

**New Castle Town Council Regular Meeting
Tuesday, July 07, 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
Absent	None

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Recreation Director Hannah Bihr, Town Planner Paul Smith 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

Clerk Harrison asked if Recreation Director Hannah Bihr could be added to the beginning of the agenda so she could provide the council with an update on Parks & Recreation month. The council agreed.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Town Council Meeting
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Consultant Reports

Consultant Attorney – not present.

Consultant Engineer – not present.

Items for Consideration

Update: July Parks and Recreation Month – Recreation Director Hannah Bihr

Recreation Director Hannah Bihr greeted the council and said that she wanted to provide an update to the council and citizens regarding July as Parks and Recreation Month.

Sponsored by the National Parks and Recreation Association, it began in 1985 to recognize parks and recreation programs across the nation and the economic benefits and value they bring to a community. The theme is "We Are Parks and Recreation" and there will be a lot of social media push to promote it. Director Bihr said they were trying to communicate that parks and rec were providing an essential service to communities to be a better place to live, work and play. She said that New Castle Recreation had put out a calendar of suggested activities people could do to celebrate the month. She also said that they had some classes back on the schedule, both virtual and in-person.

Director Bihr said that the following day was National Freezer Pop Day, and the recreation department would be handing out free Otter Pops to the community. She said it was a great way to celebrate Parks & Recreation month, and a good visual cue that the recreation department was still active with programs and community engagement.

Mayor A Riddle asked how they would manage giving out pops considering the current circumstances. Director Bihr said that her department would abide by all safety guidelines, wear gloves, facemasks, and practice social distancing. They will be in the east doorway, and the only contact would be at the time they hand the pop to someone.

The council thanked Director Bihr and her staff for their perseverance throughout the pandemic.

Update: River Center - Director Heather Paulson

Administrator Reynolds introduced Heather Paulson, Director of the River Center. He said that the River Center did amazing work, mostly locally, but during the COVID pandemic they had expanded up and down the valley.

Director Paulson greeted the council. She said that her organization had been very busy. When COVID hit, the staff had begun working remotely. Director Paulson said that the center already had an online application portal prior to the pandemic, so that made the transition to virtual processes easier for them in many aspects.

Director Paulson said that because of COVID, the Aspen Community Foundation had asked the River Center to open up their services to everyone from Aspen to Parachute, and had generously donated money to facilitate that. She said that the center had increased services by about 500% and had found it necessary have the existing staff work long hours. In addition, another staff person was hired through the month of May to handle the increase. In June, Director Paulson said the center had gone back to serving their regular area of Silt and New Castle, but continued to serve the rest of the valley through referrals.

Director Paulson said they had served 189 families so far in 2020, with 53 of those being New Castle families. She said that a majority of the requests were for rent assistance and for utilities.

Director Paulson said that the River Center had been closed to the public and will remain closed. Office staff returned to work half-time in mid-June. She said that the center had continued the Meal Monkey program with two locations. They had delivered over 2,000 lunches in 2020. Director Paulson said that the Totes of Hope program had also continued with the help of the school counselors who delivered them.

Director Paulson said that they had also continued with the Community Gardens. The one in Apple Tree community provided fresh foods to the residents of Apple Tree, and the one in New Castle provided fresh foods to the Lift-Up distribution at Elk Creek Elementary. Director Paulson said that senior lunch had been cancelled in Mid-March and will likely be the last thing opened back up at the River Center. She said that they had been able to complete one senior activity prior to the shutdown. They took 7 seniors to Iron Mountain Hot Springs, and the River Center paid the entry fee. She said that the monthly activity and senior lunch we start back up when it was safe to do so.

Mayor A Riddile thanked Director Paulson and the River Center for their dedication and amazing work they did for the community.

Director Paulson thanked the council and said that the River Center could not do what they do without the support of the town and staff and the many volunteers they had.

Update: New Castle Trails - Adam Cornely and Graham Riddile

Administrator Reynolds said that there was a lot going on with the trails group.

Unfortunately, they had to cancel the Rides & Reggae event, but the group had been working hard on the trails. Administrator Reynolds said that he had spoken to Adam Cornely and Graham Riddile regarding phasing and the future of the trails as well as funding.

Graham Riddile, New Castle Trails. Mr. Riddile greeted the council and said that Adam Cornely was up building trails, and will try to call in to the meeting if he could. Mr. Riddile screen shared a power point presentation that outlined New Castle Trails' projects and funding sources. He described them in detail to the council.

Mr. Riddile reviewed their 2020 plan, which included working with the BLM to make sure they finalized the environmental assessment of the Colorow extension. Originally, the group had intended to spend 2020 on fundraising efforts for construction in 2021. Mr. Riddile explained the 2020 pre-COVID budget for trails and described how that had changed due to the pandemic. He noted that many of the sponsors for Rides & Reggae allowed the group to keep the sponsorship monies. In addition, Garfield County had given the group \$5k in late winter, and Roaring Fork Mountain Bike Association had obtained a Catena Foundation grant for \$20k.

