



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, September 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

EXECUTIVE SESSION

[EXEC](#)
[2019-012](#)

Executive Session: Potential Property Acquisition within the Plum Creek PUD

Council Members Loban, Townsend, and Johnson arrived after the motion and were present at the Executive Session.

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

Yes: 4 - Bower, Teal, Gray, Bracken

Not Present: 3 - Loban, Townsend, Johnson

INVOCATION - Pastor Terry Ball, Castle Rock Baptist Church

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Council Member Loban thanked everyone for coming out. He reminded citizens to be safe with the hot temperatures, to care for their pets, and encouraged citizens to attend the Friday night football games.

Council Member Bracken raised the subject of public comment and would like to allow Castle Rock business owners to speak at the same time as residents. Council Member Teal stated he was on Council when they made that policy to address issues they had during controversial matters. Teal feels residents should still be given priority, as business owners have a commercial interest. Bracken feels business owners bring revenue to the Town and should be heard, especially if their business could be impacted, and the timer will limit the amount of time people speak. Teal would never want to restrict their speech, and if their livelihood is affected, they still have the ability to speak. Bracken said several DDA and DMA members own businesses, and feels they should at least go after residents and

before the non-residents. Council Member Loban, Johnson, and Teal concur. David Corliss, Town Manager, stated he believes this was passed by Resolution and a motion could be made to give staff direction to bring a Resolution to the next meeting.

Moved by Council Member Bracken, seconded by Council Member Loban to direct staff to bring a Resolution to the next Council meeting to change the order for public speaking to Castle Rock residents, Castle Rock business owners, then non-residents. The motion passed by the following vote:

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

COUNCIL COMMENTS

Council Member Teal reflected on the discussion around the Design Review Board and would like to direct staff to come back with an active summary of the current composition, the powers they have been allocated by ordinance or resolution, and the situation in downtown at the time of the creation. Teal proposes to discuss this at a future Council meeting to better match our immediate situation.

Consensus of Council to direct staff to bring back an active summary on the composition, initial situation of downtown, and powers of the Design Review Board to a future Council meeting.

Council Member Johnson thanked our pastors and churches in our community that participated in the Castle Rock Day of Prayer on Saturday. She is thankful that we are free to do this event in a public place.

Mayor Gray announced that the East Plum Creek Trail Extension Grand Opening Celebration is on September 6th.

[EXEC 2019-013](#)

Executive Session Report: September 3, 2019 - Potential Property Acquisition within the Plum Creek PUD

Mayor Gray read the Executive Session Report noting all members of Town Council, Town Manager David Corliss, Town Attorney Bob Slentz, Parks and Recreation Director Jeff Brauer, and Finance Director Trish Muller were present. No concerns voiced.

UNSCHEDULED PUBLIC APPEARANCES

Citizens that addressed Town Council:

Kevin Tilson, Director of the Castle Rock Downtown Alliance invited citizens to attend their meetings the first Thursday every month. Agendas are posted on their website and in the Town Hall lobby.

TOWN MANAGER'S REPORT

David Corliss, Town Manager, announced upcoming calendar items. September 4 is the retirement celebration for Carl Armijo with Public Works who has been involved in many capital projects for the past 23 years. The East Plum Creek Trail Extension Grand Opening is on September 6 followed by the First Friday at

Festival Park. September 28 is the Touch-a-Truck Event, October 2 is the Police Department Employee Appreciation Barbecue, and October 4 Mayor Gray will be giving the State of the Town.

[ID 2019-088](#)**2018 Volunteer Utilization**

David Corliss, Town Manager, referenced the attached report prepared by the new Project Manager, Matt Gohl. This report demonstrates the number of our volunteers in the community that make a difference in Castle Rock.

[ID 2019-089](#)**Transit Feasibility Study Scope of Work Summary**

David Corliss, Town Manager, referenced this report. Staff will be coming back to Council to form committees on this subject.

[INTRO](#)
[2019-002](#)**Introduction: Community Development Block Grant (CDBG)
Entitlement Community Status** (Discussion/Direction on September 17, 2019 Public Hearing Item)

David Corliss, Town Manager, discussed being an entitlement community under the CBDG. Previous Council declined participation based on their belief there were inappropriate regulations. Town Council makes the decision if the Town participates in this program.

