



## **Town Council Meeting Minutes - Final**

Mayor Jason Gray  
Mayor Pro Tem Jason Bower  
Councilmember Jess Loban  
Councilmember James Townsend  
Councilmember Kevin Bracken  
Councilmember Caryn Johnson  
Councilmember George Teal

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**Tuesday, May 7, 2019**

**6:00 PM**

**Council Chambers  
100 N. Wilcox Street  
Castle Rock, CO 80104**

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**This meeting is open to the public. All times indicated on the agenda are approximate.**

### **COUNCIL DINNER & INFORMAL DISCUSSION**

### **INVOCATION - Father Brad Noonan, St. Francis of Assisi Church**

### **CALL TO ORDER / ROLL CALL**

**Present:** 7 - Council Member Loban, Council Member Townsend, Council Member Bower, Council Member Teal, Mayor Gray, Council Member Bracken, Council Member Johnson

### **PLEDGE OF ALLEGIANCE**

### **COUNCIL COMMENTS**

Councilmember Loban stated his heart goes out to the STEM students and families. Loban was at the STEM school today and thanked Castle Rock Police for their presence. Loban shared that his family had a close call with their son last week at a swim lesson.

Councilmember Townsend stated he had citizens from his District reach out to him about airport noise and growth. Townsend forwarded those concerns to staff who responded to the citizens right away. Townsend expressed his thoughts and prayers to the STEM families.

Councilmember Bracken also shared his thoughts for the STEM families. Bracken recently requested an easement in the Town and withdrew that request. He apologized to Council to ensure this did not reflect on the rest of Town Council. Bracken wanted to clear up any misconceptions. He requested an easement as any other citizen would have done going through the proper channels. Town Attorney Bob Slentz stated they reviewed the request and gave an interpretation of the Code, advising Bracken who complied with recusing himself and not speaking to other Council regarding that request. All processes under the Code were followed. Town Manager, David Corliss, recapped the process stating that all proper procedures were followed. Bracken addressed specific comments that were out on social media, and stated this request was a small parcel that would allow a Fire truck to access his property.

Councilmember Teal thanked Loban and Bracken for their comments. Teal addressed the Plum Creek Golf Course land purchase stating that an executive session would be held after the Council meeting. They are currently in negotiations. He encouraged citizens to speak and provide their input. Teal requested an agenda item on the May 21 agenda to provide an update.

***Consensus of Council to provide an update on the Plum Creek property acquisition on the May 21 Council agenda.***

Councilmember Johnson thanked Loban for his comments and was grateful that our Police department was able to respond and assist. Johnson reminded citizens that she is having an Open House at Fire Station 153 in Founders next Thursday.

Mayor Pro Tem Bower stated the kick-off Spring Concert event is on May 17 and that Mother's Day is on Sunday.

Mayor Gray thanked Loban for his comments. Gray announced that the Town has received another award for Festival Park.

[EXEC](#)  
[2019-005](#)

**Executive Session Report: April 16, 2019 - Potential Property Acquisition within the Plum Creek PUD**

**This Executive Session Report was Presented.**

[PROC](#)  
[2019-004](#)

**Proclamation: Peace Officers Memorial Day and Police Week**

Councilmember Loban presented the Proclamation recognizing Police Week to Police Chief Cauley.

Police Chief Cauley commented stating that he and his officers feel it is an honor to serve the community. He asked to have a Moment of Silence for the students and families of STEM. Cauley went on to say that Castle Rock Police were deployed to the schools in Castle Rock to provide security and comfort to the students and brought in extra support to help at the scene of the STEM school assisting with interviews, reunification efforts, and tactical officers to help clear the school. They also called in resources to help cover the County's other calls for service. Cauley reviewed what they do to be proactive and what enables them to do their job: #1 community support, #2 Safe to Tell program to report suspicious activity anonymously, #3 School Resource Officers at the High School and a second SRO to split time between the two middle schools, #4 School Marshall Program where officers visit all of the elementary schools during the day, #5 their officers receive 130 hours of training minimum a year when only 24 hours is required, #6 Officers are provided with the best equipment and technology possible, #7 collaborative working relationship with the schools and other law enforcement agencies.

