

**New Castle Town Council Regular Meeting
Tuesday, May 16, 2023, 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 Leland Councilor G Riddile Councilor Copeland (arrived at 7:47 p.m.)
Absent	None

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Byram, Town Treasurer Loni Burk, Town Planner Paul Smith, Assistant Treasurer Viktoriya Ehlers, Town Attorney Haley Carmer and members of the public.

MOTION: Mayor A Riddile made a motion to excuse Councilor Copeland's absence. Councilor Mariscal seconded the motion and it passed unanimously.

Meeting Notice

Town Clerk Melody Byram verified that her office gave notice of the meeting in accordance with Resolution TC 2023-1.

Conflicts of Interest

There were no conflicts of interest.

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Agenda Changes

There were no agenda changes.

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

Consider Ordinance TC 2023-2 - an Ordinance of the New Castle Town Council Approving a Final PUD Development Plan for Lakota Canyon Ranch PUD Filing 8 (Longview) and Final Subdivision Plat for Filing 8, Phase 1 (1st reading)

Mayor A Riddile announced that the public hearing for the ordinance was closed at the previous meeting and no public comments would be heard.

Administrator Reynolds said that at the previous meeting, Town Planner Paul Smith had reviewed the staff report for the application. They had also heard comments from the applicant as well as answers to questions. Last, the public hearing was closed, and the council had begun deliberations. Administrator Reynolds said that they could pick up at that point. He noted that Dwayne Romero and his team were present, and they could answer questions as well.

Planner Smith said that there were several clarifications that staff and the applicant wanted to make. He invited Heather Henry to open the conversation.

Ms. Henry said that there had been questions regarding the dates of both the traffic and parking studies. Referencing a memo from Cassie Slade, Traffic Engineer at Fox Tuttle: *"The parking analysis was performed in 2022 using the most current version of the ITE Parking Generation Handbook, 5th Edition which was published in 2019. The handbook provides data from prior years, and then aggregates that data to get the most accurate picture."*

Ms. Henry said that the traffic study was completed in 2022 as well. The background data, meaning the actual traffic counts from putting the little counters on the street that everyone drove over was done in November 2021. The provided the existing background data and then they utilized CDOT data and growth data projecting ten- and twenty-year growth rates.

Planner Smith said that there had been a question regarding turf. He said there is a house bill 21-1229 that basically says that turf cannot be prohibited. He also said that there was nothing in the code.

Planner Smith said there was a question from one of the residents regarding the mailboxes on Faas Ranch Road. He said they are on the site plan and will be relocated to the northwest of their current location.

Planner Smith said there was a question about where the school buses will stop. Currently, he said that they stopped at Clubhouse and Blackhawk Drive. Administrator Reynolds said that RE-2 was looking to move their bus stop off Castle Valley Boulevard and that a private school agreed to move their stop location off Castle Valley Boulevard. Planner Smith said that the school district didn't make any comment on entering Longview, but he said he thought their intent was the safest route which would be off Castle Valley Boulevard.

Planner Smith said that at the last meeting they talked about the flex-zoning area. He asked Ms. Henry to speak to that.

Ms. Henry said that her team was comfortable with what the language said about the flex zoning, and that was that it would be anywhere in phase III. She said that was essentially CR-1,2 & 3. Ms. Henry said that the way it was envisioned was that anywhere in CR 1,2 or 3, they had an ability to find an additional 10,000 sf if they could balance it with the parking and all other criteria. She said that could be expanding the footprint a little of CR-1 which was only two stories with loft space, and it could mean that it becomes a full three stories. The additional 10,000 sf would be within one of the existing buildings. Town Attorney Haley Carmer said that if there were any final questions for applicant or staff, it was a good time for that. She said she will then review the redline ordinance, and then the council could begin their deliberations.

Councilor G Riddile said that at the last meeting, Romero Group indicated that they would be selling off the single-family lots so those could be privately built. Councilor G Riddile asked if the two-car garages with two-car driveways needed to be formalized now. Ms. Henry said that the single-family homes needed to be reviewed by the Lakota Design Review Committee (DRC), and she was not sure if the two-car garage was a requirement, but the two-car parking was. Mr. Romero offered that it could be a condition.

