

City of Castle Pines North, Colorado

Minutes

October 8, 2008

Final/Corrected

REGULAR MEETING OF THE CITY COUNCIL

CPN Community Center

7404 Yorkshire Dr., Castle Rock, CO

October 8, 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 7:26 p.m.

Those present were:

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

Councilmembers: Chris Dooley, Ward 1
Jennifer Havercroft, Ward 1
Chip Coppola, Ward 2
Kim Hoffman, Ward 2
David Neely, Ward 3

Those absent were:

Officers: None

Councilmembers: Ron Clark, Ward 3

Also present with Council:

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

PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Council unanimously approved the Agenda with the following changes: 1) Mayor Shul noted the October 22, 2008 Council Meeting venue has been moved to the CPN Community Center instead of the HOA #1 Clubhouse, 2) Mayor Shul requested Agenda Item 5d re Resolution 08-38 be moved to Council Business Item 6a, and 3) Councilperson Coppola requested Agenda Item 5f re Resolution 08-43 be moved to Council Business Item 6b.

Motion to Approve with Changes: Councilperson Hoffman

Second: Councilperson Dooley

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

3. DISCLOSURE OF CONFLICTS OF INTEREST

None submitted.

4. CITIZENS' COMMENTS

Bruce Thompson, resident and member of Castle Pines North Master Association Board, informed Council on several items:

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- Announced Douglas County Bluebook for the 2008 General Election is available at the www.douglasvotes.com website.
- Reported CPN Community Center is not an early voting polling place.
- Inquired as to the status of the response from the City Attorney to John Hays' letter addressing Resolution 08-33.
- Informed Council there is no prepayment penalty for the 2000-C debt service bonds.
- Requested CPNMD be able to review the Lagae Development Final Plat a few days before the scheduled Public Hearing.

Jim Day, resident, inquired as to the City's position on the fire station relocation issue and whether the City will present its position at the October 15, 2008, Parker South Metro Fire Rescue Public Hearing.

5. CONSENT AGENDA

Item 5a - Approval of the Minutes of the Special Council Meeting of September 17, 2008, Item 5b - Approval of the Minutes of the Regular Council Meeting of September 24, 2008, and Item 5c - Approval of the Minutes of the Special Council Meeting of September 29, 2008, were approved unanimously by Council with no changes; and Item 5e – Approval of Resolution 08-42 Changing the Dates for December and January City Council Meetings.

Motion to Approve: Councilperson Havercroft

Second: Councilperson Dooley

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

6. COUNCIL BUSINESS

5d) Resolution 08-38 “ACCEPTING PRELIMINARY PROPERTY/CASUALTY QUOTATION AND AUTHORIZING CITY CLERK TO COMPLETE, SIGN AND RETURN ACCEPTANCE FORM”

Presented by Interim City Manager Howell recommending a \$10,000 deductible and a filing extension until October 15, 2008. After discussion Council unanimously approved Resolution 08-38 with the \$10,000 deductible change.

Motion to Approve with Change: Councilperson Dooley

Second: Councilperson Hoffman

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

5f) Resolution 08-43 “APPROVING STATEMENT OF EXPENDITURES AND APPROPRIATING FUNDS THEREFOR”

Approved unanimously by Council with no discussion.

Motion to Approve: Councilperson Havercroft

Second: Councilperson Hoffman

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

6a), 6b), 6c), & 6e) Mayor Shul opened the public hearing and then asked for a motion to continue to October 22, 2008 at 7:00 p.m. the public hearing regarding Lagae Ranch Filing 1 Preliminary Plan, and to continue to October 22, 2008 at 7:00 p.m. the public hearing regarding Lagae Ranch Filing 1 Final Plat, and to continue to October 22, 2008 at 7:00 p.m. the public hearing regarding Vacation of Lagae Road; and to table to October 22, 2008 at 7:00 p.m., consideration of Resolution 08-39 re Conditionally Approving Lagae Ranch Filing 1 Preliminary Plan, and to table to October 22, 2008, consideration of Resolution 08-40 re

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Approving Subdivision Improvements Agreement With R.I. Management of Tulsa, Inc., and to table to October 22, 2008, at 7:00 p.m. consideration of Resolution 08-41 re Conditionally Approving Lagae Ranch Filing 1 Final Plat. There was no discussion.

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

6g) Motion to table Second Reading Ordinance 08-11 Vacating Lagae Road

Council voted unanimously to table Ordinance 08-11 to October 22, 2008, at 7:00 p.m. with no discussion.

Motion to Table: Councilperson Dooley
Second: Councilperson Havercroft
Approved: Unanimously, 5-0, Councilperson Clark absent
(Mayor did not vote)

6h) Appointment of Interim Clerk

Council accepted City Clerk Kollmar's resignation effective midnight October 8, 2008 upon signature of certain documents. Mayor Shul recommended Treasurer Gilbert serve as Interim City Clerk. Council unanimously approved with no discussion.

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

7. COUNCILMEMBER REPORTS

Councilperson Hoffman reported on the following:

- Safety Task Force will be bringing requests before Council,
- Continued vandalism in Forest Park,
- Preparing a Task Force document outlining its definition, purpose, role, and position on issues,
- Preparing a work flow chart to turn over to CH2M HILL with report back to Council and a copy to residents,
- Requested IT meet with Task Force to add links on City website.
- Reported Task Force volunteers are asking if they will be covered by CIRSA.

