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Town of New Castle
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New Castle, CO 81647

Administration Department
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Agenda

New Castle Town Council Regular Meeting Tuesday, December 17, 2019, 5:30 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.

Call to Order

Pledge of Allegiance

Roll Call

Meeting Notice

Conflicts of Interest

Agenda Changes

Citizen Comments on Items not on the Agenda

-Comments are limited to three minutes-

Consultant Reports

Consultant Attorney
Consultant Engineer

Items for Consideration

- A. Consider Ordinance Tc 2019-9 - an Ordinance of the Town of New Castle, Colorado Summarizing Additional Expenditures for the General Fund and the Utility Fund, and Adopting a Supplemental Budget for the Town of New Castle, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019 (second reading) (5:35 p.m.)**
- B. Consider Resolution TC 2019-24 - A Resolution of the Town Council of the Town of New Castle, Colorado, Adopting a Directory of Fees and Charges (5:40 p.m.)**

Consent Agenda (5:45 p.m.)

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.

[November 5, 2019, minutes](#)

[November 19, 2019 minutes](#)

Council Comments (5:50 p.m.)**Adjourn (6:00 p.m.)**

**TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. 2019-9**

An Ordinance of the Town of New Castle, Colorado summarizing additional expenditures for the General Fund and the Utility Fund, and adopting a supplemental budget for the Town of New Castle, Colorado, for the calendar year beginning on the first day of January, 2019 and ending on the last day of December, 2019.

WHEREAS, on December 4, 2018, the Town Council of the Town of New Castle adopted Resolution No. TC-2018-26, approving a budget for the calendar year beginning on the first day of January, 2019, and ending on the last day of December, 2019; and

WHEREAS, pursuant to the Home Rule Charter of the Town of New Castle, the Town Administrator has certified that during 2019, there became available for appropriation revenues in excess of those estimated in the 2019 budget, as indicated on Exhibit A attached to and incorporated by reference into this ordinance; and

WHEREAS, the Town Administrator and the Town Finance Director/Treasurer have prepared and submitted a proposed supplemental budget for the 2019 calendar year to the Council for its consideration; and

WHEREAS, on December 3, 2019, the Council held a public hearing on the proposed supplemental budget, after publication in accordance with the Charter of notice of such public hearing and notice that the proposed budget was on file for public inspection in the office of the Town Clerk; and

WHEREAS, after the public hearing, the Council gave due consideration to the input of the public and any issues raised at the hearing; and

WHEREAS, the Council desires to adopt the supplemental budget, as amended in accordance with discussion at the public hearing; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO THAT:

1. The Town Council incorporates the foregoing recitals as findings of fact and determinations by the Town Council.

2. Estimated additional expenditures for each fund are as follows:

General Fund	\$290,751
Utility Fund	\$0
Conservation Trust Fund	0
Cemetery Fund	\$600

3. The supplemental budget as submitted, amended, and summarized in this ordinance by fund, is approved and adopted as the supplemental budget of the Town of New Castle for the year stated above.

4. The supplemental budget approved and adopted at public meeting by a majority vote of the Town Council, as required by law, shall be signed by the Mayor and the Town Clerk and made a part of the public records of the Town of New Castle.

INTRODUCED on December 3, 2019, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado on December 17, 2019, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO

Attest:

By: _____
Mayor Art Riddile

Town Clerk Melody Harrison, CMC

**TOWN OF NEW CASTLE
RESOLUTION NO. TC-2019-24**

A Resolution of the Town Council of the Town of New Castle Adopting a Directory of Fees and Charges for the Town.

WHEREAS, Town of New Castle Ordinance 2007-11 adopted a schedule of fees for Town services; and

WHEREAS, due to changing circumstances, certain fees in the current fee schedule are not necessarily reflective of current conditions; and

WHEREAS, the Town Council wishes to adopt fees that reflect current conditions.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

1. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. The Directory of Fees and Charges attached to this resolution as Exhibit A is adopted until such time as it is altered by resolution.

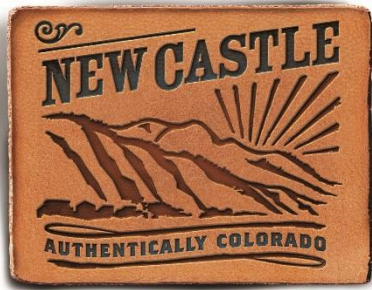
Introduced, Read and Adopted at a Regular Meeting of the Town Council of the Town of New Castle, Colorado, on December 17, 2019.

TOWN OF NEW CASTLE

Mayor Art Riddile

ATTEST:

Town Clerk Melody L Harrison, CMC



Town of New Castle

**Directory
of
Town Fees
and
Charges**

Directory of Town Fees and Charges
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Section 1: Administrative Services

A) Photocopying

- 1) Customer documents
 - a) Black & white copies \$0.25 per page
 - b) Color copies..... \$0.50 per page
- 2) Town documents – see Section 14: Town Records

B) Fax

- 1) Send to local phone number \$0.25 per page
- 2) Send to long distance phone number \$0.50 per page
- 3) Receive \$0.25 per page

C) Notary Public

- 1) For Town residentsno charge
- 2) For non-residents \$2.00 per document

D) Administrative Staff Time \$45.00/hr

Section 2: Animals

A) Dog Licenses

- 1) Unneutered male or unspayed female \$25.00 per year
- 2) Neutered male or spayed female \$10.00 per year

B) Impound Fees

- 1) Dog or cat \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter
- 2) Other animal \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter

Section 3: Building Permits

A) Valuation of Structures

The building valuation for all permit fees shall be based on the following table:

<i>Structure Type</i>	<i>Material</i>	<i>Cost per Square Foot</i>
Apartment Houses	Masonry	\$116.44
	Wood Frame	\$110.68
Auditoriums		\$164.62
Banks		\$133.67
Bowling Alleys		\$141.92
Churches		\$164.62
Convalescent Homes		\$140.08
Dwellings	Wood Frame	\$120.75
	Masonry	\$116.44
	Basement (unfinished)	\$22.45
Fire Stations		Demonstrated Value
Homes for Elderly		\$140.08
Hospitals		Demonstrated Value
Hotels & Motels		\$141.65
Industrial Plants		\$140.08
Jails		\$159.71
Libraries		\$127.52
Medical Offices		\$127.52
Offices		\$127.52
Private Garages (unfinished)	Wood Frame	\$47.80
	Masonry	\$47.80
	Car Ports	\$40.00
Public Garages		\$47.80
Public Buildings		\$127.52
Retail Buildings		\$133.67
Schools		\$147.30
Service Stations		Demonstrated Value
	Canopies	\$47.80
Theaters		\$162.21
Warehouses		\$68.57
Decks & Porches		\$22.45
Commercial Tenant Improvements		\$22.45

B) Building Permit Fees

<i>Total Valuation</i>	<i>Fee</i>
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.65 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof

