



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 3, 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 Michael Chapa, Emmanuel OPC Church of Castle Rock

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

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Council Member Loban thanked everyone for coming out and hoped that everyone had a wonderful Thanksgiving. Reminded everyone to keep the proper supplies in their vehicle and be careful.

Council Member Townsend thanked the Pastors for praying for them. He recognized a citizen from his district and said that he is a great advocate for his community. He stated that Parker changed their ordinance regarding Air B&B's and asked Council if they should direct staff to collect the data that they based their decision on. He would like to see if there is anything we should be aware of.

David Corliss, Town Manager, sent the information to Council today that he received. Parker prohibits short term rentals of 30 days or less in residential districts.

Council Member Bracken searched today and did not see a lot of them in Castle Rock. The rentals do have a tax line on the registrations.

Council Member Loban has received concerns about Air B&B's over parking issues. He believes the HOA has a regulation over that as well. He would be interested to know more about it. He would like to hear from the owners of the hotels to see if this is something they are concerned about.

Council Member Teal feels there is not a big impact to the hotels based on information from the conference he attended. He stated the industry is interested in building partnerships with the municipalities. He feels we should have some element of control and integration into our municipal processes, and feels looking into it is worthy of our time.

Mayor Pro Tem Bower is not in favor of regulating Air B&B's. The accessory dwelling units have been popular in his area for Air B&B's. He stated he is in favor of collecting tax if we should be.

Council Member Johnson would like to obtain further information and see some options for Council to look at.

Mayor Gray stated Council is in favor of exploring the subject.

Council Member Bracken is having an open house in the Meadows on January 28.

Council Member Teal is having an open house on January 23 for Districts 6 at the Crystal Valley Fire Station.

Council Member Johnson attended the National League of Cities conference in San Antonio with Council Member Teal and David Corliss, Town Manager. She attended a local park where they put in a Ninja Warrior course and thought it would be great for Castle Rock. They work with a couple of organizations and other organizations to fundraise. Johnson added that the conference had a lot of transportation, cyber security and public safety discussions. She will complete a report and send it to the Town Manager to share with Council.

Mayor Pro Tem Bower thanked Parks and Rec conveying that the downtown and lights look great, thanked the Fire department for the Star, and the Chamber for the Starlighting event.

Mayor Gray hoped everyone had a good holiday season and reminded citizens that Saturday 5-7pm is Season of the Star and Friday the 13th is the Reindeer Games.

[APPT](#)
[2019-008](#)

Appointments: Castle Rock Water Commission and Design Review Board

Moved by Council Member Johnson, seconded by Council Member Loban, to Appoint Carol Selos for a partial term ending May 31, 2020 to the Castle Rock Water Commission. The motion passed by the following vote:

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

Moved by Mayor Pro Tem Bower, seconded by Council Member Loban, to Appoint Nick Heir to a partial term ending May 31, 2020 to the Design Review Board. The motion passed by the following vote:

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

UNSCHEDULED PUBLIC APPEARANCES

Citizens that addressed Council:

Susan Squyer, a former elected official with Lone Tree and Vice chair of Douglas County Community Foundation, stated they highlight needs in the county.

Rochelle Miller showed a video and stated that December 10 is the 10th Annual

Colorado Gives Day. She represented 50 non-profits in Douglas County at the Capitol today. She asked citizens to give where they live, as 20 of those agencies are in Castle Rock.

TOWN MANAGER'S REPORT

[ID 2019-119](#)

Castle Rock Star Briefing

Fire Chief Norris Croom provided a briefing on Starlighting. In 1936 the Rock was private property owned by George P. Stewart who donated the land. The only time the star was not lit was during WWII and then it was lit with "V" signaling the end of the war. It was rebuilt in 1949 to make it safer and sturdier, and the first ceremony began in 1965.

Times that the star was lit outside of starlighting was for the Bronco Superbowl wins, on September 11, 2011 and the 100th anniversary of the Douglas County Fair. A blue line was inserted during the starlighting in 2018 to honor fallen law enforcement officer Zach Parrish. They have used many different types of bulbs, but the incandescent bulbs are the only ones that show well.

Tammy Denhard is a volunteer at the Fire department and was previously a firefighter and Matt Rettmer is a 20 year member of fire department. They free climb to change the bulbs and check all the wiring. This process is very weather dependent due to wind, snow, ice, etc. They must go up multiple times to replace broken or vandalized bulbs which takes 2-4 hours each time. There is no easy way to get up to the star to replace the bulbs. They are currently training Jay Allen for succession planning.

