



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

Tuesday, June 18, 2019

6:00 PM

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

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

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION - Pastor Donald Haymon II, Calvary Apostolic Church

CALL TO ORDER / ROLL CALL

Present: 6 - Council Member Loban, Mayor Pro Tem Bower, Council Member Teal, Mayor Gray, Council Member Bracken, Council Member Johnson

Not Present: 1 - Council Member Townsend

PLEDGE OF ALLEGIANCE - Boy Scouts Troop 261

The pledge was led by Pack 854.

COUNCIL COMMENTS

Councilmember Johnson thanked the Water department staff for the garden tour held last Saturday and requested staff to schedule a presentation by Castle Rock's representative on the Douglas County Open Space Advisory Committee to advise how the committee spends local tax dollars on projects for the community.

Councilmember Teal discussed inquiries he has received from residents requesting the Town take a position in regard to the red flag bill. Councilmember Teal asked staff to review this law for the impacts it has on Castle Rock and to provide an analysis of other municipalities and counties, including the Douglas County policy, and how the law will be enforced in Castle Rock.

Councilmember Loban agreed that the Town should be taking a look at this new law. Councilmember Bracken and Mayor Gray concurred.

Councilmember Bower thanked John Manka for his efforts related to the downtown car show event held last weekend.

UNSCHEDULED PUBLIC APPEARANCES

Justin Mathew, resident, spoke in favor of the Town becoming a second amendment sanctuary city and encouraged Council to take that position.

TOWN MANAGER'S REPORT

Town Manager Dave Corliss addressed calendar reminders including the in service ceremonies for new fire trucks at Stations 152 and 154 this weekend. He

reported that discussions related to the proposed Encore Development, formerly know as Festival Park Commons would be scheduled on upcoming agendas and encouraged Councilmembers to attend the DMA and DDA meetings if possible. Additionally noted was the upcoming proposed 2020 budget which will include a five-year financial forecast.

[ID 2019-063](#)

**Presentation: Community Collaboration Recognition - 4H Club,
Home Improvement Stores Collaborate to Benefit Senior Castle
Rock Resident and Local Businesses Collaborate with the Town
Making Neighborhood Clean Up Day a Huge Success**

Bill Detweiler, Director of Development Services, introduced two projects that would recognize volunteer efforts with certificates of appreciation from the Town.

Tammy King, Zoning Manager, introduced the Oakland OK's 4-H Club and Dwayne Greaves from Lowe's who collaborated to help senior resident, Karen Jackson with landscaping and tree and brush removal on her property. During the work it was also recognized that the resident also desired to have a sidewalk to her backyard. Dennis Driml, also with Lowe's, designed the sidewalk to include a handrail for the resident and personally provided materials necessary to complete the project in excess of the original Lowe's donation. Joe Currier of Home Depot authorized the maximum donation towards a new storage shed as well. Additional funds necessary for the storage shed in excess of the store donation were personally provided by Josip Idzan, also of Home Depot. The collaboration of the volunteers along with the store donations and the personal out of pocket donations by these individuals turned Ms. Jackson's wish list into reality. Mayor Gray thanked the volunteers and noted the great collaborative efforts to help a senior resident in need. Ms. Jackson thanked everyone for their help.

The second presentation was related to the third annual Neighborhood Clean Up Day Event on May 18, 2019. Tammy King thanked Boy Scout Troop 261 and the community partners for their participation and volunteer efforts towards this event. This year extra focus was made to "go green" to reduce the amount of waste going to the landfill. Charitable donations of usable items, metal recycling as well as a neighborhood swap were all part of this effort. Residents filled 34 dumpsters and collected 55,000 pounds of metal for recycling. Over 100 tons was collected during the event. Mayor Gray thanked everyone for their volunteer efforts.

Tammy King also recognized employee, Cara Reed for her organizational efforts and time dedicated to the project.

