New Castle Town Council Regular Meeting
Tuesday, June 21, 2022, 7:00 PM

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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
	Councilor Carey
	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

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
Joni Owens, 235 W Capital Court. Ms. Owens said that they had tried to make comments

last time and that she had been allowed to speak but others had not. She said that they thought they would try again to voice their concerns about the dog park proposal. She said she knew that funding was on the agenda but the dog park itself was not, but they were worried that there was not enough public input, and the problem that was identified they did not think the dog park was going to address the problem. She said it would result in a check on a list that said that New Castle had a dog park, but she did not think it was going address the issue that was at hand, dogs off leash and whatnot because it was not a dog park that was going to be inviting to dog owners to utilize. As a homeowner, tax payer and citizen she did not want her tax money, that she worked hard for, to be used for a project that was not going to solve the problem.
Mayor A Riddile thanked Ms. Owens. He asked Administrator Reynolds when the dog park meetings began. Administrator Reynolds said they had been going on more than three months. Councilor Leland said that the meetings were noticed in the newsletter twice, on several Facebook accounts, on the town's weekly e-mail as well as the Castle Valley Neighbor site. Councilor Leland said that short of knocking on people's doors, he did not know what else he could have done to publicize it.
Ms. Owens suggested putting noticed at the location where the dog people actually are that could have seen those notices and could have elicited greater input from the people who are actually supposed to be targeted by the plan. Mayor A Riddile said there had been terrific turnout for the meetings and the place was packed. Councilor Leland said there were forty people on the list. Mayor A Riddile apologized that Ms. Owens was not informed. Ms. Owens said that she knew of three meetings and was out of town for two and had a work meeting for one and she had been unable to attend. She said that when she was finally able to attend the fourth meeting that she was aware of, when she voiced her concerns, she said she was told that decisions had already been made and she was shut down. Mayor A Riddile said that the committee had made decisions, and the committee was legitimately formed through the process.

Consultant Reports
Consultant Attorney – present for agenda items.
Consultant Engineer – not present.

Items for Consideration

Proclamation Recognizing July as Parks and Recreation Month
Recreation Director Hannah Bihr said that Parks and Recreation Month was put on by the National Recreation and Parks Association (NRPA). She said that since 1985 the United States has celebrated July as Parks and Rec Month to promote building strong, vibrant, resilient communities through the power of parks and recreation to recognize the more than 160,000 full-time parks and rec professionals along with hundreds of thousands of part-time and seasonal workers and volunteers that maintain our country's local, state and community park systems.
Director Bihr said that for 2022 the theme is 'We Rise Up', and in each week of July is themed as well. Week one is kick-off week; week 2 is We Rise Up For Health and Well-

Being; Week 3 is We Rise Up For Environmental Resiliency; Week 4 is We Rise Up To Economic / Employment Opportunities; and week 5 is We Rise Up For Our Communities And Celebrate Activities, Programs, Events And Our People.
Director Bihr said that town had been doing this for about five years. She said that there will be a calendar of events from the recreation department for the month of July celebrating all their activities and highlighting some of the town's recreational amenities such as parks, programming and staff.
Mayor A Riddile thanked Director Bihr.
Mayor A Riddile read the proclamation into the record.

Consider Resolution TC 2022-18 - a Resolution of the New Castle Town Council Approving a Subdivision Improvements Agreement for Lakota Canyon Ranch, Filing 6B1
Assistant Town Attorney Haley Carmer told the council that they will be considering a subdivision improvements agreement for the next phase of filing 6 in Lakota Canyon Ranch. She said that area was generally north of where Deer Valley Drive ended, and 26 lots will be going in. Attorney Carmer said that Filing 6 had been approved at the beginning of 2008 for 81 single-family lots. She said that Filing 6A had 32 lots, 6B has 26 and there will be a future filing for the remaining 23 lots, which will complete the full platting of the 81 lots for Filing 6. Attorney Carmer said that it was the subdivision and PUD plan that were approved for that filing in 2008. Town Planner Paul Smith clarified the location of the phase on the zoning map. He also said that the application was for the first half of 6B. Attorney Carmer said that the ordinance that approved Filing 6 provided that future phases could be platted administratively, so staff will work with the applicant on it. She said that part of it was that the council had to approve a subdivision improvement agreement (SIA) with each of the phases by resolution, and that was what was currently under consideration. Attorney Carmer said that staff had submitted a draft of the SIA for the packet but had subsequently received comments from the applicant's attorney. The handout was a redline of the SIA that was approved by the applicant's attorney. She said that the general nature of the redlines was to add clarification and process for request of partial release of the security they will be required to post for filing 6B1. Ultimately, she said that the council will have the final say on any release of funds. Attorney Carmer described how the partial or full release process worked. She said that the other primary edit was clarifying that their water rights dedication fees would be paid at the time the plat was recorded as opposed to when building permit happened, which was when all the other taps fees were paid. By code and the annexation agreement for Lakota, they were paid at the time of final plat.
Attorney Carmer said that there was a letter from Town Engineer Jeff Simonson who has looked over the construction plans for the public improvements and the cost estimate. She said that the cost estimate will dictate the amount security. The cost estimate was only for the public improvements, it had nothing to do with the utilities. Attorney Carmer said that the cost estimate had a 5% contingency built into it. She said that in the past in other development there were 10% contingencies, and engineer Simonson had some comments as to whether 5% was enough and should it be higher. There was another comment from Engineer Simonson that the quality control and oversight was only 4% and

