

**New Castle Town Council Regular Meeting  
Tuesday, February 20, 2024, 7:00 PM**

**Call to Order**

Mayor Art Riddile called the meeting to order at 7:10 p.m.

**Pledge of Allegiance**

**Roll Call**

Present	Councilor Mariscal
	Councilor Carey
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland left 10:14
	Councilor G Riddile

Absent	none
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Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Mindy Andis, Town Treasurer Viktoriya Ehlers, Assistant Town Attorney Haley Carmer, Town Attorney David McConaughy, Public Works Direct John Wenzel, Police Chief Chuck Burrows, Polic Clerk Jessica Hernandez, Lieutenant Stu Curry, and members of the public.

**Meeting Notice**

Clerk Andis verified that her office gave notice of the meeting in accordance with resolution TC 2024-1.

**Conflicts of Interest**

Councilor Hazelton stated he would be recusing himself for item F. The update from the Chamber of Commerce.

Councilor G. Riddile and Councilor Carey stated they would be recusing themselves from items K & L. The discussion regarding the sale of the 6<sup>th</sup> Street lot.

**Agenda Changes**

Town Clerk Mindy Andis said the Coal Ridge High School Coed Cheer Team were not able to come tonight. Therefore, item A will need to be moved to a later date.

Clerk Andis said Ms. Amy Anglemyer was not able to attend the meeting tonight. Therefore, item C will need to be moved to a later date.

**Citizen Comments on Items not on the Agenda**

There were no citizens

1 **Consultant Reports**

2 Consultant Attorney –present for agenda items only.  
3 Consultant Engineer – present for agenda items only.  
4

5 **Items for Consideration**  
6

7 **Consider a Letter of Interest from Sharon Morris for Appointment to Seat on**  
8 **Climate and Environment Commission**

9 Councilor Leland explained that there have been two vacancies commission for a while on  
10 the commission and there will be a commission seat becoming vacant due to the term  
11 expiring and the commissioner will not be submitting a letter for reappointment. Ms.  
12 Sharon Morris said she is a resident of New Castle and submitted a letter of interest for  
13 the commission because she has a great love of nature and the outdoors. She has taken  
14 several courses in environmental studies and has sought personally to reduce the use and  
15 impact on the environment. She likes what the commission has prioritized and is  
16 interested in continuing the work.

17 **MOTION: Councilor Leland made a motion to Appoint Sharon Morrison to the**  
18 **Climate and Environment Commission. Councilor G. Riddile seconded the motion**  
19 **and it passed unanimously.**

20 **Consider a Letter of Interest from Derek Anglemeyer for Appointment to Seat on**  
21 **Climate and Environment Commission**

22 Mr. Derek Anglemeyer said he is the owner of West Canyon Tree Farm. He said he has four  
23 bee hives on the property and 2023 the bees did produce honey. There is someone who  
24 does care for the bees on the property.

25 **MOTION: Councilor Leland made a motion to Appoint Derek Anglemeyer to the**  
26 **Climate and Environment Commission. Councilor Carey seconded the motion and**  
27 **it passed unanimously.**  
28

29 **Update – Town Engineer and Public Works Director Regarding Southside**  
30 **Intercept Sewer Line**

31 Town Administrator Dave Reynolds said Town Engineer Jeff Simonson and Public Works  
32 Director John Wenzel will give an update to the council regarding the Southside Intercept  
33 Sewer Line. Administrator Reynolds said the Southside Intercept Line is a sewer line which  
34 collects wastewater from the southside of Downtown, City Market Plaza, Lakota Canyon  
35 Ranch, Shibui, Castle Ridge, and Walters Center. This line is comprised of a combination  
36 of gravity and pump systems which deliver wastewater to the Wastewater Treatment  
37 Plant at the west end of town. As one of the older wastewater lines in town it is important  
38 to understand the condition, capacity, and useful lifespan of this pipe. Engineer Simonson  
39 and Director Wenzel will share recent findings and discuss possible future actions related  
40 to this section of our wastewater collection system.

