



**Town of Castle Rock
100 North Wilcox Street
Castle Rock, CO 80104**

Mayor Jennifer Green
Mayor Pro Tem Renee Valentine
Councilmember Jess Loban
Councilmember James Townsend
Councilmember Jason Bower
Councilmember George Teal
Councilmember Brett Ford

Town Council Meeting Minutes - Final

Tuesday, July 18, 2017

6:00 PM

Council Chambers

This meeting is open to the public. All times indicated on the agenda are approximate. Interested parties are encouraged to be present earlier than the posted time.

CALL TO ORDER / ROLL CALL

ADJOURN TO EXECUTIVE SESSION

[EXEC
2017-015](#)

Executive Session: Legal Advice Regarding the Aptive Environmental, LLC vs. Town of Castle Rock Litigation

Green moved, seconded by Loban, that the Council meeting be Adjourned to Executive Session. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

RECONVENE

INVOCATION - Pastor Stephen Tipps, Plum Creek Community Church

CALL TO ORDER / ROLL CALL

Present: 6 - Council Member Loban, Council Member Townsend, Mayor Green, Council Member Bower, Mayor Pro Tem Valentine, and Council Member Teal

Not Present: 1 - Council Member Ford

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Green read the Executive Session Report from July 18, 2017: Executive Session: Legal Advice Regarding the Aptive Environmental, LLC v. Town of Castle Rock Litigation.

Loban announced a Dirt Jumps and Donuts event where kids can bring their bikes and interact with our bicycle police unit, July 19, August 10 and August 24 at Rhyolite from 6-8 pm. National Night Out is coming Tuesday August 1st at Philip S. Miller Park.

Green shared information on concerts at Philip S. Miller Park that can be found on our website. A fundraiser concert benefiting the Douglas Elbert Task Force will be held at the amphitheatre this Sunday from 2-7 pm. The Douglas County Fair parade will open with the Western Heritage Welcome with a Steer Drive 6-9 pm on July 28th and the parade will be on July 29th from 9-11 am.

[ID 2017-048](#)**Update: Castle Rock Water - Summer Water Usage**

Mark Marlowe, Director of Utilities gave a Castle Rock Water System Update to address community concern in response to a large peak demand experienced in June due to low precipitation and high temperatures putting a strain on the system to keep up. Peak capacity is very expensive due to the capacity needed for the water treatment plants requiring 4+ plants to operate in high irrigation months vs. 1 plant that can handle non-irrigation months. Marlowe stated the residents have been on a watering schedule since the 1980's and they now are putting commercial irrigation customers on a schedule as well. Conservation is part of their long term water plan. Marlowe provided a system overview of renewable water, non-renewable water, wells, treatment plants, tanks and pipelines. The goal is to reach 75% renewable water by 2050. Several system additions have occurred over the last three years and continued additions are planned for 2018 and beyond. Each year a summer operations plan is developed to meet demand and maintenance of systems and equipment. Daily and weekly demand projections are done that track actual rain and temperatures vs. historical levels. The Water Use Management Plan is updated each year and approved by Town Council. Marlowe is meeting with all of the HOA boards to ensure they understand the watering schedule and will work with them to solve any issues. Marlowe would like to thank the customers who were very responsive to cutting back on their irrigation time.

Loban asked about the pipeline to Chatfield. Marlowe stated that Chatfield is a more long-term plan so was not included in this presentation.

Green felt the commercial watering schedule was a great idea and asked about the HOA's penalizing residents that are irrigating less causing lawns to be less green. Marlowe stated they will discuss that with the HOAs.

[DIR 2017-031](#)**Discussion/Direction: Call Special Town Council Meeting for July 31, 2017 for the Purpose of Meeting with the Board of County Commissioners on Items of Mutual Interest**

Valentine moved, seconded by Loban, to call a special Town Council meeting for July 31, 2017 for the purpose of meeting with the Board of County Commissioners on items of mutual interest. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

UNSCHEDULED PUBLIC APPEARANCES

None.

TOWN MANAGER'S REPORT[ID 2017-045](#)**Update: Monthly Department Reports**[ID 2017-046](#)**Update: Quasi-Judicial Projects**

[ID 2017-047](#) Update: 2017 Metro Districts Mill Levy Report

Corliss referenced the Metro District Mill Levy report that contains information on property taxes that are dependent on which metro district the home is located within.