C) Plan Review Fee 65% of building permit fee

D) Other Fees

<i>Other Inspections</i>	<i>Fee</i>
Inspections outside of normal business hours (minimum charge 2 hours)	\$65.00/hr*
Re-inspection fees (minimum charge 1 hour)	\$65.00/hr*
Inspections for which no fee is specifically indicated (minimum charge ½ hr)	\$65.00/hr*
Additional plan review required by changes, additions or revisions to plans	
For use of outside consultants for plan checking and inspections, or both	Actual cost**
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	
Basement finish on existing structure	\$450.00
Re-roofing of one building or structure	\$65.00
Lawn sprinkler	\$50.00
Fence	\$50.00
HUD Manufactured Home Installation Permit	\$375.00
HUD Manufactured Home Plan Review	\$275.00
Installation of mechanical appliances	\$70.00
Mechanical systems: addition, alteration or remodel (includes 2 inspections)	\$70.00
Mechanical systems: new construction residential or commercial	\$70.00
Water heater installation and inspection	\$60.00
Plumbing systems: new construction residential or commercial	\$70.00
Plumbing systems: addition, alteration or remodel (includes 2 inspections)	\$70.00

Section 4: Business and Contractor Licensing

A) Business Licenses

1) General Business License\$25.00

2) Special Business Licenses

a) Adult Entertainment Establishment Licenses

Adult Entertainment Establishment License - Initial	\$1200.00
Adult Entertainment Establishment Employee Permit - Initial	\$75.00
Adult Entertainment Establishment License - Renewal	\$600.00 per year
Adult Entertainment Establishment Employee Permit - Renewal	\$50.00 per year
Adult Entertainment Establishment License - Transfer	Non-Transferable

b) Arborist License \$25.00 per year

c) Special Event Business License..... \$5.00

e) Contractor Business License\$25.00

d) Tobacco Retailer License\$25.00

Section 5: Cemetery

A) Burial Plots

- 1) For Town residents \$400.00 per plot
- 2) For non-residents \$650.00 per plot

Section 6: Historic Preservation

A) Fee to Appeal Historic Preservation Commission
Decision Regarding Acceptability of Application
for Building or Demolition Permit.....\$45.00

Section 7: Land Development

A) Annexation

<i>Acreage</i>	<i>Fee</i>
Less than 5 acres	\$625.00
5 to 35 acres	\$2,250.00
Over 35 acres to 100 acres	\$3,550.00
Over 100 acres	\$6,500.00

B) Conditional Use/Special Review Use Permit..... \$275.00

C) Condominium \$275.00

D) Floodplain Development Permit \$150.00

E) Grading Permit..... \$125.00

F) Lot Line Adjustment/ Dissolution \$175.00

G) Lot Split \$275.00

H) Mobile Home Park Permit \$275.00

I) Planned Unit Development*

<i>Application</i>	<i>Fee</i>
Sketch Plan	\$400.00
Preliminary Plan or Master Plan	\$660.00
Final Plan	\$350.00

J) Site Specific Development Plan (vested property rights) \$500.00

K) Subdivision*

<i>Application</i>	<i>Fee</i>
Sketch Plan	\$400.00 \$600.00
Preliminary Plat	\$660.00
Final Plat	\$350.00
Amended Plat	\$300.00
Minor Subdivision	\$285.00

L) Variance \$165.00

M) Zoning Amendment..... \$275.00

N) Zoning – Rezoning \$275.00

O) Interest on Delinquent Land Use Application Costs 1.5% per month

P) Cash Payment in Lieu of Parkland Dedication \$120,000.00 per acre

Q) Fee to Appeal to Board of Zoning Adjustment \$175.00

*In the case of combined PUD/subdivision applications, only one fee shall be required.

Section 8: Liquor Licensing

A) Application Fees

- 1) New License \$1000.00
- 2) New License with concurrent review by state \$1000.00
- 3) Transfer of Ownership \$750.00
- 4) Annual Renewal \$100.00

B) Annual License Fees

- 1) Art License\$41.25
- 2) Beer & Wine License\$48.75
- 3) Brew-Pub License\$75.00
- 4) Distillery Pub\$75.00
- 5) Club License\$41.25
- 6) Hotel & Restaurant License\$75.00
- 7) Hotel & Restaurant License with optional premises\$75.00
- 8) Liquor Licensed Drugstore\$22.50
- 9) Lodging & Entertainment License\$75.00
- 9) Optional Premises License\$75.00
- 10) Racetrack License\$75.00
- 11) Retail Gaming Tavern.....\$75.00
- 11) Resort Complex License.....\$15.00
- 12) Retail 3.2% Beer On Premises..... \$3.75
- 13) Retail 3.2% Beer Off Premises..... \$3.75
- 14) Retail 3.2% Beer On/Off Premises \$3.75
- 15) Retail Liquor Store License.....\$22.50
- 16) Tavern License\$75.00
- 17) Vintner’s Restaurant\$75.00

C) Special Event Liquor Permits and Other Permits

- 1) Alcohol Beverage Tasting Permit\$25.00
- 2) Art Gallery Permit..... \$3.75
- 3) Art Gallery Renewal Application \$100.00
- 4) Bed & Breakfast Permit \$3.75
- 5)
- 7) Mini Bar Permit with Hotel/Restaurant license\$48.75
- 8) Special Events Permit (Liquor)\$50.00
- 9) Special Events Permit (3.2%)\$50.00
- 10) Temporary Permit..... \$100.00

D) Other Liquor-Related Applications

- 1) Addition of related facility permits to existing Resort Complex License \$100.00
- 2) Change of Location \$750.00
- 3) Corporate/LLC Change \$100.00 per person
- 4) Hotel/Tavern Manager's Registration.....\$75.00
- 5) Late Renewal Application \$500.00

Section 9: Parks, Open Space, and Trails

A) Recreational Facilities Development Fee \$500.00

B) Private Encroachment Permit

1) Application Fee \$150.00

2) Fee to maintain property
encroached upon..... To be set by Town Administrator

C) Special Event Permit Fee

- Event of 25 to less than 40 people: \$25.00 *per day*
- Event of 40 to less than 100 people: \$25.00 *per day*
- Event of 100 to less than 500 people: \$50.00 *per day*
- Event of more than 500 people: \$100.00 *per day*

D) Park Amenity Memorial Fees..... To be set by Town Council

Section 10: Police Department Fees

A) Vehicle Identification Number Inspection

- 1) For Town residents\$20.00
- 2) For non-residents\$30.00

B) Fingerprints

- 1) For Town residents\$20.00
- 2) For non-residents\$30.00

C) Police Reports

NOTE: Criminal Histories are referred to CBI – www.cbirecordscheck.com

- 1) Application for Police Reports (inc. first 2 pages) \$5.00
- 2) For each page following first 2 pages \$.25
- 3) Records Check\$15.00
- 4) Crime Report (copies) \$.25 per page
- 5) Research – Intensive Check..... (1st hr. free) \$30.00 per hour
- 6) Accident Report..... \$1.00
- 7) Photographs (digital) \$30.00 per CD
- 8) Application for Sex Offender List \$5.00

D) Fire/Fireworks Ban Exemption Permit\$25.00

E. Sex Offender Registration

- 1) Initial Registration~~\$10.00~~ **\$35.00**
- 2) Renewal, Information updates, etc.~~\$10.00~~ **\$15.00**

F. Animal Impound Fees

- 1) Dog or cat \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter
- 2) Other animal \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter

