



## 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

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Tuesday, April 19, 2022

6:00 PM

Town Hall Council Chambers  
100 North Wilcox Street  
Castle Rock, CO 80104  
Phone in: 720-650-7664  
Meeting code: 2482 749 8176  
[www.CRgov.com/CouncilMeeting](http://www.CRgov.com/CouncilMeeting)

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All times indicated on the agenda are approximate. Remote participants please visit [www.CRgov.com/CouncilComments](http://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. April 19, 2022, to be included in the public record.

### COUNCIL DINNER & INFORMAL DISCUSSION

### INVOCATION - Mark Marble, Castle Rock Police Chaplain

### CALL TO ORDER / ROLL CALL

Mayor Pro Tem Bracken and Councilmember Hollingshead attended the meeting remotely.

**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 appreciates everyone shopping locally. This weekend he is attending the Stars Wellspring Gala. Asked Council support to get information on Juneteenth and what other communities are doing to see if it is something we can be a part of.

**Moved by Councilmember LaFleur, seconded by Councilmember Dietz, Directed staff to look into the Juneteenth holiday. The motion passed by a vote of:**

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

Councilmember Cavey thanked Tara Vargish. She is on the Centennial Airport

Noise committee and Tara has helped put together an FAQ on the website as she feels we have more and more air traffic.

Councilmember LaFleur appreciates all the public that are in attendance tonight. Congratulations to Kevin on the Governor's award for downtown excellence.

Councilmember Dietz stated that he is a big proponent of Teen Court and will help to bring it back.

## UNSCHEDULED PUBLIC APPEARANCES

Public that addressed Council:

Frank Gray came to celebrate with Council that Kevin Tilson was awarded the Governor's award for downtown excellence that is the Vicky Maddox award given annually by the Governor. John Manka received the award about 8 years ago. Kevin makes sure events are a success and the projects as well. Nothing gets done without great partnerships and they could not have done what they have without support of Council. They had 22 people from the DDA and DMA to support Kevin getting the award. Diane Evans Economic Development chair and Kacey Neel from the DMA were also present.

Mayor Gray gets a lot of feedback of all we are doing in downtown Castle Rock and it is fun to recognize Kevin.

## TOWN MANAGER'S REPORT

[ID 2022-036](#)

### **Update: 2022 Capital Carryforward for Ongoing Capital Projects**

David Corliss, Town Manager, stated that some projects extend into the next year and are not all completed in the same year they start. Corliss gave a presentation on projects that were budgeted last year and are continuing into 2022.

[ID 2022-037](#)

### **Update: Calendar Reminders**

David Corliss, Town Manager, highlighted that the Castle Rock Water Commission is hosting an appreciation dinner Friday. This fall we will sponsor an appreciation for all boards and commissions. The library will have a groundbreaking on May 2, Board and Commission interviews on May 10 and he referenced the Council meetings and neighborhood meetings and events.

[ID 2022-038](#)

### **Update: Monthly Department Reports**

[ID 2022-039](#)

### **Development Services Project Updates**

[ID 2022-040](#)

### **Update: Quasi-Judicial Projects**

Councilmember Johnson asked about the new Town phone number. Corliss stated we will continue to advertise it. They created a phone tree to reflect what people call into Townhall for. We want to be open and available to the community.

## TOWN ATTORNEY'S REPORT

[ID 2022-041](#)**Office of the Town Attorney Legal Report**

Mike Hyman, Town Attorney, gave an overview of the Town Attorney's Office. They provide proactive legal services. Jenny Nelson, Lena McClelland and Lindsay Jordan are all Assistant Town Attorneys; Tiffany Ramaekers is the Legal Operations and Risk Manager, and Ahnjoulie DeBoyes is the Legal Assistant. They prepare agreements for the Town, advise and prepare Council documents, Client relations with all the departments, Risk Management interfacing with CIRSA and claims, Prosecution assistance is contracted out with the assistance of Ahnjoulie, and miscellaneous other items. In 2021 they created 362 contracts, 113 resolutions, 102 real property documents, and 34 ordinances.

[ID 2022-042](#)**Castle Pines Commercial Metropolitan District - Review of Proposed Bond Refinancing**

Mike Hyman, Town Attorney, stated that Castle Pines Commercial submitted a request for Council to review their proposed refinancing of their existing bonds. This district is located in the Factory Outlets area. It will result in savings in excess of \$400,000 and reduce the mill levy from 21.36 to 14.4 mills. All is in line with their limitations in their service plan. The finance team has reviewed it and they concluded that the loan complies with the plan and recommend the District be allowed to move forward.