Council Member Loban asked if there is a liability to the Town from the free climbing allowed on the rock.

Council Member Johnson thanked Tammy and Matt for doing this year after year and the care taken for our Town.

Council Member Bracken asked the Chief if they added the extra dollars from July 4 for the fireworks this year. Croom stated that was the standard fireworks display as the orders were set early in the year.

Council Member Teal expressed his gratitude for taking care of this emotional infrastructure.

Mayor Gray thanked them for their volunteer work.

[ID 2019-120](#)

I-25 PEL Letter of Support to CDOT

Dan Sailer, Acting Public Works Director, briefed Council on the letter stating that it includes an element to eliminate the toll lanes within the Town and north to C-470.

Council consensus to send the letter as presented.

[ID 2019-121](#) **Update: Monthly Department Reports**

[ID 2019-122](#) **Update: Residential Unit Data (through September 30, 2019)**

[ID 2019-123](#) **Update: The Canyons Major Amendment in the City of Castle Pines**

David Corliss, Town Manager, stated that we received a courtesy referral for a development adjacent to Castle Rock from Castle Pines, and staff would like to confirm with Council that the staff referral comments are appropriate.

Bill Detweiler, Development Service Director, gave an overview of the PDP proposal. Canyons North allowed 2,500 dwelling units and an additional 1,000 dwelling units in the north. The second amendment is for 1,500 dwelling units on the east and south areas.

The zoning areas of concern are areas adjacent to Sapphire Pointe including Planning areas 15 and 18 that do not identify lot sizes and recommend lots and homes similar to Sapphire Pointe with further buffering. They are also concerned about the impact on Town residents from the road connecting Sapphire Point to the road in the Canyons and recommend it be an emergency access only.

Council Member Townsend asked if Castle Pines indicated when they would address their concerns. Detweiler stated that December 10 is their second reading, so they are waiting to hear from the Town. Townsend's view is that the road is a connection for Town residents to get to I-25 and would like more data on it.

Detweiler stated they are concerned that there will be up to 1,500 vehicles a day using that access road and about the impact to residents in the north area of Sapphire Pointe. The road wasn't designed or built to handle that volume. Townsend asked if there is a way to deal with the current traffic issue onto Crowfoot.

Council Member Teal stated they have traffic calming devices in that area. Teal feels there is value to connecting that road and that traffic calming devices could be included in the neighborhood.

Council Member Johnson asked why we aren't addressing concerns about the number of residential units going in. Detweiler stated staff didn't have any comments on the density and feels the decision should be made by Castle Pines. Johnson is concerned with the traffic impact and that the interchange is behind schedule.

Mayor Gray does not feel it is appropriate for us to object to another municipalities density decisions.

Council Member Townsend asked if Kimberly Drive could be extended. Detweiler stated there are homes on the north side.

Council Member Teal stated the annexation decision was dependent on the road

from Crowfoot to I-25 and it is critical infrastructure that also benefits our citizens.

Council Member Townsend doesn't want the connecting road to negatively impact any residents, but would like to look at it.

Council Member Johnson stated the road was designed for emergency use and probably not up to the standards needed for the volume of traffic. She would like staff to evaluate making the access road a connecting road and possibly providing a comment.

Detweiler stated staff could provide the comment to use Kimberly Drive vs. Cinnabar.

[ID 2019-124](#)

Development Services Project Updates

[ID 2019-125](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

[DIR 2019-034](#)

Discussion/Direction: Zoning Enhancement Area Ordinance

Bob Slentz, Town Attorney, commented on the zoning enhancement area. The concept is to encourage 30 year+ major PDs that need to seek new zoning. Westfield Trade Center is interested in new zoning and re-entitlement.

David Corliss stated we have some dormant entitlements with no response from an owner of a large parcel.

Mayor Pro Tem Bower asked if there is any municipality that has done this before, and there should be case law. Slentz stated it is unlikely with a planned development of that scale that has been dormant that long. Slentz feels the passage of time supports it being dormant. The current zoning for Dawson Ridge is water service to 8,000 homes.

Council Member Loban feels we need to address it. He realizes doing this is a strain on staff so we could prioritize and take things one at a time.