Mr. Riddile said they began trails work on June 22, and there was local volunteer group that worked on trails on Tuesday evenings. He said that the town had purchased trail-building equipment, and Dalton and Kim Sallee volunteered many hours running the equipment building machine-built trails. Mr. Riddile said that Garfield County provided them the Rocky Mountain Youth Corps to build trails and there was a professional overseeing the Corps and their efforts.

Mr. Riddile reviewed the 2020 and 2021 budgets. He noted that of the \$20k in the town line item for trails, there was a little more than \$11k that had been used as deposits for the bands and vendors for Rides & Reggae. Those bands and vendors had agreed to allow the deposits to roll over to 2021, leaving about \$8,500.00 in the trails line item. Because no events could take place, the group was focusing on construction. Mr. Riddile said that

he was present to request that the council allocate the funds remaining in the trails line item to Phase II of the trail building plan. He said that would guarantee completion of Phase II of the trail-building plan.

Indicating a map in his Powerpoint presentation, Mr. Riddile explained in detail to the council the areas of work that the trails group could accomplish in 2020 with the funding they had available, including the \$8,500.00.

Mr. Riddile also showed the council a map of a conceptual trail between New Castle and the Town of Silt that was being thought about.

Mayor A Riddile said it was great that New Castle Trails would be able to complete their trail building ahead of schedule. He also thanked New Castle Trails for their contributions to the trails in New Castle.

Adam Cornely, New Castle Trails. Mr. Cornely thanked the council and said that Mr. Riddile had done a good job of summarizing the budgets and work that was being done. He said also that the extra funds would go a long way to complete more work and he said that he felt the expansion of the trails was special and he hoped everyone agreed. The council directed staff to reallocate \$8,500.00 to trail building.

Consider Ordinance TC 2020-3 - an Ordinance of the New Castle Town Council Amending Sections 17.36.040 & 17.36.050 of the New Castle Municipal Code for C-1 Zoning Concerning the Requirement of a Conditional Use Permit for Uses on Lots Greater than 10,000 Square Feet (1st reading)

Town Planner Paul Smith said that the ordinance was something of a continuation of the code clean-up that staff was working on. He said that the ordinance was prompted by some discussions about the old schoolhouse building in the downtown and what could be done with the building. Planner Smith shared his screen and showed a map of the downtown area. Indicating the schoolhouse building he said that the area was zoned C-1, and in reviewing the code there was a portion of the code that essentially restricted any use by right on lots over 10,000 square feet. Planner Smith said there were 11 lots in the downtown that could be impacted by that code section. He said that the proposed ordinance would amend two sections of code to provide for uses by right on lots over 10,000 square feet. He described the staff recommendations in detail, noting that the Planning & Zoning Commission had reviewed the ordinance and made recommendations. The council and staff discussed allowing single-family homes in the C-1 zone district as a conditional use in detail.

MOTION: Mayor A Riddile made a motion to approve Ordinance Tc 2020-3, an Ordinance of the New Castle Town Council Amending Sections 17.36.040 & 17.36.050 of the New Castle Municipal Code for C-1 Zoning Concerning the Requirement of a Conditional Use Permit for Uses on Lots Greater than 10,000 Square Feet on 1st reading. Councilor Mariscal seconded the motion and it passed on a roll-call vote: Councilor Leland: yes; Councilor G Riddile: yes; Councilor Mariscal: yes; Councilor Owens: yes; Councilor Copeland: yes; Councilor Hazelton: yes; Mayor A Riddile: yes.

Consider Date for the Council Retreat

Administrator Reynolds said that staff had conducted a Doodle-Poll to find out what everyone's availability was for the retreat and it looked like perhaps September 12 and 19 were the two best dates to consider. The council and staff talked about it and determined

that the council retreat would be held on Saturday, August 29, 2020. They also decided that they wanted to be together in the community center and would abide by the health department guidelines for gatherings that are in place at the time.

Consider Assigning Staff and Council Members to a Developer Review Committee for the Romero Group

Administrator Reynolds told the council that the Romero Group was the new owners of the Lakota Golf Course and other properties. Prior to their purchase, they had asked to meet with the town to assist them through their due diligence period before the purchase. Now that the purchase is completed, they would like to meet with some staff and two council members and perhaps members of the community to help them understand what will and would not work for the community regarding the golf course and clubhouse. He said he did not know how many meetings there might be or what it might look like moving forward. Administrator Reynolds said that staff was looking for council's thoughts or direction regarding the request.

Administrator Reynolds said that staff was looking forward to working with the Romero Group and see what they could bring to New Castle.

