



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, May 18, 2021

6:00 PM

**Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 187 979 7166
www.CRgov.com/CouncilMeeting**

This meeting is open to the public and will be held in a virtual format in accordance with Town Council Meeting Special Procedures During Declared Disasters. 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 187 979 7166 (if prompted for a password enter "May18Council"). 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. May 18, 2021, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray delivered the invocation.

CALL TO ORDER / ROLL CALL

Mayor Pro Tem Bracken and Councilmember LaFleur participated remotely.

Not Present: 1 - Bracken

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Hollingshead congratulated area high school seniors graduating this weekend.

Councilmember Cavey presented concerns with the Design Review Board.

Councilmember Hollingshead confirmed that guidance was previously provided by legal counsel as related to the DRB issue highlighted by Councilmember Cavey.

Councilmember Dietz acknowledged a dialogue is important to discuss these

current issues.

Mayor Gray offered that meeting with the DRB would be a good idea to discuss current issues with Councilmember Hollingshead suggesting that the DDA be included in this meeting as well. Mayor Pro Tem Bracken commented that additional issues should be discussed as well.

Councilmember Johnson referenced the current bylaws which outline the boards communication with Town Council.

Additional council comments included Councilmember Johnson who acknowledged the recent recognition of the Town's Fleet department being named one of the 100 Best Fleets in North America.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to request staff schedule a meeting with DRB and Council members to discuss the issues at hand. Motion passed.

Yes: 5 - Hollingshead, Cavey, Johnson, Dietz, Gray

No: 2 - LaFleur, Bracken

Moved by Councilmember Dietz, seconded by Councilmember Cavey, that the Douglas County commissioners continue the pursuit of a Douglas County Health Department by January 1, 2023 to include an elected board of officials for oversight. Motion passed.

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

Not Present: 1 - Bracken

[ID 2021-052](#)

Denver Metro Mayors Caucus Request to sign Homeless Initiative Pledge

Mayor Gray introduced the Homeless Initiative Pledge. The initiative focuses on helping homeless veterans and by signing the pledge on behalf of Council the intent is to collaborate with other Front Range communities in order to address this issue.

Moved by Councilmember Johnson, seconded by Councilmember Dietz, that the Mayor should sign the Homeless Initiative Pledge. Motion passed.

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

[APPT 2021-002](#)

Appointments to Town Boards and Commissions

Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, to approve the appointments to the Town Boards & Commission as recommended. Motion passed.

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

[PROC 2021-004](#)

Proclamation: Historic Preservation Month - May 2021 (For Presentation - Approved on May 4, 2021 by a vote 7-0)

Mayor Gray read the proclamation into the record.

[PROC
2021-005](#)

Proclamation: National Public Works Week (For Presentation - Approved on May 4, 2021 by a vote of 7-0)

Councilmember Johnson read the proclamation into the record.

[PROC
2021-006](#)

Proclamation: Ducky Derby Month - June 2021 (For Presentation - Approved on May 4, 2021 by a vote 7-0)

Mayor Gray read the proclamation into the record.

UNSCHEDULED PUBLIC APPEARANCES

KC Neel, business owner, addressed Council thanking them for their service. She acknowledged even through the Town's growth that Castle Rock still retains our small town charm and noted the recent community support offered to support local businesses through the pandemic.

TOWN MANAGER'S REPORT

Town Manager, Dave Corliss, commented on the neighborhood meeting for the Dawson Trails development, formerly known as Dawson Ridge under calendar items. It was clarified that no land use application has been received. He offered that a tour of the property may be something that Council would be interested in.

Also noted was the upcoming study session on June 15th focused on Town budget and finances.

Council was also extended an invitation by Corliss to attend the annual employee appreciation breakfast on June 30, 2021.

Corliss also previewed the new, interactive webpage for residential entitlement information.

[ID 2021-053](#)

Update: Wireless Communication Facilities

Town Manager, Dave Corliss, discussed the Wireless Communication Facilities Update. Per previous Council direction, staff was requested to streamline procedures to encourage cell phone and third party providers to provide service in Castle Rock.

Additional comments received on this issue from Mayor Pro Tem Bracken and Councilmembers Johnson and Cavey.

