



Town Council Meeting Minutes - Final

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

Tuesday, September 6, 2022

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 2489 025 6251
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 2489 025 6251 (if prompted for a password enter "Sept6Council"). 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. September 6, 2022, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray gave the Invocation.

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

CALL TO ORDER / ROLL CALL

Councilmember LaFluer is attending remotely.

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray stated they attended the National Day of Prayer event in Castle Rock. This weekend is the ArtFest, then Oktoberfest will be in a few weeks after that.

Councilmember Hollingshead applauded the Douglas County School Board for putting a bond and mill levy on the ballot because we want great schools and great teachers. There is a need for a new school in Crystal valley and we want to retain good teachers.

Councilmember Cavey suggested the Town arrange for a memorial plaque for the students that were killed in an accident recently in the redesign of Butterfield Park. Corliss stated staff will get back to Council.

Councilmember Johnson attended the Castle Rock Historical Society Museum celebration and thanked the members and staff that put it together and loved hearing all the stories about small town Castle Rock. She also thanked the many residents that helped move the current depot to its current location that houses a lot of artifacts from Castle Rock's history.

Councilmember Dietz reminded citizens that fall is coming. It is a time for reflection and action, to appreciate life, and focus on things that matter. He is hopeful for Castle Rock, our county and the USA and we need to support each other.

Mayor Pro Tem Bracken thanked everyone for coming and they are here to listen.

Mayor Gray reminded citizens that are here to discuss what to do with the homeless that there is nothing on the table. Council signed a letter stating they do not want a homeless shelter in the Town; and he feels it is premature to discuss what the Rock Church may or may not want to do and stated the church will talk to the community before it comes to Council.

Mayor Pro Tem Bracken stated no application has been submitted. He stated it is a has not been submitted for the Town or the Council to review.

Councilmember Dietz stated the Rock is looking for work force housing, have not stated it is for the homeless and we need to see where it goes.

Corliss stated that it would require rezoning, holding neighborhood meetings, go to the Planning Commission and then to Council. The Housing Partnership is going to be having a meeting next month to discuss the subject.

[ID 2022-090](#)

American Legion recognition of Bob Maloney and John Jorgensen

Mike McNairy and other representatives from the American Legion recognized John Jorgensen and Bob Maloney. The Legion was having a lot of problems keeping the flags up, and John and Bob helped by putting up new flag poles on Wilcox and Perry. They did a phenomenal job making the Town look good and showing our patriotism and support of our veterans.

UNSCHEDULED PUBLIC APPEARANCES

Citizens that addressed Council:

Serge submitted a document from the Rock Church website (Exhibit A) that states that they expect to use 5% of their housing for a halfway house and 5% for a homeless shelter. He feels the area is not designed for this type of development and will impact on the surrounding homeowners by hurting their property values. He does feel the community needs affordable housing, but commercial property would be better suited. He also noted that there is a .25% tax on Promenade to

make it walkable and feels they have not done that.

Amy Martin confirmed that the Rock has had meetings and has gone over plans.

Ann Lucia feels we need more affordable housing for homeless and those that are falling behind, but feels this is not the location for it. Their plans affect their line sites and their property values. The idea is not bad but the location is bad.

Richard Morton added that historically that area was originally in the county and the church came to the Town to request services from the Town. They agreed to certain terms including not to have housing.

Julie Randall stated there is no transportation and it will bring a lot of issues to Castle Rock.

Steve Oldani has not heard anyone feel this is a great idea. He wants to stay involved in it and hopes Council sees that no one supports it except for the church.

Kelly Nixon lives in the neighborhood and is concerned about homeless walking behind her house. She has had issues with them coming into her business downtown. They don't need homeless walking around neighborhoods and she is not supportive of a shelter in Castle Rock as we do not have transportation. There are better locations in Douglas County and she is unsure why it is so focused on Castle Rock. She feels we should not let the County force Castle Rock into making decisions.

Katrina Jennings stated her backyard will have a Costco not a homeless shelter; but that Twin Oaks supports Dawson Trails. They have had another meeting with Westside that was very productive with more accommodations.

