



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, March 2, 2021

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting Code: 187 176 2177
www.CRgov.com/CouncilMeeting

This meeting is open to the public and will be held in a virtual format in accordance with Town Council Meeting Special Procedures During Declared Disasters. Public may choose to attend in person at Town Hall, or electronically or by phone if preferred - remote participation is encouraged. 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 187 176 2177 (if prompted for a password enter "Mar2Council"). 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. March 2, 2021, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION - David Love, Calvary Castle Rock

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Hollingshead acknowledged the efforts of the Douglas County school board and encouraged respect for each other's roles as elected officials.

Councilmember Cavey commented that the milestone of vaccinating 70% of the 70+ population had been reached. Cavey voiced disappointment that the Tri-County Health Department does not have a plan for re-opening, but instead is relying on direction from Governor Polis and the CDPHE.

Councilmember Johnson requested an update on height restrictions within the Downtown Overlay District be presented by staff on a future council agenda.

Moved by Councilmember Johnson, seconded by Councilmember Cavey to direct staff to bring height restrictions for the Downtown Overlay District back to Council for discussion on an April agenda. Motion passed by the following vote.

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

Councilmember Bracken stated he has contacted the Douglas County School District asking that they review their contact tracing policy. His hope is that TCHD and the school district will change this policy to return students back to school.

Councilmember Dietz encouraged citizens to get involved within their community and to not be indifferent to issues.

Councilmember LaFleur reported a meeting was held with Gary Cooley and that Mr. Cooley would be presenting an update tonight.

Mayor Gray recognized Fire Chief, Norris Croom, who was recently honored as recipient of a national leadership legacy award presented by the Center for Public Safety Excellence.

UNSCHEDULED PUBLIC APPEARANCES

Lillian Adams, questioned Council in regard to mask wearing options in Castle Rock as related to COVID and asked for clarification of business requirements for patrons to double mask.

Gary Colley, with the Community Accountability Committee, addressed Council on increasing communication and improving community engagement with constituents.

TOWN MANAGER'S REPORT

Town Manager, Dave Corliss, introduced calendar items to include an online open house for the Four Corners Intersection Project on March 9 and a proposed study session for March 30th.

Moved by Councilmember LaFleur, seconded by Councilmember Johnson, to schedule a study session on March 30th at 5 p.m. The motion passed by the following vote:

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

[ID 2021-021](#)

Award of Contracts for the 2021 Pavement Maintenance Program and Capital Improvement Projects

Dan Sailer, Public Works Director, presented an overview of the pavement maintenance program as a preview to the service contracts scheduled on the consent agenda. Sailer noted that bid results were very favorable and remaining funds could be returned to Town fund balances and consideration was also being given to additional scope of work projects.

[ID 2021-022](#)

Update on Construction Planning for the Wilcox and South Street Roundabout

Public Works Director, Sailer introduced construction plans for the roundabout at Wilcox and South Street. The roundabout was identified as a need in the Downtown Mobility Master Plan due to increased traffic. As part of the redevelopment agreement, the management and construction of this project will be coordinated by the Encore development contractor. The Town however, will fund the project. Detour routes during construction were identified for the preferred full closure option.

Questions from Councilmembers directed to staff addressed why the developer was not required to fund the roundabout project, the streetscape plan for the downtown area, and concern with placement of public art in roundabouts. Opposition to the cost of the roundabout construction was voiced and it was questioned if incentives or penalties were considered to guarantee project completion.

[DIR 2021-005](#) **Douglas County Housing Partnership, Board of Directors Staff Appointment**

Town Manager, Corliss, per staff recommendation asked for a motion to appoint Sandy Vossler, Senior Planner, Development Services as staff representative to the Douglas County Housing Partnership.

Moved by Mayor Gray, seconded by Councilmember LaFleur, to put forward Sandy Vossler as the representative to the Douglas County Housing Partnership Board. Motion passed by the following vote:

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

[ID 2021-023](#) **Development Services Project Updates**

[ID 2021-024](#) **Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Hollingshead, seconded by Councilmember Dietz, to Accept the Agenda as presented: The motion passed by the following vote:

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

CONSENT CALENDAR

[RES 2021-013](#) **Resolution Approving a Construction Contract and Change Order No. 1 Between the Town of Castle Rock and Schmidt Construction Company for the 2021 Asphalt Overlay Project**

[RES 2021-014](#) **Resolution Approving a Construction Contract Between the Town of Castle Rock and Chavez Construction Inc. for the 2021 Town Facility Parking Lot Improvement Project**

