

**New Castle Town Council Regular Meeting
Tuesday, July 06, 2021, 7:00 PM**

**Due to concerns related to COVID-19, this meeting was open to
the public as a virtual meeting only.**

**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

Mayor A Riddile said that July 6 was the 27th anniversary of the Storm King Fire during which 14 firefighters lost their lives. He read the firefighter's names and called for a moment of silence in their honor.

Roll Call

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

Also present at the meeting were Town Administrator Dave Reynolds, Deputy Town Clerk Mindy Andis and Administrative Assistant Remi Bordelon.

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

Meeting Notice

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC 2021-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Town Council Meeting
Tuesday, July 6, 2021

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items.

Consultant Engineer – present for agenda items.

Items for Consideration

Proclamation Honoring the Coal Ridge High School Cheer Team

Mayor A Riddile announced that there was a proclamation honoring the Cheer Team and then the team would provide a demonstration routine in the park next door to the town hall.

Mayor A Riddile read the proclamation into the record.

The Town Council briefly stepped out the west door into the park and watched the Coal Ridge High School Coed Cheer Team complete a short routine.

Introduction: Jami Hayes, Executive Director of Youth Zone

Town Administrator Dave Reynolds introduced the new Executive Director of Youth Zone, Jami Hayes.

Ms. Hayes greeted the council. She said that she had lived in Carbondale for fifteen years and had been in public education for more than twenty. Ms. Hayes said that her education experience had always led her into a place of working with at-risk families and youth which was her favorite place to be because it gave her purpose.

Ms. Hayes said she came to Youth Zone from the Roaring Fork School District where she was vice principal at River View School as well as the program director for the Affective Needs Program. She said that the program housed youth from Glenwood Springs to Aspen who were affected by trauma, generational trauma and poverty. Ms. Hayes said those issues could result in some surprising behaviors that are difficult for the teachers and kids in regular classrooms.

Ms. Hayes said that the move to Youth Zone was an opportunity to be part of and serve the community in a different way, and that she was grateful for the opportunity.

Ms. Hayes described the goals and mission of Youth Zone and gave the council some materials that described statistics for New Castle.

Carol Wolff, Youth Zone Development Director. Ms. Wolff thanked the council for their ongoing support, both financially and otherwise. She said that clients were charged a small fee, but that accounted for only about seven percent of their budget; the rest came from donors, fundraisers, the court system and municipalities. Ms. Wolff said there would be a film festival in the fall of 2021 featuring about ten kids that had put together short clips of what it was like for them in the crazy world everyone was living in. The event would be virtual but there would also be a watch party. Ms. Wolff said they were also selling raffle tickets.

Mayor A Riddile said that the town really supported Youth Zone and appreciated their work. He thanked Ms. Hayes and Ms. Wolff.

Proclamation Recognizing July as Parks and Recreation Month

Town Council Meeting
Tuesday, July 6, 2021

Recreation Director Hannah Bihr greeted the council and thanked them for the proclamation. She said that 2021 was the third year New Castle had designated July as Parks and Recreation month as part of a larger, nation-wide program put on by the National Parks and Recreation Association. She said that theme for 2021 was "Our Parks and Rec Story". Director Bihr said her department had created a calendar for the month of July listing all the events, including freeze pops on Fridays. Mayor A Riddile read the proclamation into the record.

Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority
MOTION: Councilor Leland made a motion to recess the town council meeting and to convene as the local liquor licensing authority. Councilor Mariscal seconded the motion and it passed unanimously.

Consider a Special Events Liquor License Application for the New Castle Community Market

Deputy Town Clerk Mindy Andis told the liquor authority that because the town recreation department was handling the community market, it fell to the town to obtain the special events liquor license for the sampling garden. She said that the two liquor stores in town would host the sampling gardens and samples would be served in tiny, one-ounce cups. Only guests 21 or older would be allowed to sample beer and wine, IDs would be checked, and wristbands or handstamps will be used to identify appropriate age persons.

MOTION: Mayor A Riddile made a motion to approve the application for a special events liquor license for the Community Market. Councilor G Riddile seconded the motion and it passed unanimously.

Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting
MOTION: Councilor Hazelton made a motion to adjourn the local liquor license authority and to reconvene the town council meeting. Councilor Mariscal seconded the motion and it passed unanimously.

Recess the Town Council Meeting, Convene as the Water & Sewer Enterprise
MOTION: Councilor Leland made a motion to recess the town council meeting and to convene as the water and sewer enterprise. Councilor Hazelton seconded the motion and it passed unanimously.