typically SGM recommended that be a minimum of 8%. Mayor A Riddile asked Planner Smith if he had any suggestions. Planner Smith said that he could not suggest any numbers without a conversation with Engineer Simonson but said that he felt that the engineer's concern was the current inflation issue and the cost to build.
Councilor Leland said that once again, they received something rather complex at the meeting with no time to study it. He asked what the terms of the partial release were. He explained that the town had had a lot of trouble previously with a developer when they had released funds early according to an agreement and then the town was left responsible when there was money still owed and no funds left. Attorney Carmer said that there was a process in the town code for that. Basically, it said that if a developer asked for a partial release, there were ten days for the town to inspect it, then it would come to the council. She further stated that the agreement stipulated a thirty-day inspection period at which point the town engineer could provide written notice of any deficiencies and the town and developer's engineers could discuss any requirements necessary to bring the improvements into conformity. The amount of funds released will be directly related to the specific improvements that had been completed and based on the cost estimates.
Planner Smith said that the applicant's engineer, Chris Manera, was present and would speak to the 5% contingency.
Chris Manera, Professional Engineer, Colorado River Engineering. Mr. Manera said that he prepared the memo in the packet. He said they had a chance to review Engineer Simonson's comments and agreed they were good comments. He said that the reason they had not gone with a 10% contingency was because typically when preparing engineer's estimates, they did not have the benefit of contractor's bids. He said they had three contractor bids to support the numbers in the engineer estimates and they felt comfortable with the 5% contingency based on those contractor bids. Mr. Manera said they also had 4% for the engineer's construction observation, certification, which equaled $60k for the project. He said that based on their experience they believed the $60k was plenty. He said that the project was unique in that a substantial part of the infrastructure had already been constructed, and they had done substantial inspection and investigation on that infrastructure so there was not as much deep utility inspection on the project as there would be normally, so they felt it did not warrant the additional percentages. Mr. Manera said that he was comfortable with the percentages and had not had the time to discuss or debate it with Engineer Simonson. He said Engineer Simonson was aware they had contractor bids on the project but again, they had not had time to discuss it. Mr. Manera said that with the partial release, what was being released was not the infrastructure that had been completed, it was what was remaining, so they would reserve enough funds for what still needed to be completed.
Councilor Caitlin said that she agreed with Councilor Leland and the documents they had just received were very technical, and she would have preferred to have had more time to read them. She said she was grateful the Mr. Manera told the council he was comfortable with the percentages, but she was concerned, particularly because of the current economy. She said she would be more comfortable to review the documents and the listen to what Engineer Simonson had to say.
The council briefly discussed their concerns regarding the contingency amounts and whether they should postpone any motion until they had time with Engineer Simonson

