



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

Mayor Paul Donahue
Mayor Pro Tem Jennifer Green
Mark Heath
Chip Wilson
Renee Valentine
George Teal
Brett J. Ford

Town Council Meeting Minutes

Tuesday, September 20, 2016

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

Mayor Donahue called the meeting to order at 6:03 PM

Present: 6 - Council Member Teal, Council Member Valentine, Mayor Donahue, Mayor Pro-Tem Green, Council Member Wilson, and Council Member Heath

Not Present: 1 - Council Member Ford

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Items presented were informational only and did not require direction from or action by Town Council.

[PROC
2016-010](#)

Proclamation: Fire Prevention Week October 9-15, 2016

Councilmember Heath read the proclamation into the record.

UNSCHEDULED PUBLIC APPEARANCES

None

TOWN MANAGER'S REPORT

[ID 2016-074](#) **Update: Quasi-Judicial Projects**

[ID 2016-075](#) **Update: Monthly Department Reports**

[DIR 2016-056](#) **Residential Unit Data**

TOWN ATTORNEY'S REPORT

None

ACCEPTANCE OF AGENDA

Green moved, seconded by Valentine, to accept the agenda as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

QUASI JUDICIAL HEARINGS

[ORD 2015-024](#) **Ordinance Amending the Town's Zone District Map by Approving the Auburn Ridge Planned Development Plan No. 1, Amendment 1 and the Auburn Ridge Planned Development Plan No. 1, Amendment 1 Zoning Regulations [Auburn Ridge Rezoning, Wolfensberger Road / Auburn Drive] (Second Reading)**

Detweiler reviewed proposed amendment to the zoning which removed the 55+ age restriction, allowed for increased height and densities on the northern section of the property, and reduced densities in the areas immediately adjacent to existing single family homes. Noted the Town Council had approved the Ordinance authorizing these amendments on first reading approximately one year ago, but that second reading had been deferred in order to finalize issues related to Omni Channel improvements, and to allow the applicant to go through an additional grant application cycle.

Terry Vernon, representing applicant Atlantic Development, and David Lash, architect, provided an overview of the proposed project.

The following members of the public made statements or asked questions on this item:

Derek Stevens	James Nicholson
Lynn Conrad	John Amour
Mike Riedmuller	Kevin Bracken
Darren Palladino	Terence Thornton

The Town Council, various staff members, and the applicant responded to questions and concerns raised by members of the public.

Donahue moved to approve Ordinance No. 2015-024 as presented on second reading.

THE MOTION DIED FOR LACK OF A SECOND

Heath moved, seconded by Wilson, to approved Ordinance No. 2015*- 24 as amended to retain the 55+ age restriction for the development.

The motion passed by the following vote:

Yes: 4 - Valentine, Donahue, Wilson, and Heath

No: 2 - Teal, and Green

Not Present: 1 - Ford

[RES 2016-084](#) **Resolution Approving the Second Amendment to Auburn Ridge Annexation and Development Agreement**

Detweiler noted all outstanding issues related to the Development Agreement had been resolved.

Donahue moved, seconded by Teal, to approve Resolution No. 2016-084 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

Councilmember Ford arrived at the meeting at 7:25 pm

**[RES 2016-085](#) Resolution Approving the Hillside/Arbors Site Development Plan
*[Northeast corner of Wolfensberger and Coachline]***

Detweiler reviewed proposed site plan for a active senior community (55+) with 120 homes within a gated community, the primary access for which was off Wolfensberger Rd.

Applicant Miles Grant provided an overview of the proposed development and amenities.

The following members of the public made statements or asked questions on this item:

Derek Stevens	Lynn Conrad
John Amour	Mike Riedmuller
Darren Palladino	Terence Thornton
Dan Kruger	Eugene Plummer
Sherry Ogden	James Nicholson

The Town Council, various staff members, and the applicant responded to questions and concerns raised by members of the public.

Donahue moved, seconded by Wilson, to approve Resolution No. 2016-085 as amended to clarify that the approval of this Resolution only addressed access over the Arbors PD.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

BREAK

The Town Council went into recess at 8:26 PM

RECONVENE

The Town Council reconvened the meeting at 8:35 PM

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2016-026](#) **Ordinance Amending Title 2 of the Castle Rock Municipal Code by the Addition of a New Chapter 2.35 Concerning Reimbursement of Certain Recall Expenses (Second Reading)**

Mayor Donahue recused himself from discussion and voting on this item and left the room.

Slentz reviewed two changes from first reading: 1) clarified that a request for reimbursement could be denied in its entirety; 2) reiterated that expenses paid by an issue committee or a candidate committee were not eligible for reimbursement.

Teal moved, seconded by Wilson, to approve Ordinance No. 2016-026 as presented on second reading.

The motion passed by the following vote:

Yes: 6 - Ford, Teal, Valentine, Green, Wilson, and Heath

Recuse: 1 - Donahue

[DIR 2016-057](#) **Discussion/Direction: Applications for the Council Community Grant Program for the 3rd Quarter 2016 (3 Applications)**

Muller reviewed three applications received for the third quarter community grants.

Representatives of each organization expressed appreciation to Council for its support of the programs.