Consider Ordinance E 2021-1 - An Ordinance of the New Castle Water and Sewer Enterprise Amending Section 13.12.080 of the Town Municipal Code (1st reading)

Administrator Reynolds explained to the council that the purpose of the ordinance was to revise a code section that was dated and costly. The section was regarding how the town provided notice to utility users whose services would be terminated. He said that currently, the code required noticed of termination be sent via certified mail and the proposed ordinance changed that section to say that certified mail delivery was at the town's discretion rather than mandatory.

MOTION: Councilor G Riddile made a motion to approve Ordinance E 2021-1 - An Ordinance of the New Castle Water and Sewer Enterprise Amending Section 13.12.080 of the Town Municipal Code on 1st reading. Councilor Owens seconded the motion and it passed on a roll-call vote: Councilor Hazelton: yes; Mayor A

Town Council Meeting
Tuesday, July 6, 2021

Riddile: yes; Councilor G Riddile: yes; Councilor Leland: yes; Councilor Mariscal: yes.

Adjourn the Water & Sewer Enterprise, Reconvene the Town Council Meeting

MOTION: Councilor Leland made a motion to adjourn the water and sewer enterprise and to reconvene the town council meeting. Councilor Owens seconded the motion and it passed unanimously

Consider Ordinance TC 2021-2 - An Ordinance of the New Castle Town Council Amending Sections of Chapter 12 of Article 12 of the Town Municipal Code Regarding Parking of Certain Vehicles in Town Rights-of-Way (1st reading)

Administrator Reynolds told the council that at the previous meeting the council had discussed the issues related to campers and RVs parking on town streets for extended periods of time, particularly when there were long holiday weekends. He said that typically a person stored their camper elsewhere and brought it home a few days before their trip to pack, and then when their trip was over, they took a few days to unpack before returning the camper to storage. Administrator Reynolds said that as the ordinance was written it allowed a camper to be parked at someone's home for 48 hours prior to and after a trip, and that was limited to once in a thirty-day period. He suggested that the council may want to look that.

Town Attorney Haley Carmer said that there was a distinction in the ordinance between a trailer and a camper-trailer. Trailers used for commercial purposes or hauling were treated differently because they were commonly parked and there were different reasons why they might be needed longer. She said that originally the code intent was to allow a parking permit only for vehicles that were advertised for sale. That section was removed, and the temporary permit would only be allowed for non-camper trailers, and it would not allow vehicles being advertised for sale. Attorney Carmer said that in an effort to prevent 'stacking' of the 48-hour loading periods it could be limited to 48-hours in a consecutive seven-day period or something similar.

The council agreed that a fifteen consecutive day period would be great.

MOTION: Councilor Leland made a motion to approve Ordinance TC 2021-2 - An Ordinance of the New Castle Town Council Amending Sections of Chapter 12 of Article 12 of the Town Municipal Code Regarding Parking of Certain Vehicles in Town Rights-of-Way on 1st reading. Councilor Owens seconded the motion and it passed on a roll-call vote: Mayor A Riddile: yes; Councilor G Riddile: yes; Councilor Leland: yes; Councilor Hazelton: yes; Councilor Owens: yes; Councilor Mariscal: yes.

Consider Endorsement of the Colorado Department of Transportation Plans for a Traffic Circle at the Highway 6 & Castle Valley Boulevard Intersection

Town Engineer Jeff Simonson greeted the council. He said that the Colorado Department of Transportation (CDOT) was in the final review of the Highway 6 and Castle Valley Boulevard roundabout, making the project shovel-ready.

Referring to maps shared on the screen, Engineer Simonson described the project in detail.

MOTION: Councilor Owens made a motion to endorse the CDOT plans for a traffic circle at the Highway 6 and Castle Valley Boulevard intersection. Councilor Mariscal seconded the motion and it passed unanimously.