and could review the documents more thoroughly. Councilor G Riddile asked the applicant, Dwayne Romero, when they planned to award a contract on the project. Mr. Romero said within the next two weeks.
Attorney Carmer told the council that the SIA was essentially the standard template for an SIA except for the two noted changes.
Dwayne Romero, The Romero Group and applicant. Mr. Romero said that they had hoped to award the contract within the next few weeks, He said they had received bids from three local contractors: Heyl, Johnson and Rippy. Mr. Romero said that he wasted to underscore what Mr. Manera had pointed out the process and all the existing improvements. In addition, he described what Attorney Carmer had said that the SIA was drafted by the town through the town attorney. The document was a boilerplate document and the only changes made to it (by the applicant) were actually to the benefit of the town. Mr. Romero said that Attorney Carmer was correct in that the attorneys worked cooperatively to coordinate a partial release of security as described only as they progressed through the work so that the town was always benefitted. The measurement will always be by the town's professional engineers or what was on the ground and what needed to be completed and that was how the remaining security was sized to benefit the town. Mr. Romero said that he understood the council's position because he served two terms on the Aspen City Council, and he understood the framework by which the council worked. He said they did not wish to put the town in any bad position whatsoever. He said they did hope to proceed with a relatively small batch of home sites, the 26 described in the application, approximately 1.2 million dollars of work. Mr. Romero said the work would take about four months to complete and he felt the town was in a very safe and secure position. He said that the SIA was the document that will protect the town and given the short timeframe of the project, it could be that they wouldn't even request a partial release. Mr. Romero said that if they did not get to the asphalt before the plants closed in the fall, then it would happen in the spring, but there will still be security in place. Mr. Romero said that his last point was that the project was one step in a multiple series of steps to get Lakota back on its feet. He said it wasn't a lot of work, but it was signaling to the community and the marketplace. He also said there will be more applications coming to the council in the future, and they hoped to develop a great relationship of cooperation and consensus with the council.
Councilor Hazelton said that he had confidence in staff and what they have been doing, and he said he also understood receiving paperwork at the meeting. He said he would be willing to, if it's necessary so everyone had a chance to read the paperwork, to be part of a special meeting, especially if there was a chance that council may not meet for a month.
Administrator Reynolds apologized to the council for the last-minute items and said that staff had been very busy and Engineer Simonson had also been pressed for time. Administrator Reynolds said that Engineer Simonson's comments were rather minor except for the debate regarding the contingency percentages. He noted the standard used was the same as required of the Colombo project. Administrator Reynolds apologized again for the last-minute additions and although it appeared to be a lot of paperwork, he said the SIA that was in the packet was applicable with some last-minute edits from the attorneys. Administrator Reynolds said that he felt that at a staff level, everyone was comfortable with it but that he understood that a last-minute report from the engineer and a last-minute edit from the attorney was tough. Administrator Reynolds said there

was a bit of an accelerated timeline on the application with the possibility that the next council meeting may be cancelled. He said that may have been a misstep, and he certainly understood council's position on last-minute information.
Councilor G Riddile said that he felt that he was comfortable, but he did want to discuss some of Engineer Simonson's comments. Regarding the SIA, he said he trusted staff and the attorneys.
Administrator Reynolds offered to try to get Engineer Simonson on the phone.
Councilor G Riddile asked if the scope of the original SIA was being reduced in that the next 6B phase was going to be a single phase as opposed to two smaller phases. Attorney Carmer said that the way the first ordinance was written was that it was phase 6A and phase 6B, it did not prohibit further phasing of that and basically what was happening was that it was being cut in half and will be done in two phases. She said that the second half of phase B will have its own SIA as well, and they will have to come back for 6B2 for an SIA agreement.
Mr. Romero addressed the council again and said that in regard to the contingency amounts and in respect of the town's conditions he said he was willing to split the difference between the town's wish for ten percent and the offered five percent and increase it to seven and a half percent. Additionally, he said he was willing to meet in the middle on the overhead and inspections at six percent, which was halfway between the town's eight percent and the offered four percent.
Mr. Romero said he was also willing accept the asphalt overlay as requested by Engineer Simonson. Regarding the concrete curb and gutter around the cul-de-sac, he said they would prefer not to install that, rather, they proposed a professional two-inch lift of asphalt to assist with drainage.
Planner Smith said that the idea was that at the end of the phase, the town was asking for a temporary cul-de-sac where emergency equipment could turn around. He said ideally it was temporary and in the next phase it will be removed.
The council, staff and applicant discussed the items in Engineer Simonson's letter briefly.
MOTION: Mayor A Riddile made a motion to approve Resolution TC 2022-18, a Resolution of the New Castle Town Council Approving a Subdivision Improvements Agreement for Lakota Canyon Ranch, Filing 6B1 with the following amendments: Regarding the notes in Engineer Simonson's letter (which is exhibit A to these minutes): #1. The cul-de-sac will be done with an HMA paving overlay with an asphalt curb; #2, 3 and 4 are acceptable to the applicant; #5. Construction Administration, Inspection, Materials Approval and QC Oversite will be set at 6%. #6. Contingency will be set at 7.5%. Councilor G Riddile seconded the motion and it passed unanimously.

Discussion: Dog Park Funding

Administrator Reynolds said that at the last council meeting, the council had heard about the dog park project and had heard from the dog park committee. He said that council had approved the project to move forward. Administrator Reynolds said that they had spoken briefly about funding and some folks that wanted to do some private fundraising on behalf of the project. He said they also talked about Director Wenzel obtaining bids for the project.

