

**TOWN OF LARKSPUR**



**MINUTES OF THE  
REGULAR COUNCIL MEETING  
JUNE 21<sup>ST</sup>, 2007**

**MEETING CALLED TO ORDER:** Mayor Sherilyn West called the meeting to order at 6:05 P.M.

**ROLL CALL:**

| <b>PRESENT</b>            | <b>ABSENT</b> | <b>NON-VOTING</b>          |
|---------------------------|---------------|----------------------------|
| Mayor Sherilyn West       | None          | Town Attorney- Scotty Krob |
| Kristin Cutbirth          |               | Town Clerk/Manager-        |
| Eve Curry-Harbison        |               | Matt Krimmer               |
| Sheryl Jones              |               |                            |
| Florence Burch            |               |                            |
| Lester Burch              |               |                            |
| Mayor Pro-tem Steve Smith |               |                            |

**UNSCHEDULED PUBLIC APPEARANCES:** William E. Lucero, 192 Colorado Avenue, Larkspur, Colorado 80118, expressed concern about people walking along Perry Park Avenue from the Renaissance Festival (CRF) property to town and back. Night time is especially bad as lighting is poor and drivers not paying attention and/or speeding could accidentally hit someone. Mr. Lucero asked Council to consider putting up signs warning drivers to slow down and alerting them to pedestrians along the roadway. Florence Burch suggested sending a memo to Jim Paradise, CRF owner, to discuss this concern with his people alerting them to be cautious when walking along the roadway. It was also suggested that a notice be included in the CRF newsletter.

A motion was made by Kristin Cutbirth to investigate purchasing a readable caution sign or signs not to exceed \$200.00 warning drivers of pedestrian traffic for placement on the eastbound side of Perry Park Avenue between the CRF and South Spruce Mountain Road. The motion was seconded by Florence Burch. A roll call vote was taken. Seven (7) for, zero (0) against; motion carried.

Matt Krimmer will investigate getting signs for posting along the road.

**APPROVE MINUTES:** Council reviewed the re-corrected minutes of the March 15<sup>th</sup>, 2007 meeting. A motion to approve the re-corrected March 15<sup>th</sup>, 2007 meeting minutes was made by Kristin Cutbirth and seconded by Lester Burch. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Council reviewed the corrected minutes of the April 19<sup>th</sup>, 2007 meeting. A motion to approve the corrected April 19<sup>th</sup>, 2007 meeting minutes was made by Sheryl Jones and seconded by Eve Curry-Harbison. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Council reviewed the minutes of the May 17<sup>th</sup>, 2007 meeting. A motion to approve the May 17<sup>th</sup>, 2007 meeting minutes was made by Eve Curry-Harbison and seconded by Sheryl Jones. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Council reviewed the minutes of the May 29<sup>th</sup>, 2007 special meeting. A motion to approve the May 29<sup>th</sup>, 2007 special meeting minutes was made by Sheryl Jones and seconded by Eve Curry-Harbison. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

**FINANCIALS/BILLS TO BE PAID:** Council reviewed the bills to be paid. Eve Curry-Harbison questioned the bill submitted by Bill Fischer for soil movement. Mayor West explained that the Town's equipment could not handle the work. Kristin Cutbirth questioned Mike Burhenn's hiring authority for the Fischer work. Mayor West informed the Council that Mike requested and received her approval to have Fischer do the work.

Florence Burch questioned the business card charge for the Town Clerk/Manager. Mayor West informed the Council that it was a necessary business item for the Town Clerk/Manager to do business with other agencies and organizations as a representative of the Town and the Mayor.

Kristin Cutbirth and Sheryl Jones questioned the charges for the flowers in Petunia Park. They both felt the Town did not get it's monies worth as the flower beds were very sparse. Kris asked who purchased the flowers and planted them. No one seemed very sure of who actually purchased and planted the flowers. Sheryl Jones also asked if the barrels at the Town Park had been moved and if so, where were they moved to. Council members agreed that more flowers needed to be purchased and planted.

