



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, December 17, 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 - David Love, Calvary Chapel Castle Rock

CALL TO ORDER / ROLL CALL

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

Not Present: 1 - Council Member Townsend

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Special Presentation from Commander Sam Varela to recognize Chief Cauley. Author Simon Sinek joined the meeting via video conferencing to present the "Igniter of the Year" award to Chief Cauley for taking his work and using it to transform a culture.

Council Member Loban expressed his appreciation for the community, reminded everyone to be safe and that assistance is available for those that need help during the holidays.

Council Member Bracken announced the January 28 Open House for District 3. There will be refreshments and staff will be there to answer questions. Bracken wished everyone Merry Christmas and Happy New Year.

Council Member Teal stated he will have an open house for District 6 on January 23 from 5:30-7pm at Fire Station 152.

Council Member Johnson thanked the departments for their monthly department reports and stated they are informative.

Mayor Pro Tem Bower wished everyone Merry Christmas and Happy New Year.

Mayor Gray thanked Chief Cauley for his contributions to the Town and wished everyone a Merry Christmas and a happy holiday season.

David Corliss, Town Manager, expressed his appreciation and congratulations to Chief Cauley. Corliss noted upcoming events and asked Council if they had any

interest in a study session on January 21 at 5pm.

Consensus of Council to hold a Study Session on January 21st at 5pm.

UNSCHEDULED PUBLIC APPEARANCES

None.

TOWN MANAGER'S REPORT

[ID 2019-126](#) **Update: Monthly Department Reports**

[ID 2019-127](#) **Presentation: Santa's Second Chance 2019**

Karla McCrimmon, Municipal Court Administrator, presented an overview of the program that began in 1997, and reported that they provided gifts to over 200 children this year. They had over 100 volunteers to help shop and wrap the gifts, and the Explorers helped deliver them. Corliss recognized Karla and all of her work on this program.

[ID 2019-128](#) **Update: 1469 Columbine Drive Property**

Matt Gohl, Special Projects Manager, provided an update on this property located in District 4 that previously housed the Town Facilities department. Staff continues to recommend demolition of the building.

[ID 2019-129](#) **Development Services Project Updates**

[ID 2019-130](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

Bob Slentz, Town Attorney, stated Encore is scheduled to close tomorrow. All documents have been executed and exchanged. When we get notification that the construction loan is funded, we will finish the recording and will close the parking lot.

ACCEPTANCE OF AGENDA

Moved by Council Member Loban, seconded by Council Member Johnson, to Accept the Agenda as presented. The motion passed by the following vote:

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

Not Present: 1 - Townsend

CONSENT CALENDAR

[ORD 2019-041](#) **Ordinance Approving a One Million Dollar Line of Credit with FirstBank on behalf of the Castle Rock Downtown Development Authority and in Conjunction Therewith Approving a Revolving Line of Credit Promissory Note, Sales and Property Tax Pledge**

**Agreement, and Account Pledge Agreement (Second Reading -
Approved on First Reading on December 3, 2019 by a vote of 7-0)**

[MIN 2019-019](#)

Minutes: December 3, 2019 Town Council Meeting

Moved by Mayor Pro Tem Bower seconded by Council Member Johnson to approve the Consent Calendar as read. The motion passed by a vote of:

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

Not Present: 1 - Townsend

QUASI JUDICIAL HEARINGS

Mayor Gray read the quasi-judicial script with no conflict of interest noted by any Council Member. Lisa Anderson, Town Clerk, confirmed that the items were properly noticed.

[ORD 2019-039](#)

Ordinance Amending the Town's Zone District Map by Approving the Lanterns Planned Development Plan, Amendment No. 4 and the Lanterns Planned Development Zoning Regulations, Amendment No. 4 (Second Reading - First Reading Approved on December 3, 2019 by a vote of 7-0) [Planned Development Amendment to Allow a Church Use, include Heckendorf Property in The Lanterns PD and establish a Master Sign Plan] (located south of Crystal Valley Parkway and Heckendorf Ranch and west of Crystal Valley Ranch) (Town of Castle Rock Project #PDP18-0003)

Bill Detweiler, Development Services Director, provided an overview of the presentation from the first reading.

No public comment.

Council Member Teal wished to speak in favor of approval. He stated Mr. Carlson has been a good partner and neighbor to the residents.

Moved by Council Member Teal, seconded by Council Member Loban, that Quasi-Judicial Ordinance 2019-039 be Approved on Second Reading as presented. The motion passed by a vote of:

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

Not Present: 1 - Townsend

[RES 2019-133](#)

Resolution Approving the First Amendment to the Lanterns Amended and Restated Development Agreement [Development Agreement Amendment corresponding to the Lanterns Major Planned Development Amendment and Site Development Plan] (AGR18-0006)

Bill Detweiler, Development Services Director, presented the item.

