

**New Castle Town Council Regular Meeting  
Tuesday April 16, 2024, 7:00 PM**

**Call to Order**

Mayor Art Riddile called the meeting to order at 7:00 p.m.

**Pledge of Allegiance**

**Roll Call**

Present	Councilor Carey Councilor Mariscal Mayor Pro Tem Hazelton (took over 8:30pm) Mayor A. Riddile (left at 8:30pm) Councilor Copeland Councilor Leland Councilor G Riddile
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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, 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 G. Riddile he would be recusing himself from item T&U. The discussion regarding the sale of the 6<sup>th</sup> Street lot.

**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 only.  
Consultant Engineer – not present

**Items for Consideration**

**Oaths of Office - Councilor Grady Hazelton, Councilor Graham Riddile and Councilor Crystal Mariscal**

Clerk Andis swore in the newly elected members of the council: Councilor Grady Hazelton, Councilor Graham Riddile and Councilor Crystal Mariscal.

**Roll Call**

Present      Councilor Carey  
                 Councilor Mariscal  
                 Councilor Hazelton  
                 Councilor Copeland  
                 Councilor Leland  
                 Councilor G Riddile

Absent      None

**Conflicts of Interest**

Councilor G. Riddile he would be recusing himself from item T&U. The discussion regarding the sale of the 6<sup>th</sup> Street lot.

**Agenda Changes**

Town Attorney David McConaughy had suggested moving item O after the Oath of Office – Municipal Judge.

**Oath Office – Municipal Judge Timothy Graves**

Clerk Andis swore in the newly appointed Municipal Judge Timothy Graves.

**Consider Nominations for Mayor Pro Tem**

Councilor G. Riddile nominated Councilor Hazelton as Mayor Pro Tem. Councilor Hazelton accepted the nomination.

**MOTION: Councilor G. Riddile made a motion to select Councilor Hazelton as Mayor Pro Tem. Councilor Mariscal seconded the motion and it passed unanimously**

**Consider Appointment of Town Prosecutor**

Town Clerk Andis said since council had been appointed Mr. Timothy Graves as Municipal Judge who was the Municipal Prosecutor, the prosecutor position became vacant. The Assistant Municipal Prosecutor John Collins provided a letter of interest and a resume. Clerk Andis said Mr. John Collins had been the assistant prosecutor for a few years and has prosecuted a few cases in municipal court. Mr. John Collins introduced himself to the council and explained his qualifications for being the town prosecutor.

Councilor Leland asked how Mr. Collins handles juvenile cases. Mr. Collins said that he refers cases to YouthZone and he does a Deferred Prosecution meaning as long as the defendant complies with the conditions and recommendations of the court and YouthZone the case would not be prosecution and case dismissed.

Clerk Andis said the service agreement for the prosecutor is on the Consent Agenda with a month rate of \$600.00 per month.

**MOTION: Councilor Leland made a motion to appoint John Collins as Town Municipal Prosecutor with compensation of \$600.00 per month. Councilor Carey seconded the motion and it passed unanimously.**

**Consider a Letter of Interest from Derek Anglemyer for Reappointment to Seat on Climate and Environment Commission**

Mr. Derek Anglemyer explained he was appointed to the commission and would like to continue to serve on the commission.

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

Ms. Sharon Morris explained she was appointed to the commission and would like to continue to serve on the commission.

**MOTION: Councilor Leland made a motion to reappoint Derek Anglemyer and Sharon Morris to seats on the Climate and Environment Commission. Councilor G. Riddle seconded the motion and it passed unanimously.**

**Consider a Letter of Interest from Brian Westerlind for Reappointment to Seat on Planning & Zoning Commission**

**Consider a Letter of Interest from Beth Sass for Reappointment to Seat on Planning & Zoning Commission**

Ms. Beth Sass explained she was appointed to the commission and would like to continue to serve on the commission.

**Consider a Letter of Interest from Alison Cotey for Reappointment to Seat on Planning & Zoning Commission**

Ms. Alison Cotey explained she was appointed to the commission and would like to continue to serve on the commission.