[ID 2019-064](#)

Update: Monthly Department Reports

[ID 2019-065](#)

Update: Quasi-Judicial Projects

[ID 2019-066](#)

Development Services Project Updates

[ID 2019-067](#)

Update: Cobblestone Ranch Park Planning

Jeff Brauer, Director of Parks & Recreation, provided an update on the next neighborhood park to be built in Cobblestone Ranch with construction to be

completed in May 2021.

[ID 2019-068](#)

Presentation: Castle Rock Water Pursuing Excellence Gold Tier 2019

Mark Marlowe, Director of Castle Rock Water, announced that representatives were attending from the State of Colorado for the Pursuing Excellence and Safe Drinking Water Programs. Ron Falco presented the Gold Tier Award to Castle Rock Water noting this was the fourth year that they had received the award.

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Town Manager Dave Corliss reminded Council that staff wished to remove the Downtown Mobility Master Plan item from the agenda and to continue the hearing to the July 16 meeting.

Moved by Loban, seconded by Johnson, that the Agenda be Accepted as Amended to remove item 19 and to move it to the July 16 agenda. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

CONSENT CALENDAR

[ORD 2019-012](#)

Ordinance Repealing and Reenacting Chapters 15.04, 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.24, 15.26 And 15.28 of the Castle Rock Municipal Code; Adopting by Reference as Primary Codes the 2018 Editions of the International Building Code, International Residential Code for One- and Two-Family Dwellings, International Mechanical Code, International Plumbing Code, International Energy Conservation Code, International Fuel Gas Code, International Fire Code , International Existing Building Code, International Swimming Pool and Spa Code, ANSI A117.1-2009, ASME A17.1-2013, ASME A18.1-2011, ASME A17.3-2005, ASCE 21 Parts 1-4, with Amendments; Adopting by Reference as a Primary Code the 2017 Edition of the National Electrical Code, with Amendments; Providing Penalties for Violations Thereof; Repealing Chapter 15.20; And Making Minor Editorial Amendments to Chapters 15.22 and 15.30 (Second Reading - Approved on First Reading on May 21, 2019 by a vote of 6-0)

[ORD 2019-013](#)

Ordinance Repealing and Reenacting Chapters 15.34 and 15.36 of the Castle Rock Municipal Code; Adopting by Reference as Primary Codes the Temporary Erosion and Sediment Control Manual and

the Storm Drainage Design and Technical Criteria Manual; Providing Penalties for Violations thereof; and Amending Chapter 4.03 Concerning Illicit Discharge and Connection (Second Reading, Approved on First Reading on May 21, 2019 by a vote of 7-0)

[RES 2019-068](#) **Resolution Approving the Third Amendment to the Town of Castle Rock Services Agreement with D2C Architects for the Castle Rock Service Center Expansion Design**

[RES 2019-069](#) **Resolution Approving the First Amendment to the Water Infrastructure Design and Construction Cost Sharing Intergovernmental Agreement (Plum Creek Raw Water Return Pipeline / Eastern Regional Pipeline Project**

[RES 2019-070](#) **Resolution Approving the First Amendment to the Intergovernmental Agreement for the Option to Purchase and Right of First Refusal Regarding Ground Water Rights, Easements and Related Improvements**

[MIN 2019-010](#) **Minutes: June 4, 2019 Town Council Meeting**

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

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ID 2019-069](#) **Presentation of the 2018 Comprehensive Annual Financial Report (CAFR) and 2018 Popular Annual Financial Report (PAFR)**

Trish Muller, Finance Director, explained that the Town is required by state statute, as well as the Town Charter, to have an independent CPA firm perform an audit of Town accounting records for compliance as well as review internal control policies.

Rob MaCoy, partner with BKD, presented the audit report to Council.

No public comment.

Councilmember Bracken thanked staff for reviewing the budget with himself and Councilmember Johnson.

Dave Corliss, Town Manager, thanked the auditors and acknowledged the Finance staff as good stewards of public resources.

Mayor Gray added that he, along with Councilmember Teal were invited to the

audit review meeting previously and appreciated the BKD staff presenting their findings.