[ID 2017-049](#) Update: Economic Development Strategic Planning

Corliss stated that the Economic Development Council is working on a contract with EPS to conduct a strategic plan for economic development and to grow primary employment. The EDC and the Town will share the results and the strategic plan with Council to review. Frank Gray, CEO for the Economic Development Council was present to answer any questions.

TOWN ATTORNEY'S REPORT**ACCEPTANCE OF AGENDA**

The applicant requested to table Items 9, 10 and 11 regarding the Castle Rock Industrial Park annexation.

Green moved, seconded by Bower, to accept the agenda and table items 9, 10 and 11. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

CONSENT CALENDAR

Valentine moved, seconded by Teal to approve the Consent Calendar as read. The motion passed by a vote of:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

[MIN 2017-011](#) Minutes: June 20, 2017 Town Council Meeting**QUASI JUDICIAL HEARINGS****Castle Rock Industrial Park**

[ORD 2017-020](#) Ordinance Annexing to the Town of Castle Rock, Colorado a 4.568 Acre Property Located in the Northeast One-Quarter of Section 34, Township 7 South, Range 67 West of the Sixth Principal Meridian, County of Douglas, State of Colorado (Castle Rock Industrial Park Annexation) [West of Liggett Road and Highway 85] (Second Reading - Approved on First Reading on June 20, 2017 with a vote of 6 to 0)

Item tabled at the request of the applicant.

[ORD 2017-021](#) Ordinance Amending the Town's Zone District Map by Designating

the Castle Rock Industrial Park Annexation Property as I-2 General Industrial (Second Reading - Approved on First Reading on June 20, 2017 with a vote of 6 to 0)

Item tabled at the request of the applicant.

[RES 2017-055](#) **Resolution Approving the Castle Rock Industrial Park Annexation and Development Agreement**

Item tabled at the request of the applicant.

Verizon Wireless

[RES 2017-056](#) **Resolution Approving a Use by Special Review for a Personal Wireless Service Facility for Verizon Wireless at a Parcel of Land Located in the Eastern Half of the Eastern Half of Section 9, Township 8 South, Range 67 West and Southwest Corner of the Southern Half of the Northwest Corner of Section 10, Township 8 South, Range 67 West of the Sixth Principal Meridian, County Of Douglas, State of Colorado [1375 West Plum Creek Parkway - Philip S. Miller Park]**

Mayor Green read the Quasi-Judicial script. No Councilmembers noted any conflict of interest. The Clerk confirmed the items were properly noticed.

Kevin Wrede from Development Services gave a presentation showing the site plan for the location of the micro cells in Philip S. Miller Park, as well as a diagram of the proposed fixtures.

Loban asked if there were multiple carriers. Wrede stated these are micro-cells and are intended for single use.

Townsend inquired if the poles could be larger to accommodate other carriers, or if there are other locations that another carrier could put in a micro cell. Wrede confirmed they could.

Teal moved, seconded by Valentine, that Quasi-Judicial Resolution 2017-056 be Approved as read. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

[RES 2017-057](#) **Resolution Approving a Use by Special Review for a Personal Wireless Service Facility for Verizon Wireless on Tract B Butterfield Crossing Park**

Wrede presented a map and site plan of the proposed micro cell poll in Butterfield park as well as a diagram. Both UBSR were approved by the Planning Commission and staff recommends approval.

Garrett Kendall gave a presentation showing the increase in data use. This combined with the topography in Castle Rock and Philip S. Miller park presents issues as well as connectivity to 911 calls. The Butterfield site also serves more of the residential customers. Many residents use cell phones vs. land lines. The micro cell in Butterfield will alleviate usage from the main antennas as that neighborhood would be served by the micro cell.

No public comment.

Teal felt this is a good solution to cellular coverage needs.

Green appreciates that a cellular provider integrates into a neighborhood rather than putting up a large antenna.

