



Town Council Meeting Minutes - Final

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

Tuesday, January 16, 2024

6:00 PM

Town Hall Council Chambers

100 North Wilcox Street

Castle Rock, CO 80104

Phone in: 720-650-7664

Meeting code: 2495 079 8285

Access key: 52616268

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 2495 079 8285 (if prompted for a password enter "Jan16Council", or access key 52616268). 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. January 16, 2024, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray provided the Invocation.

CALL TO ORDER / ROLL CALL

Councilmember Cavey attended remotely.

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Dietz discussed ice build up on north facing properties and would like to make the information available to citizens to request assistance. Corliss stated staff will get information out about how the Town responds to ice issues.

Mayor Pro Tem LaFluer shared her appreciation to the hospital board for attending the meeting.

[ID 2024-005](#)

Castle Rock Advent Health Cancer Center Update

Marcie Blaher, 27 year resident and breast cancer survivor, thanked Council for their efforts to bring cancer care to Castle Rock and provided an update on their fundraising efforts.

Jeremy Pittman, CEO of Castle Rock Adventist, shared the number of patients diagnosed with cancer every year and their goal to keep that care local. They plan to launch the program with the first patient in 2025.

Mayor Pro Tem LaFleur thanked the donors.

[PROC
2024-001](#)

Proclamations Recognizing Tammy Denhard and Matt Rettmer as Keepers of the Star (For Presentation - Approved on January 2, 2024, by a vote 7-0)

Mayor Gray presented the proclamations.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[ID 2024-006](#)

Update: Calendar Reminders

David Corliss, Town Manager, noted upcoming events and meetings.

[ID 2024-007](#)

Update: Monthly Department Reports

[ID 2024-008](#)

Development Services Project Updates

[ID 2024-009](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Approve the Agenda as presented. The motion passed by a vote of:

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

CONSENT CALENDAR

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

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

[RES 2024-005](#)

Resolution Approving a Services Agreement between the Town of Castle Rock and Muller Engineering Company, Inc., for the McMurdo

Gulch Stream Reclamation Priority 3 - Supplemental Design, Bid, Construction and Post Construction Services *[McMurdo Gulch, south of the intersection of Castle Oaks Drive and Autumn Sage Street]*

[RES 2024-006](#) **Resolution Waiving the Formal Written Bidding Requirement on the Basis of Sole Source and Approving an Equipment and Services Acquisition Agreement with Colorado Golf & Turf, Inc. for the Acquisition of Golf Course Equipment**

[MIN 2024-002](#) **Minutes: January 2, 2024 Town Council Meeting**

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2024-007](#) **Resolution Approving the Property Lease Agreement between the Town of Castle Rock and T-Mobile West LLC for a Wireless Communication Tower in Bison Park** *[1394 Clear Sky Way]*

Jeff Brauer, Director of Parks and Open Space, provided an overview of the proposed lease.

Councilmember Brooks inquired about the restroom that was part of the master plan. Brauer stated they don't have a restroom on their schedule right now in their 5 year CIP.

Citizens that addressed Council:

Giana Sitzes lives 86 feet away from the proposed site and asked Council to deny it as did the Planning Commission due to obstructing views and lowering property values. She does not feel it should be in the park at all and feels there are also health concerns. She noted that other proposed locations were not considered.

Chris Tolmage lives across from Bison park and next to the closest house stating it block views and other cell towers are not in residential areas or parks. Chris shared concerns of RF rays, lowering property values and that the aesthetics of the building does not fit in.

Eric Sitzes is a resident on Clear Sky way and asked Council to deny as Planning Commission did due to the aesthetic impact, obstruction of views, Public safety concerns, and referenced alternative sites that they have not looked into.

Jennifer Brezicha lives within 1,000 feet of Bison park and thanked staff for answering questions. Jennifer opposes cell towers in the neighborhood, and stated there are other options and asked Council to deny.

Brian takes his daughter to Bison park and is concerned about taking her next to a 5G tower. He is against putting it in a high activity place. He cited numerous stories about health concerns with 5G towers.

Citizens Online that addressed Council:

Chad voiced concerns stating many residents will be selling their homes at a loss and feels safety concerns are valid, but understands Council can't base their decision on that. He referenced the T mobile reports were from 1996 and don't include accurate current data on safety.

Jennifer lives on Clear Sky way and is one of the closest homes. She bought their lot specifically for the view and location. She feels it is the wrong decision in the wrong place and asks Council to look at other locations.

Unidentified caller lives on Marblehead and feels the tower causes issues with health concerns, beauty concerns and stated there are so many other places it could be built in a park by a school asking Council to vote no.

The applicant was in person and spoke. Kevin Trujillo with T Mobile stated the decision for location was reached after meeting with the Town to see if the zoning would allow the location. If Council determines this isn't a good fit, they want to find an alternate location to provide services to the Town and stay engaged and be able to provide coverage in the area.