A motion was made by Eve Curry-Harbison and seconded by Steve Smith to approve and pay all bills totaling \$20,016.00 after correction of the amount paid to Scotty Krob. A roll call vote was taken. Six (6) in favor, one (1) opposed (Florence Burch); motion carried.

**ADVISORY BOARDS:**

**EDAB** – No feedback received from Dave Gardner. Eve Curry-Harbison agreed to contact Dave Gardner about drafting an ad for the Perry Park Sentinel to recruit persons for membership on the Town's Advisory Boards.

A motion to spend up to \$100.00 to place an ad in the Perry Park Sentinel for persons interested in participating on the Economic Development Advisory Board, Parks and Recreation Board, Water and Sewer Board, Roads and Bridges Board, and Historic Board was made by Eve Curry-Harbison and seconded by Sheryl Jones. A roll call vote was taken. Five (5) in favor, two (2) against (Lester Burch and Kristin Cutbirth); motion carried.

**Parks & Recreation** – No feedback from Barb Jeske. Florence Burch stated that there was some discussion about the Pavilion for the Town Park. Need to contact Nancy Manning and Barb Jeske for more information.

**Planning Commission** - Matt Krimmer will be attending the next Planning Commission meeting on June 25<sup>th</sup>, 2007.

- Tilley Site Plan recommendation: The Planning Commission recommended approval of the Tilley Site Plan pending verification of the Town having received approval letter from Wright Water Engineering and allowable space in front of the property to Spruce Mountain Road for three (3) parallel parking spaces. Mayor West informed the Council that she had received the Wright Water Engineers approval letter. DeAnna Tilley, property owner, was present and answered the Council's questions. Barbara Sheldon, owner of the Spur of the Moment, was also present and addressed the Council on parallel parking along Spruce Mountain Road. She stated that cars are regularly parallel parked all along the road without any problems. Matt Krimmer informed the Council that he and Mike Burhenn would verify the area in front of the Tilley property for parallel parking.

A motion to approve the Site Plan for 9164 South Spruce Mountain Road as recommended by the Planning Commission and upon verification of parallel parking space in front of the property and delivery of the site survey to the Town Clerk/Manager was made by Sheryl Jones and seconded by Kristin Cutbirth. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

**SEMOCOR MONTHLY REPORT:** Mayor West provided the Council with the following updates:

- 1) The fire hydrant on Spruce Mountain Road across from the Spur has been repaired. An extender needs to be added to raise it to the proper height.
- 2) The lift station pump needed three floats replaced and wiring repaired.

**CONTINUING BUSINESS:**

**Ordinance # 5.28 Rescinding Tap Moratorium**

Mayor West informed the Council that a letter has been received from the Colorado Department of Health informing the Town of Larkspur that it is now in compliance with the State Board of Health standards for radium level content in the Towns drinking water and that the imposed moratorium can be lifted. Lester Burch made a motion to repeal Ordinances 5.25, 5.26 and 5.27 rescinding the tap moratorium. Sheryl Jones seconded the motion. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

**Quit Claim Deed on Roads in the Pines**

Scotty Krob informed the Council that a revised deed has been sent to Martin Redeker. Lester Burch stated that Glenwalk needs to be added from Curtis Road to the end of the street as there are utility lines under Glenwalk. Scotty will verify this with the Federation and make changes as required.

**Redeker Land Dedication**

Scotty Krob informed the Council that the quit claim deed has been sent to Martin Redeker but has not yet received a response.

**NEW BUSINESS:**

**Perry Park Water and Sanitation IGA Committee**

Russell Clayschulte of the Chatfield Water Basin Authority provided the Council with a presentation outlining the current status of Larkspur's wastewater treatment facilities, Perry Park's Sageport water treatment facilities, recommendations to create an Intergovernmental Agreement (IGA) with Perry Park Water and Sanitation District (PPW&SD) and to revisit Larkspur's current water and wastewater rate structure. Under the proposal Larkspur will support expansion of the Sageport facilities and connect to it. Larkspurs wastewater would flow to Sageport from Larkspurs ponds on a controlled basis and Larkspur would only pay for the actual wastewater sent.

