

**Agenda**  
**New Castle Town Council Regular Meeting**  
**Tuesday, June 06, 2023, 7:00 PM**

Starting times on the agenda are approximate and intended as a guide for Council.  
The starting times are subject to change by Council, as is the order of items on the agenda.

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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

Follow the prompts as directed. Be sure to set your  
phone to mute until called on

The Council Packet is available online by scanning this code:  
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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 (appeared by ZOOM) Councilor Hazelton Mayor A Riddile Councilor Copeland Councilor Leland
Absent	Councilor G Riddile

Also present at the meeting were Town Administrator Dave Reynolds, Deputy Town Clerk Mindy Andis, Town Treasurer Loni Burk, Town Planner Paul Smith, Assistant Treasurer Viktoriya Ehlers, Administrative Assistant Rochelle Firth, Town Attorney Haley Carmer and members of the public.

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

**Meeting Notice**

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

**Conflicts of Interest**

Councilor Mariscal stated she had a conflict with item D will need to recuse herself from this item because she sits on the River Bridge board.

**Agenda Changes**

Deputy Town Clerk Mindy Andis told council the minutes from April 18, 2023 minutes and

May 2, 2023 minutes were not completed and needed to be removed from the consent agenda. The council agreed.

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

Comments are limited to three minutes

### **Consultant Reports**

Consultant Attorney - present for agenda items.

Consultant Engineer - not present.

### **Items for Consideration**

#### **Proclamation Honoring Pollinator Week**

Mayor A Riddile read the proclamation into the record.

#### **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 (2nd reading)**

Town Planner Paul Smith said there was two conditions added z. and aa. added to the ordinance based on council's comments. Mr. Smith explained condition z. was: *All single-family, duplex, and triplex dwellings in Filing 8 shall include a two-car garage and two-car driveway.* Condition aa. was: *Design approval for any building in Filing 8 that is not submitted to the Lakota Canyon Ranch Design Review Committee shall be made by Town Staff pursuant to applicable design review criteria in the Town Municipal Code.* Councilor Leland asked if there was a condition added regarding dust control. Town Attorney Haley Carmer said Yes: condition n(v): *Drainage, dust, and erosion control best management practices (BMP's).*

Mayor Art Riddile asked Dwyane Romero applicant if there was anything he would like to add. Mr. Romero stated no.

Councilor Leland asked there was a request for building height for building C5 asked for the justification for the request.

Ms. Heather Henry said Lakota Canyon Ranch allows for three stories. The commercial building contemplates the downtown three story concept. Generally historic buildings have flat rooftops. However, really trying to have the commercial core and have three stories and also have the building fit into Lakota Canyon Ranch which has steeper pitches.

Councilor Leland stated phase 2 states with the hospital building with apartments above. Asked to keep the town informed about the progress of the construction of the building. Because there is a concern about the timing for constructing the roundabout. Would like to make sure the roundabout is well planned and ready to construct before the phase is built out and affect a lot of people.

Councilor Hazelton wanted to thank Planning & Zoning for all of their hard work put into the process of the application. There were many issues that got resolved with Planning & Zoning and the applicant it made the process for council so much smoother.

There were no further questions or comments.

**MOTION: Councilor Leland made a motion to approve Ordinance TC2023-02, A an Ordinance of the New Castle Town Council Approving a Final PUD Development Plan for Lakota Canyon Ranch PUD Filing 8 (Longview) and Vested Rights for the Same and the Final Subdivision Plat of Filing 8, Phase 1. Councilor Mariscal seconded the motion, and it passed on a roll call vote: Councilor Leland: Yes;**

**Councilor Hazelton: Yes; Councilor Carey: Yes; Mayor Art Riddile: Yes; Councilor Maricsal: Yes; Councilor Copeland: recused.**

### **New Castle Flag Proposal - Ed Mooney**

Town Administrator Dave Reynolds explained the purpose of this item. proposal from New Castle resident Dr. Edward Mooney regarding the adoption of a New Castle specific town flag. Dr. Mooney is a member of the North American Vexillological Association (NAVA), as well as the Flags of the World Association (FOTW) and has served these organizations in various capacities for 25 years. Vexillology (the study of flags) is a passion of Dr. Mooney. Vexillology, combined with his love for New Castle has stirred his desire to create a New Castle Colorado flag that Dr. Mooney would like to submit as a proposed flag for New Castle. Included in your Council Packet please find a presentation from Dr. Mooney demonstrating his proposed New Castle flag. Council may consider the agenda item and give staff direction on next steps.

