



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, March 1, 2022

6:00 PM

Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 2486 602 4005
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 2486 602 4005 (if prompted for a password enter "March1Council"). 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. March 1, 2022, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

CALL TO ORDER / ROLL CALL

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

Councilmember LaFleur participated remotely.

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray spoke to previous actions taken by Council and the issue of revisiting these past decisions to regularly discuss again. He noted that it contributed to distrust and division among Councilmembers and doesn't provide for collaboration.

Mayor Gray also addressed the evolving situation in Ukraine along with Councilmembers Hollingshead and Johnson expressing their concern and prayers for all those affected.

Councilmember Dietz addressed the density and development of Castle Rock as

a concern and acknowledged agreement with the Mayor that each of us can make a difference in the world.

UNSCHEDULED PUBLIC APPEARANCES

None

TOWN MANAGER'S REPORT

[DIR 2022-002](#)

Discussion/Direction: Board and Commission Interviews

Kristin Read, Assistant Town Manager, reviewed the upcoming board and commission interview process, presenting options to schedule interviews of interested applicants on one calendar date in May or to schedule interviews during regularly scheduled board and commission meetings in April, thus allowing Councilmembers to participate in all interviews.

Moved by Councilmember Dietz, Seconded by Councilmember Johnson, to call a special meeting on May 10th to conduct board and commission interviews. Motion passed by the following vote:

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

[ID 2022-023](#)

Update: Aging Population

Matt Gohl, Special Projects Manager, presented update to Council on the aging population demographic changes in our community. No identified significant demands have been identified at this time. Further analysis was directed to succession planning for anticipated Town employee retirement, continued support of the R-U-OK program, prioritizing ADA accessibility improvement projects, and the Senior Center meal program expansion. The Town will continue its support of the community resources currently available.

[ID 2022-024](#)

Update: Calendar Reminders

Town Manager, Dave Corliss, addressed specifics of the upcoming March 15th council meeting. The Mayor and the Town Manager will participate remotely in this meeting as they will be attending the National League of Cities Congressional Conference. Councilmember Johnson will preside over the meeting. Priority items will remain on the agenda so as to not delay progress of key projects.

[ID 2022-025](#)

2021 Summary of New Building & Infrastructure Activity

Tara Vargish, Director of Development Services, presented report to Council that was largely illustrative of where growth is occurring within the community, summarizing residential and commercial development activity for 2021.

[ID 2022-026](#)

Development Services Project Updates

[ID 2022-027](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Hollingshead, Seconded by Councilmember Cavey to Accept the Agenda as Presented. Motion passed by the following vote:

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

Not Present: 1 - Bracken

CONSENT CALENDAR

[ORD 2022-006](#) Ordinance Amending Various Provisions in Chapter 12.04 of the Castle Rock Municipal Code (Second Reading - Approved on First Reading on February 15, 2022, by a vote 7-0) [*Pavement Excavations for Utility Services*]

[RES 2022-017](#) Resolution Approving the 2022 Spot Water Lease Agreement Between the Town of Castle Rock and United Water & Sanitation District [*Chatfield Reservoir, Douglas County*]

[RES 2022-018](#) Resolution Approving a Water Lease Agreement Between the Town of Castle Rock and Roxborough Water and Sanitation District [*Bell Mountain Ranch, Douglas County*]

[RES 2022-019](#) Resolution Approving a Water Lease Agreement Between the Town of Castle Rock and the Town of Lochbuie [*Bell Mountain Ranch, Douglas County*]

[MIN 2022-005](#) February 15, 2022 Draft Town Council Minutes

Moved by Councilmember Johnson, seconded by Councilmember Dietz to approve the Consent Calendar as read. The motion passed by a vote of:

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

QUASI JUDICIAL HEARINGS

[RES 2022-020](#) Resolution Approving a Use by Special Review Application for an Accessory Dwelling Unit at 18 Circle Drive

Mayor Gray recused himself from discussion of the item before Council. Mayor Pro Tem Bracken assumed duties of presiding over the meeting.

Tara Vargish, Director of Development Services, presented item to Council seeking approval of an accessory dwelling unit at 18 Circle Drive.

Moved by Councilmember Dietz, seconded by Councilmember Hollingshead, that Quasi-Judicial Resolution 2022-020 be Approved as presented. The motion passed by the following vote:

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

Recuse: 1 - Gray

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2022-021](#) **Resolution Approving the Economic Development Assistance Agreement Between the Town of Castle Rock, Saunders Development Company, LLC Colorado Powerline, Inc., and Lakewood Electric Company, Inc.**

Mayor Gray returned to preside over the council meeting.

Frank Gray and Marcus Notheisen of the Castle Rock Economic Development Council introduced item to Council.

It was noted that primary employers drive our local economy. Additionally, primary employers support the tax base, which in turn funds Town services. Primary employers reduce the number of commuters leaving the community for their job and establishes Castle Rock as a stand-alone community.

Primary employers wanting to relocate or expand to Castle Rock need readily available space. The item before Council addresses new job creation as well as the construction of two 80,000 square foot industrial buildings in the Meadows. Colorado Powerline and Lakewood Electric would both relocate headquarters to the new buildings. The remaining 120,000 square feet would be marketed to other primary employers in the professional services engineering and manufacturing industries.