**Consider a Letter of Interest from Jason Auslander for Appointment to Seat on Planning & Zoning Commission**

Mr. Jason Auslander explained he would like to continue to serve on the commission.

**Consider a Letter of Interest from Tyler McAnelly for Appointment to Seat on Planning & Zoning Commission**

Mr. Tyler McAnelly explained he would like to continue to serve on the commission.

After a ballot vote council voted to appoint Brian Westerlind, Beth Sass and Alison Cotey.

**MOTION: Councilor Carey made a motion to reappoint Brian Westerlind, Beth Sass and Alison Cotey to seats on the Planning & Zoning Commission. Councilor Copeland seconded the motion and it passed unanimously.**

**Consider a Letter of Interest from Richard Fletcher for Reappointment to Seat on Historic Preservation Commission**

**Consider a Letter of Interest from Mari Riddile for Reappointment to Seat on Historic Preservation Commission**

**MOTION: Councilor Copeland made a motion to reappoint Richard Fletcher and Mari Riddile to seats on the Historic Preservation Commission. Councilor Mariscal seconded the motion and it passed unanimously.**

**Consider Setting Terms for Council Members on Planning & Zoning Commission, Historic Preservation Commission, Economic Advisory Committee, Climate and**

**Environment Commission, Public Works, Public Safety, Personnel and Finance Committees. Also Seats on RFTA, GCE, AGNC, Senior Programs and EAB**

The council and staff discussed the terms for each committee or commission and agreed who would be the representative for each. **(Exhibit A)**

**MOTION: Mayor A. Riddile made a motion to Setting Terms for Council Members on Planning & Zoning Commission, Historic Preservation Commission, Economic Advisory Committee, Climate and Environment Commission, Public Works, Public Safety, Personnel and Finance Committees. Also Seats on RFTA, GCE, AGNC, Senior Programs and EAB. Councilor Hazelton seconded the motion and it passed unanimously.**

Recess the Town Council Meeting, Convene the Water and Sewer Enterprise

**MOTION: Councilor G. Riddile made a motion to recess the Town Council Meeting and Convene the Water and Sewer Enterprise. Councilor Hazelton seconded the motion and it passed unanimously.**

**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 Tap Fee Refund**

**Motion: Councilor Leland made a Motion at 7:49p.m. to go into Executive Session 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 Tap Fee Refund. Mayor Pro Tem Hazelton seconded the motion and it passed unanimously.**

Executive session concluded.

At the end of the executive session, Mayor Pro Tem Hazelton made the following statement:

"The time is now 8:11p.m. and the executive session has been concluded. The participants in the executive sessions were: Councilor Mariscal, Councilor Carey, Councilors Copeland, Councilor G Riddile, Councilor Leland, Town Administrator Reynolds, Town Clerk Andis, Assistant Town Attorney Haley Town Attorney David McConaughy, Town Planner Paul Smith and Town Public Works Director John Wenzel. 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.

### **Consider Tap Fee Refund**

**MOTION: Councilor Hazelton made a motion to refund tap fee payment of \$9600.00 plus 8 percent interest for a total of \$12,093.24 to be refunded back to the property owners. Councilor G. Riddile seconded the motion and passed on a roll call vote: Councilor Mariscal: yes; Councilor Carey: yes; Councilor Hazelton: yes; Mayor Art Riddile: no; Councilor Copeland: yes; Councilor Leland: yes; Councilor Graham Riddile: yes.**

Recess the Water and Sewer Enterprise, Convene the Council Meeting

**MOTION: Councilor G. Riddile made a motion to recess the Water and Sewer Enterprise and Convene the Town Council Meeting. Councilor Carey seconded the motion and it passed unanimously.**

**Motion: Councilor Leland made a Motion at 8:17p.m. to go into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) regarding pending litigation against Castle Valley Ranch Investors. Councilor Copeland seconded the motion and it passed unanimously.**

**Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) for the purpose of determining positions relative to matters that may be subject to negotiations concerning the 6th Street Lot.**

**Motion: Councilor Leland made a Motion at 8:17p.m. to go into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) for the purpose of determining positions relative to matters that may be subject to negotiations concerning the 6th Street Lot. Councilor Copeland seconded the motion and it passed unanimously.**

Councilor G. Riddile left at 9:04 pm.

