



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, November 5, 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 - Rev. Brad Noonan, St. Francis of Assisi Catholic Church

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

Boy Scout Troop 780 led the Pledge of Allegiance.

COUNCIL COMMENTS

Council Member Loban thanked everyone for coming out.

Council Member Bracken congratulated Castle View for making playoffs.

Council Member Teal shared that the Transit Study focus group met last night. Council Member Johnson also attended. They looked at possible transit options and will meet again in March.

Council Member Johnson reminded citizens of the Transit Feasibility Open House next week at Townhall.

Mayor Gray stated the Veterans Day Tribute is on Monday and Starlighting is on the 23rd.

[PROC
2019-010](#)

Proclamation: Cornerstone Tribute Award to Gerald "Jerry" F. Potter

Lisa Anderson, Town Clerk, provided an overview of the Cornerstone Tribute program.

Mayor Gray read the proclamation and presented it to Mr. Potter.

[DIR 2019-029](#)

Douglas County Library Board Trustee Selection Panel - Elected Official Representative

David Corliss, Town Manager stated they require a response by November 15.

Council Member Teal stated he has served for a number of years. He spoke to the current Chairman and feels he can participate and would like to serve again.

Moved by Council Member Loban, seconded by Mayor Pro Tem Bower, to nominate Council Member Teal to the Douglas County Library Board of Trustees selection panel. The motion passed by the following vote:

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

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[ID 2019-111](#)

Presentation: Your Town Academy Graduating Class

Kristin Read, Assistant Town Manager, introduced this year's class of the Your Town Academy. This is the 4th graduating class. The classes focus on raising awareness of what the Town does. They have 21 graduates from this year for a total of 98 graduates to date.

[ID 2019-112](#)

Update: Review of Municipal Revenue Restrictions

David Corliss, Town Manager, reviewed upcoming calendar items and events.

Staff prepared a response to a request for information regarding the Town's revenue restrictions under TABOR and the Town Charter.

[ID 2019-113](#)

Update of the 2019 Third Quarter Financial Review, Period Ending Sept. 30, 2019

David Corliss, Town Manager, presented an overview.

Council Member Loban confirmed that the Plum Creek property is not being paid for out of the General Fund.

[ID 2019-114](#)

Update: Wireless Cellular Facilities

David Corliss, Town Manager, stated staff is meeting to ensure we are staying current with the industry and the community needs.

Council Member Loban feels we need to have good cell phone coverage. Corliss stated we allow the providers that meet our Town requirements. Loban stated his constituents have concerns over the 5G technology.

Council Member Teal inquired about a pending master license application. Corliss stated a master license allows them to have multiple locations. Matt Gohl stated that the master agreement is with Verizon.

[DIR 2019-032](#)

Discussion/Direction of the Metropolitan District Summary for the year ending December 31, 2017

Trish Muller, Finance Director, explained what a metro district is, their function and responsibilities, and the Town's responsibility. Muller then provided a more detailed analysis overview of the active metro districts.

Council Member Bracken confirmed that the metro district boards can refinance the bonds at a lower rate.

Council Member Johnson sits on the Castlewood Ranch board and they refinanced their bonds at 2.85% with a clause to pay them off early. Currently they hold property which would still require a board even if the debt is paid off.

Muller added that if there is a default on a metro district bond, it does not become a Town obligation. The bonds are approved by the developer and not the future homeowners. They will be reviewing the 2018 reports at a deeper level and will bring it back to Council.

Corliss stated it is not our responsibility, but it is debt on our residents' properties.

Council Member Teal would like the powerpoint shared with Town Council.

[ID 2019-116](#) **Development Services Project Updates**

[ID 2019-117](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

No report.

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

RECESS TO THE CASTLE ROCK URBAN RENEWAL AUTHORITY MEETING

Mayor Gray recessed the meeting at 7:03 pm.

RECONVENE TOWN COUNCIL MEETING

Mayor Gray reconvened the meeting at 7:18 pm.

