



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
MARCH 18th, 2010**

MEETING CALLED TO ORDER: Mayor Sherilyn West called the meeting to order at 6:02 PM.

ROLL CALL:

PRESENT	ABSENT	NON-VOTING
Kristin Cutbirth		Town Attorney-Scotty Krob
Sheryl Jones		Town Clerk/Manager-
Eve Curry-Harbison		Matt Krimmer
Lana Wagner		
Joseph Jeske		
Mayor Pro-tem Stephen Smith		
Mayor Sherilyn West		

PLEDGE OF ALLEGIANCE: Recited.

OTHER ATTENDEES: Laura Kronick, Lorelei LaFortune, Dave Gardner, Toni Reynolds, Betty Spreen, Tara Dexter, Mr. and Mrs. Charles Hickey, John Montgomery, and one unidentified couple.

SCHEDULED PUBLIC APPEARANCES:

Bill Fischer – Park Maintenance - Unable to attend.

New Liquor Store Owner - Not present. Matt provided information to Council regarding requirements for the new liquor store owner to take over and operate the liquor store. If authorized by Council the Town Clerk can issue a temporary license for the new owner to be open for business.

UNSCHEDULED PUBLIC APPEARANCES: None.

APPROVE MINUTES: Regular Council meeting minutes for February 4, 2010 were submitted for approval. Eve Curry-Harbison requested the addition of two items reflecting her comments at the meeting

Lana Wagner made a motion to approve the regular Council meeting minutes of February 4, 2010 with additions. Joseph Jeske seconded the motion. A roll call vote was taken. Six (6) in favor, zero (0) against, one (1) abstention (Stephen Smith); motion carried.

FINANCIALS: Mayor West presented the financial statement summary and bills to be paid totaling \$29,904.43. Eve asked about AccuFund correction requirements after AccuFund updates are installed. Mayor West stated she would talk to Vince Weis to get an explanation. Eve and Sheryl Jones asked about payroll corrections and the Mayor

stated she would get an explanation from Sharon next Monday.

Lana Wagner made a motion to approve payment of bills totaling \$29,904.43. Joseph Jeske seconded the motion. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

SEMOCOR MONTHLY REPORT: All systems are operating satisfactorily and no issues or problems have surfaced.

ADVISORY BOARD REPORTS:

Parks and Recreation Board – Board minutes from the March 15, 2010 meeting were provided. Tara Dexter presented the Parks and Recreation Tile program and showed Council samples of the tiles both finished and unfinished. The proceeds of tile sales all go to the Parks and Recreation Board fund. The Board is proposing to identify a place in the Park where the tiles can be installed and viewed such as a flower bed or memorial area. She would like to expand sales by increasing presence at School events and other area events and advertise through local area businesses.

Tara presented a proposal to hold three movie nights at the Town Park, one per month for June, July, and August. Showing of movies requires licensing from one of several agencies. In researching the agencies Tara was able to identify the least expensive at \$150 per movie with a nice variety of family friendly movies to choose from. Tara suggested holding the movies in the meadow area on the north end of the Park and offered use of her inflatable movie screen. She is looking for someone to volunteer a speaker/sound system and Lana Wagner offered hers if not committed for the dates selected. She also mentioned that sponsors would be sought to offset the cost of the movies and be given free advertising. Council discussed the Town as a sponsor.

A motion was made by Lana Wagner and seconded by Stephen Smith to hold movie nights, one per month, for June, July, and August on a Friday night in the Town Park at a cost of \$150 per movie. A roll call vote was taken. Six (6) in favor, one (1) against (Sheryl Jones); motion carried.

Eve Curry-Harbison commented to Tara that her presentation to the Council could be construed as a conflict of interest based on her ownership of the Ice Cream Shop being directly across the street from the Park and the area where the movies are being proposed to be shown. She recommended other Parks and Recreation Board members make presentations of this nature to the Council.

Tara also informed Council that this year's Fourth of July event would be held on July 5 which is the nationally designated holiday since July 4 falls on a Sunday and would conflict with the Renaissance Festival. She also noted that plans are underway to line up participants for the Fourth.

