



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

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

Town Council Meeting Minutes

Tuesday, November 1, 2016

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

Mayor Donahue called the meeting to order at 6:03 PM.

Present: 7 - Council Member Ford, Council Member Teal, Council Member Valentine, Mayor Donahue, Mayor Pro-Tem Green, Council Member Wilson, and Council Member Heath

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Wilson requested staff look at the possibility of further restricting parking along Red Hawk Dr., noting there were increasing concerns that this was becoming a safety issue, particularly as it seemed to be occurring closer to the Wolfensberger intersection.

Police Chief Cauley provided an update on the status of the investigation of explosive materials which had been found in a home in Plum Creek, and the resulting evacuation in the neighborhood. Noted once the investigation / removal of evidence from the home was completed, the case would be turned over to the District Attorney's office for determination of any charges against the individuals involved.

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

[APPT
2016-010](#)

Appointment: Utilities Commission

Wilson moved, seconded by Valentine, to appoint Clark Hammelman to the Utilities Commission for a term ending in May 2017.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

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:

Norman Smith

TOWN MANAGER'S REPORT

[ID 2016-081](#) **Update: Administrative Easement Abandonments and Right-of-Way Vacations** *[Easement Abandonments and Right-of-Way Vacations]*

[ID 2016-082](#) **Update: Quasi-Judicial Projects**

[ID 2016-083](#) **Update: Third Quarter Major Projects**

TOWN ATTORNEY'S REPORT

None

ACCEPTANCE OF AGENDA

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

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

CONSENT CALENDAR

[MIN 2016-016](#) **Minutes: October 4 and October 18, 2016 Town Council Meetings**

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

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[DIR 2016-064](#) **Council Consideration for Request for Reimbursement of Councilmember Donahue's Recall Expenses**

Mayor Donahue recused himself from participating in the Council discussion and voting on this item.

Slentz provided overview of key provisions of Ordinance No. 2016-026 which authorized reimbursement under submittal of a request, and determination that the expenses qualified under the standards provided in the Ordinance.

Donahue, speaking as the applicant, presented his request for reimbursement of \$13,995.94, plus \$70 in service charges, for the cost of the attorney hired to represent him during the protest hearing. Stated that all funds paid to date came directly from his personal account.

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

DJ Tesdeco
Joe Procopio

Dave Hickey
Jim Folkestad

Wilson expressed concern about some of the line items included in the billing statement, questioning how these items related to the base issue of sufficiency of the petition.

[RES 2016-108](#) **Resolution Approving Councilmember Donahue's Request for Reimbursement of Recall Expenses**

Heath moved, seconded by Valentine, to approve Resolution No. 2016-108, to include the full dollar amount of the reimbursement as submitted and the additional finance charges as requested by Donahue.

The motion passed by the following vote:

Yes: 4 - Ford, Valentine, Green, and Heath

No: 2 - Teal, and Wilson

Recuse: 1 - Donahue

[RES 2016-109](#) **Resolution Denying Councilmember Donahue's Request for Reimbursement of Recall Expenses**

Teal moved, seconded by Valentine, to TABLE Resolution No. 2016-109.

The motion passed by the following vote:

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

Recuse: 1 - Donahue

[DIR 2016-065](#) **Request to TABLE the Calvary Chapel Castle Rock Annexation Hearing**

Staff noted the applicant had withdrawn the zoning application for this annexation, and as such, the annexation hearing needed to be tabled.

Donahue moved, seconded by Green, to TABLE the Calvary Chapel Castle Rock Annexation Hearing.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[DIR 2016-066](#) **Discussion/Direction: Public Safety Commission's Recommendations for the 2017 Philip S. Miller Resource Grant Program (6 Applications)**

Muller reviewed purpose of the program and the applications received.

Chris Cote, Chair of Public Safety Commission, reviewed the deliberation process

undertaken by the Commission and presented their recommendation to split the available funding between the Women's Crisis Center and the Douglas Elbert Task Force.

Ford moved, seconded by Wilson, to approve the Public Safety Commissions recommendations and award the 2017 Philip S. Miller Resource Grant Program monies as follows:

Crisis Center \$20,000

Douglas/Elbert Task Force \$20,000

The motion passed by the following vote:

Yes: 5 - Ford, Valentine, Donahue, Wilson, and Heath

No: 2 - Teal, and Green

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 (Second Reading - Approved on First Reading on October 18, 2016 with a vote of 4-1)

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

Muller reviewed budget amendment needed to fund construction contract for expansion of Festival Park, Noted there were two parts to the amendment: 1) appropriation of \$852,720 from unobligated general fund reserves to cover the Town's portion of the increased costs; 2) appropriation of \$450,000 as a loan to the DDA (to be repaid in 2 years) to cover their portion of the costs.

Emergency adoption was requested to allow the Town to enter into the contract for this project immediately to meet the construction timeframe.

Green moved, seconded by Wilson, to approve Ordinance No. 2016-039 as presented on second reading on an emergency basis.

The motion passed by the following roll call vote:

Yes: 5 - Ford, Donahue, Green, Wilson, and Heath

No: 1 - Teal

Recuse: 1 - Valentine

RES 2016-110 Resolution Authorizing the Partial Closure of Second Street Between Wilcox Street and Perry Street

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

Brauer reviewed request for permanent closure of Second Street to allow for full

pedestrian access to the park. Noted emergency access would be retained.

Donahue moved, seconded by Ford, to approve Resolution No. 2016-110 as presented.

The motion passed by the following vote:

No: 1 - Teal

Recuse: 1 - Valentine

RES 2016-111 Resolution Approving the Construction Contract between the Town of Castle Rock and M.A. Mortenson Company for the Festival Park Construction Project

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

Brauer provided overview of proposed project and amenities included. Reviewed key terms of contract and breakdown of funding between the Town (approximately 40% of total costs) and DDA (approximately 60% of total costs).

Wilson moved, seconded by Donahue, to approve Resolution No. 2016-111 as presented.

The motion passed by the following vote:

Yes: 5 - Ford, Donahue, Green, Wilson, and Heath

No: 1 - Teal

Recuse: 1 - Valentine

ORD 2016-041 Ordinance Approving the Eighth Amendment to the 2016 Budget and Authorizing Changes in Appropriations for year 2016 to accommodate the Purchase of Water Infrastructure Assets and Water Rights, Providing for its Emergency Adoption on Second and Final Reading (Second Reading) *(Approved on First Reading on November 1, 2016 with a vote of 7-0)*

Marlowe reviewed proposed budget amendment which put mechanism in place to spend monies for the water and water resources fund to purchase certain water rights and water infrastructure components from United Water. Noted staff was currently negotiating the sale and purchase agreement, and hoped to have this before Council in November. Noted emergency adoption was requested on second reading in order to facilitate a timely closing of the transaction.

Ford moved, seconded by Green, to approve Ordinance No. 2016-041 as presented on first reading.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

RES 2016-112 Resolution Approving a Construction Contract with Garney

Companies, Inc. for the WISE Local Infrastructure Construction Project

Marlowe reviewed highlights of construction contract for final section of pipeline needed to bring water to Castle Rock. Anticipated pipeline would be completed and in use by late 2017.

Ford moved, seconded by Heath, to approve Resolution No. 2016-112 as presented.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[RES 2016-113](#) **Resolution Approving the Town of Castle Rock / Castle Rock Urban Renewal Authority Loan Agreement** *(Continue to November 15, 2016)*

Donahue moved, seconded by Wilson, to CONTINUE Resolution No. 2016-113 to the Regular Council Meeting on November 15, 2016 at 6:00 PM in the Council Chambers

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[RES 2016-114](#) **Resolution Approving a Construction Contract between the Town of Castle Rock and GH Phipps Construction Companies for the Construction of the Castle Rock Town Hall Addition**

Detweiler reviewed proposed site plan and design elements of proposed expansion to Town Hall.

Provided overview of process and criteria used to select recommended contractor.

Noted entire cost of expansion was funded from the Development Services Enterprise fund, and not general tax dollars.

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

Kurt Klanderud
Tim White

Chris Haugen

Teal moved, seconded by Wilson, to approve Resolution No. 2016-114 as presented.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

ADJOURN

The meeting adjourned at 8:44 PM