



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
MAY 20th, 2010**

MEETING CALLED TO ORDER: Mayor Sherilyn West called the meeting to order at 6:04 PM.

ROLL CALL:

PRESENT	ABSENT	NON-VOTING
Eve Curry-Harbison	Lana Wagner	Town Attorney-Scotty Krob
Joseph Jeske	Rich Cargill	Town Clerk/Manager-
Matias Cumsille		Matt Krimmer
Mayor Pro-tem Shannon Buss		
Mayor Sherilyn West		

PLEDGE OF ALLEGIANCE: Recited.

OTHER ATTENDEES: Laura Kronick, Lorelei LaFortune, Marvin Cardenas, Gary Abel, Mr. and Mrs. Charles Hickey, Ed Blanchard, Dan Krueger, Mike Belsky, Kelli Graves, James McVaney, Korrie Euler, Sheriff’s Deputy Ryan Murphy

SCHEDULED PUBLIC APPEARANCES: None.

UNSCHEDULED PUBLIC APPEARANCES: Ed Blanchard – Stated that six months ago he submitted a business proposal to the Town to operate a waste recycling facility in the Town. Last week he was contacted by the Town Manager to discuss his proposal however due to lack of action on the Town Managers part he no longer has a desire to operate a solid waste transfer station and recycle facility in the Town of Larkspur. He has industry contacts and is willing to share information if Council is interested. A short discussion followed. Shannon suggested Council participate in projects to move them forward. Mayor West agreed follow-up action should be forthcoming.
James McVaney – Presented information about Colorado Springs Council medical marijuana commission and its chairperson, Tanya Gardeno. Mr. McVaney suggested Council consider having Ms. Gardeno, speak to them to provide more information regarding medical marijuana education.

APPROVE MINUTES: None.

FINANCIALS: Mayor West presented the financial statement summary and bills to be paid totaling \$55,900.91. Several questions were asked and answered. Scotty Krob’s and Vince Weis’s bills were reviewed. **Eve Curry-Harbison made a motion to approve payment of bills totaling \$55,900.91. Matias Cumsille seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.**

Mayor West presented Resolution 10-06 amending the 2009 budget increasing the General Fund by \$35,000 and the Road and Bridge Fund by \$3000.

Eve Curry-Harbison made a motion which was seconded by Shannon Buss to approve Resolution 10-06 amending the 2009 budget. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Mayor West presented Resolution 10-07 transferring funds from the General Fund to the Parks and Recreation Fund for the 2009 budget year.

Eve Curry-Harbison made a motion which was seconded by Joseph Jeske to approve Resolution 10-07 transferring funds from the General Fund to the Parks and Recreation Fund for the 2009 budget year. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Mayor West also provided documentation on the Town's petty cash fund.

SEMOCOR MONTHLY REPORT: All systems are operating satisfactorily and no issues or problems have surfaced. Mayor West noted that sewer line inspections will begin this year and Semocor has hired a contractor to do the inspections. Shannon asked why Semocor was hiring the contractor and Mayor West explained it is part of Semocor's contract for maintenance. Inspections will be done in segments. The Mayor also noted that sludge removal at the lagoons will also be done this summer.

ADVISORY BOARD REPORTS:

Parks and Recreation Board – Board minutes from the May 17, 2010 meeting were provided. Matt presented Korrie Euler who provided Council with the data collected regarding playground lease options and the purchase alternatives. Korrie asked for Council concurrence to move forward with placing the purchase of the revised option presented by Churchich Recreation for the new playground. Shannon asked for CIRSA to inspect the Park for safety conditions.

Matt informed Council two bids were received for the flower beds. One bidder declined. The other two were from The Little Flower Shop in Larkspur and Corda-Rose Landscaping. Kelli Graves from Corda-Rose walked Council through her bid explaining the types and number of flowers she was proposing. Kelli noted all prices are wholesale. Council asked Kelli to prepare a design plan diagram in conjunction with her bid. Matt informed Council that Sharon and Bill Ellis, 1480 Quartz Mountain Drive offered to donate money to help offset the costs for the flowers. A discussion followed regarding the two bids, related costs and resources, and comparison of the flowers and plantings offered. The bids will be revisited by Council.

Matt presented information on the Fourth of July and movie night events. Matt asked for volunteers to sign up to the Fourth of July to help set up and prepare activities, with special help needed for the tent set up.

Matt also presented a draft Park Fee Ordinance which will revise park use fees using fee structures from Highlands Ranch and Castle Rock. The concept is to reserve facilities for periods of time. He asked Council to review the draft and requested feedback to Parks and Recreation Board.

Matt requested thought be given to Information Center Booth relocation consideration with the possibility of expanding the ball field for league play. Shannon Buss stated she felt the Information Center Booth was a real estate office operating on Town property for

free. She believes they should be paying \$1000 per month. Eve Curry-Harbison stated there has been no evidence provided to prove that real estate business was being conducted at the Booth. Shannon maintains the booth is a private business and they should have to pay for the privilege. Matt explained several proposed locations where the booth could be moved to. Matt noted electric and phone service would need to be considered. Eve Curry-Harbison suggested tabling the relocation discussion and restated that proof still needs to be presented that real estate transactions or other personal business was being conducted at the booth.

Planning Commission – Matt presented the outcome of the Planning Commission meeting of May 10 and noted that the Bear View public hearing minutes submitted for approval were not acceptable and thus not approved.

NEWSLETTER: Mayor West mentioned she had received information from the Sheriff's office regarding bicycle safety and will include a short summary in the newsletter.