Councilmember Dietz asked if this is typical to request a refinance on their bonds. Hyman stated the advisors to the district will often recommend refinancing given the interest rate.

**ACCEPTANCE OF AGENDA**

**Moved by Councilmember Johnson, seconded by Councilmember LaFleur, to Accept the agenda as presented. The motion passed by the following vote:**

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

**CONSENT CALENDAR**[PROC  
2022-003](#)

**Proclamation: Peace Officers Memorial Day and Police Week** (For Presentation - Approved on April 19, 2022, by a vote 7-0)

[PROC  
2022-004](#)

**Proclamation: Historic Preservation Month - May 2022** (For Council Action - Presentation on May 3, 2022)

[RES 2022-044](#)

**Resolution Authorizing a Change Order to the Construction Contract Between the Town of Castle Rock and RME Ltd., d/b/a Elite Surface Infrastructure for the Parkview Tributary and Fifth Street Trail Drainage Improvements Project [923-941 Oakwood Dr. and 924-938 Oakwood Ct.]**

[MIN 2022-008](#)

**Minutes: April 5, 2022 Town Council Meeting**

**Moved by Councilmember LaFleur, seconded by Councilmember Johnson 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 2022-009](#) Discussion/Direction: Castle Rock Teen Court**

Kristin Read, Assistant Town Manager, introduced Karla McCrimmon who has been with the Town 27 years as the Court Administrator. Teen Court was established in 2007 as an alternative program for first time offenders and operates on restorative justice principles. In 2017, the law changed that any juvenile records were expunged from their record. They are seeking a full-time position to fill the staff vacancy.

Councilmember Dietz stated that he will be asking Councilmember Hollingshead if they will allow him to present this to Castle View High School.

Councilmember Cavey asked how we recruit teen volunteers. McCrimmon stated they have allowed both middle school and high school kids and that it goes out in the Town newsletter.

#### ***Public that addressed Council:***

Marsha Alston has been with the Douglas County Youth Initiative for 10 years and Karla presented at their Youth Conference. Lone Tree and Parker have a Teen Court now. She is very supportive of this.

Suzanne Burkholder is an adult case manager volunteer in Lone Tree. She is a strong believer in the effectiveness of Teen Court. It is best to be in a partnership, benefits the stakeholders and is a community based solution. Teaching them how their actions impact others. It impacts stakeholders and parents benefit as it opens up a line of communication. They must take complete responsibility for their actions. It is a 6-9 month process to ensure they do what they need to do. They have seen the teens become confident and demonstrate leadership.

Joshua Rivera, Councilman with Parker is a member of the Partnership of Douglas County Governments. He has been involved in this for many years and it is important for Castle Rock as the county seat to lead the way. There is a vocation aspect of Teen Court, as it is teaching future jurists and litigators, They get to know that craft in a true legal and binding setting.

Councilmember Dietz thanked Suzanne, Marsha and Joshua for coming. The restorative justice component is fair and just.

Councilmember Hollingshead has spent 10 years working with students in the Teen Court process on both sides. It is a good experience how our civilized society needs to work and fully supports it.

Mayor Pro Tem Bracken is aware of the program and the participation he has had

with his contact with sports and youth. Anything to help kids get back on the right path is imperative and he supports it and appreciates everyone's effort.

Mayor Gray feels we can benefit our teens and youth.

**Moved by Councilmember Dietz, seconded by Councilmember Johnson, to Direct Staff to work with the Municipal Judge to reactivate the Town's Teen Court as outlined. The motion passed by the following vote:**

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

[RES 2022-045](#) **Resolution Approving the Pedestrian At-Grade Pathway Agreements between the Union Pacific Railroad and the Town of Castle Rock for the Second and Third Street At-Grade Rail Crossings**

Dan Sailer, Director of Public Works, stated that staff began engaging Council in 2007 about the crossings at 2nd and 3rd with four quadrant gates. We currently have two quadrant gates. This would add two additional gates to prevent drivers from weaving through the gates to get across the tracks. The exit gate will not close if it senses a vehicle on the tracks. We must add curb and gutter outside of the gates. Encore is contributing \$900k and \$900k is from the DDA for the full cost of \$1.8M. If approved, construction should take approximately 8 months.

Councilmember Cavey asked if the \$900k from the DDA special fund is taxpayer money? Corliss stated it is public money. The DDA has two funds. One is operating fund that is the mill levy that downtown imposed upon itself. We match that for operating money. They then have a special fund that was created when the DDA was established that set a benchline from property tax that goes into the special fund. The agreement with the DDA was to put in the Town's sales tax increment into the special fund, but have the authority to not put all of it in. They will put it in the transportation fund vs the special fund for the match. We think it is a safety issue for the vehicles and pedestrians. The DDA operating fund and special fund is public money.

