



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

Town Council Meeting Minutes

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

Tuesday, April 18, 2017

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

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

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

Comments were informational only and did not require action by Town Council.

[PROC
2017-004](#)

Proclamation: Ducky Derby Month

Councilmember Teal read the Proclamation declaring June as Ducky Derby Month into the record.

UNSCHEDULED PUBLIC APPEARANCES

The following members of the public made comments or asked questions of the Council related to a variety of items that were NOT included on the regular agenda:

Chip Wilson
Stacey Rogers

Mary Wilson

TOWN MANAGER'S REPORT

[INTRO
2017-002](#)

Introduction: 2017 Teen Court Attorney Graduating Class

[ID 2017-023](#)

Update: Quasi-Judicial Projects

[ID 2017-024](#)

Update: Monthly Department Reports

[ID 2017-025](#)

Update: First Quarter Major Projects Report

TOWN ATTORNEY'S REPORT

[DIR 2017-015](#)

Discussion/Direction: Small Cell Towers in Castle Rock

Green moved, seconded by Teal, to direct staff to retain Kissinger & Fellman to assist the Town in making any necessary amendments to the Town's Code related to wireless facility processes and regulations regarding "small cell towers" for consideration by Council.

The motion passed by the following vote:

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

Not Present: 1 - Ford

Slentz noted staff was compiling the comments from the successful open house on the Animal Control Code, and that the target date for referral of this item back to Council was May 16, 2017.

Slentz stated for the record that after review of the Rules of Professional Responsibility for attorneys it was his opinion that due to the similar interests of both parties, there was no conflict in him serving as both the Town Attorney advising Council and also as the General Counsel for the Urban Renewal Authority.

ROLL CALL

Councilmember Ford arrived at 6:34 PM

Present: 7 - Council Member Loban, Council Member Townsend, Mayor Green, Council Member Bower, Mayor Pro Tem Valentine, Council Member Teal, and Council Member Ford

ACCEPTANCE OF AGENDA

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

The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Green, Bower, Valentine, Teal, and Ford

CONSENT CALENDAR

[MIN 2017-005](#) Minutes: March 28, 2017 Town Council Meeting

[MIN 2017-006](#) Minutes: April 4, 2017 Town Council Meeting

Valentine moved, seconded by Bower, to approve the Consent Calendar as read.

The motion passed by a vote of:

Yes: 7 - Loban, Townsend, Green, Bower, Valentine, Teal, and Ford

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

DIR 2017-014 Discussion/Direction: Letter Opposing House Bill 1242

Reviewed draft of letter requested by Town Council at previous meeting and determined it accurately reflected the will of the Council and should be mailed and emailed to the recipients as soon as possible.

Teal moved, seconded by Green, to direct staff to send the letter as presented to the recipients identified by Council.

The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Green, Bower, Valentine, Teal, and Ford

ORD 2017-011 Ordinance Approving Supplemental Appropriations for 2017 and the First Amendment to the 2017 Budget Authorizing Changes for Year 2017 (Second Reading - Approved on First Reading on April 4, 2017 with a vote of 6-0)

Muller presented Ordinance on second reading, noting the only change was to reduce the amount of the capital carry over requested by \$480,000 to reflect the deferral of the Meadows Parkway Reconstruction until 2018.

Valentine moved, seconded by Townsend, to approve Ordinance No. 2017-011 as presented on second reading.

The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Green, Bower, Valentine, Teal, and Ford

RES 2017-037 Resolution Approving the Extraterritorial Water and Wastewater Service Contract between the Town of Castle Rock and Milestone Charter Holdings, LLC [271 N. Ridge Road]

Marlowe reviewed proposal for the Town to provide water and wastewater services to a property at the northwest corner of Ridge Road and Plum Creek Parkway in order to allow construction of a Charter School. The applicant had expressed interest in annexing to the Town, but could not complete this process before the intended opening date of fall 2018. The Agreement included certain surcharges on services until the property was annexed, and the potential for refunding of some of these surcharges, if the annexation was completed in a timely manner.

Teal moved, seconded by Loban, to approve Resolution No. 2017-037 as presented.

The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Green, Bower, Valentine, Teal, and Ford

Miller's Landing Items

Green noted the hearings on Ordinance 2017-002, Ordinance 2017-003 and Resolution No. 2017-019 would be conducted concurrently.

Slentz reviewed key provisions of the Public Finance Agreement and highlighted

significant changes that had been made since the prior hearing on the item, the majority of which were made at the request of the Council.

Dan Guimond and Elliot Kilham of Economic & Planning Systems reviewed the financial analysis of the project they had undertaken, and reported on conclusions of risks versus benefits of the proposal.

Scott Springer, representing applicant P3 advisors, reviewed the development proposal, including conceptual design and the various public improvements that would be made on the site and adjacent to the development.

The Council asked questions and requested additional information on numerous points made during the various components of the presentation. Staff, the consultant and the applicant responded as appropriate.

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

Pam Ridler	Rick Stucy
Dan Hudick	Mark Neel
Frank Gray	Marcus Notheisen
Diane Evans	Angel
Robert Osborn	Clark Hammelman
Chip Wilson	

EXTENSION OF MEETING

At 9:17 PM, Green moved, seconded by Teal, to extend the meeting until 10:00 PM

The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Green, Bower, Valentine, Teal, and Ford

[ORD 2017-002](#) **Ordinance Approving a Public Finance Agreement between the Town of Castle Rock, Citadel Development, LLC, the Miller's Landing Business Improvement District and the Castle Rock Urban Renewal Authority [Northwest corner of Plum Creek and I-25] (Second Reading) (Continued from the March 7, 2017 Town Council Meeting)**

Teal moved, seconded by Loban, to approve Ordinance No. 2017-002 as presented on second reading.

The motion passed by the following vote

Yes: 5 - Loban, Townsend, Valentine, Teal, and Ford

No: 2 - Green, and Bower

[ORD 2017-003](#) **Ordinance Amending Chapter 3.04 of the Castle Rock Municipal Code Concerning the Town's Sales Tax by Providing for a Sales Tax Credit Against Certain Public Improvement Fees Paid at Miller's Landing [Northwest corner of Plum Creek and I-25] (Second Reading)**

Teal moved, seconded by Valentine, to approve Ordinance No. 2017-003 as presented on second reading.

The motion passed by the following vote

Yes: 5 - Loban, Townsend, Valentine, Teal, and Ford

No: 2 - Green, and Bower

[RES 2017-019](#) **Resolution Approving the Miller's Landing Business Improvement District 2017 Operating Plan and Budget** *[Northwest corner of Plum Creek and I-25] (Continued from the March 7, 2017 Town Council meeting)*

Teal moved, seconded by Loban, to approve Resolution No. 2017-019 as presented

The motion passed by the following vote:

Yes: 5 - Loban, Townsend, Valentine, Teal, and Ford

No: 2 - Green, and Bower

RECESS TO URBAN RENEWAL AUTHORITY MEETING

The Town Council recessed to a meeting of Urban Renewal Authority at 9:45 PM

RECONVENE

The Town Council reconvened its meeting at 9:57 PM

Valentine Moved, seconded by Townsend, to extend the meeting until 10:30 PM.

The motion passed by the following vote:

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

No: 1 - Teal

Due to the Castle Rock Municipal Code requirement that any vote to extend the meeting past 10:00 PM, must be unanimous and the fact that this vote was not unanimous, the meeting was immediately adjourned at 10:01 PM with no further business conducted.