Mayor A Riddile asked for clarification of the phases, and when they expect to break ground. Mr. Romero said that it was conceptual, but asked for the site plan to be displayed so he could explain. He said that Phase I was all the way north, the first three lots on Whitehorse. Again, he said it was not likely they will build those. Phase II was on the south end of Faas Ranch Road. Phase II incorporates the commercial buildings C-4 and C-5. C-5 has the Valley View Clinic, and also in Phase II were the three apartment buildings that were roughly at the south end of the site. In addition, it included the two triplex buildings together with a duplex at the fourth fairway and the C-4 and C-5 commercial buildings. Phase III included two apartment buildings plus commercial buildings C-1, 2 and 3. Phase IV and V make up the two true residential collections. Mr. Romero said that with respect to Blackhawk Drive, there had been concern voiced about headlight light pollution towards the homes on Blackhawk. He said they wanted to make sure to provide the landscaping, and it was already anticipated to make sure they were not over-encroaching on existing backyards on Blackhawk. Mr. Romero said that was the phasing order, and he said they had the flexibility to move some of the phases internally and with approval of the staff.

Councilor G Riddile said that he recalled the P&Z had requested some kind of golf ball screening for the A-1 buildings. Ms. Henry said that they will extend the tree planting all

along that area including the townhouses. Mr. Romero said there was a pretty good buffer along there.

Councilor G Riddile said he had another question that was probably the town's issue not the Romero Group's. He asked if the Romero Group minded if immediately north of the Faas Ranch Road and Lakota Drive intersection if there were 'No Outlet' signs. Ms. Henry and Mr. Romero agreed that would be fine.

Councilor Carey asked if they had given any consideration to allocating the 77 parking spaces for dedicated parking, and if not, what about allocating ADA parking spaces to ADA residents. She also asked if they had given any thought to people parallel parking along Faas Ranch Road as overflow parking.

Ms. Henry said that dedicating parking spaces was against their traffic & parking engineer's recommendation, so she felt that the question had been answered. She said that if the council felt differently, they could make it a condition, but she felt that she had heard a narrative around allowing the strategy to play out. Ms. Henry said that she saw an opportunity for the town to understand some of the parking regulations for mixed-uses. She suggested that dedicated parking could be moved up to the #1 strategy if that was what the council wanted.

Ms. Henry said that ADA spaces were required, and they will be directly adjacent to the ends of the buildings. Councilor Carey said that permitted parking was either #3 or #7 in the strategy and she felt that it was something to think about.

Jody Edwards, Attorney for the Applicant. Mr. Edwards said that the eleven-point parking plan was a unique and robust parking plan, and the intent was to leave it at the HOA level because they will be the ones there on a day-to-day basis and they will know if there was a parking problem in the development. He also said that the town was involved in the five-year plan as well, so he felt everyone was well-protected. Councilor Carey said that she appreciated the plan, and said that honestly, she was concerned about the protection of the residents more than anything. Mr. Edwards said that the HOA will be the owners of the different buildings.

Planner Smith asked about parking on Faas Ranch Road. Mr. Edwards said that will be in the town's right-of-way.

Councilor Leland stated that the Romero Group mentioned the owners of the apartments, and asked if they would be sold. Mr. Edwards said they could be sold, but that was unknown at this time. In any case, the owner of the building will have membership in the HOA. Councilor Leland said that all the things that were discussed such as affordability will be built into the approvals.

Attorney Carmer reviewed the redline ordinance and clarified the changes that were made.

Planner Smith said that one item that was not a condition that was unique with the development was that the non-HOA structures would have to go through an approval with council. Planner Smith said that staff was asking for guidance on that topic. He said he could display the palette of the proposed designs if the council wanted to see them again. He said that the hope was to at least have some direction before the final reading, or the council was welcome to make a decision on what they saw. He again said that was not a condition and if the council wanted to add language that it was a staff approval or if the council preferred to add other requirements or constraints it could be added to the conditions. Attorney Carmer said that the way it was currently addressed in the ordinance

was that the final plan that was approved by the application included the building elevations, architectural design and materials that are described in the application. If the council approved it as-is, Romero Group will have to build in conformance with the plans and specifications and materials and then the question for council was if that satisfied the code. If additional information was needed that could be approved at a staff level as long as it was consistent with application materials.

Planner Smith read the code section to the council regarding non-residential design criteria.

Councilor G Riddile asked if a Condition Z could be added regarding the two car garages and driveways that they had discussed earlier for all the non-apartment residences. Councilor Leland said that he wanted to add a condition regarding dust control during construction.

