

**New Castle Town Council Regular Meeting
Tuesday, November 16, 2021, 7:00 PM**

Virtual Meetings are subject to internet and technical capabilities.

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

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Please call: 1-346-248-7799
Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your
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Call to Order

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

Pledge of Allegiance

Roll Call

Present	Councilor Mariscal (attended virtually)
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland (attended virtually)
	Councilor G Riddile
Absent	Councilor Owens

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

MOTION: Councilor G Riddile made a motion to approve Councilor Owens' absence. Councilor Copeland seconded the motion and the motion failed with Councilor G Riddile voting yes, and all others voting no.

Meeting Notice

Town Clerk Melody Harrison 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.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney -

Consultant Engineer -

Items for Consideration

Town Administrator Dave Reynolds suggested that since Ms. Tinker Duclo had not yet arrived, that the council delay her presentation until she arrived. The council agreed.

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 a Special Event Liquor License Application from Ambleside School for Their Fundraising Event on November 19, 2021

Clerk Harrison told the council that Ambleside School and their representative, Tanya Moser, had applied for a special event liquor license for their fundraising dinner event on November 19, 2021. Clerk Harrison said that the school was a 501c3 organization and the fundraising event will be held at the Lakota Canyon Ranch HOA Recreation Center. Clerk Harrison said that the application had been submitted several months earlier, fees had been paid and that the applicant, Tanya Moser, was TiPS certified. She offered that Ms. Moser was present virtually if the authority had any questions for her.

MOTION: Mayor A Riddile made a motion to approve the special event liquor license application from Ambleside School for their fundraising event on November 19, 2021. Councilor Mariscal seconded the motion and it passed unanimously.

Ms. Moser thanked the council for their approval, and she invited the council to attend the dinner. She also thanked the council for all they do.

Consider a Special Event Liquor License Application from the Town of New Castle for the Chili Cook-Off on December 3, 2021

Clerk Harrison said that the application was from the recreation department who intended to serve only beer at the chili cook off on December 3, 2021. Clerk Harrison said that the town was able to hold special events liquor licenses as a government entity, and it would be the fourth one for the year.

MOTION: Mayor A Riddile made a motion to approve the special event liquor license application from the Town of New Castle for the Chili Cook-Off on December 3, 2021. Councilor Hazelton 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 and to reconvene the town council meeting. Councilor G Riddile seconded the motion and it passed unanimously.

Presentation: Tinker Duclo, Vice President and Campus Dean, Colorado Mountain College

Administrator Reynolds introduced Vice President and Campus Dean, Colorado Mountain College (CMC), Tinker Duclo. He said she was present to tell the council what was happening at the school and to present a possible way the town could partner with the school.

Ms. Duclo greeted the council. She began by sharing with the council that not only were there college courses available at CMC, but there is a preschool on campus that tied in with the preschool education program. She said they had an elementary education program as well that helped supply teachers to the local schools. Ms. Duclo said the campus had a concurrent enrollment program where high school students are able to take courses for which they get both high school and college credit for simultaneously. Ms. Duclo said that the campus had certificate programs and well as associate and some bachelor's degree programs.

Ms. Duclo said that the campus was also committed to serving subcultures within the community which included students who are also parents and the Latinx community.

Ms. Duclo said that the campus was, in part, property tax supported and she thanked the New Castle community for that.

Ms. Duclo said she was present to speak to the council was regarding the possibility of getting some CMC imagery in the local towns by way of some banners. The Town of Silt was quite enthusiastic and said they would like to see images of Silt residents on the banners, and Ms. Duclo said that they would do the same for New Castle and reach out to graduates from New Castle, of which, Officer Rubio was one.

Clerk Harrison screen-shared examples of the light-pole banners.

The council and Ms. Duclo discussed the need for teachers in the local school system and what the education requirements were for preschool and kindergarten and up.