Audrey Smith has been at the homeless initiative meetings and the public has a right to know that in May it was discussed and Councilmember Dietz stated he is willing to do whatever it takes to get rezoned to get the homeless pods put in and they need to not worry about the complainers. She encourages everyone to come to those meetings.

Online comments:

Aaron lives in the Meadows and has a child that attends school at the Rock and found out about this 15 minutes ago. She is not in support of this. They have children 2 1/2 to 8th grade and that is inappropriate to have a homeless shelter at the school when kids are outside playing all day.

Mayor Gray thanked everyone for coming. They do not have the information and have not met with the church themselves and encouraged everyone to stay engaged and informed.

Dan Morgan has a background in law enforcement working for the sheriff's office in the jail and on the road, and with homeless in the area sees a rise in crime and that it leads to more issues.

Shawn Stuckley is a resident in the Meadows and works for Denver Public Schools that is a few blocks from homeless shelters. They are in constant lockdowns, security is present, and there are needles laying around from drug use. He asked what is the plan because he does not want to see that happen here.

Leon is a resident of the Meadows. He asked what the positive side is, what does it look like five years down the road, what is the affect on their property values and loss of tax revenue on the city.

Emily lives in the Meadows and is all for helping those that need help. She works in the mental health field and Castle Rock does not have the mental health or assessment resources to support this.

Alison Barrier is a resident of the Meadows and wants to know the process and how fast this could progress. David Corliss, Town Manager, stated if they would want to proceed they would have to follow the Town Code on how we approach land use issues. It is currently zoned and does not allow housing. They would have to apply to the Town. It is usually a matter of months but could be in the discussion stage prior to that. They are required to have a neighborhood meeting before and after submitting a proposal. There is a meeting next month with the Housing Partnership. They have criteria how they look at rezoning. Does it comply with the comprehensive plan, is it compatible with surrounding properties. It then goes to the Planning Commission and ultimately to Town Council. They apply our law to the facts presented. Staff reviews it and there are multiple neighborhood meetings, Planning Commission hears it and receives public comment, and they decide if that zoning application is approved or denied.

Blase is a resident in the Meadows and inquired about the meeting in October. Corliss stated the Housing Partnership is meeting and they will meet to discuss this. Staff and a Council liaison will attend the meeting that he thinks will take place at the Church.

Andrew is one of the Pastors and the Rock. There are two separate initiatives. They are testing feasibility for workforce housing.

Serge asked who is the money behind it. Andrew stated it is affordable housing for people that serve our community and that they do not have investors yet. Sirg said they are creating a tax shelter inside of a tax shelter.

Mayor Gray encouraged for people to see what is being proposed.

Mayor Pro Tem Bracken stated the Commissioners tried to put a homeless shelter on county property by the justice center. They did a proposal for 20 pods to go in at that location. The majority of Council was in support of sending a letter that Council opposed having a homeless shelter and Dietz and Johnson opposed putting that wording in the letter. The Police Chief is aware of the homeless people in the Town that are long term. They have been contacted by our Police and have been offered services to be taken to a shelter, put in a hotel, given clothing, and services they can connect into. All of them denied services. The shelter will only attract more homeless as the ones here do not want assistance.

Our Police force is doing what they can to encourage them to move along. He stated his son had to do sports or get a job.

Councilmember Cavey sits on the Public Safety Commission and talked through this quite a bit. The Police team is doing a great job with what is going on in Castle Rock. They know them, know where they are, offered services, and many decide to move on. She thanked everyone for coming and being engaged.

Councilmember Hollingshead is in District 1 and encourages them to talk about their concerns and he feels the Housing Partnership does a great job in our community.

Councilmember Dietz feels this has created a good process. Whether we have aggressive panhandlers, there is a process to bring this up and is happy to see them come. Encouraged them to come to the homeless initiative meeting or they can watch it online.

TOWN MANAGER'S REPORT

[ID 2022-091](#)

Update: School District Property at 312 Cantril Street

David Corliss, Town Manager, stated the school district has declared the property on Cantril as surplus. The Town engaged an appraiser and will meet to decide if we want to proceed with an offer.

