New Castle Town Council Regular Virtual Meeting
Tuesday, October 06, 2020, 7:00 PM

Due to concerns related to COVID-19, this meeting will be 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

Roll Call

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

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Town Planner Paul Smith, Town Treasurer Loni Burk, Public Works Director John Wenzel and members of the public.

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

Meeting Notice
Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2020-1.

Conflicts of Interest
There were no conflicts of interest.

Agenda Changes
Clerk Harrison told the council that staff wanted to remove the City Market Cooler Modification item from the consent agenda because the application had some errors in it that would need to be corrected. She said the application would be brought back to the October 20 meeting. The council agreed.

Citizen Comments on Items not on the Agenda

Paula Jo Casper member of the beautification committee for the Castle Valley Ranch Homeowners Association. Ms. Casper said that for the past year, the committee had been working on planting twenty trees in the community and she asked that the council assist in helping move the project forward. Ms. Casper said that the tree planning project had been going on for four years, and that the beautification committee had taken the project over the previous year, but was running into a continuous roadblock with the town as to where the trees should be planted. Ms. Casper said she wanted to discuss the issue.

Vennie Lilly. Ms. Lilly said that she was also with the tree planting and she was trying to get the project moving forward. She said that trees had been purchased from West Canyon Nursery and there had been an agreement with public works that they would move the trees October 5 and 6, 2020 and that had been stopped suddenly. Ms. Lilly said that they had someone to plant the trees and all they needed was someone to go out and mark the ground with an 'X' and to make sure the trees were properly irrigated. Ms. Lilly said that they had been working on the project since January and everyone had been in agreement and all of a sudden they could no longer move forward. She said they wanted to get it done in fall 2020. It would not cost the town anything except a little time to put an 'X' on the ground to indicate where the trees should be planted and where irrigation should go.

Mayor A Riddile asked what sort of roadblocks they had encountered, and how much notice had been given to the town for the October 5 and 6 dates.

Ms. Lilly said there had been a meeting with Public Works Director John Wenzel during the summer where a tentative date of October 5 and 6 had been set. Ms. Lilly said that on September 8, Director Wenzel responded that he could not commit to a date because he had some employees resign, and that if an immediate answer was needed the answer was no for October 5 and 6. Ms. Lilly said that in the meantime she had made arrangements with the people who were going to plant the trees in an attempt to remove as much burden from the town as she could so that the project could move forward. Ms. Lilly said that they just wanted someone to show them where the trees needed to be planted, and it could be rescheduled if needed.

Megan Pelky, Remax Country, Castle Valley Ranch HOA Manager. Ms. Pelky said that she had Deb Sanderson with her who was also with Remax Country and an HOA manager for Castle Valley Ranch. Ms. Pelky said that she felt the situation could be quickly resolved if the town could provide a map that indicated where the irrigation was or where the trees that were already purchased could be planted. She felt the town would have to do nothing more than that.

Mayor A Riddile asked Director Wenzel if a map was something that could be done.

Director Wenzel said that Pubic Works often partnered with many groups and successfully so. The Garden Club, the Downtown Beautification Committee, the school district, the Boy Scouts, Girl Scouts and sub-HOAs regarding parking and snow-removal issues. He said they had a good track record partnering with private citizens and groups as well as businesses, but unfortunately he had not been able to make the partnership with the HOA beautification committee work. Director Wenzel said he had not heard from Ms. Casper or

Ms. Lilly in over a month, and at the time they were asking for a commitment he did not have the resources to make. He said the parks department had a staff of six and that had been reduced to two. The HOA was asking for a day and a half of work and it was not as simple as putting a mark on the ground. Director Wenzel said he and the group had met several times and had marked up several maps. He said his departments' commitment to the project was to install irrigation for the twenty trees, and that was a day to day and a half project. He said with the staffing level in the parks department they could not commit, which was probably good because it could have been worse had they committed and then been unable to perform. There would be twenty trees out there with no irrigation. Director Wenzel said that it was unusual that he had not received any communication from the group in the past month because the issues could have been easily resolved rather than it going to council.
Mayor A Riddile said that he understood that public works was greatly understaffed as well as the clerk's office, administration and finance. He said that the town had found it necessary to reduce expenses because there was a pandemic taking place. He further noted that the town would have a balanced budget in 2021 because the staff had made many adjustments. Mayor A Riddile noted again that the town was understaffed except for the police department, but once senate bill 217 was effective, the police would also find themselves understaffed. He asked Administrator Reynolds to comment.