Administrator Reynolds said that subsequently, staff had met with the fundraising group and made some progress with what the town was comfortable with. He said the town was not really in the fundraising business and does not have experience with it. Between himself and Treasurer Burk, they felt that it would be best to channel funds through a Go Fund Me account that could be linked to a town bank account. He said there will be a group of fundraising folks out there creating different events and products to sell. They will run their narratives by staff, so the town understands the message that was going out, prior to it going out.

Administrator Reynolds said that the project was not part of the town's capital planning. He said that staff tried to essentially live by the capital plan, and now there was a new project in the mix that there was not designated funding for, other than what the fundraising committee was proposing. He said that staff discussed it more to see if any funding for the park could be identified.

Administrator Reynolds said that it sounded like there was expectation that the park will be built sooner rather than later, and certainly staff would like to do that. He also said that Director Wenzel felt that if a target budget could be identified and then the project could go out for bid, there was about a fifty-fifty chance a builder could be found.

Administrator said that a few years ago, the project could have been self-performed, but with the current staff shortages, and the many projects already underway, staff will not be able to build the park. He said that staff did want to take a serious look at it and get the project as far along as possible. To do that, staff felt it was necessary to come back to council and provide some ideas about where could come from. He thought it would help the fundraiser group as well.

Administrator Reynolds said that Director Wenzel's estimate on the cost of the dog park was just over $60k and Go Fund Me worked a lot better when there were achievable, realistic goals and descriptions of those goals. Treasurer Burk identified some conservation trust funds that were fitting for a project such as the dog park.

Administrator Reynolds said there was about $120k in conservation trust and $60k could be taken out of it to go towards the park, he said staff could apply for a fall mini FMLD grant for $25k to offset some of the cost. He said there was other grants the town could apply for, but timing may be problematic. Administrator Reynolds also suggested that there could be excess funds in the general fund to put toward part or all of the project.

Administrator Reynolds said that staff wanted to have some more discussion on the funding of the project so there was a more solid direction on how funding will occur.

Councilor Leland said that at the dog park meetings, they had talked about how the project could be trimmed down. He said that the essentials were the fence materials and installation; the crusher fines materials and installation; the potable water line; trash cans; dog waste station and rules sign. He said that the park can open without the water fountain, benches and picnic table and he felt they could find donors for those items. He said the shade structure was very desirable, but it did not need to be installed in the first year, he said that could be budgeted in the future. Councilor Leland said that the costs could be reduced by approximately $15k by removing the mentioned items, leaving a cost of $45k. Councilor Leland said he did not want to take the funding from conservation trust because he understood that they could not pay that fund back. Treasurer Burk explained the limitations with conservation trust monies and how it could be used to fund the dog park.

Councilor Leland suggested that conservation trust monies be used for those things that qualify, and general fund for the rest with the idea that fundraisers will pay back as much as they can raise back into the general fund.
Councilor G Riddile said that he wanted to see what the dog park group could accomplish because they were a very engaged group and he thought it was good for the community and they will act as outreach and education as well. He said they did not get this type of engagement all the time with all the projects the town was doing. Councilor G Riddile said he did not mind filling the gap where needed, but he did not want to cut the fundraising group off from their efforts. Councilor Hazelton agreed, and he also felt that they should pull back the benches, picnic table and shade structure and foundation, and fund the remaining, whether trust fund or general fund or how ever the staff feels works best. He said that whatever that number was, they should add ten percent to it. Councilor Hazelton said that as they were looking at the 2023 budget and saw how the fundraising was going, they could make decisions accordingly.
Councilor G Riddile said he was not involved in any of the conversation or dog park meetings, but he suggested that once the grass was removed, they were committed at that point to the crusher fines. Councilor Carey said she was also not involved in the dog park meetings, but she was concerned about the crusher fines as well. She said that the grass in the area was already established, and if it were removed and crusher fines installed and they turned out to be an issue, it would be a very large expense to reseed or resod the space. She said she had more than one person tell her they would not take their dog to the park, and she said she looked into the Carbondale dog park, and it was not crusher fines. She said that the crusher fines were the second most expensive item in the budget, and she wanted the town to not be hasty just because they wanted a dog park, without contemplating it further. She said again that she was not at the meetings and did not know how the surface materials were vetted. She knew there were people who wanted to attend the meetings who could not, and she did not know how their input would have changed the decisions. Councilor Carey said she did not want a dog park no one went to, or only a few went to, or one people stopped going to because their dog's feet were injured. Councilor Carey said that she wanted the project to slow down some and be looked at closely.
Councilor Leland said that Parks Manager Charlie Moore and Public Works Director John Wenzel had done the research, and crusher fines will not injure dog feet because they were very fine, coarser than sand but not sharp rock, and is commonly used in dog parks. He said it was a matter of maintenance, because they will not be able to mow the grass, because they won't be able to get a big mower in the park. In addition, if anyone neglects to pick up after their dog, that will be an issue. Crusher fines can be washed. Councilor Leland said he was relying on staff's expertise, but perhaps in order to keep costs down initially phasing it in may be an answer. Councilor G Riddile suggested installing the fence and then see how it went. Treasurer Burk said that in Bend, Oregon where she was there were a lot of dog parks that had crusher fines and it worked just fine, and the one that had natural vegetation or grass get very worn down that it doesn't last. She said if it was a heavily used park, grass will not continue to grow well. Councilor Leland said that it was a fairly small park, so if it is used a lot then it may wear down quickly. Administrator Reynolds said that there were crusher fines paths all over town and people walked their dogs on those constantly. He said that you can scratch your fingers in it and it will not