Council Member Johnson stated the CBDG program requires a response by September 23, 2019.

[ID 2019-090](#)**Development Services Project Updates**[ID 2019-091](#)**Update: Quasi-Judicial Projects****TOWN ATTORNEY'S REPORT**

No report.

ACCEPTANCE OF AGENDA

Moved by Mayor Pro Tem Bower, seconded by Council Member Teal, that the Agenda be Accepted as presented. The motion passed by the following vote:

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

CONSENT CALENDAR[RES 2019-087](#)

Resolution Approving Additional Funds for a Construction Contract with T&M Construction, LLC, for the Bridge Rehabilitation for Front Street Flyover and Perry Street Over Sellars Gulch Project

[ORD 2019-025](#)

Ordinance Authorizing the Conveyance of Certain Property to the Department of Transportation, State of Colorado (Second Reading - Approved on First Reading on August 20, 2019 by a vote of 6-0)
[located at the I-25 and US Highway 85 interchanges for the North Meadows

Extension]

[ORD 2019-026](#) **Ordinance Authorizing the Exercise of the Town's Powers of Eminent Domain to Acquire Certain Real Property Interests Necessary for the Ridge Road Widening Project (Second Reading - Approved on First Reading on August 20, 2019 by a vote of 7-0) [located along Ridge Road between Plum Creek Parkway and Fifth Street]**

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

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ORD 2019-021](#) **Ordinance Approving the Encore CR Downtown Redevelopment and Financing Agreement and Authorizing the Lease and Conveyance of Certain Town-owned Property (Second Reading - Approved on First Reading on August 20, 2019 by a vote of 6-1)**

Mayor Gray read Ordinances 2019-021, 2019-022, 2019-023 and 2019-024 into the record which will be presented together and receive public comment for all four items. These items will then be voted on separately.

Bob Slentz, Town Attorney, outlined minor and editorial changes. Section 3.07 reflected that the certificate of occupancy for the first residential unit(s) would be complete by March 22, 2022, Section 11.12 added a provision of a savings clause (Consequently, any financial obligation of the Town which is not supported by a TABOR reserve is conditioned on the subsequent appropriation by the Town Council of sufficient funds to discharge such obligation), Section 11.15 clarified that prior to the real estate closing that the agreement will not be assigned, the form of declaration was finalized specifically referenced in the agreement, and the exhibit for the parking garage was revised removing the car wash in the parking garage.

Council Member Johnson asked what will replace the car wash. Corliss stated it will become a parking space that will be assigned by the developer for a retailer or occupant. Johnson noted that it looks larger than one parking space.

No public comment.

Moved by Mayor Pro Tem Bower, seconded by Council Member Loban, that Ordinance 2019-021 be Approved on Second Reading as presented. The motion passed by the following vote:

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

No: 1 - Johnson

[ORD 2019-022](#) **Ordinance Vacating a Public Alley in the Northwest Quarter of Section 11, Township 8 South, Range 67 West, of the 6th Principal Meridian, Town of Castle Rock (Second Reading - Approved on First Reading**

on August 20, 2019 by a vote of 6-1)

This item was presented and public comment taken under Ordinance 2019-021.

Moved by Council Member Loban, seconded by Council Member Teal, that Ordinance 2019-022 be Approved on Second Reading as presented. The motion passed by the following vote:

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

No: 1 - Johnson

ORD 2019-023 Ordinance Vacating a Portion of First Street located in the Northwest Quarter of Section 11, Township 11 South, Range 67 West, of the 6th Principal Meridian, Town of Castle Rock (Second Reading - Approved on First Reading on August 20, 2019 by a vote of 6-1)

This item was presented and public comment taken under Ordinance 2019-021.