41 Engineer Simonson reviewed his slideshow presentation with the council. (**Exhibit A**)  
42 Attorney David McConaughy said in the Lakota Canyon Ranch Annexation agreement, the

1 town did say the town would take care of the sewer lines.  
2 Councilor Carey asked when the pipes do get replace with bigger pipes will the grade be  
3 suffice for the replacement. Engineer Simonson said the grades will be suffice and will not  
4 need to change.  
5 Mayor A. Riddile asked how many years before the town would need to start replacing the  
6 sewer lines. Engineer Simonson said from 2008 to 2023 went from 60 percent compacity  
7 to 66 percent compacity if the rate of growth stays under a 10 percent a year growth  
8 probably five years.  
9 Councilor G. Riddile said the town should start working on the project in 2027.  
10 Engineer Simonson said the project will be completed in phases and can be planned in  
11 phases not as one large project.  
12 Councilor G. Riddile asked how long the project would take if it was done as one large  
13 project.  
14 Engineer Simonson said he would estimate between 6 and 8 months. The time really  
15 depends on the contractor.

#### 16 17 **Update – Chamber of Commerce**

18 Administrator Reynolds said the New Castle Chamber of Commerce is here tonight to give  
19 an update to the council on their 2024 budget, activities, and organizational structure.  
20 Chamber Board Members will review their goals for 2024 as well as forecasted budgetary  
21 needs.  
22 Chamber President Siobahn Milholm, Mandy Gauldin Marketing and Kevin Hanson  
23 presented their 2024 budget to the council (**Exhibit B**). Ms. Milholm said there was a 35  
24 percent membership increase in 2023 and is hopeful for an additional 25 percent for 2024.  
25 She said the business after hours has been very successful and keeps growing. The block  
26 party and showcase and the Spirit Walk both events were successful.  
27 Ms. Gauldin said the chamber has launched a new website in January that was  
28 professionally developed and is more user friendly and more visibility for the chamber  
29 members with an enhanced search engine. Each member has their own page with links to  
30 websites, Facebook, Instagram, and Google Maps. For the past year Facebook reach is up  
31 140 percent, ads are up 174 percent, content interactions are up 83 percent, link clicks  
32 are up 119 percent, visit to the page is up 328 percent, new likes and follows are up 83  
33 percent. Ms. Gauldin said the demographics are 79 percent women and 21 percent men.  
34 The largest age group is 35-44 followed by 45-54. Currently 31 percent live in New Castle,  
35 10 percent live in Silt, 8.7 percent live in Glenwood Springs and 7.7 percent live in Rifle.  
36 Ms. Gauldin said she has been handling these duties on a volunteer basis for the past year  
37 but can't continue to do so. The Chamber has hired a new administrator who will be  
38 taking over the day-to-day tasks of the marketing portion for the chamber.

39 Mayor Art Riddile asked who the new administrator is. Ms. Gauldin said Suzanne Hazelton.  
40 Mayor Art Riddile said the town completed the budget for 2024 two months ago, why the  
41 ask for more money now and why the contract labor went from \$7,000 to \$20,000. Ms.  
42 Gauldin said the new administrator has taken on more duties and the amount also

1 includes an audit, legal fees to update the by-laws and bookkeeping.

2 Mayor Art Riddile said the showcase was a success why is the cost doubled. Ms. Milholm  
3 said there were other expenses that came up months after the event. The 2024 budget  
4 for the showcase has those other expenses included in the budget. The expectation for  
5 the showcase for 2024 will be bigger, therefore there will need to be more security and  
6 port a potty.

7 Kevin Hanson said there is planning in place to help with funding. The chamber will be  
8 increasing dues, changing BINGO night will help increase revenue. The chamber will be  
9 adding games to BINGO and increase the marketing and advertising for chamber events.

10 Ms. Gauldin said the chamber will start to offer sponsorships for events to help offset  
11 some of the expenses.

12 Mr. Hanson said the chamber has added an Ambassador Program in 2024 which will be an  
13 additional interest to people who want to be involved. He said to help save cost is to have  
14 the administrator be remote and that would save office space.

15 Ms. Milholm said the chamber is asking for an additional \$3500 from the town.

16 Mayor Art Riddile suggested seeing how the new BINGO, the sponsorship, and the other  
17 events for financing. Come back in August when the town starts budget for 2025 and  
18 make a presentation.

19 Ms. Gauldin asked if the town would sponsor the block party since that would be first  
20 event of the year. The block party is June 28, 2024.

21 Councilor Leland asked Town Treasurer Viktoriya Ehlers if there is money in the town  
22 budget for the request. Treasurer Ehlers said in the Administration General Fund is  
23 healthy and would not be problem to have the money come from that account.

24 Councilor Carey said she would like to see the outcome of the events when the chamber  
25 does a presentation to the council and show what the extra help has done.