hurt you. He noted that one of Director Wenzel's concerns was that a grass dog park will become a dirt park which will become mud when it rains and crusher fines drains, if there are low spots it can be raked to level it off, it will be irrigated around it with the idea that urine gets washed down, and the staff does not have to get in there with lawnmowers where people haven't picked up after their dog. It will be obvious when someone hasn't picked up after their dog on crusher fines than grass, and its easier to clean up crusher fines. He said that building it and later tearing out the sod isn't impossible, but how the irrigation is laid out did not contemplate the fenced area, so irrigation needs to be moved. Doing the work later will be more costly than doing it in the beginning. He said discussing the merits is valuable, but that was why there was a dog park committee, and they did vet the surface materials issue pretty heavily. Mayor A Riddile said that a good example of a crusher fines trail is the one at Grand River Park where people walk on it with bare feet. Administrator Reynolds said that Bear Dance Park was the same and kids ran around it all the time.

Jody Owens, 235 W Capital Court. Ms. Owens said she had stopped in Alder Park to do some field research and that trail was crusher fines and she was pleasantly surprised to find that the crusher fines were not as hot in the direct sun as she expected. She said her concern was that it was extremely compacted, almost concrete-like. She asked what the upkeep, and how often were more materials needed to keep a surface that was not compacted. Councilor Carey said the dogs were not just walking, they were wrestling because they constantly wrestle and she felt that the concern brought to her was that it may be as if they were wrestling on a parking lot as opposed to grass, granted she was not at the meetings. Councilor Carey restated that she wanted to make sure the council was listening and researching and between the committee and council it had been well-vetted. She thanked Administrator Reynolds for the explanations.

Rhonda Busk, 360 Dragonroot Drive. Ms. Busk said that a number of things had come up and many great points had been made. Regarding a gate for the maintenance, Ms. Busk said that the council had just casually approved a fence over Faas Road so there was no reason they couldn't install a gate that could be used by the maintenance people to mow. She felt a gate was a simple fix so that the grass could be mowed. Ms. Busk said that Administrator Reynolds was correct in that grants take a long time to come through and New Castle was a great community. She said a good case could be made that the town would be a really good recipient of the grant proposals, but at a minimum, you had to have a blueprint. Ms. Busk said that while the town was spending money, and before cutting everything out, she wanted to see how much money could be raised in the next year or six months, whatever it was until next spring. She thought a blueprint needed to be done right away and that the property needed to be surveyed and a blueprint needed to be done so that the town could actually do those grant proposals. Ms. Busk said there were tons of grants from pet food companies, Nutria, the Betty White Foundation or the Doris Day Foundation. Just a rudimentary search will show a lot of grants available, and its the same grant over and over, you just change the name on it. PetCo, the Arbor Day Foundation, Great Outdoors Colorado (GOCO), the Garfield County Commission, which no one had brought up. Ms. Busk suggested that if the town was going to move forward with a dog park now, they should go bigger. Instead of a half-acre and cutting things out, Ms. Busk felt they should make it a full acre and use the savings for the additional cost of