Matt Krimmer presented Tim Dexter and Linda Profazer, both alternate Parks and Recreation Board members, to the Council to fill the vacancy on the Board. He noted both had been contacted regarding this appointment and Linda deferred her nomination to Tim if he was willing to accept the appointment.

Lana Wagner made a motion to appoint Tim Dexter as a regular Parks and Recreation Board member. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, two (2) against (Sheryl Jones, Eve Curry-Harbison); motion carried. Sheryl Jones noted she had no objection to Mr. Dexter and her reason

for voting against his appointment was her belief that a husband and wife should not serve on the same board at the same time.

Matt explained Park signs regarding surveillance cameras were put up to discourage people from driving in the park off the roadway. Matt also noted that Parks and Recreation Board would look into the possibility of actually acquiring surveillance cameras and getting related cost information. A short discussion followed regarding the use of surveillance cameras.

Matt submitted pictures of a wrought iron bridge for sale by a business in Franktown which is going out of business and offered it to the Town for \$6000. Council determined the price was too expensive for a bridge for which a use by the Town had not yet been established.

Lana Wagner offered the Council, town residents, and community residents need to be pro-active regarding Park development instead of reactive.

NEWSLETTER: Mayor West offered to include information on the Parks and Recreation Tile program in the newsletter.

CONTINUING BUSINESS:

- **Medical Marijuana** – Eve Curry-Harbison commented that no meetings have been held this past week and the bill was being reviewed in committee and reminded Council of the numerous emails being sent to keep them informed as changes occur. Mayor West discussed elements of the local control option and Scott Krob clarified the language in that section. Continued discussion was deferred to the next meeting awaiting actions at the County and State level.
- **Spruce Mountain Development Resolution** – Resolution 10-03 ceasing development of the Spruce Mountain Planned Development was presented to Council for discussion and action. Mayor West informed Council that Mr. Arlotti had called to inform her he had not been able to secure financing required to meet his payment obligation and was embarrassed to appear before the Council. Mayor West read Resolution 10-03. A brief discussion followed and Scotty answered several questions including where the Town stood in terms of rank in recovering the fees owed the Town.

A motion was made by Eve Curry-Harbison to approve Resolution 10-03 Ceasing Development of the Spruce Mountain Planned Development thereby Terminating the Sales Tax Agreement, Vacating the Spruce Mountain Major Subdivision Plat, and Terminating and Vacating the Spruce Mountain Development Plan and Guide. The motion was seconded by Lana Wagner. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

NEW BUSINESS:

Initiative Petitions –

A motion was made by Sheryl Jones and seconded by Kristin Cutbirth to enter in to executive session to seek legal advice from Town Council regarding possible litigation on annexation petitions. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Council agreed to discuss in executive session at end of regular meeting agenda.

MANAGER'S REPORT:

- **Discussion on November 2010 Ballot Issues** – Matt provided copies of the three ballot issues regarding revenues for municipalities. Scotty Krob provided a summary of Amendments 60 and 61 and Proposition 101 and how they could impact Larkspur. Matt added that other County municipalities are planning to create multiple budget options for 2011.
- **Election** – Matt announced that the number of candidates for Town Council having submitted nominating petitions equaled the number of available Council seats and Mayor West was running unopposed for Mayor thereby allowing the April 6, 2010 election to be canceled. Matt recommended that a review of the current Council's 2009 goals and priorities be made at the April 1, 2010 meeting and a new councilmember orientation be scheduled before April 15. He also noted that a 2010 Council retreat will be scheduled sometime in May or June. Matt also suggested Council consider a party for the outgoing and new Council members similar to what has previously been done.

Lana Wagner made a motion to hold a Council party at the Spur of the Moment, if available, after the April 15, 2010 regular council meeting with appetizers and iced tea for a cost not to exceed \$300 to include a \$50 tip. No one seconded the motion, therefore the motion failed.

