



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, July 2, 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.

Present: 6 - Mayor Gray, Mayor Pro Tem LaFleur, Councilmember Hollingshead, Councilmember Cavey, Councilmember Bracken, Councilmember Dietz

Not Present: 1 - Councilmember Brooks

CALL TO ORDER / ROLL CALL

Present: 6 - Mayor Gray, Mayor Pro Tem LaFleur, Councilmember Hollingshead, Councilmember Cavey, Councilmember Bracken, Councilmember Dietz

Not Present: 1 - Councilmember Brooks

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray hopes all will have a fun, safe, and courteous time on the 4th of July. First Friday is coming up this Friday.

Councilmember Hollingshead wished everyone a Happy 4th of July and that fireworks will be held at the Brickyard this year. We are fortunate to have our Fire department.

Councilmember Cavey wished everyone Happy Independence Day and thanked Jeff Brauer for Friday's event at Lost Canyon and for preserving that piece of property.

Councilmember Bracken wished everyone a Happy 4th of July. He asked everyone for their patience on the road maintenance and offered citizens to

contact him if they want to learn about the traffic calming program.

Councilmember Dietz wished everyone a Happy 4th of July and shared his thoughts about the 4th of July 248 years ago.

Mayor Pro Tem LaFleur congratulated the Town for Lost Canyon. She attended the CML conference and feels Castle Rock is blessed with our Town, staff, Police and Fire, and the Town Manager and Town Attorney.

[PROC
2024-008](#)

Proclamation: Smart Irrigation Month - July 2024 (For Presentation - Approved on June 18, 2024, by a vote 7-0)

Mayor Gray read the proclamation into the record.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[ID 2024-074](#)

Update: Calendar Reminders

David Corliss, Town Manager, provided an update. Details are included in the packet.

[ID 2024-075](#)

Development Services Project Updates

Tara Vargish, Director of Development Services, provided an update. Details are included in the packet.

[ID 2024-076](#)

Update: Quasi-Judicial Projects

Councilmember Cavey asked if they could have the Brickyard neighborhood meeting here. Vargish stated it is held across the street at the Riverwalk.

TOWN ATTORNEY'S REPORT

Mike Hyman, Town Attorney, reported on the US Supreme Court ruling on the overnight camping issue. They ruled that the cruel and unusual punishment argument prohibiting overnight camping was reversed. They determined the punishments were not cruel or unusual i.e., fines. Camping bans forbid conduct and are not limited to homelessness. If enforced regardless of housing status it is not violating the Constitution. Hyman felt the ordinances the Town enacted last year makes it unlawful to use a tent or unauthorized structure for the purpose of shelter in parks, rec areas or public property, and bans camping or waste within 100 feet of storm drainage or waterways.

Mayor Pro Tem LaFleur asked for examples.

Councilmember Cavey confirmed we can cite them. Hyman stated it is in regard to structures for the purpose of shelter or storage. Repeated offenses can carry tougher punishment up to jail time. Can also use obstructing public views.

ACCEPTANCE OF AGENDA

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

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

CONSENT CALENDAR

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

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

[RES 2024-064](#) **Resolution Approving an Amendment to the 2008 Access Control Plan Between the Town of Castle Rock, Douglas County, Elbert County, the Town of Elizabeth, the Town of Kiowa, the Town of Parker and the State of Colorado Department of Transportation**

[RES 2024-065](#) **Resolution Approving the 2024 Spot Water Lease Agreement between the Town of Castle Rock and Castle Pines Metropolitan District [Castle Rock, Douglas County]**

[RES 2024-066](#) **Resolution Approving a Construction Contract between the Town of Castle Rock and Velocity Constructors, Inc. for the Bell Mountain Well Vault Upgrades Project [Well vault site near the Bell Mountain Water Treatment Plant]**

[MIN 2024-013](#) **Minutes: June 18, 2024 Draft Minutes**

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[DIR 2024-011](#) **Discussion/Direction: Natural Medicine Business Ordinance (Continued from the June 18, 2024 Town Council Meeting)**

Mike Hyman, Town Attorney, and Tara Vargish, Development Services Director, provided an overview. Details are provided in the packet.

Vargish confirmed we are not allowed to prohibit this type of business. Councilmember Dietz wants to know what thoughts are about increased crime. Hyman feels the restrictions they propose will provide the highest security. Councilmember Dietz asked what other violations could they be cited for. Hyman stated they have included a nuisance clause in the ordinance that it is unlawful or a nuisance if they are in violation of state law or this chapter.

Councilmember Cavey inquired about the parcel closer to Dawson Trails and where the schools are proposed. Vargish stated that is on the southern area away from that parcel. She further stated if the area to the north of that small parcel is developed prior to a business going in there, it would prohibit that use.

No public comment.

Councilmember Dietz feels the restrictions are good; but is concerned that it can creep in. As long as we can maintain these restrictions and maintain home rule.

Moved by Mayor Gray, seconded by Councilmember Bracken, to Approve Discussion/Direction Item DIR 2024-011 as presented. The motion passed by a vote of:

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

[RES 2024-069](#) Resolution Approving the First Amendment to the Intergovernmental Agreement between the Villages at Castle Rock Metropolitan District No. 6 and the Town of Castle Rock

David Corliss, Town Manager, presented the item. Details are included in the packet.

Councilmember Cavey thanked staff.

No public comment.