The council liked the banner idea. Ms. Duclo said that if the council approved the idea, CMC would send their marketing director out to the town to assess what exactly was needed. CMC will purchase the banners, and she felt the town would likely install them. Administrator Reynolds said that he agreed it would be okay for the town to install them since they were changed out seasonally.

The council agreed to allow the banners. Ms. Duclo thanked the council for their support.

Final 2022 Budget

Administrator Reynolds said that Town Treasurer Loni Burk was unable to attend the meeting, so he would review the budget on her behalf. He asked Clerk Harrison to screen-share the budget document for the council.

Administrator Reynolds said that since the last meeting, he and Treasurer Burk had adjusted some of the assumptions that had been made in the final budget document. He reviewed those items for the council, noting that the budget had balanced with \$2,900.00 to the positive. The council and Administrator Reynolds discussed it briefly. The council thanked Treasurer Burk, Administrator Reynolds and the staff for a job well done.

Consider Ordinance TC 2021-10, an Ordinance of the New Castle Town Council Amending the Code Regarding Membership of the Historic Preservation Commission (1st reading)

Administrator Reynolds recalled that Historic Preservation Chair Mari Riddile had attended the previous council meeting and explained the commission's need for alternates. He said that the ordinance was to make the code change to allow for those alternate seats.

MOTION: Councilor G Riddile Made a motion to approve Ordinance TC 2021-10, an Ordinance of the New Castle Town Council Amending the Code Regarding Membership of the Historic Preservation Commission on 1st reading. Councilor Copeland seconded the motion and it passed in a roll-call vote: Councilor Leland: yes; Councilor Hazelton: yes; Councilor G Riddile: yes; Councilor Mariscal: yes; Mayor A Riddile: yes; Councilor Copeland: yes.

Discussion: Emergency Ordinance TC 2020-5 Regarding Temporary Public Consumption of Alcohol and Private Party Alcohol Permitting

Clerk Harrison told the council that in 2020, in response to the COVID-19 pandemic and the closure of restaurants, the council had chosen to pass ordinance TC 2020-5 that allowed for public consumption of alcohol in several downtown parks. Those include the two pocket parks on either side of the town hall, Burning Mountain Park, Ritter Plaza and the lower section of 5th Street when it was closed to vehicular traffic. She said that residents were allowed to take their carry-out meal and alcoholic drinks to a downtown park and consume them there. The ordinance was specific in that only carry-out alcohol from a downtown restaurant could be consumed in the parks, nothing purchased in a liquor store or brought from home was allowed. She said that the ordinance allowed the provisions authorizing public consumption to be modified or revoked by resolution. Clerk Harrison told the council that HB 21-1027 had been passed in June 2021, and it allowed carry-out alcohol from restaurants and bars to continue until July 1, 2025. Clerk Harrison said that staff wanted to hear from the council whether they felt allowing public consumption of carry-out alcohol was something they wished to continue, modify or revoke. Clerk Harrison said that there were a number of opportunities to modify such as allowing public consumption in other town parks such as VIX Ranch Park or Frank Breslin Memorial Park; It could be amended to allow consumption of alcoholic beverages brought from home or purchased in a retail store; the ordinance could be revoked.

Administrator Reynolds said that the original ordinance was approved as a temporary measure and staff felt that it should be brought back to council for reconsideration. The staff and council discussed it briefly and felt that public consumption of carry-out alcoholic beverages from town restaurants should continue, and that it should be reviewed again in 2022.

Clerk Harrison told the council that there was a code section 9.28.010 that allowed the Town Administrator to issue permits in or on town-owned facilities for possession and consumption of alcoholic beverages at a private party or event. She said that the provision had existed in the code, and Ordinance TC 2020-5 provided a minor update to that section. Clerk Harrison said that because the code section had not been implemented for many years and the nature of the emergency ordinance, staff was concerned that perhaps the provision had been overshadowed by the need to help local restaurants. Clerk Harrison said that staff felt it was appropriate to revisit the issue. Clerk Harrison explained that it allowed a person to apply for a permit to serve alcohol at a private gathering such as a family reunion in Burning Mountain Park or the Community Center. It allowed the Town Administrator to review and issue that permit. Clerk Harrison said that staff wanted to hear from the council how they felt about private party permits.