Wilson moved, seconded by Heath, to award \$500 to the Castle Rock Band.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

Wilson moved, seconded by Ford, to award \$500 to Neighborhood Network

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

Wilson moved, seconded by Valentine, to award \$500 to Wellspring Community.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[ORD 2016-027](#) **Ordinance Authorizing the Organization of the Miller's Landing Business Improvement District, Designating the Service Area of the**

District as a Location for New Business or Commercial Development, Appointing the Board of Directors, and Placing Certain Restrictions and Limitations on the Exercise of District Powers Prior to Approval of an Operating Plan and Budget for the District (Second Reading)
[Northwest of Plum Creek Parkway and I-25]

Ordinance was presented on second reading; there were no changes, and no additional comment had been received since the prior hearing.

Donahue moved, seconded by Heath, to approve Ordinance No. 2016-027 as presented on second reading.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

ORD 2016-028 Ordinance Approving a Two Million Five Hundred Thousand Dollar Term Loan with Firstbank On Behalf of The Castle Rock Downtown Development Authority and In Conjunction Therewith Approving a Promissory Note, Sales and Property Tax Pledge Agreement, and Account Pledge Agreement; and Providing for Its Emergency Adoption on Second and Final Reading (Second Reading)

Councilmember Valentine recused herself from discussion and voting on this item and left the room.

Muller reviewed the terms of the proposed loan to the Town of behalf of the Downtown Development Authority (DDA). The sole source of repayment for the loan was revenue from the DDA's tax increment financing. Emergency adoption was requested so that the funds could be in place at the time the construction contract was issued, should it be approved by Council.

The following members of the public made comments on this issue:

Frank Gray

Heath moved, seconded by Wilson, to approve Ordinance No. 2016-028 as presented on second reading on an emergency basis.

The roll call vote on the motion passed by the following vote:

Yes: 6 - Ford, Teal, Donahue, Green, Wilson, and Heath

Recuse: 1 - Valentine

ORD 2016-029 Ordinance Adopting the 2017 Budget for the Town of Castle Rock, Colorado (Second Reading)

Corliss reviewed highlights of proposed 2017 budget, noting there were no changes from the prior presentation. Stated the budget had been prepared so as

to reflect the goals and priorities identified by Council. Emphasized that within the operating budget revenues exceed expenses, even though planned use of reserves for capital projects caused total expenses to exceed revenues.

Corrected information provided at prior meeting with regard to potential increase in employee contribution to retirement plan, noting staff had done further research and determined this could be done, but did not recommend making this adjustment at this time.

Valentine moved, seconded by Ford, to approve Ordinance No. 2016-029 as presented on second reading.

The motion passed by the following vote:

Yes: 6 - Ford, Teal, Valentine, Donahue, Wilson, and Heath

No: 1 - Green

ORD 2016-030 Ordinance Amending Titles 3, 4, and 13 of the Castle Rock Municipal Code by Changing the Water and Storm Water Monthly Services Charges and Fees, the Renewable Water Resource Fees, the Water and Wastewater System Development Fees and the Storm Water Development Impact Fee, and Making Certain Administrative Updates to Definitions and Provisions Related to Application for Service, Information Provided to Customers, Utility Discontinuance Liens, Utility Service Disconnection Procedures, Customer Dispute and Appeal, and Limitations on Disconnection (Second Reading)

Marlowe reviewed proposed changes to utilities rates and utility system development fees, effective January 1, 2017.

Valentine moved, seconded by Ford, to approve Ordinance No. 2016-030 on second reading.

The motion passed by the following vote:

Yes: 5 - Ford, Valentine, Donahue, Wilson, and Heath

No: 2 - Teal, and Green

ORD 2016-031 Ordinance Levying General Property Taxes for the Year 2016, for 2017 Collection, for the Town of Castle Rock, Colorado (First Reading)

Corliss reviewed proposed mill levy for coming year, noting the final number could vary slightly depending on any changes to the assessed valuation provided in December. Any change would be a decrease to the proposed mill levy.

Councilmembers Teal and Green spoke in support of eliminating the Town's property tax.

Heath moved, seconded by Valentine, to approve Ordinance No. 2016-031 as presented on first reading.

The motion passed by the following vote:

Yes: 5 - Ford, Valentine, Donahue, Wilson, and Heath

No: 2 - Teal, and Green

EXTENSION OF MEETING

At 9:25 PM, Donahue moved seconded by Wilson, to extend the meeting until 10:00 PM

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[RES 2016-087](#) Resolution Approving an Intergovernmental Agreement for Water Service between Dominion Water and Sanitation District, Acting in its Capacity as a Water Activity Enterprise and the Town of Castle Rock Acting Through the Town of Castle Rock Water Enterprise

Marlowe reviewed the key points of the proposed IGA and the benefits to the Town.

Green moved, seconded by Ford, to approve Resolution No. 2016-087 as presented.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[RES 2016-088](#) Resolution Approving a Construction Contract with Moltz Construction, Inc. for the Plum Creek Water Purification Facility Membrane Expansion Project

Marlowe reviewed proposed contract to upgrade / expand the membranes at the Plum Creek Waste Water Facility. Noted the project was budgeted and construction would be completed over the winter.

Green moved, seconded by Heath, to approve Resolution No. 2016-088 as presented.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

[RES 2016-089](#) Resolution Approving a Construction Contract with 53 Corporation, LLC for the East Plum Creek Stream and South Well Field Improvements Project

Marlowe reviewed proposed contract for the East Plum Creek Stabilization project, and noted the work would be completed during the spring of 2017.

Ford moved, seconded by Valentine, to approve Resolution No. 2016-089 as presented.

The motion passed by the following vote:

Yes: 7 - Ford, Teal, Valentine, Donahue, Green, Wilson, and Heath

ADJOURN

The meeting was adjourned at 9:40 PM