Administrator Reynolds said that the response from Director Wenzel was not to say that public works was unwilling to partner, rather, it was a statement that the timeframe set by the group was such that the town would not be able to accomplish the tasks successfully which was not good for anyone. Administrator Reynolds said that he had spoken to Ms. Pelky but the conversation was short due to other commitments of hers. He also said she had sent an e-mail request that he responded to with suggestions on how to make the situation work successfully, but there had been no subsequent response from Ms. Pelky. Administrator Reynolds said that if they were going to work as partners, they had to be able to work through constraints, but the group made the decision instead to come to council. He said that staff was more than capable of handling the situation and had made efforts to that effect but those efforts had fallen on deaf ears. Administrator Reynolds said that staff was still able and willing, but there were limits to what staff would be able to complete with the timeline set by the group.
Mayor A Riddile asked if it was still a project the staff would assist with.
Director Wenzel said yes, that it was a worthy project and something they had been working towards for months, however it needed to be something that staff could realistically achieve.
Mayor A Riddile asked that staff work on it and come up with a possible date. He also said that the scope of work needed to be clarified because he had heard several conflicting issues regarding the scope. Mayor A Riddile asked the group if that was equitable to them. They agreed it was equitable.
Mayor A Riddile said that the town had been a partner in the project for several years, but emphasized that they needed to understand that the town was grossly understaffed in almost every department and it would not be good to raise taxes or something to accommodate projects, particularly during a pandemic.

Ms. Pelky said that HOA was a healthy organization and they were willing to do whatever it took to assist the town to get the trees planted, whatever that was. Staffing or budget, it did not matter, she said that they were just trying to get the trees planted without

being difficult. Ms. Pelky said they would pay a company to come in and install the irrigation lines or anything else. She said she hoped that could help.
Councilor Hazelton asked what the hurry was. He said he understood the trees were purchased, but were likely still in the ground. He thought it might be better to wait until springs to plant trees anyhow. Ms. Pelky said that the beautification committee had purchased the trees and wanted to move forward with the project according to the agreement. Councilor Leland said that there was already a solution, and the dispute was not typically the kind that would involve the town council. He said that the HOA and staff will come to a solution and it was his opinion that it should be left to them. Mayor A Riddile and Councilor Hazelton agreed. Mayor A Riddile asked who the HOA president was. Ms. Pelky said that it was Carl Artaz.
Mayor A Riddile thanked the group and said that there was no reason there couldn't be a solution.
Ms. Pelky thanked the council for their time.

Consultant Reports
Consultant Attorney – nothing to report.
Consultant Engineer – not present.

Items for Consideration

Proclamation Honoring Virginia Erickson
Mayor A Riddile greeted Joe Erickson and all the family members who were in attendance. He said the news had saddened everyone.

Mayor A Riddile read the proclamation honoring Virginia Erickson into the record.

Mayor A Riddile said that Virginia had also been a member of the New Caste Home Rule Charter Committee who had developed the rules and regulations for the town to become home rule back in 1998.

Mayor A Riddile greeted each family member and had everyone introduce himself or herself to the council.

University Technical Assistance Program Coal Ridge/Breslin Park Survey Results
Administrator Reynolds said that the town had engaged the University Technical Assistance Program to assist with the redesign of Frank Breslin Memorial Park. He introduced Director Christopher Endreson and students Sylvia Pasquariello, Miriam Hernandez-Arroyo, Karen Schultz and Alex Hardesty sitting in for Hannah Van Der Vorst. Administrator Reynolds said that the students had been working diligently on what Frank Breslin Park might be reimagined to be. They began by putting out a public survey that had more than 160 responses. The survey results will be the data starting points for the redesign.

Director Endreson greeted the council. He and Ms. Pasquariello, Ms. Hernandez-Arroyo, Ms. Schultz and Mr. Hardesty reviewed their power point presentation of the survey and its results in depth with the council and staff.
Administrator Reynolds thanked Director Endreson and his team, as well as Director Wenzel and said that it had been a pleasure to work with them.
Director Wenzel said that he was impressed with the team and how they had put the survey together as well as the results. He said that he felt that indicated great interest from the public regarding the park and said that the survey and its results would go a long way when applying for grants.
The council thanked Director Endreson and his team and congratulated them on a well-done job.

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 Mariscal seconded the motion and it passed unanimously.

