

**New Castle Town Council Regular Meeting
Tuesday, February 01, 2022, 7:00 PM
New Castle Library
402 W. Main Street**

Call to Order

Mayor A Riddile called the meeting to order at 7:02 p.m.

Pledge of Allegiance

Roll Call

Present	Councilor Mariscal Councilor Copeland Councilor Owens Councilor G Riddile Councilor Leland Councilor Hazelton Mayor A Riddile
Absent	None

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Police Chief Tony Pagni, Administrative Assistant Remi Bordelon and Historic Preservation Chair Mari Riddile.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2022-1.

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 2022-03 - an Ordinance of the New Castle Town Council Amending Chapter 15.44 of the Municipal Code Regarding a Historic Survey Cycle (1st reading)

Town Administrator Dave Reynolds asked Administrative Assistant Remi Bordelon to speak to the ordinance.

Assistant Bordelon said that the resolution from the Historic Preservation Commission (HPC) recommending the code change was in keeping with guidelines from History Colorado. History Colorado was the agency that approved New Castle as Certified Local Government (CLG). HPC and New Castle as a CLG had expanded opportunities through History Colorado for grants, training, and resources.

Assistant Bordelon said that to sustain the town's status as a CLG, town surveys of potentially historic sites within town limits should be done on a regular basis.

Assistant Bordelon said that the current municipal code did not include a historic survey cycle. History Colorado's guidelines suggested a survey cycle of five to ten years.

Administrator Reynolds said that the resolution from HPC recommended a code change to include a survey cycle. The ordinance implemented the suggested code change.

Councilor Leland asked if the survey would be a formal on using forms from History Colorado or if it would be more informal. Assistant Bordelon said that it was best to use the forms from History Colorado but there was some flexibility.

Councilor Leland said that some of the forms were complicated to complete. He said that he recalled the last survey was many years ago and it was costly.

Assistant Bordelon said that the last survey was done in 1996, and it was pricey, but because the town was a CLG, it provided the opportunity for HPC to obtain a no-match grant that covered the cost of the survey.

MOTION: Councilor G Riddile made a motion to approve Ordinance TC 2022-3, Consider Ordinance TC 2022-03 - an Ordinance of the New Castle Town Council Amending Chapter 15.44 of the Municipal Code Regarding a Historic Survey Cycle on 1st reading. Councilor Owens seconded the motion and it passed on a roll-call vote: Councilor Leland: yes; Councilor Hazelton: yes; Councilor Copeland: yes; Councilor Owens: yes; Councilor G Riddile: yes; Mayor A Riddile: yes; Councilor Mariscal: yes.

Historic Preservation Commission Chair Mari Riddile told the council that Administrative Assistant Bordelon was particularly good at her job, and that Administrator Reynolds and Clerk Harrison were smart to have hired her. Chair Riddile said that the amount of work Assistant Bordelon put into HPC was amazing. Clerk Harrison said that Assistant Bordelon put extraordinary work into everything she did.

Discussion: Electric Vehicle Charging Capacity in New Residential Homes

Administrator Reynolds said that the idea had been brought forth by Councilor G Riddile. The thought was to require new homes that had attached or detached garages to provide the rough wiring for a future car charging station. That way, the future homeowner had

the ability to finish the installation of the charging station if they chose to own an electric vehicle.

Administrator Reynolds said that he and Planner Smith had studied it and it appeared to be an upcoming trend and may become part of the electrical code in the future. He said that Aspen was leading the way with EV charging station requirements, and Planner Smith has used the Aspen municipal code section as a template for proposed code for New Castle.

Administrator Reynolds said that he and Planner Smith felt that the worst-case cost estimate of requiring EV charging station-ready wiring in garages would be \$500.00. Administrator Reynolds said that staff was looking for direction from council members what they thought, if they had other ideas or if more research needed to happen or if they wanted to see the proposed ordinance in the packet come back for approval. The council discussed the issue briefly and determined that they wanted to hear from the electric vehicle specialist from Garfield Clean Energy regarding the possible direction of electric vehicles and the electrical code. They felt a work session would be appropriate.

Discussion: Colorado Department of Transportation Right of Way Acquisition

Administrator Reynolds said that the town had received a packet from a third-party vendor for CDOT related to the traffic circle project. He said there was a small piece of property owned by the town at the corner of Burning Mountain Avenue and Highway 6/Main Street, just above the Park N Ride. CDOT needs to use that property temporarily during construction.

Administrator Reynolds said that the offer to the town was for a temporary easement. They had offers on other properties at that intersection including the corners at Alpine Bank, Kum & Go, Stop and Save and Pepsi Co. which was a good sign that the project was moving forward.

Administrator Reynolds said that the offer to the town was \$550.00 for a temporary easement on the small piece of property. He said he had asked the town attorney if the town could donate the property or offer it for one dollar, but the professional advice was to allow CDOT to pay the town the \$550.00 for the easement with council approval.

MOTION: Councilor Leland made a motion to approve the Right of Way Acquisition offer from CDOT for a temporary easement. Councilor Hazelton seconded the motion and it passed unanimously.

