



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, July 19, 2022

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 2499 891 0533
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 2499 891 0533 (if prompted for a password enter "July19Council"). 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. July 19, 2022, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray provided the Invocation.

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray commented that our community has had some difficult times with the recent murder and that we are mindful that it is an active investigation and to consider the family.

Councilmember Hollingshead thanked staff for the open house last week.

Councilmember Cavey extended her condolences to the victim, his family and friends.

Councilmember LaFleur also extended her condolences, and that it was great to see the community come together for the Winefest.

Councilmember Johnson extended condolences to the family of the victim. Johnson gave updates on the Public works commission meeting she attended with those items are on the agenda tonight. She also attended the Public Arts Commission meeting sharing that Artfest is coming up. Castlewood Ranch has had a spike in vandalism, motorbikes on HOA property, tree damage, graffiti on rocks, and lights damaged. This is the first time they have seen these activities occur in their area, and she encouraged people to report issues. There is also a bear in their neighborhood.

Councilmember Dietz shared the same sentiments and what we can do for the victim. He shared that 19 young men and women showed up at Teen Court which makes him hopeful. He thanked Councilmember Hollingshead for sharing that information.

Mayor Pro Tem Bracken thanked staff for their assistance with the open house. He stated the Winefest was fun. He received emails about the homeless situation and that Commissioner Layden assured him that they will not put a shelter in Castle Rock by the Justice Center.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[ID 2022-077](#)

Update: Wireless Communication Facilities

Matt Gohl provided an update on wireless communication facilities around Town. There were code revisions in 2018 to align with federal and state requirements. Staff is reviewing current changes, and staff is reviewing the code to ensure we are in alignment with our code. We have three master agreements in place and one in process. There are 19 wireless facilities around Town. They meet every other week with Verizon. There are ongoing discussions with T Mobile regarding future sites and ongoing communication with citizens. The Town cannot dictate where towers are put. They have 18 applications and 4 approved for construction. Since 2017 there have been 45 applications received and 1 denied by the Town. He referenced a map of cell sites that are on our website CRgov.com/cellsites.

Councilmember Cavey appreciates his work on this. She is familiar with how this works and it falls under HOA's decision if they want a cell site and suggests citizens reach out to their HOAs. Gohl stated Crystal Valley has an application for a site and other work is being done on the Douglas County area.

Councilmember LaFleur stated she signed up for Verizon home service as it is a new service offered in this area.

[ID 2022-078](#)

Drought Status Update - Castle Rock Water

Mark Marlowe, Director of Castle Rock Water, updated Council on the drought. Most of Douglas County is in a drought. The primary trigger is a water supply index - the amount of supply vs. demand in the community. They track this daily

and it has been hovering about 1.1 where they think draught about issuing a Stage 1 drought that asks citizens to cut back voluntarily about 10%. Plum Creek is significantly lower than the norm due to the heat and the lack of precipitation. He asked for Council support to monitor the water supply index and if it drops below 1.1 and meets other triggers to issue a Stage 1 Drought.

Councilmember Johnson mentioned she attended the task force meeting today and the outlook is not good, soil conditions, stream flows, chance of a third La Nina winter, compared to 2002-2003 and 2012-2013 and the 1976 drought. This will likely go down as the warmest in Colorado history and that flooding tends to occur in these conditions.

Councilmember Cavey asks if this should also be sent out to the HOAs. Marlowe stated if they go into a drought, they will be communicating to all HOAs along with social media.

Moved by Councilmember LaFleur, seconded by Councilmember Hollingshead, to Delegate to Authorize the Castle Rock Water Director to issue water decisions between now and the next Council meeting. The motion passed by the following vote:

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

[ID 2022-079](#)

Update: Calendar Reminders

David Corliss, Town Manager, reminded citizens of the upcoming open houses, National Night Out, Candidate Orientation, Labor Day Holiday, Board and Commissions Appreciation Event, Employee Years of Service Recognition, upcoming neighborhood meeting for Sunset Point (formerly Bella Mesa), and upcoming events at the Amphitheater and the Cattle Drive, Fair Parade, and Boots and Brews.

