



**Town of New Castle**  
450 W. Main Street  
PO Box 90  
New Castle, CO 81647

**Administration Department**  
**Phone:** (970) 984-2311  
**Fax:** (970) 984-2716  
[www.newcastlecolorado.org](http://www.newcastlecolorado.org)

## **Agenda**

### **New Castle Town Council Regular Meeting**

**Tuesday, January 16, 2024, 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.

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet click [HERE](#)

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

#### **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 Approving Resolution TC2024-03 – Authorizing a Mail Ballot Election on April 2, 2024 and Setting Forth Other Details Relating Thereto**

**B. Update Concerning Regional Migrant Influx**

**C. 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**

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

**E. Consider Compensation for Town Administrator, Town Clerk and Town Treasurer**

**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.

[January 2, 2024 Minutes](#)

**Staff Reports**

Town Administrator  
Town Clerk  
Town Treasurer  
Town Planner  
Public Works Director

**Commission Reports**

Planning & Zoning Commission  
Historic Preservation Commission  
Climate and Environment Commission  
Senior Program  
RFTA  
AGNC  
GCE  
EAB  
Detox

**Council Comments**

**Items for Future Council Agenda**

**Adjourn**

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**Memorandum**

**To:** Mayor & Council

**From:** Mindy Andis

**Re:** Resolution TC2024-03 – Authorizing mail ballot election

**Date:** 1.16.2024

**Purpose:**

The purpose of this Agenda Item is to get authorization for a Mail Ballot Election on April 2, 2024. The resolution also appoints the Town Clerk as the Election Official and to authorize and direct the clerk to appoint election judges.

New Castle has been conducting their elections by mail ballot since 2000.

Resolution No. TC-2024-3

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE,  
COLORADO, AUTHORIZING A MAIL BALLOT ELECTION ON APRIL 2, 2024, AND  
SETTING FORTH OTHER DETAILS RELATING THERETO.

WHEREAS, the Town of New Castle (the “Town”), is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of the Town; and

WHEREAS, the members of the Town Council of Town of New Castle (the “Council”) have been duly elected and qualified; and

WHEREAS, April 2, 2024, is the date of the next regular election in the Town; and

WHEREAS, pursuant to Article II, Section 2.6 of the Town Charter, the conduct of the election shall be governed by the Colorado Municipal Election Code of 1965 (the “Municipal Election Code”); and

WHEREAS, the Municipal Election Code provides, at C.R.S. § 31-10-102.7, that any municipality may provide by Resolution that it will utilize the requirements and procedures of the Uniform Election Code of 1992, Articles 1 to 13 of title 1, C.R.S. (the “Uniform Election Code”) in lieu of the Municipal Election Code, with respect to any election; and

WHEREAS, procedures and requirements for mail ballot elections are set forth in Article 7.5 of the Uniform Election Code; and

WHEREAS, the Town has determined that the Town Clerk will conduct the election on April 2, 2024 as an independent mail ballot election pursuant to C.R.S. §§ 1-7.5-104 and 31-10-908; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO, AS FOLLOWS:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed towards the election and the objects and purposes herein stated is hereby ratified, approved and confirmed.

Section 2. Unless otherwise defined herein, all terms used herein shall have the meanings defined in the Municipal Election Code.

Section 3. The Council hereby determines that the regular election of the Town to be held on April 2, 2024, shall be conducted as a mail ballot election pursuant to Part 9, Article 10, Title 31 and Article 7.5, Title 1 of the Colorado Revised Statutes. Pursuant to C.R.S. § 31-10-102.7 of the Municipal Election Code, the Town Council elects to utilize certain provisions of the Uniform Election Code with regard to the conduct of the regular Town Election to be held on April 4, 2024. The Council hereby determines that said election shall be conducted as a mail ballot election pursuant to Article 7.5 of the Uniform Election Code; however, to the extent that procedures for the election are not provided in Article 7.5 of the Uniform Election Code, the Municipal Election Code shall apply.

Section 4. The Town Clerk is hereby appointed as the designated election official of the Town for purposes of performing acts required or permitted by law in connection with the election, and she may execute such documents as may be required in furtherance of this power.

Section 5. The Town Clerk is authorized and directed to appoint election judges pursuant to C.R.S. § 31-10-401.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this resolution.

Section 7. All resolutions or parts of resolutions inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 8. The effective date of this resolution shall be immediately upon adoption.

SO RESOLVED, at a regular meeting of the Town Council of the Town of New Castle, Colorado, on January 16, 2024, by a vote of \_\_\_\_ to \_\_\_\_.