Moved by Council Member Bracken, seconded by Council Member Townsend, that Ordinance 2019-023 be Approved on Second Reading as presented. The motion passed by the following vote:

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

No: 1 - Johnson

ORD 2019-024 Ordinance Vacating a Portion of North Perry Street Located in the Northwest Quarter of Section 11, Township 8 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock (Second Reading - Approved on First Reading on August 20, 2019 by a vote of 6-1)

This item was presented and public comment taken under Ordinance 2019-021.

Moved by Council Member Townsend, seconded by Council Member Loban, that Ordinance 2019-024 be Approved on Second Reading as presented. The motion passed by the following vote:

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

No: 1 - Johnson

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

Moved by Mayor Gray, seconded by Council Member Teal, to Recess to the Town of Castle Rock Festival Park Commons General Improvement District meeting, and to Reconvene the Town Council meeting at the conclusion of that meeting. The motion passed by the following vote:

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

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

Reconvened Town Council Meeting at 6:48pm.

[ORD 2019-029](#) **Ordinance Adopting the 2020 Budget for the Town of Castle Rock, Colorado (First Reading)** (Introduction: 2020-2024 Transportation CIP - Decisions will be made on the CIP during the September 17, 2019 Council meeting)

Mayor Gray read Ordinances 2019-029, 2019-030 and 2019-031 into the record which will be presented together and receive public comment for all three items. These items will then be voted on separately. Note: Minutes regarding each item is noted under that item.

David Corliss, Town Manager, gave an overview of the proposed 2020 budget that reflects the Town priorities. Staff's role is to put resources on the priorities. Corliss displayed the Town's finance structure that shows the different revenue streams and what they can be used for and an overview of the results of the 2019 Community Survey. Corliss highlighted the following information. The Town budgets annually and forecasts for five years. Our property tax mill levy will be reduced from 1.330 to 1.187 mills based on the preliminary Assessor's valuation that showed an 18% increase, which equates to approximately \$163,000 of revenue. A key work item is to examine possible revenue sources to supplement sales tax. The Town feels they need to adjust transportation and parks impact fees with an increase of .61% on new homes. The Town is unable to fund all of the 47 general fund requested positions, but will fill three Police positions and three general government positions. Sales tax was budgeted at a 4.5% increase from 2018-2019 and the Town is on target to meet that. In 2020, sales tax is estimated to be 4% more than 2019, and staff projects growth of 3% in years following. Staff is not seeing new retail and we are a year away from Miller's Landing activity in which we are sharing 70% of sales tax back to them for the remediation of the landfill. Corliss stated that we must balance our budget and highlighted projects planned to support Town priorities for Ensuring Public Safety, Enhancing Transportation, Securing our Water Future, Maintaining Strong Parks and Recreation, and Supporting Economic Development. Corliss went on to say that additional efforts planned are a five year financial plan, a plan to adjust to changing age demographics, energy efficiency planning, open space acquisition revenue source, and workforce availability/housing affordability needs. Corliss stated these ordinances will come back for second reading on September 17. Second reading of the mill levy ordinance won't occur until December after the Assessor's final valuation.

Mayor Pro Tem Bower stated Council doesn't have questions because they have been extensively briefed on the budget.

David Corliss, Town Manager, reminded Council that the budget appropriates dollars, but does not decide where the transportation dollars go. The CIP approves the projects and the prioritization. The major change from last year includes a \$20 million set aside for the Crystal Valley Interchange which moves some projects further out. The Transportation Master Plan's goal is to maintain the same level of service when we are at full build out measured by the length of time waiting at an intersection. Funding received from DRCOG enabled the Town to move ahead with the "four corners" area. Staff is recommending an increase in impact fees to the maximum allowable amount effective January 1, 2020. Corliss

noted that there are additional projects that are not within the five year window and are not included.

Council Member Johnson referenced that design of a project can take several months. Johnson questioned the timeline regarding the design phase. Dan Sailer, Acting Public Works Director, stated they feel the target dates are achievable. Johnson feels the design was budgeted previously; however, Sailer said the bottom line is to balance funding to move up the Crystal Valley Interchange project. Sailer stated if we can achieve recommendations and find funding, we should be ready to start construction on the Crystal Valley Interchange by 2023; and that by having preconstruction activities done, it will increase our success of finding additional funding or federal grants.