[ID 2022-080](#)

Update: Monthly Department Reports

[ID 2022-081](#)

Development Services Project Updates

Tara Vargish, Director of Development Services, provided an update on pre-applications for an accessory dwelling unit on Senter Drive for a detached building; a multi-family project of 99 units and 5 stories in the Town Center; and a fueling station in the Walmart parking lot.

Active applications are the Castle View Senior Multi-family development for a 4 story apartment building for 200 units at Timber Mill Parkway and North Meadows Drive for 55 and older and 60% or less area median income with rental of \$1200-\$1600 per month.

Meadows Town Center is a proposed townhome and multi-family mixed use at Future and Mercantile Streets for 85 units in townhomes and multi-family mixed use buildings.

Meadows south of Meadows Parkway north of the movie theatre for Affinity Senior multi-family. It is a 4 story senior housing apartment for 174 units, for 55 and over.

Plum Creek residential lots west of West Prestwick Way and Mount Royal Drive to subdivide into three single family residential lots.

Corliss stated the Castle View Senior multi-family is asking that 10% of their fees be waived and it will come to Council when the Site Development Plan comes to them for review.

Councilmember Hollingshead suggested that the name Castle View Senior housing may be confusing next to the high school.

[ID 2022-082](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

None.

ACCEPTANCE OF AGENDA

Need 1st and 2nd.

CONSENT CALENDAR

[RES 2022-075](#) **Resolution Assigning and Transferring to the Douglas County Housing Partnership the Town of Castle Rock's 2022 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds; and Authorizing the Execution and Delivery of an Assignment and Other Documents in Connection Therewith**

[RES 2022-076](#) **Resolution Approving an Equipment and Goods Purchase Agreement with Envirotech Services, Inc., for the Purchase of 2500 Tons of Ice Slicer**

[RES 2022-077](#) **Resolution Approving a Construction Contract with 53 Corporation, LLC, for the Covy Court Stormwater Improvements Project**
[1795-1819 Covy Court]

[MIN 2022-013](#) **Minutes: June 21, 2022 and July 5, 2022 Town Council Meetings**

Moved by Johnson, seconded by Councilmember Dietz to approve the Consent Calendar as read. The motion passed by a vote of:

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[DIR 2022-015](#) **Discussion/Direction: Employee Compensation, Retention and Recruitment**

David Corliss, Town Manager, stated that inflation is hitting our organization and our employees and affects our ability to attract and retain quality employees. We

hired a recruiting position and have done a number of reclassifications. We have seen a number of employee departures, positions staying open, and a lower number of applications. Other employers are reacting. Douglas County offered 4% and a stipend, Parker offered 2%, Parker Water and Sanitation offered \$3 per hour. Our competitors are increasing compensation but we must be mindful that we are managing on limited resources. They recommend a mid-year market adjustment in addition to the merit increase of a market adjustment of \$1 per hour or 3% whichever is higher. That breaks roughly around \$70,000 per year. Entry level positions below \$70,000 would receive a \$250 stipend for the rest of the year. If approved, it would be effective July 9th retroactively. The increases would be permanent, and the stipends would end this year. We have salary savings right now and our 5 year budget and we are in good shape. We are still being conservative on sales tax revenue estimates. The risk of not doing it is not something he would recommend because we will not be able to attract and retain quality employees. If we do more it may impact hiring more fire and police. This would not impact the Town Manager or the Town Attorney.

Councilmember Cavey knows they cannot predict if we have a recession and what if sales tax drops, will we still be able to afford this. Corliss doesn't know with absolute certainty, but we are very conservative in our estimated revenue and can adjust if needed with things like hiring freezes, etc.

Mayor Gray has seen over the last 20 years and in 2008 we lost a lot of employees and when we recovered, we lost employees to other Towns. Every business is having these problems. Recession may be coming, but inflation is here.

Councilmember Johnson agrees that we want to be competitive with other communities.