Moved by Loban, seconded by Teal, that Update/Presentation Item 2019-069 be Accepted as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

RES 2019-071 Resolution Approving a Construction Contract between the Town of Castle Rock and Noraa Concrete Construction Corporation, for the Founder's Parkway (SH-86) & Allen Way Intersection Improvement Project

Dan Sailer, Interim Public Works Director, introduced item to Council requesting approval for the construction contract for the Founder's Parkway and Allen Way Intersection Improvements. The project includes additional auxiliary turn lanes as well as an additional I-25 on ramp lane. Project completion date is anticipated for Fall 2019.

No public comment.

Moved by Teal, seconded by Bower, that Resolution 2019-071 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

RES 2019-072 Resolution Approving a Construction Contract with Bryan Construction, Inc. for Construction of the Public Safety Training Facility - North Building

Police Chief Jack Cauley and Fire Chief Norris Croom presented item to Council requesting additional funding for the Public Safety Training North building which would include the construction of a 6,000 square foot classroom building to meet the needs of Castle Rock Fire and Police, as well as be available for other Town departments for classroom training use. Construction could begin immediately after approval and would be completed in early 2020.

Councilmember Johnson addressed the space needs of the upcoming Your Town Academy previously held at the Public Safety Training facility which Chief Croom indicated that space would be available this year at the South building for this purpose.

Councilmember Bower asked for clarification of what was included in the project management fee with Chief Croom answering that said fees were for Project One to manage all aspects of the construction project.

No public comment.

Moved by Bower, seconded by Loban, that Resolution 2019-072 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

[DIR 2019-015](#) **Discussion/Direction: Applications for the Council Community Grant Program for the 2nd Quarter 2019 (One Application)**

Trish Muller, Finance Director, presented overview of the Council Community Grant program. The grant program has an annual budget of \$8,000 with quarterly disbursements up to \$2,000. Historically, grants of \$500 are awarded per organization. This quarter only one application was submitted by the Douglas Land Conservancy who is requesting a \$500 grant.

Members of the public who spoke included the following:
Jessica Fenske, board member
Jim Delay, board member and resident

Councilmember Bower motioned that a grant be awarded to the Douglas Land Conservancy in the amount of \$500.

Councilmember Loban questioned staff regarding the excess funding from the previous and current quarter asking if the funds could be rolled forward or awarded. Staff indicated it was up to Council's discretion.

Councilmember Bower indicated this would set a precedent going forward.

Councilmember Teal asked the Douglas Land Conservancy representatives if they would be interested in a \$1,000 grant.

Councilmember Teal seconded the original motion made by Councilmember Bower for \$500 and amended the motion to increase the amount to \$1,000. Council voted on the amended amount of \$1,000.

Moved by Bower, seconded by Teal, that Discussion/Direction Item 2019-015 be Approved as Amended to award a \$1,000 grant to the Douglas Land Conservancy. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

[ORD 2019-018](#) **Ordinance Amending Chapter 14.02 of the Castle Rock Municipal Code Concerning Eminent Domain (First Reading)**

Bob Slentz, Town Attorney, presented item to Council explaining the ordinance would embed a requirement within the municipal code that prior to filing the petition of condemnation, Council would have to expressly authorize that filing or direct staff to continue negotiations. Only after unsuccessful price agreement negotiations would this option be suggested by staff.

Councilmember Bower commented that this was a good policy.

No public comment.

Moved by Teal, seconded by Bower, that Ordinance 2019-018 be Approved on First Reading as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

ORD 2019-017 Ordinance Amending Chapter 6.02 of the Castle Rock Municipal Code Concerning Ducks, Miniature Goats and Miniature Pot-Bellied Pigs by Amending Sections 6.02.030, 6.02.090, 6.02.250, 6.02.340 and Adding New Sections 6.02.251 and 6.02.252 (First Reading)

Heidi Hugdahl, Deputy Town Attorney, presented item to Council addressing the significant outreach that had been done within the community as well as research of 26 area municipalities to identify the strongest elements to integrate into the proposed ordinance.

Councilmember Bracken questioned if fines or penalties were included in the ordinance for non-compliance.