Councilor G. Riddile returned at 9:08p.m

Executive session concluded.

At the end of the executive session, Mayor Pro Tem Hazelton made the following statement:

"The time is now 9:08p.m. and the executive session has been concluded. The participants in the executive sessions were: Councilor Mariscal, Councilor Carey, Councilors Copeland, Councilor Leland, Town Administrator Reynolds, Town Clerk Andis and Assistant Town Attorney Haley. 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

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Meetings Law, I would ask that you state your concerns for the record.”

No concerns were stated.

**Consider Purchase Agreement for the Sale of 600 W. Main Street (6<sup>th</sup> Street Lot).  
MOTION: Mayor Pro Tem Hazelton made a motion to approve the Purchase Agreement for the Sale of 600 W. Main Street (6<sup>th</sup> Street lot.) Councilor Leland seconded the motion, and it passed on a roll call vote: Councilor Copeland: yes; Councilor Mariscal: yes; Mayor Pro Tem Hazelton: yes; Councilor Carey: yes; Councilor Leland: yes.**

### **Consent Agenda**

April 2, 2024 minutes

Consider Approving a Service Agreement for Town Prosecutor

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

### **Staff Reports**

**Town Administrator** – Administrator Reynolds said the town had received the two Federal Mineral Lease District (FMLD) grants which the town had applied for. The Traditional grant was for \$400,000 to go towards the round-about and the Spring Mini grant was for \$25,000 of a \$75,000 project to go towards the replacement of playground equipment at Kay Williams Park. Administrator Reynolds said he has been talking with Town Treasurer Ehlers regarding the proceeds from the lot sale of 600 W. Main Street. Administrator Reynolds said the Ice Cream Meet & Greet with the council is tentatively scheduled for July 12, 2024, from 3pm-5pm in Burning Mountain Park. Staff have been researching the law regarding the plastic bag fee and what the money could be used for. The money is intended to create programs that don't already exist and working with Climate and Environment Commission (CEC) would be helpful. Any new programs would need to go before town council for approval. Councilor Leland asked Administrator Reynolds to attend the CEC meeting in June to explain how the bag fees could be used. Administrator Reynolds said there have been meetings with the Wildfire Collaborative and he is on the steering committee. The meetings have been trying to figure out what the goals and aspirations for the Wildfire Collaborative are. Administrator Reynolds said the Colorado River Valley Economic Development Partnership has received a lot of interest for the economic development in the valley. Administrator Reynolds said the annual Garfield County Energy Symposium at New Hope Church starting Wednesday, April 17, 2024, through Friday, April 19, 2024. Administrator Reynolds said at the Hotel Colorado is the City and County Managers Association annual conference will be at the Hotel Colorado. Administrator Reynolds said that there will be an Arbor Day celebration at Bear Dance Park on Friday, April 26, 2024, at 10:30am. The parks department will be at the park planting a tree. Administrator Reynolds said the owners of Drifters, Joe & Kyla Hemelt have submitted all the necessary paperwork to pull a building permit. Normally all the fees would need to be paid upfront before a permit can be issued. Mr. & Ms. Hemelt are asking to pull the permit and pay the fees once they have come to council to ask for help with

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the fees. Staff are fine with issuing the permit and allow Mr. and Ms. Hemelt to start work at their new location. Mr. Hemelt expressed concerns for the cost of remodeling the building and said that there have been some unexpected costs which have come up. Anything the town could help with would be greatly appreciated.

