



## 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

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Tuesday, June 21, 2022

6:00 PM

Town Hall Council Chambers  
100 North Wilcox Street  
Castle Rock, CO 80104  
Phone in: 720-650-7664  
Meeting code: 2493 460 8343  
[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. June 21, 2022, to be included in the public record.

### COUNCIL DINNER & INFORMAL DISCUSSION

### INVOCATION - Pastor David Love, Calvary Castle Rock

### CALL TO ORDER / ROLL CALL

**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 had a good open house at the Rec Center, the DC Community Foundation meeting, and Budget open house. The CML conference is tomorrow.

Councilmember LaFleur hoped everyone had a good Fathers Day weekend and there was a good turnout to the Car Show and the Concert.

Councilmember Johnson reported on meetings she attended. The Downtown Alliance (DMA and DDA), the Public Art, Parks and Rec, and Castle Rock Water Commissions.

Councilmember Dietz commented that today is the longest day of the year. The

Promise Ranch is off of Lake Gulch Road and is available to all active duty, veterans, and first responders.

Mayor Pro Tem Bracken received some emails concerning the homeless shelter option. As a Town Council they voted as a majority to oppose the homeless shelter going in next to the Justice Center (except Dietz and Johnson). There is a meeting tomorrow at the County and he encouraged people to attend. Bracken stated our Police department has contacted and identified all of the long-term homeless that have been living in Castle Rock. None of them are accepting services. It is concerning that Commissioner Layden wants to put up a shelter that would just attract other homeless because the ones here will not utilize it.

Councilmember Dietz stated the 5-2 vote was in opposition of sending the letter, not in opposition or in support of a shelter.

Mayor Pro Tem Bracken stated the roll call vote was to put the language in the letter stating Town Council was opposing putting a shelter in the Town of Castle Rock.

Councilmember LaFleur also noted that Dietz's letter asked Council to get behind it.

[APPT  
2022-005](#)

**Appointments: Board of Adjustment, Downtown Development Authority, Design Review Board, and Planning Commission**

**Moved by Councilmember LaFleur, seconded by Councilmember Johnson, that Appointment be Approved as presented. The motion passed by the following vote:**

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

## **UNSCHEDULED PUBLIC APPEARANCES**

No public comment.

## **TOWN MANAGER'S REPORT**

[ID 2022-062](#)

**Update: Douglas County Homeless Initiative Public Awareness Campaign**

Kristin Read, Assistant Town Manager, presented their plan to install signs county-wide to encourage people to donate to organizations vs. giving to panhandlers on trails, shopping centers and highway ramps.

Councilmember Cavey sees a lot of panhandlers at Sams Club, Target, Kohl's, and getting off at Founders. She inquired about the QR codes, and asked where they would be donating to. Reed stated funds would go to the Douglas County Community Foundation.

Mayor Gray stated that the foundation would disperse money to different charities that are helping people in Douglas County.

Councilmember LaFleur asked about making panhandling illegal. Mike Hyman, Town Attorney, stated the problem with the code is a case that went through the

Federal Courts and it is considered speech. Most jurisdictions have gone to looking at panhandling through safety ordinances i.e., a median is small and they stand on it to solicit donations and it could endanger them or the vehicles. Read stated they would put signs in Town right-of-way or will work with private property owners.

Dietz stated the meeting will be at 5pm tomorrow. He feels we can all work together to figure out a plan.

[ID 2022-063](#)

#### **Update: Calendar Reminders**

David Corliss, Town Manager, stated there are some property acquisition items they would like to discuss in Executive Session and proposes Council starting at 5:30pm on July 5, dinner at 5pm, for an Executive Session.

La/HOII 7/5 exec at 5:30pm.

Corliss then noted upcoming calendar items. August 2 meeting is canceled to attend National Night Out.

LaFleur confirmed that National Night Out will be at PSM at 5pm.

Fire Chief Croom noted that the fireworks will be canceled for 4th of July after evaluating conditions and talking to other agencies. There have also been small fires in the Town, County and Pike National Forest.

Councilmember LaFleur asked if we could consider a light show as an alternative. Corliss stated maybe we could next year because it is late to consider for this year.

Mayor Gray has received several communications asking how people can respond to fireworks in their neighborhood. Croom stated there are more calls than they are capable of being handled and do the best they can.

Mark Marlowe, Director of Castle Rock Water, stated still experiencing significant drought. June water use is up about 12% and creek water level is low.

