutes: June 4, 2024 Draft Minutes****ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS**[RES 2024-060](#)**Resolution Approving the Purchase of Motorola Portable Radios for the Castle Rock Police Department**

Police Chief Cauley presented the item. Councilmember Cavey recused herself due to the business relationship she has through Verizon.

Moved by Councilmember Dietz, seconded by Councilmember Brooks, to Approve Resolution RES 2024-060 as presented. The motion passed by a vote of:

Yes: 6 - Gray, LaFleur, Hollingshead, Bracken, Brooks, Dietz

Recuse: 1 - Cavey

[DIR 2024-009](#)**Discussion/Direction of Applications for the 2024 2nd Quarter Council Community Grant Program, Four Applications**

Trish Muller, Director of Finance, presented the grant applications. - Castle Rock High Noon Rotary, Castle Rock Pirates Rugby Club, Castle View Band Booster Club, Paul's Mystery Ship to End ALS.

Representatives from Castle Rock Pirates Rugby Club, Castle View Band Booster Club, and Paul's Mystery Ship to End ALS spoke about their programs and thanked Council.

Moved by Councilmember Dietz, seconded by Councilmember Hollingshead, to Approve Discussion/Direction Item DIR 2024-009 as presented. The motion passed by a vote of:

Yes: 7 - LaFleur, Hollingshead, Cavey, Gray, Bracken, Brooks, Dietz

[DIR 2024-010](#)**Discussion/Direction: Potential Teen/Youth Council**

Kristin Read, Assistant Town Manager, followed up with Council's request for a Teen/Youth Council. She noted that Douglas County, Lone Tree, and Parker have similar groups along with Englewood, Northglenn and Superior.

Existing Town groups are the Teen Advisory Group with Parks and Recreation, Teen Court, Fire and Police Explorer groups, and Youth Police Academy. The Town also invests \$19,800 to the Douglas County Youth Initiative.

Councilmember Dietz thinks we should have as many groups as we can to bring in as many kids as we can.

Councilmember Cavey is interested in focusing on mental health, leadership, etc.

Mayor Gray feels using the person that is a liaison to the TAG group is a good idea.

Moved by Councilmember Dietz, seconded by Councilmember Cavey, to Direct staff to amend the 2024 budget to include related expenses to establish a youth commission this year. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[RES 2024-061](#) **Resolution of the Town Council of the Town of Castle Rock Expressing Their Strong Support for the Lawsuit Filed by Douglas County Against the State of Colorado Seeking a Declaration that Recent Laws Enacted by the Colorado General Assembly Prohibiting Local Government Cooperation with Federal Immigration Officials are Unconstitutional**

Mike Hyman, Town Attorney, provided an overview of the immigration enforcement lawsuit.

No public comment.

Moved by Councilmember Brooks, seconded by Councilmember Bracken, to Approve Resolution RES 2024-061 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[DIR 2024-011](#) **Discussion/Direction: Natural Medicine Business Ordinance**

Mike Hyman, Town Attorney, presented the item that originated as a citizen-initiated ballot measure to decriminalize natural medicine regulation and legalization, specifically for mushrooms.

The Town can regulate time, place, and manner of operation; limit areas for cultivation, manufacturing, testing, storage, distribution, transfer and dispensation; and establish distance restrictions.

Staff is proposing it be allowed in light and general industrial land, restrict hours 8-5pm Monday through Friday, limit public view, storage in permanent buildings, illuminated facilities, confine odors, require secure disposal, prohibit processing of medicine with hazardous materials.

Tara Vargish displayed a map of areas it would be allowed that is included in the packet.

Councilmember Dietz asked why we can't buffer them out and asked for it to be as strict as possible.

Councilmember Cavey is concerned from the one area that is across from Douglas County High School and asked if they can expand it past 1,000 feet. Hyman stated they could see what other distance requirements they could propose based on different types of properties i.e., schools. Cavey asked if there can be other violations that they could be cited for. Hyman stated they were thinking about creating a nuisance code and will look at preparing a proposed code. Cavey asked if they sold to underage. Hyman said the state would remove their license.

Councilmember Brooks inquired if the area around the Wellspring La Quinta site is

already covered with the existing buffer.

Hyman stated these are considered administered medicines and are more like making a medical appointment.

Corliss stated we could do greater buffers for schools. Hyman stated we can vary distance restrictions.

Councilmember Dietz asked why we can't abide by Home Rule. Hyman stated this was the product of a state-wide vote vs. a legislative vote.

Mayor Gray respects physicians that want to administer this medication.

Councilmember Bracken stated we cannot decline them a place to exist within the Town. We are determining areas they could operate.

Councilmember Cavey if tweeking it, and putting nuisance ordinances in place are included in the motion.

Staff will bring back a map showing what a different distance restriction would look like, draft with such changes as Council directed.

The item will be continued to the July 2nd meeting.

Moved by Councilmember Dietz, seconded by Councilmember Brooks, to Direct the Town Attorney to place the draft ordinance regulating natural medicine businesses on the agenda for the July 2nd regular meeting. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[DIR 2024-012](#)

Discussion/Direction: Brickyard Development and Urban Renewal Plan

David Corliss, Town Manager, asked for Council direction on the proposed urban renewal plan.

Councilmember Cavey inquired about the taxes. Hyman stated the funds would only be used for public improvements. Corliss stated it can go up to 25 years. Hyman stated the URA is designed to pay for itself and its public improvements. Cavey would like to see how much the developer is putting into it and stand to make from it.

Councilmember Bracken confirmed that the tax increment generated would pay for the developer to put in the public improvements. Corliss stated they haven't put it all together yet. He wanted to inform Council that they have started these discussions.

Councilmember Dietz asked if there will be a metro district. Corliss stated there will be a business improvement district only paid by the businesses.

Councilmember Cavey noted that businesses in the BID have to charge more for their services to cover the taxes.

Mayor Gray asked about the board and if it is a specific position or whoever they choose to represent them. Hyman stated they can appoint whoever they wish.

Councilmember Cavey inquired about the taxes. Hyman stated the taxes are collected and never touch the books of the taxing entities, so it is not taken from them. Hyman stated they don't see the money from the taxes, because the development is what brings the taxes in.

Moved by Councilmember Hollingshead, seconded by Councilmember Bracken, to Direct Town staff to proceed as outlined in the preparation of necessary Brickyard Urban Renewal Plan and related documents as outlined by staff. The motion passed by a vote of:

Yes: 5 - LaFleur, Bracken, Brooks, Gray, Hollingshead

No: 2 - Cavey, Dietz

[RES 2024-062](#) **Resolution Approving the Town of Castle Rock Fire and Rescue Department Standards of Cover, 2023 Edition**

Fire Chief Croom presented the item.

Moved by Councilmember Cavey, seconded by Councilmember Brooks, to Approve Resolution RES 2024-062 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[ID 2024-073](#) Agenda item

Motion to extend to end of agenda - brooks/cavey

Moved by Councilmember Brooks, seconded by Councilmember Cavey, to extend the meeting to end of agenda. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[RES 2024-063](#) **Resolution Approving the Castle Rock Police Department 2024 - 2029 Five-Year Strategic Plan**

Police Chief Cauley stated the Commanders did a great job and got feedback from the community and staff.

No public comment.

Moved by Councilmember Dietz, seconded by Councilmember Bracken, to Approve Resolution RES 2024-063 as presented. The motion passed by a vote of:

Yes: 7 - LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz, Gray

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Councilmember Brooks, seconded by Councilmember Hollingshead, to Adjourn. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

Meeting adjourned at 9:56 pm.

Submitted by:

Lisa Anderson, Town Clerk