Discussion: East Elk Creek Trail Head Agreement

Administrator Reynolds described to the council where the trail head was located. At the parking area there were two gates – one that went onto private property and another that provided access through private property to the trail head itself which is located on forest service lands. The road is gated well before the trail head and there had been much controversy regarding the gate between New Castle, the county and the state. An agreement was reached between the three entities. New Castle's responsibility was that the town would have three volunteer days per year to pick up trash. The town would recruit volunteers to maintain the toilet facility at least once per week, and to plant shrubs in certain areas. In addition, the agreement had the New Castle police providing periodic patrols and the town providing grant-writing services for improvements to the area, and the town would provide disposal of the toilet waste. He said that the county and the state also had responsibilities in the agreement, which lasted three years. Administrator Reynolds said that a new MOU was signed in 2006 which essentially had the same responsibilities for each entity, and that one expired in 2010. He said that in 2011, the county, state and town readdressed the issue again, meeting on site and at the Board of County Commissioners meeting. A new MOU was drawn up and the county did a legal study of the property to determine who the legal owner of the road was since the county felt that it was theirs, and the landowner felt they owned it. Administrator Reynolds said that no one signed the MOU in 2011. He said that in the interim he had been approached by several Forest Service Rangers wanting to understand the status on the MOU.

Engineer Simonson said that there had been a gold mine up East Elk Creek Road and the road had been used since the last century. He said that the forest service wanted to keep the road closed and allow only pedestrian and horse traffic. Once the parking area was built, the gate was installed. The county had offered to take care of the road and there were a lot of people who were concerned about the road being closed.

Councilor Leland said that he recalled that Former Mayor Bob Gordon had argued that the road should remain open for handicap access, which Councilor Leland felt was a reasonable argument.

Administrator Reynolds said that he had reached out to the county regarding the legal study that had been done as well as the Forest Service but had yet to hear from anyone.

Councilor Hazelton said that he felt the town should remain partners and support whatever decisions were made about ownership of the road and whether it stayed open or not, but he said he preferred that it remained open.

Councilor G Riddile felt that he would be interested in the town continuing providing some maintenance services to the trail head.

Administrator Reynolds suggested that it might be a good idea that the town have a position, and that position could be that it was the town's property, and the road issue was not the towns, but that the town will be happy to partner with them.

The council agreed.

Consent Agenda

June 15, 2021 minutes

June Bills of \$488,136.00

Hogback Pizza Beer & Wine Liquor License Renewal Application

MOTION: Councilor G Riddile made a motion to approve the consent agenda.

Councilor Mariscal seconded the motion and it passed unanimously.

Town Council Meeting

Tuesday, July 6, 2021

Staff Reports

Town Administrator – Administrator Reynolds said that he and Engineer Simonson would be meeting with the Federal Mineral Lease District (FMLD) Board to discuss the Joint grant held between Glenwood Springs and New Castle for the LoVa Trail. Specifically, he said that they would ask for a grant extension to October 2022. He said that would align with the one-year extension they received for the construction grant from Colorado Parks and Wildlife. Administrator Reynolds said they would also ask that the FMLD board consider eliminating the 25-year maintenance and operation language in the grant agreement because it conflicted with CDOT policies regarding their facilities. The LoVa Trail will be partially built in CDOT right of way. Administrator Reynolds said that he and the town attorneys were exploring the idea of an ordinance that would allow for alternate members for the Planning & Zoning Commission. He said there was likely to be a lot of work for the P&Z in the coming year and in the event there was a recusal, someone left P&Z or there was not a quorum, an alternate could then be seated and business could continue as normal. In addition, he said he had asked Attorney McConaughy if a second council member could be appointed to P&Z and the answer was yes. Administrator Reynolds said that may come to council for consideration soon.

Town Clerk – nothing to report.

Town Treasurer – not present.

Town Planner – not present.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – Deputy Clerk Andis told the council that the last P&Z meeting was a work session, and they had a refresher on how to process land use applications.

Historic Preservation Commission – Admin. Asst. Remi Bordelon said that Historic Preservation met on June 21, and they discussed possibilities for grants for upgrades to the museum. She said they also reviewed some training opportunities that were available to the commission to maintain the town's CLG status. She said they elected Mari Riddle as the new Chairperson, and Ruth Fletcher as the Vice Chair.

Climate and Environment Commission – Councilor Leland said that it was the commission's last virtual meeting. He said that the commission continued to be concerned about fire prevention and response issues. He said that they had been encouraging citizens to sign up for the county's reverse 911 program. He said that they had a commission member who had lost a home in a major fire, and he felt it might be a good idea to have her do a short informational video for Facebook and the town website about fire prevention. Councilor Leland said that he and Administrator Reynolds and Admin. Asst. Firth would be meeting with a videographer on Thursday.