**Town Clerk** –Clerk Andis said she had nothing new to report.

**Town Treasurer** – not present

**Town Planner** – not present

**Public Works Director** – not present

### **Commission Reports**

**Planning & Zoning Commission** – Councilor Carey said there was CUP for Drifters regarding allowing for food trucks on the property.

**Historic Preservation Commission** – Councilor Copeland said the commission finalized the open house to learn about historic destinations and the benefits. The open house will be Thursday, May 2, 2024, at 6:30pm.

**Climate and Environment Commission** – Commissioner Leland said Earth Day is Saturday, April 20, 2024, from 11am-2pm at City Market Plaza. Water bottles will be distributed from the town, Lions Club will distribute wildflower seeds, Mountain Waste, Evergreen Zero Waste, New Castle Coffee Company, The Mountain Beekeepers, CLEER and GCE will all be at the event, and there will be an electric car on display.

**Senior Program** – has not met

**RFTA** – no report

**AGNC** – has not met

**GCE** – has not met

**EAB** - has not met

**Detox** – Councilor Mariscal said the ribbon cutting was scheduled for May 23, 2024.

### **Council Comments**

Councilor Graham Riddile said he had an idea for the proceeds from the 6<sup>th</sup> street lot sale was to explore an employee housing program. Administrator Reynolds said he has been seeing such ideas to help employees and one way is to help with a down payment or security deposit assistance program. The town would offer a program for a low or zero interest loan to staff members who needs help. Councilor Graham Riddile said he would want the program to be offered to town employees only.

Councilor Leland thanked Councilor Carey and family for representing the town at Spellabration. He also thanked Councilor Mariscal for helping. He asked about the traffic light at the four-way traffic stop at Highway 6 and Castle Valley Boulevard. Since the construction has started the light is gone. The light could be used at the intersection of 7<sup>th</sup> Street and Main Street or another location.

Councilor Mariscal asked to continue the discussion regarding the survey about the rec center.

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Councilor Carey said she had attended the Club 20 meeting. She asked if there are still issues regarding the leash law. She has seen signs on dog bag stations that might help as a reminder about the leash law. Administrator Reynolds said he has received a request to have more bag stations placed around town. The answer is if the town puts a station everywhere one has been requested then the open areas would be littered with stations.

Mayor Pro Tem Hazelton said it was nice to have Mayor Art Riddile back for a short time tonight. He said it was good to have Administrator Reynolds at the meeting and it's a good reminder of how important a person's health is. He said there is a safety issue at the crosswalks along the I70 Overpass bridge. With the round-about being built, now is the time to discuss the safety issues. Administrator Reynolds said staff have been looking into who is responsible for the maintenance of the bridge. So far what he has found was the town had agreed to maintain the actual bridge structure but, the roadway, the pavement, the curbing, and the striping is the responsibility of CDOT.

**Items for Future Council Agenda**

Administrator Reynolds said Mr. & Ms. Hemelt are moving to the old Texaco building will be coming to council on May 7, 2024, to ask for help with town fees. Also, a Conditional Use Permit application (CUP) for Drifters to allow for food trucks to be on their property. The CUP will be coming before the council on May 7, 2024.

Councilor Carey said we should have a presentation from the Colorado River Conservation District to discuss the Shoshone water rights purchase.

**MOTION: Mayor Pro Tem Hazelton made a motion to adjourn. Councilor Carey seconded the motion and it passed unanimously.**

The meeting adjourned at 9:47p.m.

Respectfully submitted,



  
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Mayor Pro Tem Grady Hazelton