Councilor Leland said that the council had memos from Fire Prevention Chief Orrin Moon, Town Engineer Jeff Simonson and Town Attorney David McConaughy about their requirements. He was not certain those were referenced anywhere. He asked if he had missed it.

Attorney Carmer said she did not think so because the applicant clarified the comments that made sense as conditions and were already in the ordinance. She said that she did not know if there was anything outstanding. Planner Smith said there was nothing outstanding.

Councilor Leland said that last question he had was whether the council wanted to claim design approval or could that be done at a staff level for the non-HOA buildings.

Councilor Hazelton said that he felt it should stay at the staff level. Planner Smith said that if it would be a staff approval, he would like to see that as a condition.

Councilor Carey said that she still had concerns about the parking and she wanted to hear the council's thoughts. Councilor G Riddile said that he was personally comfortable with the parking, and noted that the issue reflected a gap in the municipal code because it did not address the parking scenario proposed. He said that he may feel different if the applicant came in and said that the code was stupid, but they did not do that. They hired serious professionals and made a serious attempt. On top of that, there was a buffer in the parking, and furthermore, they had a parking strategy to address issues.

Councilor G Riddile said this was something that needed to be addressed in the code, and the proposal was something the town had been looking for. He said he was comfortable with it.

Councilor Hazelton said that he agreed with Councilor G Riddile, and that it was unprecedented to see an 11-step strategy for the parking. He said he was comfortable too.

Councilor Leland said that he had in his notes that the parking code needed to be examined for all areas of town because it was based on what was now a faulty assumption about how many vehicles an individual might own. He said that similar to Councilor Carey's concerns his were rush hour traffic and evacuation. There were only two ways out. Chief Moon okayed it and Councilor Leland said he did not have the expertise to challenge that. Otherwise, he loved the development.

Councilor G Riddile said that he thought that town's infrastructure master plan, or the Lakota Master Plan said that they were only allowed four access points onto Caste Valley

Boulevard within Lakota. The reason is to limit access points because it will cause day-to-day traffic problems. There were four: Clubhouse Drive, Blackhawk Drive, Fass Ranch and Metzger Way. He said he understood the fire evacuation concern, but his was the day-to-day. Castle Valley Boulevard need to be kept moving, and he thought the traffic circle will be needed eventually.

Councilor Carey thanked the council for their opinions and also thanked the Romero Group for the impressive parking plan.

MOTION: Mayor A Riddile made a motion to approve Ordinance TC 2023-2 - an Ordinance of the New Castle Town Council Approving a Final PUD Development Plan for Lakota Canyon Ranch PUD Filing 8 (Longview) and Final Subdivision Plat for Filing 8, Phase 1 on 1st reading, including all the amendments as discussed in the town redline ordinance dated 5:16.23. Councilor Mariscal seconded the motion.

Discussion: Councilor G Riddile commented that it was probably his fifth or sixth meeting going through a land use application. He said it had been very cool watching how it had gone from seeing everything proposed, to observe staff comments and hearing from concerned residents. He said he was very proud of the process, and he thanked everyone for their efforts. Councilor Copeland asked if she should vote since she just arrived, and Attorney Carmer said no, that she should recuse herself.

The motion passed on a roll-call vote: Councilor Mariscal: yes; Councilor G Riddile: yes; Councilor Leland: Councilor Copeland (recused); Councilor Hazelton: yes; Councilor Carey: yes; Mayor A Riddile: yes.

Mayor A Riddile thanked the Romero Group.

Records Request Policy Update

Clerk Byram said that "records request" meant the Colorado Open Records Act, or CORA, where citizens could request public information. She said that the majority of the rules for records requests are in the state statute, but there is an ability for municipalities to create policies of their own. Clerk Byram said that the town had a policy but it did not include was a limitation on multiple requests from the same requestor regarding the same subject.

Clerk Byram said that recently she had received 22 separate requests for records regarding a development. Each request, by state law, received one hour of free research. She said the requests ended up including multiple staff members, council members and attorneys, using a significant number of man hours. In the end, the town received only \$48 in fees because the requestor took advantage of the 1 hour free per request and got 22 hours of research at no cost to them.

Clerk Byram said that she had done some research and other municipalities' policies included provisions for multiple requests. She suggested that the following language be added to New Castle's policy:

Multiple requests received within 2 months from the same requestor/agency regarding the same topic will be considered a single request for the purpose of calculating staff time and fees.

