

# City of Castle Pines North, Colorado

## Minutes

Final/Corrected

### REGULAR MEETING OF THE CITY COUNCIL

#### CPN Community Center

7404 Yorkshire Dr., Castle Rock, CO

September 10, 2008 - 7:00 p.m.

Mayor

Maureen A. Shul

City Clerk

Carl E. Kollmar

Treasurer

Douglas J. Gilbert

City Council

Ward 1

Chris Dooley  
Jennifer Havercroft

Ward 2

Chip Coppola  
Kim Hoffman

Ward 3

Ron Clark  
David Neely

#### 1. ROLL CALL

The meeting of the City Council of the City of Castle Pines North, Colorado, was called to order by Mayor Maureen A. Shul at 7:00 p.m.

Those present were:

Officers: Maureen A. Shul, Mayor  
Douglas J. Gilbert, Treasurer  
Carl E. Kollmar, City Clerk

Councilmembers: Jennifer Havercroft, Ward 1  
Chip Coppola, Ward 2  
Kim Hoffman, Ward 2  
Ron Clark, Ward 3  
David Neely, Ward 3

Those absent were:

Officers: None

Councilmembers: Chris Dooley, Ward 1

Also present with Council:

Erin M. Smith, City Attorney  
Don Howell, Interim City Manager

#### PLEDGE OF ALLEGIANCE

#### 2. APPROVAL OF AGENDA

Council unanimously approved Agenda with the following two changes: Item 5a (Approval of Warrants and Payment of Claims), and Item 5c (Resolution 08-32 "APPROVING STATEMENT OF EXPENDITURES AND APPROPRIATING FUNDS THEREFOR") be moved to Council Business, Item 6a, and adding discussion with the City Attorney regarding specific legal questions relating to incorporation fees to the scheduled Executive Session.

Motion to Approve with Changes: Councilperson Clark

Second: Councilperson Neely

Approved: Unanimously, 5-0, Councilperson Dooley absent  
(Mayor did not vote)

#### 3. DISCLOSURE OF CONFLICTS OF INTEREST

None submitted.

#### 4. CITIZENS' COMMENTS

*Scott Criley*, resident, expressed his concern and dissatisfaction with Council's Lagae Development decision and the American Academy/Douglas County School District discussion at the last Council Meeting (August 27, 2008). Councilperson Coppola responded.

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*Neil Preister*, spoke about the anti-renewable stance of IREA in its franchise agreement with the City and, in general, about renewable energy, energy efficiency, IREA's dependence on coal, the lack of risk analysis on communities, and carbon constraint issues.

### 5. CONSENT AGENDA

Council unanimously approved Consent Agenda comprised of Item 5b, Resolution 08-29 "SUPPORTING LIBRARY BALLOT ISSUE".

Motion to Approve: Councilperson Clark

Second: Councilperson Havercroft

Approved: Unanimously, 5-0, Councilperson Dooley absent  
(Mayor did not vote)

### 6. COUNCIL BUSINESS

#### a) Approval of Warrants and Payment of Claims

Presented by Treasurer Gilbert. Councilperson Clark informed Council he needed to see invoices by the Friday, or Monday at the latest, preceding Wednesday Council Meetings. Accordingly, he will vote "No"

Councilperson Coppola echoed Councilperson Clark's request and indicated he will vote "No".

After discussion, City Council voted against the "Approval of Warrants and Payment of Claims"

Motion to Approve: Councilperson Havercroft

Second: Councilperson Hoffman

Failed: 3-2, Councilpersons Coppola, Clark, and Neely voted "No"  
Councilpersons Havercroft and Hoffman votes "Yes"  
Councilperson Dooley absent  
(Mayor did not vote)

### 7. COUNCILMEMBER REPORTS

Councilperson Clark informed Council he and Councilperson Neely would be holding a Ward 3 constituent meeting on Thursday, September 11, 2008, 6:30 p.m. at HOA Clubhouse #2. Also in attendance, representatives from American Academy, South Metro Fire Rescue (SMFR), Douglas County Sheriff's Office (DCSO) and the Library Initiative.

Meetings are held regularly on the second Thursday of each month. All meeting are open to the entire community.

Councilperson Hoffman reported the following:

- Safety Task Force met today, September 10, 2008, to discuss future plans and the transition with CH2M Hill.
- Next Ward 2 Community Meeting will be Thursday, September 25, 2008, 7:00 p.m. at Castle Pines North Community Center. Topics and/or representatives include: Daniel's Park renovation, DCSO, SMFR, CC-20, Library Initiative and, if time permits, entertain questions about Lagae Development.