[ID 2021-054](#)

Update: Monthly Department Reports

[ID 2021-055](#)

Development Services Project Updates

[ID 2021-056](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

[ID 2021-057](#)

The Villages at Castle Rock Metropolitan District No. 6 Proposed 2021 Refinancing of Limited Tax General Obligation Capital Appreciation Bond, Series 2007, and Certain Subordinate Obligations

Town Attorney, Mike Hyman, introduced the request from Villages at Castle Rock Metro District 6 to re-finance their existing debt. This district is related to the Cobblestone Ranch development and the Metro District Board is controlled by Cobblestone Ranch homeowners. Per Municipal Code, special districts must present proposed financing or refinancing to Town Council for review and comment. With the proposal being in compliance with the Metro District Service Plan, staff recommendation is to allow the District to proceed.

Councilmember Cavey questioned how this affected the homeowners and if this was included within HOA fees.

Hyman explained that a special district is a unit of local government, formed to build the public infrastructure within a new development and are separate entities from HOA's. The mill levy that taxpayers pay goes toward paying off this debt.

No questions of Metro District counsel.

ACCEPTANCE OF AGENDA

Moved by Councilmember Hollingshead, seconded by Councilmember Cavey, to Accept the Agenda as Presented. Motion passed.

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

CONSENT CALENDAR

[MIN 2021-009](#)

Minutes: May 4, 2021 Town Council Meeting

Moved by Councilmember Johnson, seconded by Councilmember Dietz, to Approve the Consent Calendar as presented. Motion passed.

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[DIR 2021-012](#)

Discussion/Direction: Town Board and Commission By-Laws

Town Manager, Corliss, acknowledged inconsistencies within individual board and commission bylaws, leniency that exists within the municipal code related to attendance, as well as remote meeting participation by board and commission members as possible issues that Council may want to direct staff to initiate a further review of.

Councilmember Johnson concurred the issues noted warranted further review.

Councilmember Cavey questioned if term limits of Town boards and commission members could be aligned for consistency.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember Dietz, to direct staff to review the bylaws for consistency as related to attendance, membership and residency requirements, term limits and remote participation for Town boards and commissions. Motion passed.

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

ORD 2021-011 Ordinance Amending Section 15.64.030.A of the Castle Rock Municipal Code Regarding the Addition of a Non-Voting Liaison to the Historic Preservation Board (First Reading)

Tara Vargish, Director of Development Services, presented the request to add a non-voting liaison, recommended by the Castle Rock Historical Society and Museum Board to the Historic Preservation Board explaining the intent is to provide continued collaboration between organizations.

Councilmembers questioned Vargish if this would be similar to the recent Town board & commission interview and appointment process, how the recommendation would be determined and the criteria evaluated for the recommended individual.

Further clarification was provided by Vargish that the Castle Rock Historical Society and Museum Board would present their recommended nominee to Town Council for approval and the liaison would be a non-voting member and serve as a link between the boards for communication and collaboration purposes.

Mayor Gray asked for definition of the term 'liaison'. Town Manager, Dave Corliss, indicated a liaison does not participate in shaping discussions or asking questions and has no voting or membership privileges. The intent is for communication.

Councilmember Johnson questioned the purpose of this liaison position and what void this appointment would fill. Corliss indicated it would facilitate communication and the sharing of information at a common meeting.

No public comment.

Mayor commented that both groups have expressed interest in this collaboration. He also discussed the role and definition of a liaison as related to council members.

Councilmembers Cavey and Dietz spoke in support of not approving the liaison position.

Councilmember Hollingshead questioned why Council would not support this ordinance if this was endorsed by both boards.

Moved by Councilmember LaFleur, seconded by Councilmember Hollingshead to Approve Ordinance 2021-011. Motion passed.

Yes: 4 - Hollingshead, LaFleur, Bracken, Gray

No: 3 - Cavey, Johnson, Dietz

[RES 2021-049](#) Resolution Finding that the Petition for Annexation Submitted by KGCB Industries LLC is in Substantial Compliance with Article II, Section 30(1)(B) of the Colorado Constitution and Section 31-12-107(1), C.R.S.; and Setting a Date, Time, and Place for a Hearing to Determine if the Subject Property 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. (Storquest-Liggett Road Annexation)

Tara Vargish, Director of Development Services, explained that the property is zoned general industrial and the item before Council is to determine that the application is substantially complete per State statutes and to set the eligibility hearing for July 6, 2021.

