Town Council
Meeting Minutes - Draft

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

Tuesday, November 21, 2023 **6:00 PM**

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting Code: 2481 537 7631
Access key: 66821268
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 2481 537 7631 (if prompted for a password enter "Nov21Council" or phone access key 66821268). 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. November 21, 2023, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray encouraged everyone to be kind to others during this holiday season and acknowledged the success of the Starlighting event.

Councilmember Hollingshead acknowledged the community interest in the proposed T-Mobile cell site at Bison Park and proposed the item be postponed until January.

Councilmembers requested staff to provide an analysis of pickle ball court issues for a future discussion.

Councilmember Cavey addressed concerns related to Cobblestone Ranch mill levy.

Councilmember Bracken spoke to a constituents concern related to an organized group of car enthusiasts that convene in the Lowe's parking lot. Chief Cauley confirmed that there is no identified criminal activity and they are monitoring the situation.

Moved by Mayor Gray, seconded by Councilmember Bracken, to designate December 26 as a Town holiday as well as a half day on December 22. Motion passed by a vote of:

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

Moved by Councilmember Hollingshead, seconded by Councilmember Cavey, to remove and reschedule the T-Mobile proposal from the December 19th Council meeting to January 16th. Motion passed by a vote of:

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

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to schedule discussion of the Cobblestone Ranch mill levy for a January agenda. Motion passed by a vote of:

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

PROC 2023-013 **Proclamation: Commander Tim Gorman Day** [For Presentation - Approved on November 7, 2023, by a vote 7-0]

Mayor Gray read the proclamation into the record recognizing Police Commander, Tim Gorman, for over 40 years of service to the community and led a round of applause in appreciation.

UNSCHEDULED PUBLIC APPEARANCES

Jennifer Brezicha, Chad Ozdemir and Giana Situs, residents, spoke in opposition to locating a T-Mobile cell tower at Bison Park.

TOWN MANAGER'S REPORT

ID 2023-123 **Update: Calendar Reminders**

Dave Corliss, Town Manager, highlighted scheduled neighborhood meetings for a proposed Dunkin Donuts location near Aloha Street and Founders Parkway and the Terra Monte proposed annexation at the corner of Plum Creek Parkway and N. Ridge Road.

ID 2023-124 **Update: Monthly Department Reports**

ID 2023-125 **Development Services Project Updates**

ID 2023-126 **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

Town Attorney, Mike Hyman acknowledged Stefanie Raph, Legal Operations and

Risk Manager, for her recent certification as Legal Manager.

ACCEPTANCE OF AGENDA

Moved by Councilmember Hollingshead, seconded by Mayor Pro Tem LaFleur, to Accept the Agenda as Presented: Motion passed by a vote of:

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

CONSENT CALENDAR

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

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

ORD 2023-032 **Ordinance Approving the Fourth Amendment to the 2023 Fiscal Year Budget by Making Supplemental Appropriations for the 2023 Fiscal Year (Second Reading - Approved on First Reading on November 7, 2023 by a vote 7-0)**

ORD 2023-037 **Ordinance Amending Chapter 15.12 of the Castle Rock Municipal Code, Adopting by Reference as a Primary Code the 2023 Edition of the National Electrical Code with Amendments; and Amending Chapter 15.28 of the Castle Rock Municipal Code, Adopting by Reference Miscellaneous Codes Relating to Conveyances and Accessible Buildings and Facilities (Second Reading - Approved on First Reading on November 7, 2023 by a vote 7-0)**

ORD 2023-033 **Ordinance Annexing to the Town of Castle Rock, Colorado, 73.76 Acres of Land Located in the North Half of Section 26, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, Pursuant to an Annexation Petition Submitted by 455 Alexander, LLC, and Tierra Investors, LLC (Second Reading - Approved on First Reading on November 7, 2023 by a vote 7-0)** *[Alexander Way Annexation]*

ORD 2023-034 **Ordinance Approving the Initial Zoning for 73.76 Acres of Land Located in the North Half of Section 26, Township 7 South, Range 67 West of the 7th Principal Meridian, Douglas County, Colorado, Pursuant to a Zoning Application Submitted by 455 Alexander, LLC, and Tierra Investors, LLC; and Approving the Rezoning of a 4.20 Acre Parcel of Land Adjacent Thereto (Second Reading - Approved on First Reading on November 7, 2023 by a vote 7-0)** *[Alexander Way Initial Zoning/Maher Ranch Parcel Rezoning]*

ORD 2023-035 **Ordinance Annexing to the Town of Castle Rock, Colorado, 5.31 Acres of Land Located in the North Half of Section 25, Township 7**