fencing, with a gate, for the mower in case the town decided on grass. Ms. Busk also suggested the town add trees, because it was hot in New Castle.
Treasurer Burk said that in regard to grant, they did take a long time, and no work can be done on any project until a grant agreement was signed. Money can be spent, but you cannot apply for reimbursement for it.
Councilor Hazelton said that he wanted to circle back because the conversation was supposed to be about funding. He said that he felt the council should commit as he earlier stated, and some things should be left out for fundraising or the 2023 budget. Councilor Hazelton offered that perhaps there should be another meeting of the dog park committee that could show why they came up with their decisions. Councilor Hazelton said that as far as he was concerned, he trusted the process the committee went through and what Director Wenzel and Administrator Reynolds went through, as well as everyone else involved. He stated again that the discussion was supposed to be about funding and that was his focus. Councilor G Riddile clarified that Councilor Hazelton wanted to move forward with everything in the budget except that last four items. Councilor Hazelton confirmed that.
Treasurer Burk said that new budget without the last four items will be $46,659.00.
The council agreed that $46,659.00 should come from conservation trust funds, and the fundraising could pay for the benches, picnic table, shade structure and the shade structure foundation.
Treasurer Burk said the council will have to approve a supplemental budget because the project was not in the 2022 budget. Supplemental could be done at the end of the year or as a special supplemental budget, which she preferred. She also suggested putting in a little higher number that what the dog park budget showed in case it cost more than what was estimated.
The council thanked Ms. Owens and Ms. Busk for their comments.

Discussion: Possible Tax Issue for the November Ballot
Administrator Reynolds said that the mayor had an idea of the town funding a school resource officer (SRO) for the middle school. One of the ideas for funding an SRO was a slight increase in sales tax, a .33% which would yield approximately $200K annually. Administrator Reynolds said that everything that would be necessary to outfit the position, including a vehicle, training, a competitive salary and benefits, would be about $200k. In the future, the money could fund another officer or something else. He said that if the council wanted to go in that direction, November will come quickly. He said that the town needed to provide a letter of intent to place an item on the November ballot, and that letter had to by to the county in late July. The actual ballot language had to be to the council by the end of August. He said it will take more than one meeting to decide whether to move forward with it. Mayor A Riddile said that he will meet the next day with Heather Grumley, the School Superintendent, and they will brainstorm how to get the ball rolling. He said that it was his idea that RE-2 did not have to put any funding into it. Councilor G Riddile said there was a precedent with Rifle on that because they paid for their SRO at about an 80% rate. Mayor A Riddile said that the Rifle SRO was out on patrol because the Rifle PD was short-staffed.

Mayor A Riddile said that in the second year of the tax, the idea was to hire a second resource officer to cover the elementary schools.
Councilor Hazelton said that if they made the tax only for an SRO, and then the town got in a bind, like Rifle did, what would happen.
Mayor A Riddile said that the town will hire Bill Ray to help get the verbiage correct. He also said there was a lot of trouble at Riverside Middle School and an SRO was needed.
Councilor Copeland asked if the SRO would be a regular police officer when there was not school. Mayor A Riddile said his thought was code enforcement. Administrator Reynolds said that staff had spoken to Chief Pagni about it and had also reached out to Rifle. He said that the person hired as an SRO was not the same as a patrol officer because the objectives of the jobs are different, and the skill sets were different. SROs and code enforcement officers were about building relationships, finding solutions whereas patrol officers were primarily in situation where they ask then tell, and it was just different mindsets. Administrator Reynolds said that because school was only four days per week, the fifth day could be code enforcement. He said there was not a lot of code enforcement, but it was enough that it kept Planner Smith busy. The ballot language might be worded in a way to provide flexibility where necessary.
The council agreed to move forward with a tax issue for the ballot.
Administrator Reynolds said the letter of intent will go to the county by the deadline. He also said that staff will contact Bill Ray, the political consultant the town had used in the past.

Consider Resolution TC 2022-19 - a Resolution of the New Castle Town Council to Decline Participation in Colorado's Paid Family and Medical Leave Insurance Program

Administrator Reynolds told the council that in November of 2020 there was a ballot issue that asked the voters if they would be interested in a paid family leave program, and it was approved. The state spent several years putting a program together, but the I in the name meant an insurance program. Like any other insurance, you pay a premium, when you need to make a claim, it's approved or denied, you take your leave, and you get the benefit. The idea was, when they first start it, every employer in the state will be involved in some way. He described the insurance program details with the council, noting that if the town chose to be involved with the program, it meant they every employee had to pay the premiums, whether they wanted it or not. If the town chose to opt out, any employee could still buy into the program on an individual basis, at the same premium rate.
Administrator Reynolds said that the process to opt out was complicated in that he had to speak individually to every employee, provide them with written notice and hear their opinion regarding the opt-out. Because every employee agreed that the town opting out was acceptable to them, staff brought the resolution to decline participation in the FAMLI Leave program for council's approval.
MOTION: Mayor A Riddile made a motion to approve Resolution TC 2022-19, a Resolution of the New Castle Town Council to Decline Participation in Colorado's Paid Family and Medical Leave Insurance Program. Councilor Mariscal seconded the motion and it passed unanimously.

