



**Town of Castle Rock
100 North Wilcox Street
Castle Rock, CO 80104**

Town Council Meeting Minutes

Mayor Paul Donahue
Mayor Pro Tem Jennifer Green
Mark Heath
Chip Wilson
Renee Valentine
George Teal
Brett J. Ford

Tuesday, October 18, 2016

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

Mayor Donahue called the meeting to order at 5:18 PM

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[EXEC](#)
[2016-011](#)

Executive Session: Campus Collaboration Project

RECESS TO EXECUTIVE SESSION

Donahue moved, seconded by Valentine, to recess to Executive Session pursuant to C.R.S. §24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations and instructing the Town's negotiators on a potential campus collaboration project with Arapahoe Community College.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

RECONVENE

The Town Council reconvened the meeting at 6:11 PM

INVOCATION

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Items presented were informational only and did not require direction from or action by Town Council.

REPORT ON EXECUTIVE SESSION OF OCTOBER 18, 2016

Donahue stated that an executive session regarding the determining positions relative to matters that may be subject to negotiations,

developing strategies for negotiations and instructing the Town's negotiators on a potential campus collaboration project with Arapahoe Community College was held at the beginning of the October 18, 2016 Town Council meeting. For the record, the Town Council, David Corliss, Bob Slentz, Trish Muller, and Frank Gray participated in the executive session. If anyone believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. *(No objections were stated).*

UNSCHEDULED PUBLIC APPEARANCES

The following members of the public made comments or asked questions of the Council related to a variety of items that were NOT included on the regular agenda:

Janene Cable

TOWN MANAGER'S REPORT

- [ID 2016-077](#) **Update: Water Court Cases**
- [ID 2016-078](#) **Update: Paint-a-Thon**
- [ID 2016-079](#) **Update: Quasi-Judicial Projects**
- [ID 2016-080](#) **Update: Monthly Department Reports**

TOWN ATTORNEY'S REPORT

None

ACCEPTANCE OF AGENDA

Green moved, seconded by Heath, to accept the agenda as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

CONSENT CALENDAR

- [ORD 2016-032](#) **Ordinance Amending Chapter 3.16.030 of the Castle Rock Municipal Code Adjusting the Development Impact Fees For Residential and Non-Residential Uses (Second Reading) *(First Reading on October 4, 2016 with vote of 5-0)***

[ORD 2016-033](#) **Ordinance Approving the Fifth Amendment to the 2016 Budget and Authorizing Changes in Appropriations for Year 2016 to Permit the Distribution of 2015 Excess TABOR Revenues only in the Event the Electorate Does not Approve a Revenue Change at the November 8, 2016 Coordinated Election (Second Reading) *(First Reading on October 4, 2016 with vote of 5-0)***

[ORD 2016-034](#) **Ordinance Approving the Sixth Amendment to the 2016 Budget and Authorizing Changes in Appropriations For Year 2016 (Second Reading) *(First Reading on October 4, 2016 with vote of 5-0)***

[ORD 2016-035](#) **Ordinance Amending Section 17.04.040 of the Castle Rock Municipal Code Regarding the Criteria for Conducting Neighborhood Meetings Prior to and During the Land Development Process (Second Reading) *(First Reading on October 4, 2016 with vote of 5-0)***

[ORD 2016-036](#) **Ordinance Vacating a Portion of First Street and Alley in Block 29, Northwest Quarter of Section 11, Township 8 South, Range 67 West, Town of Castle Rock *[First Street between Wilcox and Perry]* (First Reading)**

[ORD 2016-037](#) **Ordinance Amending Section 17.04.060 of the Castle Rock Municipal Code Concerning Posting Requirements for Public Hearings (Second Reading) *(First Reading on October 4, 2016 with vote of 5-0)***

Green moved, seconded by Valentine, to approve the Consent Calendar as read.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2016-102](#) **Resolution Approving a Contract between the Town of Castle Rock and Aetna Life Insurance Company**

Sprague reviewed contract for renewal of stop loss coverage as part of Town's self insured health care coverage offered to employees.

Teal moved, seconded Heath, by to approve the Resolution as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[ORD 2016-038](#) **Ordinance Levying General Property Taxes for the Year 2016, for 2017**

**Collection, for the Castle Rock Downtown Development Authority
(First Reading)**

Muller presented Ordinance whereby on behalf of the Downtown Development Authority, the Town certifies the voter approved additional three (3) mills imposed on properties within the DDA boundaries. Noted this generated approximately \$140,000 for the DDA.