Councilmember Teal questioned if this eliminated or excluded female goats.

Councilmember Bower asked for clarification as to what Denver and Colorado Springs did for housing goats since it was previously noted that the Buddy Center would not be a housing option for the Town.

Councilmember Bower commented that he would not be in favor of the ordinance if animals were confined to the yard only with Councilmember Bracken concurring.

Public comment on this item was received from Julie Barrett, resident, who spoke in favor of miniature goats and the option to leash the goat for exercise. Additionally, she suggested that the Town consider including de-budding in the ordinance which prevents goats growing horns which Councilmember Loban agreed with along with the leash option.

Councilmember Teal asked for further clarification on unaltered male goats and the desired benefits of obtaining milk.

Councilmember Bower mentioned that per previous discussions, Councilmember Townsend was not in favor of this ordinance as the original intent was to clean up the animal code. Councilmember Bower expressed that he thought most Castle Rock residents don't care about this issue.

Councilmember Loban clarified that HOA regulations will supersede the Town ordinance and that most residents live in HOA covenant areas that already have restrictions in place. Additionally, those people living outside of an HOA should have the freedom to have what they want.

Councilmember Bower asked how the ordinance could be rescinded if need be and the option to grandfather a clause into the ordinance.

Moved by Teal, seconded by Loban, that Ordinance 2019-017 be Approved on First Reading as presented. The motion passed by the following vote:

Yes: 5 - Loban, Bower, Teal, Gray, Bracken

No: 1 - Johnson

Not Present: 1 - Townsend

[RES 2019-073](#) Resolution Approving the Town of Castle Rock Downtown Mobility Master Plan

This item was continued to the July 16 agenda.

[RES 2019-074](#) Resolution Approving the Town of Castle Rock Fire and Rescue Department 2016-2019 Strategic Plan (2019 Update)

Fire Chief Norris Croom thanked Council for their approval of the Public Safety Training Facility funding prior to presenting the item to Council. It was noted that presentation of the Fire Strategic Plan Update to Council is part of the accreditation process as well as presenting to Council the status of meeting identified goals.

No public comment.

Moved by Teal, seconded by Loban, that Resolution 2019-074 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

[RES 2019-075](#) Resolution Approving the Town of Castle Rock Fire and Rescue Department Community Risk Assessment and 2018 Standards of Cover (2019 Update)

Fire Chief Norris Croom presented item to Council as an update to the accreditation process. As part of the accreditation process, risk within the community is defined and performance is evaluated by established benchmarks, providing recommendations for continuous improvement. Updates will include continued monitoring of response times as well as closely monitoring multiple, continued growth areas to help address the level of service or to identify performance gaps.

Councilmember Johnson addressed the issue of continued growth in Cobblestone Ranch, Founders and Castlewood Ranch areas which are served by Station 153 with support from Franktown and how the continued growth can be supported. Chief Croom replied that the Fire Master Plan would be presented to Council later this year which will evaluate growth, call volume projections, and how those levels of service can be provided and what new resources may be required in order to do so.

No public comment.

Moved by Johnson, seconded by Teal, that Resolution 2019-075 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

No additional speakers.

RECESS TO EXECUTIVE SESSION

[EXEC
2019-008](#)

Executive Session: Town Manager and Town Attorney's Annual Performance Evaluations

Moved by Gray, seconded by Bower to Adjourn to Executive Session. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

RECONVENE

[EXEC
2019-009](#)

Executive Session Report: June 18, 2019 - Town Manager and Town Attorney's Annual Performance Evaluations

Moved by Gray, seconded by Bracken, that the Town Manager's salary be increased by 5% and be Approved as Presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

Moved by Gray, seconded by Bower, that the Town Attorney's salary be increased by 5% and be Approved as presented. The motion passed by the following vote:

Yes: 6 - Loban, Bower, Teal, Gray, Bracken, Johnson

Not Present: 1 - Townsend

ADJOURN

Mayor Gray adjourned the meeting at 9:28 pm.

Submitted by:

Robbie Schonher, Assistant Town Clerk