



Town Council Meeting Minutes - Draft

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

Tuesday, October 19, 2021

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 146 887 8216
www.CRgov.com/CouncilMeeting

This meeting is open to the public and will be held in a virtual format in accordance with the Town Council Electronic Participation, Connected, and Hybrid Meeting Policy. Public may choose to attend in person at Town Hall, or electronically or by phone if preferred. This meeting will be hosted online and can be accessed at www.CRgov.com/CouncilMeeting, or phone in by calling 720-650-7664, meeting code 146 887 8216 (if prompted for a password enter "Oct19Council"). All Town Council Meetings are also streamed online in real time at www.CRgov.com/WatchCouncil, and are broadcast for Comcast Cable subscribers on Channel 22 (please note there is a delay to the broadcast).

All times indicated on the agenda are approximate. Remote participants please visit www.CRgov.com/CouncilComments to sign up to speak to an item, and for related instructions. Public Comments may also be submitted in writing online by 1:00 p.m. October 19, 2021, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION - Pastor Franck Corbiere, Calvary Rockview Baptist Church

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Hollingshead thanked Town staff for helping with the open house hosted by Mayor Pro Tem Bracken and himself.

Councilmember Cavey spoke to her position on mandates.

Councilmember Johnson acknowledged staff celebrating service anniversaries with the Town. Johnson also questioned if the Town would be adopting an electrical code.

Councilmember Dietz spoke to downtown development concerns and issues of public safety associated with continued growth.

Mayor Gray thanked staff for the work done on the State of the Town address and highlighted that October is Breast Cancer Awareness Month. Additionally, he recognized and offered condolences for influential community members that recently passed.

UNSCHEDULED PUBLIC APPEARANCES

Dave Hammelman, resident, acknowledged the Town's high level of employee retention and years of service as a positive for the community.

TOWN MANAGER'S REPORT

[ID 2021-107](#)

Presentation: Your Town Academy Graduating Class

Kristin Read, Assistant Town Manager, introduced members of the Your Town Academy Program to Council. Mayor Gray congratulated and presented each graduate with a certificate.

[ID 2021-108](#)

Update: Calendar Reminders

Town Manager, Dave Corliss, reviewed upcoming holiday office closures for the Town.

[ID 2021-109](#)

Update: Monthly Department Reports

Dan Sailer, Director of Public Works, provided an overview of the Town's Snow and Ice Control Program.

Councilmembers questioned if current staffing concerns will impact the Town's snow removal response and if area high school students could assist elderly citizens, or others in need, with snow removal in conjunction with the high school student community service hours requirement. Emphasis was also placed on continued communication with the public during snow events.

[ID 2021-110](#)

Update: Third Quarter Major Projects

Councilmember Johnson asked for additional information on the development of metro district model service plans.

Town Manager, Dave Corliss, responded that staff is working with consultants to review and develop model service plans and will schedule related agenda items to be presented to Council in the upcoming months.

[ID 2021-111](#)

Update: Water Court Cases [Cases located in Douglas County, Weld County and other areas near the Lower South Platte River]

Tim Friday, Assistant Director Castle Rock Water, presented the annual update on water rights to Council. Friday also announced the open house for the Water Resources Strategic Master Plan this upcoming Thursday.

[ID 2021-112](#)

Development Services Project Updates

[ID 2021-113](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, to Approve Agenda as presented. The motion passed by a vote of:

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

CONSENT CALENDAR

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Johnson to Approve the Consent Calendar as read. The motion passed by a vote of:

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

MIN 2021-018 Minutes: October 5, 2021 Town Council Meeting

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS**[DIR 2021-023](#)****Discussion/Direction of the Public Safety Commission's Recommendations for the 2022 Philip S. Miller Resource Grant Program, Three Applications**

Pete Mangers, Revenue Manager, presented overview of the program to Council and called forward Kerstin Keough, Vice Chairperson of the Public Safety Commission to speak to their recommendation to increase the Philip S. Miller Resource Grant budget by \$2,500 to support social and human services within the community.

No public comment received.

Councilmember Cavey, Council liaison to the Public Safety Commission, confirmed that all applicants were worthy recipients and endorsed item before Council seeking an increase in the budget to provide requested grants to the three applicants.

Councilmember Dietz asked for consideration of an increase in funds awarded to the American Legion in the future.

Moved by Councilmember Cavey, seconded by Councilmember Dietz to Approve the Public Safety Commission recommendations and award the 2022 Philip S. Miller Resource Grants to Applicants. The motion passed by the following vote:

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

[DIR 2021-024](#)**Discussion/Direction: Follow up to Council Direction on Alternative Motions**

Town Manager, Corliss introduced item before Council.

No public comment received.

Point of order was raised by Councilmember Johnson to clarify the motion on the floor. Town Attorney, Mike Hyman, clarified the motion was to approve the item without Option 3 Motion for Denial included.

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur, to Approve Alternative Motion Examples without Option 3 - Motion for Denial. The motion passed by a vote of:

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

No: 1 - Johnson

[TMP 2021-886](#) **Discussion/Direction: Ordinance Amending Various Sections of the Castle Rock Municipal Code Regarding Board and Commission Membership, Term Limits and Bylaws, and Adding Chapter 2.18 Oath of Office [Revised October 15, 2021]**

Item was presented by Deputy Town Attorney, Elizabeth Allen.

Absence and residency requirements for Town boards and commissions was discussed by Council.