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Mayor Art Riddle

ATTEST:

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Town Clerk Mindy Andis, CMC

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**Memorandum**

**To:** Mayor & Council

**From:** Dave Reynolds

**Re:** Agenda Item: Discussion of Recent Migrant Influx in Western Colorado

**Date:** 1/16/24

**Purpose:**

The purpose of this Agenda Item is to update Town Council regarding a recent meeting with area Church and Non-profit leaders concerning positions and possible responses relative to homeless and immigrant populations.

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**Memorandum**

**To:** Mayor & Council  
**From:** Dave Reynolds  
**Re:** Executive Session concerning Filing #11  
**Date:** 1/16/24

**Purpose:**

The purpose of this Executive Session is to provide an opportunity for our Town Attorney to brief the Town Council on the latest developments and receive guidance from the Council regarding the ongoing progress of the mediation agreement associated with the Filing 11 dispute.



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## Memorandum

**To:** Mayor & Council  
**From:** Dave Reynolds  
**Re:** Executive Session discussion and direction regarding the sale of Town owned property  
**Date:** 1/16/24

**Purpose:**

The purpose of this Executive Session is to discuss and gain direction concerning Town owned property at the northwest cornering of 6<sup>th</sup> St and Main St.

During a previous meeting, Town Council heard a presentation from a local business owner who wished to explore the idea of purchasing and developing the empty lot at 600 W. Main Street. Town Council directed staff to work with a realtor to establish an initial idea of the property value. Staff will present the requested information and seek further direction regarding the possible sale of 600 W. Main St.



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**Memorandum**

**To:** Mayor & Council

**From:** Dave Reynolds

**Re:** Agenda Item: Consider changes to appointed positions compensation

**Date:** 1/16/24

**Purpose:**

The purpose of this agenda item is to consider changes to compensation levels for the three staff level positions that are appointed by the Town Council. Town Council will discuss and consider updates or changes to the compensation levels for the position of Town Clerk, Finance Director, and Town Administrator.

**New Castle Town Council Regular Meeting  
Tuesday, January 2, 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 Mariscal
	Councilor Carey
	Councilor Hazelton
	Councilor Copeland
	Councilor G Riddile

Absent	Councilor Leland
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Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Mindy Andis, Town Attorney David McConaughy, Town Planner Paul Smith, Public Works Director John Wenzel, Police Chief Chuck Burrows and members of the public.

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

**Meeting Notice**

Clerk Andis verified that her office gave notice of the meeting in accordance with resolution TC 2023-1.

**Conflicts of Interest**

There were no conflicts of interest.

**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**

1 **Discussion: Traffic Calming Techniques**

2 Administrator Dave Reynolds said Public Work Director John Wenzel and Police Chief  
3 Chuck Burrows are here to discuss the need for additional Traffic Calming / Traffic Slowing  
4 Measures which may be identified in various areas of the town.

5 Director Wenzel said there are 3 E's for traffic control.

6 E: **Educate** – yard signs, leaflets, electronic sign board and participation from  
7 residents. Public Works currently have a program in place "Heed the Speed" signs, leaflets  
8 and the electric sign board.

9 E: **Enforcement** – Police presence

10 E: **Engineering** – development of subdivisions, design process for roadways, lane  
11 widths, bump out, and etc...

12 Director Wenzel said people will drive only as fast as they feel safe doing so. Therefore,  
13 limiting the lengths of streets will help slow down speeders. He has also seen painting a  
14 center stripe down the road will also help with speeders. Director Wenzel said stop signs  
15 would be a more dangerous situation for pedestrians. Because drivers who don't think the  
16 stop sign is necessary will roll through it and then it becomes a habit and won't stop or  
17 look for pedestrians.

18 Chief Burrows said having police presence in troubled areas does help with speeding.

19 Councilor Carey suggested painting a bump out in a specific location which would create  
20 the perception that there was a slowdown need and create a crosswalk. Having paint on  
21 the roadway would be the most cost effective.

22 Administrator Reynolds said the town will need to study each case to see what method  
23 would work the best. The decision would be up to Chief Burrows and Director Wenzel to  
24 identify specific areas and what method would work. It will be a trial and error to figure  
25 out what works and what doesn't work.

26 Councilor Hazelton said he would like to see the four-way stop at the intersection of  
27 Seventh Street and Second Street addressed. He feels the four-way stop is not effective.  
28 The lack of sidewalks in that area is a concern, when there are drivers not paying  
29 attention to the stop sign it becomes dangerous for the pedestrians. Possible painting a  
30 bike lane on Seventh Street might help slow people down and having crosswalk signage at  
31 the new crosswalk at the First Baptist Church might help as well.

32 Councilor G. Riddle said he doesn't want to have much of traffic calming on Castle Valley  
33 Boulevard since that is a major roadway. The boulevard was designed to specifically move  
34 traffic. He said another option was access control to the street with barricades and see  
35 how it works for a month.

