



Town Council Meeting Minutes - Final

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

Tuesday, April 18, 2023

6:00 PM

Town Hall Council Chambers

100 North Wilcox Street

Castle Rock, CO 80104

Phone in: 720-650-7664

Meeting code: 2493 807 8293

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 2493 807 8293 (if prompted for a password enter "April18Council"). 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. April 18, 2023, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray offered the invocation.

CALL TO ORDER / ROLL CALL

Present: 6 - Mayor Gray, Councilmember Hollingshead, Councilmember Cavey, Councilmember LaFleur, Councilmember Brooks, Councilmember Dietz

Not Present: 1 - Mayor Pro Tem Bracken

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray congratulated his wife on running in the recent Boston Marathon.

Councilmember Cavey inquired about the addition of Native Americans as well as Buffalo Soldiers in respect to diversity for the upcoming Western Heritage Welcome Cattle Drive event.

Councilmember Brooks commented on his Nextdoor post related to Senate Bill 213 and the community engagement the post generated related to this upcoming legislation.

Councilmember Dietz acknowledged and thanked our public safety staff and encouraged Council to continue discussions as related to parking issues in Castle Rock.

[PROC
2023-002](#)

Proclamation: Arbor Day 2023 *[For Presentation - Approved on April 4, 2023, by vote 7-0]*

Mayor Gray read the proclamation into the record and led a round of applause in acknowledgement of Castle Rock being recognized as a Tree City USA.

UNSCHEDULED PUBLIC APPEARANCES

Christopher Stacey, resident, addressed Council on safety issues of parking vehicles and trailers on public streets for an extended period of time. Bryon Wentzlaff, resident, further elaborated on Stacey's comments asking Council to include updates to the Municipal Code to address these issues.

TOWN MANAGER'S REPORT

Dave Corliss, Town Manager, mentioned that staff continues to monitor the status of Senate Bill 213. He also noted a draft letter advocating for local authority and regulation as related to psilocybin establishments.

It was also noted that results of the community survey would be presented to Council in May.

Moved by Councilmember Dietz, seconded by Councilmember Cavey, to endorse the intent of the draft letter on psilocybin as prepared by staff. The motion passed by a vote of:

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

Not Present: 1 - Bracken

[ID 2023-043](#)

Update: Calendar Reminders

Corliss noted the approaching Monday deadline for applications to be submitted for Town Boards and Commissions as well as highlighted the Police Department Annual Awards Ceremony, the State of the Town Event with Mayor Gray and several neighborhood meetings scheduled for land use items moving through the development review process.

[ID 2023-044](#)

Update: Monthly Department Reports

[ID 2023-045](#)

Update: Quasi-Judicial Projects

[ID 2023-046](#)

Development Services Project Updates

TOWN ATTORNEY'S REPORT

Mike Hyman, Town Attorney, clarified the recent repeal of the Gallagher Amendment citing that Castle Rock is still subject to the property tax limitations of the TABOR amendment. No other report given.

ACCEPTANCE OF AGENDA

Moved by Councilmember Brooks, seconded by Councilmember Cavey, to Accept the Agenda as presented. The motion passed by a vote of:

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

Not Present: 1 - Bracken

CONSENT CALENDAR

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

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

Not Present: 1 - Bracken

[RES 2023-052](#) **Resolution Appointing Jeff Brauer as the Town of Castle Rock's Representative to the Rueter-Hess Recreation Advisory Board**

[PROC 2023-003](#) **Proclamation: Peace Officers Memorial Day and Police Week [For Presentation - Approved on April 18, 2023, by a vote 6-0]**

[PROC 2023-004](#) **Proclamation: Historic Preservation Month - May 2023 [For Council Action - Presentation on May 2, 2023]**

[PROC 2023-005](#) **Proclamation: Building Safety Month - May 2023 [For Council Action - Presentation on May 2, 2023]**

[MIN 2023-010](#) **Minutes: April 4, 2023 Town Council Meeting**

QUASI JUDICIAL HEARINGS

[RES 2023-053](#) **Resolution Approving a Site Development Plan for a Single Family Residential Housing Project Known as Avilla at Founders Village (Bella Mesa Filing No. 1, Tracts B and C) [located at the north west corner of Mikelson Blvd and Mitchell St.]**

Councilmember Brooks recused himself from the hearing at 6:32 pm. returning to the meeting at 7:15 pm.