Clerk Byram said that if the town already had the language in the policy, she could have given them one hour free and charged them for all the other hours spent, which equaled a

little more than the 22 hours they got free. The council agreed that it was a great idea to add the language and said rather than two months, it should be six months.

MOTION: Councilor Hazelton made a motion approve the change to the town records request policy as staff recommended adding a six-month timeframe rather than two months. Councilor Carey seconded the motion and it passed unanimously.

Discussion of Train Safety

Administrator Reynolds reminded the council that in February the council met with the Board of County Commissioners and one of the discussion was the Uinta Railway Project. Out of the conversation came a train safety concern. Councilor Carey has done a lot of research on the subject and staff have received some citizen concerns as well. He noted that Bronwyn Rittner was present and as a downtown resident she also had concerns. Administrator Reynolds said that staff wanted to understand from council if there was any course of action the council wished to pursue.

Mayor A Riddile asked how much staff time had been spent on the topic. Administrator Reynolds said that staff might have spent several hours. He said that he felt that the question was what direction the council wanted to go in and how much staff time should be put into it.

Councilor Leland said that the conversation with the BOCC and what Commissioner Samson had to say about oil and gas supporting the town had nothing to do with train safety through town or transporting Utah oil through the state to get to another distribution point. He said that there were other local governments who have taken a position. Councilor Leland said that he would like to research what other municipalities had taken a stand and offer to join them by signing a letter. He felt that he agreed that the idea that multi-mile long trains with potentially hazardous materials and possibly high speeds during a time when there have been a lot of train derailments is not a good idea. Councilor G Riddile asked if Councilor Leland's comments were related to the Uinta Railway Project, and Councilor Leland said yes. Councilor G Riddile asked if anyone knew if the public comment period for that project was still open. Councilor Carey said that the Uinta Project and train safety were two different things that ran parallel to one another because train safety has become a topic nationwide because of East Palestine and in Colorado because of the Uinta piece. She said that the conversations that she had had with the offices of Senators Bennet and Hickenlooper as well as Representative Neguse was that it was not too late to offer comment if that was what the council chose to do, but the town would not be part of the litigation. Councilor Carey said that if the town wanted to continue to pursue train safety as it applied to Amtrak, Union Pacific, Rocky Mountaineer and potentially Uinta, she felt that was important. The safety piece covers all trans that came through, and that was the purpose of the letter of support from the BOCC. She said that she was happy to continue to pursue the subject herself and welcomed any staff or council members that wanted to help. Councilor Carey said that New Castle was the community closest to the train tracks that the waxy crude will be carried on. She felt the downtown was at the highest risk. She said that if the council joined the other communities that would say a lot to the downtown residents.

Bronwyn Rittner, 720 W Main Street. Ms. Rittner had a letter she wanted to share with the council as a member of the downtown community. She said that she had done a lot of research because it affected her personally. Ms. Rittner said that she was not opposed to trains, in fact she grew up with trains and understood their necessity. Ms. Rittner cited statistics regarding train safety and told the council that her first point of business was perhaps implementing an evacuation and safety strategy for the town concerning trains. Ms. Rittner said that New Castle had between three and ten trains through downtown per day, which was part of the downtown experience. Ms. Rittner said that the Uinta Project, should it become a reality, will push approximately 350,000 barrels of waxy crude oil through New Castle each day, and that would be in addition to what was already coming through. She said that there would be an increase in side-railed trains as UPRR worked to mitigate the added train traffic on their lines. Ms. Rittner said that it would not only be a health and quality of life issue, but it would be a risk for access to the town wastewater treatment plant. As a case in point, UPRR recently left an engine idling behind Rieger Motors for a period of five days. She said it wasn't only an air-quality hazard, the vibration and noise were intense, and aggravating in the middle of the night. Ms. Rittner suggested that should the town have conversations regarding safety, they should include a section including time and hour limits on engine idling as well as track maintenance in the entire downtown area. Ms. Rittner said that passenger trains moved very fast through town, and she suggested that implementing speed limits for trains for the entire town limits would be helpful, particularly because there were two schools within proximity to the tracks as well as a subdivision that was very close. Ms. Rittner also suggested that because of the proximity of the two schools, enhancing fencing, education and signage should be a priority. Ms. Rittner said that the new wood fence installed by the town was an amazing addition and she thanked the town for that. She said it was attractive and provided a much-needed barrier. She said that it needed to be extended all the way to Elk Creek and reinforced and repaired going east. Ms. Rittner said that she knew that the council supported keeping the downtown vital and growing, and that was evidenced by the recent downtown plan. She said that the council's consideration and possible action concerning the safety and quality of life affected by the potential increase in train traffic go a long way in keeping the downtown strong. Ms. Rittner said that many community members spent a great deal of time identifying and working towards the goal of maintaining the quality of life in New Castle.