[ID 2022-092](#)

Update: Housing Partnership Items

[ID 2022-093](#)

Library Trustee Board Selection Committee

David Corliss, Town Manager, stated there are three vacancies on the Library Trustee Board, and they would like someone from the Town to participate in two half-day meetings to weigh in on recommending the appointees. Councilmember Cavey asked if that is the full commitment. Mayor Gray stated it is only the selection committee.

Moved by Councilmember Johnson, seconded by Councilmember Cavey, to Appoint Councilmember Deitz to the selection committee for the Library Trustees. The motion passed by the following vote:

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

[ID 2022-094](#)

2021 Volunteer Utilization

[ID 2022-095](#)

Update: Calendar Reminders

[ID 2022-096](#)

Update: Quasi-Judicial Projects

Tara Vargish, Director of Development Services, provided an overview of the Castle Rock Senior Apartments application off of Timber Mill Parkway and North Meadows Drive. It will first go to Planning Commission. It is a 4 story building with 200 units, residents must be 55 and over, and have 60% of median income.

The Rock Church is looking at partnering with the Housing Partnership for 200 units, 10 transition units and 10 units of emergency housing, an urban farm, food storage and distribution, a coffee shop, and on-site employment. The Oakwood Senior apartments when through the same process. It is not currently zoned for those uses and if it moved forward it would have to go through three neighborhood meetings, rezoning, and all the public meetings.

Quasi Judicial updates are: La Quinta is looking to partner with the Housing partnership for 35 units, 5 staff suites, 5 studio apartments, and 25 one-bedroom units with half for individuals with developmental disabilities and half for low income housing. Brickyard planned development plan and zoning regulations at the end of Prairie Hawk Drive for 600 units, mixed use, office retail, hotel, etc. Eternal Rock Church proposing site development plan to reconfigure parking lot, landscaping and storage. Keystone Hotel/Castle Cafe proposing a patio on the west side of their building of about 700 square feet. It is a landmarked building and Historic Preservation approved the alterations. Scileppi's restaurant submitted a plan to expand to the east with 4,000 square feet where the parking lot is, a 2,000 square foot basement and adding seven on-site parking spaces accessible off of the alley.

[ID 2022-097](#)

Development Services Project Updates

Tara Vargish, Director of Development Services, provided information on a proposed projects: Auto Complex along Highway 85 with access from a bridge for three independent dealerships and a body shop. Centura Primary Care facility off of Aloha Street at Founders Marketplace about 10,000 square feet. CORE electric to rebuild their transmission line. They will be taller and self-supported steel monopoles. Councilmember Cavey asked if they were the ones marking front lawns. Councilmember Dietz stated that is Black hills mapping. Proposed four-plex residential on Cantril. Promenade landscape improvement to replace plant material and more trees to add shade.

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Johnson, to Accept the Agenda as presented. The motion passed by the following vote:

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

CONSENT CALENDAR

[ORD 2022-017](#) **Ordinance Amending the Town's Zone District Map by Approving the Dawson Trails Planned Development Plan and Zoning Regulations (Second Reading - Approved on First Reading on August 16, 2022 by a vote 7-0)**

[ORD 2022-018](#) **Ordinance Approving the Dawson Trails Development Agreement; and Vesting a Site Specific Development Plan Through October 6, 2052 (Second Reading - Approved on First Reading on August 16,**

2022 by a vote 7-0)

- [RES 2022-095](#) **Resolution Approving a Construction Contract with TechCon Infrastructure, LLC, for the Downtown Railway Crossing Improvement Project**
- [RES 2022-096](#) **Resolution Waiving Formal Written Bidding Requirement on the Basis of Sole Source for Services Provided by Pall Corporation**
[Entire Castle Rock Water Service Area]
- [RES 2022-097](#) **Resolution Approving the 2022 Spot Water Lease Agreement Between the Town of Castle Rock and the Chatfield East Property Owners Association, Inc.** *[Chatfield Reservoir, Douglas and Jefferson Counties]*
- [RES 2022-098](#) **Resolution Approving the First Amendment to the Water Rights Lease with Turnpike, LLC** *[Weld County, CO]*
- [PROC 2022-008](#) **Proclamation honoring Pam Ridler, President/CEO of the Castle Rock Chamber of Commerce** (For Council Action - Presentation on September 20, 2022)
- Moved by [MOVER_NAME], seconded by Councilmember Dietz to approve the Consent Calendar as read. The motion passed by a vote of:
- [APPT 2022-006](#) **Appointing Roy Gallea, P.E., Engineering Manager at Castle Rock Water, as Alternate Board Member for Plum Creek Water Reclamation Authority (PCWRA)**
- [MIN 2022-015](#) **Minutes: August 16, 2022 Town Council Meeting**
- Moved by Councilmember Johnson, seconded by Councilmember Dietz to approve the Consent Calendar as read. The motion passed by a vote of:
- Yes: 7 - Gray, Bracken, Cavey, Hollingshead, LaFleur, Johnson, Dietz

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

- [RES 2022-099](#) **Resolution Approving the Dawson Trails Retail Infrastructure Assistance Agreement (Costco)**
- David Corliss, Town Manager, reviewed the proposal from Costco. He provided an overview of Dawson Trails and it would go into the northwest corner of I-25 and Crystal Valley Parkway. They are such a significant retailer that they are able to require doing things for them to come. They would be our largest retailer with about \$200M in sales annually. Parker shared \$8M in sales tax for them to come. This is not uncommon to share back sales tax. There was 27.5% of sales tax shared back with Promenade which has now been reduced to 13.75% and will end in 2039. They are a successful sales tax generator and helped fund the fire station

in Crystal Valley. Sometimes we have to spend money to get money. Costco is proposing a 158,000 square foot building. We would not rebate back any fees which are estimated at \$1.6M. The developer in the metro district will provide the land and the infrastructure for them to build. They want to open the first day the interchange opens. Our incentive would not exceed \$10M and \$3M would come from our economic development fund. The remaining incentive would be a share back of sales tax with no more than one-third of the sales tax and feels we would have that paid off within two to three years of Costco operations. We anticipate we would get \$4-\$6M in revenue split between general fund, transportation fund and community fund. Revenue is expected to increase to more than \$6M/year after the shareback. We plan our budget for 5 years. Police and Fire expenditures increase \$19M to 2027 with no personnel added after 2024. We need additional sales tax to grow those departments. Without Costco, revenue is projected to grow almost \$14M. With Costco our five-year plan allows us to add personnel after 2024. Financial incentives go to the developer that provides the land and infrastructure, but it is a necessity to attract this type of business.

Citizens that addressed Council online:

Wendy Bowman is a realtor in Douglas County and supports business that enhance the appeal of Crystal Valley for home buyers. The revenue will be a great benefit to the Town.

Citizens that addressed Council:

Marcus Nothiesen works for the Castle Rock Economic Development Council and asked for Council's support. It speaks to the policies adopted by the EDC and the Town. They look for projects that would allow citizens to purchase within our community. EDC's job is to help increase the sales tax base. Costco is considered a unicorn and would have a significant impact. This is a market rate deal and the return is extremely high. It is an appropriate use for a new development on the south end of town with an interchange that will help relieve traffic congestion.

Citizens that addressed Council online:

Clint Hoak, lives in a townhome on the golf course. He hopes to own his own home and wants to stay in Castle Rock. He feels it will attract other businesses.

Councilmember Johnson confirmed this is a Resolution and that there is only one reading. Corliss confirmed we are not required to have an Ordinance to approve this.

Councilmember Cavey has heard from a lot of people in her district and they are not in support of giving an incentive to a company that is worth billions and would rather help small businesses. She wants to support our police and fire. She knows how it works and that they would come anyway.

Mayor Pro Tem Bracken stated it is not going to Costco, it is going to the metro district to build the infrastructure for people to access the building.

Mayor Gray agrees with Bracken and Cavey. It is hard to give incentives to big companies, but it is a unicorn and this is a good incentive and it doesn't go directly to Costco. They know we have about 35,000 people in Castle Rock that already have a Costco membership that go outside of our Town. This will keep their dollars in our Town.

Moved by Councilmember Dietz, seconded by Councilmember LaFleur, that Resolution 2022-099 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Gray, Bracken, Hollingshead, LaFleur, Johnson, Dietz

No: 1 - Cavey

[RES 2022-100](#)

Resolution Approving the Amended and Restated Service Plan for Dawson Ridge Metropolitan District Nos. 1-5 and Westfield Metropolitan District Nos. 1-2; and Authorizing the Execution of an Intergovernmental Agreement by and Among the Town of Castle Rock and Said Districts

Mike Hyman, Town Attorney, said this is a restated plan for seven districts already in place. District 2 mostly lies outside of Dawson Trails. Dawson Ridge districts were approved by Council in 1985. In 1992 they intended to file Chapter 9 bankruptcy and the Town objected and executed a suspension agreement. District 1 issued bonds for the original development. The suspension kept them from any further improvements and no debt until service plans were submitted. They have remained inactive since then. Westfield districts were approved in 1985 and never issued debt. A 10 mill levy was imposed to pay an outstanding judgment. In order to accommodate the planned development, they must amend the original service plans to provide assurance the districts are organized and operate properly. A service plan must be submitted for approval. A public hearing must be held and approved by Resolution. The districts agreed to adhere to our model service plan. They cannot operate and maintain public improvements without an IGA. They cannot use eminent domain against the Town and cannot include property in their boundaries without Town approval.

Councilmember Johnson asked if the IGA is required. Hyman stated that we put it in the model service plan.

Hyman stated there are limitations on debt service, property tax mill levy, debt limit, term, and a limit on imposing development fees. They cannot issue or refinance debt without submitting it to the Town, and cannot compete with the Town for Conservation Trust funds or Great Outdoor Colorado Trust funds. We require advances be paid within 20 years, cannot exceed market by more than 650 points, and interest cannot compound. They must submit an annual report and state financial events, they must have a website and email to updates to residents, notice of board meetings must go to the Town, and they must disclose district debt to the purchasers of homes. The Master development agreed to contribute \$50M towards the Crystal Valley Interchange which will be financed through debt issued by the Districts. Changes we are making to the model service plan in exchange are: We are allowing them to issue 138% of the estimated cost of public improvements in debt. It is usually 120% to allow them to do what they

need to do. We usually limit it to 50 mills for debt service and will allow 64 mills and aggregate mill levy of 74 mills. Our recent districts are consistent with that mill levy level. Usually we limit to a 35 year debt, but we allow them to exceed that if voters approve that extension. They will be allowed a debt service mill levy for up to 50 years. We will not require specific ownership taxes to the Town, allow them to organize a special improvement district to finance public improvements, and to levy special assessments. They will have a 5 mill Regional Mill Levy for every year a district imposes debt service mill levy. They must comply with all of our standards, and higher standards for water conservation. Westfield has two property owners requesting to exclude them from that District. Staff recommends that Westfield District 2 shall not impose debt or a mill levy.

David Corliss, Town Manager, wanted to emphasize that none of this is Town debt with no obligation from the debt. It is debt imposed on property owners within that district.

Councilmember Johnson asked about removing the requirement to not submit ownership taxes to the Town and asked if we know what that amount is. Corliss stated we have not collected them on other metro district mill levies. Hyman stated this is an add to our model plan.

Jennifer Tanaka stated the projections in their financial plan is that they will be receiving an average of \$23,000 up to several \$100k which would help finance infrastructure.

Councilmember Johnson inquired about the regional mill levy and if it would end in 50 years. Hyman stated it will end when they stop levying the mill levy. Tanaka stated the 5 mills will be imposed and when a district refinances its debt, it may extend the period beyond 50 years. Corliss stated it is best when a metro district retires its debt.

Councilmember Cavey asked Hyman to give her a ballpark of fees if she bought a \$600,000 home. Corliss stated a 65-75 mill levy pays for all of the infrastructure. The Town will not be paying for any of the roads, water lines, etc. The residents will be paying for those improvements over time along with part of the interchange. Takeda stated based on a \$600k home, it would be \$257/month for the metro district. They won't have fire, recreation, or a water district mill levy like many other communities do. Recent legislation requires when someone goes to purchase a home, all of that must be disclosed.

Mayor Pro Tem Bracken feels the non-compounding interest helps them get out of their debt and asked if they can refinance the debt if the rates go down. Takeda stated there is the ability for districts to refinance.

Councilmember Cavey asked what the typical call period is. Takeda stated she has seen 5 or 10 years.

