



## 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

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Tuesday, February 6, 2024

6:00 PM

Town Hall Council Chambers

100 North Wilcox Street

Castle Rock, CO 80104

Phone in: 720-650-7664

Meeting code: 2484 444 0586

Access key: 33262686

[www.CRgov.com/CouncilMeeting](http://www.CRgov.com/CouncilMeeting)

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All times indicated on the agenda are approximate. Remote participants please visit [www.CRgov.com/CouncilComments](http://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 6, 2024, to be included in the public record.

### COUNCIL DINNER & INFORMAL DISCUSSION

### INVOCATION

Mayor Gray provided the 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 commented on the groundbreaking for the new VA clinic in Castle Rock, and how this facility will be a huge benefit to our veterans.

Councilmember Dietz feels the VA clinic is a good thing for our veterans and is happy to have it here in Castle Rock. He also encouraged citizens to pay attention to the legislation being discussed at the state this session.

Mayor Pro Tem LaFleur thanked the city of Boulder for hosting the historic preservation conference.

## UNSCHEDULED PUBLIC APPEARANCES

None.

## TOWN MANAGER'S REPORT

### [ID 2024-010](#) **Update: Calendar Reminders**

David Corliss, Town Manager, updated Council on upcoming events and meetings.

### [ID 2024-011](#) **Update: Potential Costs of Wastewater for Castle Rock Going Forward**

Mark Marlowe, Director of Castle Rock Water, provided an update to Council.

Councilmember Cavey brought up a concern with raising rates.

### [ID 2024-012](#) **2024 General Assembly Legislative Update**

Kristin Read, Assistant Town Manager provided an update to Council on proposed state legislation. Staff is requesting Council submit a letter to oppose some land use bills being proposed to allow those decisions and criteria to remain under local control.

Mayor Gray stated he would be attending the Metro Mayors Conference and will keep Council informed of any items discussed there.

**Moved by Councilmember Cavey, seconded by Councilmember Dietz, to Affirm staff recommendation to send a letter opposing the legislation. The motion passed by a vote of:**

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

### [ID 2024-013](#) **Update: Residential Unit Data (through December 31, 2023) with Potential Buildout Estimates**

### [ID 2024-014](#) **Development Services Project Updates**

Tara Vargish, Director of Development Services, provided an overview and informed Council of a demolition permit that will go to Historic Preservation and then to Council for approval at 104 North Lewis.

### [ID 2024-015](#) **Update: Quasi-Judicial Projects**

## TOWN ATTORNEY'S REPORT

### [ID 2024-016](#) **Town Attorney's Office Annual Report for 2023**

Mike Hyman, Town Attorney, provided an overview of the items Legal worked on last year and an introduction of his staff.

## ACCEPTANCE OF AGENDA

Moved by Councilmember Bracken, seconded by Councilmember Cavey, to Accept 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 Brooks, 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

[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 (Second Reading - Approved on First Reading on January 16, 2024, by a vote 7-0)

[RES 2024-010](#) Resolution Accepting the Offer from Symetra Life Insurance Company to the Town of Castle Rock for Stop Loss Insurance Coverage for Calendar Year 2024

[MIN 2024-003](#) Minutes: January 16, 2024 Town Council Meeting

## ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2024-002](#) Ordinance Annexing to the Town of Castle Rock, Colorado, 3.76 Acres of Land Owned by the Town and Located In Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado (Tower Open Space Annexation) (First Reading) [*located between the existing Metzler Ranch development and the Canyons Far South future development*]

Tara Vargish, Director of Development Services, presented the item.

Councilmember Cavey clarified with Vargish that they presented the uses allowed on the property, but there are no plans to build anything on that property.

No public comment.

Moved by Councilmember Brooks, seconded by Councilmember Cavey, to Approve Ordinance ORD 2024-002 as presented on first reading. The motion passed by a vote of:

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

## QUASI JUDICIAL HEARINGS

[ORD 2024-003](#) Ordinance Approving the Initial Zoning for 3.76 Acres of Land Owned by the Town and Located in Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado

**(Tower Open Space Initial Zoning) (First Reading)** [*located between the existing Metzler Ranch development and the Canyons Far South future development*]

Mayor Gray confirmed that no Councilmembers expressed a conflict of interest and the item was advertised as required.

Tara Vargish, Director of Development Services, presented the item.

No public comment.

**Moved by Councilmember Cavey, seconded by Councilmember Bracken, to Approve Ordinance ORD 2024-003 as presented on first reading. The motion passed by a vote of:**

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

[RES 2024-011](#) **Resolution Finding that Certain Property, Which is the Subject of a Petition for Annexation Submitted By George Mattione, is Eligible for Annexation Under Article II, Section 30 of The Colorado Constitution and Sections 31-12-104 And 31-12-105, C.R.S. (RidgeView Town Center Annexation)** [*located at 895 Ridge Road*]

Mayor Gray confirmed that no Councilmembers expressed a conflict of interest and the item was advertised as required.