G. Vehicle Tow & Impound Fee

- 1) Impound Fee.....\$40.00
- 2) Storage Fee Per Day \$40.00
- 3) Towing Fee **\$205.00

Towing Fees are Charged by the Towing Company and are Subject to Change

H. Parking Permits

- 1) 1st Permit, 2-week maximum FREE
- 2) 2nd Permit, 1-week maximum.....\$20.00
- 3) 3rd Permit, 1-week maximum\$40.00

I. Other Services

1) Breath Test (Portable Breath Tester Only) \$5.00

Section 11: Public Works

A) Fees for Use of Town Equipment

- 1) Light Truck\$30.00 per hour
- 2) Heavy Truck\$120.00 per hour
- 3) Light Equipment/Tools\$50.00 per hour

B) Fees for Use of Town Labor

- 1) Maintenance 2 Worker\$35.00 per hour
- 2) Supervisor\$45.00 per hour

Section 12: Sign Permits

\$35.00 base fee, plus \$2.50 for each square foot of sign area

Section 13: Recreation Fees

- 1) Park Shelter Fee.....\$30.00 per 2 hours
- 2) Athletic Field Fee.....\$60.00 per 2 hours
- 3) Community Center Rental Fees:
 - Non-Profit/Govn't. Rate.....\$25.00/hr. Small Room
 - Non-Profit/Govn't. Rate.....\$35.00/hr. Large Room
 - Private Parties/General Public.....\$30.00/hr. Small Room
 - Private Parties/General Public.....\$50.00/hr. Large Room

Section 14: Streets and Rights-of-Way

A) Right-of-Way Excavation Permits

- 1) Permit.....\$10.00 per square yard of right-of-way
- 2) Deposit\$90.00 per square yard of right-of-way

B) Business Parking Space Licenses \$20.00 per foot of curb

Section 15: Town Records

A) Duplication

- 1) Records in 8½ x 11 inch format \$0.25 per page, plus
Research & Retrieval Costs
- 2) Records in other formats Actual reproduction cost, plus
Research & Retrieval Costs

B) Certification \$1.00 for each certificate and seal

C) Research and Retrieval Costs ~~\$30.00~~ **\$33.58** per hour (1st hour free per statute)

Section 16: Water, Sewer, and Trash Removal Services

A) Utility Account Administration

- 1) Administrative charge for ownership change (transfer fee)\$15.00
- 2) Administrative charge for adding tenant to account \$5.00
- 3) Utility hookup charge estimated costs of labor, materials, and other expenses incident to the installation of corporation stop, curb stop, curb box, meter, remote readout, and appurtenances, plus a 10 percent administration charge
- 4) Short check fee ~~\$15.00~~ **\$25.00**
- 5) Administrative charge for processing shutoff notice\$30.00
- 6) Delinquency charge on unpaid utility charges..... 1%
- 7) Disconnect charge for delinquent accounts\$50.00
- 8) Reconnect charge for delinquent accounts\$50.00
- 9) Charge to certify delinquent utility charges to County Treasurer 10%
- 10) Disconnect charge for vacancy request.....\$15.00
- 11) Reconnect charge for vacancy request\$15.00
- 12) Reduced water charges for vacancy period . ~~\$18.03~~ **\$18.58** per month plus charge for sewer maintenance and operations of ~~\$4.96~~ **\$5.11** per EQR
- 13) Reduced sewer charges for vacancy period.....~~\$32.61~~ **\$33.60** per month, plus charge for sewer maintenance and operations of ~~\$4.15~~ **\$4.28** per EQR
- 14) Administrative charge for inactive water tap \$25.00 per year
- 15) Administrative charge for inactive sewer tap \$25.00 per year
- 16) Reconnection fee following disconnection for violation of watering restrictions.....\$50.00

B) Water Meters

- 1) Water meter and accessories (3/4-inch) \$260.00
- 2) Water meter and accessories (1-inch) \$380.00
- 3) Deposit for removal/testing of meter\$75.00
- 4) Fee to reinstall water meter.....amount charged by licensed plumber pursuant to plumber's contract with Town
- 5) Service charge for water meter by-passing, tampering or unauthorized metering..... \$1,000.00

C) Raw Water Service

- 1) For raw water diverted from East Elk Creek via Red Rock Ditch

~~\$5.90~~ **\$6.08** per month
per 2,500 square feet (or part thereof)
of irrigated lawn or gardens

- 2) For raw water diverted from Colorado River via Colorado River Pumping Station

\$8.85 per month
per 2,500 square feet (or part thereof)
of irrigated lawn or gardens

D) Water Rates

Water Usage (gallons per month per EQR)	Monthly Water Service Charges	
	Users within Town Limits	Users outside Town Limits
Minimum monthly charge Includes up to 12,000 gallons of water usage	\$28.63 \$29.49	\$43.93 \$45.25
Each additional 1,000 gallons (or part thereof) over 12,000 gallons, up to 20,000 gallons	\$2.73 2.81	\$3.95 \$4.07
Each additional 1,000 gallons (or part thereof) over 20,000 gallons, up to 30,000 gallons	\$4.25 \$4.38	\$6.38 \$6.57
Each additional 1,000 gallons (or part thereof) over 30,000 gallons, up to 40,000 gallons	\$8.50 \$8.76	\$12.15 \$12.51
Each additional 1,000 gallons (or part thereof) over 40,000 gallons	\$9.65 \$9.94	\$15.20 \$15.66

Monthly water service charges for the following “special users” only shall be computed as follows:

Category of Special User	Monthly Water Service Charges
Users within Town limits in owner-occupied residences where the owner is a senior citizen	The minimum monthly charge, including up to 12,000 gallons of water usage per EQR, shall be \$19.69 \$20.28 per EQR. Charges for each additional 1,000 gallons (or part thereof) of water usage per EQR over 12,000 gallons shall be computed according to the in-Town rate schedule set forth in Subsection above.

Users outside Town limits in owner-occupied residences where the owner is a senior citizen	<p>The minimum monthly charge, including up to 12,000 gallons of water usage per EQR, shall be \$29.96 \$30.80 per EQR.</p> <p>Charges for each additional 1,000 gallons (or part thereof) of water usage per EQR over 12,000 gallons shall be computed according to the out-of-Town rate schedule set forth in the water usage table above.</p>
Schools	<p>The minimum monthly charge, including up to 12,000 gallons of water usage per EQR, shall be \$24.06 \$24.79 per EQR.</p> <p>Charges for each additional 1,000 gallons (or part thereof) of water usage per EQR over 12,000 gallons shall be computed according to the in-Town rate schedule set forth in the water usage table above.</p>
Vacant Property qualifying under item 12 above	63% of applicable monthly charges

E) Fees for No Meter and Broken Meters

Period	Surcharge Fee
For first month (or part thereof) without water meter	\$100.00 per EQR per month
For second consecutive month (or part thereof) without water meter	\$200.00 per EQR per month
For third consecutive month (or part thereof) without water meter	\$400.00 per EQR per month
For fourth consecutive month (or part thereof) and each subsequent month (or part thereof) without water meter	\$500.00 per EQR per month

F) Sewer Rates

Category of User	Monthly Sewer Service Charges	
Users within Town Limits	Owner-occupied Residences where the owner is a senior citizen and tenants who are seniors and are co-signers on the account	<p>The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$45.20 \$46.56 per EQR.</p> <p>Charges for water usage over 6,000 gallons per EQR shall be \$6.18 \$6.37 per EQR for each additional 1,000 gallons (or part thereof).</p>
	All other users	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$51.77 \$53.32 per EQR.