***Public that addressed Council:***

John DeLay moved to Lewis street in 1990 and said you don't get used to the sound. He appreciates Encore and the DDA.

Dennis Blanchard lives on Gilbert street for 15 years. He noted previous Councils didn't vote for it. They were told it would only cost \$800k. The Town put up roundabouts that cost the same. The train comes through all times of day and night an average of 8 times a day. He asked for Council to vote for this. He asked how we got to \$1.8M. He also noted the trains were not like this 15 years ago.

Jay Kearney has lived in Craig and Gould on Cantril since 2018. He feels it is a health and wellness issue. Good sleep affects health. His main concern is safety, and risk can be mitigated. Several have success with quiet zones. It is a step in the direction to improve the quality of life, and supports the sidewalks.

Jason Kmezick lives on Lewis street. They have to walk in the middle of traffic, and the sidewalks will be a huge safety improvement. He worked on a project in Oregon and did a light rail contract, and he witnessed quiet zones making it a lot more comfortable town.

Anita Louise (online) in 2007 bought a house on Lewis street and was told you will get used to it. They must blow the horn 8 times at all three intersections. You have to stop your conversation when the train goes by. 15 years ago the horn blew periodically, but now there are 24 runs a day that now have to blow the horn. She feels Castle Rock deserves it.

Mark Housma lives on Cantrill Street. Noise suppression has helped a little, but some engineers are excessive. He would love to see it. He has been here since 1995 off and on.

Councilmember LaFleur thanked everyone for being there and that it is a long overdue project. They will get more information on the cost.

Mayor Gray stated in 2002 he had a customer that left his store and was struck by the train and is forever disabled. He agrees the noise is a hassle. He has lived in Craig and Gould for 23 years. For him it is more about safety. He recognized how other Councilmembers advocated for improvements in their districts.

Councilmember Dietz feels it is a safety issue especially because of all the visitors downtown. He commended Sailer on a good job working with the railroad.

Councilmember Johnson also heard that this is a long desired project and we have the funding to make this happen and it will improve the situation on 2nd street with the sidewalks. She thanked Dan with all the work.

Councilmember Cavey thanked Dan for his hard work, and stated it is not easy with working the the railroad. This is what it means when the community comes together and a Council that listens to the community.

Councilmember LaFleur speaking for citizens in the Craig and Gould neighborhood thanked Dan.

Mayor Pro Tem Bracken would like to see the train quieted throughout town and the west side in the Meadows. He thanked the DDA and noted this is downtown money for downtown improvements.

Councilmember Johnson clarified where the funding is coming from. Corliss stated in 2008, the DDA was created. They looked at the Town sales tax in 2008, and that is the base sales tax. From 2008, the sales tax that is above the 2008 level is the increment eligible to go into the special fund. In this case, we are going to keep \$900k of it and use it for this project.

Mayor Pro Tem Bracken confirmed that money not spent downtown does not contribute to it. It is only money that is spent downtown that goes into that fund.

Mayor Gray thanked everyone for coming and all the emails and calls.

**Moved by Councilmember LaFleur, seconded by Councilmember Johnson, that Resolution 2022-045 be Approved as presented. The motion passed by the following vote:**

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

**[ORD 2022-007](#) Ordinance Approving the First Amendment to the 2022 Budget by Making Supplemental Appropriations for 2022 and Authorizing Changes for Year 2022 (First Reading)**

Cauley, Police Chief, presented the Strategic and Community Response. They will be asking for three additional officers in 2022. Two sworn officers in communications for strategic response for active calls for service, critical incidents and to investigate criminal activity that has occurred and to identify suspects. We have seen a decrease in crime in the 10 months since they implemented the license plate readers and the Town cameras.

The LPR's identify vehicles when they enter Town if they are stolen. Many times, they steal a vehicle, then bring it into our community and do other crimes. We intercept them now. They have recovered 60 stolen vehicles valued at \$775k, 15 firearms, 100 warrants have been served for homicide, aggravated assault, sexual assault, etc., 1,000 grams of illegal narcotics, and 25 cases of stolen property. They need trained officers behind the technology. Car thefts are down 43%, shoplifting is down 31%, and trespass on vehicles is down 33%. Two positions will cover 7 days a week during peak times.

Councilmember Johnson asked if the peak hours vary. Cauley stated many don't know when something occurred, so they will adjust to meet the demand.