Mayor Pro Tem LaFleur thanked everyone for speaking and thanked staff for their work.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Hollingshead, to DENY Resolution RES 2024-007 as presented at 8:15 pm. The motion passed by a vote of:

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

QUASI JUDICIAL HEARINGS

[RES 2024-008](#) **Resolution Approving a Use by Special Review Application Submitted by T-Mobile West, LLC, for a Wireless Communications Tower in Bison Park (Tract C, The Meadows Filing 16, Parcels 1,2,3,4, Fourth Amendment) [1394 Clear Sky Way]**

Not needed as lease was denied.

ADDITIONAL ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2024-001](#) **Ordinance Amending Chapters 5.06, 5.07 and 17.01 of the Castle Rock Municipal Code to Prohibit the Delivery of Marijuana and Marijuana Products within the Town (First Reading)**

Matt Gohl, Assistant Town Manager, noted that the Town voted to prohibit sale of medical or recreational marijuana. Staff recommends an ordinance amendment to prohibit delivery of marijuana and marijuana products which would allow Police to cite for the delivery. Chief Cauley supports this in their efforts to keep our community safe.

Councilmember Dietz asked what the penalties would be. Lindsay, Assistant Town Attorney, replied they would be fined and reported to the licensing board that could lead to losing their license.

Councilmember Brooks asked how this is enforced. Chief Cauley is aware that someone is violating this, so it allows them to cite them. We need to change with state law to ensure we have the tools to ensure public safety.

Mayor Pro Tem LaFleur asked about medical marijuana. Lindsay stated it also prohibits the delivery of medical marijuana; but it does permit an individual to obtain medical marijuana outside of the County and bring it to their home for their use.

Citizens that addressed Council:

Dana Bonham voiced her support for this ordinance and supports a family friendly Town. She shared how they used to be able to enjoy going to downtown Denver and after marijuana was approved it changed it and they no longer feel safe there.

An individual from Parker spoke in support of the ordinance and has seen an increase in car accidents after marijuana was legalized. She feels this supports keeping children from being exposed to it.

Moved by Councilmember Brooks, seconded by Councilmember Dietz, to Approve Ordinance ORD 2024-001 as presented. The motion passed by a vote of:

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

[DIR 2024-001](#)

Discussion/Direction: Pickleball Facility Summary and their General Operation

Jeff Brauer, Director of Parks and Recreation, presented the item.

Councilmember Dietz confirmed that the 200 foot distance requirement would apply to new builds.

Councilmember Brooks asked if staff would require utilizing the quiet technology vs. Town constructing more screening. Brauer stated the Town is currently working with screening and any agreements we can work with other technology.

Councilmember Hollingshead asked about the hours. Brauer stated that they have heard people are out there at 7am. Hollingshead asked if we can reach out to ask people to voluntarily play later.

Councilmember Bracken asked what the noise complaints consist of. Brauer stated the paddle and ball impact noise.

Councilmember Brooks asked if they look at distances for lighting. Brauer states they follow the Town lighting code.

Citizens that addressed Council:

Jim Johnson, resident of District 6 shared the history and statistics of pickleball that has been played at Founders park for 10 years with no complaints.

Cyris Butrell has lived 200 feet from one of the parks his entire life. He works from

home during the day. He feels they should not close them down and supports the pickleball courts but is not opposed to sound barriers.

Laurie Gatrell is a resident of the Meadows and thanked staff for the beautiful renovation to the park. She supports pickleball and likes seeing people enjoying the park. All of the sports and activities have noise associated with them.

Scott Arvin resident of the Meadows since 2015 backs to Zack Parish park. He feels Castle Rock parks offering of pickleball is superior and that landscaping may help mitigate the issue.

Mayor Gray asked if staff can look for avenues to accommodate both sides and come back with suggestions and work towards an agreement.

Councilmember Brooks doesn't believe Council is looking to remove the courts, we just want to ensure new construction meshes with the neighborhood.

Mayor Gray wants to encourage people to be out and stay healthy.

[RES 2024-009](#) **Resolution Approving an Equipment and Services Agreement with Logical Systems Inc. for the Castle Rock Water Factory View Screen Development Project** *[Serves the entire Castle Rock Water Service Area]*

Mark Marlowe, Director of Castle Rock Water, presented the item.

Councilmember Dietz confirmed that they are happy with the company.

No public comment.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Dietz, to Approve Resolution RES 2024-009 as presented. The motion passed by a vote of:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Councilmember Bracken, seconded by Mayor Pro Tem LaFleur, to Adjourn. The motion passed by a vote of:

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

Meeting adjourned at 8:30 pm.

Submitted by:

Lisa Anderson, Town Clerk