36 **Discussion: Update Concerning Regional Migrant Influx**

37 Administrator Reynolds said the council has discuss the recent influx of immigrants to the  
38 Western Slope area and begin to better understand the policies, procedures, resources,  
39 and partnerships that might be useful when addressing this topic either directly or as a  
40 partner agency to a neighboring community. The need for emergency preparedness and  
41 the ability to anticipate a crisis may come in many forms. Whether a natural disaster,  
42 manmade disaster, or humanitarian crises, the need to look ahead and anticipate future

needs and policies is critical. While most towns and counties have suitable emergency operation plans that are designed to address wildfires, floods, pandemics, biohazards, etc., specific plans and policies that address large influxes of displaced peoples are rare. The goal of discussion is to formulate a plan for studying this issue and developing a pathway to understanding the town's role in addressing large scale immigration challenges. Administrator Reynolds said he does have a meeting set up with the local Pastor's, River Center and Lift-Up to have a partnership and communications with local agencies. Then seeing what resources are available if there is an influx of migrants. Councilor Carey said she did speak with Rob Stein in Carbondale. The Roaring Fork School District will provide 5 dinners per week and there are two new night shelters. Carbondale will be partnering with Recovery Resources in Aspen. The Town of Carbondale had to hire two new staff members to help run the shelters and additional security. The Council directed staff to keep the communication open with local agencies and strictly with Carbondale Official's. Attorney David McConaughy said he agreed with Administrator Reynolds for getting a plan in place and to have resources available. Attorney McConaughy said the town can not ban public camping unless there is a place they can go such as a shelter or another location.

#### **Discussion: Review Affordable Housing Needs**

Administrator Reynolds said at the last meeting council had wanted to discuss affordable housing needs in our area and more specifically review the tools that towns may have to increase their local inventory of affordable or obtainable housing. Like many small Colorado communities, New Castle finds itself in a position where housing costs are growing beyond the reach of many who work in and around our community. Recognized as a regional problem for the last few decades, housing prices in relation to average area incomes have created an imbalance of affordability for portions of the area's labor force and many retirees. Towns find that while affordability for their area workforce is critical, the economics of development often lead to unobtainable housing costs for families who are at or below the area median income. Towns also find that zoning restrictions, density requirements, comprehensive plans, owners vested rights, neighboring compatibility, investor goals, and other factors are often at odds with the need for greater affordability.

Historically towns have looked to the following as tools to provide some level of affordability and relief to rising housing costs:

- Developer education and partnerships
- Developer incentives
- Regional housing collaboratives and partnerships
- Private industry partnerships and incentives
- Zoning considerations
- Deed Restricted Properties
- Increased density allowances
- Waived or reduced fees and permit costs
- Mandated affordability targets
- Comprehensive Plan guidance

1 Administrator Reynolds said the town did opt into Proposition 123 which state funding that  
2 can help developers with infrastructure costs if they provide a certain element of  
3 affordable housing. The Department of Local Affairs (DOLA) is still trying to put together  
4 what it would in tail to get funding. He has a meeting with the DOLA rep on Thursday,  
5 January 4, 2024.

6 Attorney McConaughy said with Proposition 123 the town's goal was 6 units per year for  
7 three years for a total of 18 units. In 2026 will be another commitment to have a "fast  
8 track" approval process in place. The "fast track" doesn't apply to subdivisions but will  
9 apply to development approval in 90 days from start to finish. In terms of what can been  
10 done now. The town doesn't have a formal affordable housing program which would define  
11 affordability. The majority of land in New Castle has vested rights which are development  
12 rights. The town could provide incentives to the developer to get affordable housing.

#### 13 14 **Discussion: Review of Executive Session Protocol**

15 Administrator Reynolds said this discussion is to allow time for Attorney McConaughy to  
16 review the procedures and protocols associated with Executive Sessions. According to an  
17 article written for the Colorado Municipal League, certain matters may be discussed by the  
18 local public body in executive session but must consider the following:

- 19 • No "adoption of any proposed policy, position, resolution, rule, regulation, or formal  
20 action shall occur at any executive session which is not open to the public."
- 21 • Public notice of the meeting should include notice of the proposed executive session.
- 22 • Prior to the beginning of the closed executive session, the general topic should be  
23 announced.
- 24 • The body must vote to go into executive session. EXECUTIVE SESSION
- 25 • Discussions in executive session must be electronically recorded.
- 26 • Recording must reflect authority under which the Council met in executive session.
- 27 • Recording may be stopped for a portion of the discussion involving privileged attorney-  
28 client communications.
- 29 • No part of the executive session recording shall be open for public inspection, except  
30 with consent of the Council or in a legal challenge to Open Meetings Law compliance.