Moved by Council Member Teal, seconded by Council Member Townsend, that Ordinance 2019-029 be Approved on First Reading as presented. The motion passed by the following vote:

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

[ORD 2019-030](#) **Ordinance Amending Titles 3, 4 and 13 of the Castle Rock Municipal Code by Changing Stormwater Development Impact Fees, Renewable Water Resource Fees, Water System Development Fees, Meter Set Fees, and Rates for Bulk Water and Wastewater; and Making Certain Editorial Updates to Such Titles (First Reading)**

This item was presented and public comment taken under Ordinance 2019-029. Minutes for this item are below.

Mark Marlowe, Director of Castle Rock Water, stated the Castle Rock Water Annual Rates and Fees study goes into the budget. The study is important to do each year as costs can change and opportunities may arise to obtain additional water rights. Castle Rock Water brings in a national rates and fees consultant.

No questions from Council.

Mayor Gray opened the public hearing under Ordinance 2019-029, and comments regarding this item are reflected below. Citizens that addressed Town Council:

Todd Warnke, Chair of Castle Rock Water Commission, spoke on the water rates and fees proposal. Their purpose is to ensure there is an adequate water supply, wastewater needs are met, and stormwater infrastructure meets the needs for today and in the foreseeable future. Rates and fees are discussed at length at their commission meetings and they recommend the rates and fees unanimously.

Council Member Teal gave credit to Chairman Warnke and Castle Rock Water staff, and appreciates them taking his comments into account.

Moved by Council Member Teal, seconded by Council Member Loban, that Ordinance 2019-030 be Approved on First Reading as presented. The motion passed by the following vote:

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

[ORD 2019-031](#) **Ordinance Repealing and Reenacting Section 3.16.030 of the Castle Rock Municipal Code Adjusting the Development Impact Fees for Residential Uses and Amending Stormwater Development Impact Fees for Residential and Non-Residential Uses and Amending Section 3.16.035 of the Castle Rock Municipal Code for Inflation (First Reading)**

This item was presented and public comment taken under Ordinance 2019-029. Minutes for this item are below.

David Corliss, Town Manager, stated they had consultants to analyze the residential and non-residential impact fees for transportation, fire, police, parks and recreation, and municipal facilities and found that the Town should be charging 53.3% more for these fees based on future project needs and higher construction costs. Additionally, the 2019 community survey identified that residents are experiencing growth fatigue. We have traditionally paid for capital projects with impact fees. If we do not increase impact fees, we could reduce levels of service or ask voters to approve additional capital funding resources.

No questions from Council.

Mayor Gray opened the public hearing under Ordinance 2019-029, and comments regarding this item are reflected below. Citizens that addressed Town Council:

Heidi Williams works for the Homebuilders Association representing the homebuilders and developers. In 2017, the HBA worked with Town staff to negotiate the impact fees for the phase in. Williams says now the Town Manager stated they needed to pull them back due to the community survey results. Williams noted a 143% increase since 2016 which will increase the cost to the home buyer and could impact the ability for some to buy a home. She is asking Council to honor the four-year phase in and not adopt the budget as proposed.

Morris Barbera is with KB homes building in the Terrain and the Meadows and is not a resident. A year ago he thanked Town Staff after a year negotiating and reaching an agreement on phasing in the increase in impact fees. He does not see any major changes that warrant ending the phase in. He doesn't feel the community survey reflects that things have gotten worse. He feels that time was wasted for them as well as the staff. The message this sends out is that the Town cannot be trusted because an agreement can be changed at any time. Barbera stated this agreement went to Town Council and was approved.

Craig Campbell is a property owner at Terrain but is not a resident. He is asking Council to reconsider the impact fee increase as it is proposed in the budget. He was involved in the negotiations and does not feel there is anything that warrants the increase. He feels that the commercial impact fees were not increased but 60% of sales tax is from non-residents and the commercial properties are benefiting. His development has built infrastructure, built their own parks, and dedicated land to the Town. Campbell also noted that over 50% of the new home buyers are actually already Castle Rock residents.

Mayor Gray closed the public hearing.