South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, Pursuant to an Annexation Petition Submitted by the Town of Castle Rock, Colorado (Second Reading - Approved on First Reading on November 7, 2023 by a vote 7-0) *[Crowfoot Valley Road Annexation]*

ORD 2023-036 **Ordinance Approving the Initial Zoning for 5.31 Acres of Land Located in the North Half of Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, Pursuant to a Zoning Application Submitted by the Town of Castle Rock, Colorado (Second Reading - Approved on First Reading on November 7, 2023 by a vote 7-0)** *[Crowfoot Valley Road Initial Zoning]*

RES 2023-139 **Resolution Waiving Formal Written Bidding Requirement on the Basis of Sole Source and Approving a Construction Contract with SaBell's Civil and Landscape, LLC, for the Cobblestone Ranch Regional Park Reconstruction Project** *[8571 Castle Oaks Drive]*

RES 2023-140 **Resolution Approving a Spot Water Lease Agreement between the Town of Castle Rock and Bow Mar** *[Chatfield Reservoir, Douglas County]*

MIN 2023-021 **Minutes: November 7, 2023 Town Council Meeting**

QUASI JUDICIAL HEARINGS

ORD 2023-038 **Ordinance Designating the Cantril School as a Local Historic Landmark, Amending Section 15.64.060 of the Castle Rock Municipal Code (First Reading)** *[312 Cantril Street]*

Brad Boland, Long Range Project Manager, presented the criteria requirements for landmark designation.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Cavey, to Approve Quasi-Judicial ORD 2023-038 as presented. The motion passed by a vote of:

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

RES 2023-141 **Resolution Approving the Alexander Way Development Agreement** *[77.76 acres located east of the Silver Heights subdivision in unincorporated Douglas County, north of Alexander Place, and west of Diamond Ridge Estates]*

TJ Kucewesky, Assistant Director of Development Services, presented key elements of the Alexander Way Development Agreement to include the conveyance of all groundwater rights and financial contributions for intersection improvements both of which exceeded Town requirements, in addition to 31 acres of open space to include a natural surface trail system.

Moved by Councilmember Brooks, seconded by Councilmember Cavey, to Approve RES 2023-141 as presented. The motion passed by a vote of:

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

DIR 2023-031 **Discussion/Direction: North Meadows Drive Traffic Calming Plan** *[between Elegant Street and Meadows Boulevard]*

Dan Sailer, Director or Public Works, provided data specific to North Meadows Drive in the vicinity of the Champagne and Elegant Street intersections. Staff recommendation was to construct three, raised speed cushions to reduce traffic speed in this area.

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Approve DIR 2023-031 as presented. The motion passed by a vote of:

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

DIR 2023-032 **Discussion/Direction: Foothills Drive Traffic Calming Request** *[between Cherokee Drive and Morningview Drive]*

Sailer, recommended no changes are necessary due to current observed traffic compliance of the school zone speed limit posting and the increased safety awareness created by the rapid flashing beacons in this area.

ORD 2023-039 **Ordinance Authorizing the Exercise of the Town's Power of Eminent Domain to Acquire Certain Real Property Interests Necessary for the Wolfensberger Widening Project (First Reading)** *[between Prairie Hawk and western Town limits]*

Sailer, clarified that this item would be necessary only if property acquisition negotiations fail. The widening project is necessary to support the area build out as well as to address concerns of traffic volume. Project will also address safety concerns with the addition of pedestrian sidewalks and bike lanes.

Mike Hyman, Town Attorney, noted that Council must approve a condemnation action if the Town cannot acquire the property through negotiations.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Cavey, to Approve ORD 2023-039 as presented. The motion passed by a vote of:

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

RECESS TO EXECUTIVE SESSION

Council recessed to executive session at 7:10 pm.

EXEC 2023-002 **Executive Session: Town Manager and Town Attorney Annual Performance Evaluations** (Continued from November 7, 2023)

Moved by Mayor Gray to recess to executive session, seconded by Councilmember Bracken. Motion passed by a vote of:

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

RECONVENE

EXEC 2023-003

Executive Session Report: November 21, 2023 - Town Manager and Town Attorney Annual Performance Evaluations (Continued from November 7, 2023)

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Bracken, to increase the Town Manager annual salary by 3.25%. The motion passed by a vote of:

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

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to increase the Town Attorney annual salary by 2.75%. Motion passed by a vote of:

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

No: 1 - Dietz

ADJOURN

Meeting adjourned at 9:07 pm.

Moved by Councilmember Bracken, seconded by Mayor Pro Tem LaFleur, to Adjourn the Meeting. Motion passed by the following vote:

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

Submitted by:

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Robbie Schonher, Assistant Town Clerk