

**New Castle Town Council Regular Virtual Meeting
Tuesday, August 18, 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 (initially on Zoom, then arrived in-person at 7:10 p.m.) Councilor Hazelton Mayor A Riddile Councilor Copeland Councilor Leland
Absent	Councilor G Riddile

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison and Town Planner Paul Smith.

MOTION: Mayor A Riddile made a motion to excuse Councilor G Riddile's absence. Councilor Mariscal seconded the motion and it passed unanimously.

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

Consider Ordinance TC 2020-6 - an Ordinance of the New Castle Town Council Amending Sections 16.16.020-16.16.30 & 17.100.050-17.100.090 Concerning Preliminary and Final Plans for Subdivision and PUD Development Applications (1st reading)

Town Planner Paul Smith explained that there had been several development applications submitted in the preceding year, and through that staff realized that there were some changes that needed to be made to improve the process. Planner Smith said that the process for the sketch plan applications had been updated by ordinance a few months earlier, and that the evening's discussion would be regarding the process for preliminary/final for subdivisions and preliminary/final for PUDs.

Planner Smith said that the proposed changes would provide a separate process for preliminary and final applications, thereby allowing more time for review by staff. If approved, in the future there would be three separate processes for sketch, preliminary and final in development applications. It would then eliminate the combined sketch/preliminary or preliminary/final applications that seemed to rush the process. In addition, Planner Smith said that another item included in the ordinance required a pre-application meeting during which the applicant met with staff and described the application process and requirements.

Planner Smith said the ordinance also provided more specifics regarding plat requirements; submittal requirements; a construction-phasing plan; a physical impact analysis; a completeness determination; the review process; park dedication and more. He reviewed them in detail for both PUD and subdivision.

Mayor A Riddile said that the ordinance was a great document and he thanked Planner Smith for all the work put into it.

Councilor Leland said that he thought that some years ago, the town had adopted a policy or a resolution that allowed the town to require a developer to build and maintain parks rather than simply dedicating park space that would cost the town a lot of money to build. He thought that staff should look for that information. Attorney Carmer said that the code required parkland dedication and allowed cash-in-lieu, but there was no requirement that developers would build parks. Attorney Carmer said that if the council wanted to, it could be added to the ordinance for second reading because that requirement was better in the code rather than in resolution form.

Councilor Hazelton said that he thought it should be added to the code that developers build parks, but he thought that maintenance should be by the town. He noted that if developers maintained parks spaces it would be similar to the issue with Walters Lane where the public assumed that it was a town responsibility when it was a private road. He was concerned that if a park were not being properly maintained, residents would assume it was a town responsibility.

Administrator Reynolds said that he understood that the parkland dedication requirements for Lakota and Castle Valley Ranch (CVR) had been met, and that the discussion was really about open space, which was different from parkland. He said he would have staff check to ensure that the parkland dedications had been met and that only open space

dedications remained. Attorney Carmer verified that both Lakota and CVR had met dedication requirements for parkland, and only open space remained. She said that the dedication requirement currently in the code was in the subdivision section and that required dedication ten percent of the total land area being subdivided to be dedicated for public schools, parks, open space and other public purposes. If there were a subdivision other than Lakota and CVR that was six or more lots, that would trigger the dedication requirement.

Councilor Leland said that the idea of having developers build parks was irrelevant then, unless there was an annexation at which time they could readdress it.

MOTION: Mayor A Riddile made a motion to approve Ordinance Tc 2020-6, Consider Ordinance TC 2020-6 - an Ordinance of the New Castle Town Council Amending Sections 16.16.020-16.16.30 & 17.100.050-17.100.090 Concerning Preliminary and Final Plans for Subdivision and PUD Development Applications on 1st reading. Councilor Hazelton seconded the motion and it passed on a roll-call vote: Councilor Mariscal: yes; Councilor Leland: yes; Mayor A Riddile: yes; Councilor Owens: yes; Councilor Hazelton: yes; Councilor Copeland: yes.

Consider Resolution TC 2020-25 - a Resolution of the New Castle Town Council Supporting a Federal Mineral Lease District Mini Grant Application for Upgrades to the Town Hall

Administrator Reynolds told the council that the purpose of the resolution was to fulfill a requirement of a Garfield Federal Mineral Lease District (FMLD) grant application process. He said that the town staff was applying for a mini grant of \$25k that did not have any match. The grant would be to replace the windows in the town hall, because the existing windows were in poor shape with failed seals and peeling reflective glazing. Administrator Reynolds said that not only did they look bad, but also the energy efficiency of the town hall was compromised.