Consider Resolution TC 2022-06 - a Resolution of the New Castle Town Council Submitting to the Qualified Electors of the Town of New Castle at the April 5, 2022, Regular Election a Ballot Issue Concerning the Increase of the Lodging Tax from 2.5% to 5%

Clerk Harrison told the council that the resolution will authorize the issue to be placed on the ballot. She said that the ballot language was on the second page of the resolution. Administrator Reynolds said that the lodging tax increase would be effective January 1, 2023, should it be approved by the voters. The dollar figure of \$70k was estimated high so that the town would not be in jeopardy of exceeding the collection limit in the first year

like happened with the tobacco tax. He also said that staff felt beginning the tax in 2023 was more equitable to the vendors who will have to collect the tax.

MOTION: Councilor G Riddile made a motion to approve Resolution TC 2022-6, a Resolution of the New Castle Town Council Submitting to the Qualified Electors of the Town of New Castle at the April 5, 2022, Regular Election a Ballot Issue Concerning the Increase of the Lodging Tax from 2.5% to 5%. Councilor Mariscal seconded the motion and it passed unanimously.

Consider Ordinance TC 2022-2 - an Ordinance of the New Castle Town Council Amending Chapter 1.20 of the Municipal Code to Comply with HB19-1148, Regarding General Penalties (2nd reading)

Clerk Harrison told the council that the general penalties ordinance had not changed since first reading. She explained that it brought the town code in compliance with new law limiting sentence lengths to 364 day for person who violated municipal code. She also said that it changed fees for general penalties from \$1,000.00 and allowed for up to \$2,650.00 in fines to be assessed against violators, providing the municipal judge with added leeway in court.

MOTION: Councilor Hazelton made a motion to approve Ordinance TC 2022-2, an Ordinance of the New Castle Town Council Amending Chapter 1.20 of the Municipal Code to Comply with HB19-1148, Regarding General Penalties on 2nd reading. Councilor Mariscal seconded the motion and it passed on a roll-call vote: Councilor Mariscal: yes; Councilor G Riddile: yes; Councilor Leland: yes; Councilor Copeland: yes; Councilor Hazelton: yes; Councilor Owens: yes; Mayor A Riddile: yes.

Consent Agenda

January Bills of \$737,756.44

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

Staff Reports

Town Administrator – Administrator Reynolds said that staff had been reviewing the town's current tap fees and determining whether changes needed to be made. Staff will bring a discussion to council on February 15, 2022. Administrator Reynolds said that Youth Zone and West Elk Trails sent thank you notes for the outgoing grants the town awarded to them. He said it was nice to hear from those agencies. Administrator Reynolds told the council that there were several town vehicles broken down, and public works staff had taken initiative to track down the issues and repaired two of them in-house. The town dump truck, however, will be sent out for repairs because the rear end went out. He said it would be between \$10k and \$12k to fix. Public works staff had removed the rear end the week prior and that will be shipped to International to be rebuilt. Administrator Reynolds said that he had a conversation with Rodger Sheffield who was one of the representatives from Mind Springs. He said they wanted to come to council and do a

presentation. Mind Springs will visit with all the towns to update them on the progress that had been made since the report last year. Administrator Reynolds said that Mind Springs had applied for a grant for the detox center that they did not expect to receive. However, they were awarded the grant and were now working on completing the budget for operational funds and will be touring the towns and explaining where the monies need to come from and find out the interest each town has and who might want to make a three-to-five-year commitment. Administrator Reynolds said Police Chief Tony Pagni will be able to provide information on what the town's need might be for use of the detox center. Administrator Reynolds said that staff was working on a rewrite of the streets and sidewalks standards for the public works manual. Currently, the town's engineer was reviewing the proposed changes, and then it will go to P&Z for review before coming to the council. Administrator Reynolds said he will meet on Friday with area town managers. He said he and the Silt Town Manager had been talking and they were interested in holding a joint work session with New Castle soon. Topics of interest for that agenda might be the detox center; the housing study done a few years ago; possible staff sharing and/or equipment sharing; perhaps methods and procedure ideas to get to know the neighbors. Administrator Reynolds said that there was something that came up in a Glenwood Springs meeting recently called the Unita Railroad Basin Project. It was a railroad project in Utah that established a new rail line that will move waxy crude oil through the area. One of the rail lines that would be used was Glenwood Canyon. He said there was something like ten, two-mile long trains per day proposed. Glenwood Springs immediately sent a letter to Senator Hickenlooper imploring him to not allow crude oils to be transported through Glenwood Canyon. Administrator Reynolds said that as more information came forward, it was likely that all the towns from Glenwood Springs to Parachute and probably Grand Junction will get involved. He said that the Town Manager of Glenwood will keep New Castle informed.