Councilmember Dietz stated if we didn't have that coverage this could be problematic in our community. Cauley stated it is dangerous to have these criminals in our community and they want to take them off the street. They can go back and use the technology to find leads to solve the crime down the road. These officers will do both.

Councilmember Cavey stated it is good to see it works the way they advertise it. She asked if they will add more FLOCK cameras. Cauley added some this year, and HOA's have been adding them. It is a public private partnership and they collaborate with the public. There is new technology with Exxon they use in their vehicles and are using LPR to work with Flock in the vehicles.

Cauley also requests a sworn officer for community response regarding homelessness and mental health issues to handle those types of calls. They will be trained on how to deal with these issues and hope to get a second mental health clinician to go on those calls. This officer would staff a second CRT team if the County will supply another clinician. They will help them get resources they need and keep them out of the criminal justice system.

Successes have been seen with follow up with individuals. Regular contact helps to be able to assess improvements or declines.

If the amendment is approved, they are looking at late summer or early fall

because new officers will be trained and ready to go. Six officers are coming on in May.

Trish Muller, Finance Director, and Pete Managers, Assistant Director Revenue and Budget, summarized the budget amendment for \$36M to account for water bonds issued in February and new information when the 2022 budget was implemented. CRW bond proceeds is \$30M and the rest is for traffic safety improvement, bridge repair and maintenance, parks and recreation turf replacement, mowers, and concrete repair and replacement.

Anita Louis (online) gave them two thumbs up for three additional officers in addition to teen court to keep reducing crime.

Councilmember Cavey confirmed the \$30M represents the water bonds, so without that it only represents about a \$4M amendment. Corliss stated we must budget for the bond transaction. We are seeing healthy tax revenues, but the also need to look at employee compensation and we have a lot of vacancies. We may have a budget amendment to respond to that.

Councilmember LaFleur thanks Finance and Cauley for their efforts with homeless issues along with fire, and interest in employing more police officers.

Mayor Gray stated other jurisdictions' crime has increased and we are one of the few who have seen a decrease.

**Moved by Councilmember LaFleur, seconded by Councilmember Cavey, that Ordinance 2022-007 be Approved on First Reading as presented. The motion passed by the following vote:**

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

[RES 2022-046](#)

**Resolution Approving a Construction Contract with American Civil Constructors, LLC, for the Butterfield Park Renovation Project**

Jeff Brauer, Director of Parks and Recreation, along with Ashley Bordenet, Therapeutic Recreational Specialist and Marne Hansen, Executive Director of the Parks and Trails Foundation are partners on this project. Butterfield is a community park of 28 acres. It connects to open spaces throughout the Meadows. It was built in 1986 with courts, athletic fields, an outdoor pool, plaza, pavilion, restroom, and paved trails. It is a popular park and is reaching its life expectancy. User experience has been declining. The concept is a new basketball and pickleball courts and moving the playground into the interior. New trail connections and bathroom improvements. They will transition to irrigated turf to native turf, will recoat parking lot, and add sports and security lighting. They saw an opportunity for a Possibilities Playground that serves users of all abilities and is sensory rich. Jeff showed a video on the Possibilities Playground.

Hansen stated the Parks and Trails Foundation has been around since 2012 and feels it is a great opportunity and want to be involved. They are raising \$1.3M and are about 25% there.



Councilmember Cavey inquired about the total cost and if it included the amount raised by the Parks and Trails foundation. Brauer stated it will be reimbursed to the fund as donations come in. Cavey asked how much it will cost to maintain a park like this. Brauer stated about \$8-\$10k per acre to maintain. Cavey asked about the other areas that need parks. Brauer stated the selected Butterfield because it is a community park with utilities in place. They have a couple other rehabilitation projects and are committed to those. Cavey asked about new parks in Terrain and one in District 5 that hasn't been built at all. Brauer stated new parks are built with impact fees. Cavey confirmed there will be swings at the park.

Councilmember Johnson was there when they requested the county shareback funds and three parks were included in this. Most shareback funds are going to Butterfield but the shareback was supposed to go to all of those parks. Brauer stated when we ask the county for shareback, we will be allocating that money to those parks, specifically or over time. Johnson stated that the shareback program ends soon and feels there may be a situation if voters don't support the shareback.

Councilmember LaFleur thanked Jeff for this and the video. They toured the park at South Suburban and feels this playground is uniquely special so all children have a place to play.

Councilmember Johnson does not have any problem with the Possibilities Playground but wants to understand how we can continue with renovations that were presented in 2021.

Mayor Pro Tem Bracken supports this park.

Mayor Gray stated this is a special park for people with special needs.

