



City of Castle Pines North, Colorado Minutes

Mayor
Maureen A. Shul

City Clerk
Janie Berry

Treasurer
Douglas J. Gilbert

City Council

Ward 1
Chris Dooley
Jennifer Havercroft

Ward 2
Chip Coppola
Kim Hoffman

Ward 3
Ron Clark
David Neely

REGULAR MEETING OF THE CITY COUNCIL CPN Community Center, 7404 Yorkshire Drive, Castle Pines North, CO Thursday, May 14, 2009

1. ROLL CALL

The meeting of the City Council of the City of Castle Pines North, Colorado, was called to order by Mayor Pro Tem David Neely at 7:05 p.m.

Those present were:

Officers: Janie Berry, City Clerk

Councilmembers: Chris Dooley, Ward 1
Jennifer Havercroft, Ward 1
Chip Coppola, Ward 2
Ron Clark, Ward 3
David Neely, Ward 3

Those absent were:

Officers: Maureen A. Shul, Mayor
Douglas J. Gilbert, Treasurer

Councilmembers: Kim Hoffman, Ward 2

Also present with Council: Alan Lanning, City Manager
Linda C. Michow, City Attorney

PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Council unanimously approved the Agenda. With the following additions: Adding items:

- 6e) License Agreement with the CPN Metro District and
- 6f) Appointing a Deputy Treasurer

Motion to Approve Agenda with Additions: Councilperson Coppola
Second: Councilperson Havercroft
Approved: Unanimously, 5-0

3. CITIZENS' COMMENTS

Citizen's comments were reserved for the Public Hearing concerning Verizon Wireless

4. DISCLOSURE OF CONFLICTS OF INTEREST

None submitted.

5. CONSENT AGENDA

There were no items on the consent agenda.

6. COUNCIL BUSINESS

- a) **Ordinance 09-07 "AN AMENDED AND RESTATED ORDINANCE IMPOSING A SALES TAX ON THE SALE OF TANGIBLE PERSONAL PROPERTY AT RETAIL AND THE FURNISHING OF TAXABLE SERVICES, LEVYING A USE TAX ON BUILDING AND CONSTRUCTION MATERIALS AND MOTOR AND OTHER VEHICLES IN THE CITY OF CASTLE PINES NORTH, COLORADO, AND REQUIRING A SALES AND USE TAX LICENSE, AND SETTING PENALTIES FOR CERTAIN VIOLATIONS OF THIS ORDINANCE"** (second reading)

City Attorney Michow informed Council there were no changes to this ordinance since first reading. After discussion Council unanimously approved Ordinance 09-07.

Motion to Approve on Second Reading: Councilperson Coppola
Second: Councilperson Dooley
Approved: Unanimously, 5-0

- b) **Resolution 09-32 "APPROVING STATEMENT OF EXPENDITURES AND APPROPRIATING FUNDS THEREFORE"**

Councilperson Coppola asked if Staff recommended the \$20,000 payment to Icenogle, Norton, Smith, Gilida & Pogue, LLC. City Manager Lanning informed Council that it was recommended.

Councilperson Dooley asked if the Douglas County News Press was the only option for communication and was informed that all other publications either do not publish often enough or they do not have a broad distribution within the community.

After discussion, Council unanimously approved Resolution 09-32.

Motion to Approve: Councilperson Coppola
Second: Councilperson Havercroft
Approved: Unanimously, 5-0

- c) **Resolution 09-47 "APPROVING AN APPLICATION FOR A USE BY SPECIAL REVIEW FOR A VERIZON WIRELESS STEALTH TELECOMMUNICATION FACILITY, PROJECT NO. US09-001"** (public hearing)

Mayor Pro Tem Neely opened the public hearing.

Director of Planning & Zoning, Sam Bishop reviewed a Power Point presentation on the Verizon Wireless Stealth Telecommunication Facility. Applicant Bradley Johnson (Black & Veatch Corp. for Verizon Wireless) requested approval of a Use by Special Review to allow a Stealth Telecommunication Facility to be placed on CPN Metro District property and leased and operated by Verizon Wireless. The presentation also showed the expanded coverage this Facility would support.

Castle Pines North residents Jack Zelkin and Bruce Thompson voiced their approval.

Councilperson Clark inquired as to how much revenue this would generate for the CPN Metro District. The response was \$1,800 per month.

Councilperson Coppola requested the reference to an Architectural Committee be removed because currently Castle Pines North does not have one. Councilperson Coppola also asked if there was a standard on how cell towers are handled and Sam Bishop answered that currently there are not any standards.

After further discussion, Council unanimously approved Resolution 09-47.

Motion to Approve: Councilperson Coppola
Second: Councilperson Havercroft
Approved: Unanimously, 5-0

d) Resolution 09-48 "RETAINING THE SERVICES OF SHERMAN & HOWARD, LLC TO ACT AS BOND COUNSEL"

City Manager Lanning informed Council there were no conflicts and Sherman & Howard were giving Castle Pines North a discount for their services. He strongly recommended them. Councilperson Coppola informed Council that he had worked with the group in the past and City Attorney Michow also informed Council that she was supportive of this resolution.

Council unanimously approved Resolution 09-48.

Motion to Approve: Councilperson Coppola
Second: Councilperson Clark
Approved: Unanimously, 5-0

e) Motion to enter into a License Agreement with the CPN Metro District for improvements and maintenance of medians and rights of ways.