Council Member Teal would like to speak against this item. He agrees with Mr. Barbera's comments and feels we need to stick to an agreement and feels Council should vote against it.

Council Member Bracken asked for an explanation of the agreement and if this was an official committee. David Corliss, Town Manager, stated they created a stakeholder committee with staff. The report came back with a recommendation of a 53% increase which is legally allowed, and a phase in was recommended. Corliss noted that they did include an increase to commercial impact fees. Corliss felt the stakeholders provided input, and it was not a Town appointed committee and there was no signed agreement. Corliss stated the Crystal Valley Interchange was only funded at \$500k per year, and the project has now been moved up to a higher priority. Corliss feels the survey reflects that we need to do more for transportation. Council Member Teal feels it was brought to us last year as an agreement to phase this in and feels we are going back on our word to approve this. Council Member Townsend asked how Council Member Teal squares his stance due to his support of the Crystal Valley Interchange and pushing for the Town to spend money on other projects. Council Member Teal stated these projects were taken into account before recommending removing the phase-in. Corliss stated the adopted CIP last year just had a modest funding for the Interchange; and moving up these transportation projects requires more funding.

Council Member Johnson referenced the EPS study in 2008 recommending reductions in parks and transportation fees, and in 2016 the study recommended an increase for water system development. Johnson noted that, additionally, the study does not account for annual inflation. She feels the builders were given relief since 2008, and we are now bringing impact fees back to where they need to be.

Council Member Loban stated it was an accommodation because we didn't want to hit the developers all at once during a recession, and that things have changed with the traffic onto I-25 from Plum Creek. Loban feels we don't have to do an "all or nothing", but we could do something in between. He feels we should have some conversations between first and second reading, and asked staff to provide options.

Council Member Bracken feels we can come up with alternative.

Mayor Pro Tem Bower struggles with this as well, but when he talks to residents he hears about their complaints and their expectations. The majority of the residents are construction and development fatigued and they want development to pay. The money has to come from somewhere and the majority want it to come from the development and the new homes.

Mayor Gray has been briefed from staff that the previous discussions weren't a negotiation, and it was staff getting feedback from homebuilders. Gray stated things change and priorities get moved. His impression is that it was not an agreement, but he does not mind looking at alternatives noting that it will cause projects to be delayed.

Consensus of Council Loban's motion to get alternatives and options for different roll outs to raise impact fees and to provide differing views of the CIP to understand those impacts.

Corliss added that they will also give a scenario of moving up widening of Ridge Road.

Moved by Council Member Townsend, seconded by Council Member Loban, that Ordinance 2019-031 be Approved on First Reading as presented. The motion passed by the following vote:

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

No: 1 - Teal

[ID 2019-092](#)

Presentation: 2020 Service Contract Funding Requests

Organizations that presented their 2020 service contract requests:

Chamber of Commerce: Mike McNairy, Chair for the Board of Directors, and Pam Ridler, CEO. Their contract includes the same services with no increase in the funding amount. Their community events in 2019 include the 64th Douglas County Fair Parade, the 30th Annual Art Fest (which will be a street fair down Perry Street and in Festival Park, and is free this year with 140 artists), and in November is the 83rd Starlighting. The Chamber also puts on Wine Fest, the Job Pipeline, and event management for the Elephant Rock Ride. They work on hospitality and tourism to showcase our community, are a catalyst and convener bringing employers together with the workforce, and put on Leadership Douglas County.

Downtown Development Authority: Kevin Tilson, Director of Castle Rock Downtown Alliance, on behalf the Downtown Development Authority and the Chair Greg Boman, owner of the Emporium. Boman stated they are working to improve parking needs, a civic plaza next to Townhall, creation of active use parks near residential areas, mixed use development along Wilcox, new residences in downtown, and the quiet zone. Rink at the Rock ended with its 6th season, they have the patio and flower box program, and are working on projects including Riverwalk, Festival Park, and Encore. Pictures displayed showed the lights over Wilcox and Zabracchi's new facade through their facade program. They are asking for the same level of funding.