**Moved by Councilmember LaFleur, seconded by Mayor Pro Tem Bracken, that Resolution 2022-046 be Approved as presented. The motion passed by the following vote:**

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

## QUASI JUDICIAL HEARINGS

Mayor Gray read the quasi-judicial script into the record. No Council raised any conflict of interest. Town Clerk Lisa Anderson confirmed the advertisement was done according to law.

### [RES 2022-047](#) **Resolution Approving a Site Development Plan to Relocate an Existing Detention Pond on Property Located within the Bella Mesa Planned Development**

Tara Vargish, Director of Development Services, presented the site development plan to relocate the detention pond in Bella Mesa that is 197 acres zoned for residential development. It meets all requirements and the commission recommends approval.

Mike Peachman with Redland stated in 1986 there was a lease to design a dam for a wastewater pond but it was never utilized. In 1994 the state engineer determined the dam was considered abandoned and converted it into a detention

pond.

Councilmember Johnson noted how close it is to the cliff. Johnson asked about the outlet flow and if it will flow to Mitchell Gulch.

Mayor Gray asked if it is necessary for future development. Peachman stated it is and the homebuilder will have this land under contract.

***Public that addressed Council:***

Tom Whitherell's concern is development going in this area and opposes it. He appreciates the small town feel and the connection to nature.

Councilmember Dietz asked if there are actually homes ready to be built there. Vargish stated the zoning allows 525 single family homes, and that is after it was down-zoned. It identifies a large open space bordering it that would be dedicated to the Town. The site development plan is not ready to come before Planning Commission or Council. Dietz asked why we aren't looking at the Site development plan. Vargish stated the owner has been trying to clean up some issues and felt the pond needed to move to make it more marketable.

Councilmember Cavey asked if it affects the property owner's ability to build homes to leave it where it is. Vargish stated the pond does not fit the requirements now and should not be there.

Councilmember Johnson stated it is a hard thing for her to support to move the pond, but believes it is what needs to happen on this property.

**Moved by Councilmember Johnson, seconded by Councilmember LaFleur, that Quasi-Judicial Resolution 2022-047 be Approved as presented. The motion passed by the following vote:**

**Yes:** 6 - Gray, Bracken, Cavey, Hollingshead, LaFleur, Johnson

**No:** 1 - Dietz

## **ADDITIONAL ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS**

[ORD 2022-008](#) **Ordinance Amending Various Sections in Chapter 4.04 of the Castle Rock Municipal Code Regarding the Water Dedication Code (First Reading) [Entire Town, infill properties and surrounding areas in Unincorporated Douglas County that are considering annexation]**

Mark Marlowe, Director of Castle Rock Water, presented the item and the Commission and staff recommend approval.

***No public comment.***

**Moved by Councilmember Johnson, seconded by Councilmember Dietz, that Ordinance 2022-008 be Approved on First Reading as presented. The motion passed by the following vote:**

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

[RES 2022-048](#) **Resolution Approving and Adopting the Town of Castle Rock 2021 Water Resources Strategic Master Plan [Entire Service Area for the Town of Castle Rock]**

Mark Marlowe, Director of Castle Rock Water, stated the goal is to get to 100% renewable water by 2065 and summarized the Water Resources Strategic Plan.

**Moved by Councilmember LaFleur, seconded by Councilmember Johnson, to Extend the Council Meeting to 10pm. The motion passed by the following vote:**

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

Marlow stated they would not allow turf in front yards and will meet the 18% goal.

Councilmember Johnson asked if the desalination plant related to the WISE project was included in the \$523M that will be spent by 2060. Marlowe stated that it is in the \$523M but not within the first year window to be completed.

**No public comment.**

**Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2022-048 be Approved as presented. The motion passed by the following vote:**

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

[RES 2022-049](#) **Resolution Approving the Second Amendment to the Town of Castle Rock Service Agreement with W.W. Wheeler & Associates, Inc., for the Castle Rock Reservoir No. 2 Project [5219 Rio Grande Ave, Sedalia, CO 80135]**

Mark Marlowe, Director of Castle Rock Water, stated they are looking at an 850 acre reservoir next to an existing reservoir. Construction is planned this fall.

**No public comment.**

Corliss stated they need to work on every one of these details for all of these projects.

Councilmember Johnson thanked staff for their work on the last two items.

**Moved by Councilmember Johnson, seconded by Councilmember LaFleur, that Resolution 2022-049 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 Councilmember Johnson, seconded by Councilmember LaFleur, to Adjourn the meeting. The motion passed by the following vote:**

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

The meeting adjourned at 9:47 pm.

Submitted by:

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Lisa Anderson, Town Clerk