PPW&SD needs to expand its Sageport facility. Larkspur needs to upgrade and expand its current water and wastewater plants. If each entity does this independently the costs to each will be enormous, however, if Larkspur uses Sageport, thereby regionalizing wastewater treatment and meeting the desires of Douglas County and the State to regionalize wastewater operations, the costs will be shared and significantly reduced for both entities.

Mayor West asked the Council to authorize membership participation on an IGA committee with PPW&SD to develop an IGA for expansion of Sageport and Larkspurs use of the facility. Kristin Cutbirth stated that this should have been done eight years ago.

Kristin Cutbirth made a motion to form a committee to work with Perry Park in developing an IGA for expansion of Sageport and Larkspurs use of the facility with Larkspur membership consisting of Mayor West, Steve Smith, Matt Krimmer, and Eve Curry-Harbison as an alternate. The motion was seconded by Sheryl Jones. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

### **Ordinance concerning Ordinance 3.88**

Mayor West proposed replacing Ordinance 3.88 with Ordinance 3.94 which clarifies the term “Planner” and replaces the table of deposits establishing fees associated with land use applications. Lester Burch made a motion to approve Ordinance 3.94 Replacing Ordinance 3.88 that Amended Section 2 of Article III of Ordinance 3.43 to define the Term “PLANNER” and Ordinance 3.77 Regarding the Deposits Associated with Certain Land Use Applications. The motion was seconded by Steve Smith. A roll call vote was taken. Seven (7) for, zero (0) against; motion carried.

### **IGA with Douglas County to Share Sales Tax Information**

Mayor West read a letter from Douglas County to the Council which informed the Town of Larkspur that the IGA submitted by Larkspur to the County was not needed in order to share sales tax information. No further action is required.

### **Historical Board**

Matt Krimmer presented current interest and actions ongoing by Douglas County and Partnership communities. He also informed the Council of Ann Rocks interest in participating in Larkspur Historic activities and his belief that Larkspur needs to rekindle its Historic activities.

Kristin Cutbirth informed the Council of the existence of a County “Larkspur Historical Society”. Kristin mentioned Betty Prince and Ida Mae Noe and stated she would provide the names and phone numbers of members to Matt Krimmer. Matt will be contacting them for input into re-establishment of the Larkspur Historic Board.

### **Permit and Planning Outline**

Mayor West tabled this item pending additional work required to complete.

### **Mowing Proposal**

Mayor West informed the Council that Scott Monroe offered to mow however would have to use the town’s equipment. This does not solve the problem as the

town's equipment is old and subject to breakdowns. She also advised the Council of the availability of a Community Service person who is available to work with Mike and will be starting on Monday, June 25<sup>th</sup>, 2007.

Matt Krimmer has contacted mowing contractors and requested bids for presentation at the next Council meeting. Matt has also looked into purchasing a replacement tractor and provided the council with samples of used tractors available on the market. Matt will also look into availability of other community service personnel from Douglas and El Paso Counties.

### **Dump Truck bed**

Mayor West informed the Council of a need for a new dump truck bed. Matt stated that he will investigate availability of used beds from Douglas County Roads Maintenance, the Douglas County School District and El Paso County. Kristin Cutbirth asked about how community service people could be used. Needs to be checked with the Courts.

### **Possible 2007 election items**

None. Lester Burch asked about a loan or grant for some of the work being planned such as the water and wastewater project. Mayor West stated we may need to do this once we are further along in our planning process, perhaps next April.