Consider Resolution TC 2020-29 - Approving a Hotel & Restaurant Liquor License Application form Tapatios, LLC, dba Tapatios
Clerk Harrison introduced Esmeralda Cornejo, owner of Tapatios.
Clerk Harrison said that she had been working with Ms. Cornejo for several months, and that Ms. Cornejo had submitted the most complete liquor license application she had seen. She said the restaurant was open for business and was working on a temporary liquor license. She asked if the council had any questions about the application or for the applicant.
Mayor A Riddile said he had eaten lunch at Tapatios and it was fantastic. Councilor Leland asked for the proper spelling of Tapatios, whether it had an apostrophe or not because he had seen it both ways. Ms. Cornejo said that it was with the apostrophe.
Mayor A Riddile asked if Ms. Cornejo was familiar with TiPS training for bartenders and servers. Ms. Cornejo said she was familiar with it and her staff will be attending training on October 8, 2020.
Councilor Leland said that the application was very thorough and he appreciated the detail.
Clerk Harrison pointed out that the applicant had signed a lease on the property to include the sidewalk area outside building so she could eventually have outdoor dining as well.
MOTION: Mayor A Riddile made a motion to approve Resolution TC 2020-29, A Resolution of the New Castle Town Council Approving an Application from Tapatios, LLC dba Tapatios for a Hotel and Restaurant Liquor License. Councilor Mariscal 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 Hazelton seconded the motion and it passed unanimously.

Discussion of Conceptual Trails and Trails Agreement Funding

Administrator Reynolds told the council that New Castle Trails and the Talbots had been discussing the idea of creating some trails on the Hogback range west of town, potentially to the Harvey Gap area. The Talbots own that entire mountain range and they had been looking for years for a way to use the property in a community-minded way. Administrator Reynolds said that there was potential for a partnership although the details of that were not yet known. He said the trails group wanted to explore it and there would likely be some legal expenses incurred.
Indicating a phase 1 map he described a very preliminary trail going up the mountain right outside New Castle and looping back into the downtown area.
Indicating a phase 2 map, he described trails that would go from New Castle all the way to a BLM area outside of Silt.
Administrator Reynolds said that the question for the council was whether the council thought further examination of the ideas were valuable, specifically allocating funds towards legal fees.
Councilor Owens asked why the Talbots' wanted to pursue the ideas. Administrator Reynolds said that they Talbots' realize they did not have another use for the property and have always been community-minded. He said the only real use for the property because of its terrain was recreational, and they want to create something of use to the community.
The council and staff discussed it at length and decided that they wanted to see an estimate from the attorneys before making any budget decisions. Administrator Reynolds said he would get that information for council.

2021 Proposed Staffing Plan
Administrator Reynolds said that at the council retreat they had a broad discussion about what staffing might look like in 2021, and had determined that there were funds for additional staff in town hall.
Administrator Reynolds and the council reviewed a proposed staffing plan that included a realignment of responsibilities of the Administrative Assistant to the Administrator, moving special events to recreation; the addition of a part-time position for finance and planning; a slight realignment of recreation responsibilities; the addition of a second police clerk in the police department in 2021 to accommodate requirements of senate bill 217; reinstatement of the Assistant Parks Manager position and to add funding to the 2021 budget to allow for an additional part-time person that could be flexible to fill need as it arises.
The council felt the staffing plan was solid.

Delivery of 2021 Budget Proposal
Administrator Reynolds said that the agenda item for delivery of the budget was necessary to abide by charter. The council thanked Treasurer Burk and staff for all their hard work on the budget.
MOTION: Councilor Leland made a motion at 8:48 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding an evaluation of the Town Clerk and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not

require the discussion of matters personal to particular employees. Mayor A Riddile seconded the motion and it passed unanimously.

"The time is now 9:10 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Mariscal, Owens and Hazelton; Mayor A Riddile; Councilors Copeland and Leland; Town Administrator Dave Reynolds and Town clerk Melody Harrison. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record."

Consent Agenda
August 18, 2020 minutes
September Bills of $704,698.14
~~Dillon Companies (City Market) FMB Liquor License Cooler Modification~~ - removed
New Castle Liquors Retail Liquor License and Tasting Permit Renewal
Kum & Go FMB Liquor license Renewal and Change of Manager
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 told the council that staff had been considering reopening the town hall, and felt that to avoid any confusion, the town hall could open on Wednesday, November 4, the day after the election. He said that since there was a new ballot box installed outside the town hall, it might prevent any confusion for those voters who wanted to drop off their ballot on election night. He also noted that there would be rules set in place for visitors to the town hall including the requirement for face coverings and only one person in the lobby area at a time. In addition, no visitors would be allowed access to the upstairs. Administrator Reynolds said that staff would make sure to be within any state guidelines as necessary. Administrator Reynolds said that three defibrillators had been ordered because the town did not have any. One would be in the community center, one in town hall and one in public works. The purpose was to increase safety measures for staff and visitors. Administrator Reynolds thanked the council for the bonuses they approved for the staff. He said that all the staff very much appreciated it and was grateful. Administrator Reynolds said that the town had been awarded $430k in CARES Act funding. Those funds are managed by DOLA. He said staff had looked closely at ways to get the money out to the businesses in ways that were within the rules of the Act. He said that it would be difficult for the town to distribute the entire amount, even with the second round of business grants and additional assistance for the River Center. Administrator Reynolds said that there was an opportunity for towns to be able to give back funds to the county. He said he had met with the county, and their allotment of CARES Act funds will not cover their expenses. He said that there was an opportunity for municipalities to relinquish funds back to the county if they felt they would not be able to use them. Because CARES Act funds needed to be used before the end of the year, the relinquishment needed to be done very soon. Administrator Reynolds said that his suggestion was that the council consider an amount to return to the county now, and in another month after the second round of business assistance grants they take a