CONTINUING BUSINESS:

- **WWE Proposal for Grant Engineering Study** - Mayor West presented the proposal to complete the engineering and environmental studies. Matt mentioned his meeting with Semocor and WWE on May 18 to provide input to WWE on Semocor's concerns and the phasing of the sewer line inspections. He also mentioned the meeting scheduled for May 26 with Colorado Rural Water and WWE.
- **Medical Marijuana Ordinance Discussion** – Mayor West provided a brief updated of the status of HB 1284 and suggested Council wait until the final bill has been approved before continuing discussions for a Town Ordinance. Scotty Krob provided a short summary of some of the provisions of the bill. Eve Curry-Harbison stated she believed there was still a great deal of uncertainty regarding the final version and agreed Council should wait before proceeding.
- **Town Maintenance Person want ad/ procedure** – Mayor West read the ad for a maintenance person and Matt noted the ad sent to the DC News Press had been edited for readability and cost effectiveness. A short discussion followed. Two applications have been received so far and the Mayor indicated a salary range was offered which would be based on experience.
- **Professional Landscaping Bid** - Mayor West indicated Shannon Buss and her had discussed this and was satisfied with RS Enterprises who had performed the mowing for the Town the past two years. Shannon requested involvement in the discussions with RS Enterprises.
- **Garage Sale Ordinance 3.103** - Draft Ordinance to repeal garage sale language in Ordinance 3.43 was provided to Council for review.

NEW BUSINESS: None.

MANAGER'S REPORT: Matt will contact Keith Worley for a walkthrough at the Park regarding fire mitigation.

MAYOR'S COMMENTS: None.

COUNCIL COMMENTS: Eve Curry-Harbison asked about unlocking of Town Hall doors for the Parks and Recreation meetings. Joe Jeske stated he had accepted the role as Council liaison to the Parks and Recreation Board and would be responsible for unlocking the doors for the Board.

Shannon Buss asked Scotty Krob about his findings regarding the Planning Commission Chairs signature on the final plat of the Bear View subdivision and questioned Scotty on his interpretation of Ordinances 3.43 and 3.02 regarding the Bear View decision. Scotty explained his interpretations of the Ordinances and that no Planning Commission signature was required

Shannon asked about copies of letters regarding petition requests and Scotty's emails to Matt. Copies of the letters were provided Shannon and Joe Jeske. Copies of emails will be provided to Shannon.

Shannon asked about recording of executive sessions and mentioned information received from CML general council Geoff Wilson stating that executive sessions would be recorded. Scotty informed Shannon that attorneys attending Cal's municipal attorneys conference were advised that recording of executive sessions was optional and at the Councils discretion. Mayor West noted the Town requires tapes of executive sessions be deleted after thirty days.

Shannon asked about disclosing discussions of executive sessions from previous Councils and Scotty pointed out the discussions are considered privileged and confidential to those Council members.

Shannon commented that if tapes of meetings are considered the official minutes than a new recording system is needed. A discussion followed regarding executive sessions. Eve Curry-Harbison suggested she would like to have the Managers report be a work performance report regarding actions and meetings attended, their outcomes, etc. Eve stated that if Matt is having difficulty getting things done she would like to know what he is doing. Shannon commented she did not see the value in the Partnership meetings and previous administrations accomplished much more without attending meetings having little value to Larkspur. She also noted that correspondence received in Town Hall was not being stamped received and not made available to Council members. Shannon stated she feels that Council is being "kept in the dark" by not being informed of what is going on. Mayor West stated all information is available at Town Hall and going forward master packets will be prepared for the Council.

Matt expressed his understanding of his position as Town Clerk/Manager and noted that the clerical duties were taking more time than the Managers duties and that if those duties were predominant than Council should consider hiring a full time Town Clerk to fulfill those duties. He noted that his background and expertise is in management and not clerical/administrative functions and he agreed to take on those duties believing they could be accomplished jointly. Mayor West commented that the clerical work will be revisited. Shannon restated her position that more time needs to be spent doing minutes and filing and less time attending meeting that are not needed for this little Town. A discussion followed regarding the benefits to the Town belonging to the Partnership. Eve Curry-Harbison and Shannon reiterated their desire to have specifics on what was discussed at the Managers meeting. Mayor West stated a list of meetings Matt attends

would be made. Mayor West also stated that Council members are more than welcome to attend meetings if they are willing instead of her or Matt going to the meeting. Shannon commented that the Town is suffering. Eve restated her desire to have more details regarding the outcome of meetings.

The discussion continued regarding dissatisfaction with the performance of the Town Clerk/Manager.

Shannon voiced her displeasure with being identified as a Planning Commissioner at the CML training and also noted she did not receive a welcome packet from CML implying Town Staff did not correctly register her and did not pass along her welcome packet.

Scotty Krob requested Council go into executive session to discuss a matter pertaining to Bear View annexation regarding possible litigation challenging the annexation.

A motion was made by Eve Curry-Harbison and seconded by Shannon Buss to enter into executive session to discuss a matter pertaining to Bear View annexation regarding possible litigation challenging the annexation. A roll call vote was taken. Four (4) in favor, one (1) against (Joseph Jeske); motion carried.

Council entered in to executive session at 8:45 PM and resumed the regular meeting at 9:08 PM.

Mayor West made a list of items to be copied which include the attorney letter discussed in executive session and related email from Scotty.

Shannon asked for copies of all letters and emails received and sent since April 15, 2010. Shannon also stated that procedures need to be set in place to speed up meetings and have information available several days before Council meetings. She also stated that procedures need to be established for Parks and Recreation Board for providing information to the Council before meeting dates.

ADJOURN: Shannon Buss made a motion to adjourn the Council meeting. Matias Cumsille seconded the motion. Motion carried by unanimous voice vote, Five (5) in favor, zero (0) against.

Mayor West adjourned the Council meeting at 9:14 PM.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager