



Town Council Meeting Minutes - Draft

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

Tuesday, February 2, 2021

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
www.CRgov.com/CouncilComments

This meeting is open to the public and will be held in a virtual format in accordance with Town Council Meeting Special Procedures During Declared Disasters. Public may choose to attend in person at Town Hall, or electronically or by phone if preferred - remote participation is encouraged. This meeting will be hosted online and can be accessed at www.CRgov.com/Feb2Council, or phone in by calling (720) 650-7664, meeting code 146 362 5449 (if prompted for a password enter "Feb2Council"). 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. February 2, 2021, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION - Mark Marble, Police Chaplain

CALL TO ORDER / ROLL CALL

Councilmembers Hollingshead and Johnson participated remotely.

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Dietz reminded citizens to take care of themselves and each other and to look for happiness and to remain optimistic during these times.

Mayor Pro Tem Bracken provided an update on the Tri County Health Care call and the anticipated move to a less restricted level on the COVID dial. He stated that the Tri County Health Department did not have our best interest in mind.

Mayor Gray commented on his frustration with TCHD as well and the constant moving target to move to less restrictive levels. He also acknowledged and thanked first responders, health care providers and teachers especially during this time.

UNSCHEDULED PUBLIC APPEARANCES

Gary Colley, retired Douglas County teacher, resident and founder of a non-profit called Community Accountability Committee questioned why Town Council does not have an active voice in what impacts schools in the community.

Mayor Pro Tem Bracken questioned if there were models of local government municipalities interacting with school district boards.

Town Manager, Dave Corliss, identified the Partnership of Douglas County Governments as an opportunity of information sharing and partnership. Corliss suggested a meeting of the Town Council and the school board to share concerns as an appropriate avenue for discussion.

Mayor Pro Tem Bracken cited the advisory capacity of the Tri County Health Department to the Douglas County School District. The adopted quarantine policy has been very hurtful to students. He stated if there was an opportunity for a meeting, that it could be beneficial.

Councilmembers Cavey, Dietz and Johnson expressed they would welcome an open dialogue and an opportunity to meet with the school board to address concerns of the community.

Councilmember Hollingshead voiced concern to not be reactionary to where we are today due to COVID, that future conversations to address concerns would be beneficial.

No other public comment was received.

TOWN MANAGER'S REPORT

Town Manager, Dave Corliss, stated the study session on February 23rd will review Town finances. He noted the 2020 budget year ended in good shape due to Council stewardship and departmental focus on managing expenses through the pandemic.

[ID 2021-010](#)

Update: Residential Unit Data (through December 31, 2020)

Corliss stated that staff continues to track numbers related to residential units. He also stated many build out projects will not develop to their maximum capacity or their previously approved numbers.

[ID 2021-011](#)

Update: Quasi-Judicial Projects

[ID 2021-012](#)

Development Services Project Updates

Tara Vargish, Director of Development Services, addressed Council highlighting the property south of the Canyons South development in unincorporated Douglas County. The property is adjacent to Town boundaries. The property owner is interested in annexation and this property is noted to have exceptional open space opportunities. It is before Council tonight as an introduction and for possible future

direction and discussion related to annexation.

TOWN ATTORNEY'S REPORT

None

ACCEPTANCE OF AGENDA

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

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

CONSENT CALENDAR

[RES 2021-004](#) Resolution Approving a Purchase Agreement with Boise Mobile Equipment for Two (2) Type 6 Brush Trucks

[RES 2021-005](#) Resolution Approving Change Order No. 1 to the Construction Contract Between the Town of Castle Rock and 53 Corporation, LLC, for the Fair Street Storm Sewer Project

[RES 2021-006](#) Resolution Approving Use of Electronic Signatures For The Execution of Town of Castle Rock Documents

[MIN 2021-003](#) Minutes: January 12, 2021 Study Session and January 19, 2021 Town Council Meeting

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur to approve the Consent Calendar as read. Motion passed by the following vote:

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2021-007](#) Resolution Approving the Creation of a Noxious Weed Advisory Board as an Auxiliary Function of the Town of Castle Rock Parks and Recreation Commission

Matt Gohl, Special Projects Manager, presented item to Council.

No public comment received.

Moved by Councilmember Dietz, seconded by Councilmember LaFleur, to Approve Resolution 2021-007 as presented. Motion passed by a vote of:

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

[DIR 2021-004](#) Design Review Board Membership and Responsibilities

Director of Development Services, Tara Vargish, co-presented item to Council with Kevin Tilson, Director of the Castle Rock Downtown Alliance who participated remotely.

Vargish spoke to the first question before Council related to the review and discussion of possible changes to the DRB board composition. The DRB currently consists of one Planning Commission member, two Historic Preservation and DDA members, as well as, two downtown property owners. The purpose of the DRB is to aid with the expediency of review and action for downtown projects as well as encouraging investment and reinvestment downtown. The second question before Council for consideration was a discussion if Council wanted to review possible changes to the authority of the Design Review Board. Vargish explained commercial projects under 10 acres of 100,000 SF outside of downtown are approved by staff without a public hearing. Larger commercial projects over this threshold, with residential or other additional components, are reviewed by the Planning Commission and subsequently presented to Council for action. The recommendation before Council tonight determines if Council wants to act on a project downtown, to consider a threshold for a site development plan for the downtown area.

Stu Butler, resident, DRB and DDA Chairman, and business owner addressed Council at the request of Mayor Pro Tem Bracken explaining that most of the projects reviewed by the DRB are related to landscape variances. Two large projects have been reviewed by the DRB for a variance request for an additional level as related to height.

No public comment was received.

Councilmember LaFleur spoke in favor of retaining the DRB as is without any changes.

Councilmember Cavey wants Town Council to have input in what goes on downtown and she is representing what her constituents want. Councilmember Dietz concurred and voiced opinion that voters want accountability and would like to see major projects return to council for final determination. Councilmember Johnson explained that her constituents are concerned with the loss of the downtown character and small town charm due to recent new development. She also reviewed the composition of the DRB and questioned how they represent the entire Town as downtown business or property owners.

Councilmember Hollingshead acknowledged the growth of the downtown and the desire not to impede the progress. He spoke to the timeline of going to the DRB versus going to Council and noted that it may extend the process. He acknowledged that the composition of Council changes every two years and that change could be impactful as well on future development.

Mayor Pro Tem Bracken discussed the benefit to the downtown area and business owners and noted what these new developments replaced as well as noted the added parking that will be realized. He also acknowledged that the EDC, DMA and the DDA are an extension of the programs that Town Council approved and wants to keep things the same.

Mayor Gray acknowledged that we need to represent our constituents, but perspective could be different for people who live or have their livelihoods outside

of the downtown area. He noted the DRB, DDA, EDC and DMA as well as the Chamber are professionals with a vision for a thriving, vibrant downtown which is important for all of Castle Rock.

Town Manager Corliss did explain that most of the large projects in the downtown area have previously been before Council as they included a public finance agreement. In response to Councilmember Cavey, Corliss did emphasize that most large projects would not have proceeded without a finance agreement, and previous to approval of the financing agreement, the land use entitlement has been determined.

Vargish then spoke to Council about site development plans in the downtown area which are generally focused on the look of a building, elevation, access and parking and site improvements. Vargish also noted that there are style guidelines that are considered in regard to architectural design elements.

Mayor Pro Tem Bracken moved to not make a change to the DRB, seconded by Councilmember LaFleur. Motion passed by the following vote:

Yes: 4 - Gray, Bracken, Hollingshead, LaFleur

No: 3 - Cavey, Johnson, Dietz

ORD 2021-003 Ordinance Amending Chapter 15.48.010 of the Castle Rock Municipal Code Adopting By Reference As A Primary Code the 2021 Town of Castle Rock Landscape and Irrigation Criteria Manual (First Reading)

Councilmember Hollingshead left the meeting not to return.

Director of Castle Rock Water, Mark Marlowe, presented item to Council outlining that it related to landscaping, water efficiency and conservation. He cited that 50% of our water is used in outdoor irrigation.

The current process requires landscape professionals to test on our criteria and standards after which they are licensed as qualified, water efficient landscapers in Castle Rock.

Councilmember Johnson inquired about HOA landscaping and maintenance inspections.

No public comment.

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur, that Ordinance 2021-003 be Approved on Second Reading as presented. Motion passed by the following vote:

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

Not Present: 1 - Hollingshead

[RES 2021-008](#) Resolution Adopting the 2021 Town of Castle Rock Water Use

Management Plan (WUMP)

Marlowe presented item to Council identifying that the plan manages watering schedules, as well as usage during the peak demand which is experienced during the summer irrigation season. He noted this is even more important this year due to the drought situation in Colorado.

Councilmember Cavey questioned the restrictions that could be implemented during the drought situation and Marlowe explained if the drought management plan was implemented, this would include those citizens that have previously participated in the Water Wiser program as well.

Efforts of the water department working with Town restaurants during the pandemic was recognized by Councilmember LaFleur.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2021-008 be Approved as presented. Motion passed by the following vote:

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

Not Present: 1 - Hollingshead

[RES 2021-009](#) **Resolution Approving the 2021 Town of Castle Rock Water Conservation Rebate Incentive Program**

Item was presented to Council by Marlowe. Marlowe explained that the program offers rebates for both residential and non-residential customers focused on water conservation efforts.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember LaFleur, that Resolution 2021-009 be Approved as presented. Motion passed by the following vote:

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

Not Present: 1 - Hollingshead

[RES 2021-010](#) **Resolution Approving a Construction Contract between the Town of Castle Rock and 53 Corporation, LLC, for the Tank 3 Drain Line Project**

Mark Marlowe presented item to Council and prefaced that the item was about rehabilitation and replacement of infrastructure as it ages and ultimately about improving the infrastructure.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2021-010 be Approved as presented. Motion passed by the following vote:

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

Not Present: 1 - Hollingshead

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

No additional public comment.

ADJOURN

Meeting adjourned at 8:26 pm.

Moved by Councilmember Johnson, seconded by Councilmember LaFleur to Adjourn. Motion passed by the following vote

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

Not Present: 1 - Hollingshead

Submitted by:

Assistant Town Clerk, Robbie Schonher