Consider Ordinance TC 2022-10 - an Ordinance of the New Castle Town Council Amending Section 15.10.020 of the New Castle Municipal Code for the Requirement of Electric Vehicle Charging Capacity in New Residential Dwellings (1st reading)
Planner Smith said that the council had discussed the EV charging station topic a few times, and that was basically to add a 240-volt outlet to new homes in the garages for electric vehicles.
He said there was a minor change from last time council discussed it in that staff had changed it from 40 amps to 50 amps. In studying it, staff learned that increasing and amps to 50 decreased the charging time by several hours. 40 amps he said were sufficient, but 50 amps would handle all possible providers of those charging units.
Planner Smith also said that Excel Energy provided some 40- and 50-amp chargers, and by only requiring 40 amp service would limit some benefits from Xcel Energy.
Planner Smith said that the template for the ordinance was a recommendation from the International Code Council, from the Department of Energy. He said it was strictly for new residential development only, no commercial.
MOTION: Councilor Leland made a motion to approve Ordinance TC 2022-10, an Ordinance of the New Castle Town Council Amending Section 15.10.020 of the New Castle Municipal Code for the Requirement of Electric Vehicle Charging Capacity in New Residential Dwellings on 1st reading. Councilor Hazelton seconded the motion and it passed on a roll-call vote: Councilor Leland: yes; Councilor Carey: yes; Councilor Hazelton: yes; Councilor G Riddile: yes; Councilor Mariscal: yes; Mayor A Riddile: yes; Councilor Copeland: yes.

Consider Ordinance TC 2022-6 - an Ordinance of the New Castle Town Council Amending the Municipal Code Regarding Contempt of Court and Failure to Appear (2nd Reading)
Clerk Harrison said that this was second reading of a code change suggested by Municipal Court Judge Amanda Maurer. The ordinance will increase the penalty for contempt of court to the allowable $2,650.00. This will provide more flexibility for the municipal judge as well as providing consistency in the municipal code.
MOTION: Councilor G Riddile made a motion to approve Ordinance TC 2022-6, an Ordinance of the New Castle Town Council Amending the Municipal Code Regarding Contempt of Court and Failure to Appear on 2nd Reading. Councilor Copeland seconded the motion and it passed on a roll-call vote: Councilor G Riddile: yes; Councilor Hazelton: yes; Councilor Carey: yes; Councilor Copeland: yes; Councilor Leland: yes; Councilor Mariscal: yes; Mayor A Riddile: yes.

Consider Ordinance TC 2022-7 - an Ordinance of the New Castle Town Council Amending the Municipal Code Concerning the Imposition of Municipal Court Costs (2nd reading)
Clerk Harrison said that the ordinance was second reading and that the rates increase brought New Castle's court costs in line with other local jurisdictions. It also increased the police training surcharge by $8.
MOTION: Councilor Hazelton made a motion to approve Ordinance TC 2022-7, an Ordinance of the New Castle Town Council Amending the Municipal Code Concerning the Imposition of Municipal Court Costs on 2nd reading. Councilor Carey seconded the motion and it passed on a roll-call vote: Councilor Carey: yes; Councilor G Riddile: yes; Councilor Leland: yes; Councilor Mariscal: yes; Councilor Hazelton: yes; Councilor Copeland: yes; Mayor A Riddile: yes.

Consider Ordinance TC 2022-8 - an Ordinance of the Town of New Castle, Colorado, Amending Chapter 3.32 of the New Castle Municipal Code to Adopt and Impose a Voter-Approved Increase of the Lodging Tax (2nd reading)
Clerk Harrison told the council that Ordinance TC 2022-8 is the ordinance the implemented the voter-approved lodging tax increase. Starting January 1, 2023, the total lodging tax will be 5%.
MOTION: Councilor G Riddile made a motion to approve Ordinance TC 2022-8, an Ordinance of the Town of New Castle, Colorado, Amending Chapter 3.32 of the New Castle Municipal Code to Adopt and Impose a Voter-Approved Increase of the Lodging Tax on 2nd reading. Councilor Leland seconded the motion, and it passed on a roll-call vote: Councilor G Riddile: yes; Councilor Copeland: yes; Councilor Mariscal: yes; Councilor Leland: yes; Councilor Hazelton: yes; Mayor A Riddile: yes; Councilor Carey: yes.

Consider a Motion to Cancel the July 5, 2022 Council Meeting

MOTION: Councilor Copeland made a motion to cancel the July 5, 2022, council meeting. Councilor Mariscal seconded the motion and it passed unanimously.

Consent Agenda
Resolution TC 2022-17 - Approving an IGA with Garfield County for Mosquito Control
EAT Bistro & Drinks Hotel & Restaurant Liquor License Renewal
MOTION: Mayor A Riddile made a motion to approve the consent agenda. Councilor G Riddile seconded the motion and it passed unanimously.

