



Town Council Meeting Minutes - Final

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

Tuesday, October 3, 2023

6:00 PM

Town Hall Council Chambers

100 North Wilcox Street

Castle Rock, CO 80104

Phone in: 720-650-7664

Meeting ID: 2491 226 7673

Passcode: 62832686

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 ID 2491 226 7673 (online passcode enter "Oct3Council", phone-in enter 62832686). 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. October 3, 2023, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

[PROC
2023-011](#)

Proclamation: Fire Prevention Week October 8-14, 2023 [For Presentation - Approved on September 19, 2023, by a vote 7-0]

Mayor Gray read the proclamation into the record.

COUNCIL COMMENTS

Councilmember LaFleur thanked staff for attending her Open House.

Councilmember Brooks thanked a constituent for bringing up the subject of renaming the library and the Commissioners that showed up at the Library Board meeting. He thanked the Board for keeping Philip S Miller and his Jessie in the name of the library.

Councilmember Dietz asked citizens to do their research on Proposition HH that he will not be supporting it.

Mayor Pro Tem Bracken noted that he and Councilmember Hollingshead will have their Open House in October. He announced that Castle View beat Douglas County in their annual high school football game.

UNSCHEDULED PUBLIC APPEARANCES

Citizens that addressed Council:

Dana Bonham referenced the September meeting where Council discussed the School District MLO bond and feels Council should not be putting their thumb on the scale for a ballot issue when they work for the schools or a spouse that works for the school and felt they should have recused themselves from the vote. She asked for a revote and to have those members recuse themselves.

TOWN MANAGER'S REPORT

[ID 2023-103](#) **Update: Calendar Reminders**

[ID 2023-104](#) **2022 Volunteer Utilization**

[ID 2023-105](#) **Development Services Project Updates**

Tara Vargish, Director of Development Services, presented current pre-application items.

[ID 2023-106](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

[ID 2023-107](#) **Lanterns Metropolitan District No. 3 - Review of Proposed Bond Issuance**

Mike Hyman, Town Attorney, presented the item noting it is the Montaine development. Staff recommends they move forward with the bond issuance.

Councilmember Cavey asked if there is already a mill levy associated with this metro district. Mr. Morzell stated Districts 1 and 2 have issued bonds, but District 3 has not.

Councilmember Cavey asked what the money will be going towards. Hyman stated it will go towards the improvements - water system improvements, sanitary sewer, storm sewer, on site and off site roads and trails. Most will be dedicated to the Town. Cavey asked why this wasn't done before. Hyman stated there are currently no homes there.

Councilmember Dietz confirmed they cannot levy taxes for longer than the term of 35 years. Corliss stated the resident board members can vote to refund the debt at a lower interest rate.

Councilmember Brooks sees there are three metro districts for this one neighborhood and asked why there are three. Hyman stated it was phased and allows it to tie costs to specific districts. Additionally, at the time of the service plan, District 3 property was not owned.

Mayor Pro Tem Bracken likes the structure Council put into place 6 years ago.

ACCEPTANCE OF AGENDA

Moved by Councilmember Cavey, seconded by Councilmember LaFleur, to Accept the Agenda as presented. The motion passed by a vote of:

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

CONSENT CALENDAR

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur, to Approve the Consent Calendar as presented. The motion passed by a vote of:

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

[RES 2023-120](#) **Resolution Approving an Agreement with Wilson & Company Inc., Engineering & Architects, for the Industrial Tributary Trail Project**
[connecting Downtown Castle Rock to Philip S. Miller Park]

[MIN 2023-018](#) **Minutes: September 19, 2023 Town Council Meeting**

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[DIR 2023-029](#) **Discussion/Direction: Introduction of the 2024 Town of Castle Rock Proposed Budget**

David Corliss, Town Manager, presented the 2024 Budget. First reading will be October 17 and second reading will be on November 7. Property tax revenue can only increase a maximum of 5.5% per year. Revenues from sales tax is about \$77M and property tax revenue is about \$80k.

Mark Marlowe, Director of Castle Rock Water gave a presentation of rates and fees recommendations after their annual review.

Councilmember Cavey asked what the cost per household would be with an increase of 4%. Marlowe stated it is customer specific dependent on use. Cavey commented on how new residential requirements changed to reduce outdoor watering and indoor water conservation.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to Approve Discussion/Direction Item DIR 2023-029 as presented. The motion passed by a vote of:

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

[ID 2023-108](#)**Presentation: 2024 Service Contract Funding Requests**

David Corliss, Town Manager, introduced the item that the amounts requested for the service contracts have been put into the budget, but Council will make the final decision.

Chamber of Commerce - Stacy Garmon, CEO, gave their presentation. Councilmember Cavey asked for their other revenues. Garmon stated they have dues and will pursue grants. Cavey asked what percentage is from the Town. Garmon stated it is about 12%. They are requesting approximately \$11,000 more in funding in 2024.