CONSENT CALENDAR

[RES 2019-112](#) **Resolution Approving the Town of Castle Rock/Castle Rock Urban Renewal Authority 2020 Loan Agreement**

[ORD 2019-035](#) **Ordinance Approving the Third Amendment to the 2019 Budget by Making Supplemental Appropriations for 2019 and Authorizing Changes for Year 2019 (Second Reading - Approved on First Reading on October 15, 2019 by a vote of 5-0)**

[ORD 2019-034](#) **Ordinance Repealing and Reenacting Castle Rock Municipal Code Section 10.08.010 Area Designated by Designating the Town Website for Map Publication; Repealing and Reenacting Section 10.08.020 Authority to Set Parking Restrictions to Add Clarity to Authority; and Repealing Chapter 10.12 (Second Reading - Approved on First Reading on October 15, 2019 by a vote of 5-0)**

[RES 2019-113](#) **Resolution Approving the Water Rights Lease Between the Town of Castle Rock and Turnpike, LLC**

[RES 2019-114](#) **Resolution Approving the Water Rights Lease Between the Town of Castle Rock and H&H Farms**

[RES 2019-111](#) **Resolution Finding Demonstration of Reasonable Diligence on the Consolidated Application of the Promenade at Castle Rock Metropolitan Districts Nos. 1-3 for Quinquennial Review Pursuant to the Special District Act**

[MIN 2019-017](#) **Minutes: October 15, 2019 Town Council Meeting**

Moved by Loban, seconded by Council Member Bracken to approve the Consent Calendar as read. The motion passed by a vote of:

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

QUASI JUDICIAL HEARINGS

Mayor Gray read the quasi-judicial script into the record. No Council Members voiced any conflict of interest. Lisa Anderson, Town Clerk, confirmed that the items were properly noticed.

[RES 2019-115](#) **Resolution for Site Development Plan, Lot 2A-2, Block 2, Meadows Filing No. 20, Phase 1, Amendment 13 [*Meadows Town Center Mixed Use Building; Northwest of Future Street and Mercantile Street Intersection*] (Project SDP19-0009)**

Bill Detweiler, Director of Development Services, gave an overview of the project which is a mixed use 4-story building with a restaurant on the first floor and 111 apartments. They require 194 parking spaces, 25 of which are offsite or street frontage. The Planning Commission recommends the project unanimously.

Josh Desmond with the developer Garret Companies, provided their design priorities and are building-forward with complimentary materials and colors, high quality finishes, and that contribute to the activity center.

Council Member Loban asked what the original number was for approved units. RC Hannish with Castle Rock Development Company stated the Town Center allows for over 3,000 with 1,622 to date so far in the Town Center.

Loban asked what the target price point is. Desmond stated they will not go to market for pre-leasing for a while, but preliminary numbers average \$1,400 for a one bedroom, \$1,800 for a two bedroom, and \$2,200 for a three bedroom.

Council Member Johnson referenced the comprehensive plan under the vision which is to achieve a quality built environment. She feels the rendering doesn't resemble Castle Rock and doesn't have the quality that Castle Rock represents.

Council Member Bracken asked about the restaurant space and the size of the ground level in relation to the rest of the space on the first floor. Desmond stated the restaurant is about 4,800 sf and the seating area is about 2,500 sf.

No public comment.

Mayor Gray disagrees with Johnson and feels the building looks similar to other buildings in that area.

Council Member Teal stated he was a Meadows resident in 2001-2004 when the zoning and planning for the Town Center went through and stated it is consistent with our master plan.

Bracken received feedback that residents appreciate that it is walkable and across from the hospital. He supports it mainly because of the restaurant in the building.

Johnson stated she chose not to live in the Meadows because of how it looks.

Loban feels it is consistent with that area. It is down the street from the collaboration campus and feels the parking is going to be a pain point.

