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, March 3, 2020 **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.

EXECUTIVE SESSION

EXEC 2020-001 **Executive Session: Meeting with Representatives of an Executive Recruiting Firm to Discuss the Appointment of a Town Attorney**

Mayor Gray called the meeting to order at 5:01 pm.

Moved by Mayor Gray, seconded by Councilmember Johnson, to Recess to Executive Session. The motion passed by the following vote:

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

Not Present: 2 - Townsend, Teal

INVOCATION

Mayor Gray gave the Invocation.

CALL TO ORDER / ROLL CALL

Mayor Gray reconvened the meeting at 6:00 pm.

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Loban encouraged citizens to come to Council meetings and provide input.

Councilmember Townsend announced he is having an open house on March 31 at Fire Station 155 at the entrance to Sapphire Pointe. He noted that Walmart, who is responsible for the road from Front Street, fixed the potholes when they were notified. Townsend also shared that Water Commissioner Ernie Forester has had health issues and Townsend stated he and his family are in our thoughts and prayers.

Councilmember Bracken referenced that Park Reserve HOA was upset about the project going in next to them and declined having him and the Town Manager come to their meeting. However, they sent information to them and the Town received some good feedback.

Councilmember Teal recognized the Public Works department and Director Dan Sailer for quickly fixing potholes. His constituents sent emails in appreciation.

Mayor Gray reminded citizens to wash their hands to prevent the spread of viruses.

EXEC 2020-002 **Executive Session Report: Meeting with Representatives of an Executive Recruiting Firm to Discuss the Appointment of a Town Attorney**

Mayor Gray reported back on the Executive Session.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

David Corliss, Town Manager, noted the calendar reminders for Council and that he and the Mayor will attend the National League of Cities meeting next week.

ID 2020-023 **Update: Downtown Railroad Quiet Zone**

Dan Sailer, Director of Public Works, provided an update on the railroad quiet zone in Downtown to install gates at 2nd and 3rd Street with improvements to the alleys. They have been working with the Encore group who have pledged $900,000 toward this project with the balance paid by the Town. The Town does not control the process.

Councilmember Bracken asked if any locations at the north end of Town are being looked at. Sailer stated this is the only location being looked at by the Town at this time.

ID 2020-024 **Overview of Award of Contracts for the 2020 Pavement Maintenance Program and Capital Projects**

Dan Sailer, Director of Public Works, provided an overview of the contracts Council will be voting on. Their primary goal with the management of their assets is to maximize the value of the services provided to citizens focusing on high safety value, low down time, and low cost. There are five regions of secondary streets that are looked at every five years, and the primary streets are looked at each year. This year they will be focusing on the central area for the secondary streets. They will have an open house in late March and plan to begin the projects in mid-April and finish by the end of October timeframe.

Councilmember Johnson attended the Public Works Commission meeting and stated there was good discussion regarding the PMP and pleased that the Town allows the 20% recycled asphalt. Sailer stated there are other materials they look at to extend the lifespan of the pavement and the sustainability of the environment. The 20% recycled asphalt is one of the materials they use. They look for opportunities for sustainability and structural stability of the roadway.

ID 2020-025 **Development Services Project Updates**

ID 2020-026 **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

Bob Slentz, Town Attorney, stated the District Court granted the Town the last piece of right-of-way for the Plum Creek roundabout. Slentz announced that Elizabeth Allen was promoted to Senior Assistant Town Attorney and has been doing a lot of great work. A second position for a Senior Assistant Town Attorney will be closing in a few weeks and they will create a Legal Assistant position as well.

ACCEPTANCE OF AGENDA

Moved by Mayor Pro Tem Bower, seconded by Councilmember 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 2020-018 **Resolution Approving the Construction Contract Between the Town of Castle Rock and Schmidt Construction Company for the 2020 Asphalt Overlay**

RES 2020-019 **Resolution Approving the Construction Contract between the Town of Castle Rock and Schmidt Construction Company for the 2020 Meadows Boulevard & Prairie Hawk Drive Reconstruction Project**

RES 2020-020 **Resolution Approving the Construction Contract between the Town of Castle Rock and Silva Construction Inc. for the 2020 Curb, Gutter, and Sidewalk Replacement Project**

RES 2020-021 **Resolution Approving the Construction Contract between the Town of Castle Rock and Chavez Construction Inc. for the 2020 Full Depth Reclamation Project**