Councilmember Cavey asked for his recommendation on watering lawns. Marlowe stated to follow the watering schedule and not overwatering. Cycle and soak is recommended crconserve.com Water short period of time, let soak in, then water again in an hour or two and water again.

Mayor Pro Tem Bracken asked if we typically make up the use in winter months. Marlowe stated it has been dry and windy. Are we making it up with renewable water. Marlowe stated most of the year has been dry which is one of the reasons we are struggling now.

Councilmember Johnson Marlowe won't impact Centennial water lease.??

**Moved by Councilmember LaFleur, seconded by Councilmember Hollingshead, to begin the July 5, 2022 Council meeting at 5:30pm to adjourn to an Executive**

Session. The motion passed by the following vote:

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

[ID 2022-064](#) Update: Monthly Department Reports

[ID 2022-065](#) Development Services Project Updates

[ID 2022-066](#) Update: Quasi-Judicial Projects

## TOWN ATTORNEY'S REPORT

[ID 2022-067](#) Hillside at Castle Rock Metropolitan District - Review of Proposed Bond Issuance

Mike Hyman, Town Attorney, stated Hillside Metro District is proposing to issue bonds and must present financing of debt to the Town to review and comment. Staff has determined that it complies with their service plan. There is a request to re-include some property back into the district. The item is on the Consent Calendar.

## ACCEPTANCE OF AGENDA

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

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

## CONSENT CALENDAR

[PROC 2022-007](#) Proclamation: Smart Irrigation Month [*Town of Castle Rock, CO*] (For Council Action - Presentation on July 5, 2022)

[ORD 2022-012](#) Ordinance Approving a Water Lease Agreement Between the Town of Castle Rock and the Town of Wiggins (Second Reading - Approved on First Reading on June 7, 2022, vote of 7-0) [*Morgan County, Colorado*]

[RES 2022-065](#) Resolution Authorizing the Inclusion of Property within the Hillside at Castle Rock Metropolitan District

[RES 2022-066](#) Resolution Approving a Construction Contract with RME Ltd., LLC d/b/a Elite Surface Infrastructure for the Bell Mountain Ranch Water Connection Project [*Bell Mountain Ranch Subdivision*]

[RES 2022-067](#) Resolution Approving a Construction Contract with Velocity Constructors, Inc. for the Bell Mountain Ranch Ground Storage Tank and Booster Station Project [*Bell Mountain Ranch Subdivision*]

[RES 2022-068](#) **Resolution Approving the Second Amendment to the Participation Agreement with Cherry Creek Basin Water Quality Authority for the Design of Stream Reclamation Improvements for McMurdo Gulch**  
*[Near the intersection of Castle Oaks Drive and Autumn Sage Drive]*

[RES 2022-069](#) **Resolution Approving a Services Agreement with Alfred Benesch & Company for Construction for the Ridge Road Widening and Plum Creek Parkway Widening Phase 2 Projects**

[MIN 2022-012](#) **Minutes: June 7, 2022 Town Council Meeting**

Moved by Councilmember LaFleur, seconded by Mayor Pro Tem Bracken 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**

[ORD 2022-013](#) **Ordinance Amending Sections 15.64.200 And 17.42.080 of the Castle Rock Municipal Code Regarding the Status of Various Documents Used to Guide the Redevelopment of Downtown Castle Rock (First Reading)** [Downtown Code and Guidelines Amendments]

Ordinance 2022-013 and Resolution 2022-070 will be presented together but voted on separately.

Tara Vargish, Development Services Director, presented as a follow-up to the presentation on June 7th. Between 1990-2008 there were a wide variety of documents that talk about downtown development that led to Town Code. Staff compared all the studies, plans, downtown standards, minutes, code, etc. and it led to two main inconsistencies. The Code allows higher building heights, and building materials and design are not specific. The Downtown Overlay District is in Code Section 17.42 and references guidance documents as Castle Rock Design and the Downtown Master Plan and the Code controls. The Historic preservation Code in Section 15.64 references the Castle Rock Style and Castle Rock Design as guidelines but the Code controls. Where inconsistencies lie, staff recommends amendments.

The Resolution states that Castle Rock Design are guidelines and advisory and are updated only upon direction from Town Council.

Councilmember Johnson inquired about the inconsistency between the number of stories vs. a foot height requirement.

Vargish stated the height in the core area downtown is 4 stories or 60 feet and the property owner can request 1 additional story. North and South downtown only states 5 stories and they can request 2 additional stories.