Incentives to attract primary employers in a competitive environment are funded by the Economic Development Fund which is funded by commercial construction tax. Incentives are based on pay-for-performance measures to include creation of new primary jobs or jobs relocated to Castle Rock.

Councilmembers questioned the salary level of the jobs anticipated to relocate to Castle Rock as well as clarification of the permit and fee reimbursement recommendation.

Public comment was received from Pam Ridler, Castle Rock Chamber of Commerce. It was emphasized that industry coming to Castle Rock as primary employers is a great need and is essential to generate workforce development.

Mayor Pro Tem Bracken discussed the impact that primary employment has and is supportive of this agreement.

Mayor Gray emphasized that to be a stand alone community it was previously identified that a hospital and a college, along with primary employment was required. The agenda item tonight addresses the current need of providing primary jobs.

Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, that Resolution 2022-021 be Approved as presented. The motion passed by the following vote:

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

[DIR 2022-004](#)

Discussion/Direction: Proposed Castle Rock Municipal Code (CRMC) Update - Title 17

Director of Development Services, Vargish, reviewed proposed changes to Title 17 of the Municipal Code to include a new industrial employment district. This update would promote primary employment and light industrial uses, thereby promoting economic development. The industrial employment district option would be applicable to new property zoning as well as future Town annexations.

Proposed updates to home daycare were necessary to be compliant with State law. Also included was the modification to the definition and criteria applicable to accessory dwelling units, typically applicable to homes within established neighborhoods but also addressing ADU's in new home construction.

Councilmembers questioned staff regarding the benefits of this new industrial employment district in attracting primary employers, the ability of current property to be re-zoned to also attract new business, and the likelihood of new property annexed utilizing the industrial employment district zoning option.

No public comment received.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to bring forth an ordinance incorporating the code changes as presented. The motion passed by the following vote:

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

[DIR 2022-005](#)

Discussion/Direction, Proposed Castle Rock Municipal Code (CRMC) Update - Titles 1, 2, 5, and 10

Item was presented to Council by Mike Hyman, Town Attorney.

Title 1 updates will provide enforcement tools to be utilized by the Town to address code enforcement issues, to guarantee compliance with Town codes and designate the individuals responsible for compliance.

Updates to Title 2 allows the Town to abate a nuisance and be able to recover the costs to do so through a property lien. The municipal court would be involved to order and enforce abatements with Town employees authorized to enter private property to investigate code compliance.

Title 5 changes will allow the Town to leverage the issuance of a business license to achieve compliance. The license application will include a certificate of occupancy requirement in addition to the business meeting all zoning and sign code requirements. Additionally it establishes that the business is not overdue on taxes, fines or penalties.

Abandoned, junked or wrecked vehicles on private property is addressed in Title 10. Changes include adding authority for the Zoning Manager and Code Enforcement to authorize vehicle removal as needed.

Council asked staff if HOA's regulate these issues currently and if this an active issue in Castle Rock and what the role of government is in these types of instances. Vehicles left or abandoned for extended time on public streets was also addressed.

No public comment received.

Moved by Councilmember Johnson, seconded by Councilmember Dietz, to direct Staff to bring forward an ordinance incorporating the code changes as presented. The motion passed by the following vote:

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

[RES 2022-022](#) **Resolution Approving a Property Lease Agreement Between the Town of Castle Rock and Cellco Partnership D/B/A Verizon Wireless for a Communication Tower in the Gateway Mesa Open Space [4678 Highway 86]**

Councilmember Cavey recused herself from discussion of the item.

Jeff Brauer, Director Parks & Recreation, presented item. The property was identified as Gateway Mesa Open Space originally acquired by conveyance to the Town in 1999. Prior to conveyance the property owners entered into a lease agreement with a cell tower provider and the property owner received all prior revenue from the lease agreement. The lease agreement before Council is for an initial term of five years with an option for renewal. All revenue generated will fund parks and open space projects moving forward.

No public comment received.

Moved by Councilmember Johnson, Seconded by Councilmember Hollingshead to approve Resolution 2022-022 as presented. Motion passed by the following vote

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

Recuse: 1 - Cavey

[RES 2022-023](#) **Resolution Approving a Construction Contract with Global Underground Corporation for the Glovers Water Rehabilitation Phase 2 Project [Glovers Subdivision, Ash Ave., Birch Ave., and Cedar Ave.]**

Mark Marlowe, Director of Castle Rock Water, introduced item addressing the rehabilitation of aging infrastructure in the Glovers Subdivision. This is a continuation of the rehabilitation project for the Glovers neighborhood with Phase 1 previously completed in 2021. Currently this infrastructure no longer meets fire flow standards.

No public comment received.

Moved by Councilmember Hollingshead, seconded by Councilmember Cavey, that Resolution 2022-023 be Approved as presented. The motion passed by the following vote:

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

ADJOURN

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Dietz, that the Meeting by Adjourned. The motion passed by the following vote:

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

Submitted by:

Robbie Schonher, Assistant Town Clerk