

**New Castle Town Council Meeting
Tuesday, May 21, 2019, 7:00 p.m.**

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 Councilor G Riddile
Absent	None

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Public Works Director John Wenzel, Town Treasurer Loni Burk, Utilities Supervisor Daniel Becker and members of the public.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2019-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

Town Attorney David McConaughy explained to the council that the executive session was regarding a Ware and Hinds Ditch shares contract, and he asked for the change to the agenda to include a motion to approve those contracts. The council agreed.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

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

Items for Consideration

Councilor Bruce Leland – Spellebration

Councilor Leland explained to the council that the New Castle Spellebration team, the New Castle Blues, had tied for first place at the 2019 Spellebration event. He presented Town Planner Paul Smith, Special Events Coordinator Debbie Nichols and Town Clerk Melody Harrison with 1st Place trophies. He also gave them a photo of the team at the event. In addition, the team would have the opportunity to keep the Literacy Outreach trophy for a time.

The council congratulated the team for their win.

Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

MOTION: Councilor Leland made a motion to recess the Town Council Meeting and to convene as the Local Liquor License Authority. Mayor A Riddile seconded the motion and it passed unanimously.

Consider a Special Events Liquor License Application from the Town of New Castle for the New Castle Trails Rides and Reggae Event on August 10, 2019 in VIX Ranch Park

Clerk Harrison told the council that New Castle Trails representative Adam Cornely was unable to attend the meeting because he was in Denver.

Clerk Harrison said that the liquor license application had come to the council in early February, and the council had voiced concern regarding the length of time that alcohol would be served and the liability issues related to the town holding the license for an event that was not a town event. She said that since that time, staff had worked with New Castle Trails representatives Adam Cornely and Joe Urnise, Attorney McConaughy, the town's insurance company CIRSA and their Director, Tami Tonoue. The result was a resolution that adopted the event as a town event and authorized Adam Cornely and Joe Urnise as volunteer organizers of the event. The council had approved the resolution at the May 7, 2019 council meeting. The resolution placed the event under the umbrella of the town's insurance coverage without the need for further riders or applications. Clerk Harrison said that Mr. Cornely had submitted a serving plan that included the use of a third-party for alcohol service and the utilization of security personnel to ID check and wrist bands.

Clerk Harrison said that the application was complete, all fees had been paid and that staff recommended approval.

MOTION: Councilor Leland made a motion to approve the Town of New Castle special events liquor license application for the New Castle Trails Rides and Reggae Event on August 10, 2019 with the conditions that there would be a 100% identification check, that all servers would be ServSafe or TIPs certified and that New Castle Trails would provide a staffing schedule for alcohol service. Councilor Copeland seconded the motion and it passed unanimously.

Consider a Special Events liquor License Application from the New Castle Community Market for the Community Market Sampling Garden in Burning Mountain Park on July 25, August 8 and September 12, 2019

Clerk Harrison told the council that Noreen Nolan and New Castle Community Market were now a 501c-3 designated non-profit organization and were eligible to hold special events liquor licenses. Clerk Harrison said that for several years the town had held licenses for sampling gardens at the market during which the two liquor stores in town could bring in beer and wine vendors. She also said that Ms. Nolan and other

members of the community market were ServSafe certified, that the application was complete and all fees had been paid. Clerk Harrison said that staff recommended approval.

Ms. Nolan told the council that the first two sampling gardens would feature each of the town's liquor stores, and the third sampling garden would feature the Brew Pub in conjunction with the chili roast.

MOTION: Mayor A Riddile made a motion to approve the special events liquor license application from the New Castle Community Market for the New Castle Community Market Sampling Garden in Burning Mountain Park on July 25, August 8 and September 12, 2019. Councilor Mariscal seconded the motion and it passed unanimously.

Consider a Special Event Liquor License from the Community Market for the Ritter Plaza Music in the Park Event in Ritter Plaza on June 23 and July 19, 2019

Clerk Harrison explained that the Downtown Alliance was the organization who held the Ritter Plaza Music in the Park event; however, they were not eligible to hold a liquor license. Noreen Nolan and the New Castle Community Market had agreed to hold the liquor license on behalf of the Downtown Alliance. Clerk Harrison said that the members of the Downtown Alliance had been ServSafe certified, the application was complete and all the fees had been paid. Clerk Harrison said that staff recommended approval.

MOTION: Councilor Hazelton made a motion to approve the special events liquor license application from the New Castle Community Market for the Ritter Plaza Music in the Park Event on June 23 and July 19, 2019. Councilor Mariscal seconded the motion and it passed unanimously.

Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting
Mayor A Riddile made a motion to adjourn the local liquor licensing authority and reconvene the town council meeting. Councilor G Riddile seconded the motion and it passed unanimously.