Dr. Mooney walked council through his proposal.

## **THE HOGBACK FLAG: A PROPOSAL**

### **A Bold Flag for a Bright Future**

#### **A Flag for New Castle, Colorado**

**Dr. Edward Mooney Jr.**

Version 2.0 - May 2023 – 135 years since New Castle’s founding.

#### **I. TOWN OF NEW CASTLE SYMBOLISM**



The flag New Castle decides to adopt should dovetail into existing symbolism; the best known is the seal, as illustrated above. The three outstanding features of the seal, **the Hogbacks, the sun, and the sky**, should be incorporated into the flag.

This unifies New Castle’s branding.

**Question:** *Does this seal allow you to “get the feel” of the area of New Castle? I would say yes.*

## II. GOOD FLAG / BAD FLAG

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### “GOOD” FLAG, “BAD” FLAG

How to Design a Great Flag



So, how can we make sure we don't adopt a flag that becomes the laughingstock of the country? Before we look at criteria describing good flags, let's look at what vexillologists consider "bad flags." I'll bet you can understand why they're "bad." As an example, one of the most prominent flag stories involves the flag of the City of Milwaukee, Wisconsin. In 2016, a new flag was proposed. Let's compare the 1954 "bad" flag and the 2016 proposed "good flag. By the way, there is still great argument going on over changing the flag. It has not changed as of 2023.



**1954 flag – Proposed 2016 flag, "Sunrise Over Lake Michigan"**

Let's study these flags from the point of view of the North American Vexillological Association's (NAVA) good flag criteria. In 2001 NAVA published a booklet to help entities who are considering designing a new flag, such as a town or city. In that publication Five Principles are outlined regarding "good" flags. These are:

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1. **Keep It Simple.** The flag should be so simple that a child can draw it from memory. **Milwaukee:** *The current flag may be impossible to draw even for a professional artist.*
  2. **Use Meaningful Symbolism.** The flag's images, colors, or patterns should relate to what it symbolizes. **Milwaukee:** *Some symbols may be recognizable to Milwaukee residents, but most are indecipherable.*
  3. **Use 2 or 3 Basic Colors.** Limit the number of colors on the flag to three which contrast well and come from the standard color set. **Milwaukee:** *How many colors can you find there? I count maybe 6 or 7.*
  4. **No Lettering or Seals.** Never use writing of any kind or an organization's seal. **Milwaukee:** *There are seals and writing all over that flag.*
  5. **Be Distinctive or Be Related.** Avoid duplicating other flags, but use similarities to show connections. **Milwaukee:** *Okay, it is distinctive, but maybe not in a good way.*
- Question:** *What do you think about the proposed Milwaukee flag? Does it meet these criteria? I suggest it does.*

### III. THE HOGBACK FLAG DESIGN INSPIRATION

The inspiration for the **Hogback Flag** design comes from the powerful imagery around our town. So many times, I'd look in wonder at how beautiful the sun looks in our stunning blue skies over the Hogbacks. I wanted the main elements to be the sun, the sky, and the Hogbacks. This design mirrors our town seal.



*Photo: Caroline Mooney*

**Question:** *Can you see the graphic representation of the background scene in the flag?*

### IV. ABOUT THE SYMBOLISM

- A. **The Hogback.** I hold degrees in Earth Sciences. One of my professors, Dr. John Montagne, described the Grand Hogback of our area as the longest in North America. A hogback is an uplift that tilts the underlying beds to 45 degrees. To show the science, the 3 diagonal stripes in the proposed flags are at 45 degrees. The **three diagonals** represent the three major parts of our town: Castle Valley, Downtown, and Apple Tree. Here is a general diagram of a hogback structure.