After a brief discussion, Councilors G Riddile and Owens agreed to sit on the committee.

Consider Resolution TC 2020-20 - A Resolution of the Town Council of the Town of New Castle, Colorado, Supporting the Application for a Grant from the Colorado Department of Transportation to Provide COVID-19 Relief Through the Targeted Revitalization of Main Street

Administrator Reynolds explained to the council that the Colorado Department of Transportation (CDOT) had put together a grant program of about 4 million dollars for COVID relief through downtown revitalization. He said that sounded like large projects such as paving but as it related to New Castle it meant upgrading the downtown dining areas. Administrator Reynolds said that staff was writing the grant for about \$30k to purchase shade structures and large tents; items that could be used on the 5th Street dining area. Also included in the ask was lighting, some more formalized barriers, new picnic tables including ADA compliant ones. Items that would enhance the downtown dining experience.

Administrator Reynolds said that the grant application does not require a resolution of support, but it had been the town standard for many years and staff felt a resolution would show council support and look good in the application. Staff had gone to the downtown businesses and gotten a lot of good feedback and support for the grant application. Staff had also polled citizens who used the dining areas and gotten support.

MOTION: Mayor A Riddile made a motion to approve Resolution TC 2020-20, - A Resolution of the Town Council of the Town of New Castle, Colorado, Supporting the Application for a Grant from the Colorado Department of Transportation to Provide COVID-19 Relief Through the Targeted Revitalization of Main Street. Councilor Leland seconded the motion.

Discussion: Mayor A Riddile asked when there would be information about awards. Administrator Reynolds explained that the grant was not traditional; it was more of a rolling process. He said there really was no deadline for submittal of the application and no distinct decision date. He thought that CDOT was going to see how applications came in and how long the money lasted.

The motion passed unanimously.

Consent Agenda

June 2, 2020 minutes

June Bills of \$409,999.97

Hogback Pizza Beer & Wine Liquor License Renewal

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

Staff Reports

Town Administrator – Administrator Reynolds said that at the last council meeting they had discussed senate bill 20-217 which affected the police department. The inspired a further discussion regarding retention. He said he worked with Treasurer Burk and they gathered information regarding current police salaries and ranked New Castle amongst the state and local agencies. They also looked at individual positions: chief, sergeant, lieutenant, detective and class 1, 2 and 3 police officer and it turned out that New Castle was slightly low. The adjustments would cost the town about \$8,500 through year-end to bring the New Castle PD salaries to a more competitive level. The new rates will be reflected in the next payroll. Administrator Reynolds said that with all the complications around the country with protests and problems and how difficult it's become to be a police officer, the New Castle Sergeant commented that he could not imagine being in a better place to be a police officer. Administrator Reynolds felt that was encouraging.

Administrator Reynolds said that just before COVID hit, the council discussed their own salaries, and the council had tabled the discussion. He said he did not want the subject to be dropped and asked if the council wanted staff to bring it to an upcoming meeting. Mayor A Riddile said he felt that the council should wait and see where the pandemic was heading. He felt they could have a short discussion at retreat. The council discussed it briefly and agreed that they could have a conversation at retreat. Administrator Reynolds said that progress was being made on the bulk water station. Administrator Reynolds said that he and Treasurer Burk had been working with American Fidelity on a possible shift of management of the town supplemental health care plans as well as flex spending accounts. Administrator Reynolds said that Garfield County had been declined on their recent variance request to the state that would have given them more leeway to govern themselves entering into the "Protect Your Neighbor" phase. Because of the increase of COVID cases in the area, Garfield County will be staying in the "Safer at Home" phase. It did not look like the state would move the county backwards into the "Stay At Home" phase, but that would depend on what the case counts look like going forward. He screen-shared some local statistics on the COVID with the council.

Town Clerk – Clerk Harrison told the council the Councilor Mariscal had received an emergency phone call and had unfortunately had to leave the meeting.

Councilor Mariscal left the meeting at 8:23 p.m.

Clerk Harrison told the council that the county election judges had been in town hall collecting ballots on June 26, 27, 29 and 30, 2020. She said that there had not been any executive orders relieving any of the election laws, and that created some difficulties for the fire department election the previous May, and for the county election the previous

week. She said that her department was preparing for an in-person municipal court date the next week. There would be a larger docket and that could create a few more complications due to COVID. Clerk Harrison said she had a meeting with Dwayne Romero of the Romero Group, the new owner of the Lakota Golf Course, and Brian Pemberton, golf course manager, regarding the liquor license for the clubhouse and golf course. Clerk Harrison said that the appointment only policy for town hall was going well, and her office had taken perhaps 18 appointments. Clerk Harrison said that her office had sent in the quarterly codification and should have updates for everyone's code books soon. Clerk Harrison said that for the first few months of the COVID shutdown it had been relatively quiet, but recent weeks it had been quite busy.