RES 2020-022 **Resolution Approving the Construction Contract between the Town of Castle Rock and Vance Brothers, Inc. for the 2020 Crack Seal and Mastic Project**

RES 2020-023 **Resolution Approving the Construction Contract between the Town of Castle Rock and Vance Brothers Inc. for the 2020 Slurry Seal Project**

RES 2020-024 **Resolution Authorizing the Town Manager and Finance Director to**

Reallocate Approved Funds for the 2020 Pavement Maintenance Program and Street Reconstruction Program

RES 2020-025 **Resolution Approving a Construction Contract with Straight Line Sawcutting, Inc. for the 2020 Town Facility Parking Lot Improvement Project**

RES 2020-026 **Resolution Approving a Variance Pursuant to Chapter 9.16.070.E of the Castle Rock Municipal Code for Night Time Construction Activities Related to the 2020 Pavement Maintenance Program, 2020 Town Facility Parking Lot Improvement Program, and 2020 Capital Improvement Program Projects**

PROC 2020-002 **Proclamation: Recognizing Bill Detweiler, Director of Development Services (for Council Action - Presentation on March 17, 2020)**

MIN 2020-005 **Minutes: February 18, 2020 Town Council Meeting**

Moved by Councilmember Loban seconded by Councilmember Johnson to approve the Consent Calendar as read. The motion passed by a vote of:

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

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

DIR 2020-007 **Discussion/Direction of Applications for the 2020 First Quarter Council Community Grant Program, Four Applications**

Trish Muller, Director of Finance, presented the first quarter recommendations for community grants which are funded by the Town Council budget in the general fund. Recommendations are to award $500 each to Castle Rock Orchestra, Castle View High School After Prom, Douglas County High School After Prom, and Parkinson Association Castle Rock Branch.

No public comment.

Councilmember Townsend noted that the Orchestra does an amazing job and has volunteered for the After Prom event.

Mayor Gray feels they do a great job for Castle Rock citizens.

Councilmember Loban stated he was happy to see the Parkinson Association and welcomed them.

Moved by Mayor Pro Tem Bower, seconded by Councilmember Loban, to Approve the Grants as presented. The motion passed by the following vote:

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

RES 2020-027 **Resolution in Support of the 2020 Census**

Kristin Read, Assistant Town Manager, stated residents will begin receiving invitations to participate next week. They can participate online, by phone or by mail. It is important for citizens to participate as it effects our federal and state representation. Read added that this information is required to remain confidential.

No public comment.

Moved by Mayor Pro Tem Bower, seconded by Councilmember Johnson, that Resolution 2020-027 be Approved as presented. The motion passed by the following vote:

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

RES 2020-029 **Resolution Approving a Pumping, Aquifer Storage and Recovery Equipment, and Downhole Power Generation Equipment Installation Construction Contract with Hydro Resources - Rocky Mountain Inc. for Wells CR-232 and CR-233**

Mark Marlowe, Director of Castle Rock Water, provided an overview. This is a continuation of a Council approval last year for drilling of two wells at the Ray Waterman facility. They want to complete the drilling ahead of the irrigation season. They are putting pumps in the wells, outfitting them with aquifer storage and recovery, and they are pilot testing new equipment to do down hole power generation. Treated drinking water is put down in the hole, then they use electricity to bring the water back up to retreat it. The down hole power generation offsets some additional electrical costs. Dominion Water will offset some of this cost as as result of an agreement made in 2016. An open house was held, and the Water Commission unanimously approved this project.

Mayor Pro Tem Bower asked if anyone else is using this technology. Marlowe stated that Highlands Ranch has been using it since the late 1980's. The downhole power generation has not been used anywhere else, and we will be the first to use it.

No public comment.

Motion by Councilmember Johnson, seconded by Mayor Pro Tem Bower to Approve Resolution 2020-029 as presented. The motion passed by the following vote:

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

RES 2020-030 **Resolution Approving an Extraterritorial Wastewater Service Intergovernmental Agreement between the Town of Castle Rock and Crowfoot Valley Ranch Metropolitan District Nos. 1 and 2 (Canyons South)**

Mayor Gray read Resolution 2020-030 and 2020-031 into the record together. These items will be presented in a public hearing conducted together, but will be voted on separately.