26  
27 **MOTION: Councilor Leland made a motion to approve Block Party Sponsorship in**  
28 **the amount of \$3500.00. Councilor Mariscal seconded the motion and it passed 5**  
29 **to 1. Councilor Copeland: Yes; Mayor A. Riddile: no; Councilor Mariscal: yes;**  
30 **Councilor G. Riddile: yes; Councilor Carey: yes; Councilor Leland: yes.**

31 **Consider Approving Resolution TC 2024-7 - A Resolution of the New**  
32 **Castle Town Council Supporting the Application for a Mini Grant from**  
33 **the Garfield County Federal Mineral Lease District**

34 Administrator Reynolds said staff is submitting a grant application for the  
35 replacement of outdated playground equipment. The grant requests is \$25,000  
36 for the playground equipment. The playground equipment is in Kay Williams  
37 Park which is the oldest equipment. The estimated cost for the replacement is  
38 about \$60,000.00.

39 **MOTION: Councilor Leland made a motion to approve Resolution**  
40 **TC2024-7 A Resolution of the New Castle Town Council Supporting the**

1 **Application for a Mini Grant from the Garfield County Federal Mineral**  
2 **Lease District. Councilor Carey seconded the motion and it passed**  
3 **unanimously.**

4 **Consider Approving Resolution TC 2024-8 - A Resolution of the New Castle Town**  
5 **Council Supporting the Application for a Traditional Grant from the Garfield**  
6 **County Federal Mineral Lease District**

7 Public Works Director John Wenzel said staff is submitting a grant application for the  
8 round-about landscape construction. The grant request is \$400,000.00, with a total  
9 project cost of \$650,000.00.

10 **MOTION: Councilor Leland made a motion to approve Resolution**  
11 **TC2024-8 A Resolution of the New Castle Town Council Supporting the**  
12 **Application for a Traditional Grant from the Garfield County Federal**  
13 **Mineral Lease District. Councilor Mariscal seconded the motion and it**  
14 **passed unanimously.**

15 **Consider Approving Resolution TC 2024-9 - A Resolution of the New**  
16 **Castle Town Council Supporting the Application for a Police Department**  
17 **Grant.**

18 Chief Burrows said the grant would be awarded by the Colorado Division of  
19 Criminal Justice. The grant request is for \$174,860.03 which would be for 11  
20 Police Mobile Data Terminals, one Traffic Camera Trailer, and three License  
21 Plate Readers. The grant is a 100 percent funding. Chief Burrows reviewed the  
22 grant application and information with the council. (**Exhibit C**). He said the  
23 mission is to assist the state and local law enforcement efforts to prevent or  
24 reduce crime and violence and to improve the administration of criminal justice  
25 systems.

26 \*Priority Grant Areas

27 \*Community Based Violence

28 \*Behavioral Health

29 \*Activities to prevent auto theft

30 Chief Burrows said grant funding would be concentrating on activities to  
31 prevent auto thefts. There are three technology components in the grant  
32 submission:

33 \*Mobile Date Terminals (MDT) which would be laptops in patrol  
34 vehicles. The MDTs would all for officers to run vehicle plates, suspects, pull up  
35 mug shots, and allow for the officers more time on patrol. SAFETY-Dispatch can  
36 locate patrol vehicles with GPS tracking, allow officers to see where the nearest  
37 backup is and where officers or deputy location is.

1               \*License Plate Readers (LPR) can identify stolen vehicles and can  
2 detect associated warrants, suspects and missing parties entering New Castle.

3               \*Mobile surveillance trailer with mounted LPR. The trailer can be  
4 staged in problem areas for monitoring as well monitoring special events.  
5 Chief Burrows explained the department technology improvement project.  
6 He said the New Castle Police Department is applying for the Colorado Division  
7 of Criminal Justice, Justice Assistance Grant to greatly improve our community  
8 policing strategy. Part of this process is to seek support from our community  
9 members to assist in the decision-making process of being awarded the grant  
10 and even further enhance the safety and security of the great community.

11 The initiative is to acquire license plate reader cameras, a traffic camera trailer,  
12 and mobile data terminals. This will dramatically improve the pro-active  
13 approach by leveraging technology to enhance law enforcement capabilities by  
14 connecting us with dispatch directly, offering another pair of eyes in problem  
15 areas, and grant the ability to prevent motor vehicle theft, locate missing and  
16 wanted persons, and providing critical information for responding officers.