Castle Rock Downtown Alliance - Kevin Tilson, Director, consisting of the Downtown Development Authority and the Downtown Merchants Association gave their presentation. Councilmember Cavey asked if they had any plans for parking. Tilson stated when opportunities come to them, they ask developers to add additional parking. Mayor Pro Tem Bracken reminded Tilson that they have approached the County for using additional garage parking and their west parking lot. Cavey stated she was not aware the County was opening the entire garage for public parking on the weekends and asked that they communicate that out. Corliss stated they are working with a consultant on way finding signage and will come to Council on funding. Councilmember Brooks feels we can communicate it with existing communication methods. Tilson stated they added a lighted sign for parking on the County parking garage, and there is a sign on Wilcox as well as a parking map on the website. Mayor Pro Tem Bracken stated they also discussed temporary A-frame signs pointing to parking. They anticipate the Town match will be \$205k - \$220k.

Downtown Merchants Association - Kevin Tilson presented their request. They are requesting a 3% increase of \$2,875.

Castle Rock Economic Development Council - Frank Gray, CEO, presented their request. They are requesting a 3% increase to \$240,709.

Castle Rock Historical Society - Randy Reed, Vice President, and Angie DeLeo, Director. They are requesting a 6% increase to \$92,200.

Castle Rock Senior Activity Center - Debbie Haney, Executive Director. They are requested funding of \$150,000. Councilmember Brooks noted they are not asking for an increase with the increase in services. Haney stated they have received funding from grants and fundraising, and their largest challenge is space needed. Brooks asked what area of Town would make sense for another space. Haney stated the seniors like working out at the rec center and like their space; but hoping some programming may go to the Brickyard to free up space.

Douglas County Community Foundation - Mike Waid, Executive Director presented their program. They are requesting funding of \$17,857 with no increase. Councilmember Brooks noted the signs of "Handouts don't help" funding goes to their foundation which goes back out to costs.

Douglas County Housing Partnership - Maria Ciano, Executive Director, presented

their program. They are requesting \$35,000 with no increase.

Douglas County Youth Initiative - Councilmember Dietz, Council Liaison, presented their program. They are requesting \$19,800 with no increase.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, to Direct the Town Manager to execute the 2024 Service Contracts with the organizations for the funding amounts as requested.. The motion passed by a vote of:

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

[RES 2023-121](#) Resolution Approving the 2024 Water Conservation Rebate Incentive Program [The entire Castle Rock Service Area]

Mark Marlowe, Director of Castle Rock Water, provided an overview of the Rebate Incentive Program. Attending the Water Wiser class is no longer required to qualify for the rebates. They are requesting to increase the funding for 2024 at \$300,000. They see the most benefit from the Coloradoscape. The Water Commission recommends approval.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Cavey, to Approve Resolution RES 2023-121 as presented. The motion passed by a vote of:

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

[ORD 2023-024](#) Ordinance Amending Title 9 of the Castle Rock Municipal Code by the Addition of a New Chapter 9.06 Entitled “Offenses Related to Morals” (First Reading)

Mike Hyman, Town Attorney, presented the amendments approved by Council and directed to draft the Ordinances. Public Indecency and Indecent Exposure codes are mirroring the state with the exception of including the felony enhancement as the Municipal Court cannot hear felonies. Public Nudity code addresses exposure below the waist; but recommends we do not address above the waist due to the challenge in higher courts.

Citizens that addressed Council:

Dana Bonham noted that Commissioner Layden stated he wanted what was good for the community; and she feels drag queen shows are not good for the community. She feels we are asking children to carry this load that is too heavy for children and asks that the show be for 18 and over and feels it is a form of child abuse.

Amy Windju thanked Council and Mayor for being patient to debate this issue and to approve this code amendment and feels it is not directed at a group, it is about protecting our cultural values in our community and children and applies to all genders and sexes in our society.

Moved by Councilmember LaFleur, seconded by Councilmember Cavey, to Approve

Ordinance ORD 2023-024 as presented. The motion passed by a vote of:

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

[ORD 2023-025](#) **Ordinance Amending Section 2.02.040.C of the Castle Rock Municipal Code Regarding the Protocol for Regular Meetings of the Town Council (First Reading)**

David Corliss, Town Manager, stated Council directed staff at the last meeting to amend our code to allow a simple majority vote of the members of Town Council to continue the Council meeting after 9:30pm to a time certain or until the last agenda item is completed, etc.

Councilmember Cavey asked if they could vote to extend the meeting until everyone that signed up to speak has had a chance to speak. Corliss stated Council can vote however they wish.

Citizens that addressed Council:

Dana Bonham requested that the webpage to sign up to speak be amended because it doesn't state that they won't be called up if they don't sign up in person.

Moved by Councilmember Dietz, seconded by Councilmember LaFleur, to Approve Ordinance ORD 2023-025 as presented. The motion passed by a vote of:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Cavey, to Adjourn. The motion passed by a vote of:

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

Meeting Adjourned at 9:15 pm.

Submitted by:

Lisa Anderson, Town Clerk