Council Member Teal feels we need to know if it has been done before and does not want it to take away from any work with Westfield. Teal would like to proceed.

Council Member Johnson appreciates Council Members expressing interest in this and feels it is good to address this now.

***Mayor Gray asked if staff could do some research on how to proceed.
Corliss stated staff can get it to Council within the first quarter of 2020.***

ACCEPTANCE OF AGENDA

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

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

CONSENT CALENDAR

- [RES 2019-120](#) Resolution Appointing Directors to the Board of Directors of the Castleview Metropolitan District No. 2
- [RES 2019-121](#) Resolution Approving the Miller's Landing Business Improvement District 2020 Operating Plan and Proposed Budget
- [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 (Second Reading - Approved on First Reading on November 5, 2019 by a vote of 7-0) (EV19-0001) *[located behind Columbia at the Outlets]*
- [ORD 2019-038](#) Ordinance Approving an Agricultural Lease Agreement with Ruppel Farms, LLC (Second Reading - Approved on First Reading on November 5, 2019 by a vote of 7-0) *[the Box Elder Well field property]*
- [ORD 2019-032](#) Ordinance Levying General Property Taxes for the Year 2019, for 2020 Collection, for the Town of Castle Rock, Colorado (Second Reading - Approved on First Reading on September 17, 2019 by a vote of 7-0)
- [ORD 2019-033](#) Ordinance Levying General Property Taxes for the Year 2019, for 2020 Collection, for the Castle Rock Downtown Development Authority (Second Reading - Approved on First Reading on September 17, 2019 by a vote of 7- 0)
- [RES 2019-122](#) Resolution Approving an Intergovernmental Agreement Between the Town of Castle Rock and the Downtown Development Authority (2020 Service Contract)
- [MIN 2019-018](#) Minutes: November 5, 2019 Town Council Meeting

Moved by Loban, seconded by Mayor Pro Tem Bower 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. No members of Town Council voiced any conflict of interest. Lisa Anderson, Town Clerk, verified that the item was 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 (First Reading) [*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, Director Development Services, provided an overview and displayed a map of the area. The PD plan adds a place of worship, creates a specific church use area and establishes a master sign plan. An area in the Heckendorf area is proposed to be incorporated but does not change the existing zoning on that property. The Planning Commission states it supports the Comprehensive master plan and Town vision, and it is consistent with the PDP and complies with our Code. They recommended approval unanimously.

Mayor Pro Tem Bower stated there was one resident with concerns about traffic and wanted to point out that staff then did a study.

The applicant made a presentation:

Scott Carlson, developer, noted the inclusion of the Heckendorf piece, unified signage, landscaping and an entry monument. The chapel site is usually donated in their developments, but he later found that it needs to have a specific donation as a use by right.

Mitch Black with Norris Design stated they have had neighborhood meetings. Their Master Sign Plan is focussed on natural materials that fit the terrain. They use a lot of landscape elements for the trail markers, gateways, subdivisions, marketing signs, sales signs, and banner signs.

Council Member Teal noted that the property contains the highest point in the Town. Carlson stated that that portion will be dedicated to the Town.

Council Member Johnson inquired about the church sites and asked if it would have a similar look and feel. Carlson stated the design and timing is not at his level. He does the dedication and then the building sites may be utilized immediately or 5-10 years, and it is up to the church to determine that. They would then have to come in and submit a site plan, landscaping, etc. Johnson asked if there is a church that is interested. Carlson stated it would be dedicated to the Church of Latter Day Saints and they will determine what church goes in and when.

Council Member Johnson confirmed that 45 feet is the height allowed for church property, and the steeple can go higher than that. That height is allowed by right.

No public comment.

Council Member Teal noted that he came onto Council when the approval for the Lanterns was pending. He ran opposed to the Lanterns development based on feedback from his neighbors. Then Mr. Carlson met personally with residents,

heard what they had to say, and integrated their comments into his final plan. Those neighbors that were in opposition are now are in favor of the development. He recommends a Yes vote.

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

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

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 (First Reading)

Mark Marlowe, Director of Castle Rock Water, went over the projects at the previous council meeting regarding these legacy projects. The \$10M loan is to get these projects done. They sent out an RFP and staff evaluated the proposals. The maximum interest rate is not to exceed 2.25%. The Stormwater enterprise net revenues would pay this loan, and they only pay interest on the drawn funds. Marlowe suggests to lock the rate. This would require a first quarter budget amendment. If approved, they will take it to the Water Commission. The Reimbursement Resolution was previously approved by Council. Staff would like to bring this back for 2nd reading on emergency on December 17 with the closing on December 19.