31  
32 **Motion: Councilor Hazelton made a Motion at 8:33 p.m. to go into Executive**  
33 **Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I)**  
34 **regarding the Town Administrator, the Town Clerk and Town Treasurer, and not**  
35 **involving: any specific employees who have requested discussion of the matter**  
36 **in open session; any member of this body or any elected official; the**  
37 **appointment of any person to fill an office of this body or of an elected official; or**  
38 **personnel policies that do not require the discussion of matters personal to**  
39 **particular employees.**

1 **Councilor Carey seconded the motion and it passed unanimously.**

2  
3 Executive session concluded.

4  
5 At the end of the executive session, Mayor A. Riddile made the following statement:

6  
7 "The time is now 8:55 p.m. and the executive session has been concluded. The  
8 participants in the executive sessions were: Councilor Mariscal, Councilor Carey; Mayor A.  
9 Riddile; Council Hazelton; Councilors Copeland, G Riddile, Councilor Leland, Town  
10 Administrator Reynolds. For the record, if any person who participated in the executive  
11 session believes that any substantial discussion of any matters not included in the motion  
12 to go into the executive session occurred during the executive session, or that any  
13 improper action occurred during the executive session in violation of the Open Meetings  
14 Law, I would ask that you state your concerns for the record."

15 No concerns were stated.

16  
17 **Consent Agenda**

18 December 19, 2023 Minutes

19 December Bills \$734,548.00

20 K2 Spirits Inc Liquor License Renewal

21 Lazy Bear Restaurant Inc Liquor License Renewal

22 Resolution TC2024-01 – Designating Public Notice Posting Places

23 Resolution TC2024-02 – Waiving the Requirement for Posting Bonds by Certain Town  
24 Officers

25 **MOTION: Mayor A. Riddile made a motion to approve the consent agenda.**

26 **Councilor Carey seconded the motion and it passed unanimously.**

27  
28 **Staff Reports**

29 Town Administrator – Administrator Reynolds said at the last meeting there was  
30 discussion about residents speaking to items not on the agenda and items on the agenda.  
31 There was a resolution that was passed in 2019 Resolution 2019-3 creating a "Public  
32 Comment Policy". In the policy it stated the policy should be posted. He will have the  
33 policy printed and posted on the wall next to where they sign in. Played a video showing  
34 people using the ice-skating rink. The rink is closed in the afternoon because the ice gets  
35 too soft. With the rink being under the Christmas Tree and with the light from tree people  
36 are able to skate at night. The Public Works Department is working on a erosion issue  
37 along Elk Creek. Public Works were able to get some boulders to rebuild the bank.

38 Town Clerk – nothing to report

39 Town Treasurer – not present

40 Town Planner – not present

41 Public Works Director – not present.

42  
43 **Commission Reports**

44 Planning & Zoning Commission - didn't meet.

1 Preservation Commission – didn't meet.  
2 Climate and Environment Commission – didn't meet  
3 Senior Program – didn't meet  
4 RFTA – didn't meet  
5 AGNC – didn't meet  
6 GCE – didn't meet  
7 EAB – didn't meet  
8 Detox – Councilor Mariscal said the next meeting is January 14<sup>th</sup> on site.  
9

#### 10 **Council Comments**

11 Councilor Mariscal wanted to Thank Public Works for all they do. She said she had  
12 volunteered at Lift Up food distribution at City Market and it was well worth while doing.  
13 She wants to encourage staff to make time for families and to enjoy their time off.  
14 Councilor Carey said had spoken with one of the seniors at Lakota Senior Housing and she  
15 was very grateful for what the town staff did for Christmas. Councilor Carey said there  
16 was a new senior that had been missed. Councilor Hazelton said he had left a couple of  
17 extra gifts with the manager.  
18 Councilor Hazelton said he and his son had helped deliver the gifts and the seniors were  
19 so grateful. Doing a project of gathering Christmas gifts for the seniors is special that staff  
20 seen a need and took it upon themselves to help do something about it. He had spoken  
21 with the Youth Director of youth ski and hockey in Glenwood Springs. The director will try  
22 and donate some ice skates to the town.  
23

#### 24 **Items for Future Council Agenda**

25 Decision regarding compensation for Town Administrator, Town Clerk and Town Treasurer  
26 position.  
27

28 **MOTION: Mayor A. Riddile made a motion to adjourn. Councilor G. Riddile**  
29 **seconded the motion and it passed unanimously.**  
30

31 The meeting adjourned at 9:11 p.m.  
32

33 Respectfully submitted,  
34  
35  
36  
37

38 \_\_\_\_\_  
39 Mayor Art Riddile  
40  
41  
42

43 \_\_\_\_\_  
44 Town Clerk Mindy Andis, CMC