Staff Reports
Town Administrator – Administrator Reynolds told the council that staff had heard back from several recipients of outgoing grants, including Access After School who the town had not funded. They reached out and Rochelle walked them through the issue.

Administrator Reynolds told the council that Garfield County had gone after a grant for broadband to bring middle mile to New Castle and to install a carrier-neutral location. That grant was approved and will bring 1.7 million to Garfield County and will open the door for more companies to come in and provide fiber-optic service. Administrator Reynolds said that he had heard from Senator Hickenlooper's office that the town's Congressional Direct Spending request was progressing. That will bring 1.7 million dollars to the town for the raw water ditch and to improve raw water storage. Administrator Reynolds said he had attended another managers meeting where they spoke about the detox center and the IGA. He said there was a lot of concern about Mind Springs and while everyone realizes a detox center is needed, there were concerns. The IGA has gone back to the drawing board to be strengthened with more safeguards so everyone could be comfortable with the protections about Mind Springs. Administrator Reynolds said that the staff appreciation lunch had gone well and that it was important for staff morale. Administrator Reynolds said that he will be out of town Thursday and Friday at the CML conference. Administrator Reynolds said that council may have noticed that there were no times on the agenda and that was not a mistake. He said it was a trial. He said staff was connected to other towns through listservs and that staff learned from other towns all the time. One of the things that had been discussed on the listserv was how to make council meetings flow easier, how to reduce stress at council. Most towns have removed times on agenda items. He said that if the council did not like it, staff will certainly put them back on. Administrator Reynolds said that someone in the back of the room had a decorated desk because she had a birthday coming up. Happy Birthday Melody tomorrow.
Town Clerk – Clerk Harrison said she had done some work on the cyber security issue as well as getting new employees situated with phones, technology and software log-ins.
Town Treasurer – Treasurer Burk introduced Karen Frye who had been with the town almost two weeks now. Treasurer Burk said that she was working with a new budget software program called ClearGov that will make the budget process easier. Treasurer Burk said the budget kick off will be next month, and that the audit had been finalized but she had not gotten it yet.
Town Planner – Planner Smith said he had hired an assistant, Lauren Prentice, who will do inspections and land use. He said she was a mechanical engineer and a good fit for the department. Planner Smith said there are a lot of land use applications out there right now. He said that there had been some interest in the Walters Center.
Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – Councilor G Riddile said they had met with the BLD Group which looked promising.
Historic Preservation Commission – Councilor Hazelton said HPC had selected a firm to do the historic building survey. He said he was working on the lighting and heat issues at the museum.
Climate and Environment Commission – Councilor Leland said their meeting had been postponed so there was nothing to report.
Senior Program – nothing to report.
RFTA – Mayor A Riddile said that Councilor Copeland had attended the meeting with him

and had been introduced to the board. Mayor A Riddile had gone to Washington DC soliciting for two major grants for two major projects. One was the 27th Street Bridge and the other was the maintenance facility because it was 7 or 8 million dollars short because of inflation. He said they made some good presentation and they will find out in a few months.

AGNC – Councilor Hazelton said that and the DOLA grant was the primary topic. There were 11 asks and all were funded. Councilor Hazelton said that Senator Rankin met with the AGNC and wanted to use them as a fiscal agent and tried to get something for atomic energy in northwestern Colorado, but that was declined. Councilor Hazelton said that AGNC was a well-respected organization and he said that if anyone wanted to ask a question or look at the agenda or go to a meeting, they should do so.

GCE – nothing to report.

EAB – nothing to report.

Council Comments

Councilor Mariscal said that the level of respect for Councilor Hazelton was very high at AGNC.

Councilor Mariscal said she hoped to see everyone at the River Center Open House.

Councilor Carey said that she had attended the staff picnic and it was fun and it was good to get to know staff.

Councilor Hazelton said that if Councilor Carey had the chance to tour facilities with Director Wenzel, it is great to see what public works does.

Councilor Leland said that there was a message out from the Sheriff's department about vehicle break-ins, so lock your car.

Councilor Leland said that he appreciated the work that Administrator Reynolds was doing on the detox center IGA.

Mayor A Riddile said that the town had some new swag and stickers.

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

The meeting adjourned at 9:21 p.m.

Respectfully submitted,

Arthur B. Riddile

Mayor Art Riddile

TOWN OF NEW CASTLE
GARFIELD
SEAL
COUNTY
COLORADO

Melody D Harrison CMC

Town Clerk Melody Harrison, CMC