Senior Program – Councilor Mariscal said that there had been a presentation from the CEO of RFTA, Dan Blankenship. She said there were a lot of concerns regarding the cost of the Traveler. Councilor Mariscal said that she would like the Senior Programs Director, Judy Martin, to do a presentation to the council. Mayor A Riddle said that New Castle would not be affected by the Traveler issue because New Castle was already a member.

Municipalities who were not members of RFTA had to pay fees for the Traveler, and those fees were quite high. The only reason the Traveler operated in non-member municipalities was because of a subsidy paid by the county. The county also paid a subsidy to RFTA to

Town Council Meeting
Tuesday, July 6, 2021

keep the Hogback Bus running in non-member municipalities. He said that the county was making it clear that due to their budget restrictions, they would likely not be providing subsidies any longer, so those non-member municipalities were scrambling to find a solution. Councilor Mariscal said that the City of Rifle had hired a consultant to help find solutions and they had done a presentation to Senior Programs. She said that was who she wanted to have Director Martin speak to the council.

RFTA – nothing to report.

AGNC – Councilor Hazelton said they had heard some legislative updates and one focus was stressing that there was a lot of money out there for grants that needed to be spent.

GCE – nothing to report.

EAB – nothing to report.

Council Comments

Councilor Mariscal thanked Administrator Reynolds and the police department for the interview done regarding the bear issues in town.

Councilor Leland told the council that he had spoken to Administrator Reynolds regarding the plastic bag ban being considered by the state, and the Governor signed the bill earlier in the day. The statewide ban on plastic bags will begin phasing in in 2023, and fully effective in 2024. He thought that perhaps the town might like to purchase some cloth bags and have the town logo put on them and maybe help ease the transition for people. Councilor Leland suggested that the town consider contributing to the new school's window and door project. For \$1,500.00 a new window would be installed with the town's name on a plaque next to the window. Doors were from \$2,000.00 to \$5,000.00.

Administrator Reynolds said that the town certainly had money to contribute.

Mayor A Riddile said that staff reviews for Administrator Reynolds, Town Clerk Melody Harrison and Town Treasurer were coming up. He asked for evaluation forms for each of the council members.

Councilor G Riddile said that he would be gone at the next council meeting.

Mayor A Riddile said that the Coal Ridge High School Girls Track Team had won states and he felt that a proclamation should be done for them.

Mayor A Riddile told the council that he was in Grand River Park earlier in the day, kicking a soccer ball around with his four-year-old granddaughter when a medium-sized dog came running at them across the parking lot from the pond area. He said that the dog stopped, and nothing happened, no biting or growling, but is scared both himself and his granddaughter. Mayor A Riddile said that New Castle Officer Jones was in the park having a family picnic and witnessed that same dog bite a cyclist and he called it in. He said that the owner of the dog commented that her dog had never done anything like that previously, and she was prepared to take responsibility for the bite, and he did not know what the outcome would be. Mayor A Riddile said that it was not the first time he had experienced something similar while with his granddaughter, and he said he had witnessed it from his porch many times. Mayor A Riddile felt that it may be appropriate in the future to reconsider the town leash laws because the town was only getting bigger and with more people came more potential problems with off-leash pets that ran hundreds of yards away from their owner, outside any voice control. After a brief discussion about the subject, the council agreed that there was an issue with off-leash dogs, and it needed to be addressed sooner rather than later.

Administrator Reynolds said that in the past there had been discussions about the town installing a dog park, and the town's position was that a dog park was not necessary

because there was a voice-control code section that allowed dogs off-leash. He suggested that if the council chose to go to a leash-law scenario that it may be a good idea to designate an off-leash area. They also agreed that some public outreach might be necessary.

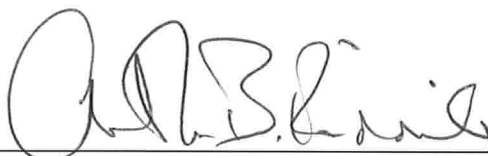
Mayor A Riddile said there had been another situation at River Park Condominiums in which a vehicle had side-swiped four other vehicles, totaling two of them. The police department was handling the situation, and apparently the HOA was working with their attorneys trying to find a way to evict the person. Councilor Hazelton said that he was interested in understanding the town's nuisance laws specifically for situations such as the mayor described.

Administrator Reynolds said he could have Attorney McConaughy and Chief Pagni address the issues at an upcoming meeting.

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

the meeting adjourned at 8:47 p.m.

Respectfully submitted,



Mayor A Riddile


Town Clerk Melody Harrison, CMC