- **Dump Gate problems** – The gate at the Town dump is intermittently not opening for persons leaving the dump area and as a result Town Hall has received several calls to have someone go to the dump to open the gate. One call was also made to 911 and the Sheriff's office relayed the information to Town Hall. Matt noted a proposal from Ed Blanchard to operate the dump had been received but not yet reviewed. Mayor West requested a copy to review. Following a discussion of options to solve the problem Council concluded taking no action at this time.
- **Directional Street naming** – Matt informed Council of a concern raised by Douglas County regarding the use of "south" Spruce Mountain Road street signs. The directional designation was brought to the County's attention by a Census Bureau worker who could not locate addresses he was looking for. Upon researching the history of the street designation, consulting with the Post Office, the LFPD, and discussion with Douglas County it was concluded to be a non-issue. The County will adjust its database to accept the south designation however the official street name for Spruce Mountain Road will not include "south".
- **Meetings at Fire Station** – Matt informed Council that he had contacted the LFPD regarding availability of their training room for Council meetings and the first Thursday dates for each month were the only ones open. A meeting room request form with a one-time annual fee of \$25 would have to be submitted to secure dates for Town meetings. The next Council meeting April 1 has been reserved pending submission of the form with payment. Council requested the first Thursday every month be reserved for the Town.

Matt provided Council with copies of the Green Partners Framework for consideration of adopting by Resolution. He also informed Council of advertisement in the CML newsletter for sale of the restrooms and identified inquiries received from a number of municipalities.

MAYOR'S COMMENTS: Mayor West provided an update on completion of the Planning Commission minutes. Eve Curry-Harbison stated she could not understand why Matt was not getting them done in a timely fashion and Matt commented his time has been limited due to other work and daily Town Hall traffic. Mayor West stated more attention would be given to completing minutes going forward. She then advised Council of the CIRSA Audit on March 25, 2010.

COUNCIL COMMENTS: Eve Curry-Harbison asked about payment of the subdivision fee from Dave Palm due by April 1, 2010. As of this date no payment has been received. Eve asked whether a monthly sales tax report for Town businesses could be provided Council to which Scotty responded that individual business sales tax information can only be viewed by the sales tax clerk. Eve also asked about renewal and receipt of business sales tax licenses by Eric Waggle and Sei Bella Salon. Waggle renewal for 2010 has not been received. Sei Bella Salon renewal, if received, will be sent when ready. A discussion of the new tax on candy and soft drinks was held with confusion being expressed on how it was to be applied on certain product items. Lana Wagner informed Mayor and Council that she would not be able to attend next Council meeting on April 1 due to another commitment.

Kristin Cutbirth requested letters be sent to owners of vacant lots requiring them to mow the weeds. She also asked about maintenance of the roads in the Pines and if the Town was planning a shredding event for this year. Mayor West said none was being considered as there are not enough documents at Town Hall to be shredded. Matt stated that he would check with Douglas County regarding their next shredding event. Kris recommended Council consider a pay raise for Mayor based upon the time and effort required by the position. Council agreed and also recommended a pay raise for Council members as well.

A motion was made by Kristin Cutbirth and seconded by Joseph Jeske to raise the salary of Mayor to \$500 per month effective April 15, 2010. A roll call vote was taken. Five (5) in favor, one (1) against (Sheryl Jones), one (1) abstention (Mayor West); motion carried.

Sheryl Jones mentioned her concern about the possibility of a recall election of the Mayor.

A motion was made by Lana Wagner and seconded by Eve Curry-Harbison to raise the salaries of Town Council members to \$50 per meeting effective April 15, 2010. A roll call vote was taken. Four (4) in favor, three (3) against (Kristin Cutbirth, Sheryl Jones, Joseph Jeske); motion carried.

Mayor West declared a break at 8:25 PM before entering in to executive session.

Council meeting resumed at 8:30 PM.

Council entered in to executive session at 8:45 PM and resumed the regular meeting at 9:20 PM.

A short discussion followed regarding the Planning Commission and it was decided to address this item at the next Council meeting.

ADJOURN: Lana Wagner made a motion to adjourn the Council meeting. Stephen Smith seconded the motion. Motion carried by unanimous voice vote, Seven (7) in favor, zero (0) against.

Mayor West adjourned the Council meeting at 9:25 PM.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager