



**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 15, 2016

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

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

Present: 5 - Council Member Teal, Council Member Valentine, Mayor Donahue, Mayor Pro-Tem Green, and Council Member Wilson

Not Present: 2 - Council Member Ford, and Council Member Heath

PLEDGE OF ALLEGIANCE

The Pledge was led by Boy Scout Troops 86 and 765.

[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*)**

Mayor Donahue noted this item was being moved up on the agenda due to the fact that Councilmember Green might be called away from the meeting, and that this item in order to be considered for Emergency Adoption required a minimum of five affirmative votes.

Marlowe stated the Ordinance was presented on second reading with no changes. The purpose of the amendment was so that funds could be in place to purchase the water rights and water infrastructure currently owned by United Water and Sanitation District as soon as the due diligence and negotiations on the purchase and sale agreement could be completed. Noted monies were available in the water and resources funds.

Wilson moved, seconded by Green, to approve Ordinance No. 2016-041 as presented on second reading on an emergency basis.

The motion on the roll call vote passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

COUNCIL COMMENTS

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

[PROC
2016-011](#)

Proclamation: World Pancreatic Cancer Day

Donahue read the Proclamation into the record.

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:

Angie Vencill	Kevin Tilson
John Woodrick	Dana Bonham

TOWN MANAGER'S REPORT

[ID 2016-084](#) **Update: Election Results**

[ID 2016-085](#) **Presentation: Your Town Academy Graduating Class**

[ID 2016-086](#) **Update: 2016 Third Quarter Financial Review, Period Ending September 30, 2016**

[ID 2016-087](#) **Update: Quasi-Judicial Projects**

[ID 2016-088](#) **Update: Monthly Department Reports**

TOWN ATTORNEY'S REPORT

None

ACCEPTANCE OF AGENDA

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

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

CONSENT CALENDAR

[MIN 2016-017](#) **Minutes: November 1, 2016 Town Council Meeting**

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

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

QUASI JUDICIAL HEARINGS

[ORD 2016-042](#) **Ordinance Amending the Town's Zone District Map by Approving the Miller's Landing Interchange Overlay Planned Development Plan; the Miller's Landing Interchange Overlay Planned Development Zoning Regulations; the Miller's Landing Development Agreement; and Vesting a Site Specific Development Plan Through December 31, 2036 [Rezoning to Mixed Use; West of I-25 and North of Plum Creek Parkway] (Town of Castle Rock Project #PDP16-0003) (First Reading)**

Detweiler provided an overview of the purpose and intent of the Interchange Overlay Zoning district and how the proposed project fit the criteria established to be designated as such. Noted Planning Commission recommended approval of the zoning and development agreement as presented.

Mitch Black of Norris Design, representing the applicant, reviewed the proposed development and site layout, including realignment of Prairie Hawk Drive. Noted the proposed zoning prohibited residential uses on the site. Provided an update on the status of the remediation of the former dump site through the State established process.

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

Kevin Tilson

Green moved, seconded by Wilson, to approve Ordinance No.2016-042 as presented on first reading.

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

[RES 2016-115](#) **Resolution Approving Lot 2, Auburn Ridge Site Development Plan [Along Auburn Drive South of Wolfensberger]**

Detweiler reviewed proposed site plan for development of age restricted (55 and over) apartment complex. Noted the site was divided into two planning areas, with higher densities and increased heights on the northern portion and lower densities and single story structures on the southern portion, closest to the existing single family residential development. Noted applicant had also agreed to provide an additional buffer mature landscaping in the area adjacent to the single family homes. Planning Commission recommended approval.

David Lash, architect of the project, and John Sichon, representing Atlantic

Development, provided an overview of the project and answered questions from Council.

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

Joy Demmler	Pam Maynard
Doris Long	Terry Shipley

Valentine moved, seconded by Wilson, to approve Resolution No. 2016-115 as presented.

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2016-043](#) **Ordinance Approving A One Million Dollar Line Of Credit With Firstbank On Behalf of The Castle Rock Downtown Development Authority And In Conjunction Therewith Approving A Revolving Line Of Credit Promissory Note, Sales And Property Tax Pledge Agreement, And Account Pledge Agreement (First Reading)**

Slentz stated the proposed Ordinance authorized a renewal of the existing Line of Credit on behalf of the Downtown Development Authority. Reviewed key terms of the promissory note and the pledge agreement.

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

Kevin Tilson

Wilson moved, seconded by Valentine, to approve Ordinance No. 2016-043 as presented on first reading.

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

ORD 2016-044 Ordinance Amending Titles 2, 3, 13, 17 and 18 of the Castle Rock Municipal Code Changing the Name of the Utilities Department to Castle Rock Water and the Title of Director of Utilities to Director of Castle Rock Water (First Reading)

Marlowe reviewed proposed change of Utilities Department to Castle Rock Water to more accurately reflect the services provided by and responsibilities of the department.

Wilson moved, seconded by Green, to approve Ordinance No. 2016-044 as presented on first reading.

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

RES 2016-116 Resolution Approving the Second Amendment to Option Agreement and Joint Escrow Instructions between the Town of Castle Rock Water Enterprise and Box Elder Creek Properties, LLC and Authorizing the Exercise of the Option to Close

Marlowe reviewed proposed amendment to Box Elder option agreement for purchase of Box Elder well field, noting the amendment preserved the overall agreement by authorizing the Town to close into escrow until such time as a current water case is dismissed with prejudice. The proposed amendment also prevented Box Elder from filing any future water rights cases that might impact the Town's use of the well field and related water rights.

Wilson moved, seconded by Teal, to approve Resolution No. 2016-116 as presented.

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

RES 2016-117 Resolution of the Castle Rock Town Council Making Required Statutory Findings Concerning the Eligibility of Certain Property for Annexation [Castle Rock Industrial Park Annexation, 4.568 acres at US 85 and Liggett Road]

Proposed Resolution was second step in state mandated annexation process and was used to establish that property met statutory requirements to be eligible for annexation.

Green moved, seconded by Valentine, to approve Resolution No. 2016-117 as presented.

The motion passed by the following vote:

Yes: 5 - Teal, Valentine, Donahue, Green, and Wilson

Not Present: 2 - Ford, and Heath

RES 2016-118 Resolution Approving the Town of Castle Rock Services Agreement between the Town of Castle Rock and Kimley-Horn & Associates, Inc. for Design of the Founders Parkway / Crowfoot Valley Road Intersection Improvement Project and the Crowfoot Valley Road

Widening Project

Sailer reviewed recommendation to engage Kimley-Horn as the Town's engineering consultant for the design of improvements to the Founders Parkway and Crowfoot Valley Road Intersection Improvement Project, and the Crowfoot Valley Road Widening Project.

Valentine moved, seconded by Wilson, to approve Resolution No. 2016-118 as presented.

The motion passed by the following vote:

Yes: 4 - Teal, Valentine, Donahue, and Wilson

Not Present: 3 - Ford, Green, and Heath

[RES 2016-113](#)**Resolution Approving the Town of Castle Rock / Castle Rock Urban Renewal Authority Loan Agreement** *(Continued from November 1, 2016)*

Detweiler reviewed proposed terms of the loan agreement whereby the Town would loan the Urban Renewal Authority operating funds until such time as there was a URA project generating revenue, at which time the loan would be repaid.

Valentine moved, seconded by Wilson, to approve Resolution No. 2016-113 as preented.

The motion passed by the following vote:

Yes: 4 - Teal, Valentine, Donahue, and Wilson

Not Present: 3 - Ford, Green, and Heath

ADJOURN

The meeting was adjourned at 8:10 PM