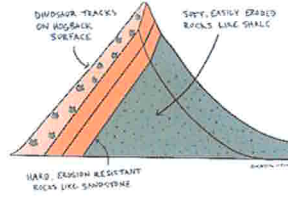


Image: Meredith Fontana

- B. **The sky.** The beautiful blues in our New Castle sky.
- C. **The sun.** The sunny days here, represented by the **C**.
- D. **The Colorado C.** Of course, New Castle is "**Authentically Colorado**," and what shouts "Colorado" more than the **C** in our state flag? The C, or sun, is on the flagpole side of the flag, showing how the sun rises to the east of the Hogbacks.
- E. **The Colorado C and Flying the Flag.** My thought in designing this flag, with the Colorado C on it, is it could be flown under the US flag and the state flag would still be represented

#### V. ABOUT THE COLORS

- A. **Blue** is for our beautiful skies.
- B. **White is for the winter snows.**
- C. **Green is for the pinyon pines and junipers.**
- D. **Yellow is for aspen trees and the richness of our area.**
- E. **Red by represents hardiness and valor, honoring our earliest settlers.**

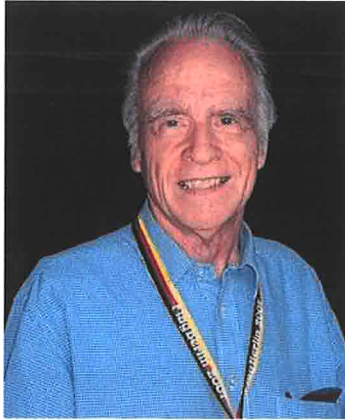
#### VI. ABOUT FLAGS OF THE WORLD

I'm the administrator of the largest vexillological (flags) organization in the world - "**Flags of the World**," (FOTW). With over 14,000 members, we have a website describing almost all flags on Earth, and an active Facebook discussion group. I am proud that **the Facebook branch of our groups is headquartered here, in New Castle**. In fact, I've often been asked (teased) if our "capital city" has a flag. This is the FOTW flag:



#### VII. ABOUT NAVA

The beginning of the Association can be traced to 1967. Dr. Whitney Smith (1940 – 2016) is one of the few people to hold a doctorate in the study of flags. He started the "North American Vexillological Association" to emphasize the scientific character of the intended society. He is admired in the world of vexillology; he designed the flag of the nation of Guyana.



Flag of NAVA



Flag of Guyana

*Images: NAVA*

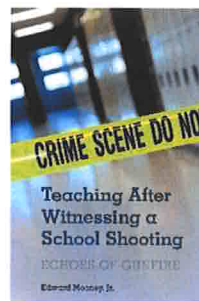
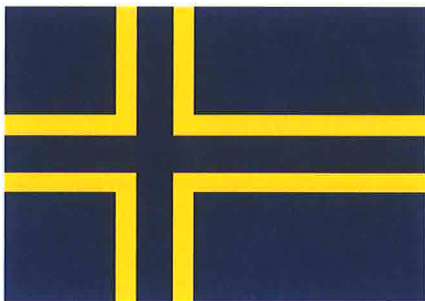
### VIII. ABOUT EDWARD MOONEY JR.

**Edward Mooney Jr.**, is a resident of New Castle (along with his wife, Caroline) since 2017. He holds the degree of Doctor of Education from Northeastern University (Boston); his undergraduate work was at Montana State University. He served for decades as an educator, at the high school and college levels. He teaches Educational Psychology. A book based on his dissertation, on school shooting trauma, was published in 2021.

Edward has been a member of NAVA and FOTW for 25 years. He has served as a website editor and an administrator for FOTW through that time. Here is an example of his work on the FOTW site:

<https://www.crwflags.com/fotw/flags/is.html>

Here is his personal flag, and the cover of his book:



### IX. AN ALTERNATE FLAG DESIGN

With input from Caroline Mooney, the following alternate design was created. It is very similar to the original, but adds a mountain peak.



ALL HOGBACK FLAG DESIGNS are ©2023 Edward Mooney Jr.

**RESPECTFULLY SUBMITTED TO THE NEW CASTLE TOWN COUNCIL**

New Castle, Colorado

June 6, 2023

Councilor Hazelton asked if the town decided to move forward to adopt the flag as the town flag what are the next steps such as the rights to the flag.

Dr. Mooney said he is willing to negotiate and donate to the town for an insignificant amount of money. Currently the flag is trademarked by Dr. Mooney, so if the flag is sold to the town, then the town could copywrite the flag.

**MOTION: Councilor Hazelton made a motion to adopt flag B as the official flag of New Castle. Councilor Mariscal seconded the motion and it passed unanimously.**

#### **Consider Grants to Outside Agencies**

Administrator Reynolds said that Administrative Assistant Rochelle Firth was in attendance. He said she was the person who worked on the grants to outside agencies. He said that she had reached out to various organizations that had applied for the town's grant program previously. He invited Admin. Asst. Firth to review the staff recommendations for the council.