Moved by Council Member Loban, seconded by Council Member Teal, that Quasi-Judicial Resolution 2019-115 be Approved as presented. The motion passed by the following vote:

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

No: 1 - Johnson

[RES 2019-116](#)

Resolution Approving a Use By Special Review for Lot 4 & 12 Feet Lot 5 Block 16 Craig & Gould's Addition to Castle Rock for an Accessory Dwelling Unit [110 North Lewis Street]

Bill Detweiler, Director of Development Services, provided an overview of the project. The site is by 1st and Gilbert. The proposal is to remove the existing garage for the new accessory dwelling unit (ADU). The Planning Commission unanimously supported the project with no public comment.

Council Member Loban confirmed the garage is not historic property.

Mayor Pro Tem Bower stated he is in favor of ADU's.

No public comment.

Council Member Teal asked Mayor Pro Tem Bower if he feels this is consistent and supported by him and his neighbors.

Mayor Pro Tem Bower said that the neighborhood is getting alot of love now in large part to the success of downtown.

Moved by Council Member Teal, seconded by Mayor Pro Tem Bower, that Quasi-Judicial Resolution 2019-116 be Approved as presented. The motion passed by the following vote:

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2019-117](#) Resolution Approving a Real Estate Purchase Agreement for the Acquisition of Certain Property within the Plum Creek Planned Unit Development

Jeff Brauer, Director of Parks and Recreation, provided an overview of the agreement. When they consider parks, they are within a half mile of residents. Brauer noted future park sites in Cobblestone Ranch, Castlewood Ranch, Terrain and Crystal Valley. This property was intended to serve the residents with recreational services. The Town had an independent appraisal done on the property which is currently zoned residential and country club. The seller agreed to \$525,000 for 7.635 acres and will close by the end of the year. The Town will replat the properties and remove the swimming pool and tennis courts. They will use the cash in lieu fund which is used for public land acquisition.

Council Member Bracken confirmed that the parking lot has access through the country club.

Council Member Townsend asked for the difference between the Town appraisal and the ending price. Brauer stated that the Town appraisal was just over \$400,000 and their appraisal by THK and Associates was in the high \$800,000's. Townsend confirmed that their appraisal included uses for the land that is not currently zoned for. Townsend asked how this price compares to other land acquisitions. Brauer stated the Town is not usually in a position to have to purchase land as it is usually land dedication from the developer and added that the Plum Creek area could benefit from a park in that area. Townsend wants to know if we feel this is a good deal. Corliss feels this is a good deal and an opportunity for a developed neighborhood to acquire a park. Brauer feels it is ideally situated and a worthwhile project.

Council Member Johnson asked if this is in addition to other park sites that are on the list to be improved and asked to clarify if this would be a lower priority behind the four identified sites. Brauer replied that public input would be sought when parks come up for developing.

Council Member Teal inquired about the monetary contributions for naming rights of a park and how that would influence the timeframe that a park is developed.

Mayor Pro Tem Bower stated he would rather hold the property owner responsible

for cleaning up the property; however based on the last citizen survey and after hearing from the residents of the community, they want us to do things like this. He hears that residents want more open space and parks.

Council Member Townsend had concerns about this project and being fiscally responsible; but Jeff knows what he is doing and feels it is a good deal so he has changed his mind.

Council Member Loban initially was not in favor of the project due to the cost, but they have negotiated a fair price and did their due diligence and that the funds are coming from the cash in lieu fund.

Mayor Bower recognized Teal for his hard work on this for his constituents.

Mayor Gray stated it was hard work and thanked the staff.

No public comment.

Moved by Council Member Teal, seconded by Council Member Townsend, that Resolution 2019-117 be Approved as presented. The motion passed by the following vote:

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

[DIR 2019-030](#)

Discussion/Direction: Potential Sister Cities Program Participation

Kristen Read, Assistant Town Manager, responded to Council's request to provide information on a Sister City program. They spoke with Arvada, Commerce City, Longmont, Brighton, our local schools and the Outlets. Most programs have minimal funding and are mostly supported by strong volunteer participation. They are not hearing much community desire for this program.