Councilmember Bracken noted the restrictions discussed from the prior Town Attorney and likes this proposal.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to Approve Resolution RES 2024-069 as presented. The motion passed by a vote of:

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

[RES 2024-070](#) Resolution Concurring with the Award of a Construction Contract by the Dawson Trails Metropolitan District No. 1 to Bemas Construction for the Dawson Trails Boulevard Project, and Approving All Contract Documents Associated Therewith *[From Crystal Valley Interchange to South Border of Dawson Trails Development]*

Dan Sailer, Director of Public Works, provided an overview. Details are included in the packet.

Councilmember Dietz asked about the opening of each portion. Sailer stated all four ramps will be open at the same time in the summer of 2027.

No public comment.

Moved by Councilmember Dietz, seconded by Councilmember Cavey, to Approve Resolution RES 2024-070 as presented. The motion passed by a vote of:

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

[RES 2024-071](#) Resolution Finding that the Petition for Annexation Submitted by Castle Rock Ventures, LLC, is in Substantial Compliance with Article II, Section 30(1)(B) of the Colorado Constitution and Section 31-12-107(1), C.R.S.; and Setting a Date, Time and Place for the Hearing Prescribed Under Section 31-12-108, C.R.S. 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. (Terra Monte Annexation) *[located at the northwest corner of Plum Creek Parkway and Ridge Road]*

Tara Vargish, Development Services Director, presented the item. The Eligibility Hearing is proposed for August 20.

Citizens that addressed Council:

Cozie Swicherd lives adjacent to the project. She referenced a section regarding access to the residents. She feels according to Section 4g - that it does affect their access. Vargish stated her concerns will be submitted for consideration.

(Councilmember Brooks arrived at 7:14pm)

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Hollingshead, to Approve Resolution RES 2024-071 as presented. The motion passed by a vote of:

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

No: 1 - Dietz

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

[RES 2024-067](#) **Resolution Approving the Amended and Restated Intergovernmental Agreement Between the Town of Castle Rock and Douglas County for the Highway 85 Wastewater Collection and Treatment System**
[Located along the Highway 85 Corridor North of E. Happy Canyon Rd to W. Titan Rd in northern Douglas County]

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Approve Resolution RES 2024-067 as presented. The motion passed by a vote of:

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

[RES 2024-068](#) **Resolution Approving the Termination Agreement Between the Town of Castle Rock, Acting Through Its Water Enterprise, Dominion Water & Sanitation District, Acting Through Its Sterling Ranch Wastewater Activity Enterprise, and the Sterling Ranch Community Authority Board**

David VanDellen, Assistant Director of Castle Rock Water, along with County Commissioner George Teal presented the item. He noted Mark Marlowe, Director of Castle Rock Water attended remotely; and the Vice Chair of the Water Commission was present.

Commissioner Teal spoke to Council and assured them that the Commissioners unanimously support this project.

Councilmember Cavey asked what will happen with the north end and if it will still preside with Dominion. Teal stated it will and will allow them to achieve regional goals.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Hollingshead, to Approve Resolution RES 2024-068 as presented. The motion passed by a vote of:

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

RES 2024-072 Resolution Approving the Second Amendment to the Construction Contract with Garney Companies, Inc. for the Plum Creek Water Purification Facility Expansion Project [1929 Liggett Road, Castle Rock CO]

David VanDellen, Assistant Director of Castle Rock Water, presented the item.

No public comment.

Moved by Councilmember Dietz, seconded by Councilmember Bracken, to Approve Resolution RES 2024-072 as presented. The motion passed by a vote of:

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

RES 2024-073 Resolution Approving a Services Agreement with Burns & McDonnell Engineering Company, Inc., for Construction Phase Engineering Services for the Plum Creek Water Purification Facility Expansion Project [1929 Liggett Road Castle Rock, CO]

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Cavey, to Approve Resolution RES 2024-073 as presented. The motion passed by a vote of:

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

RES 2024-074 Resolution Approving a Construction Contract with Inliner Solutions, LLC for the Young American Infrastructure Improvements Sanitary Sewer Rehabilitation Project [In the Young American neighborhood North of Memmen Ridge Open Space]

David VanDellen, Assistant Director of Castle Rock Water, presented the item.

Councilmember Brooks inquired about the timeline.

Councilmember Cavey asked how long the liners last.

No public comment.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Dietz, to Approve Resolution RES 2024-074 as presented. The motion passed by a vote of:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

RECESS TO EXECUTIVE SESSION

Meeting went into Recess at 8:00pm.

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Approve [FILE_NR] as presented. The motion passed by a vote of:

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

[EXEC](#)
[2024-003](#)

Executive Session: Town Manager and Town Attorney Annual Performance Evaluations

RECONVENE - EXECUTIVE SESSION REPORT

Meeting reconvened at 8:44 pm.

[EXEC](#)
[2024-004](#)

Executive Session Report: July 2, 2024 - Town Manager and Town Attorney Annual Performance Evaluations

Mayor Gray reconvened.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Bracken, to Approve a 6% raise for Town Manager Corliss and a 5% raise for Town Attorney Hyman . The motion passed by a vote of:

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

ADJOURN

Moved by Councilmember Bracken, seconded by Councilmember Cavey, to Adjourn. The motion passed by a vote of:

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

Meeting adjourned at 9:43 pm.

Submitted by:

Lisa Anderson, Town Clerk