Councilperson Clark introduced the Motion and noted that it would exclude the city parks. Bruce Thompson with the CPN Metro District provided a landscape map to Council. Upon further review of the map a Motion to clarify the portion of the map in red was requested by Councilperson Coppola who requested it be subject to further clarification by the City Attorney.

After discussion, Council unanimously approved the clarification to the Motion.

Motion to Approve the Clarification: Councilperson Coppola
Second: Councilperson Havercroft
Approved: Unanimously, 5-0

Without further discussion, Council unanimously approved the amended Motion.

Motion to Approve: Councilperson Clark
Second: Councilperson Havercroft
After discussion Approved: Unanimously, 5-0

f) Motion to appoint a Deputy Treasurer and to require the City Treasurer to relinquish any and all administrative control over banking accounts, Department of Revenue account, QuickBooks and any other financial instruments and immediately give administrative control to CH2M HILL staff, consistent with the requirements in the CH2M HILL contract.

Councilperson Clark introduced the Motion and City Manager Lanning informed Council that the candidate from CH2M HILL would be either Patrick Howell or Scott Stewart. After discussion Council unanimously approved the Motion.

Motion to Approve: Councilperson Clark
Second: Councilperson Coppola
Approved: Unanimously, 5-0

g) Motion to Nominate Councilperson Kim Hoffman to the Economic Development Committee (EDC).

Councilperson Havercroft introduced a Motion to nominate Councilperson Kim Hoffman to the open EDC position.

After discussion, Council approved the Motion.

Motion to Approve: Councilperson Havercroft

Second: Councilperson Coppola

Approved: 4-0-1, "Aye" - Havercroft, Coppola, Clark, and Neely
"Present" - Dooley

7. COUNCILMEMBER REPORTS

Councilperson Havercroft publically thanked Eric Guth for attending the Ward 1 meeting. Havercroft also noted that Sam Bishop will proceed over the Ward 1 meeting on June 2nd because representatives from The Canyons will be the guest speakers. Havercroft also informed Council the Safety Task Force (STF) met and that ten graduates from the CERT training were celebrated. All applications for the STF have been turned in and will be on the next City Council meeting agenda. She also encouraged all to attend the eight-hour training session to be certified. Councilperson Havercroft concluded her report by thanking Eric Guth for addressing the potholes that have been a rising concern in the community.

Councilperson Coppola informed Council that three persons attended their Ward 2 meeting to talk to the representatives from The Canyons.

8. CITY ATTORNEY'S REPORT

City Attorney Michow informed Council that her items would be discussed in Executive Session.

9. CITY CLERK'S REPORT

Deputy Clerk Kollmar informed Council that there is a Committee application form now available to them.

10. TREASURER'S REPORT

No Report.

11. CITY MANAGER'S REPORT

City Manger Lanning informed Council that there will be a financial report presented very soon and that there will be a draft of the Canyon's Development Service plan within 30-35 days.

12. MAYOR'S REPORT

No Report.

13. OTHER COUNCIL BUSINESS

Councilperson Havercroft presented a motion to change the verbiage on the appointment of the Mayor Pro Tem on the Castle Pines Youth Advisory Council to read "Mayor and Appointed City Council Member"

Councilperson Havercroft presented to Council that in the event the next appointed Mayor Pro Tem did not want to participate in the CPN Youth Advisory Council the way the verbiage was written it would force them too. Changing the verbiage would allow for more options.

Motion to Approve: Councilperson Havercroft

Second: Councilperson Coppola

Approved: "Aye" – Clark, Coppola, Havercroft and Neely
"No" – Dooley

Councilperson Coppola introduced a Motion to amend the original verbiage on the CPN Youth Advisory Council from Mayor Pro Tem Neely to Councilperson Neely. There being no discussion, Council unanimously approved the Motion.

Motion to Approve: Councilperson Coppola
Second: Councilperson Havercroft
Approved: Unanimously, 5-0 no discussion

14. EXECUTIVE SESSION

Council adjourned to Executive Session pursuant to

- C.R.S. Section 24-6-402(4)(b), and C.R.S. Section 24-6-402(4)(e) for the purpose of receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators in regard to contract negotiations with CH2M Hill, and
- C.R.S. Section 24-6-402(4)(b) and C.R.S. Section 24-6-402(4)(e) for the purpose of receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators in regard to The Canyons annexation.
- C.R.S. Section 24-6-402(4)(b) and C.R.S. Section 24-6-402(4)(e) for the purpose of receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators in regard to Castle Pines North Metro District.

The Executive Session began at 8:30 p.m. and concluded at 9:11 p.m. at which time Mayor Pro Tem Neely 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.

Motion to Adjourn into Executive Session: Councilperson Havercroft
Second: Councilperson Coppola
Approved: Unanimously, 5-0


At 9:09pm Council returned to its Regular Council Meeting at which time Mayor Pro Tem Neely conducted a moment of silence for Mayor Shul and her family.

14. ADJOURNMENT

The meeting was adjourned at 9:13p.m. .

Motion to Adjourn: Councilperson Clark
Second: Councilperson Havercroft
Approved: Unanimously, 5-0

Minutes submitted:



Janie Berry, City Clerk,

APPROVED:



Maureen A. Shul, Mayor