Councilmember Bracken asked the protocol of the process SRO's follow. Cauley stated the officers work with the schools, families, and friends to find out the issues and address them. They have a co-responder program where an officer and a mental health professional responds to mental health crises. They train their officers in critical incident training with a goal of 100% of their officers. So far they have trained 68% of their officers.

Councilmember Loban said the SRO's do a great job. Seeing the officer there when they drop their kids off is appreciated.

**UNSCHEDULED PUBLIC APPEARANCES**

Citizens that addressed Town Council:

Gary Bone - lives in Founders in the Patio Plus development and spoke on needed capital improvement programs that have been delayed in his area.

Cynthia Green - Vice President of Patio Plus HOA shared her same concern for the condition of the roads and delay of capital improvement programs.

Michael Ring - resident, wanted to set the record straight. The property he farms and runs his machines is 80% compliant and the other 20% is because he is short 19 gallons of water out of the 1,500 required. The Town staff gave them to May 31 but then came and did an emergency stop work order and caused loss of his plants and mushrooms. He is trying hard to be in compliance after 6 years of effort. Castle Rock is his home for his family and his kids. He feels the claims of fire and life safety on this property are not even true. He feels the stop work order was issued improperly.

Pam Kephart Sieben - asked Council to approve the purchase of the Plum Creek property for a park which would give the golf course funds to make necessary improvements.

Pam Kirk - has been a resident since 2005 and has seen tremendous growth. She is a strong supporter of the Town creating another park space in Plum Creek.

Jim Evans - lives in Fairway Vistas and feels the purchase of the property is for the good of Castle Rock.

Steve Rivoir - a resident of Fairway Vistas for about 1 1/2 years. Feels the pool is a hazard and needs to be addressed. The big goal is to keep the golf course viable. He also asked staff to look at the light on top of the Rock.

Mayor Gray asked staff to look into the issues raised by those who spoke.

**TOWN MANAGER'S REPORT**

Town Manager David Corliss reminded Council of upcoming items on the Calendar. The Employee Breakfast will be tomorrow morning, and reminded Council of various other events throughout the month.

[ID 2019-051](#)

**Update to the 2019 First Quarter Financial Review, Period Ending March 31, 2019**

Town Manager David Corliss provided an overview of the first quarter financial review.

Councilmember Johnson inquired about the decline in sales tax for retail accessories. Corliss replied that they will get Council that information.

[ID 2019-052](#)

**Update: Quasi-Judicial Projects**

Presented.

[ID 2019-053](#)     **Development Services Project Updates**

Presented.

## **TOWN ATTORNEY'S REPORT**

No Report.

## **ACCEPTANCE OF AGENDA**

Loban moved, seconded by Teal, to Accept the Agenda as presented. The motion passed by the following vote:

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

## **CONSENT CALENDAR**

[RES 2019-048](#)     **Resolution Approving an Amended Policy Regarding the Process for the Appointment of Citizen Volunteers to the Town's Boards and Commissions**

[RES 2019-049](#)     **Resolution Authorizing the Town of Castle Rock's Participation in the Metro Mortgage Assistance Plus Program, and Approving the Delegation and the Participation Agreement**

[RES 2019-050](#)     **Resolution Authorizing a Change Order to the Construction Contract between the Town of Castle Rock and Iron Woman Construction and Environmental Services, LLC and Approving an Increase in the Contract Sum and the Town-Managed Contingency for the Gordon Drive Improvement Project *[Memmen's Subdivision, South of Fifth Street and East of Valley Drive]***

[RES 2019-051](#)     **Resolution Approving a Construction Contract with T. Lowell Construction, Inc. for the 2019 Castle Rock Water Meter Replacement Project *[Winrock Apartments and Aspen Meadows Townhomes]***

Townsend moved, seconded by Johnson to approve the Consent Calendar as read. The motion passed by a vote of:

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

## **ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS**

[ORD 2019-009](#)     **Ordinance Authorizing the Exercise of the Town's Powers of Eminent Domain to Acquire Certain Real Property Interests Necessary for the Plum Creek Parkway Widening/Roundabout**

**Project; and Providing for its Emergency Adoption on Second and Final Reading (Second Reading)**

Mayor Gray read both items 10 and 11 into the record to be presented and public hearings held together.

Bob Slentz, Town Attorney, provided an overview of the items summarizing the benefit of this authorization. Condemnation would be a last resort and would require Council approval to proceed.

Mayor Pro Tem Bower asked if Council agreed to add this provision that Council approve before condemnation proceedings on all eminent domain issues in the future.

Bob Slentz, Town Attorney, stated that provision is now a policy for all eminent domain proceedings going forward.

***Councilmember Loban asked how an Ordinance would look to codify including that provision. Council concurred.***

No public comment.

Mayor Gray closed the public hearing.

**Teal moved, seconded by Johnson, that Ordinance No. 2019-009 be Approved on An Emergency Basis on Second Reading as presented. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

[ORD 2019-008](#) **Ordinance Authorizing the Exercise of the Town's Powers of Eminent Domain to Acquire Certain Real Property Interests Necessary for the Crystal Valley Interchange Project (Second Reading)**

**Teal moved, seconded by Johnson, that Ordinance No. 2019-008 be Approved as presented. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

[DIR 2019-013](#) **Discussion/Direction: Economic Development Office Program**

Frank Gray, CEO of the Castle Rock Economic Development Council, followed up on the worksession they had with Council to receive direction for attracting primary employment. These jobs are the drivers of the economy. A business in Castle Rock creates three times more benefit than a business employing residents outside of Castle Rock by missing the business to business spending and the daytime spending. 80% of our population is commuting outside of Castle Rock which has the lowest of primary employers. Gray summarized the challenges. They would like to memorialize the program used for The Move and the Office Master Lease Program.

Mayor Pro Tem Bower asked if there are time constraints for the Master Lease

Program. Gray stated they will put out an RFP for this and select the best project they can fund. The Master Lease Program would be for a maximum of 5 years.

No public comment.

Mayor Gray closed the public hearing.

**Johnson moved, seconded by Townsend, to direct staff to draw up a Resolution approving the amendments to the Town of Castle Rock's Economic Development Policy as stated in Exhibit A be Approved as presented. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

**RES 2019-046 Resolution Approving the First Amendment to the Oaks of Castle Rock Development Agreement [located southeast of downtown Castle Rock, near and south of Plum Creek parkway, east of South Lake Gulch Road and west of Ridge Road]**

Sandy Vossler, presented an amendment to the existing Development Agreement. This does not change any zoning in the existing agreement. This amendment also clarifies the obligation amount for the Plum Creek Parkway extension and Traffic Control Improvements. Dan Sailer, Assistant Public Works director and the applicant were in attendance if there were any questions.

Councilmember Johnson thanked staff for answering her questions prior to the Council meeting.

No public comment.

Mayor Gray closed the public hearing.

**Townsend moved, seconded by Teal, that Resolution 2019-046 be Approved as presented. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

**RES 2019-052 Resolution Approving the Town of Castle Rock Police Department 2019-2023 Five-Year Strategic Plan**

Jack Cauley, Police Chief, presented an overview of the Five-Year Strategic Plan going over each of the 6 priorities and the organizational structure.

No public comment.

Mayor Gray closed the public hearing.

**Bower moved, seconded by Bracken, that Resolution No. 2019-052 be Approved as presented. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

**RES 2019-053 Resolution Approving a Construction Contract with Pro-West Contracting, LLC for the Meadows Filing 16 Subsurface Edge Drain**

**Project [South of Foothills Drive and West of Coachline Road]**

Mark Marlowe, Director of Castle Rock Water, stated this is new infrastructure to help protect our streets where there are significant water issues degrading the pavement. This is a joint project with Public Works.

Councilmember Loban confirmed that this was being done in conjunction with the street repair.

Dan Sailer, Assistant Public Works Director, stated they haven't done a return on investment analysis but they are seeing faster deterioration of streets where this is needed.

No public comment.

Mayor Gray closed the public hearing.

**Loban moved, seconded by Townsend, that Resolution No. 2019-053 be Approved as presented. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

**ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES**

None.

**ADJOURN TO EXECUTIVE SESSION (not to return)****[EXEC](#)  
[2019-006](#)****Executive Session: Potential Property Acquisition within the Plum Creek PUD**

**Loban moved, seconded by Townsend, to Adjourn to Executive Session. The motion passed by the following vote:**

**Yes:** 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

Mayor Gray adjourned the meeting at 8:40 pm.

Submitted by:

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Lisa Anderson, Town Clerk