MOTION: Mayor A Riddile made a motion to approve Resolution TC 2020-25, a Resolution of the New Castle Town Council Supporting a Federal Mineral Lease District Mini Grant Application for Upgrades to the Town Hall. Councilor Mariscal seconded the motion and it passed unanimously.

Consider Resolution TC 2020-26 - a Resolution of the Town of New Castle Town Council Supporting the Application for a Grant from the Federal Mineral Lease District Traditional Grant Application for the Wastewater Bio-Solids Drying Facility

Administrator Reynolds said that this was also an FMLD grant application, but for a significantly higher amount of money that had a thirty percent match requirement. The grant amount would be approximately \$290k and it would be for a bio-solids drying facility for the wastewater plant.

Administrator Reynolds explained that the town's wastewater plant produced a cake sludge and that the town was under contract with a rancher near Harvey Gap to place that sludge on the rancher's fields. The issue was that the rancher's neighbors have begun to complain about the odor. Administrator Reynolds said that the drying facility would dry the sludge, thereby reducing the odors. He said that if the town lost the opportunity to take the sludge to the ranch, which was essentially free, it would have to be taken to the landfill and that was very expensive. The drying facility project would ensure that the

town could continue to deliver the dried sludge to the ranch while respecting the neighbors.

MOTION: Councilor Leland made a motion to approve Resolution TC 2020-26, a Resolution of the Town of New Castle Town Council Supporting the Application for a Grant from the Federal Mineral Lease District Traditional Grant Application for the Wastewater Bio-Solids Drying Facility. Councilor Copeland seconded the motion and it passed unanimously.

Discussion: Process for Employee Reviews of the Town Manager, Town Treasurer and Town Clerk

Administrator Reynolds said that the council did employee performance reviews for the three appointed positions: town administrator, town treasurer and town clerk. He said that Clerk Harrison had sent the employee review form to everyone, and that form was very generic. He asked if the council had any comments or suggestions.

The council briefly discussed the process, and decided that they would do Administrator Reynolds' review on September 1, Treasurer Burk on September 15 and Clerk Harrison on October 6.

Consent Agenda

Dillon Companies (City Market) Fermented Malt Beverage Off-Premises Liquor License Renewal

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

Staff Reports

Town Administrator- Administrator Reynolds gave the council an update on the Grizzly Creek and Pine Gulch Fires. Administrator Reynolds said that staff had submitted the first round of application for CARES Act reimbursement, and had gotten word that DOLA was questioning some of the expenditures claimed. He said that staff was also looking at some additional expenditures that could be reimbursed through CARES, and that included two more flashing cross-walk signs to be installed downtown; an air-purifier for town hall and some funding to the Aspen Community Foundation. Administrator Reynolds further explained that the Aspen Community Foundation had reached out to the River Center early in the pandemic and had provided a great deal of funding to assist. He said it would be a good show of faith to donate to them since they had been so generous. Administrator Reynolds said that John Webber of 88 Grill had asked to be allowed to use part of the town street for restaurant service and live music. He said there were several options that were available to make that happen, and staff was working on it. He said it would likely come to council at the next meeting. Administrator Reynolds said that staff was working on grants as well as the budget. All the department heads had turned in their initial worksheets for the 2021 budget. He said that at the council retreat there would not be a complete preliminary budget, but there would be a version that would indicate the direction of the budget and any major hurdles there might be. He said that the council would continue to review the budget through the fall in work sessions. Administrator Reynolds said that one annual budget consideration was the annual increase in health insurance. For 2021 it would go up 5.5% which was quite low, but would equal a \$62k additional expense. Administrator Reynolds said that Jared Stueber, Parks Manager, would

be leaving the town for a position as a ranch manager up valley. He said that the position was already advertised. Administrator Reynolds said that his Administrative Assistant, Debbie Nichols, would also be leaving the town and retiring at the end of the year.