Mayor A Riddle asked when Administrative Assistant Bart Mendoza would be back. Clerk Harrison said that she was not sure, but understood that he would likely be working in parks through the summer. She said that 'through summer' to her meant he would not be back until sometime in September, although she said she had not yet spoken to Public Works Director John Wenzel. Mayor A Riddle asked if the clerk's office was handling things okay without him. Clerk Harrison said that they were fine. She said that the biggest problem was time off since there was only two people in the office, but because the town hall was not open to the public, that made it easier to be without Administrative Assistant Mendoza.

Town Planner – Planner Smith said that coming up at P&Z will be the code amendment for preliminary and final land use applications. He expected that council would see that item in August. Planner Smith said that there were storage units being built in Coal Ridge Industrial Park. He said that Jim Colombo was working with the town engineer and finishing their SIA and public improvements. Planner Smith said there was building on S. Wildhorse Drive. Jody Maloley had a lot she was doing. Planner Smith said that on the west end of Silverado was technically a temporary pedestrian path and apparently vehicles have been driving up in there, so staff had placed orange barrels to block that area because it was specifically for pedestrians, not vehicles.

Planner Smith told the council that out on the east end of CR 335 there was a property owner with whom the town was working with regarding access for the LoVa Trail. The owner was working on a development that was sort of agro-tourism, and he and Administrator Reynolds were unsure where that development was in the approval process with the county. The land is within the town's urban growth boundary, but staff had only heard about it the previous day when their land use attorney paid a visit to the town. Planner Smith said he would reach out to Garfield County to get some definitive answers about the project.

Public Works Director – nothing to report.

Town Treasurer – Town Treasurer Loni Burk said that that she had gotten the audit report done and sent to the state auditor. She said that at the next council meeting the town auditor, John Cutler, would present the audit. Printed copies of the audit would be delivered to the council. Treasurer Burk said that budget season was starting up and budget worksheets would be delivered to the staff by the end of July. She said she hoped to have first draft of the 2021 budget to the council by retreat. Treasurer Burk said that the employee health insurance, CEBT, had an employee assistance program that allowed for three visits to a counselor and that benefit had been increased to six visits, which was great.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – nothing to report.

Climate Action Advisory Committee – Councilor Leland said that their quarterly meeting was coming up on the 18th, and he expected that they would pass a few items that will come to council.

Senior Program – nothing to report.

RFTA – nothing to report.

AGNC – nothing to report.

GCE – nothing to report.

EAB – nothing to report.

Council Comments

Councilor Owens asked what the Romero Group's association was with the Lakota HOA in terms control. He said that he recalled that Warrior had two thirds of the votes, and he wondered if the Romero Group had the same. Administrator Reynolds said that when the HOA bought the recreation center, part of the negotiation had dissolved Warrior's board seats, so they did not have power on the board any longer. Its called declarant's rights, and Warrior lost those. As a result, Romero was not coming with any declarant rights or seats on the HOA board.

Councilor Hazelton said he saw a sign on the old diner that El Tapitio was coming in, and he asked if they had given any indication on a time frame. Clerk Harrison said that she had spoken with two of the owners and they said they wanted to open within a month, but she was not clear where they were in the process of obtaining the health department licensing, and they had not begun the liquor licensing process yet.

Councilor Leland said that Glenwood Springs had been discussing the Gallagher Amendment and apparently there would be a state ballot initiative to restricting that. He said he did not understand all of it, but there would be a local motion that would help them with Gallagher issues in terms of control if the state ballot issue failed. Councilor Leland said that council had talked several times how awful the Gallagher Amendment was for the town and it was something that they should watch with Glenwood Springs, and the council could consider it for New Castle.

Councilor Leland said that at the June 2 council meeting the town attorney had talked about getting ahead of the 5G cell tower issue, and he did not want the council to lose sight of that either. He suggested that staff may want to get the town attorney's opinion of it for a future meeting.

Councilor Leland said there were more fireworks on the fourth than there had been in previous years, with one very large fireworks party somewhere in the neighborhood of S. Wildhorse. The response to that on the neighborhood bulletin board and on Facebook were comments about why there did not seem to be police there. He suggested that the council have a conversation with the chief before next year about what an appropriate response would be.

Councilor Leland said that he had put an article in the newsletter regarding the new law enforcement regulations in senate bill 20-217 and he wondered if anyone had heard any response to that.

Administrator Reynolds said that he had gotten a call from a resident who was concerned and more than willing to share his concerns with council or write a letter to the state, because he understood the tough position the police were in and the stress it would put on the town's budget.

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

The meeting adjourned at 8:51 p.m.

Respectfully submitted,



Mayor Art Riddile



Town Clerk Melody Harrison, CMC

