

**New Castle Town Council Regular VIRTUAL Meeting
Tuesday, May 19, 2020, 7:00 PM**

Due to concerns related to COVID-19, this meeting was held as a virtual meeting only. The public was invited to attend.

**To join by computer, smart phone or tablet:
<https://us02web.zoom.us/j/7096588400>**

**If you prefer to telephone in:
Please call: 1-346-248-7799
Meeting ID: 709 658 8400**

Call to Order

Mayor A Riddile called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call

Present	Councilor Mariscal
	Councilor Owens
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Town Treasurer Loni Burk and members of the public.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2020-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – not present.

Consultant Engineer – not present.

Items for Consideration

Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

MOTION: Mayor A Riddile made a motion to recess the town council meeting and to convene as the local liquor licensing authority. Councilor G Riddile seconded the motion and it passed unanimously.

Consider an Application from Elk Creek Mining Company dba 88 Grill to Modify their H&R Liquor Licensed Area to Include Sidewalk Seating on Town ROW

Clerk Harrison said that at the last council meeting the council had approved a revocable license agreement between the town and Elk Creek Mining Company dba 88 Grill for use of the town right-of-way located immediately outside the restaurant on the east and south sidewalks.

Clerk Harrison said that the application they were considering currently was the formal state application to modify the liquor license to include the sidewalk area. She said that the revocable license agreement gave them possession of the sidewalk as required by the state. Clerk Harrison said that the application also formally changed the name of the restaurant to 88 Grill.

Clerk Harrison said that the application was complete, all fees had been paid and that staff recommended approval.

Mayor A Riddile asked if it was necessary for the sidewalk area to have barriers of some kind. Clerk Harrison said that the state did not require barriers, but that the liquor authority could require them if they wished. The authority discussed the barrier issue briefly with the applicant, John Webber, and determined that a barrier was not necessary. Mr. Webber thanked the liquor authority for their consideration.

MOTION: Councilor G Riddile made a motion to approve the application from Elk Creek Mining Co. dba 88 Grill to modify their H&R liquor licensed area to include sidewalk seating on town right-of way. Councilor Mariscal seconded the motion and it passed unanimously

Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

MOTION: Mayor A Riddile made a motion to adjourn the local liquor licensing authority. Councilor Leland seconded the motion and it passed unanimously.

Town Treasurer Report

Town Treasurer Loni Burk gave the council a detailed update on the town's current budget. The report included information about first quarter sales tax received and the Garfield County tax distributions; property taxes received; a summary of the general fund and utility fund; a summary of non-personnel costs related to COVID-19; and a summary of capital projects.

The council thanked Treasurer Burk for her detailed report.

Update: Business Assistance Grant Program

Town Administrator Dave Reynolds said that he and Administrative Assistant Debbie Nichols had spent a great deal of time creating the business assistance grants opportunity. The application had gone live on the town website and had closed the previous Sunday. He said that of the 36 identified brick and mortar businesses, 16 had applied.

He reviewed the application process for the council, and reviewed the information provided by each applicant. He described the reasoning used by staff to determine how much each business received from the grant process.

The council discussed the program thoroughly, and asked if other VRBO type businesses besides the Ore House were invited to apply for the grant. Administrator Reynolds said that the other VRBOs in town had been inadvertently overlooked. The council felt that if the VRBO was a legal business and was paying lodging tax that they should qualify as well, and directed staff to include those businesses. Grant funds would come from reserves.

MOTION: Councilor Hazelton made a motion to disperse the grant funds as proposed by staff, and directed staff to research other VRBOs that were legal and paid lodging tax and to include them in the grant opportunity with funding for those to come from reserves. Councilor G Riddile seconded the motion and it passed on a roll call vote: Councilor G Riddile: yes; Councilor Mariscal: yes; Councilor Hazelton: yes; Councilor Copeland: yes; Mayor A Riddile: yes; Councilor Owens: yes; Councilor Leland: yes.

