

# **Agenda**

## **New Castle Town Council Meeting**

### **Tuesday, August 16, 2011, 7:00 p.m., Town Hall**

#### **Call to Order**

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

#### **Pledge of Allegiance**

#### **Roll Call**

Present	Mayor Breslin Counselor Stuckey Councilor Leland Councilor Bunn Councilor Riddile Councilor Metzger
Absent	Councilor Russi

Also present at the meeting were Town Administrator Andy Barton, Town Clerk Melody Harrison and Town Public Works Director John Wenzel.

#### **Meeting Notice**

Clerk Harrison verified that her office gave notice of the meeting in accordance with Resolution TC-2011-1.

#### **Conflicts of Interest**

There were no conflicts of interest.

#### **Citizen Comments on Items NOT on Agenda**

Patty Ringer – 331 W Main Street – Ms. Ringer updated council regarding the Art in Public Places' project to install sculptures in New Castle. She said they had secured more than \$2,000.00 from Alpine Bank to build appropriate pedestals, deliver the art pieces and install them, but the Town will have to insure them.

Ms. Ringer felt the project could be completed before the Burning Mountain Festival in September. In an effort to expedite the project, she asked council to agree on one site, and to allow Town staff to make the decision regarding placement of the other pieces. The Council agreed that Ritter Plaza would be an appropriate site. Alpine Bank will disburse the donated funds to the Town, who will then pay the agencies contracted to build the pedestals and install the sculptures. Council agreed to acknowledge Alpine Bank for their donation. The council also agreed that the pedestals should be only concrete so they do not detract from the art. Ms. Ringer stated they would work with the various Town Departments to ensure the pieces were installed properly.

#### **Consultant Reports**

Consultant Attorney – David Smith – stated he had received a call from the attorney for CVR Investors informing him they were attempting to complete the final plat. He pointed out the water rights agreement on the consent agenda, which was part of finalizing the final plat. Regarding the Interpleader Action filed on the letter of credit for Castle Valley Ranch Filing 9, the judge in the case dismissed the claims of Metco Landscaping as well as the claims of CVR Investors. Village Homes appears to be the

party that may receive the proceeds from the LOC, which Attorney Smith said would most likely be distributed to the unsecured creditors' pool. Last, Attorney Smith said he had attended the BOCC meeting on the county comprehensive plan at which the commissioners chose to declare the plan advisory and to change the county land use code to reflect that language.

Consultant Planner – not present

Consultant Engineer – not present

### **Action Items**

#### **Special Events Liquor License - New Castle Chamber of Commerce for Burning Mountains Festival**

Krista DeHerrera, of Valley Events Inc., introduced herself to the council as the event planner for Burning Mountain Festival. She briefly described the efforts made by herself and the New Castle Chamber of Commerce in organizing the event, and gave some detail on the set up of the park. She also detailed the plans for the alcohol service area, the alcohol vendors and TIPS trained servers, ID check and security, and possession limits for guests. She also described the plans for the parade and car show. Ms. DeHerrera stated that the festival will be primarily in Burning Mountain Park Park, and will include craft and food vendors, a Chamber booth, and an Alpine Bank ATM. Jim Lord Insurance Agency will display a vehicle that was wrecked in a texting accident. Emergency medical assistance will be available through 911. She told council about the "Kids of New Castle" presentation that will replace the beauty pageant held in previous years. Last, she said that the student councils from Riverside Middle School and Coal Ridge High School will be volunteering at the festival.

Linda Holley, Planning & Zoning Commission member, asked about the Historic Preservation Forum scheduled for the morning of September 10 at the Public Works Building, and how that meeting would interfere with the Parade staging the same morning. The council discussed it and felt that the two events could be managed.

Councilor Bunn stated that there had been guests at the 2010 festival who were offended at being searched upon entering the park. Ms. DeHerrera said that because the licensed alcohol area was the entire park, Chief Sadler required the searches for the safety of all guests. Ms. DeHerrera said she would check with the Chief about it.

**MOTION: Councilor Riddile made a motion to approve the Special Event Liquor Permit for the New Castle Chamber and Burning Mountain Festival. Councilor Metzger seconded the motion and it passed unanimously.**

### **Items for Consideration**

#### **Jeff Simonson, Jerkunica Improvements Discussion**

Item tabled

#### **Steve Kaufman, Access Roaring Fork**

The council welcomed Mr. Steve Kaufman. He described the Access Roaring Fork management program for the after-school programs at various schools in Garfield County. He reviewed the packet information on attendance, noting the major increase

. Mr. Kaufman told council his organization was interested in forming a taxing district, and hoped for the Town of New Castle's support in their efforts. He asked for a council volunteer, and also asked that they consider a contribution in 2012.

Councilor Leland asked that a list of programs be provided in future updates.

The council commended Mr. Kaufman on the success of his management system for the after-school programs.