No public comment.

Moved by Council Member Teal, seconded by Council Member Loban, that Quasi-Judicial Resolution 2019-133 be Approved as presented. The motion passed by a vote of:

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

Not Present: 1 - Townsend

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2019-040](#) **Ordinance Authorizing, Approving and Directing the Execution and Delivery of a Loan Agreement Payable from Net Revenue to be Derived from the Operation of the Town of Castle Rock Stormwater enterprise, and Certain Other Documents in Connection Therewith, For the Purpose of Financing Various Capital Improvements to the Stormwater System, and Providing for Its Emergency Adoption on Second and Final Reading (Second Reading - Approved on First Reading on December 3, 2019 by a vote of 7-0)**

Mark Marlowe, Director of Castle Rock Water, reviewed the terms. The Water Commission recommends approval.

Council Member Loban congratulated staff on the interest reate.

No public comment.

Lisa Anderson, Town Clerk, took a Roll Call Vote.

Moved by Council Member Loban, seconded by Council Member Johnson, that Ordinance 2019-040 be Approved on An Emergency Basis as presented. The motion passed by a vote of:

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

Not Present: 1 - Townsend

[ORD 2019-042](#) **Ordinance Amending Title 17 of the Castle Rock Municipal Code by Adoption of a New Chapter 17.51 Entitled Dissimilar Residential Interface Regulations (First Reading)**

Bill Detweiller, Director of Development Services, presented the item. The code establishes a minimum 50-foot buffer between dissimilar residential developments to help mitigate impacts between varying types of developments. The requirements would apply to developments that share a property line (in whole or in part) or those separated by less than 50 feet of open space. The ordinance also allows Council to waive the requirements if certain conditions are met.

The Home Builders Association provided a letter with comments for Town Council (Exhibit A). This item went to the Planning Commission and they discussed definitions of what would be allowed in the buffer and a definition for a single family attached.

Council Member Loban commended staff and likes the relief valve if all agree on a variance.

Citizens that addressed Council:

Rhonda Fellers, resident, spoke in favor and feels it is a good compromise and a better opportunity for private enjoyment for single family homes.

Mayor Pro Tem Bower stated his concern as he appreciates the diversity of homes in his District.

Council Member Teal supports the ordinance and commended staff.

Council Member Bracken thanked staff for their work and noted Council received two emails in support. Detweiler stated there will be instances where the 50 foot buffer would not apply.

Council Member Johnson thanked staff.

Mayor Pro Tem Bower is wondering why it is considered a hardship if it is already zoned as multi-family to justify an additional regulation. Teal feels it is a hardship when residents have been accustomed to backing to open land for many years.

Mayor Gray stated he spoke to Council Member Townsend earlier and they concurred that dissimilar development can occur, but there can be a 50 foot buffer.

Moved by Council Member Loban, seconded by Council Member Bracken, that Ordinance 2019-042 be Approved on First Reading as presented. The motion passed by a vote of:

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

No: 1 - Bower

Not Present: 1 - Townsend

[DIR 2019-036](#)

Discussion/Direction of Applications for the 2019 Fourth Quarter Council Community Grant Program, Three Applications

Pete Mangers, Revenue Manager, provided an overview of the current policy and the three applicants recommended for approval: American Legion Harry C. Miller Post 1187, Castle Rock Band, and Renaissance Secondary for \$500 each.

Mayor Pro Tem Bower stated he had not seen a school as an applicant in the past. Mangers stated schools do fall within the parameters.

Council Member Teal confirmed there were no applicants in the third quarter.

Council Member Loban understands the concern that we are providing funding to schools that already receive tax funding, but feels it is a good cause.

Council Member Bracken asked to clarify Bower's concern. Bower stated some

schools have needs they aren't able to fund and wanted to ensure Council is prepared for future requests from schools. Corliss referenced where we have funded After Prom in the past

No public comment.

Council Member Teal stated no one was present from the American Legion and read a comment from them. He noted that they offer scholarships to kids and would like to increase their award using the previous quarter's unused funds to \$2,500.

Council Member Johnson wanted to point out that the American Legion's request was originally for \$2,500.