### **Sign Permit for Maple Leaf Log Homes**

A sign permit application has been received from Matias and Chris Cumsille, Maple Leaf Log Homes, to put up a 4ft.X 5ft. wooden sign on the vacant lot adjacent to and south of Larkspur Pizzeria on the west side of South Spruce Mountain Road. The sign will meet all of the requirements of Ordinance 3.68 relative to sign regulations within the Town of Larkspur. The \$50.00 sign permit fee is to be collected by the Town Clerk/Manager. After a brief discussion and recommendation by Florence Burch that the sign location be staked prior to erection, a motion was made by Sheryl Jones to approve the sign application for Maple Leaf Log Homes. The motion was seconded by Eve Curry-Harbison. A roll call vote was taken. Seven (7) for, zero (0) against; motion carried.

### **Park Permit for Fire Juggling**

A request was received from Matthew Tillery to use the Town Park at the basketball court to perform fire breathing and fire juggling on Monday and Wednesday evenings from 8 – 10 P.M. beginning June 18<sup>th</sup>, 2007 and ending August 1<sup>st</sup>, 2007. Mr. Tillery has already received approval from the Larkspur Fire Protection District with specific requirements to be met. Eve Curry-Harbison

stated she would recommend the Town of Larkspur require Mr. Tillery to have a phone on site in the event of a need to call for emergency services.

**MAYOR CONCERNS:**

1. Matt Krimmer requested approval to purchase sand for the ball field in the Town Park. Weed barrier is showing through the current sand from regular grooming and the remaining layer of sand is inadequate to cover and provide a good playing surface. There is only one Sand and Gravel Company, ARS, in the Denver metro area including Castle Rock, Parker, and Colorado Springs who provides the type of sand required for ball fields. An estimate of 62 tons @ \$16.70 per ton plus \$6.00 per ton for delivery for a total of \$1407.40 was received. A motion was made by Sheryl Jones to purchase new sand for the town ball field not to exceed \$1500.00. The motion was seconded by Lester Burch. A roll call vote was taken. Seven (7) for, zero (0) against; motion carried.
2. Mayor West requested the Council approve allowing Russ and Cindy Cramer to proceed with their Site Plan for a barn addition as previously submitted. Lester Burch recommended sending the request to the Planning Commission for their review and acceptance. Scotty Krob suggested approving a motion subject to Planning Commission approval. Sheryl Jones made a motion to approve allowing Russ and Cindy Cramer to proceed with their Site Plan pending review and approval by the Planning Commission. Eve Curry-Harbison seconded the motion. A roll call vote was taken. Seven (7) for, zero (0) against; motion carried. Matt Krimmer will present the Site Plan to the Planning Commission for review and approval at their next meeting.
3. Mayor West and Scotty Krob provided the Council with clarification of Amendment 41 to the State of Colorado constitution regarding acceptance of gifts and/or services by public and elected officials. State Senate bill 07-210 provides clarification language which allows Town of Larkspur public and elected officials to accept complimentary tickets to the CRF.

**COUNCIL CONCERNS:**

1. Eve Curry-Harbison asked if Matt had noticed a white van and a car in the Town Park after dark. Matt stated that he did notice the van but could not verify if they were there after dark. She believed that someone was living out of their van and using the park for overnight parking and lodging. No one else had noticed any unusual activity however everyone agreed to be more observant in the future.

2. Matt Krimmer advised the Council that Judith Berquist was ready to make their presentation on the Front Range Trail findings for Larkspur.
3. Kristin Cutbirth asked about the incorrect replacement part received for the town's wastewater lifting station pump. Matt Krimmer explained there was a breakdown in communication between Mike Burhenn and the engineer taking the order. Mike questioned the order upon receiving a price quote and brought it to the attention of the Town Hall staff, however due to the urgent nature of obtaining the part, the order was placed. Upon receipt of the incorrect part, Mike immediately brought it to Matt Krimmers attention who contacted the manufacturers in state supplier. It was agreed the part would be returned at no cost and original shipping costs may have to be shared. The correct part was subsequently located locally from another manufacturer.

**ADJOURN:** A motion to adjourn was made by Kristin Cutbirth and seconded by Lester Burch. A voice vote was taken. All in favor, none against. The meeting was adjourned by Mayor West at 9:36 P.M.

Respectfully submitted,

Matt Krimmer  
Town Clerk/Manager

mk/07/15/07