Mark Marlowe, Director of Castle Rock Water, stated that Castle Rock Water agreed to provide extraterritorial water in 2005. We have a surcharge of 10% on that water service for a planned 968 single family homes and ammenities. An

agreement was reached to provide additional wastewater collection and treatment service. The service fee is an additional 25% with an equipment surcharge of $412 for every new house. The developer will build all of the infrastructure and dedicate it to Castle Rock who will then maintain that long-term. The wastewater treatment capacity will be assigned to Castle Rock as the homes are built.

Councilmember Bracken asked if the wastewater is vaccumed out. Marlowe stated it will flow to the Pinery for treatment, and the equipment is used for cleaning.

Councilmember Loban thought they were building more than 968 units. Marlowe stated there is an additional area to the south that is still owned by the original developer that is not in this deal. Loban is concerned if the infrastructure goes bad, is there is enough money in the service fees to cover the Town's liability. Marlowe is confident that the service fees will cover our costs. David Corliss, Town Manager, stated it isn't any different than any other infrastructure that is built in the Town, and this development won't happen all at once. We are getting our money up front when they pull their building permits.

Marlowe stated the next item is an agreement with the Pinery. Since we will be taking over the treatment, we need an agreement with them. The Pinery will take over the metering station and we would be responsible for the sewer in the development. The Water Commission recommends approval.

No public comment.

Moved by Councilmember Townsend, seconded by Councilmember Johnson, that Resolution 2020-030 be Approved as presented. The motion passed by the following vote:

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

RES 2020-031 **Resolution Approving an Intergovernmental Agreement (IGA) between Denver Southeast Suburban Water and Sanitation District DBA Pinery Water and Wastewater District and the Town of Castle Rock**

This item was presented together with Resolution 2020-030.

Moved by Councilmember Johnson, seconded by Mayor Pro Tem Bower, that Resolution 2020-031 be Approved as presented. The motion passed by the following vote:

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

RES 2020-032 **Resolution Authorizing Payment of Castle Rock Water's Portion of the 2020 Binney Connection Fee and the Meridian Title Clean-Up Fee for the Water Infrastructure Supply Efficiency (WISE) Project**

Mark Marlowe, Director of Castle Rock Water, gave a big picture update on the WISE project which was developed when Aurora built the Prairie Waters project during the drought which allowed them to begin using reusable water from the South Platte during drought times. Marlowe added that this is an interruptable

agreement when it is available and the water can be reused as many times as we can capture.

There are upcoming capital improvement projects for the Binney connection in 2021 to expand the capacity to ensure we get full delivery of the WISE water. The Binney connection will be a pump station, disinfection facility and the pipeline connection. The Water Commission recommends approval.

Councilmember Johnson asked if Aurora's water rates are going up because of the lead pipe issue. Marlowe stated it is because they reset their rates each year based on their raw water supply.

Councilmember Townsend asked if we would have storage in Aurora's east reservoir. Marlowe stated they are not interested in selling that right now, but there is talk of a second reservoir, and we would approach them if it is built.

No public comment.

Moved by Mayor Pro Tem Bower, seconded by Councilmember Townsend, that Resolution 2020-032 be Approved as presented. The motion passed by the following vote:

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

RES 2020-033 **Resolution Approving a Construction Contract with C&L Water Solutions, Inc. for the Woodlands Sewer Interceptor Manhole Rehabilitation Project**

Mark Marlowe, Director of Castle Rock Water, provided an overview of the project stating that it replaces infrastructure located in the Woodlands along the parks trail behind the houses. There is a gravity sewer main that goes to our main system coming from Founders, Terrain, and Castlewood Ranch. The manholes were initially lined and they need to be fixed. The pipe is PVC and is in good shape. They received three proposals. The lowest bid involved pressure washing the manholes and reline them which risks system failure. The second lowest bidder has very little experience and did not provide the products they would use. The highest bidder is very experienced and uses traffic rated fiberglass inserts that are resistant to corrosion. The project is planned to start in April/May with installation in July/August. They will do significant outreach to citizens in the area. The Water Commission recommends approval.

Councilmember Johnson asked if that portion of the trail will be closed while they are doing this work. Marlowe stated there would be some interruption and any restoration of the trail would be included in the project.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember Townsend, that Resolution 2020-033 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 7:31 pm.

Submitted by:

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Lisa Anderson, Town Clerk