Ms. Rittner said that she did not see that accepting a project such as Uinta would be a positive step towards helping to achieve and continue its goal. She said that any service-driven business owner, developer looking for a new location or anyone interested in being part of any event in downtown would be discouraged by twenty trains blaring their horn as they barrel through New Castle every day. Ms. Rittner said that the private companies involved as well as the State of Utah stood to gain a considerable monetary benefit from the Uinta Project if it went through. On the flip side, that gain will not be shared in any way with the State of Colorado, Garfield County or New Castle. She felt Uinta was a project that would benefit a few but provided steep costs to many. She asked that the council consider her comments should they decide to make a statement or stand on the Uinta Project. Ms. Rittner thanked the council for bringing the subject up again and thanked the council for listening.

Mayor A Riddile asked Ms. Rittner if she was aware of the trains coming through town when she purchased her house on Main Street. Ms. Rittner said she did.

Mayor A Riddile said that Ms. Rittner mentioned from three to twenty trains per day and he asked why that number varied so much. Ms. Rittner said that she utilized numerous resources, and she was not sure she stated it well, but the Uinta Project wanted to move a certain amount of product per day, and it did not matter how many trains it took, or how long the trains were. Currently, there were between three and ten trains per day and the Uinta Project would bring that many more trains daily.

Councilor Hazelton agreed that Uinta was something the council needed to pay attention to but did not believe they had any business trying to discuss the train speeds because they will be loud at any speed. He did not believe there was any proof that showed that a train going 30 mph was safer than one going 50 mph. He grew up downtown and went to school on Main Street and just like a council meeting, you waited until the train went by. He said there was a hotline, and the residents could call and although he did not know that if the town did it, it would fall on the same deaf ears. He did not want to see the council taking a stand on it or staff wasting time on it. Councilor Hazelton said that he believed the Uinta Project ultimately will not come through New Castle; he believed they will find another route. Councilor Hazelton said one of the reasons New Castle existed was because of the train and it will continue to exist long after everyone was gone.

Mayor A Riddile asked Councilor G Riddile how easy it was for CDOT to communicate with UPRR. Councilor G Riddile said CDOT built around them. Mayor A Riddile noted that it was quite an issue trying to get approval from UPRR for the pedestrian bridge. Clerk Byram said that she still had unexecuted documents regarding the pedestrian bridge that have not been signed by UPRR.

Councilor G Riddle said that he had been present with the executive director of CDOT who was on a phone call with the Governor, and they discussed how they could not figure out how to talk to UPRR. He said it was a significant problem, but he could not see devoting staff time to it, not that he didn't believe safety wasn't important, he just did not see that it would work.

Councilor Carey said she was hearing that there would be no staff time. Councilor G Riddile said that they needed to decide what they were talking about: If it was Uinta, they needed to talk it out. If it was train safety, he could not see it. He said that it was important and a big issue, but he did not want to devote staff time to it. Councilor Carey said that she will take the safety piece off the table and they could talk about Uinta.

Councilor Leland said that the best that could be done was what Councilor Carey had done by involving the two senators. He further stated that since she had made contact and they knew it was an issue, they could go to work on it. Councilor Carey thanked the council for their input.

Councilor Leland said that he would work with Councilor Carey to find out what other governments were doing and the town could join in at the appropriate time.

MOTION: Councilor Leland made a motion at 8:30 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding the Town Clerk's Office, and not involving: any specific employees who

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have requested discussion of the matter in open session; any member of this body or 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; and Executive Session (1) for the 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 Kamm lot lease. Councilor Hazelton seconded the motion and it passed unanimously.

Town Treasurer Loni Burk and Assistant Treasurer Viktoriya Ehlers joined the executive session at 8:55 p.m.

Executive session concluded.

At the end of the executive session, Mayor A Riddile made the following statement:

“The time is now 9:10 p.m. and the executive session has been concluded. The participants in the executive sessions were: Councilors Mariscal, Carey and Hazelton; Mayor A Riddile; Councilors Copeland, Leland, and G Riddile; Town Treasurer Burk, Town Administrator Reynolds, Assistant Treasurer Ehlers and Town Clerk Byram. 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.”