~~Executive Session (1) for conference with Town Attorney for purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and (2) for purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) concerning the purchase of Ware & Hinds Ditch shares - Cancelled~~

Town Attorney David McConaughy told the council that unless the Council felt it was necessary, he did not see a need for the executive session. He told them there was a confidential memo they could review. He explained that the contracts were to provide the town the opportunity to review the eighteen shares of Ware & Hinds Ditch water rights for thirty days. He said that the recommendation was to authorize Town Administrator Dave Reynolds to sign the contracts that gave staff a thirty-day free look at the shares to do some due diligence investigation as to the value of the shares. Attorney McConaughy said that the value to the town would be to use them in connection with some future water rights application where it would determine the

acreage that the shares historically irrigated, dry that up and then use it to support a water rights augmentation plan for future uses. Attorney McConaughy said that the town had been charging a water rights cash-in-lieu fee for some time and banking the funds for opportunities such as this where the town could purchase senior water rights. He reminded the council that in 2002 the town's rights had been called. The Ware & Hinds shares were generally the senior rights on Elk Creek, and purchasing them could prevent the town's rights from being called in the future. Attorney McConaughy said that was part of what needed to be researched. The council and staff discussed some details of water rights and water law, how seniority worked, how shares might be converted from an irrigation use to a municipal use and how the town may be able to finance the purchase if they were found to be valuable.

Consider a Motion to Approve the Ware & Hinds Ditch Contracts

MOTION: Councilor G Riddile made a motion to Approve the Ware & Hinds Ditch Contracts and to Authorize the Town Administrator to sign the contracts. Councilor Mariscal seconded the motion and it passed unanimously.

Consider a Motion to Approve an Extension of the Closing Date for the Town-Owned Property Located at 200 S E Avenue, #115, Windridge Condominiums

Attorney McConaughy said that the contract to sell the town-owned Windridge Condominium unit had a closing date of May 31, 2019. The Town Charter required an ordinance to sell town-owned property, and staff had mistakenly thought a resolution would be appropriate. Because ordinances required two readings, the closing date of May 31 would be missed, so staff was asking for a motion to extend the closing date to June 20, 2019. It happened that the buyer had some family issues and had asked for an extension as well.

MOTION: Councilor G Riddile made a motion to Approve an Extension of the Closing Date for the Town-Owned Property Located at 200 S E Avenue, #115, Windridge Condominiums. Councilor Mariscal seconded the motion and it passed unanimously.

Consider Ordinance TC 2019-3, An Ordinance the New Castle Town Council Authorizing the Sale of Real Property (first reading)

MOTION: Councilor G Riddile made a motion to approve Ordinance TC 2019-3, An Ordinance the New Castle Town Council Authorizing the Sale of Real Property on first reading. Mayor A Riddile seconded the motion and it passed on a roll-call vote: Councilor Leland: yes; Councilor Owens: yes; Councilor Hazelton: yes; Councilor G Riddile: yes; Councilor Mariscal: yes; Mayor A Riddile: yes; Councilor Copeland: yes.

Bulk Water Presentation

Public Works Director John Wenzel told the council that Administrator Reynolds had asked him and Utilities Supervisor Daniel Becker to look into the idea of building a bulk water station. Director Wenzel provided a power point presentation that thoroughly explored the idea, including potential station sizes, locations and costs. The council felt the idea was very good, and they agreed that staff should pursue grant funding for the project.

Consent Agenda

April 2, 2019 council minutes

April 8, 2019 council minutes

MOTION: Councilor Owens 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 CRHDC had requested their first draw against the escrow account for senior housing, but he thought it was likely they would not make the deadline of May 31 to complete everything necessary. Administrator Reynolds thought that CRHDC would need to request an extension of the TCO. He also said that it appeared that Merle and Leslie Means were back and would be managing both senior housing complexes. Administrator Reynolds said that the AGNC and Garfield County Oil and Gas are concerned with Senate Bill 181 that recently passed. He said that the town had entered into party-status agreement with AGND and Garfield County Oil and Gas to have them act as the town's liaison/representative to speak on behalf of the town at the state level. The town will have the opportunity to review what would be talked about and reject anything that the town does not agree with. Administrator Reynolds said that there had been a combined Downtown Alliance and Chamber of Commerce meeting that had gone very well. Administrator Reynolds said that the Golf Cart open house was scheduled for June 6. He apologized that it had taken longer than expected. He gave the council members a copy of the open house flyer. He said that Administrative Assistant Bart Mendoza and Clerk Harrison had been working on creating some visual displays for the open house, and it was coming together nicely. Administrator Reynolds said he had met with Mike Hinkley of Mountain Waste & Recycling regarding some price increases for recycling, and they were very dramatic changes. He said the issue would be coming to council soon. Administrator Reynolds said there was a lot happening with the LoVa Trail project, so there would be an item on the next council agenda so he could update the council. Administrator Reynolds said that the town owned a second condominium at Windridge, and he wanted to discuss options with the council at a near-future meeting. Administrator Reynolds said that he a director Wenzel had worked out some new striping to create additional parking on 6th Street. He said it would be temporarily re-striped and hopefully it would alleviate some issues. Administrator Reynolds said there would be a P&Z meeting the next night that will essentially be a debrief of the prior meeting where they heard their first major land use application.