		Charges for water usage over 6,000 gallons per EQR shall be \$7.28 \$7.50 per EQR for each additional 1,000 gallons (or part thereof).
Users outside Town limits	Owner-occupied residences where the owner is a senior citizen and tenants	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$60.65 \$62.47 per EQR. Charges for water usage over 6,000 gallons per EQR shall be \$7.69 \$7.92 per EQR for each additional 1,000 gallons (or part thereof).
	All other users	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$61.77 \$63.62 per EQR. Charges for water usage over 6,000 gallons per EQR shall be \$9.05 \$9.32 per EQR for each additional 1,000 gallons (or part thereof).
Vacant Property qualifying under Section 13.16.050(A)	<u>63%</u> of applicable monthly charges	

- G) Fee in Lieu of Water Rights Dedication \$6,000.00
per Equivalent Residential Unit
- H) Watershed Protection District Permit
- 1) Activity to take place on single-family residential property
 - a) Application fee \$150.00
 - b) Deposit \$500.00
 - 2) All other activity
 - a) Application fee \$500.00
 - b) Deposit \$1,500.00
- I) Trash Removal Service
- 1) Users in owner-occupied residences occupied by one or more senior citizens..... ~~\$19.61~~ **\$26.65** per month
 - 2) All other users ~~\$22.18~~ **\$30.14** per month

1
2 **New Castle Town Council Regular Meeting**
3 **Tuesday, November 5, 2019, 7:00 PM**

4
5 **Call to Order**

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

7 **Pledge of Allegiance**
8

9 **Roll Call**

10 Present	Councilor Mariscal (arrived at 7:15 p.m.)
	Councilor Owens
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile
17 Absent	None

18
19 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody
20 Harrison, Town Treasurer Loni Burk, Town Planner Paul Smith, Town Attorney David
21 McConaughy and members of the public.
22

23 **Meeting Notice**

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

26 **Agenda Changes**

27 Clerk Harrison told the council that staff wanted to move item F. Review and
28 Consideration of Settlement Agreement for 151 W Main Street ahead to third on the
29 agenda so that Attorney McConaughy could speak to the issue. The council agreed.
30

31 **Conflicts of Interest**

32 Town Attorney David McConaughy told the council that he had a conflict with item D, the
33 resolution opposing the mine expansion and will leave when the item came up. The
34 council agreed.
35

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

37 There were no citizen comments.
38
39

40 **Consultant Reports**

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

1

2 **Items for Consideration**

3

4 **New Castle Chamber of Commerce Update**

5 Town Administrator Dave Reynolds told the council in response to their request, staff had
6 invited the Chamber of Commerce to provide an update to the council. He said that
7 unfortunately, not all members of the chamber were able to attend.

8 Shioban Milholm, Mari Riddile and Debbie Nichols, all members of the New Castle
9 Chamber of Commerce, greeted the council. They told the council that it had come to
10 their attention that they had not invoiced the town for the 2019 funds budgeted for the
11 chamber, but that they had submitted it earlier in the day.

12 Ms. Milholm told the council that they had the Spirit Walk event on Saturday, November
13 9. She said that they would also move forward with Bingo since they had finally met the
14 criteria for a state gambling license. Ms. Milholm said they will purchase the gambling
15 equipment in January, and will have Bingo at the community center once per month.

16 Other events sponsored by the Chamber of Commerce included the Hogback Hustle, Dirty
17 Hog Dash, Burning Mountain Festival, Cinco de Mayo, a Craft Fair, business after-hours, a
18 monthly article in the town newsletter, ribbon cuttings for new businesses and they
19 support New Castle Trails. Ms. Mari Riddile said they were doing welcome bags for new
20 residents again.

21 The Chamber members and council talked briefly about membership and how they were
22 considering trying to solicit members from outside New Castle. Councilor Hazelton said he
23 felt it might be a good idea to reach out to the KOA camp in Silt.

24 Mayor A Riddile complimented the chamber members for having such a strong, supportive
25 organization. The council thanked the chamber for the update.

26

27

28 **Youth Zone Update**

29 Administrator Reynolds said that Youth Zone was also in attendance to update the council.
30 He introduced Robin Tolan, Director of Development.

31 Director Tolan greeted the council and passed out some information regarding services
32 provided to youth between Aspen and Parachute. She reviewed the information in the
33 packet and said that more than 60 families had been assisted in New Castle. She also
34 stated that Youth Zone will be making more effort to reach out to the municipal courts
35 because their services cost approximately \$1,800.00 per youth compared to a significantly
36 higher cost to the public if a minor end up in the justice system.

37 Director Tolan invited the council to attend an upcoming seminar at Coal Ridge High
38 School called "Hidden in Plain Sight" about the existing drug culture.

39 Mayor A Riddile thanked Director Tolan and apologized that the town did not have more
40 funds to support Youth Zone. He said that they should soon have election results and if
41 the tobacco tax issue was approved by the voters, the council would have additional
42 funding for youth health and wellness programs.

43 The council thanked Director Tolan.

44

45 **Review and Consideration of Settlement Agreement for 151 W. Main Street**

46 Administrator Reynolds said that between himself, Attorney McConaughy, the Ferrins and
47 Michael Watts they had determined that putting the lawsuit aside for the time-being was
48 appropriate. The family had made great progress in cleaning up the property.

1 Administrator Reynolds said that Attorney McConaughy had put together a settlement
2 agreement. He reviewed some specific points in the agreement including an agreement
3 that the estate will pay legal fees and that there would be no occupancy in the building.
4 Attorney McConaughy told the council that the family had been in touch with Town
5 Planner Paul Smith so they could understand the zoning for the property to decide
6 possible future uses for the building. He also noted that recently the council had approved
7 a settlement agreement with senior housing that had a similar provision in it allowing for
8 dismissal of the case once legal fees were paid to the town. He said that senior housing
9 had paid the fees, and the dismissal had been filed. Attorney McConaughy said that it will
10 work the same for the Ferrin case and once the fees were paid, the case would be
11 dismissed without prejudice.

12 Administrator Reynolds said that he would be meeting with New Creation Church the
13 following day about placing Christmas lights on the property to dress it up which had
14 nothing to do with the settlement, but he wanted the council to know. Mayor A Riddile
15 said that the property was looking really good, and the view from the interstate was
16 vastly improved.