Mayor Shul reported on the following:

- At the request of Councilperson Dooley, "Myths and Rumors" will be removed from the City website.
- Basement doors of the CPN Community Center were left unlocked after the Candidates' Forum Meeting, October 7, 2008.

Councilperson Coppola:

- Requested a standing item "Other Council Business" be added to each Council Meeting agenda.
- Recommended and presented a motion directing the City to formulate a position opposing the fire station relocation and building a new fire station at CC-20. After discussion, City Attorney Smith will formulate a resolution in opposition and present it to Council for ratification at the October 22, 2008 Council Meeting. Council approved.

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Motion to Approve: Councilperson Coppola
Second: Councilperson Dooley
Approved: 4-1, Councilpersons Dooley, Coppola, Hoffman, and Neely voted "Yes"
Councilperson Havercroft voted "No"
Councilperson Clark absent
(Mayor did not vote)

- Posed several questions to Council concerning the Safety Task Force, its agenda, role, and authority. Discussion followed.

Councilperson Havercroft reported:

- Ward 1 held its monthly meeting October 6, 2008 with representatives from American Academy, Douglas County School District, and CH2M HILL (D. Howell) in attendance.
- The next meeting of the CPN Master Landscape Committee will be October 15, 2008, 3:00 p.m. at CPN Community Center.

8. CITY PLANNER'S REPORT

City Planner Bishop reviewed his CPN Community Development Activity Service Report for the weeks of September 22 and September 29, 2008.

Discussion included the T-Mobile SIP, stop sign issues in Hidden Pointe, median turn lane at the Castle Pines Pkwy/Lagae Road intersection, and overall customer service response time of the Planning Department.

City Planner Bishop informed Council about the SIA for the Lagae Development - public improvements are in negotiation and will be presented to Council soon.

Treasurer Gilbert and Scott Stewart (Accounting Manager CH2M HILL) are reviewing if Planning Department fees are covering expenses.

9. CITY ATTORNEY'S REPORT

City Attorney Smith requested direction from Council to prepare a resolution addressing CP Athletics use of Coyote Ridge Park. Council approved by consensus.

City Attorney Smith also requested Council provide direction to the City Manager and City Attorney to respond to John Hays' letter of September 22, 2008, and present such for Council review. Councilperson Coppola suggested a hold be placed on this activity pending clarification by the City/Metro Task Force. Mayor Shul, Interim City Manager Howell, and Council concurred.

Concerning a protocol for Councilperson attendance at Ward and Task Force meetings. Councilpersons Havercroft (Ward 1) and Neely (Ward 3) requested their Ward meetings be posted. City Attorney Smith and City Clerk will develop a standing notice.

10. CITY CLERK'S REPORT

City Clerk Kollmar reported he had received an issue committee registration from "CPN Homeowners for a Solid Foundation".

11. TREASURER'S REPORT

Treasurer Gilbert reported on the following:

- Initial 2009 draft budget will be presented to Council at a Special Council Meeting open to the public on October 14, 2008,
- A rudimentary budget process is under development,

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- Reviewing receivables with Scott Stewart,
- Following-up on non-filing sales tax payers,
- 129 letters have been mailed to area auto dealerships notifying them of the City's Sales Tax,
- 1st Quarter reports will be available in 2-3 weeks, and
- Wells Fargo Bank is requesting the City to amend signatories to conform with Wells Fargo policies.

12. CITY MANAGER'S REPORT

Comments reserved for Executive Session.

Councilperson Dooley requested a "discussion regarding emails as they relate to open meeting laws" be added to the Executive Session.

14. EXECUTIVE SESSION

City Attorney Smith requested Council adjourn to Executive Session:

1) Pursuant to Section 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, related to proposed annexation agreement and land dedications. Council unanimously approved adjournment to Executive Session 1.

Motion to Adjourn to Executive Session 1: Councilperson Dooley

Second: Councilperson Hoffman

Approved: Unanimously, 5-0, Councilperson Clark absent

(Mayor did not vote)

City Attorney Smith requested a second Executive Session.

2) Pursuant to Section 24-6-402(4)(b), C.R.S., for the purpose of discussion with the City Attorney on specific legal questions regarding emails as they relate to open meeting laws.

Council voted to adjourn to Executive Session 2.

Motion to Adjourn to Executive Session 2: Councilperson Hoffman

Second: Councilperson Havercroft

Approved: 4-1, Councilpersons Dooley, Havercroft, Hoffman, and Neely voted "Yes"

Councilperson Coppola voted "No"

Councilperson Clark absent

(Mayor did not vote)

The Executive Session concluded at 9:51 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.

ADJOURNMENT

The meeting was adjourned at 9:52 p.m. by unanimous consent.

Motion to Adjourn: Councilperson Havercroft

Second: Councilperson Hoffman

Approved: by Unanimous Consent; (Mayor voted)

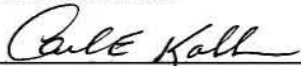
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Minutes submitted:



Carl E. Kollmar, City Clerk

APPROVED:



Maureen A. Shul, Mayor