Town Clerk – Clerk Harrison said that Administrative Assistant Bart Mendoza was working out wonderfully. She said he had been working on the OHVs on town streets project and was doing very well. Clerk Harrison said that she and Deputy Town Clerk Mindy Andis had attended a web meeting with the MuniCodeMeetings staff to learn the new agenda/meeting/packets software program. Clerk Harrison said they had also been working with MuniCodeWeb staff who would migrate the town's website to a new platform. Clerk Harrison said that staff was working with the new IT company on the transition from Executech to ProVelocity.

Town Planner – not present.

Public Works Director – Director Wenzel said he was working on a grant application for an electric vehicle charging station. He said that Utilities Supervisor Becker had a new hire that would begin the following day. Director Wenzel said they had received approval from the FMLD to expand the scope of work on Bear Dance Park, so his department would begin that work shortly. Director Wenzel said that his department had received an FMLD grant for streets maintenance, the project had gone out to bid and the bids came back positive. Director Wenzel said they had received an FMLD grant for the UV disinfection system, and they had received word from the manufacturer that the equipment will be delivered in September, so they were working to get ready for that.

Councilor Hazelton asked if Director Wenzel had looked any further into crosswalk safety with lighted signs. Director Wenzel said he had not had time but would get it done. Councilor Hazelton said he would send some information to Director Wenzel.

Utility Supervisor – Supervisor Becker said they were preparing for the lead and copper sampling project that would begin in June.

Treasurer – Treasurer Loni Burk said she had been very busy with Debbie Guccini out. The council thanked her for working so hard.

Commission Reports

Planning & Zoning Commission – Councilor Copeland said they had approved the Columbo application, but the approval had a long list of conditions.

Historic Preservation Commission – nothing to report.

Climate Action Advisory Committee – nothing to report.

Senior Program – nothing to report.

RFTA – nothing to report.

AGNC – nothing to report.

GCE – Councilor Leland provided the council members with information regarding charging stations. Councilor Leland said that GCE had discussed their financial challenges because they would soon be working at a deficit. GCE had received a grant some time ago to provide low-interest loans for energy efficiency upgrades for low-income households. Subsequently, two other agencies began providing low-interest loans at a better rate than GCE could, so that left a surplus of grant money that was not being used. GCE planned to approach the state to repurpose the grant funding for operations.

EAB – nothing to report.

Council Comments

Councilor Owens said that Bear Dance Park looked awesome.

Councilor Hazelton asked everyone if Perry Sweeny from the library board had contacted the council members. Councilor Hazelton said that he was looking for feedback regarding the New Castle library operations.

Councilor Hazelton said that parking on 7th Street and Main Street was not good. There were many people from Shady Court that were taking up the parking and the situation was likely much worse than realized. He felt it was something to look into. Councilor Hazelton said he thought that New Castle could advertise its restaurants at the KOA campground in Silt.

Councilor Hazelton said that now that New Castle's Dale Shrull was the managing editor of the Grand Junction Daily Sentinel he thought reaching out to him might be a good idea. He felt there may be a story about what small towns would be losing with the downtrend of oil and gas monies.

Councilor Copeland asked if the town's fall clean-up day could be pushed back because all the leaves were not off the trees in early October. Director Wenzel said public works was happy to explore alternate dates. Clerk Harrison offered that MWR picked up bagged yard waste for free and she said she would e-mail that information to the council.

Councilor G Riddile said that the City of Rifle was also struggling with their budget and they needed \$1m annually for streets. They were considering assessing steep impact fees.

Councilor G Riddile thanked Treasurer Burk for getting the sales tax update done. Councilor G Riddile told the council that New Castle Trails had received \$5,000 in discretionary funds from the BOCC and that will go to Rides & Reggae, which would free up town funds for trail development.

Mayor A Riddile said that the Town of Eagle was imposing a \$1,300 fee on new residential homes to be dedicated to their police department. He felt that such fees were something the council could consider.

Mayor A Riddile shared a project about New Castle done by a sixth grade student in Littleton.

Mayor A Riddile congratulated Councilor Owens for winning his company's Mariposa Award.

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

The meeting adjourned at 8:33 p.m.

Respectfully submitted,



Mayor Art Riddile



Town Clerk Melody Harrison, CMC