Admin. Asst Firth greeted the council. She said that each year the town distributed \$16k to organizations that support the residents of New Castle. The grants were done in two rounds, one in late spring, and one in late fall.

Admin. Asst Firth said there were seven non-profits that requested funding, and there were no new applicants, and that all of them received funding from other entities, other than the town.

Admin. Asst. Firth described each non-profit, what services they provided and how much they had requested, as well as the staff suggestions for awards.

Regarding the R.I.D.E (Riding Institute for Disabled Equestrians) Mayor A Riddle commented they do a terrific job. They take kids from both New Castle elementary schools.

**Council directed staff to move forward with staff's recommendations.**

#### **Discussion: Possible Relocation of the Miner Memorial**

Administrator Reynolds stated he has had conversation with town council and the capital committee about plans to renovate Burning Mountain Park. There was work done in the park by removing the fence and expanding the basketball court. There is a challenge with the function of the park due to the location of the Miner Memorial. Relocating the memorial would open the park up for better use. There have been redesigns for the park placing the memorial the Northwest corner of the park. Another thought was placing it



straight forward to the current entrance into the park. In another conversation was moving the memorial all together and freeing up the park even more. Staff looked at moving the memorial to Grand River Park east of the Pyro Memorial and possibly create a memorial walkway. Staff also recognizes the sensitivity for the family since there are names on the memorial and the memorial has been dedicated therefore, the families would expect to see the memorial honoring their loved ones to be in the park where the memorial was dedicated.

Mayor A. Riddile suggested placing the memorial in the roundabout on Highway 6. Administrator Reynolds said there has been conversations about that idea. However, there is a concern placing the memorial in roundabout because there are names and people would not be able to stop and read the names on the memorial. Could create a similar memorial with just the miner holding a lantern would be a good entry into town. The other possibility is to leave the memorial where it's at and cleaning out the planter by replacing with smaller growing bushes and flowers.

Councilor Leland likes where the memorial is because it's where he knows it. But, agrees with moving the memorial to the Northwest corner and making that the new entrance into the park and by placing it there would be closing to the street and more visible. Councilor Hazelton said agreed with not moving it out of the park. Alpine Bank donated a lot of money and there were conversations about the planning of the location of the memorial. Also agrees to move the memorial to the Northwest corner of the park. Administrator Reynolds said the town would have a professionally drawn by a landscape architect.

**Council directed staff to move forward with moving the memorial to the Northwest corner of the park.**

### **Consider a Motion to Cancel or Reschedule the July 4, 2023 Regular Council Meeting**

Administrator Reynolds stated staff has been scheduling council agenda items around July 4, 2023 date. Therefore, canceling the meeting would not cause any issues.

**MOTION: Mayor A. Riddile made a motion to Cancel July 4, 2023 Regular Town Council Meeting. Councilor Copeland seconded the motion and it passed unanimously.**

### **Discussion Regarding Roundabout Funding**

Administrator Reynolds said the agenda item is to review the status of the CDOT Highway 6 roundabout project but also the bridge at the west end of town and to discuss future financial obligations and funding options. John Wenzel Public Works Director and Administrator Reynolds were recently in a meeting with CDOT to get an update on the project. CDOT would like to do utility work where the roundabout in this build season for preparation for the surface work. The surface work is another project that has not been out for bid until the fall with anticipation the construction work would start 2024. CDOT has stated the project is funded. The town has committed \$500,000.00 to the project and the funding would come from the fees collected from the Lakota Canyon Ranch Traffic Impact Fees. Total collected to date is \$394,000.00. In the last meeting with CODT, their attorneys are working on Inter Governmental Agreement (IGA) between CDOT and the town for the \$500,000.00 funding. The town will also need to look at funding to design, landscape and maintain the center island. CDOT will put in the electrical and water stub outs. At the last joint County Commissioner and Town Council meeting, the subject of the roundabout was mentioned and asked about the interest in helping with funding for the

project. The conversation was well received. There's an opportunity to go to the Board of County Commissioners and ask for funding. The roundabout is the gateway in this area to the county.

Mayor A. Riddile stated the town needs to go to the county and ask for help with funding for the roundabout.

Councilor Leland said if the town could put something historical in the center of the roundabout could potentially get the county more on board with help with the funding. Councilor Carey agreed with going to the county and also said the roundabout will become an important piece of infrastructure for when I-70 closes, and traffic is diverted onto Highway 6 at New Castle. The county help will be beneficial not just to the Town of New Castle but anybody that travels through the area.