Town Clerk – Clerk Harrison told the council that an affidavit for a write-in candidate had been submitted the day before. Clerk Harrison said that the council candidates were Caitlin Carey, Brandy Copeland and Bruce Leland, and the write-in is Brooklyn Barkman. She said that three names will be on the ballot, but Ms. Barkman's name will not be, and voters will have to know to write her name on a blank line. Clerk Harrison explained that write-in was a legal way to become a candidate, but because their name was not on the ballot, the candidate had a lot of work to do to get themselves known to the voting community to be able to get elected. Clerk Harrison said she had coordinated with the county elections office because the town will be using the county ballot counting machines; she had also started the approval process of proofs and scheduled the print of ballot, inner and out envelopes and secrecy sleeves. She said that ballots will be sent beginning March 14. Councilor Leland asked if the write-in candidate's biography should go in the newsletter. Clerk Harrison said that write-in was a legal way to become a candidate and there was no reason to treat them any differently regarding biographies and candidate forums. The difference was that her name will not be on the ballot and will not be on the published notice of election that goes in the newspaper.

Town Treasurer – not present.

Town Planner – not present.

Public Works Director – not present.

Police Chief – Mayor A Riddile asked Chief Pagni how his search for another officer was going. Chief Pagni said that he had interviewed two applicants and ultimately did not care for either one. He will interview another on February 7, someone who had previously been employed by the department. He said that the question will be whether they could come to an agreement about work ethics. Chief Pagni said that he had also had a car damaged on an icy road recently, and he had received word that CIRSA may total the vehicle. The state patrol had investigated the accident and it was not the fault of the officer, but unfortunately, the driver at fault was uninsured.

Chief Pagni said that the detox center had been a long process. He said that detox was one piece of what was called the 'continuum reform process'. He said that if an officer met an intoxicated person on the street and they were a danger to themselves or others, the officer can put them on an M.5 hold which was an involuntary committal to a hospital. Chief Pagni said there were other circumstances where it was difficult to define if the person was a danger to themselves or others, but they need help. This was where the detox center came in, and if the person voluntarily went to detox, they could get some help there. Chief Pagni said that if people went to detox, it would reduce the strain on the local hospitals. Plus, it provided the person with medical care, an opportunity to get clean, find employment and get back on their feet. Chief Pagni said it was a great program and he hoped it worked.

Commission Reports

Planning & Zoning Commission – Mayor A Riddile said that P&Z had held a work session regarding alternatives and how that would work.

Historic Preservation Commission – nothing to report.

Climate and Environment Commission – Councilor Leland said that CEC was working on developing programs for Earth Day.

Senior Program – Clerk Harrison said she attended the meeting and they had reviewed 2021 statistics for programs, meals, and the traveler. She said there was a large number of people in attendance, and there had been a thorough discussion of Traveler rides and some renaming of ride categories to protect riders' personal information and privacy. Clerk Harrison said that the senior programs meetings had been virtual for a very long time, and they had discussed moving to a hybrid meeting so that people who were comfortable in-person could be. Unfortunately, they did not have the technology for hybrid meetings, so Clerk Harrison offered to host the February 25, 2022 senior programs meeting in council chambers.

RFTA – nothing to report.

AGNC – nothing to report.

GCE – nothing to report.

EAB – nothing to report.

Council Comments

Councilor Mariscal thanked Clerk Harrison for attending the senior programs meeting. Councilor Mariscal thanked Chief Pagni. She said that she was the leader of the Benevolence Ministry for her church, and they often assisted victims of domestic violence.

She said that the feedback she got was that people feel safe in New Castle and they were comfortable speaking to the police department, with the officers. Councilor Mariscal said it was great to hear, and she thanked Chief Pagni.

Councilor G Riddile thanked the staff for moving the meeting to the library for the BOCC work session.

Councilor G Riddile also apologized to the council for pushing the commissioners on the funding issue, and he said that he was grateful for everything the commissioners had done for the town. He also said that he saw them giving money out to other communities, and he felt that the town was up against something big that they needed help with, and he wanted the commissioners to assist.

Councilor Leland said that Spellebration will be on April 1, and the theme will be 'Fools' since it was on April Fools Day. He said that it will be virtual again because putting that many people in one room was a bit too close for anyone's comfort. He said that the town has been good about sending a team, and Clerk Harrison had been great about putting the teams together. He asked anyone who was interested in playing to contact Clerk Harrison.

Councilor Leland said that the ice rink pictures had gotten a lot of likes on Facebook, and lots of people shared it.

Councilor Leland said that he had just learned that Chief Pagni had gotten five large yard signs that had information about signing up for reverse-911 for GarCo emergency.

Councilor Hazelton said that New Castle had lost a couple of real characters recently. Fred McNeal, who was Joe McNeal's brother, and Bud Gardner. Councilor Hazelton said anyone who had a chance to know Bud Gardner was better for it. He offered condolences to their families.

Mayor A Riddile asked if they were required to let Administrative Assistant Rochelle Firth know if they wanted to attend the Ambleside school tour on Founders Day. Councilor Hazelton said that initially they wanted reservations, but they were not planning on more than 50 people.

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

The meeting adjourned at 8:10 p.m.

Respectfully submitted,


Mayor Art Riddile


Town Clerk Melody Harrison, CMC

Town Council Meeting
Tuesday, February 1, 2022