Moved by Council Member Teal, seconded by Mayor Pro Tem Bower, to award the American Legion in the amount of \$2,500 adding the unused funds from the third quarter. The motion passed by a vote of:

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

Not Present: 1 - Townsend

Moved by Council Member Loban, seconded by Mayor Pro Tem Bower, to award the Castle Rock Band \$500 and the Renaissance Secondary \$500 as proposed. The motion passed by a vote of:

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

Not Present: 1 - Townsend

[RES 2019-132](#)

Resolution Approving First Amendment to Service Agreement for (Cobblestone Ranch Neighborhood Park - Master Plan)

Jeff Brauer, Director of Parks and Recreation, presented the item for the next park to be built at the Cobblestone Park Site. The proposed plan received positive feedback on their survey.

Council Member Loban asked if the detention pond would stay full. Brauer stated it would most likely be full and will consider adding a fishing component.

Council Member Teal confirmed with Brauer that an archery range could be added as well as an orchard.

Council Member Bracken asked Brauer about Phase I. Brauer stated there is about \$4M available and will take up to a year to complete. Additional phases depend on budget approvals and if there are any public/private opportunities.

Council Member Johnson voiced concerns about emergency vehicle access. Brauer stated they work with Fire and Police to address potential emergency access.

Brauer displayed a map showing the trails on the site with the developed areas in the south area with planned completion in 2021. Brauer asks that the authorized amount be changed to capture the owners managed contingency in that number.

Moved by Council Member Loban, seconded by Council Member Teal, that Resolution 2019-132 be Approved as amended to include the outlined amendments. The motion passed by a vote of:

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

Not Present: 1 - Townsend

[DIR 2019-037](#)

Discussion/Direction: Recreation Facility Feasibility Study Update

Jeff Brauer, Director of Parks and Recreation, provided the history of the recreation center and the Miller Activity Complex. Brauer provided an overview of their long range planning and referenced the calculation of one rec center for every 30,470 residents from the National Recreation and Park Association. Areas of study will be completed through a needs assessment, financial assessment, and visioning.

Council Member Johnson noted that Castle Pines is interested in putting in ice rinks and asked if the Town would still be interested in putting in ice rinks in Castle Rock. Brauer stated they have a lot of interest expressed for public/private partnerships that they will evaluate.

Council Member Loban inquired about a super pass. Brauer stated they would consider it.

Mayor Pro Tem Bower reflected on the minimum wage increase and the impact on employment at the facilities. Brauer stated they do take that into consideration.

No public comment.

[RES 2019-129](#)

Resolution Approving a Construction Contract with Insituform Technologies, LLC for the 2019 Cured-in-Place Pipe Sewer Project

Mark Marlowe, Director of Castle Rock Water, noted this item addresses rehabilitation and replacement of old infrastructure in the Young American Neighborhood for the clay pipe that was built in the 1970's. Castle Rock Water Commission and staff recommend approval.

No public comment.

Moved by Council Member Loban, seconded by Council Member Johnson, that Resolution 2019-129 be Approved as presented. The motion passed by a vote of:

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

Not Present: 1 - Townsend

[RES 2019-130](#)

Resolution Approving a Construction Contract with Hydro Resources - Rocky Mountain Inc. for Wells CR-232 and CR-233

Mark Marlowe, Director of Castle Rock Water, noted this project is to add two additional wells that will be designed with aquifer storage and recovery. The vendor is currently building two wells in the Meadows. They want to complete these before the 2020 irrigation season. Water Commission recommends

approval. Dominion Water will be funding the aquifer storage and recovery.

Council Member Bracken confirmed with Marlowe that the system allows the water to go down and spreads out to underground storage that can be accessed at a later time.

Mayor Pro Tem Bower confirmed with Marlowe that the water is treated and put into the ground and then retreated when they bring it back out.

No public comment.

Moved by Council Member Johnson, seconded by Mayor Pro Tem Bower, that Resolution 2019-130 be Approved as presented. The motion passed by a vote of:

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

Not Present: 1 - Townsend

[RES 2019-131](#) Resolution Adopting the 2019 SCADA Capital Improvement Plan for Castle Rock Water

Mark Marlowe, Director of Castle Rock Water, presented the item that focuses on rehabilitation and replacement of existing process monitoring and control/communications systems. The Water Commission recommends approval.

Council Member Loban asked if we can do historical analysis and leak detection. Marlowe states it has all of those capabilities.

Council Member Johnson disclosed that her husband works for a different division with Jacobs Engineering who helped with the master plan.

No public comment.

Moved by Council Member Johnson, seconded by Mayor Pro Tem Bower, that Resolution 2019-131 be Approved as presented. The motion passed by a vote of:

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

Not Present: 1 - Townsend

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Mayor Gray adjourned the meeting at 8:22 pm.

Submitted by:

Lisa Anderson, Town Clerk