Council Member Loban is in favor.

No public comment.

Moved by Mayor Pro Tem Bower, seconded by Council Member Johnson, that Ordinance 2019-040 be Approved on First Reading as presented. The motion passed by the following vote:

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

ORD 2019-041 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 (First Reading)

Trish Muller, Director of Finance, presented this item. In 2008 the creation of the DDA was approved and authorized \$30M in debt. In 2015 Council approved a budget amendment to establish the DDA TIF fund. Statute states the TIF can only be used to pay debt, therefore expenses are paid from a line of credit and then paid back the next day. There are no closing fees, and this is an annual renewal.

Council Member Loban asked if we ever compete this. Muller stated this is our 5th year at First Bank. They initially interviewed several banks.

No public comment.

Moved by Mayor Pro Tem Bower, seconded by Council Member Townsend, that Ordinance 2019-041 be Approved on First Reading as presented. The motion passed by the following vote:

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

[RES 2019-123](#)

Resolution Approving the Second Amendment to the Encore CR Downtown Redevelopment and Financing Agreement

Bob Slentz, Town Attorney, presented an overview of the changes included in the Second Amendment. If Confluence defaults to complete the parking garage, the lender would have the same rights as Confluence prior to the default. Once we close, the parking garage will be constructed on Lot 1. Confluence plans to complete the garage by March of 2021. Anticipating that there could be delays, we gave a three year lease to complete the garage. Currently the agreement states that the lease ends on December 31, 2022. The lender would like to push it out to December 31, 2023. We will have a completion bond of \$24M that we can call on to fund completion of the garage if need be, then reimburse the bond for the \$9M.

David Corliss, Town Manager, stated Confluence doesn't get money until the garage is completed. We then pay for the 308 parking spaces.

Council Member Loban asked if it is contingent if they are showing progress toward it. Slentz stated they would have to show due diligence.

Mayor Gray stated their intention is to complete the garage in 12 months and that this is a worst case scenario.

No public comment.

Moved by Council Member Loban, seconded by Mayor Pro Tem Bower, that Resolution 2019-123 be Approved as presented. The motion passed by the following vote:

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

No: 1 - Johnson

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

Mayor Gray recessed the Council meeting at 8:10 pm.

RECONVENE TOWN COUNCIL MEETING ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

Mayor Gray reconvened the Council meeting at 8:14 pm.

[DIR 2019-035](#)**Discussion/Direction: Design Review Board Membership and Responsibilities**

Bill Detweiler, Director of Development Services, stated that the Design Review Board (DRB) formed in 2010 with the Downtown Overlay District (DOD). Boards and Commissions nominate a member to serve on the DRB: one from the Planning Commission, two from the Downtown Development Authority (DDA), two from the Historic Preservation Board and two property owners with the DDA boundary that are not members of any other boards.

The DRB reviews all Site Development Plan within the DOD boundary based on the Council adopted vision, the comprehensive master plan, the Castle Rock Design program and the Downtown Master Plan. Denials can be appealed to Council and they can grant variances.

Regarding building height, there are three districts: Downtown Core District (bordered by 5th street, the Railroad, 2nd/Sellers Creek, and I-25) and is the most historical area. There is a limit to 4 stories or 60 feet, and they can request one additional floor. The North District (bordered by Wolfensberger, the Rail Road, 5th Street and I-25 and the South District (bordered by 2nd/Sellers Creek, the Rail Road, Safeway/Plum Creek, and Plum Creek on the west). Building height limit is 6 stories with no height restrictions, and they may grant two additional floors.

Mayor Gray stated that developers can get frustrated with going to the DDA, DRB, Planning Commission and then Town Council. Council is left out of the picture because it is Quasi Judicial. Mayor Gray asked how can we condense the timeframe

Detweiler stated that the DOD only goes to the DRB and to the DDA if there is TIF funding involved. Staff can provide updates to Council when applications are submitted. Sometimes the Historic Preservation Board is involved if it is landmarked property. Additionally, Council can remove a landmark designation.

Mayor Pro Tem Bower encourages members of Council to attend a DRB meeting. There are long time residents that sit on that board and there are different perspectives.