No public comment was received.

Councilmember Johnson moved to direct staff to amend the Code to clarify residency preference for members of the Historic Preservation Board and to further clarify the preference that Craig & Gould members be residents.

Deputy Town Attorney, Allen, noted that the motion only spoke to clarifying residency requirements and a preference for Castle Rock residents as it pertained to the Historic Preservation Board. She indicated that Council discussion had indicated this consideration be extended to all Town boards and commissions as well.

Point of order was raised by Mayor Pro Tem Bracken questioning if a motion was necessary for a discussion and direction item. Attorney Allen clarified that a motion and vote was typically used to determine a majority consensus for council's direction to staff to amend the draft ordinance.

Councilmember Johnson withdrew her motion.

Councilmember Johnson moved to direct staff to amend the ordinance to indicate preference of Castle Rock residents followed by Douglas County residents, seconded by Councilmember Dietz.

Town Manager, Corliss, questioned if the motion before Council was for all Town boards and commissions with the exception of the DDA.

Mayor Pro Tem proposed an amendment to the motion notwithstanding the current board members, if non residents, not be removed from their commission.

Deputy Town Attorney, Allen, also clarified that staff had recommended that Council have the ability to waive any residency requirements and be able to approve and appoint anyone to any board or commission.

Councilmember Johnson again withdrew the motion before Council.

Town Manager asked Council if the consensus was to have a Town residency requirement for all boards and commissions not otherwise governed by state law, with current service grandfathered in. Council confirmed in the affirmative.

Moved by Councilmember Johnson, seconded by Councilmember Dietz that Town residency be a requirement for Town boards and commissions and those currently serving, that may not reside in the Town, be grandfathered in until the end of their current term.

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

Council discussion addressed the method of determining absences.

Mayor asked the Clerk to re-read the motion into the record.

Town Manager, Corliss, clarified the intent of the ordinance was to not exceed four unexcused absences.

Council questioned if the chair could excuse the member from the meeting, and it was clarified by counsel that the staff recommendation was for the Town Manager or designee to determine the absence as excused or unexcused.

Moved by Councilmember Johnson, seconded by Councilmember Cavey to amend the Code to not exceed four unexcused absences for the Design Review Board and the Planning Commission. The motion passed by a vote of:

Yes: 6 - Hollingshead, Cavey, Johnson, Dietz, Bracken, Gray

No: 1 - LaFleur

Councilmember Johnson moved to direct staff to provide Council with a template for model board and commission bylaws and asked that the adopted bylaws be published on the Town website.

Councilmember Johnson restated her motion.

No further discussion.

Moved by Councilmember Johnson, seconded by Councilmember Cavey to direct staff to bring model bylaws back to Council at first reading. Seconded by Councilmember Cavey. The motion passed by a vote of:

Yes: 6 - Hollingshead, Cavey, LaFleur, Johnson, Dietz, Gray

No: 1 - Bracken

Moved by Councilmember Dietz, seconded by Councilmember Cavey directing staff to bring back the ordinance at the December 7 council meeting.

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

[RES 2021-094](#) **Resolution Approving a Service Agreement with CORE Consultants for Design Services Associated with the Relocation of Dawson Ridge Boulevard and the West Frontage Road**

Dan Sailer, Public Works Director introduced item to Council as a preconstruction agreement for a portion of the west frontage road that ties into the Crystal Valley Interchange project. Upon completion it will eliminate four at grade railroad crossings.

Town Manager, Corliss added that the Town is proceeding with design work in a timely fashion as this is a very important infrastructure project, however the ability to proceed with the Crystal Valley Interchange is dependent on the successful temporary TABOR time out ballot issue.

It was clarified by Public Works Director, Sailer, that a portion of the existing frontage road would have to be closed due to the interstate ramp configuration, thereby necessitating realignment of the frontage road to the west of the existing railroad tracks.

Mayor Pro Tem Bracken left the room briefly.

No public comment received.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz that Resolution 2021-094 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Hollingshead, Cavey, LaFleur, Johnson, Dietz, Gray

Not Present: 1 - Bracken

QUASI JUDICIAL HEARINGS

[RES 2021-095](#) **Resolution Finding that Certain Property, which is the Subject of a Petition for Annexation Submitted by 455 Alexander, LLC, and Tierra Investors, LLC, is in Substantial Compliance with Article II, Section 30 of the Colorado Constitution and Section 31-12-107(1), C.R.S.; and Setting a Date, Time, and Place for a Hearing to Determine if the Subject Property is Eligible for Annexation Under Article II, Section 30 of the Colorado Constitution and Sections 31-12-104 and 31-12-105, C.R.S. (Alexander Way Annexation)**

Tony Felts, Assistant Director Development Services introduced item to Council.

Property location was identified as northeast of the Home Depot and Sprouts area, at the base of the hill below Diamond Ridge. The property is currently zoned agriculture and is in unincorporated Douglas County.

No public comment received.

Moved by Councilmember LaFleur, seconded by Councilmember Hollingshead, that Quasi-Judicial Resolution 2021-095 be Approved as presented. The motion passed by the following vote:

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

ADJOURN

Mayor Pro Tem Bracken moved, seconded by Councilmember Johnson to adjourn the meeting. The motion passed by a vote of:

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

Meeting was adjourned at 8:52 pm.

Submitted by:

Robbie Schonher, Assistant Town Clerk