Town Clerk- Clerk Harrison said that the Coal Ridge Golf Tournament will be on Saturday and the town had sponsored two teams of four people. Clerk Harrison said she had been working on the town website and had changed Climate Action Advisory Commission's name to Climate and Environment Commission, and asked that if anyone found any issue to let her know. Clerk Harrison said that her office continued to work on ever-changing technology for the virtual meetings, and that Two Rivers Productions had purchased new microphones to test as staff was considering purchasing a sound system because it appeared that socially-distanced meetings may continue for quite a while. Clerk Harrison said she had some work done on the computer system as well, but it would not project the meeting as it should, so more work and refinement was needed. Clerk Harrison said that she had updates for everyone's codebooks and said that they could drop them off to her or she offered to pick them up. Clerk Harrison said that she had completed the administration budget and had reviewed it with Treasurer Burk. Clerk Harrison said that the Jean Alberico, the Garfield County Clerk, had contacted her and said that she had a grant opportunity through the Colorado Secretary of State's office to obtain a permanent ballot box with monitoring system for the Town of New Castle, at no cost to the town. Clerk Harrison said that the ballot box would be available to use for the town elections and if we partner with another agency such as the fire district on their elections. Clerk Harrison said that she had gotten the parks manager job listing completed on CML, the town website and on Indeed.

Town Treasurer - not present.
Town Planner - not present.
Public Works Director - not present.

Commission Reports

Planning & Zoning Commission – nothing to report.
Historic Preservation Commission – nothing to report.
Climate and Environment Committee – Councilor Leland asked the council if they would mind if a member of CEC took the position on the Garfield County Weed Board since Jared Stueber will leave the town's employment. The council agreed.
Senior Program – nothing to report.
RFTA – Mayor A Riddile said that some may recall that he had traveled to Washington D.C. to solicit support for a grant application for RFTA. He said they had been unsuccessful several years in a row and then in 2020 they 'attended' virtually and had been awarded \$11.5 million dollars from the Federal Transportation Administration.
AGNC – nothing to report.
GCE – nothing to report.
EAB – nothing to report.

Council Comments

Councilor Owens said that he had reached out to Dwayne Romero and others at the Lakota Golf Course, and they were busy preparing for the Coal Ridge Golf Tournament. Nonetheless, he and New Castle Trails member, Adam Cornely will meeting the following day with Mr. Romero about trails. He asked if the council was okay with that. The council thought it was a good idea.

Councilor Mariscal said that she would be traveling most of the month of September but would try to attend the virtual council meetings.

Councilor Hazelton said he had been thinking about the CARES Act money and air purifiers, and it made him realize how badly air conditioning was needed in the community center. He asked if that would be something to consider for reimbursement. Administrator Reynolds said that staff had actually discussed it and it was on a list of frequently asked questions on the DOLA website in regard to CARES reimbursements, and the answer was essentially no as they considered it more of a maintenance issue, not a COVID issue.

Councilor Copeland asked if it might be possible to get more crosswalk signs on Castle Valley Boulevard because there was a lot more foot traffic. Administrator Reynolds said that he had received complaints about speeding on Castle Valley Boulevard and he knew it was a problem. He said that staff felt they could justify crosswalks on Main Street because of the downtown dining situation. Now that he was hearing more concern about Castle Valley Boulevard and as people are being encouraged to get out and walk, he thought perhaps a case could be made for that too. He said that there would be several reimbursement opportunities to apply for CARES Act funding, and it might be something to come back to. In addition, he said the town should be prepared to pay for them if reimbursement was not allowed, so it might be something to budget for 2021.

Councilor Leland said that he would like pictures from the golf tournament from anyone who is there. He would like to put them in the newsletter.

Councilor Leland said that he could not decide if he preferred the white or black table drapes and looked forward to see what color would be at the next meeting.

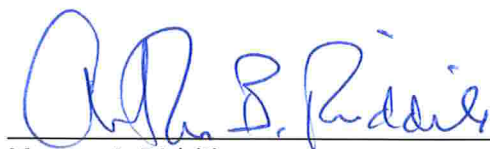
Mayor A Riddile said that he had gone to an open house at Nutrient Farms. He said that the owner, Andy Bruno, had purchased the property on the east side of Tibbets Point and was doing some major renovations and wants to grow organic produce and to keep bees for pollination and honey. Eventually, he wants to open a farm-to-table restaurant. Mayor A Riddile said it was a significant endeavor and they have a lot of ambition.

Mayor A Riddile reminded the council that they had discussed awards for several downtown businesses. He said that the chamber had gotten them plaques, and sizeable gift certificates had been purchased for each of them. He asked how the council wanted to do the presentations. Mayor A Riddile said that he felt that they could deliver them to each business. The council agreed

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

The meeting adjourned at 8:46 p.m.

Respectfully submitted,



Mayor A Riddile



Town Clerk Melody Harrison, CMC

Town Council Meeting
Tuesday, August 18, 2020