Councilperson Havercroft reported:

- Ward 1 held its Community Meeting last week. The well-attended meeting included representatives from DCSO, SMFR and the Library Initiative.
- Next Community Meeting is scheduled for October 6, 2008, at Daniels' Gate Clubhouse.
- Xcel Task Force: Xcel has agreed to replace six poles with four much shorter poles. She congratulated Task Force members, especially Bruce Thompson.

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- CPN Green Team: met last week to develop a "wish list" for trash companies. After a meeting with CH2M Hill (September 11, 2008) the Team will develop an RFP and present to council in the near future.
- A community recycling program is in the works.

Councilperson Neely reported the monthly meeting of the Economic Development Council Task Force was held earlier today, September 10, 2008. Task Force is working with developers and looking to promote entities and opportunities that would stimulate the CPN economy.

Mayor Shul reported TV Channel 4 will air a program "Fit 4 Colorado" featuring Castle Pines North on October 11, 2008.

### **8. CITY PLANNER'S REPORT**

City Planner Bishop reviewed his CPN Community Development Activity Service Report for the weeks of August 25 and September 1, 2008.

Mr. Bishop reported documents supporting the final plat, preliminary plat and road vacation for the Lagae Development have not been totally submitted by the applicant. The earliest these documents can be presented to Council is October 8, 2008. Discussion followed.

### **9. CITY ATTORNEY'S REPORT**

City Attorney Smith reserved her comments for the Executive Session.

### **10. CITY CLERK'S REPORT**

Clerk Kollmar reported he had reconciled the CPN Voter Library List with CPN Assessor's Address List for the General Election in November. He also noted a meeting of local Douglas County Clerks will be held tomorrow, September 11, 2008 at the DC Clerk & Recorder's Office.

### **11. TREASURER'S REPORT**

Treasurer Gilbert reported a Financial Manager was being hired by CH2M Hill and will hopefully be on board for the September closing cycle.

### **12. CITY MANAGER'S REPORT**

Interim City Manager Howell reported on several items including: transitioning old invoices; preparation of 2009 budget; meeting with various Task Forces; building content of City website; meeting with Library Initiative group; meeting with HOA's to explore opportunities for consolidation and saving money; completing franchise agreement with Xcel; countered the County's proposed IGA on Use Taxes; and Energy Impact Funds (grants) for 2009.

Mr. Howell also responded to Council questions about the City website, information availability and Council communications. A report is planned for next Council Meeting.

CH2M Hill plans to be a partial sponsor of the Library Initiative utilizing CH2 corporate funds, not City funds.

### **13. OTHER / NEW BUSINESS**

There was general discussion about whether the City can develop and publish a public relations campaign in response to misinformation circulating about the Lagae Development. City Attorney Smith advised no communication be issued since there was another Public Hearing scheduled. Ms.

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Smith also advised the record of proceedings speaks for itself - Council findings and conclusions were well thought out and deliberate.

Mayor Shul reported letters inviting local school principals to attend an informal meeting to open communications with the City had been rebuffed on advice from Mr. Herzog of the Douglas County School District.

Councilperson Neely inquired as to the status and extended delay in the Daniel's Park Project.

#### **14. EXECUTIVE SESSION**

City Attorney Smith requested Council adjourn to Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions associated with rezoning CC-20 and associated with incorporation fees; and pursuant to 24-6-402(4)(a), C.R.S. for the purpose of discussing the possible purchase, acquisition, lease, transfer, or sale of real property for city hall.

At 8:32 p.m. Council voted unanimously to convene Executive Session.

Motion to Convene Executive Session: Councilperson Clark  
Second: Councilperson Hoffman  
Approved: Unanimously, 5-0, Councilperson Dooley absent  
(Mayor Shul did not vote)

The Executive Session concluded at 10:14 p.m. at which time Mayor Shul announced the names of those persons who had participated in the executive session and asked if any person who had participated in the executive session believed that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law. There was no response.

Council returned to its Regular Council Meeting.

Council unanimously approved a motion giving direction and authorizing City Attorney Smith and City Manager Howell to draft a resolution requesting that the Castle Pines North Metropolitan District express its intent to reduce its current mill levy by 9.5% when it certifies the same this December.

Motion to Approve: Councilperson Neely  
Second: Councilperson Hoffman  
Approved: Unanimously, 5-0, Councilperson Dooley absent  
(Mayor did not vote)

#### **14. ADJOURNMENT**

The meeting was adjourned at 10:32 p.m. by unanimous consent.

Motion to Adjourn: Councilperson Neely  
Second: Councilperson Clark  
Approved: by Unanimous Consent; Councilperson Dooley absent; (Mayor did not vote)

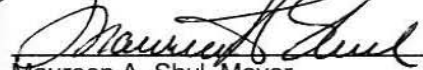
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Minutes submitted:

  
\_\_\_\_\_  
Carl E. Kollmar, City Clerk

APPROVED:

  
\_\_\_\_\_  
Maureen A. Shul, Mayor