Tara Vargish, Director of Development Services, presented the item.

No public comment.

**Moved by Councilmember Brooks, seconded by Councilmember Hollingshead, to Approve Resolution RES 2024-011 as presented. The motion passed by a vote of:**

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

## **ADDITIONAL ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS**

[DIR 2024-003](#) **Discussion/Direction: Cobblestone Metro District Mill Levy for Fire/Emergency Services**

David Corliss, Town Manager, provided background on the metro district known as Villages at Castle Rock Metro District #6. The property was annexed in the 1980's, and there was an IGA with the Town in June of 2004 for 10 mils to pay for Fire and Emergency services. They plan to have a new station operational in 2026 with an estimated cost of \$8M. Staff is proposing to reduce the mil levy down to 5 mil starting after the station is built by 1 mil per year for 5 years until it is reduced to 5 mils to be in line with what other metro districts pay.

Citizens that addressed Council:

Stan DePue is a Cobblestone resident of 5 years and is on the metro district board. They refinanced their bonds to pay off debt in 25 years and is happy with the proposal.

David Garris(?) is a resident of Cobblestone and is happy Council is considering the mil reduction.

Councilmember Cavey stated this issue was brought to her and she felt it was appropriate for the mil to be in line with the rest of Castle Rock.

**Moved by Councilmember Cavey, seconded by Councilmember Brooks, to Direct Staff proceed with preparation of a revised Intergovernmental Agreement for future Council consideration. The motion passed by a vote of:**

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

[ORD 2024-004](#) **Ordinance Amending Various Provisions within Chapter 4.04 of the Castle Rock Municipal Code Regarding the Dedication of Water Rights as a Condition of Annexation to the Town (First Reading)**  
*[Castle Rock Water Service Area]*

Mark Marlowe, Director of Castle Rock Water, presented the item proposing to waive requirements under certain conditions.

No public comment.

**Moved by Councilmember Hollingshead, seconded by Mayor Pro Tem LaFleur, to Approve Ordinance ORD 2024-004 as presented on first reading. The motion passed by a vote of:**

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

[DIR 2024-004](#) **Discussion/Direction: Council Electronic Participation, Connected & Hybrid Meeting Policy**

Kristin Read, Assistant Town Manager, presented information on online participation at Council meetings. During COVID, the Town instituted remote participation, connected meetings, and hybrid which is the practice the Town continues.

Citizens that addressed Council online:

Unidentified man feels it is informative and he can participate remotely when he is unable to come in, and asks Council to continue to allow citizens remote participation.

Mayor Gray stated CML discussed issues some municipalities have had with online callers. He feels citizens can email Council and submit their comments if they cannot appear in person.

Councilmember Cavey wants to continue to allow citizens to participate remotely and feels they deserve access to Council.

Councilmember Brooks clarified they can still watch the meetings, they just cannot comment. Council is only voting if it should be brought back to vote on. Brooks stated he is not a fan of remote participation.

Councilmember Bracken encourages people to attend in person.

Councilmember Hollingshead feels it is beneficial for the elderly, those that have kids and can't stay for a whole meeting, or if there is bad weather. He does not feel it has been abused and does not feel it is hurting anything.

Mayor Pro Tem LaFleur asked if there is an option to take them offline if they go rogue.

Mike Hyman, Town Attorney, stated it has been discussed that if we offer public comment, we have to allow them to speak the entire time or we open ourselves up to violating their 1st amendment right.

Councilmember Dietz prefers in person citizen participation but wants to allow Council to remote in.

**Moved by Councilmember Brooks, seconded by Councilmember Bracken, to Direct Staff to bring back for Council's consideration a Resolution that would update Council's Electronic Participation, Connected & Hybrid Meeting Policy. The motion passed by a vote of:**

**Yes:** 4 - Gray, LaFleur, Bracken, Brooks

**No:** 3 - Hollingshead, Cavey, Dietz

## **ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES**

None.

## **ADJOURN TO EXECUTIVE SESSION - NOT TO RETURN**

**Moved by Councilmember Brooks, seconded by Mayor Gray, to Adjourn to Executive Session. The motion passed by a vote of:**

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

[EXEC  
2024-001](#)

**Executive Session: A conference with the Town Attorney, to be conducted in accordance with Section 24-6-402(4)(b), C.R.S., for the purpose of receiving legal advice on the rezoning application submitted to Douglas County by the JRW Family Limited Partnership for the proposed Pine Canyon development**

Meeting adjourned at 7:36 pm.

Submitted by:

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Lisa Anderson, Town Clerk