Mayor Gray stated it would be more in property taxes if it is not in the Town as they would pay additional mill levy for fire, police, and water or a surcharge on their water and sewer service.

No public comment.

Moved by Councilmember Hollingshead, seconded by Councilmember Johnson, that Resolution 2022-100 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Gray, Bracken, Cavey, Hollingshead, Johnson, Dietz

Not Present: 1 - LaFleur

[DIR 2022-016](#) **Introduction of the 2023 Proposed Budget**

David Corliss, Town Manager, stated law requires us to submit a proposed budget and it is required that it balance. We base our budget on our priorities set by Council - Public Safety, roads, water, economic development, parks and recreation, economic development, manage Town finances, and preserve community character. We are shifting the Town's 4% sales tax putting more into the general fund vs. the transportation fund. 4.46% from transportation is moved to the general fund. Corliss went through the detail of the major budget items for departments. First reading for the budget and mill levy will be on September 20, and the second reading of the budget is on October 4. The Mill levy ordinance 2nd reading will be at the first meeting in December.

Councilmember Johnson asked why they are making the change in the general fund. Corliss stated the general fund will need a larger share of the sales tax to support the staffing in fire and police. Johnson stated that we need additional police and fire because of growth. Corliss stated that the majority of that need is because of growth.

QUASI JUDICIAL HEARINGS

Mayor Gray read the quasi-judicial script into the record. No Councilmember voiced any conflict of interest, and Lisa Anderson Town Clerk confirmed the items were advertised as required by law.

[RES 2022-101](#) **Resolution Approving a Request for Demolition of the Building Located at 414 North Perry Street**

Tara Vargish, Director of Development Services, presented the item. Any building constructed prior to 1945 must have approval from the Historic Preservation and Council approval. The property has been modified several times and any historic architectural significance no longer exists so it is not considered historic in nature and would not qualify for state or national historical landmarking. This is part of the property owner's plan to redevelop this area.

Councilmember Johnson asked if the applicant would consider working with the Town or Historical Society to create a sign to educate people about the history of this building. The applicant stated they are retaining the history and will pay homage to the original building that sat there and will incorporate elements to let the citizens to know what originally sat on that property and all of the buildings on their sight.

No public comment.

Moved by Councilmember Cavey, seconded by Mayor Pro Tem Bracken, to Extend the Meeting to 10pm. The motion passed by the following vote:

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

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Cavey, that Quasi-Judicial Resolution 2022-101 be Approved as presented. The motion passed by the following vote:

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

ADDITIONAL ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2022-019](#) Ordinance Adding Chapter 10.12 of the Castle Rock Municipal Code Regarding Truck Routes (First Reading)

Dan Sailer, Director of Public Works, presented the item to establish a designated truck route on roads designed for higher level of traffic to restrict trucks from certain routes in Town to improve quality of life that limits truck traffic from cutting through neighborhoods. If approved on second reading, signage, a news release and website info will be communicated. Signs will be erected beginning in October.

Councilmember Johnson is concerned about the statement that it will eliminate cut through traffic in neighborhoods. Sailer stated there are residential areas that back up to arterial roads Gilbert, Plum Creek, etc. Sailer stated there are some routes that are going to see increased traffic. Council can approve different routes or not have routes. Johnson asked about Police department enforcement, and that their response is complaint based. Chief Cauley stated that most complaints they get are about truck brakes, but most are within the limit. Cauley feels a truck route serves a purpose to keep them on the main routes but we won't eliminate truck noise.

Councilmember Johnson stated that she has noticed an increase of gravel and debris on Plum Creek. Dan stated they sweep streets twice a year. Safety is important and they can monitor to see how that gravel accumulates and monitor if trucks are covering their loads to ensure they comply.

Councilmember Johnson asked if there is a haul permit as part of a project. Sailer stated this program doesn't require a permit, it is based on keeping them on the route. If not, then they need to demonstrate they have business to take them off the route. Sailer assured Johnson they reached out to the truckers and the businesses that utilize the trucks to get their initial input and to inform them.

Mayor Gray confirmed with Sailer that they have had public meetings, staff recommends approval, the Public Works Commission approved it, and it was community driven.