Downtown Merchants Association: Kevin Tilson, Director of Castle Rock Downtown Alliance, on behalf of the Downtown Merchants Association. The DMA works for 7 business owners on the DDA and 9 on the DMA, and 120 other businesses that are members of the DMA. They are the voice of downtown and hold events to activate downtown. Kristin Bolling, their events coordinator, displayed photos of the 12 events they hold. Tilson stated the 2020 service contract proposes the same funding and events.

Economic Development Council: Marcus Notheisen, Vice President and Matt Call, Chairman. They are not asking for increased funding. Their mission is job creation and expanding the tax base. Call presented 2019 highlights including the

Sturm Collaboration Campus, Miller's Landing, employer expansions, work session with Council and several awards.

Historical Society Museum: Jerry Persall, President and Angie Deleo. Their visitation is up and Town funding keeps the museum open and funds basic programs to archive and interpret our history. They are a 501(c)(3) and compatible with the goals of the Philip S. Miller Trust. In 2019 they had a Continental Divide Raceway exhibit; Walking, trolley, bus and cemetery tours; school groups experiencing cattle branding and gold panning; received a painting by Cindy Welch of the museum (shown in a postcard that was handed out labeled Exhibit A), participated in the Art Encounters program, held the Fourth Annual Victoria's Tea, had a Locks and Jails exhibit, and acquired and presented a railroad watch and clock.

Castle Rock Senior Center: Debbie Haynie, Executive Director and Doris Rollins, President, shared that 24% of the population will be 60 and older by 2030. They have over 1,110 members from ages 50 to 90. They provide footcare clinics, hot meals, bucket list trips, 160 activities, services, and programs with a 40% increase in participation. Non-members also receive services from their programs. Transportation is part of their services, logging 750 rides per month reflecting a 5% increase. They have 244 active riders and 434 registered riders with 4 to 6 cars on the road each day. They are requesting a modest increase for transportation costs noting they have not had an increase in 3 years.

Douglas County Housing Partnership: Diane Leavesly Director. They are a partnership consisting of Castle Rock, Lone Tree, Douglas County, and Parker. They assist with reverse mortgages, foreclosure mitigation, education and work with developers for affordable housing. They are not increasing their funding request. Leavesly shared stories assisting a senior with a reverse mortgage allowing her to stay in her home, and foreclosure counseling allowing loans with FHA to be suspended up to 12 months which allowed a single mother to stay in their home. They offer homebuyer education classes every month and downpayment assistance.

Council Member Bracken asked if there is a property and school tax exemption for a certain age in Colorado? Leavesly replied that there is a 50% reduction in overall property tax for seniors over a certain age.

Douglas County Youth Initiative: Marsha Alston. They are a partnership within Douglas County. Programs they offer are the Outstanding Youth Awards, Douglas County Youth Congress, and La Liga Soccer and Basketball (which is a free program for kids from 6th to 12th grade). Mayor Pro Tem Bower recognized Marsha who is a resident and stated she is a champion of the community. He thanked Jeff Brauer for allowing them to use the Mac when their soccer game got rained out, a local church that donated money for the uniforms, and stated they are buying one of the kids a bike that was walking from the north end of town to the practices.

Council Member Townsend attends the Chamber Board meetings and the DMA that put on the great events to help preserve our small town feel, and stated that it is an honor to attend those meetings.

Council Member Bracken is on DMA and CREP boards and an alternate to the Chamber board and agrees with Council Member Townsend.

No public comment.

Consensus of Council to direct staff to put these amounts in the budget and come back with the service contracts.

[RES 2019-084](#) Resolution Authorizing Payment of Castle Rock Water's Portion of the 2019 Binney Connection Fee and the Meridian Title Clean-up Fee for the Water Infrastructure Supply Efficiency (WISE) Project (Continued from August 20, 2019) *[Aurora's Binney Facility at Aurora Reservoir]*

Mark Marlowe, Director of Castle Rock Water, stated this is another piece of the infrastructure for the long term water project and part of the water delivery agreement in 2013. This is a permanent connection that can provide the full capacity that we need to be constructed by May 31, 2021. They will build a pump station on the Binney site, a pipeline, and facilities for disinfecting the water. Aurora will give us credit for the disinfecting facility costs. They will start construction in 2020. Marlowe noted that we own 20% of the water and this will give us 16%. Staff and the Water Commission recommend approval.