Clerk Harrison said that earlier in 2021 she developed an application/permitting process that she had brought to the council for their review. She said that there had been just three citizens apply for and receive a private party permit to date. She said that prior to 2021 no alcohol had been allowed in a town-owned facility for private parties. Clerk Harrison and Administrator Reynolds had spoken to Recreation Director Hannah Bihr and Police Chief Tony Pagni, and their opinion was that allowing private party alcohol permits had not been a problem, although there had been only three. She also said that it was staff's experience and opinion that not allowing alcohol on town-owned facilities had also not been a problem. To clarify, Clerk Harrison said staff had not seen a negative impact by either allowing or not allowing private party alcohol.

The council and staff discussed potential liabilities of allowing private party alcohol permits as well as the permitting process, insurance, security and state laws. Ultimately, the council decided that private party alcohol permits were not necessary and directed staff to move forward with revoking the code section.

Clerk Harrison said that the remaining portion of her council memo was irrelevant and thanked the council for the direction.

Staff Reports

Town Administrator – Administrator Reynolds said that that he had spoken to the FMLD board regarding the 'Meet Me In The Middle' section of the trail, and it had gone well. Good progress had been made the new CDOT representative who had been able to help navigate through a lot of the complicated CDOT standards that were inhibiting the project. He said that subsequently Town Engineer Jeff Simonson will prepare the CDOT special use permit application and put the bridge portion of the project out to bid. Administrator Reynolds said that the next hurdle will be funding. Jeanne Golay with LoVa Trails is working on that and will meet with RFTA.

Administrator Reynolds met with Glenwood Springs representatives, RFTA and Engineer Simonson regarding a new GoCo grant opportunity for planning and construction for up to ten million dollars. Glenwood Springs will put together a conceptual paper and send it to

GoCo to see if they had any interested whatsoever in possible funding the LoVa Trail. Administrator Reynolds said there had been a lot of forward movement on the LoVa project, but that there was still a lot to overcome.

Administrator Reynolds said that council had asked him to investigate the land west of the public works facility. He said that he had spoken to the realtor who told him that the property was listed for \$375k. The property immediately went under contract, and the buyer contacted the town inquiring about the process to get a conditional use permit to build a Pods-type storage facility. Staff met with the potential buyer and let him know the town's position regarding a storage facility on what the comprehensive plan called a 'gateway' property, but nonetheless, the buyer intended to pursue it. Administrator Reynolds spoke to Town Attorney David McConaughy about possibly making a backup offer on the property but decided that was not a good idea since the buyer will have to come to the town for the conditional use permit. It was a conflict of interest. Councilor Leland said that the council probably should not discuss it at all. Administrator Reynolds clarified that the town had not received the conditional use permit application which was the only reason he was able to update the council, and once that application was submitted, they would no longer be able to talk about the issue.

Administrator Reynolds said that he and Town Planner Paul Smith had met with Garfield County planning regarding the earthwork taking place south of River Park Condominiums, on property owned by Dow Rippy. He said the county appreciated the town's concerns and will be looking into it. He also said he had been contacted by Mr. Rippy who wanted to meet with the town regarding the project. Administrator Reynolds said that the subject property was now on the market as eighteen separate 35-acre parcels and potential buyers were asking the county if construction yard and storage facilities would be allowed there. He said the town was working on the county with that because it did not work with the town's zoning.

Administrator Reynolds told the council that there were staff concerns regarding the newer senior housing, and some about the older senior housing. He said there was no management for either facility and it was beginning to show. He said he will be reaching out to the CEO of Community Resource Housing Development Corporation because staff was fielding all the calls.