Citizens that addressed Council online:

A resident on Gilbert Street stated Plum Creek is a four lane street and Gilbert is a two lane street with two parks and a daycare. The biggest issue is the cement trucks speeding from 3rd to 5th street.

Councilmember LaFleur thanked staff and hearing from the community.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Ordinance 2022-019 be Approved as presented. The motion passed by the following vote:

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

No: 1 - Johnson

[ORD 2022-020](#) Ordinance Authorizing the Conveyance of Lot 1, The Meadows Filing 16 - Parcels 1,2,3 and 4, 4th Amendment to Douglas County School District RE-1 (First Reading) [*Clear Sky Elementary School*]

Jeff Brauer, Director of Parks and Recreation, presented the item to convey property that was dedicated to the Town from the Castle Rock Development Company. Staff recommends conveying the property to the school district. They hold and then convey the property once they get the funding for the school. No budget impact.

No public comment.

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Cavey, that Ordinance 2022-020 be Approved on First Reading as presented. The motion passed by the following vote:

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

[DIR 2022-017](#) Discussion/Direction: Proposed Amendments to Sections 4.04, 13.12, and 15.48.020 of the Castle Rock Municipal Code Related to Water Dedication, Public Services, and Landscape and Irrigation Criteria Manual [*Entire Castle Rock service area*]

Mark Marlowe, Director of Castle Rock Water, presented the item and stated it is used heavily in agricultural but also in outdoor irrigation. The state and other municipalities are now implementing many of the measures we have been taking. About 42-44% of water use in Castle Rock is outdoor irrigation, and is four to five times as much in the summer. Outdoor irrigation is used and gone but indoor use can be re-used. They see that turf in the front yards is not really used and consist of about 3,000 acres. We are at about 118 gallons per capita and we want to get down to 100 gallons per capita. We want to encourage Coloroscape. New developemnt/new homes are proposed for no turf in front yards and 500 square feet in the backyard proposing Coloroscape instead. Builders normally only do the front yard and homeonwers don't know our requirements, so they incentivize builders to put in front and backyards using drought tolerant plants that don't need to be watered as much. Non-residential will have no non-functional turf effective January 1, 2023. If builders don't install front and backyards, they will pay full fees and will still be required to design the backyard for them. The water budget will be put in place for what the builder designed. Costs for Coloroscape is comparable to turf landscape. We use 19.3M gallons per day in the summer. If we don't make this change, we forecast 40M gallons per day. Implementing this we could level out at 30M gallons per day. They have had subcommittee

meetings, developer roundtable, it is part of the Water Resources Strategic Mater Plan, presented at the Economic Development Council executive committee and board, and the homebuilder luncheons. If homebuilders take advantage we will collect less system development fees, but save water supply and on capital projects. Water Commission unanimously approved and staff supports.

Councilmember Cavey asked if the developer didn't want to do the backyard, do they still have to give the resident the plan on how to landscape. Marlowe stated the homebuilder has to design whatever the customer wants in accordance with our rules.

Councilmember Hollingshead asked if we have the ability to have criteria for what the Coloradoscape looks like and the quality. Marlowe stated they do have to meet their standards.

Citizens that addressed Council:

Todd with the Water Commission, stated doing just this change can reduce our water consumption drastically and they are enthusiastic about this change to reduce need for infrastructure.

Citizen that addressed Council online:

Justin Gould with David Weekly homes asked if there is a \$5k fee per home if they don't comply. Marlowe stated that he was reference an old memo. The developers can reduce their fees if they comply, but if they don't they will pay the full system development fees. Gould feels it is out of place to put that burden on the builder.

Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, to Extend the Meeting to 10:15 pm. The motion passed by the following vote:

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

Mayor Gray feels we are way ahead of the times to have water regulations 20 years ago and we will be on the forefront to save water on the front range.

Moved by Mayor Gray, seconded by Councilmember Dietz, to Extend the Meeting to 10:20pm. The motion passed by the following vote:

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

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to Support the Proposed Amendments. The motion passed by the following vote:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

ADJOURN

Meeting adjourned at 10:20pm.

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Cavey, to Adjourn. The motion passed by the following vote:

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

Submitted by:

Lisa Anderson, Town Clerk