No public comment.

Moved by Council Member Johnson, seconded by Council Member Townsend, that Resolution 2019-084 be Approved as presented. The motion passed by the following vote:

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

QUASI JUDICIAL HEARINGS

[RES 2019-085](#) Resolution Approving the Crystal Valley Ranch Filing No. 15 Site Development Plan Amendment No. 2 (Continued from August 20, 2019) *[Landscape Amendment; Located south of Crystal Valley Parkway, between West Loop Road / East Loop Road]* (Town of Castle Rock Project SDP19-0001)

Mayor Gray read the quasi-judicial script. No Council voiced any conflict of interest. Lisa Anderson, Town Clerk, confirmed the item has been properly noticed.

Moved by Council Member Johnson, seconded by Council Member Townsend, to Extend the Council Meeting to 10pm. The motion passed by the following vote:

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

Bill Detweiler, Director of Development Services, presented the item displaying a vicinity map. The applicant is decreasing the number and type of plant material and reduced irrigation for the streetscape. Planning Commission voted unanimously to approve.

Ryan McBreen, Norris Design, is the landscape architect and presented the changes to the original site development plan. The reduced landscaping complies with Castle Rock's new standards reducing the amount of sod and other high water use landscaping. They also reduced the amount of trees that required more water, and increased the size of the evergreen trees. This amendment drops water use by 15-20% for irrigation. McBreen stated that many neighbors are also in favor.

Council Member Johnson asked about supplemental irrigation for native grasses. McBreen noted that they work with contractors and it takes 3-5 years for native seeds to become established and will not be irrigating native grasses.

No public comment.

Moved by Council Member Teal, seconded by Mayor Pro Tem Bower, that Quasi-Judicial Resolution 2019-085 be Approved as presented. The motion passed by the following vote:

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

[RES 2019-086](#) Resolution Approving a Use by Special Review Site Development Plan for Lot 1, Meadows Filing No. 23 - IREA Substation (Continued from August 20, 2019) [located northeast of Castle View High School, near N. Meadows Drive and Butterfield Crossing Drive]

Mayor Gray read the quasi-judicial script and no Council Members voiced any conflict of interest. Lisa Anderson, Town Clerk, confirmed that this item has been properly noticed.

Bill Detweiler, Director of Development Services, displayed a vicinity map and photo renderings. The site is currently zoned open space. The Planning Commission and staff recommend approval. Brooks Cauffman from IREA was available for any questions.

No public comment.

Moved by Mayor Pro Tem Bower, seconded by Council Member Townsend, that Quasi-Judicial Resolution 2019-086 be Approved as presented. The motion passed by the following vote:

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

[RES 2019-088](#) Resolution Approving the Meadows Filing 16, Parcel 6 Superblock and Parcel 7 Site Development Plan, Amendment No. 10 [Single-Family Detached Homes; North of Wolfensberger Road / Coachline Road Intersection] (Town of Castle Rock Project SDP18-0057)

Mayor Gray read the quasi-judicial script, and no Council Members voiced any conflict of interest. Lisa Anderson, Town Clerk, confirmed that this item was properly noticed.

Bill Detweiler, Director of Development Services, displayed a vicinity map. Planning Commission recommends approval. The project proposes 75% open

space, will not impede into the skyline/ridgeline areas and will preserve as much of the hillside and vegetation as possible. A subset of the application is that the Castle Rock Development Corporation is dedicating 134 acres of open space that currently has an easement for the Ridgeline Trail.

RC Hanisch, Director of CRDC, stated this is their second opportunity to work with Adamo Homes, a local builder. The property is zoned for residential single family and the site plan was previously approved. The SDP proposes 57 lots for single family units. Sidewalks will be completed between parcels 6 and 7, and 12 foot walls by the road and 4 foot walls at the back of the development will be erected to minimize the impact to the hillside and vegetation. They will soften the wall with landscaping.