[RES 2021-015](#) Resolution Approving a Construction Contract and Change Order No. 1 Between the Town of Castle Rock and Vance Brothers Inc. for the 2021 Slurry Seal Project

[RES 2021-016](#) Resolution Approving a Construction Contract and Change Order No. 1 Between the Town of Castle Rock and Elite Surface Infrastructure for the 2021 Meadows Boulevard & Castleton Ct. Concrete Restoration Project

[RES 2021-017](#) Resolution Approving a Construction Contract and Change Order No. 1 Between the Town of Castle Rock and Elite Surface Infrastructure for the 2021 Full Depth Reclamation Project

[RES 2021-018](#) Resolution Approving a Construction Contract and Change Order No. 1 Between the Town of Castle Rock and Chato's Concrete LLC, for the 2021 Curb, Gutter and Sidewalk Replacement Project

[RES 2021-019](#) Resolution Approving a First Renewal Agreement Between the Town of Castle Rock and Colorado Barricade, Co, LLC for the 2021 Pavement Marking Maintenance Program

[RES 2021-020](#) Resolution Approving a Variance Pursuant to Chapter 9.16.070.E of the Castle Rock Municipal Code for Night Time Construction Activities Related to the 2021 Pavement Maintenance Program, 2021 Town Facility Parking Lot Improvement Program, and 2021 Capital Improvement Program Projects

[RES 2021-021](#) Resolution Authorizing the Town Manager and Finance Director to Reallocate Approved Funds for the 2021 Pavement Maintenance Program and Street Reconstruction Programs

[RES 2021-022](#) Resolution Approving the Water Rights Lease Between the Town of Castle Rock and H & H Farms

[RES 2021-023](#) Resolution Approving the Water Rights Lease Between the Town of Castle Rock and Turnpike, LLC

[ORD 2021-003](#) Ordinance Amending Chapter 15.48.010 of the Castle Rock Municipal Code Adopting By Reference As A Primary Code the 2021 Town of Castle Rock Landscape and Irrigation Criteria Manual (Second Reading - Approved on First Reading on February 2, 2021 by a vote of 6-0)

[RES 2021-024](#) Resolution Approving a Construction Contract Between the Town of Castle Rock and Meridiam Partners, LLC for Hangmans Gulch

Channel Improvements - Phase IV [south of Castle Rock Recreation Center]

[RES 2021-025](#) **Resolution Approving a Service Agreement Between the Town of Castle Rock and Hydro Resources-Rocky Mountain, Inc., for ASR Testing and the Installation of Valves for Wells CR-223 and CR-224**

[RES 2021-026](#) **Resolution of the Castle Rock Town Council Appointing a Representative and an Alternate to Serve on the Board of Directors of the Cherry Creek Project Water Authority**

Moved by Councilmember Johnson, seconded by Councilmember Dietz, that the Consent Calendar be Approved as read. The motion passed by the following vote:

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

QUASI JUDICIAL HEARINGS

[ORD 2021-004](#) **Ordinance Amending the Town of Castle Rock's Zone District Map by Approving The Promenade At Castle Rock Planned Development Plan Amendment No. 1; Approving The Amended Promenade At Castle Rock Planned Development Zoning Regulations; And Approving The Promenade At Castle Rock Block 3A Development Agreement (Second Reading - Approved on First Reading on February 16, 2021 by a vote of 7-0) [Between Promenade Parkway and Castlegate Drive West]**

Tara Vargish, Director of Development Services, presented the agreement for Planning Area 3 within the Promenade development highlighting the main elements of the zoning and development agreements.

Councilmember Johnson asked for clarification on the additional housing units and a definition for sit down restaurants.

Donald Provost, applicant, was called forward to respond to additional questions from Council related to sit down restaurants.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Hollingshead, that Quasi-Judicial Ordinance 2021-004 be Approved on Second Reading as presented. The motion passed by the following vote:

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2021-005](#) **Ordinance Approving the Second Amended and Restated Public Finance Agreement By and Among the Town of Castle Rock, Promenade Castle Rock, LLC, and The Promenade at Castle Rock**

Metropolitan Districts Nos. 1-3, Concerning the Development of Promenade at Castle Rock (Second Reading - Approved on First Reading on February 16, 2021 by a vote of 7-0)

Town Manager, Corliss, addressed Council on the public finance agreement and the sales tax credit ordinances before Council. It was clarified that the expiration date of 2039 remains the same as the original agreement. The reduction in sales tax sharing will enable the Town to retain an estimated one million dollars per year based on current sales tax revenue from Promenade.

