



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
OCTOBER 16th, 2008**

MEETING CALLED TO ORDER: Mayor Sherilyn West called the meeting to order following the Palm Public Hearing at 6:25 P.M.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Recited at Public Hearing.

UNSCHEDULED PUBLIC APPEARANCES: None.

SCHEDULED PUBLIC APPEARANCES: None.

OTHER ATTENDEES: Gary Abel, Shannon Buss, Laura Kronick, Dave Palm, Jack Reutzel, Mr. and Mrs. Ian Steyn

APPROVE MINUTES: Council reviewed minutes of the October 2nd, 2008 regular council meeting. There was no discussion.

A motion to approve the October 2nd, 2008 regular council meeting minutes was made by Steve Smith and seconded by Joe Jeske. A roll call vote was taken. Five (5) in favor, zero (0) against, two abstained (Sheryl Jones, Eve Curry-Harbison); motion carried.

FINANCIALS: Kristin Cutbirth and Lana Wagner commented that financial information provided to the Council needed to be better coordinated among the Town Staff before being presented to Council. Consolidation and formatting of data to create reports would aid Council members significantly in answering their questions and addressing their concerns. Mayor West pointed out that it AccuFund is not set up to run specialized reports without significant reprogramming. The Mayor also informed Council of two added bills to be paid, fifty dollars to Sheryl Jones for attendance at a Public Hearing and Council Meeting, and one hundred and eight dollars to Mark DiCiesare for name tags.

Lana Wagner made a motion to approved bills totaling \$21,657.62 including \$50 to

Sheryl Jones and \$108 to Mark DiCiesare. Steve Smith seconded the motion. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

ADVISORY BOARD REPORTS:

EDAB – Minutes for the October 9th, 2008 meeting were provided. The Mayor announced that due to conflicting obligations, Eve Curry-Harbison has stepped down as Council liaison to EDAB. Mayor West asked for another volunteer. A brief discussion followed about considering dissolution of EDAB if no liaison could be found. Steve Smith offered to step in and take on the Council liaison role.

Parks & Recreation Board - Minutes for the October 6th, 2008 meeting were provided.

Water & Sewer Board – No meeting held.

Planning Commission (PC) – Minutes of the October 13th, 2008 meeting are attached. The Commission recommended approval of the Palm Subdivision with conditions as stated in the recommendation.

Resolution 08-13 approving the Dave Palm Subdivision with conditions was presented for approval.

Eve Curry-Harbison made a motion to approve Resolution 08-13 which approves the Dave Palm Subdivision subject to the conditions stated in Section 1 of the Resolution. The motion was seconded by Sheryl Jones. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

SEMOCOR MONTHLY REPORT: Eve Curry-Harbison asked about charges for the thirty one OSI inspections and the emergency call out. Mayor West explained SEMOCOR was required to inspect each stage of the water line installation. The emergency call out was for the failed road plates installed over the road cuts. It occurred in the evening and was a safety issue requiring immediate correction. There was no further discussion and the report was accepted.

NEWSLETTER: Mayor West briefly discussed items in the newsletter. No comments were offered.

BUDGET: Mayor West provided Council with copies of the draft budget requesting their review and feedback.

CONTINUING BUSINESS:

- **Speed Control Signs** – Matt Krimmer presented Council with information regarding electronic speed monitoring and traffic safety control signs from All Traffic Solutions. Prices range from \$3890 to \$18,450 depending on the type of sign and type and number of features. Matt noted a dealer showroom is located in Golden, CO and they would give demonstrations on the types of devices and answer questions. Matt stated he would like to schedule an appointment and have member(s) of the Council accompany him to Golden. Joe Jeske stated he would like to attend. Matt will schedule a day and time when Joe is available.

- **Lodging Tax Ordinance 7.83** – Mayor West presented Ordinance 7.83 for Council approval. After a short discussion it was agreed that tents would be added to the definition of lodging unit.

A motion was made by Eve Curry-Harbison and seconded by Sheryl Jones to approve Ordinance 7.83 Implementing the Lodging Tax Approved by the Voters of the Town of Larkspur at the April 8, 2008 Election with the addition of “tents” in Section 1. A. Lodging Unit definitions. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

- **Shredding Event** – Mayor West reminded everyone of the shredding event for Town business documents on Thursday, October 23rd at 9 AM and for the public on Saturday, October 25th from 10 AM to 12 noon.
- **Annexation Petition** – Jack Reutzell, attorney representing Ian Steyn, presented an update on the status of the annexation petition noting the zoning requirements were still being worked and that they would be requesting a continuation of the Public Hearing being held on November 5 to complete the annexation petition package for submission to the Town. Several questions regarding the annexation process were asked and answered.