Council Member Loban asked why Castle View was not on the list. Read did not hear directly from them, but believes there is a representative here. Loban feels there is potential if there are schools to participate.

Mayor Pro Tem Bower asked if any community had any strong feelings for this program. Read stated there wasn't one particular thing pointed out.

Bracken would like to explore it further.

Townsend asked if this is something the Town would do and manage on an annual basis. Corliss stated that his previous employer had a strong student exchange program and was successful with strong community support.

Individuals that addressed Council:

Ryan Hollingshead, resident, and assistant activities director at Castle View High School. He feels students learn about other cultures, and they see 60-70 students that study abroad or go on cultural trips. The sister city would be something students would experience throughout school. A place they can connect to and build ongoing connections.

Carol Downs, new resident of two years, stated she loves the vibrancy and how people participate in the town her friend is looking at in Italy. She appreciates watching the youth in the town and feels it is a great opportunity for kids to exchange ideas.

Richard Allred, resident, worked for a town in the Pheonix metro area and they had a couple of sister cities in Ireland and China. He feels it is good for students from a cultural standpoint and technology standpoint,

Gayle Stallings, volunteer for sister cities international and state representative. They have 50 programs in Colorado. They had their state conference in Gunnison who formed a relationship with India, and they have gone there twice in two years. The program started in 1956. Alot of programs do student exchanges. They do delegation visits and have cultural events.

Stephen Crawford, played a recording from Castel Di Sasso, Italy and handed out a photo (Attachment A).

Kathy Jackson, current chair for Denver Sister Cities, has been involved since 1998 and lived in Italy when she was a child. She feels this provides economic, cultural and educational opportunities.

Council Member Teal likes that it is more of a volunteer citizen driven program and to see what staff brings back.

Council Member Bracken feels it is all positive. He has been to 33 countries and always learns something about other cultures and people.

Council Member Loban thinks we could put infrastructure in place and support schools to embrace it.

Council Member Townsend has concerns of increasing responsibilities for Town staff. He feels it is best left to the schools and the school district if it is something they are interested in.

Mayor Pro Tem Bower feels it is more work and feels it is the schools responsibility. He was hoping to hear that we would be going over there to study how they do infrastructure projects. Bower feels it should be a volunteer effort.

Council Member Johnson agrees with Townsend and Bower as well. A non-profit organization could do it and report to Council.

Moved by Council Member Loban, seconded by Council Member Teal, to direct staff to produce a report to pursue a sister city relationship. The motion passed by the following vote:

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

No: 2 - Townsend, Bower

**RECESS TO TOWN OF CASTLE ROCK FESTIVAL PARK COMMONS GENERAL
IMPROVEMENT DISTRICT MEETING**

Mayor Gray recessed the meeting at 8:50 pm.

RECONVENE TOWN COUNCIL MEETING - ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

Mayor Gray reconvened the meeting at 8:54 pm.

RES 2019-118 Resolution Approving the First Amendment to the Encore CR Downtown Redevelopment and Financing Agreement

Bob Slentz, Town Attorney, reference the presentation to the General Improvement District Board.

No public comment.

Moved by Council Member Townsend, seconded by Mayor Pro Tem Bower, that Resolution 2019-118 be Approved as presented. The motion passed by the following vote:

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

No: 1 - Johnson

DIR 2019-031 Discussion/Direction: Public Safety Commission's Recommendations for the 2020 Philip S. Miller Resource Grant Program, Two Applications

Trish Muller, Finance Director, presented two applications for the grant program.

Janet Peterson, the Public Safety Commission Chair, presented the applications that support social and human services. Crisis Center and Help & Hope Center/Douglas Elbert Task Force both requested \$20,000.

Individuals that addressed Council:

Jody Curl, resident, from the Crisis Center and appreciates the Town's support.

Council Member Johnson thanked the organizations for their work in Castle Rock.