***No public comment.***

Councilmember Cavey inquired why the founding documents are only referenced as guiding documents in the Ordinance. Vargish stated if it was not put into the Code, it is not law and has never been used for approval.

**Moved by Councilmember Johnson, seconded by Councilmember Dietz, that Ordinance 2022-013 be Approved on First Reading as presented. The motion passed by the following vote:**

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

**No:** 1 - Cavey

[RES 2022-070](#) **Resolution Amending the Provisions Governing the Review and Update of Castle Rock Design: Guidelines for Design and Development in the Town of Castle Rock [Downtown Code and Guidelines Amendments]**

**Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, that Resolution 2022-070 be Approved as presented. The motion passed by the following vote:**

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

**No:** 1 - Cavey

[ORD 2022-011](#) **Ordinance Approving the 221 Wilcox Street Redevelopment and Financing Agreement Between the Town of Castle Rock, the Castle Rock Downtown Development Authority, and Riverwalk II, LLC (Second Reading - Approved on First Reading on June 7, 2022 by a vote 4-3)**

David Corliss, Town Manager, introduced the item and Mike Hyman, Town Attorney, confirmed there were only minor non-substantive changes made.

***No public comment.***

**Moved by Councilmember LaFleur, seconded by Mayor Pro Tem Bracken, that Ordinance 2022-011 be Approved on Second Reading as presented. The motion passed by the following vote:**

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

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

[ID 2022-068](#) **Presentation of the 2021 Annual Comprehensive Financial Report (ACFR) and 2021 Popular Annual Financial Report (PAFR)**

Trish Muller, Finance Director, presented the Audit of the 2021 Financial Statements. Muller recognized staff that assisted and the auditors. Marcie Ardan is the managing director and presented remotely.

Councilmember Cavey asked if the document could be posted publicly. Corliss feels this is a good idea and citizens can look at any of these documents. Corliss

congratulated the Finance department and noted that we are one of the fastest growing communities but have very low debt with only COPs or revenue bonds.

***No public comment.***

Councilmember Johnson asked if a motion is required. Corliss stated it is not required. Johnson appreciates Town staff and the consultants work and we want to be fiscally conservative with people's money.

Councilmember Cavey and Mayor Pro Tem Bracken thanked them for all their hard work.

[DIR 2022-013](#)

**Discussion/Direction of Applications for the 2022 Second Quarter Council Community Grant Program, Three Applications**

Trish Muller, Finance Director, presented the applications for the Community Grants. There were three applications from the Douglas Land Conservancy (educational opportunities), Castle Rock Orchestra (Halloween concert), and Help and Hope Center (special event fees for Turkey Rock Trot) for \$500 each.

**Moved by Councilmember Cavey, seconded by Councilmember LaFleur, to have the full \$2,000 used and distributed equally among the three. The motion passed by the following vote:**

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

[RES 2022-071](#)

**Resolution Adopting the Town of Castle Rock 2022 Downtown Alley Plan**

Dan Sailer, Director of Public Works, stated this is a visionary document. It is not fiscally constrained and is used for guidance. Public Works Commission recommends approval.

Councilmember Cavey asked if they have done any financial forecast, and asked about safety lighting.

Sailer stated when they identify specific projects, safety is based on lighting and to separate the modes of travel ie. using alleys more for bicycle traffic. The main corridor is between Perry and Wilcox but could be applied to any ally in the downtown area.

Mayor Pro Tem Bracken asked how it started. Sailer stated it started with the Downtown Mobility Plan.

Councilmember Johnson inquired about the underground utilities and if the grant would cover relocation costs. Sailer stated specific grants could be for different elements. Johnson stated the Public Art Commission did walk down the alley and asked if they could be included to collaborate with when a project comes forth. Sailer stated it is a good opportunity for all potential partnerships.

David Corliss, Town Manager, stated the Town maintains a franchise fee credit with CORE - a 1% fee that is retained by CORE that the Town can use for electric work. We can also use it for underground electric lines. We anticipate it will be

used for the Crystal Valley Interchange in the future.

Councilmember Cavey inquired if someone wants to redevelop a property, would we want to partner with them. She asked if current businesses could use DDA money for this. Corliss stated the DDA would like to be partners when possible..

*No public comment.*

#### **ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES**

None.

#### **ADJOURN**

Meeting adjourned at 7:52 pm.

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

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

Submitted by:

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Lisa Anderson, Town Clerk