No concerns were stated.

Consent Agenda

April Bills of \$1,001,530.45

April 4, 2023 minutes

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

Staff Reports

Town Administrator – Administrator Reynolds told the council that in the previous week’s manager’s report he let the council know about an issue staff was having with property owners getting backflow prevention inspections was still a concern with River Park Condos, Shibui and The Lodge. He said that although the town gave the owners plenty of notice, unfortunately, if the inspections were not done, the town is then in violation, not the property owner. The town begins giving notice 120 days out and provides notice every two weeks. He wanted the council to know in case they hear about it. Administrator Reynolds said that he and Attorney Carmer had been working together with Columbine Storage. Although an agreement had not been reached, it was close. Administrator Reynolds said they were also working with the Roseman Ditch Company because they had

an issue with the trail crossing the ditch. He said there were a few people on the ditch board whose were not happy. Administrator Reynolds said that the town had received a legal notice of claim from River Park Condos for the sewer backup. He said that he and David McConaughy, John Wenzel and Haley Carmer will meet the next week about it. CIRSA said there was no claim. Administrator Reynolds said that Filing 11 and the Dow Rippy property issues were also pending. Administrator Reynolds said that the Dog Park Project was progressing nicely, but a grand opening had not been scheduled yet. Administrator Reynolds said that the town had purchased two new police vehicles. One was in the town's possession although there were issues getting radio equipment for it. The other was in a lot on the front range and was severely damaged in a hailstorm. It was not yet on the town's insurance policy, but staff felt that CIRSA would help. Administrator Reynolds said that there will be a meeting Thursday evening regarding Apple Tree water and he and Councilor Mariscal will be there. Administrator Reynolds said that the emergency evacuation plan was progressing nicely. Administrator Reynolds said that he and Administrative Assistant Rochelle Firth were attending FEMA classes that will help them know what to do in the event of an emergency. Administrator Reynolds said that there will be a blood drive on Friday June 30 from 11:00 a.m. to 2:30 p.m. for those interested. Administrator Reynolds said that there is a polo match coming to the Stout Ranch that everyone was invited to attend. Proceeds from that will go to the museum. Administrator Reynolds said that outgoing grant applications were now available. Administrator Reynolds said that a job ad had been posted for a Staff Accountant.

Town Clerk – Clerk Byram told the council that she had received the 2024 Cyber Security Insurance Application from Treasurer Burk. She said it was something she had been doing for several years. She said that she will complete that application in the coming weeks once she was able to meet with IT. Clerk Byram said that she had been putting together an outline for training for Deputy Town Clerk Mindy Andis as well as Deputy Town Clerk Remi Bordelon. Clerk Byram told Councilor Hazelton that she would not be able to attend the Senior Programs Board meeting on May 26, and asked if he would be able to. Clerk Byram said that while she was reorganizing the vault, she found the license agreement the town had with 88 Grill so they could use the town sidewalk for seating and alcohol service. She said that since they were no longer in business, she thought the license agreement should be unwound. She said that she will speak to the attorneys about and bring it back at a future council meeting if necessary.

Town Treasurer – Treasurer Burk said that the audit was completed, and everything looked great. She said they were waiting to receive the draft report. Treasurer Burk said that the next big project was the CIRSA property casualty renewal which was a big deal because there was a lot to do. Treasurer Burk said that Assistant Treasurer Viktoriya Ehlers was training Finance Assistant Michelle Mills on payroll and that was going well. Treasurer Burk said that she will come to Colorado quite a bit over the summer for training. Treasurer Burk said that sales tax was a bit down from last year, but overall the town was up 9% over last year which was more than budgeted. Treasurer Burk said that tobacco tax was down 7% over last year, but 15% had been budgeted so that was okay. Treasurer Burk said that the bulk water station was doing great and for the first four months it brought in \$18k compared to \$12k the year prior. Treasurer Burk said that lodging tax at the new rate of 5% was up 94%.

dragstrip once it develops, and how that will look during development because there will be a large increase in construction traffic.

Councilor G Riddile said that going through the Romero project was a breath of fresh air. He applauded P&Z for their work on the application. He said it was fun process to be part of.

Councilor Leland asked if there was any news about Nutrient Farms and their application to the county. Administrator Reynolds said that the county had received the application and although it was not complete, they had provided it to the town as a referral. He said that would come to the council be he did not know when that would be.