Moved by Councilmember LaFleur, seconded by Mayor Pro Tem Bracken, Ito Direct Staff to implement the recommended market adjustment to the Town employee compensation system as outlined in staff recommendation. The motion passed by the following vote:

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

[ORD 2022-014](#) **Ordinance Approving the Second Amendment to the 2022 Fiscal Year Budget by Making Supplemental Appropriations for the 2022 Fiscal Year (First Reading)**

Trish Muller, Finance Director, presented the second budget amendment as we receive new information or find additional needs. They are requesting a \$19,128,116 increase offset by over \$20M in revenue. The two largest areas are the TABOR surplus of \$14,641,727 - \$8,500,000 general fund, \$500,000 Fire Capital Fund, and \$5,641,727 for Transportation. Fire station 156 construction is \$6M, Police basement renovation of \$2M, road construction for \$5,641,727 and \$1M for fire mitigation.

The employee compensation item for six months totals \$1,613,359. Castle Rock Water is requesting \$5,428,214 for several projects, Transportation is asking for de-icing supplies and the South Frontage Road project for \$112,122; Parks and Recreation has capital needs at Red Hawk Ridge Golf for \$56,543; Public Safety is

made up of the Police renovation and Fire Records Management System. Townwide is the Economic assistance agreements, recruiter in Human Resource and part-time accounting position for \$601,720.

Moved by Councilmember Johnson, seconded by Councilmember Cavey, that Ordinance 2022-014 be Approved on First Reading as presented. The motion passed by the following vote:

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

[ORD 2022-015](#) Ordinance Amending Section 3.02.060 of the Castle Rock Municipal Code Regarding Bid Requirements for the Purchase of Goods or Procurement of Services (First Reading)

Trish Muller, Director of Finance, gave an overview of the Purchasing Code update. Currently the Town Manager can approve purchases up to \$250,000. The first step is the bid requirements. They are recommended an authorization level. Up to \$1k no bid required, \$1k-5k three verbal bids unless approved by Town Manager, \$5k-\$75k three informal written bids unless approved by Town Manager, \$75k-\$250k formal written sealed bids unless approved by Town Manager (vs. Town Council), over \$250k formal written sealed bids unless approved by Council.

Corliss stated he looks at these is if he can defend them before Council. They are budgeted items, and sometimes a product can only be satisfied by one vendor. The request still goes to the Town Manager to waive that bid requirement up to \$250,000 vs. \$75,000 as it is currently. He still prefers the bidding process, but in some cases only a particular vendor can satisfy the requirements.

Councilmember Johnson stated there are three circumstances and what constitutes an emergency. Corliss stated if the Water SCADA system is down and we need equipment in order to operate or it presents an extreme affect on citizens prior to the next Council meeting. If it is over \$250k he still may approve it and ask Council to ratify it afterwards. Johnson asked if the lack of responsive bidders is that they bid over our budget. Corliss stated we solicit over the usual vendors and they don't respond.

Councilmember Cavey asked how often does this happen. Corliss stated it is infrequent - things are already budgeted and we are buying what we already approved. We are seeing enough of it and we want to be able to have that authority. Cavey asked if it wasn't sole source, then they look at who has the most responsive or lowest bid. Corliss clarified that he will decide if he should waive the bid requirement and be able to defend it to Council.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember LaFleur, that Ordinance 2022-015 be Approved on First Reading as presented. The motion passed by the following vote:

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

[RES 2022-078](#) Resolution Approving the Town of Castle Rock 2022 Community Development Block Grant Annual Action Plan

Matt Gohl, Special Projects Manager, presented that CDBG started in 1974 to develop viable urban communities for lower income individuals. Last year Council approved the Consolidated Plan. The Annual Action Plan is submitted and must be used for specific purposes. For 2021-2025 the Town approved Strategic Priorities for improvement to public facilities and infrastructure focused on ADA improvements and support for Services for Seniors. In 2021 the total funding was \$230,932. They have increased meals at the Castle Rock Senior Center for about \$9,000, ADA improvements to the Butterfield Park restroom for about \$150,000, and admin cost recovery for about \$15,000.

They had a public open house with no citizens in attendance and no comments received in the 30 day public comment period. Physical copies were also made available

About \$235k is the 2022 funding. They will submit the plan to HUD by August 16. They continue to monitor any changes to the Affirmatively Furthering Fair Housing rules with no changes noted.

No public comment.

Mayor Gray appreciates them putting their concerns to rest.