17 The implementation of license plate reader cameras will significantly aid in the  
18 timely identification of vehicles involved in criminal activities, allowing for swift  
19 action, and potentially preventing crimes before they occur. A traffic camera  
20 trailer will contribute to monitoring and managing traffic flow in our growing  
21 town more effectively, ensuring public safety on our roads. Furthermore, the  
22 deployment of Mobile Data Terminals (MOT's) will enable officers to access  
23 critical information in real time, whereas historically they have had to rely on  
24 delayed information through dispatch.

25 These technological advancements are not just tools for law enforcement; they  
26 represent an investment in the well-being and protection of our community. By  
27 supporting the New Castle Police Department in securing this grant, you are  
28 taking a significant step towards creating a safer environment for all residents  
29 and visitors. It will also impact the efficiency of the New Castle Police  
30 Department, which in turn improves response time to calls, enhancing our  
31 community's security infrastructure, ultimately contributing to a safer and more  
32 secure New Castle.

33 The police department will utilize the JAG grant funding efficiently and effectively to  
34 achieve the intended outcomes. Our track record of professionalism and dedication to  
35 public safety assures us that this project will be implemented with the utmost care and

consideration for the privacy and rights of our citizens.

**MOTION: Councilor G. Riddile made a motion to approve Resolution TC2024-9 A Resolution of the New Castle Town Council Supporting the Application for a Police Department Grant. Councilor Copeland seconded the motion and it passed unanimously**

**Consider Approving Ordinance TC2024-01 – Amendment of Sections 17.04.050, 17.36.040 and 13.20.060 of the Town Municipal Code to add Microbrewery as a Permitted Use in the C-1 Zone District (2<sup>nd</sup> Reading)**

Administrator Reynolds said during a regular town council meeting held on February 6, 2024, town council voted 5 – 2 in favor of adding the limited and defined Micro Brewery operations as a new permitted use in the Downtown C-1 Zoning District. During the first reading of this item, council and staff discussed the proposed definition of “Micro Brewery”, reviewed concerns regarding safe water discharge, and discussed how Micro Brewing businesses might be assessed appropriate water and sewer tap fees.

Administrator Reynolds said in general, the council agreed that adding Micro Breweries as permitted use was an acceptable idea. The council did, however, express concerns about the cost of tap fees and how those fees might affect new businesses. Following the first reading, staff conferred with our town attorney and discussed what flexibility may be available related to tap fees as well as what elements of tap fee charges are not flexible. In response to voiced concerns, staff were suggesting the addition of greater detail in the ordinance to better memorialize the mathematical formulas used to determine the EQR and tap fee basis for Micro Brewing businesses. Staff will explain the suggested changes along with recently learned limitations related to how tap fees must be assessed to each new water user.

Town Attorney David McConaughy said the loan conditions from the water and power authority do not allow for reduction in tap fees.

Administrator Reynolds said between first and second reading language was added to the ordinance to reflect that the town may request periodic production reports following commencement of actual use to confirm usage does not exceed tap fees assessed. Microbreweries allow for 500 barrels of production or fraction thereof for 1 EQR.

**MOTION: Mayor A. Riddile made a motion to approve Ordinance TC2024-01 – Amendment of Sections 17.04.050, 17.36.040 and 13.20.060 of the Town Municipal Code to add Microbrewery as a Permitted Use in the C-1 Zone District (2<sup>nd</sup> Reading) Councilor Carey seconded the motion and it passed 5 to 2.**

**Discussion: Councilor Graham Riddile stated he would be voting “No” because feels like the code is too restrictive. Councilor Mariscal said she would also be voting “no”.**

1 **Councilor G. Riddile: no; Councilor Mariscal: no; Councilor Leland: yes;**  
2 **Councilor Carey: yes; Councilor Hazelton: yes; Councilor Copeland; yes;**  
3 **Mayor Art Riddile: yes.**

4 **Discussion Regarding Use or Sale of Town Owned Property Located at**  
5 **the Corner of 6<sup>th</sup> and Main Street.**

6 Administrator Reynolds said Aaron Shockley is present to discuss his interest in  
7 the vacant property at the corner of 6<sup>th</sup> and W. Main Street.

8 Attorney McConaughy disclosed that Mr. Shockley is a client of the firms not in  
9 prospective this agenda item. A partner of Attorney McConaughy represents Mr.  
10 Shockley with other matters.

11 Mr. Shockley said the plan for the property is to continue the catering business,  
12 storage for two trailers, commercial kitchen space, and office. He said he wants  
13 to open a brick-and-mortar restaurant. He would like to pursue a beer and wine  
14 liquor license. He wants to be downtown and has taken in some inspirations in  
15 the historic buildings. The goal is by the end of 2025 to have a building. The  
16 thought is a two-story building with an event space on the second floor  
17 including a balcony.