Council Member Bracken asked where the location of the organizations are. Muller stated Help & Hope is on Park Street and the Crisis Center is at an undisclosed location.

Moved by Council Member Johnson, seconded by Council Member Townsend, to approve the Public Safety Commission's recommendations and award the 2020 Philip S. Miller Resource Grant Program monies as follows: Crisis Center \$20,000 and Help and Hope Center \$20,000. The motion passed by the following vote:

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

ID 2019-118 Update/Discussion: Southwest Corridor Development Interest

David Corliss, Town Manager, stated Greg Miller wanted to give an update.

Greg Miller provided an overview and handed out a memo as to the status of the Crystal Valley interchange to Council at the dais (Exhibit B).

ORD 2019-036 Ordinance Authorizing the Issuance of a Quitclaim Deed for the Purpose of Abandoning the Town's Interest in a Sanitary Sewer Easement Within Lot 3 Block 1 Castle Rock Factory Shops (First Reading) (EV19-0001) *[located behind Columbia at the Outlets]*

Bill Detweiler, Director of Development Services, stated that Columbia Retail is proposing an addition to their store.

No public comment.

Moved by Council Member Loban, seconded by Mayor Pro Tem Bower, that Ordinance 2019-036 be Approved on First Reading as presented. The motion passed by the following vote:

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

ORD 2019-037 Ordinance Authorizing the Issuance of a Quitclaim Deed for the Purpose of Abandoning the Town's Interest in a Public Utility and Drainage Easement Within Lot 2A-2, Block 2, Meadows Filing 20, Phase 1, Amendment 13 (First Reading) (EV19-0002) *[Meadows Town Center Mixed Use Building; Northwest of Future Street and Mercantile Street Intersection]*

Bill Detweiler, Development Services Director, provided an overview of the item.

No public comment.

Moved by Council Member Townsend, seconded by Mayor Pro Tem Bower, that Ordinance 2019-037 be Approved on First Reading as presented. The motion passed by the following vote:

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

No: 1 - Johnson

ORD 2019-038 Ordinance Approving an Agricultural Lease Agreement with Ruppel Farms, LLC (First Reading) *[the Box Elder Well field property]*

Mark Marlowe, Director of Castle Rock Water, stated they had a lease with them previously in 2017 when they purchased the property. This is a renewal. This group leased the property prior to the Town purchasing it, with a long history and understand the property. This provides someone on the ground, taking care of the property, who knows the property and knows the local issues and economy. It will be a number of years before we develop a well facility or diversion.

No public comment.

Moved by Council Member Bracken, seconded by Council Member Johnson, that Ordinance 2019-038 be Approved on First Reading as presented. The motion passed by the following vote:

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

[RES 2019-119](#) Resolution Expressing the Intent of the Town to be Reimbursed for Certain Capital Expenditures Relating to Stormwater Improvements of the Town

Mark Marlowe, Director of Castle Rock Water, stated this is a small part of a bigger plan to deal with stormwater issues. Staff will bring a recommendation on December 3 with an emergency adoption on December 17 to get a better interest rate. Marlowe showed a map of locations of these projects and stated that the Water Commission approves.

Council Member Johnson asked to clarify the reimbursement. Marlowe stated that they would take out debt financing, and money we spend now before closing can be applied toward the loan.

Council Member Loban asked if we could do funding internally and save on the interest rate. Marlowe stated we don't have the capacity now. Marlowe stated the interest rates are really good with a proposal as low as 1.79%.

Council Member Johnson stated there are a lot of legacy projects that have been very much needed and appreciates the proactive nature of doing these projects.

No public comment.

Moved by Council Member Townsend, seconded by Council Member Johnson, to extend the meeting for five minutes. The motion passed by the following vote:

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

Moved by Council Member Johnson, seconded by Council Member Townsend, that Resolution 2019-119 be Approved as presented. The motion passed by the following vote:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Mayor Gray adjourned the meeting at 9:32 pm.

Submitted by:

Lisa Anderson, Town Clerk