Councilmember Johnson questioned how an annexation would not be approved. Town Manager, Dave Corliss, clarified that this item was to determine if the application was substantially compliant as step one in the process. Any discussion of possible annexation would occur later in the process. He clarified that property owners are provided an abundance of protection by the State so municipalities don't annex unlimited property.

No public comment.

Mayor Gray concurred and emphasized the process protects property owners who do not want to be annexed.

Moved by Councilmember Dietz, seconded by Councilmember Hollingshead, to Approve Resolution 2021-049. Motion passed.

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

[RES 2021-050](#) Resolution Approving a Construction Contract Between the Town of Castle Rock and White Construction Group for the Cobblestone Ranch Park Project

Jeff Brauer, Director of Parks and Recreation presented item to Council identifying that the park is located in Cobblestone Ranch. The park is comprised of 168 acres acquired through both public land dedication and acquisition. Brauer highlighted that input from community residents drove the park design process and the project was funded through developer and builder impact fees.

Councilmember Johnson inquired about future amenities to include a bike rack and Brauer explained that rather than include in the initial construction contract cost, items could be possibly be funded from the Conservation Trust Fund at a later date.

Councilmember Cavey questioned if the community survey endorsed this park and if there were any 'asks' from the community that the Town did not provide. Brauer explained that the community was satisfied.

No public comment.

Mayor Gray acknowledged that this park would benefit Cobblestone Ranch residents who previously felt underserved.

Moved by Councilmember Johnson, seconded by Councilmember Dietz to Approve Resolution 2021-050. Motion passed.

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

ID 2021-058

WISE Project Update

Mark Marlowe, Director of Castle Rock Water, presented a review of the WISE project identifying this as a key part of our renewable, long term water plan and the Town's future water supply. Castle Rock is a 20% owner and the largest single owner within the WISE partnership members.

Upcoming projects include the completion of the Binney Connection pump station and the design of the Parker Midsection Pipeline. Marlowe explained that the WISE project water is our most expensive water supply. The additional WISE water the Town previously purchased is for anticipated growth and is funded by system development fees.

It is now necessary to replace the Binney connection, initially a temporary connection, which will handle increased capacity and water deliveries to WISE members.

The authorization to approve payments for water delivery from the WISE project is necessary for months that the Town exceeds \$250,000, typically during summer months when water is delivered at higher rates. The desire is to have a process in place for the Town Manager to approve these payments.

Councilmember Johnson questioned the desalinization process and how brine is disposed. Marlowe explained currently the WISE Authority has not decided how to handle brine disposal and continues to work with engineers as options are researched.

No public comment.

RES 2021-051

Resolution Authorizing Payment of Castle Rock Water's Portion of the 2021 Binney Connection Fee and the Rangeview Service Extension Fee for the Water Infrastructure Supply Efficiency ("Wise") Project

Moved by Councilmember Johnson, seconded by Councilmember Dietz to Approve Resolution 2021-051. Motion passed.

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

RES 2021-052

Resolution Authorizing the Town Manager to Approve Payments in Excess of \$250,000 to Meet the Town of Castle Rock's 2021 Cost

Obligations for the Delivery of Water from the Water Infrastructure Supply Efficiency ("WISE") Project

Councilmember Johnson questioned if this presentation had been before Council previously and looked for clarification regarding authorization to exceed the \$250,000 threshold. Director of Castle Rock Water, Marlowe, indicated Council had been updated annually and this item just identifies a more formal process for approval and identifies the accurate monthly cost.

No public comment.

Moved by Councilmember Dietz, seconded by Councilmember Cavey to Approve Resolution 2021-052. Motion Passed.

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

[RES 2021-053](#)**Resolution Approving a Service Agreement between the Town of Castle Rock and Burns & McDonnell Engineering Company for the Parker Midsection Pipeline Project *[located along eastern side of Rueter-Hess Reservoir, Douglas County]***

Director of Castle Rock Water, Mark Marlowe, introduced item identifying this agreement is for the design and permitting of a 42 inch pipeline located near Rueter-Hess Reservoir. Cost of the pipeline will be shared with Parker Water and also includes expanding an existing pump station.

No questions of staff.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, to Approve Resolution 2021-053. Motion passed.

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Councilmember Johnson, seconded by Councilmember Hollingshead, to Adjourn. Motion Passed.

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

Meeting adjourned at 8:35 pm.

Submitted by:

Robbie Schonher

Robbie Schonher, Assistant Town Clerk