Council Member Bracken asked how it will connect into the trails and pedestrian bridge. Hanisch stated the bridge sits outside of the boundary and trails do not exist that connect the development to the Ridgeline trails. The sidewalk would connect to trails vs. trails from within that development.

Council Member Loban asked about the parking for Ridgeline trails. Hanisch said the sidewalk will connect them to the trails.

No public comment.

Moved by Council Member Townsend, seconded by Council Member Loban, that Quasi-Judicial Resolution 2019-088 be Approved as presented. The motion passed by the following vote:

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

ADDITIONAL ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

Moved by Council Member Bracken, seconded by Council Member Johnson, to extend the meeting to 10:30 pm. The motion passed by the following vote:

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

[ORD 2019-027](#) Ordinance Amending Section 15.54.020 of the Castle Rock Municipal Code Concerning Issuance of Grading Permits; Repealing Chapter 15.66; and Making Minor Amendments to Titles 15, 16 and 18 of the Castle Rock Municipal Code (First Reading)

Mayor Pro Tem left the meeting at 9:58 pm before hearing Ordinance 2019-027.

Mayor Gray read Ordinance 2019-027 and Ordinance 2019-028 into the record. These items will be presented and public comment taken together but voted on separately.

Bill Detweiler, Director of Development Services, and Tara Vargish, Assistant Director of Development Services presented this item. Much of the presentation was given at the August 20, 2019 Town Council meeting before the item was continued due to the time. Tara provided a summary of changes. Planning Commission voted to approve Title 17 and staff recommends changes to Titles 15, 16 and 18.

Council Member Johnson thanked staff for answering her questions.

Council Member Bracken asked where the dissimilar residential interface regulations were. Vargish stated they will get more input from the community and will have a draft of those regulations to bring back to Council later in the year with those recommendations.

No public comment.

Moved by Council Member Loban, seconded by Council Member Teal, that Ordinance 2019-027 be Approved on First Reading as presented. The motion passed by the following vote:

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

Not Present: 1 - Bower

[ORD 2019-028](#) Ordinance Amending Title 17 Of The Castle Rock Municipal Code Concerning Zoning by Repealing and Reenacting Chapters 17.01 Through 17.10, Chapters 17.14 Through 17.30, Chapters 17.36, 17.38.; Repealing Chapter 17.20; Amending Sections 17.50.040, 17.52.050, 17.52.060 and 17.52.240; and Adding a New Chapter 17.39 Entitled Use by Special Review (First Reading)

This item was presented and public comment taken under Ordinance 2019-027. Minutes for this item are below.

Council Member Loban asked if they have the final version regarding the rehabilitation clinics. Tara referenced that they are included in the Title 17 attachments.

Mayor Gray asked if the third meeting is needed.

Council Member Loban feels it should be the call of the Town Manager. Detweiler said the staff proposes three meetings and the Town Manager can waive the meeting if unneeded.

Council Member Teal prefers the Town Manager make that decision as Council can provide input if there seems to be community interest.

Council Member Bracken agrees to leave at three meetings and the Town Manager can make recommendations.

Council Member Johnson voiced her opinion that we should have three meetings regardless as it gives consistency to follow the same process and does not exclude anyone from participating in one of the three meetings.

Moved by Council Member Johnson, seconded by Council Member Teal, to Amend Ordinance 2019-028 by amending Section 17.040 Neighborhood Meetings by removing D "The manager may waive one or more hearing requirements for good cause ie, materiality lack of attendance, etc." The motion Failed by the following vote:

Yes: 3 - Teal, Gray, Johnson

No: 3 - Loban, Townsend, Bracken

Not Present: 1 - Bower

Moved by Council Member Loban, seconded by Council Member Teal to Approve Ordinance 2019-028 on First Reading as presented. The motion passed by a vote of:

Yes: 4 - Loban, Townsend, Teal, Bracken

No: 2 - Gray, Johnson

Not Present: 1 - Bower

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Mayor Gray Adjourned the meeting at 10:15 pm.

Submitted by:

Lisa Anderson, Town Clerk