18 Councilor Leland asked if there would be onsite parking for customers. Mr.  
19 Shockley said no the customers would park on Main Street. Administrator  
20 Reynolds clarified that the code doesn't require for onsite parking.

21 Mayor A. Riddile asked how many staff members Mr. Shockley would have  
22 between 6-8 full-time year-round employees.

23 Councilor Hazelton asked about the RFTA bus stop being on the property. Mr.  
24 Shockley said he believes it would be a plus but if it would be possible to move  
25 the shelter down a little bit and not right in the middle of the lot.

26 Councilor Copeland asked how often the restaurant would be open. Mr.  
27 Shockley said starting out the focus would Friday -Sunday dinner. In the future  
28 expanding to lunch and provide a small delivery service.

29  
30 **Executive Session (1) for the purpose of determining positions relative**  
31 **to matters that may be subject to negotiations, developing strategy for**  
32 **negotiations, and/or instructing negotiators under C.R.S Section 24-6-**  
33 **402(4)(e) concerning the 6<sup>th</sup> Street Lot**  
34

35 **Motion: Councilor Leland made a Motion at 9:31p.m. to go into**  
36 **Executive Session for a conference with the Town Attorney for the**

1 **purpose of receiving legal advice on specific legal questions under**  
2 **C.R.S. 24-6-402(4)(b) for the purpose of determining positions relative**  
3 **to matters that may be subject to negotiations concerning the 6<sup>th</sup>**  
4 **Street Lot. Mayor A. Riddile seconded the motion and it passed**  
5 **unanimously.**

6 **Executive Session for a conference with the Town Attorney for the**  
7 **purpose of receiving legal advice on specific legal questions under CRS**  
8 **Section 24-6-402(4)(b) regarding pending litigation against Castle**  
9 **Valley Ranch Investors**

10 **Motion: Councilor Leland made a Motion at 9:31p.m. to go into**  
11 **Executive Session for a conference with the Town Attorney for the**  
12 **purpose of receiving legal advice on specific legal questions under**  
13 **C.R.S. 24-6-402(4)(b) for the purpose of determining positions relative**  
14 **to matters that may be subject to negotiations concerning the 6<sup>th</sup>**  
15 **Street Lot. Mayor A. Riddile seconded the motion and it passed**  
16 **unanimously.**

17 Councilor G. Riddile and Councilor Carey returned at 9:44p.m.

18 Executive session concluded.

19  
20 At the end of the executive session, Mayor Art Riddile made the following statement:

21  
22 "The time is now 10:23p.m. and the executive session has been concluded. The  
23 participants in the executive sessions were: Councilor Mariscal, Councilor Carey, Councilor  
24 Hazelton; Councilors Copeland, G Riddile, Councilor Leland, Town Administrator Reynolds,  
25 Town Clerk Andis, Assistant Town Attorney Haley, Town Attorney David McConaughy and  
26 Town Treasurer Ehlers. For the record, if any person who participated in the executive  
27 session believes that any substantial discussion of any matters not included in the motion  
28 to go into the executive session occurred during the executive session, or that any  
29 improper action occurred during the executive session in violation of the Open Meetings  
30 Law, I would ask that you state your concerns for the record."

31  
32 No concerns were stated.

### 34 **Consent Agenda**

35 February 6, 2024 Minutes

36  
37 **MOTION: Mayor A. Riddile made a motion to approve the consent**  
38 **agenda. Councilor Hazelton seconded the motion and it passed**

1 **unanimously**

2  
3 **Staff Reports** – continued

4 **Commission Reports**

5 **Planning & Zoning Commission** – Councilor Carey said P&Z did meeting on  
6 the February 14, 2024, and reviewed a sketch plan for the proposed  
7 development just east of elementary school in Castle Valley Ranch. There were  
8 many residents that showed up for the meeting. There is a lot of concern  
9 regarding the gas station. The developer did appear open to the suggestions  
10 from the commission.

11 Rest of agenda items were continued to the next meeting.

12 **MOTION: Mayor A. Riddile made a motion to adjourn. Councilor Hazelton**  
13 **seconded the motion and it passed unanimously.**

14  
15 The meeting adjourned at 10:27p.m.

16  
17 Respectfully submitted,  
18  
19  
20  
21

22 \_\_\_\_\_  
23 Mayor Art Riddile  
24  
25  
26

27 \_\_\_\_\_  
28 Town Clerk Mindy Andis, CMC