Councilor Hazelton asked about the time commitment to have the funding available and how time after the roundabout is constructed would the center need to be completed. Administrator Reynolds said the \$500,000.00 would need to be paid in 2024 because this is a one season build for CDOT. Depending on the construction season and when CDOT finishes the roundabout, the town could budget for the completion of the landscaping in 2024.

Mayor A. Riddile, Councilor G. Riddile, Public Works Director Wenzel and Administrator Reynolds will be on the committee for the funding and the landscape design for the roundabout.

### **Consent Agenda**

Items on the consent agenda are routine and non-controversial and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

May Bills of \$716,127.86

Colorado Drifters Tavern Liquor License Renewal

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

### **Staff Reports**

Town Administrator – Administrator Reynolds have been working with the State Mining Reclamation regarding the sink hole along the Coal Seam. The state had a contractor come look at the sink hole for the logistics of the repair. The contractor believes they will need to close County Road 335. There are other options such as closing for a small period of time and opening one lane, which would take longer to complete the project.

Administrative Asst Firth and Administrator Reynolds have completed FEMA training. The purpose of the training is to have the ability to train staff on emergency preparedness. They also spoke with Garfield County Emergency Manager Chis Bornholdt regarding the town's Emergency Evacuation Plan. Staff is waiting for the final edits from Mr. Bornholdt and were able to talk through some of the questions. New Castle is the only one in the county that have their own evacuation plan. Planner Smith and Administrator Reynolds will be meeting with Nutrient Farm.

Deputy Town Clerk – Deputy Town Clerk Mindy Andis reported the clerk's department has received a few applications for the Professional Assistant to the Town Clerk and will be

conducting phone interviews with two possibly three. Provelocity will be doing an office computer equipment inventory for the town. The office transition is going well. Deputy Town Clerk Remi Bordelon has taken over the Planning and Zoning Commission and will start sending out agenda and cancelation notices.

Town Treasurer – Treasurer Loni Burk reported they may two applicants they may speak with. Her department has also been working on training and transition. Assistant Treasurer Viktoriya Ehlers has been training on Accounts Payable entry and the report to finance, the monthly bills report, CIRSA Insurance report. Assistant Treasurer Ehlers reported she has been training Finance Assistant Michelle Mills on accounts receivable, payroll and have given her access to everything.

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 Program – Councilor Hazelton reported Senior Programs Manager, Judy Martin announced her retirement.

RFTA – nothing to report

AGNC – Councilor Hazelton reported there is a lot of transitioning happening and Cody Davis is now the chair. There is a new Economic Development Coordinator, Misty Lin.

GCE – nothing to report

EAB – nothing to report

### **Council Comments**

Councilor Mariscal stated she is really concerned about the Detox Center, she still has not received any commission reports from them. The Detox Center still don't have a permit and they won't respond to questions being asked. Councilor Leland asked if Councilor Mariscal to consult with other town representatives apart from the Detox Center and come up with a strategy to handle the situation. Councilor Mariscal state she had attended a meeting with Garfield County Emergency Communication Center, they had approved an app that would translate everything into Spanish. She thanked Administrator Reynolds for attending the Apple Tree community meeting.

Councilor Hazelton asked Administrator Reynolds what the time frame for the bridge project at the west end of town would be. Administrator Reynolds said it would be in 2025. The town has infrastructure hanging on the bridge and currently CDOT is trying to figure out how to work with infrastructure. Councilor Hazelton said the town would need to think about the public works and the police departments being on the other side of the bridge and there is also the school. How would it work with slitting the town.

Administrator Reynolds state CDOT is studying the different options for those issues. Councilor Hazelton stated the town has a few big events coming up and with the staff changes, he will setup and volunteer more and feels its important to help staff more.

Councilor Leland said there has been conversation about Deputy Town Andis stepping up to replace Town Clerk Melody Byram since she is retiring. Council needs to pursue appointing her as Interim Town Clerk at the next meeting. He also said the town needs to

keep a close eye on Lakota Canyon Ranch building to determine when to start building the roundabout on Castle Valley Boulevard.

Mayor A. Riddile reminded council about press releases. Town Administrator, Mayor and Council as a whole can do a press release. Be very careful when speaking with the press.

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

The meeting adjourned at 8:48 p.m.

Respectfully submitted,



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Mayor Pro Tem Grady Hazelton



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Deputy Town Clerk Mindy Andis, CMC