17 **MOTION Councilor Leland made a motion to authorize staff to execute the**
18 **settlement agreement with the Ferrin Estate as presented. Councilor Owens**
19 **seconded the motion and it passed unanimously.**

20
21
22

23 Recess the Town Council meeting, Convene as the Board of Zoning Adjustment
24 **MOTION: Councilor Owens made a motion to recess the Town Council meeting**
25 **and to convene as the Board of Zoning Adjustment. Councilor Hazelton seconded**
26 **the motion and it passed unanimously.**

27

28 **Consider Resolution BOZA 2019-1, A Resolution of the Board of Zoning**
29 **Adjustment of the Town of New Castle, Colorado, Approving a Variance for**
30 **Property Located at 228 N 7th Street in the R-1 Zone District**

31 Town Planner Paul Smith said that the application was for Victoria Palmer, who formerly
32 ran a veterinary clinic at 228 N 7th Street. The zoning for the property was R-1, however
33 the vet clinic was a commercial use. He said that at the time the building was constructed
34 in the early 80s, it was specifically built as a commercial building. A year later the zoning
35 was changed to R-1, causing the vet clinic building to become a non-conforming use in
36 the R-1 district where originally one did not exist. Planner Smith said there had not been
37 any issues, however, Ms. Palmer retired and sold her client list, leaving the building empty
38 for about a year. The town code said that a non-conforming use that ceased for a period
39 of one year was then required to revert to a conforming use. Staff felt would be
40 unnecessarily burdensome because it would require the applicant to do a substantial
41 remodel of the building as it had no kitchen or proper sleeping rooms. Staff felt that a
42 variance was the best solution. Planner Smith said that Ms. Palmer had two tenants in the
43 building whose businesses were appropriate office uses.

44 Councilor Owens said that his wife was the one who purchased the client list and he asked
45 if that posed a conflict of interest for himself. Attorney McConaughy asked if either
46 Councilor Owens or his wife had further financial interest in the disposition of the
47 property, and Councilor Owens said they did not. Attorney McConaughy said that there
48 was no conflict, and stated that it was always good to ask the question if someone was
49 uncertain about a potential conflict.

50 Planner Smith reviewed the staff report which recommended approval of the variance
51 application including the following conditions:

- 1 1. No other use shall be allowed within the building other than uses comprised of
2 offices for the conduct of a business or profession pursuant to MC 17.36.040 § C,
3 #10.
- 4 2. No more than two separate professional businesses shall operate on the premises
5 at any time.
- 6 3. Off-street parking shall be maintained at a rate of one 9'x19' parking space for
7 every 300sf of occupied floor space per 17.76.020 § F #3 (an equivalent of seven
8 total spaces for 1,920sf). The parking area shall include at least one properly
9 marked accessible van parking place per 2015 IBC Section 1106.
- 10 4. One portable fire extinguisher shall be available for each occupying business.
- 11 5. Occupants shall be required to comply with all performance standards per MC
12 17.72.090.
- 13 6. All representations for the Applicant contained in the Application or otherwise stated
14 in writing or presented verbally at the public hearing before the Board of Zoning
15 Adjustment shall be considered part of the Application and binding on the Applicant.
- 16 7. Applicant shall comply with all applicable building, residential, electrical and
17 municipal code requirements including all sign code regulations. Notably,
18 separation requirements per 2015 IBC section 508 for mixed use occupancy must
19 be maintained.
- 20 8. The Applicant shall reimburse the Town for any and all expenses incurred by the
21 Town regarding this approval, including, without limitation, all costs incurred by the
22 Town's outside consultants such as legal and engineering costs.
- 23 9. If the structure is converted to a use permitted outright within the R-1 zoning
24 district, the variance for professional office use will expire.
- 25 10. Violation of any of the above conditions shall be cause for revocation of the
26 variance.

27 Attorney McConaughy explained that the board was required to make five findings for a
28 variance because the point was to avoid hardship that was not created by the applicant.
29 He reviewed the following criteria and staff findings.
30

- 31 1. *That there are unique physical circumstances or conditions, such as irregularity,
32 narrowness, shallowness or size of the lot, or exceptional topographical or other
33 physical conditions peculiar to the affected property;*

34 Staff Comment – The current structure is designed solely as commercial/office
35 space. The structure is currently unsuitable as a residential dwelling since it lacks a
36 kitchen and sleeping units.

- 37 2. *That, because of such physical circumstances or conditions, the property cannot
38 reasonably be developed in conformity with the provisions of this Title;*

39 Staff Comment – The lot is a commercial building in a residential zone requiring a
40 substantial remodel to conform to the permitted uses in R-1 zoning, otherwise it
41 will remain unoccupied.

- 42 3. *That such unnecessary hardship has not been created by the applicant;*

43 Staff Comment – According to MC 17.88.010, a discontinuation of a nonconforming

1 use for a period of one year requires that all future use conform to the R-1 zoning.
2 And though the non-use was triggered by matters related to the sale of the
3 business, Staff maintains that the Code modifications in 1983 were the genesis of
4 the issue. The Code change created a nonconforming use where one originally did
5 not exist. The Applicant and prior owner both operated within the constraints of the
6 new Code until the business was retired. To require the Applicant to remodel the
7 property in order to comply with R-1 zoning conditions, Staff contends, is
8 unnecessarily burdensome. The variance exemption cited in MC 17.88.020 is a
9 more equitable solution for all involved.

- 10 4. *That the variance, if granted, will not alter the essential character of the*
11 *neighborhood or district in which the property is located nor substantially or*
12 *permanently impair the appropriate use or development of adjacent property;*

13 Staff Comment – No alterations are expected on or in the building. Traffic impacts
14 will be minimal in comparison with the former use as a clinic.

- 15 5. *That the variance, if granted, is the minimum variance that will afford relief and is*
16 *the least modification possible of this Title's provisions that are in question.*

17 Staff Comment - The requested variance minimally modifies the use of the
18 property. Moreover, the change of use to professional office will likely reduce traffic
19 and noise impacts on surrounding properties.

20
21 Mayor A Riddile opened the public hearing at 7:33 p.m.

22 There were no public comments

23 Mayor A Riddile closed the public hearing at 7:33 p.m.

24
25 **MOTION: Councilor Owens made a motion to approve Resolution BOZA 2019-1, A**
26 **Resolution of the Board of Zoning Adjustment of the Town of New Castle,**
27 **Colorado, Approving a Variance for Property Located at 228 N 7th Street in the**
28 **R-1 Zone District. Councilor Copeland seconded the motion and it passed**
29 **unanimously.**

30
31 Administrator Reynolds introduced Dave Reynolds who was the accountant that had his
32 offices in Ms. Palmers building.

33 Mr. Brian Gandy, Sustainable Terrains. Mr. Gandy introduced himself to the council and
34 said that he was the other tenant in Ms. Palmer's building. He said he consulted in
35 horticulture technology and sustainable agriculture. The council welcomed them both.