No public comment.

Moved by Councilmember LaFleur, seconded by Mayor Pro Tem Bracken, that Ordinance 2021-005 be Approved on Second Reading as presented. The motion passed by a vote of:

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

[ORD 2021-006](#) **Ordinance of the Town of Castle Rock, Colorado, Amending Section 3.04.150 of the Castle Rock Municipal Code By Reducing The Sales Tax Credit Against Certain Public Improvement Fees Paid At The Promenade At Castle Rock (Second Reading - Approved on First Reading on February 16, 2021 by a vote of 7-0)**

Moved by Councilmember Johnson, seconded by Councilmember LaFleur, that Ordinance 2021-006 be Approved on Second Reading as presented. The motion passed by the following vote:

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

[RES 2021-027](#) **Resolution Approving the Amended and Restated Consolidated Service Plan for Promenade at Castle Rock Metropolitan District Nos. 1-3 and Authorizing the Execution of the Amended and Restated Master Intergovernmental Agreement By and Between the Town of Castle Rock and the Districts**

Town Manager, Corliss, indicated that the item was related to the previous public finance agreement and noted this was a request by the metro districts to re-finance a bank loan as opposed to municipal debt.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2021-027 be Approved as presented. The motion passed by a vote of:

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

[DIR 2021-006](#) **Discussion/Direction of Applications for the 2021 First Quarter Council Community Grant Program, Three Applications**

Trish Muller, Finance Director, presented an overview of the community grant program.

Councilmembers questioned Muller if the award amount could be increased and how this would affect the second quarter grants.

Dr. Carletta Stewart, founder of Lady Trailblazer, participated remotely explaining that in addition to the summer leadership program they also provide continuity during the school year with their big sister program.

Matthew Rose, Castle Rock Orchestra, participated remotely and thanked Council for their previous support.

No additional public comment received.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, to Approve and Amend the grant program to additionally award the remaining \$500 equally among the three grant applicants. The motion passed by the following vote:

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

[RES 2021-028](#) **Resolution Approving a Software License, Subscriptions, and System Maintenance Agreement Between Harris Computer NorthStar and the Town of Castle Rock (Castle Rock Water Billing System)**

Mark Marlowe, Director of Castle Rock Water, introduced the item before council seeking replacement of the current water billing software.

Councilmembers inquired about software capability to track water usage as well as acknowledged the due diligence in the selection of the new software system.

No public comment.

Moved by Councilmember LaFleur, seconded by Mayor Pro Tem Bracken, that Resolution 2021-028 be Approved as presented. The motion passed by the following vote:

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

[RES 2021-029](#) **Resolution Approving a Construction Contract Between the Town of Castle Rock and Colorado Pump Service & Supply Co. for the 2021 Denver Basin Well Rehabilitation and Pumping Equipment Replacement Project, and the Abandonment of Inactive Wells**
[various sites near Founders Pkwy, State Hwy 86, and Castle Oaks Dr, and one site near Foothills Dr and Tanglevine Dr]

Marlowe, Director of Castle Rock Water, introduced agenda items 27 and 28 to Council. The construction contracts are part of the annual preventative maintenance program for the Town's water wells. The decision was made to split the contract between two contractors to complete the rehab of the identified wells prior to the start of the irrigation season. Bids received were under the engineering estimate as well as within budget mostly due to materials cost.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Johnson, that Resolution 2021-029 be Approved as presented. The motion passed by the following vote:

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

[RES 2021-030](#) Resolution Approving a Construction Contract Between the Town of Castle Rock and Applied Ingenuity, LLC, for the 2021 Denver Basin Well Rehabilitation and Pumping Equipment Replacement Project *[various sites near Founders Pwky, State Hwy 86, and Castle Oaks Dr]*

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2021-030 be Approved as presented. The motion passed by a vote of:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

No additional public comment received.

ADJOURN

Prior to a motion for adjournment, Councilmember LaFleur questioned staff about the benefits of a roundabout vs. a traffic signal as related to the proposed roundabout for Wilcox and South Streets.

Councilmember Johnson commented that the roundabout was a recommendation of the Downtown Mobility Master Plan.

Councilmember Cavey again emphasized her concern that the roundabout was to be funded by taxpayer money.

Moved by Councilmember Johnson, seconded by Councilmember LaFleur, to Adjourn the meeting. The motion passed by a vote of:

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

Mayor Gray adjourned the meeting at 8:14 p.m.

Submitted by:

Robbie Schonher, Assistant Town Clerk