Councilor Leland said that he was looking at the county's hazard mitigation plan and there was a page about New Castle. One of the things it noted at the time it was written was that New Castle did not have any generators in any of the public buildings in the event of a power outage. Administrator Reynolds said that there was a generator in the wastewater plant, but there were no generators at the water plant or any other buildings. Councilor Leland said that it may be a good idea for the police department and the server in case there was an extended outage. Administrator Reynolds said that it was on the radar for the capital plan.

Councilor Leland said that he had a half-dozen volunteers for the grand opening party for the dog park.

Mayor A Riddile read a thank you card from David McConaughy. Clerk Byram said that she had spoken to Attorney McConaughy and he said he had written the thank you card and then realized there was a gift card to the Vaudeville in the cup, so she thanked the council on his behalf.

Mayor A Riddile said that he was continuing to get phone calls about senior housing as the tenants continue to be frustrated. He said that he hoped to schedule a meeting in June and invite the residents of senior housing as well as representatives from CRHDC.

Mayor A Riddile said that said that he was going to have a meeting with CRHDC Executive Director Arturo Alvarado, Director of Property Relations Monique Antillon and Property Manager Karla Scholz, and it would be on the record as an agenda item where the senior residents could make some comments.

Mayor A Riddile said that his trip to DC will mean that he will be absent for the June 2 council meeting.

Mayor A Riddile said that the town picture taken after the Hogback Hustle was fun. Administrator Reynolds told the council that there was a sinkhole that opened up on the other side of the river. He said that he was in a meeting earlier in the day and coincidentally, there was a geologist from the state there who was in the area to look at a sinkhole near Harvey Gap. She went immediately to look at the one in New Castle. Administrator Reynolds said that the hole was east of the power station and was about 30 feet wide and 30 feet deep as best as he could tell. The geologist thought that it was something to do with the mine, but a drone would be flown in it the next day.

Assistant Treasurer Ehlers – Assistant Treasurer Ehlers said they had completed the Highway User Tax Finance Report and it had been submitted to CDOT.

Town Planner – not present.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – Clerk Byram said they had met with Lindsey Flewelling from History Colorado and they discussed the possibility of a historic district in the downtown area.

Climate and Environment Commission – Councilor Leland said that there was another event coming up and that was pollinator week. He said he will be bringing a proclamation to council.

Senior Program – nothing to report.

RFTA – Mayor A Riddile said that he will be traveling to Washington DC to lobby for \$40 million dollars in grant funding for RFTA.

AGNC – Councilor Hazelton said that there was a meeting coming soon. He also said that earlier in the day senate bill 256 that was cosponsored by Perry Will and Dylan Roberts, had bipartisan support and passed overwhelmingly in both houses was vetoed by Governor Polis. He said it was a big setback for the reintroduction of wolves.

GCE – Councilor Leland said they had a very lengthy presentation on the new Energy Manager, the equipment that was replacing the Energy Navigator in the public works building. He said that he will invite representatives from CLEER to council to show the council the new equipment.

EAB – nothing to report.

Council Comments

Councilor Mariscal reminded the council that the Apple Tree Water meeting will be on Thursday at 6:30 p.m. It will begin with dinner and the actual meeting will start at 7:00 p.m.

Mayor A Riddile asked if Councilor Mariscal was attending the meeting as a town council member. Councilor Mariscal said she did not yet know because often she had to change hats during the meeting. Mayor A Riddile said New Castle had nothing to do with Apple Tree water. Councilor Mariscal said that was true, but they were neighbors, and some still thought it was New Castle. She said that if they asked questions about New Castle, she would put on her town council hat and make those clarifications. She said that she often switched hats.

Councilor Carey said that the bear meeting in Spanish was the following evening at 6:00 p.m. She said they will have an interpreter. Councilor Carey thanked Councilors G Riddile, Hazelton and Leland for their information about parking and their thoughts and opinions about train safety and Uinta.

Councilor Carey said that had received several concerns regarding the development of North Wildhorse Drive because it was spring and people were now parking more at the top of VIX and the vehicle speeds coming down that hill, and what may happen when it developed. She said she was concerned about preventing N Wildhorse becoming a

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

The meeting adjourned at 9:46 p.m.

Respectfully submitted,



A. H. B. Riddile

Mayor A Riddile

Mindy Andis

Interim Town Clerk Mindy Andis, CMC