## **Consideration of Withdrawal of Statements of Opposition to Water Cases Filed by CB Minerals**

**MOTION: Councilor Riddile made a motion to approve the consideration of withdrawal of statements of opposition to water cases filed by CB Minerals. Mayor Breslin seconded the motion and it passed unanimously.**

## **Consider Process for Evaluation of Town Administrator**

Administrator Barton described process by which he had been evaluated in March 2010. Consultant Attorney Smith explained the process council could use to evaluate Administrator Barton as well as Finance Director Lyle Layton and Town Clerk Melody Harrison. Councilor Leland felt that the Staff provided regular updates to council and that the evaluation process could be informal. He also felt Administrator Barton could write a brief, one page narrative reflecting on major accomplishments and challenges. Councilor Riddile felt that Administrator Barton could lead the evaluation by his narrative. Mayor Breslin asked that all the councilors complete an evaluation form. Councilor Metzger stated that she added the item to the agenda because Administrator Barton had not been appropriately evaluated per his contract. Mayor Breslin asked that job descriptions and evaluation forms be e-mailed to each councilor. The council decided that Administrator Barton's evaluation would be done at 6:30 on September 20, 2011.

## **Consent Agenda**

- Minutes of the August 2, 2011 Council Meeting (recommended by the Town Clerk)
- Liquor License Renewal - City Market (recommended by the Town Clerk)
- Resolution TC-2011-9 - Commending Noreen Nolan
- Resolution TC-2011-10 - Supporting the RREDC
- Resolution TC-2011-11 - Congratulating Rocky Mountain Martial Arts
- Resolution TC-2011-12 - Commending City Market
- Consideration of the CVR Water Rights Agreement

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

## **Council Comments**

Councilor Metzger said she was not clear if the P&Z had been notified regarding their newest member. Commissioner Linda Holley stated it would have been appropriate to have received an e-mail to let them know they had a new member.

Mayor Breslin commented that he had spoken with Mr. Ed Walters who said he would consider property for a bus shelter, and years ago had expressed an interest in a visitor kiosk. He felt the Town should reduce his open space commitment for Walters Center. The council agreed it would be appropriate and asked that Planner Tim Cain determine the percentage of the reduction.

Councilor Riddile asked Police Chief Sadler how his department was handling traffic issues at the middle school. Chief Sadler said they would be at the intersection in force until the citizens got used to school being back in session, and until they could train some of the school staff to do traffic control. Otherwise, he stated the police department did not get involved unless there were problems.

Councilor Bunn said that two new retail shops were going into the Mattivi Building; a coffee shop and a photographic arts shop. Councilor Leland said that a gift shop would also be opening downtown.

Councilor Metzger said that Mr. Brett Payne's fitness business had outgrown his Main Street storefront, and he will be moving across the river to a larger unit to accommodate his growing business.

Councilor Leland told council that there were now Facebook pages for Volunteer New

Castle, Visit New Castle, the NCEAC and CAAC. He also asked for other information for congratulatory resolutions. Council agreed to wait until after Burning Mountain Festival to give one to Bucky Moser. Councilor Metzger asked again about a New Castle column in the paper. Councilor Leland said that Heidi Rice said the Town could send articles to her, but he was unsure whether they would be published or not. Council discussed the opportunity of allowing citizens to send their events or announcements to the town web page, perhaps creating a community page for the citizens.

Councilor Leland said he had gone online and used a translation site to translate council minutes. He discovered that he got three very different translations from three different web sites. He felt that before the Town began publishing anything in Spanish, that someone who spoke the local dialect should review the translation web sites and determine which one was most accurate.

Last, Councilor Leland stated that Administrator Barton would begin preparing a pending business list for all the items that are talked about during council meetings but not yet acted on. The council liked the idea.

Councilor Metzger asked about Garcia's, and Clerk Harrison told council that Mr. Garcia had decided to include phase II of his restaurant project in his request to the council for a tap fee financial arrangement, and that he was unprepared to present his proposal to the council until later in the fall.

### Staff Reports

Public Works Director

Town Clerk - Clerk Harrison told council that there would be a meeting on Thursday, September 1 at 10:00 a.m. between staff and the chamber and any council members who were interested, to finalize any last minute plans or conditions for Burning Mountain Festival. She also told council she was working on ordinances for littering and special events and they would come to council in the near future.

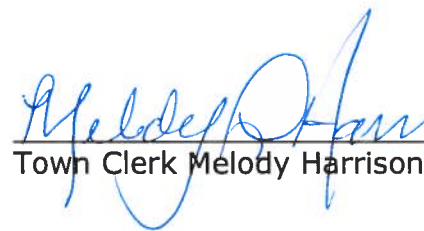
Town Administrator - Administrator Barton said he would begin the "pending business" list. He will be publishing an RFP for prosecutorial services in the fall and possibly for other consultants as well. Last, he told council that the deadline calendar would be put as a top priority.

Town Planner - not present

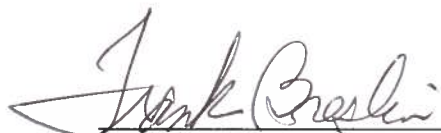
**MOTION: Councilor Riddile made a motion to adjourn. Councilor Metzger seconded the motion and it passed unanimously.**

**Adjourn, 8:30 p.m.**

Respectfully Submitted:

  
Town Clerk Melody Harrison



  
Mayor Frank Breslin