A discussion regarding the Public Hearing date and moving the Council meeting date from November 6 due to conflict with the Elected Officials Caucus followed.

A motion was made by Sheryl Jones and seconded by Lana Wagner to hold the next Town Council meeting on November 5, 2008 following the Public Hearing at 7 PM. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

NEW BUSINESS:

- **Human Resources Issues** – Mayor West asked Council member Sheryl Jones to present her concerns regarding the Town Clerk/Manager’s hours and wages. Sheryl stated that Matt was working more hours than what was being recorded on the weekly time sheets and that hours worked exceeding the regular forty had to be paid at the overtime rate. Sheryl asked Council to consider changing Matt’s pay from hourly to salaried thereby eliminating overtime pay and not limiting hours worked to forty or less. Discussion regarding meetings attended and time spent on projects versus clerical duties followed. Also discussed was the role of manager, project management, administrative management, and Town Clerk. Matt stated he was open to discussing a salaried position option. Council asked the Mayor for a year (2008) to date total of Matt’s hours and paid salary. Lana Wagner presented the Mountain States Employers Council, Inc. application and the benefits available to members.

Lana Wagner made a motion to join the Mountain States Employers Council, Inc. for one year for the membership fee of \$1075 as soon as possible. The motion was seconded by all the other Council members. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Sheryl Jones asked other Council members to think about changing Matt’s pay status from hourly to salaried for further discussion at the next Council meeting.

Relating back to the annexation Public Hearing and added Council meeting on November 5, 2008, Mayor West noted the Public Hearing start time of 7 PM which would result in

an 8 PM or later start time for the Council meeting. **A motion was made by Lana Wagner and seconded by Eve Curry-Harbison to amend the earlier motion setting a Council meeting on November 5, 2008 to start following the Public Hearing, changing the Council meeting start time on November 5, 2008 to before the Public Hearing at 5 P.M. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.**

MANAGER'S REPORT: Matt presented Council with a draft Resolution 08-12 continuing the Town of Larkspur's participation and membership on the Partnership of Douglas County Governments which also added two new partnership members, Castle Pines North and Highlands Ranch Metro District.

Steve Smith made a motion to approve Resolution 08-12, continuing the Partnership of Douglas County Governments and adding two new members, Castle Pines North. The motion was seconded by Joe Jeske. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

Matt also presented Council with a bid from David E. Archer & Associates (Kevin Archer) to perform a site survey of the Town Park (\$2000) and engineer a site plan for the Park Enhancements (\$3000). After a brief discussion **Lana Wagner made a motion to accept the bid from David E. Archer & Associates (Kevin Archer) for the sum of \$5000 to perform a site survey of the Town Park (\$2000) and engineer a site plan for the Park Enhancements (\$3000). The motion was seconded by Sheryl Jones. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.**

COUNCIL CONCERNS: Kristin Cutbirth asked about the banner hanging on the backstop fence at the ball field in the Town Park advertising the "Rock the Pony" event at the Pony Express-O coffee shop on October 18. Kris was concerned about setting a precedent allowing advertising for private businesses. Matt Krimmer informed Kris and Council that he gave permission since the banner site at Petunia Park was taken by the Larkspur Elementary Schools Fall Festival. In his judgment the event was community oriented and was bringing people to Town which could benefit other businesses and demonstrated the Town's support for the business community. Mayor West commented she believed allowing such advertising showed community involvement and promoted a community friendly atmosphere. When asked about setting precedence and opening the door for any and all kind of advertising Scotty Krob responded that yes, a precedent was being set however since no fee was being charged for attendance and the type of event was community oriented, the Town could legally allow such advertising in the Park and control request for advertising events in the future. Sheryl Jones suggested a Resolution be drafted addressing this subject.

Mayor West mentioned she had received a phone call regarding the Town's noise ordinance in regard to the bands playing at this event. Lana informed everyone that all the bands performing were local bands, Larkspur, Castle Rock area.

MAYOR'S CONCERNS: Mayor West noted that the first regular Council meeting in January 2009 falls on January 1st, New Years Day, and asked Council if January 8th and 22nd were acceptable dates for the two meetings. Council agreed those dates were acceptable.

ADJOURN:

Mayor West called for a motion to adjourn the regular Council meeting. Sheryl Jones made a motion which was seconded by Lana Wagner, to adjourn the meeting. The meeting was adjourned with unanimous voice vote at 9:23 P.M. by Mayor West.

Respectfully submitted,
Matt Krimmer
Town Clerk/Manager