36
37 Adjourn the Board of Zoning Adjustment, Reconvene the Town Council Meeting

38 **MOTION: Councilor Hazelton made a motion to adjourn the Board of Zoning**
39 **Adjustment. Councilor Mariscal seconded the motion and it passed unanimously.**

40
41 Attorney McConaughy left at 7:38 pm

42
43 **Resolution TC 2019-22 - Opposing the Expansion of the Mid-Continent Quarry**
44 **and Supporting Local Regulation**

45 Administrator Reynolds said that at the last council meeting, the council had heard from
46 representatives of the City of Glenwood Springs regarding the mine expansion, and the
47 council had directed staff to draft a resolution that would be in opposition of that

1 expansion. The attorney for Glenwood had written a resolution template for the
2 municipalities to use if they wished to support Glenwood. He said that staff had modified
3 the language somewhat to be in line with what the town knew and was comfortable with.
4 Mayor A Riddile said that in fairness, they had also invited RMR to attend a council
5 meeting but they politely declined. He said he and Councilor Hazelton, Planner Smith and
6 Administrator Reynolds had met with an attorney from Denver and one of the directors of
7 RMR, and they had presented their case. Mayor A Riddile said that he believed that New
8 Castle was the only municipality that sat down with RMR to hear what they had to say.
9 Mayor A Riddile asked if there were any public comments.

10 Eric Brotherson, 38 Red Cloud Court, New Castle. Mr. Brotherson said that there had been
11 a full house when Glenwood Springs made their presentation to the council and he felt
12 that expansion of the mine would have a significant negative impacts to Glenwood
13 Springs, to their economy and to the overall feel of the city. He also believed that there
14 will be a ripple effect to New Castle. Mr. Brotherson also said that he understood the
15 council's position regarding Town Attorney McConaughy but feared that if the mine were
16 approved is would cripple the local voice on future land use issues.

17
18 Mayor A Riddile opened the discussion to public comments at 7:41 p.m.

19 Lauren Randles, 27 Mule Deer Court, New Castle. Mr. Randles said that he agreed with
20 Mr. Brotherson's comments.

21 Eric Baquero, 16 Deer Valley Drive, New Castle. He felt that New Castle needed to support
22 other communities. He felt the ideas were very sound to maintain a presence in the
23 county with other communities in the county to show that everyone was unified in their
24 support.

25 Mayor A Riddile closed public comments at 7:44 p.m.

26
27 **MOTION: Councilor Leland made a motion to approve Resolution TC 2019-22 – a**
28 **Resolution of the Town Council of New castle, Colorado Opposing Expansion of**
29 **the Mid-Continent Quarry, AKA the Transfer Trail Mine, and Supporting County**
30 **Regulation of the Mine. Councilor Owens seconded the motion and it passed**
31 **unanimously.**

32
33 **Consider a Motion to Approve a Trash and Recycling Rate Increase from our**
34 **Service Provider**

35 Administrator Reynolds reminded the council that Mike Hinkley and Doug Goldsmith of
36 Mountain Waste & Recycling (MWR) had attended a previous council meeting to present
37 the issues they were experiencing with the skyrocketing costs of recycling services. He
38 said that the rate increase proposal was significant. \$22.20 for trash per household, per
39 month, and \$7.06 for recycling per household, per month. The monthly total would be
40 \$29.26. He said that the contract allowed for a 5% increase, but also allowed the council
41 to consider something else should it be necessary.

42 Staff and the council discussed options for recycling and the increased costs for the landfill
43 and recycling tipping fees. The council agreed that there would need to be some outreach
44 to the public to educate residents on the issues causing the rate increases.

45 **MOTION: Mayor A Riddile made a motion to approve a new trash rate of \$22.20**
46 **and new recycle rate of \$7.06, for a monthly total of \$29.26, effective January 1,**
47 **2020.**

48 Discussion: MaryLou Haflinger, 13 Buckskin Circle, New Castle. Ms. Haflinger said that the
49 increase appeared to be a ten percent increase, and there had been a five percent
50 increase a few months ago and another five percent increase at the beginning of the year.
51 Ms. Haflinger felt the increases were too much and she asked if the council had put the

1 service out to bid. Councilor G Riddile said that three years ago it had gone out to bid and
2 there was only one other company and they were more expensive than MWR and not
3 local. Ms. Haflinger said that had been several years ago. Administrator Reynolds said that
4 Waste Management (WM) was the other company and their recent bids to other town
5 were considerably higher than MWR. He also said that staff was considering getting prices
6 from WM, but that the town was under contract with MWR through 2020. Ms. Haflinger
7 said that once prices went up, they never go down, and although she was in favor of
8 recycling and would have to pay the increase, she did not agree with it. Councilor
9 Hazelton said that the council struggled with rate increases as well and he asked if
10 recycling was worth it to Ms. Haflinger or would it be worth it to consider eliminating
11 recycling. Ms. Haflinger said she would be opposed to eliminating recycling. She said that
12 she felt there were some scare tactics being employed but did not elaborate. Ms. Haflinger
13 said she wanted recycling to continue in New Castle, and suggested that it should remain
14 a weekly service. The council thanked her for her comments.

15 **The motion passed unanimously.**

16

17 **Consent Agenda**

18 August 20, 2019 minutes

19 September 3, 2019 minutes

20 September 17, 2019 minutes

21 October Bills of \$588,040.89

22 New Castle Liquors Retail Liquor Store and Tastings Permit Renewal

23 **MOTION: Councilor G Riddile made a motion to approve the consent agenda.**

24 **Councilor Mariscal seconded the motion and it passed unanimously.**

25

26 **Staff Reports**

27 Town Administrator – Administrator Reynolds told the council that there was a building on
28 Main Street that was coned off because of a safety hazard. He said some of the bricks
29 were falling off the building, and the town was working with the owners to find a solution.
30 Administrator Reynolds said that the CORE act had passed in the house of representative
31 and will move on to the senate.

32 Town Clerk – nothing to report

33 Town Planner – Planner Smith said that he was working on some code amendments for
34 land use procedures. He said he has been getting a few call regarding the golf course that
35 is for sale. He also said that the Atkinsons had held their open house and that had gone
36 well.

37 Town Treasurer - Treasurer Burk said her office was busy preparing for year-end. They
38 were also working on the budget, insurance renewals, payroll and the wellness benefit for
39 everyone. Treasurer Burk said that she had put together a calendar for 2020 that showed
40 when payroll, accounts payable and council pay days were.

41 Public Works Director – not present.

42

43 **Commission Reports**

44 Planning & Zoning Commission – nothing to report.

45 Historic Preservation Commission – nothing to report.

46 Climate Action Advisory Committee – nothing to report.

47 Senior Program – Councilor Mariscal said the meeting had been cancelled.

48 RFTA – Mayor A Riddile said RFTA was getting five new electric busses. He also said that

1 in mid-December, the bus service to New Castle will increase to every half hour.
2 AGNC – Councilor Hazelton said that AGNC had not met, but they had been designated as
3 an economic development district, which was something they had been working on for a
4 while. He also said that the next AGNC would be in New Castle.
5 GCE – nothing to report.
6 EAB – nothing to report.