Teal moved, seconded by Loban, that Quasi-Judicial Resolution 2017-057 be Approved as read. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

[ORD 2017-023](#) **Ordinance Approving Lease Agreements between Town of Castle Rock and Verizon Wireless (VAW) LLC for Wireless Communication Facilities at Butterfield Crossing Park and Philip S. Miller Park (First Reading)**

Kevin Wrede presented the lease agreements for \$4,200 per year for the Butterfield locaton and \$9,000 per year for the Philip S. Miller Park.

Loban confirmed that the Town is leasing them the space. Garret responded that they supply the pole, and they have an easement to pull the power to pay IREA directly.

Green asked if it was common not to renew a lease. Corliss stated the non-renewal has been seen if technology required something different or if we were not happy with the terms.

No public comment.

Teal feels it is a good deal as they are installing their own equipment, paying for their own electricity and providing better service to our citizens.

Green asked how long before installation. Will Kowalchuk was also present as the applicant and stated they want to install as soon as possible to improve coverage for the amphitheatre, the Mill House for events, the soccer fields in the front, and will position them so the signal shoots down canyon for hiking trail participants. Kowalchuk also stated that a 911 call will go to the closest service provider and the phone doesn't have to be activated in order to access 911.

Teal moved, seconded by Loban, that Ordinance 2017-023 be Approved as read. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

Development Services

[RES 2017-058](#) **Resolution Finding a Certain Petition for Annexation Known as Your Storage Center at Castle Rock to be in Substantial Compliance with Section 30 of Article II of the Colorado Constitution and with the Requirements of §31-12-107(1), C.R.S.; and Establishing a Date, Time and Place for the Hearing Prescribed Under §31-12-108, C.R.S. to Determine if the Property Petitioned for Annexation to the Town of Castle Rock is Eligible for Annexation Under Section 30, Article II of the Colorado Constitution and the Municipal Annexation Act of 1965** *[South I-25 Frontage Road between Brookside Circle and S. Perry Street]*

Kevin Wrede introduced the item showing a map of the location. The requirements for an annexation is to ensure the state application requirements have been met, the state annexation requirements are met, and then to hold an eligibility hearing.

Teal stated a developer told him about this project, and feels this gives his residents a needed service.

No comments.

Teal moved, seconded by Valentine, that Resolution 2017-058 be Approved as read. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

Public Safety

[RES 2017-059](#) **Resolution Approving a Real Estate Purchase and Sale Agreement for the Acquisition of Certain Property Located at 1259 Park Street, Castle Rock, Colorado** *[Public Safety Training Building]*

Chief Morales and Chief Cauley presented the item approving the purchase of property as a public safety training facility and to perform equipment maintenance located in the vicinity of the current burn tower to create a public safety training campus. The offer of the appraised price was accepted and will include furniture worth approximately \$18,000. Morales stated this will help meet training space needs for Police and Fire.

Teal confirmed the price was set at the appraised amount and feels it is a good deal.

Loban feels it is critical infrastructure, overdue and needed.

Bower feels training is critical and recommends we negotiate prices in a private setting in the future.

Green stated we will recongize savings by eliminating the \$6,700 a month for our current lease and agrees to negotiate privately in the future.

Loban moved, seconded by Teal, that Resolution 2017-059 be Approved as read. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

Water

[RES 2017-060](#) **Resolution Approving a Construction Contract with 53 Corporation, LLC for the Wolfensberger Road Culvert Replacement at the Omni Tributary Project [Wolfensberger Road, just west of Red Hawk Drive]**

Tim Friday gave a presentation on the item to request authorization for a construction contract. This would replace the current culvert that is undersized according to the 100 year flood standards. The developer has contributed \$130,000 towards this replacement cost. This will require acquiring easements which they expect to be executed. Nine bids were received and the lowest bid was selected. There is a 90 day construction period and traffic will be maintained in both directions.

Loban asked what would happen if we approve the contract but do not acquire the easements.

Friday stated they would not proceed and would terminate the contract without penalty.

No comments.

Townsend moved, seconded by Valentine, that Resolution 2017-060 be Approved as read. The motion passed by the following vote:

Yes: 6 - Loban, Townsend, Green, Bower, Valentine, and Teal

Not Present: 1 - Ford

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Mayor Green adjourned the meeting at 7:11 pm.