  
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Town Clerk Mindy Andis, CMC

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<b>Finance</b>	<b>Personnel</b>	<b>Public Safety</b>
Meets as needed	Meets as needed	Meets as needed
Mayor A Riddile	Mayor Pro Tem Hazelton	Mayor Pro Tem Hazelton
Councilor Copeland	Mayor A Riddile	Mayor A Riddile
Councilor G Riddile	Councilor Copeland	Councilor Copeland
Councilor Hazelton	Councilor G Riddile	Councilor G Riddile
	Councilor Leland	Councilor Leland
	Councilor Mariscal	Councilor Mariscal
	Councilor Carey	Councilor Carey
<b>Public Works</b>	<b>Detox Center Representative</b>	<b>Associated Governments of Northwest Colorado Representative</b>
Meets as needed	<b>TBD</b>	Meets 3 <sup>rd</sup> Wednesday 9:00AM Various Locations
Mayor Pro Tem Hazelton	Councilor Mariscal	Councilor Hazelton
Mayor A Riddile		Councilor Mariscal(alternate)
Councilor Copeland		
Councilor G Riddile		
Councilor Leland		
Councilor Mariscal		
Councilor Carey		
<b>Board of Zoning Adjustment</b>	<b>RFTA Board of Directors Representative</b>	<b>GarCo Senior Programs Board Representative</b>
Meets as needed	Meets 2 <sup>nd</sup> Thursday 8:30 AM Carbondale	Meets fourth Friday 9:00 AM New Castle
Mayor A. Riddile	Mayor A Riddile	Town Clerk Mindy Andis
Councilor Leland	Councilor Copeland (alternate)	Councilor Copeland(alternate)
Councilor Mariscal		
Councilor Carey		
Councilor Copeland		
Councilor G. Riddile (alternate)		
Councilor Hazelton (alternate)		
<b>Garfield County Weed Advisory Board Representative</b>	<b>Garfield Clean Energy Board Representative</b>	<b>Garfield County Energy Advisory Board Representative</b>
Meets 4-5 times/year @ Rifle Road & Bridge Facility	Meets 2 <sup>nd</sup> Fridays 1:00PM in Glenwood Springs or Rifle	Meets 1 <sup>st</sup> Thursday 6:00 PM in Rifle
Parks Manager Ryan Barkman	Councilor Leland	Mayor A Riddile
Councilor G Riddile (alternate)	Councilor Copeland(alternate) Dave Reynolds (alternate)	Councilor G Riddile (alternate)

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Meetings are at New Castle Town Hall unless otherwise noted

<b>Planning &amp; Zoning Commission</b>			
Meets 2 <sup>nd</sup> and 4 <sup>th</sup> Wednesdays 7:00 PM		<b>Council representative</b>	
Chuck Apostolik (Chair)	April 2026	Councilor Carey	May 2024 - Oct 2024
Brian Westerlind	April 2028	Mayor A. Riddile	Nov 2024 - Apr 2025
Mark McDonald	April 2026	Councilor G. Riddile	May 2025 - Oct 2025
Julie Martinez	April 2026	Mayor A. Riddile	Nov 2025 - Apr 2026
Beth Sass	April 2028		
Alison Bourquin	April 2028		
Richard Parks (alternate)	April 2026		
Bronwyn Rittner (alternate)	April 2026		

<b>Historic Preservation Commission</b>			
Meets 3 <sup>rd</sup> Monday 6:30 PM			
Mari Riddile	April 2028	<b>Council representative</b>	
Dick Fletcher	April 2028	Councilor Hazelton	May 2024 - Oct 2024
Ruth Fletcher	April 2026	Councilor Hazelton	Nov 2024 - Apr 2025
Vacant		Councilor Copeland	May 2025 - Oct 2025
Tom Fuller (alternate)	April 2025	Councilor Copeland	Nov 2025 - Apr 2026
<b>Planning &amp; Zoning Representative</b>			
Richard Parks	April 2026		

<b>Climate and Environment Commission</b>			
Meets 3 <sup>rd</sup> Thursday 4:30 PM			
Tom Elder (Chair)	April 2026	<b>Council representative</b>	
Sharon Morris	April 2028	Councilor Leland	
Derek Anglemyer	April 2028		
Vacant	April 2026		
Myrna Candraia	April 2026		
Tom Elder	April 2026		

<b>Parks/Open Space/Trails/Recreation Committee</b>	
Meets 1 <sup>st</sup> Wednesday 6:00 PM (as Needed)	
Ryan Barkman	
Kelley Cox	
John Wenzel	

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