7

8 **Council Comments**

9 Councilor Mariscal apologized to the council for being late to the meeting.
10 Councilor Mariscal said that she will be in San Antonio for the December 3 council
11 meeting.
12 Councilor Owens said that he will be absent next council meeting because the board
13 meeting for Mountain Family Health had been changed because of the holiday.
14 Councilor Hazelton asked about the solar farm issue. Administrator Reynolds said that
15 Erica Sparhawk from Garfield Clean Energy was looking into it. Mayor A Riddile said that
16 he specifically recalled that the pitch from the solar company was that the town would
17 save more than \$20k per year, and that the saving the town had seen was barely \$100
18 for three months.
19 Councilor G Riddile said that retreat went very well and he thanked staff.
20 Councilor Leland said that Christmas party historically been on second December meeting
21 date. He said that there was about 6 week to plan the party. Mayor A Riddile said it was
22 being handled and agreed that they would need help from the council.
23 Councilor Leland said that there had been an article about the new apartments on
24 highway 6 in Glenwood Springs. A one-bedroom will go for \$1,800.00 per month, and a
25 two-bedroom will go for \$2,400.00. He felt that was really expensive and did nothing to
26 help people find affordable housing.
27 Councilor Copeland said that the member log-in button on the Chamber of Commerce
28 website was not working. She asked if they maintained their own website. Administrator
29 Reynolds said they did.
30 Mayor A Riddile reminded everyone that the Spirit Walk will be at Highland Cemetery on
31 Saturday from 7 to 9 p.m. He said it should be fun and encouraged everyone to attend.

32

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

35

36 The meeting adjourned at 8:24 p.m.

37

38

39 Respectfully submitted,

40

41

42

43

44

45

46

47

48

49

Mayor Art Riddile

Town Clerk Melody Harrison, CMC

1
2 **New Castle Town Council Regular Meeting**
3 **Tuesday, November 19, 2019, 7:00 PM**
4
5

6 **Call to Order**

7 Mayor A Riddile called the meeting to order at 7:00 p.m.
8

9 **Pledge of Allegiance**

10
11 **Roll Call**

12 Present	Councilor Mariscal
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile
18 Absent	Councilor Owens

19
20 Also present at the meeting were Town Clerk Melody Harrison, Town Planner Paul Smith,
21 Police Chief Tony Pagni, Town Treasurer Loni Burk (via phone conference), Assistant Town
22 Attorney Haley Carmer and members of the public.
23

24 **MOTION: Mayor A Riddile made a motion to excuse Councilor Owens' absence.**
25 **Councilor Mariscal seconded the motion and it passed unanimously.**
26

27 **Meeting Notice**

28 Town Clerk Melody Harrison verified that her office gave notice of the meeting in
29 accordance with Resolution TC 2019-1.
30

31 **Agenda Changes**

32 There were no agenda changes.
33

34 **Conflicts of Interest**

35 There were no conflicts of interest.
36

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

38 There were no citizen comments.
39

40 **Consultant Reports**

41 Consultant Attorney – present for agenda items.
42 Consultant Engineer – not present.
43
44

45 **Items for Consideration**

46
47 **Police Department Update**

48 Police Chief Tony Pagni told the council that he had two items to discuss. The first was an
49 increase of the fee for sex offenders. He said most all other municipalities have a higher
50 fee, which was appropriate because it took a significant amount of staff time to register

1 and manage the registrants, and he felt that an increase of the registration fee was
2 appropriate. The council agreed.

3 Chief Pagni told the council that he had a disproportionate number of weapons that were
4 in evidence, some that had been there for many years. He told the council that he wanted
5 to dispose of them and said that there were several methods. First, they could be
6 destroyed, and Chief Pagni said he was okay with that method. He also said that the guns
7 could be sold, and if that was the council's decision, a third-party, licensed seller would be
8 hired to manage the sale and conduct background checks on the purchasers. After a brief
9 discussion, the council and Chief Pagni agreed that hiring a third-party seller was a good
10 idea.

11
12
13 **Update: Land Use Codes**

14 Town Planner Paul Smith explained to the council that the land use application process
15 needed some updating to make it a more thorough process. He provided the council with
16 an overview of the changes. Planner Smith said that he was also considering some code
17 changes to include a requirement for permitting and inspection processes for fences. The
18 council discussed fence issues briefly. Planner Smith said he was also looking at grease
19 interceptor or grease trap inspections requirements, and several other items in the code
20 that needed refinement. He said an ordinance would be forthcoming. The council thanked
21 Planner Smith.

22
23
24 **Discussion: Trash Rate Notice**

25 Mayor A Riddile said that along with the door hangers, staff will place notices of the rate
26 increases on the town website, in the December newsletter, and on FaceBook. He also
27 said that there would be an open house meeting about recycling.

28 Councilor Leland felt that the open house meeting date should be set before the notice
29 went out. After a brief discussion, the council decided the open house was not necessary.
30

31 Mayor A Riddile mentioned for the record that town had obtained receive another bid on
32 trash and recycling services from the other company in the valley and it came in higher
33 than the bid from Mountain Waste & Recycling.

34
35 Clerk Harrison told the council that Administrator Reynolds had drafted the notice with the
36 intent of having door hangers printed to distribute to all the residents. She said he was
37 looking for input on the content or some other direction if council felt something else
38 should be done. The council reviewed the draft document and made a few minor
39 suggestions.
40

41
42 **Discussion and Staff Direction Regarding the Directory of Fees**

43 Clerk Harrison told the council that there was a copy of the directory of fees on the dais
44 for the council to review. She said that every year the council readopted the fee schedule
45 via resolution. She noted that there were several items in the directory that would be
46 changed, and she reviewed them with the council.

47 Clerk Harrison said that a resolution would be brought to the council to adopt the fee
48 schedule in December. She asked that if they felt there was anything else that needed
49 updating or they had concerns with to please let her know.

1 **Review Updated Strategic Plan**

2 Clerk Harrison said that Administrator Reynolds had updated the council’s strategic plan
3 after the October council retreat. She offered to review each item with the council.
4 Councilor G Riddile said that he would like the council to consider adding an item to
5 section 2. He said that initially, the intent was that Castle Valley Boulevard was meant to
6 be expanded to four lanes once Castle Valley Ranch and Lakota Canyon Ranch built out,
7 but he did not see that happening. Councilor G Riddile said that traffic on the boulevard is
8 going to increase and something will need to be done to improve traffic conditions. He felt
9 that it should be added to the strategic plan for future consideration.

10 Mayor A Riddile asked Planner Smith to work with Administrator Reynolds to add the item
11 to the strategic plan. Planner Smith said he would.

12 Attorney Carmer said that Planner Smith and Administrator Reynolds would need to
13 consult with her office because it was tied to the annexation and development agreements
14 for both subdivisions. Some of the money was earmarked and if the funds needed to
15 transition to something else because the anticipated expansion of Castle Valley Boulevard
16 would not come to fruition, it was important to determine what needed to happen with
17 respect to the development documents to make sure the town could use the money for
18 what was realistically going to be needed.

19 After a brief discussion, the council agreed it should be added.
20
21

22 **Consider Ordinance TC 2019-7, an Ordinance of the New Castle Town Council**
23 **Implementing a Tax on Tobacco and Nicotine Products (1st reading)**

24 Attorney Carmer said that because the tax issue passed, the ordinance was to create the
25 code provisions that administer the tax. The procedure for submitting the tax return, the
26 licensing requirements and penalties similar to lodging tax. Attorney Carmer said that the
27 ordinance was very detailed and she was happy to explain anything the council wanted.
28 Attorney Carmer said that between first and second reading she would consult with Town
29 Treasurer Loni Burk on the procedures for collection and if anything changed it would be
30 changed to the ordinance at second reading.