Ordinance TC 2020-1 - An Ordinance of the New Castle Town Council Amending Sections 16.16.010 & 17.100.040 of the New Castle Municipal Code Concerning the Application Process for Subdivision and PUD Development Sketch Plans (1st reading)

Clerk Harrison told the council that at the last council meeting, the council and staff had discussed the ordinance at length, ultimately approving it on first reading. The problem was that the incorrect ordinance number had been on the agenda, although the correct ordinance had been in the packet. That led the council to motion on the incorrect ordinance number. Clerk Harrison said she had discovered the error and found that it was necessary for the ordinance to come back to council as first reading again.

MOTION: Mayor A Riddile made a motion to approve Ordinance Tc 22020-1, An Ordinance of the New Castle Town Council Amending Sections 16.16.010 & 17.100.040 of the New Castle Municipal Code Concerning the Application Process for Subdivision and PUD Development Sketch Plans on first reading. Councilor Copeland seconded the motion and it passed on a roll call vote: Councilor Leland: yes; Councilor Mariscal: yes; Mayor A Riddile: yes; Councilor Owens: yes; Councilor Copeland: yes; Councilor G Riddile: yes; Councilor Hazelton: yes.

Consider Authorizing the Mayor to Sign a Lease Agreement for the Kamm Property

Administrator Reynolds said that the council had met several times With staff and the tenants of the Kamm building, and the lease agreement under consideration was the result of those meetings. He said that the copy in the packet was blank, but that staff had an original that the tenants had already signed.

Administrator Reynolds said that they simply needed authorization for the Mayor to sign the agreement.

MOTION: Mayor A Riddile made a motion to authorize the Mayor to sign a lease agreement for the Kamm property. Councilor Copeland seconded the motion and it passed on a roll call vote: Councilor Leland: yes; Councilor Mariscal: yes; Councilor G Riddile: yes; Councilor Owens: yes; Councilor Hazelton: yes; Mayor A Riddile: yes; Councilor Copeland: yes.

Consent Agenda

May 5, 2020 minutes

Elk Creek Mining Co. dba 88 Grill H&R Liquor License Renewal

MOTION: Mayor A Riddile made a motion to approve the consent agenda. Councilor G Riddile seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – Administrator Reynolds told the council that he had been meeting with the local churches on creative ways to open and they had received a positive response from the health department. Administrator Reynolds said that Garfield County had applied to the State of Colorado for a variance to have local control on phased reopening and had received a form letter in return. Administrator Reynolds said that staff had discussed a limited town hall opening on June 1 that allowed public access by appointment only. Last, he said that he had taken several calls about people not wearing masks and that with the phased openings, there will likely be some conflict between those who refuse to wear masks and those to do wear them.

Town Clerk – Clerk Harrison said that her department was spending a lot of time on technology, refining virtual meetings and testing new equipment. She said that they had several dozen on the list of those residents that were negatively affected by COVID and needed a delay in utility payments. Clerk Harrison said that staff was paying close attention to executive orders regarding liquor and restaurants and park openings. Clerk Harrison said that Deputy Town Clerk Mindy Andis was working with Judge Maurer to coordinate the upcoming June 8 municipal court.

Town Planner – Town Planner Paul Smith said that he would be meeting with Chris Ehlers of the University Technical Assistance Program for a graduate student intern to work on the Frank Breslin park project.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – Councilor G Riddile said that P&Z had heard the staff report for the CVR Filing 11 application and they had continued the public hearing until May 27, 2020.

Historic Preservation Commission – nothing to report.
Climate Action Advisory Committee – Councilor Leland said that CAAC had held a virtual work session to discuss their goals.
Senior Program – nothing to report.
RFTA – Mayor A Riddile said that RFTA was preparing to increase services.
AGNC – nothing to report.
GCE – Councilor Leland said that GCE had held a short Zoom meeting to review financials.
EAB – nothing to report.

Council Comments

Councilor Leland said that he was glad that Administrator Reynolds had brought up the fact that people were complaining about others not wearing masks, because he felt it will be a problem.

Councilor Leland said that word came that MindWise Institute had created an award for individuals or businesses that represent the statement "Kindness Matters" and the first award had gone to 88 Grill.

Mayor A Riddile thanked everyone.

MOTION: Mayor A Riddile made a motion to adjourn. Councilor Mariscal seconded the motion and it passed unanimously.

The meeting adjourned at 8:36 p.m.

Respectfully submitted,



Mayor Art Riddile



Town Clerk Melody Harrison, CMC