Wilson moved, seconded by Valentine, to approve Ordinance No. 2016-038 as presented on first reading.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[RES 2016-103](#) **Resolution Approving the Castle Rock Downtown Development Authority Proposed Annual Budget for 2017**

Kevin Tilson, representing the Downtown Development Authority, presented the 2017 budget for the DDA. Reviewed sources of revenue to the DDA and various operational and program expenditures.

Valentine moved, seconded by Wilson, to approve Resolution No. 2016-103 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[RES 2016-104](#) **Resolution Approving the 2017 to 2021 Five-Year Capital Improvement Program**

Corliss reviewed key projects proposed within the five year Capital Improvement Plan. Noted this document was used for planning purposes, and no funds were actually allocated to these projects at this time, and would be subject to approval of the budget within any given year.

The following members of the public made statements or asked questions on this item:

Angel

Valentine moved, seconded by Teal, to approve Resolution No. 2016-104 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[RES 2016-105](#) **Resolution Approving the 2017-2019 Balanced Financial Plan**

Corliss provided an overview of highlights of the three year financial plan, and noted this document helped direct funds based on goals and priorities established by Council. Noted no funds were allocated past what had been approved in the 2017 Budget, and that all items were subject to future budget appropriation.

Valentine moved, seconded by Heath, to approve Resolution No. 2016-105 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

BREAK

The Town Council went into recess at 7:25 PM

The Town Council reconvened the meeting at 7:32 PM

[DIR 2016-062](#)

Discussion/Direction: Festival Park Bid Results

Councilmember Valentine recused herself from discussion and voting on this item and left the the room.

Brauer provided an overview of the historical vision for this project, much of which was based on community input received during the planning and design phase of the project.

Reviewed funds currently budgeted for the project by the Town and the Downtown Development Authority. Noted the DDA was funding over 60% of the cost of the proposed improvements.

Noted all bids received were over the budgeted amount allocated to the project. The lowest responsive bidder was Mortenson Construction who bid \$5,783,198.

Presented three options for Council consideration and reviewed pros and cons of each:

- 1) Defer the project until a later date
- 2) Eliminate certain project elements in order to reduce cost of project to match budgeted amount
- 3) Allocate approximately \$852,000 from General Fund unobligated reserve funds to allow the project to be completed as bid.

The following members of the public made statements or asked questions on this item:

Jason Bower
Greg Boman

Kevin Tilson

Teal moved, seconded by Wilson, to approve Option 1: Defer the project until a later date.

The motion FAILED by the following vote:

Yes: 1 - Teal

No: 4 - Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

Recuse: 1 - Valentine

Donahue moved, seconded by Green, to approve Option 3: Allocate additional funding from the Town General Fund unobligated reserve to cover the additional costs.

The motion passed by the following vote:

Yes: 4 - Donahue, Green, Wilson, and Heath

No: 1 - Teal

Not Present: 1 - Ford

Recuse: 1 - Valentine

[ORD 2016-039](#) Ordinance Approving the Seventh Amendment to the 2016 Budget and Authorizing Changes in Appropriations For Year 2016 to Fund the Possible Issuance of a Contract for Festival Park Expansion Project, Providing for its Emergency Adoption on Second and Final Reading (First Reading)

Muller noted this budget amendment was needed in order to pay the additional costs associated with the Festival Park contract as directed by Council. Noted the amendment included two items 1) allocation of the \$852,000 from the General Fund unobligated reserve; and 2) a loan to the DDA TIF account which would be repaid in two years.

Noted emergency adoption would be requested on second reading so funds would be available at the time the contract was approved.

Donahue moved, seconded by Heath, to approve Ordinance No. 2016-039 as presented on first reading.

The motion passed by the following vote:

Yes: 4 - Donahue, Green, Wilson, and Heath

No: 1 - Teal

Not Present: 1 - Ford

Recuse: 1 - Valentine

[RES 2016-106](#) Resolution Authorizing the Town Manager and Finance Director to Reallocate Approved Funds for the Pavement Maintenance Program

(PMP)

Councilmember Valentine rejoined the meeting.

Goebel requested approval of the Resolution which authorized the Town Manager and Finance director to reallocate funds within the already approved Pavement Maintenance Program budget in order to allow flexibility to use savings from any individual project to enhance or expand other projects.

Green moved, seconded by Wilson, to approve Resolution No. 2016-106 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[RES 2016-107](#)**Resolution Authorizing the Extension of the Option Term and Option Payment Regarding the Box Elder Creek Acquisition**

Marlowe requested approval of 60 day extension (to 12/31/16) to previously approved Box Elder Option Agreement. Noted price would be preserved as long as payment was authorized.

Donahue moved, seconded by Heath, to approve Resolution No. 2016-107 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

ADJOURN

The meeting was adjourned at 8:37 PM