Council Member Johnson asked about the term limits on these boards.

Detweiler stated the appointments are one-year terms and Council approves those, and that the boards and commissions that are represented on the DRB have term limits. The DDA has a 4 year terms, and the DMA is not a town board with their own bylaws.

Council Member Johnson would like to see the DMA bylaws.

Detweiler stated that if the property is outside of the DOD it goes to Planning Commission and Town Council or is administrative for commercial site plans. Council reviews all residential site plans.

Council Member Teal confirmed that the DRB approves height, parking, facades,

etc. Detweiler stated that our code is specific as to what they can act on.

Mayor Pro Tem Bower stated the only person that is still on the board from three years ago is Stu Butler. He hears more comments about facades and materials than about height.

Council Member Loban feels the DRB works well.

Council Member Teal feels we are outgrowing the current process, and making changes downtown has a ripple effect. DRB doesn't represent the authority of the Town Council that they elected. Teal stated he gets no comments on facade but does about buildings going up in the downtown. We have delegated a major development authority in our downtown, and he feels some of the decisions should be under Council authority. He would like to direct staff to divide the authority and bring major development approval to Town Council. He feels elected representatives should have final say for major development.

Corliss stated that the DRB had final authority on the site plan for Encore, and Council has authority on the financial agreement. Corliss stated could have projects that don't come to Council if there is no financial agreement. The MOVE and Mirage Dental didn't come to Council to approve their buildings.

Council Member Johnson is in favor of staff looking at bringing authority back to Council.

Mayor Pro Tem Bower is against Council making a decision for a group of stakeholders that voted to tax themselves in 2008. The Acme Water Tower project came to DRB and it fit the building code. Bower feels this would be government overreach.

Teal stated we have authority over other areas in town. Teal reflected on a project the Planning Commission didn't approve, and Council didn't like the decision they had to make. They then brought forward ordinances to address what they didn't like. Teal states the residents didn't vote for DRB members, but did for Council. DRB is not an elected body. We talk about stakeholders in the district, but there are stakeholders in the rest of the town.

Council Member Bracken asked if the DRB can override the setback qualifications. Detweiler stated they can through the variance process. The Board of Appeals can also approve a variance. They are making decisions that override our code and are not elected positions. The Planning Commission is a recommending body.

Council Member Johnson stated that the DRB chose not to be prescriptive in how the buildings should look. She would like to address that as well. Detweiler stated Council could decide whether to change existing code. Johnson stated that residents tell her that our downtown is unique and bringing in new architecture takes away from that uniqueness.

Mayor Pro Tem Bower feels it is Council's job to vet the appointees to the DRB.

Council Member Townsend state we delegate our authority to Town staff on certain things and shouldn't be involved in every decision. He doesn't see a problem we need to fix.

Mayor Pro Tem Bower stated we are seeing alot of projects now but it won't be like that always.

Council Member Teal is concerned the authority assigned to the DRB is usually practiced by Council and feels authority for major projects should come to Council. He requests to direct staff to review the authority and what should be advisory to Council.

David Corliss, Town Manager, stated this is a public hearing item and public can comment if they wish.

Council Member Bracken, asked if the DRB sends a summary provided to Council. Detweiler states the DRB decision is final unless the applicant appeals a denial. If it is financial, that comes to Council. The DRB follows our ordinances and guidelines.

Council Member Loban asked for an enumeration of the powers of the DRB to see what should come back to Council.

No public comment.

Mayor Gray feels the DRB works really hard and he respects them. He doesn't believe it needs further review now. Downtown voted to tax themselves. He doesn't feel we have a certain look and the buildings being built are appropriate.

Council Member Bracken stated that we are the body that gets the blowback on the decisions that are made.

Mayor Pro Tem Bower said these are volunteers and citizens. DRB takes criticism as volunteers. He has a hard time taking decisions out of stakeholder's hands that voted to tax themselves and put it in the hands of politicians. He feels we owe them the benefit of the doubt.

Council Member Teal apologized if his comments were offensive as it was not his intent. The bottom line is we are focusing on people getting offended. We are making this a people problem. This is nothing to do with who we selected to be on the board or if we have vetted them. He feels we have a process flaw on how we are coming to decisions as a municipality and where the final authority should fall. Teal supports bringing it back to fix the process.