Administrator Reynolds told the council that Beth Elswick, Support Staff for Finance and Building Department, had resigned. He said that she was offered a position with a private practice medical facility, and she could not pass on the opportunity. He said she would be missed.

Administrator Reynolds told the council that there had been an issue at one of the schools where the police department had to investigate a threat to one of the schools. A student called in a tip to which was subsequently investigated and found to be unfounded. Nonetheless, there are parents who are upset, and Police Chief Tony Pagni will be speaking at a Zoom school board meeting where he will address questions from the public as much as he can without divulging too much information on the investigation.

Administrator Reynolds said that there had been a pedestrian hit by a vehicle on Main Street. The person went to the hospital, and charges were pressed against the driver. The victim will recover fine. Administrator Reynolds said that he and Administrative Assistant Rochelle Firth had completed an application to CDOT to lower the speed limit on Main Street to 25mph, likely from the bridge to past Ambleside School.

Administrator Reynolds said that regarding the cross walk lights, there had been a warranty issue where the batteries were no recharging through the solar panels. New Batteries were on their way, but it was taking time.

Councilor G Riddile asked if staff had considered a press release regarding the school issue. He thought it may help reduce fear. Administrator Reynolds said he would look into it.

Town Clerk – Clerk Harrison said the Colorado Municipal League puts out an election book for clerks. She said she had received the book and completed the election calendar for the April 2022 election. Clerk Harrison said she had also begun assembling candidate packets which needed to be available on January 4, 2022 for those interested in running for office. Clerk Harrison said her office will take some one-hour election classes beginning Thursday which was good refreshers as laws were constantly changing. Clerk Harrison said she will meet with the potential owner of the Black Dog Saloon the following day to discuss transfer of the liquor license. Clerk Harrison said the Admin. Asst. Remi Bordelon and Admin. Asst. Rochelle Firth were making beautiful progress on the new town website. Clerk Harrison said that there was a snafu with the water meter reading equipment, and the Utilities Department, Deputy Town Clerk Mindy Andis and Admin. Asst. Bordelon worked for about a week and managed to recover the data. She said that new equipment had been ordered and they all would be going through training on the new software and equipment. Clerk Harrison said at HPC the evening before, Admin. Asst. Bordelon hosted Lindsey Flewelling from History Colorado who had provided a lot of great information for the commission. Clerk Harrison said that her office was getting ready for year-end.

Town Treasurer – not present.

Town Planner – not present.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – Councilor Hazelton said that Ms. Flewelling was the speaker as well as Dr. Roper who talked about tax credits. The commission was looking at a grant to survey the downtown area for historic buildings.

Climate and Environment Commission – nothing to report.

Senior Program – nothing to report.

RFTA – Mayor A Riddile said the RFTA wanted to expand the We-Cycle program to Glenwood Springs and possible New Castle.

AGNC – nothing to report.

GCE – Councilor Leland said that they had taken care of a lot of end-of-year formalities.

EAB – nothing to report.

Council Comments

Councilor Mariscal said she was attending the meeting virtually because she had been exposed to COVID.

Councilor Leland said that he was virtual because he had not been feeling well, but that it was not COVID.

Councilor Leland said that dogs were coming up again, it was complaints about barking dogs. He said he was not sure what the solution was. He thought that when the council

got to the point to talk about dogs things, he felt they should consider what to do about barking dogs as well.

Councilor Leland said that the Solar study is on the GCE website and at CEC on Thursday he was going to suggest that it be put on the town website as well.

Councilor Leland asked if anyone heard about what caused the blackout. No one knew. Councilor Hazelton told the council that Steve Rippy had resigned from HPC so there was a vacancy.

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

The meeting adjourned at 8:25 p.m.

Respectfully submitted,


Mayor A Riddile


Town Clerk Melody Harrison, CMC