31 **MOTION: Councilor G Riddile made a motion to approve Ordinance TC 2019-7, an**
32 **Ordinance of the New Castle Town Council Implementing a Tax on Tobacco and**
33 **Nicotine Products on 1st reading. Councilor Mariscal seconded the motion and it**
34 **passed on a roll-call vote: Councilor Copeland: yes; Councilor Hazelton: yes;**
35 **Councilor Leland: yes; Mayor A Riddile: yes; Councilor G Riddile: yes; Councilor**
36 **Mariscal: yes.**
37
38

39 **Consider Ordinance TC 2019-8, an Ordinance of the New Castle Town Council**
40 **Adopting and Implementing a Voter-Approved Ad Valorem Property Tax (1st**
41 **reading)**

42 Attorney Carmer said that the ordinance was a matter of housekeeping. The county would
43 administer the ad-valorem tax, so there was nothing that would be added to the municipal
44 code. The town charter required that a tax approved by the voters also required approval
45 by the council via ordinance. The ordinance documents authorizes the collection of the
46 tax.

47 Councilor Leland said that there was nothing in the ordinance that spoke to when the
48 collection of the tax would begin. The existing mill levy did not end until June, and the
49 new mill levy will begin after the old one expired.

1 Attorney Carmer said she would add some clarification language to the ordinance before
2 second reading.

3 **MOTION: Mayor A Riddile made a motion to approve Ordinance TC 2019-8, an**
4 **Ordinance of the New Castle Town Council Adopting and Implementing a Voter-**
5 **Approved Ad Valorem Property Tax on 1st reading. Councilor Hazelton seconded**
6 **the motion and it passed on a roll-call vote: Councilor Mariscal: yes; Councilor**
7 **Leland: yes; Councilor G Riddile: yes; Councilor Hazelton: yes; Councilor**
8 **Copeland: yes; Mayor A Riddile: yes.**

9
10
11 **Consider a Motion to Begin the December 17, 2019 Council Meeting Early**

12 Clerk Harrison told the council that the town Christmas party would be at 6:00, and
13 suggested that the meeting begin at 5:30 p.m.

14 **MOTION: Councilor G Riddile made a motion to begin the December 17, 2019**
15 **council meeting at 5:30 p.m. Councilor Leland seconded the motion and it passed**
16 **unanimously.**

17
18
19 **Consent Agenda**

20 October 1, 2019 minutes

21 Feather Petroleum (Stop N Save) Fermented Malt Beverage Liquor License Renewal

22 Groves Black Dog Saloon Hotel & Restaurant Liquor License Renewal

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

25
26 **Staff Reports**

27 Town Administrator – not present.

28 Town Clerk – Clerk Harrison said that she had been collecting information from other
29 municipalities who collect tobacco taxes to assist New Castle in creating forms and
30 processes. She said that she and Administrator Reynolds planned to go and speak
31 personally to each of the five vendors once staff had the forms and processes in place.
32 Clerk Harrison said that everyone in her office had attended a CML training on elections
33 and election calendars. She said the election calendar for the April 2020 election will begin
34 on January 7, 2020. Clerk Harrison said that the new computers had arrived and
35 ProVelocity will begin installation of those systems. Clerk Harrison said that a MAD
36 CycloCross event will be held in VIX Ranch Park on December 7 & 8, 2019. Unfortunately,
37 they had not made application in time, and would be ineligible for a liquor license. Clerk
38 Harrison said she wanted the council to understand what had taken place in case there
39 was any negative feedback. Mayor A Riddile asked if they had served alcohol at their 2018
40 MAD Racing event, and Clerk Harrison said they had not. Mayor A Riddile and Councilor
41 Hazelton felt that the restaurants could be notified, and perhaps coupons for the local
42 restaurants could be made available at the event.

43 Town Planner – Planner Smith said that bricks were being replaced on the Trimble
44 Building, and the project was going well. He also said that building permits for new builds
45 were slow. Planner Smith said he had not heard from Jim Colombo and he did not feel
46 that anything will happen on that project in 2019. An application had come in for filing
47 111, but there was no engineering, so the application was incomplete. Planner Smith said
48 he believed that Administrator Reynolds had spoken to Mogli Cooper about what could be

1 done on her property.
2 Public Works Director – not present.

3

4 **Commission Reports**

5 Planning & Zoning Commission – nothing to report.

6 Historic Preservation Commission – nothing to report.

7 Climate Action Advisory Committee – nothing to report.

8 Senior Program – nothing to report.

9 RFTA – Mayor A Riddile said that there would be new bus service coming to New Castle.

10 He said there will be busses every thirty minutes beginning in December. RFTA will
11 partner with Glenwood Springs to complete a study about possible bus lanes in downtown
12 Glenwood as well as a transit center.

13 AGNC – nothing to report.

14 GCE – Councilor Leland gave each council member a copy of GCE 3rd quarter report that
15 included 6 New Castle homes that had energy upgrades.

16 EAB – nothing to report.

17

18 **Council Comments**

19 Councilor Mariscal said that she will not be at the next council meeting because she will be
20 out of town.

21 Councilor Leland thanked Clerk Harrison for the council meeting minutes when the
22 Atkinson’s came in with their sketch plan. He said she had made great sense of his
23 statements.

24 Councilor Leland thanked Administrative Assistant Debbie Nichols for catching an error on
25 the Lions’ club Turkey Dinner flyer.

26 Councilor Leland said that a resident had asked him about the dinosaurs on the Ferrin
27 property. He said he knew that Steve Rippy once owned them and he was not certain who
28 did now, but people liked the dinosaurs and Councilor Leland said he was interested in
29 preserving them. Clerk Harrison told the council that Rosie had said she owned them.

30 Mayor A Riddile said that he wanted the council too begin studying the idea of raising the
31 tobacco purchase age to 21 years old.

32 Mayor A Riddile said that Youth Zone had attended the last council meeting and he was
33 embarrassed to learn about the very small amount of money the town gave to them and
34 he wanted to consider an increase in the amount the town gave them since the tobacco
35 tax ballot issue had passed. The council agreed.

36 Mayor A Riddile said that voter turnout was fabulous.

37 Mayor A Riddile said that the Cub Scout food drive had turned out very well. They
38 collected 8,500 pounds of food for Lift-Up.

39 Mayor A Riddile said that there had been a meeting in Glenwood Springs called The Whole
40 Shebang. It was about the mining issue and had been very informative.

41 Mayor A Riddile said that Wingnuts had hosted a veteran’s breakfast and he thanked
42 Councilor Hazelton for doing it. Councilor Hazelton said it had been Alpine Bank’s idea and
43 he was glad to be part of it.

44 Mayor a Riddile reminded everyone of the town Christmas Party on December 17 and
45 asked if everyone would please RSVP.

46 Mayor A Riddile said he would be out of town Saturday through the following Saturday but
47 would be available by e-mail and on his cell phone.

48

49

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

3
4 The meeting adjourned at 8:16 p.m.

5
6
7 Respectively submitted,

8
9
10
11
12 _____
13 Mayor Art Riddile

13
14
15
16 _____
17 Town Clerk Melody Harrison, CMC

18