Moved by Councilmember Johnson, seconded by Councilmember Dietz, that Resolution 2022-078 be Approved as presented. The motion passed by the following vote:

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

[RES 2022-079](#) **Resolution Approving a Service Agreement with Jacobs Engineering Group, Inc., for the Wolfensberger Widening Project**

Dan Sailer, Director of Public Works, summarized the service agreement for the design of the Wolfensberger Road. Sailer reviewed the current Capital Improvement efforts throughout Town. The project will increase multi-modal use for pedestrian access and bike lanes. Safety improvements at the intersection and ADA improvements. They have some challenges with the right-of-way acquisition, private access, pedestrian access, maintain traffic throughout construction, water quality and adjacent development. They will kickoff the project this summer and complete in the winter of 2024. The project bid came under the budget. The Public Works Commission and staff recommend approval.

Mayor Pro Tem Bracken asked about the land in front of the cemetery and asked if they will ask them to put in a sidewalk. Sailer stated narrowing the medians is an option.

No public comment.

Councilmember Johnson stated her husband works for Jacobs Engineering but there is not a conflict of interest.

Moved by Mayor Gray, seconded by Councilmember Johnson, that Resolution 022-079 be Approved as presented. The motion passed by the following vote:

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

[RES 2022-080](#) **Resolution Approving a Service Agreement with RockSol Consulting Group, Inc., for the Four Corners Intersection Improvement Project [Founders Parkway, State Highway 86, Fifth Street, and Ridge Road]**

Dan Sailer, Director of Public Works, gave an overview of the agreement for administration and inspection services on the four corners intersection. The project is to widen the turn lanes and focus on the aspects of community value. This will handle the day to day oversight for quality control and administrative oversight. They propose to begin in fall of 2022 and conclude the summer of 2023. The bid falls within the budget. Public Works commission and staff recommend approval.

Councilmember Cavey asked the amount of federal funding. Sailer stated it is an 80% federal grant and 20% locally matched.

No public comment..

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2022-080 be Approved as presented. The motion passed by the following vote:

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

[RES 2022-081](#) **Resolution Approving a Construction Contract with ABCO Contracting, Inc., for the 2022 Bridge Rehabilitation for South Wilcox Street Over East Plum Creek and Plum Creek Parkway Over Union Pacific Railroad**

Dan Sailer, Director of Public Works, stated that our bridges are an important structural element. Every two years CDOT assesses bridges and provide us with an assessment and rating. They have identified two bridges that are recommended. The south Wilcox street over Plum Creek for the surface and structural. The second bridge is Plum Creek Parkway over the railroad tracks. Repair to the surface and deck work and structural elements. The bid came within the budget. They plan to begin August 2022 and conclude October 2022. Public Works Commission and staff recommend approval.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember Dietz, that Resolution 2022-081 be Approved as presented. The motion passed by the following vote:

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

[RES 2022-082](#) **Resolution Approving a Variance Pursuant to Chapter 9.16.070.E of the Castle Rock Municipal Code for Nighttime Construction Activities Related to the Craig and Gould North Infrastructure Improvements Project [Sixth Street from Wilcox Street to Union Pacific Railroad]**

Mark Marlowe, Director of Castle Rock Water, presented a recommendation to approve a variance for night work in the Craig and Gould North area. The construction began in November 2021 and estimate to complete in August 2023. They are 40% through schedule but with 30% complete to date due to utility relocations. The budget is \$7,635,759 and they have spent \$1,847,018 to date. They feel they will complete water and sewer in August 2022. Storm work is scheduled for completion in September and street paving through November. They are requesting night work for jack and bore at the railroad which requires 24 hour work and open trench excavation on 6th Street from Perry to Wilcox to lessen the impact on businesses downtown. They will need this in the next 3-4 months when needed and will reach out to impacted residents. Approximately 25 residents will be impacted and they will offer local hotel accommodations. This did not go to the Water Commission but it was shared with them with positive responses and it is recommended by staff.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Cavey, that Resolution 2022-082 be Approved as presented. The motion passed by the following vote:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur, to Adjourn. The motion passed by the following vote:

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

Meeting adjourned at 7:56 pm.

Submitted by:

Lisa Anderson, Town Clerk