Tara Vargish, Director of Development Services, identified the subject property to be located near Mikelson Boulevard and Mitchell Street near Mesa Middle School. The property is 9.3 acres and the applicant proposal is for 105, single story, for rent homes, in a multi family design concept.

Applicant, Greyson Konkell, NexMetro Communities discussed the importance of this housing option to be made available in Castle Rock. The proposed community allows people to live a lifestyle within their means as well as allows for flexibility when options change. This community will provide options to a mix of young professionals to include those that work remotely, are contract

professionals, mid-age people in transition or downsizing or those wishing to age in place. The community is suitable to those who do not wish to deal with maintenance issues.

Kayleigh Robinson and Ty Robbins with Norris Design also addressed Council.

No public comment received.

Moved by Councilmember LaFleur, seconded by Councilmember Hollingshead, to Approve Quasi-Judicial Resolution 2023-053 as presented. The motion passed by a vote of:

Yes: 4 - Gray, Hollingshead, LaFleur, Dietz

No: 1 - Cavey

Not Present: 1 - Bracken

Recuse: 1 - Brooks

[RES 2023-054](#) **Resolution Finding that Certain Property, which is the Subject of a Petition for Annexation Submitted by Matrix Design Group, 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.** (Wellspring Community Annexation, 498 E. Wolfensberger Road)

Vargish presented overview of the annexation eligibility hearing process for the property located off of Wolfensberger Road.

Moved by Councilmember LaFleur, seconded by Councilmember Cavey, to Approve Quasi-Judicial Resolution 2023-054 as presented. The motion passed by a vote of:

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

Not Present: 1 - Bracken

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[DIR 2023-012](#) **Discussion/Direction: Sign Code Amendment Update and Weekend Sign Removal Discussion**

Vargish, presented an update of the sign code under Title 19 of the Municipal Code. Over the years there have been various amendments to the ordinance, most recently in 2016. Staff has studied and evaluated the current code and anticipates a proposed update to the ordinance in 2023.

It was noted that currently, per the municipal code, the Town does prohibit signage within public right of ways regardless of content. Currently enforcement of the sign code is accomplished during the typical work week, Monday through Friday, 8 am. to 5 pm. by the zoning inspectors based on complaints. Signs that are removed from the right of way are then disposed of.

Moved by Councilmember Brooks, seconded by Councilmember Dietz, to Direct staff to increase sign code enforcement to include weekends, after a period of community engagement of no less than three weeks. The motion passed by a vote

of:

Yes: 5 - Hollingshead, Cavey, LaFleur, Brooks, Dietz

No: 1 - Gray

Not Present: 1 - Bracken

[DIR 2023-013](#)

Informational Item Pertaining to the Proposed Senate Bill SB23-267 Concerning Protecting Water Quality in Chatfield Reservoir and the Watershed

Mark Marlowe, Director of Castle Rock Water, provided update on Senate Bill 23-267 designed to raise money from recreational users of Chatfield Reservoir to improve water quality issues in Chatfield Reservoir as well as upstream of Chatfield. The proposed bill includes a fee of one dollar per day for entrance at Chatfield State Park for five years, similar to the fees collected at Cherry Creek State Park.

Marlowe also added his comments in opposition to House Bill 23-1282 in regard to local authority defense of consumer claims which Council endorsed.

[RES 2023-055](#)

Resolution Approving a Design Consultant Agreement with Burns & McDonnell Engineering Company, Inc. [Plum Creek Water Purification Facility Expansion Project, 1929 Liggett Rd., Castle Rock, CO 80109]

Marlowe introduced the Plum Creek Water Purification Facility expansion design contract to increase the capability to treat surface water, groundwater, and re-use water. PCWPF is recognized as one of the most advanced purification facilities in the country. The expansion will double the capacity to 12 million gallons per day. Construction is anticipated to be completed by end of year 2026.

Moved by Councilmember Cavey, seconded by Councilmember LaFleur, to Approve Resolution 2023-055 as presented. The motion passed by a vote of:

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

Not Present: 1 - Bracken

ADJOURN

Meeting adjourned at 8:15 pm.

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

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

Not Present: 1 - Bracken