second look at it. He said that returning funds back to the county would keep the money within the region. The council liked the idea and asked if any other town would be returning funds to the county. Administrator Reynolds said that other towns had been impacted harder than New Castle had by the pandemic and none of them had made any decision that he was aware of to return funds. He said New Castle was the first. Administrator Reynolds told the council that the second round of business assistance grants had gone out and they had received three back. He said that he and Administrative Assistant Debbie Nichols felt that the second round of grants would go well. Administrator Reynolds said that he had a meeting scheduled with the local Girl Scout Troop at Alder Pond regarding a project they wished to pursue. Administrator Reynolds told the council that there was earth-moving activity taking place across from River Park Condominiums on the Dow Rippy property. He said it was a reclamation project to clean up some old mining debris.

Town Clerk – Clerk Harrison told the council that the permanent ballot box had been installed outside the town hall. She said that the county had received a grant for the box and it came as no expense to the town. She also said that the town will be able to use the box for town elections and for any election they coordinate with such as the special election held by the fire department earlier in the year. Clerk Harrison thanked the council for the bonuses they had provided to the staff as well as the cost of living increase planned for 2021, and said that her department very much appreciated it. Clerk Harrison said that staff was considering what reopening the town hall would look like. Clerk Harrison said she was working with 88 Grill regarding outdoor seating into the winter, depending on what happened with the pandemic. She said that the current rules were considering any seating within a tent to be considered indoor which caused some concern. Clerk Harrison said she was still working on the server migration.

Town Treasurer – Treasurer Burk said she was working on the budget. She also said that her Assistant, Viktoriya Ehlers, was doing a great job. Treasurer Burk said they had just started 4th quarter and there was a lot to be done with insurance and budget and end of the year items.

Town Planner – not present.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – nothing to report.

Climate and Environment Commission – nothing to report.

Senior Programs – nothing to report.

RFTA – nothing ton report.

AGNC – nothing to report.

GCE – Councilor Leland said that the folks from CLEER asked to attend a council meeting and they will present a report as they do every year as well as ask for funding.

EAB – nothing to report.

Council Comments

Councilor Leland passed out the health department guidelines for Halloween, which were better than they might have been. He wanted to discuss what the council thought the town should implement or enforce. Mayor A Riddile felt that the town should simply follow the county guidelines. The council agreed that the town should publish the county guidelines but that enforcement would be impossible.

Councilor Leland felt that COVID case numbers should be closely watched after Halloween.
Councilor Hazelton said that the bulk water station was looking great. He asked when it might go online. Administrator Reynolds said they were waiting on the electrician to do some work, and then after that there would be some staff training. Unfortunately there was no solid date yet.
Councilor Hazelton said he thought that once people realized New Castle had bulk water available it would be a huge hit because the water was so good.
Councilor Owens asked if council members were allowed to attend the council meetings via Zoom or was it necessary to attend in person. The council said that virtual attendance was fine.
Councilor Mariscal apologized for having been absent in September, and thanked the council for allowing her absence.
Councilor Mariscal said that she and Administrator Reynolds had been invited to the Aspen Institute and she was excited to be part of the leadership program.
Mayor A Riddile read two thanks you cards: one from Joe Erickson and family, and one from Debbie Nichols for the bonuses given to staff.
Mayor A Riddile said that he had been thinking about the town Christmas Party and they could accommodate sixty people at Lakota with social distancing, which may not be very fair because they would have to limit attendance.
Councilor Owens said it could be set up with parameters and a requirement for RSVPs. Perhaps no kids?
Councilor Copeland said it might be best to skip it. Councilor Hazelton said perhaps an outdoor event would be good, bonfires and sledding and food from several of the local restaurants.
Mayor A Riddile said he would have the chamber look into it.
MOTION: Mayor A Riddile made a motion to adjourn. Councilor Owens seconded the motion and it passed unanimously.

The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Mayor A Riddile

Town Clerk Melody Harrison, CMC

TOWN OF NEW CASTLE
GARFIELD
SEAL
COUNTY
COLORADO