Council Member Loban agrees we need to thoroughly vet the DRB and have better communication between the DRB and Council.

Council Member Johnson stated we could evaluate the process of selection of the members of the DRB and that Council maybe should have a bigger say in those appointments.

Mayor Pro Tem Bower stated politicians can be pretty bland and boring and we need citizens to make decisions on this, and that we need to have funky people to have cool funky stuff.

Council Member Loban feels communication would solve alot of these issues.

Council Member Bracken not questioning the people, but questioning the process and who should be making those decisions.

Council Member Teal feels we are making it a people issue.

Council Member Bracken asked if the DRB Chair could address us.

Moved by Council Member Teal, seconded by Council Member Johnson, to direct staff to bring back an outline on how major development approval authority currently with the Design Review Board for the Downtown Overlay District can be modified to bring the major project authority back to Council at a later date. The motion passed by the following vote:

Yes: 4 - Loban, Bracken, Johnson, Teal

No: 3 - Townsend, Bower, Gray

[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 (Second Reading - Approved on First Reading on November 5, 2019 by a vote of 6-1) (EV19-0002)
[Northwest of Future Street and Mercantile Street Intersection]

Bill Detweiler, Director of Development Services, presented this item that was approved on first reading.

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

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

No: 1 - Johnson

[RES 2019-128](#)

Resolution Adopting a Procedure for Council Consideration of Proclamations

Kristin Read, Assistant Town Manager, presented this item. The procedure was adopted in 2011, and Council requested a revision to have Proclamations first appear on the Consent Calendar.

Council Member Townsend feels it brings it before Town Council before it is presented.

Council Member Johnson appreciates that the procedure states the Town does not take a position on anything.

Moved by Council Member Loban, seconded by Council Member Teal, that Resolution 2019-128 be Approved as presented. The motion passed by the following vote:

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

RES 2019-124 Resolution Approving the Contract with Colorado Pump Service & Supply Co. for Well CR-81 Equipment Replacement and Alluvial Wells Rehabilitation Project

Mark Marlowe, Director of Castle Rock Water, presented this item which is related to renewable water. They received one bid and feel it is a fair price. They would like to complete it before irrigation season next year.

No public comment.

Moved by Council Member Johnson, seconded by Council Member Townsend, to Extend the Meeting to 9:40. The motion passed by the following vote:

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

Moved by Council Member Loban, seconded by Council Member Johnson, that Resolution 2019-124 be Approved as presented. The motion passed by the following vote:

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

RES 2019-125 Resolution Approving a Construction Contract with 53 Corporation, LLC for the Industrial Tributary Stabilization Project

Mark Marlowe, Director of Castle Rock Water, presented this legacy project that will be funded by the loan previously approved. The received five bids, and 53 Corp received the bid. They are out of Sedalia and have done alot of work for the Town in the past. They would like to complete this by May. Castle Rock Water Commission was provided this information and will discuss it at their next meeting.

No public comment.

Moved by Council Member Johnson, seconded by Council Member Townsend, that Resolution 2019-125 be Approved as presented. The motion passed by the following vote:

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

RES 2019-126 Resolution Approving a Construction Contract with 53 Corporation, LLC for the McMurdo Gulch Stream Reclamation Priority 1 Project

Mayor Gray read Resolution 2019-126 and Resolution 2019-127 into the record together. They will be presented and public comment taken together, but they will be voted on separately.

Mark Marlowe, Director of Castle Rock Water, stated they are partnering with Cherry Creek. They are partnering with the developer on the second project. Contractors could be awarded both projects. Castle Rock Water Commission was provided this information and staff recommends approval.

Council Member Johnson is supportive.

Council Member Teal is glad these projects will proceed as we are under scrutiny from Cherry Creek.

No public comment.

Moved by Council Member Johnson, seconded by Council Member Bracken, that Resolution 2019-126 be Approved as presented. The motion passed by the following vote:

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

[RES 2019-127](#) Resolution Approving a Construction Contract with 53 Corporation, LLC for the McMurdo Gulch - Terrain Channel Improvements

Mayor Gray read Resolution 2019-126 and Resolution 2019-127 into the record together. They were presented under Resolution 2019-126, but they were voted on separately.

Moved by Council Member Townsend, seconded by Council Member Bracken, that Resolution 2019-127 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 9:36 pm.

Submitted by:

Lisa Anderson, Town Clerk