

**REGULAR COUNCIL MEETING**

Town Hall
8720 Spruce Mountain Road
Larkspur, Colorado 80118
March 05, 2020
6:00 PM

MEETING MINUTES**I. MEETING CALLED TO ORDER/ROLL CALL:**

Mayor Marvin Cardenas: Present
Mayor Pro-Tem Paul Bowers: Present
Shannon Buss: Present
Jennell Waggle: Present
Brian Cook: Present
Sandy McKeown: Present
Isaac Levy: Present

II. PLEDGE OF ALLEGIANCE: Recited**III. MOTION TO APPROVE AGENDA:** Town clerk explained that protocol requires the town to approve the agenda for the current meeting. **Council Member Shannon Buss motioned to approve the Town Council Meeting Agenda for 3/5/2020. Council Member Isaac Levy seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.****IV. SCHEDULED PUBLIC APPEARANCES: (10 min limit): None****V. UNSCHEDULED PUBLIC APPEARANCES: (3 min limit)**

Town's person Ruthanne Arfsten was recognized and spoke regarding teamwork and asked the council to reconsider the Mayor's compensation rate. Council thanked Ruthann for her comment.

VI. MOTION TO APPROVE MINUTES: (1815-1818)

- Meeting Minutes-February 20, 2020 Draft
Council Member Sandy McKeown motioned to approve the Regular Town Council Meeting Minutes for 2/20/2020. Council Member Isaac Levy seconded the motion. In a three (3) approved, three (3) abstained, zero (0) opposed roll call vote, Mayor Cardenas

affirmed, THE MOTION CARRIED.

- Meeting Minutes -February 28, 2020 Draft Special Meeting
Council Member Shannon Buss motioned to approve the Town Council Meeting Minutes for 2/28/20. Council Member Brian Cook seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.

Agenda was adjusted to allow time for the lawyer to respond. Town Council moved to the agenda item Ordinance No. 2020-04. Please see the item discussed further in continuing business. (1820-1840)

- VII. UC Denver Streetscape Presentation (Jeffery Wood):** (1840-1925): Jeffery Wood and Partner from the University of Colorado Denver Campus gave a presentation over the streetscape proposal. Discussion took place over the many options. Town persons were able to give their comments regarding what they would like to see.

Mayor wanted to allow representatives from the Jellystone project to speak. Please see comments below under construction and development projects.

- VIII. TOWN CLERK UPDATE:** (1935-1945): Town clerk gave a presentation regarding meeting requirements, procedures and auditing of the Renaissance Festival vendors. There have been issues with overpaying some vendors, Town Clerk has put in processes for identifying the overpayment of the vendors. Questions were asked for clarification of the auditing of the vendor process. Town Council noted that they were excited that we are going to be looking at the vendor's more closely. Town clerk also gave an update on the CIRSA Loss Prevention Audit.

- IX. ACCOUNTING:** (1945-1955) (Heather McCumiskey)

- Financial Update
Updated Town Council on account balances. Heather gave an update on budget to actual presentation. The difference between budget and actual for 2019 was a positive 1.4 million dollars when budgeted items were classified correctly. Meaning the town spent 1.4 million dollars less than they had budgeted. No Amendments needed. Gave an update on where the Accounting Manager would like to pull money to refund the Dumler project. However, that decision was put off for further review from the legal counsel team.
Transfer \$80,518.46 from W/S WTP Lease Reserve to W/S Operating on March 6, 2020.
Transfer \$59,525.75 from W/S Capital Reserve to W/S Operating on March 6, 2020.
Transfer \$421.84 from Larkspur Tap Fees Reserve to W/S Operating on March 6, 2020.
Discussion took place before legal counsel left over the requirement to

refund Tim Dumler's money. Council wanted a greater review of the refund issue. It was advised by Ruthanne Goff to hold off approving the transfer and payout until they have the opportunity to review the documentation. It was recommended that when the town gets this type of request for an activity that involves monetary value they turn the information over to legal counsel for their review. No motions were made for the transfer of funds to refund the Dumler project pending further review.

- Bills to Pay
 - ✓ General Fund
 - ✓ **Council Member Isaac Levy motioned to approve the general fund bills to be paid in the amount of \$5,731.56. Council Member Shannon Buss seconded the motion. Council Member Brian Cook asked about the home depot card and wanted to ensure staff members are reviewing the receipts for accuracy and explanation. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, **THE MOTION CARRIED.****
 - ✓ Water & Sewer Fund
 - Council Member Sandy McKeown motioned to approve the water and Sewer Bills to be Paid in the amount of \$5,922.33. Council Member Isaac Levy seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, **THE MOTION CARRIED.****

X. BREAK: (1900-1905): No break was taken. Council wanted to push through the end.

XI. NEW BUSINESS: (1855-1845): None was reported at this time.

XII. CONSTRUCTION & DEVELOPMENT PROJECTS: (1925-1935)

- Campground representatives appeared to discuss the progression of the Jellystone Project. They gave a brief update regarding the challenges they are facing. Town Council members were able to ask questions and wanted the what the plans were to get the project back under building code. Council Member Isaac Levy questioned their process and it was determined that SafeBuilt gave the permit prior to the review of the Planning Commission Board with a recommendation to town council for final approval. Mayor spoke with SafeBuilt and reminded SafeBuilt in writing that they will be required to review all site plans before issuing permits.
- Mayor states that he is working with Dumler and Moltz for the sewer.

XIII. CONTINUING BUSINESS: (1925-1940)

- Ordinance 2020-04: An ordinance to provide compensation to the mayor and Town Council of the Town of Larkspur, Colorado
 - Discussion took place over the proper protocol with the election and

the compensation. It was determined that the town could vote on cancelling the election at this meeting and still decide on compensation at the next regularly scheduled town council meeting 19 March 2020.

○ **Council wanted to separate out the ordinance to include mayor compensation and town council compensation. Town Clerk will make the adjustments to the ordinance for council approval at the next meeting.**

○ Mayor asked legal counsel regarding the question of nepotism with the mayor's wife being on Town Council. The lawyer stated that because the Mayor does not supervise a council position, or vice versa there is no nepotism. She did note that there needs to be a separation of duties regarding the staff. Delegations of town staff duties should be from the mayor.

○ Discussion took place over who can contact the attorney. Town Council members, the mayor and the town clerk are the only persons that can contact the attorney for legal advice. Recommended that the Town Council follow a code of contact. There was also discussion regarding the legality of the different duties and the protocol for having a check in place. The lawyer stated that a recall is the check for appointed and elected officials. Further discussion covered over CORA requests vs. basic questions.

- Resolution 2020-07: A resolution to cancel the election and declare the candidates elected.

Council Member Jennell Waggle motioned to approve the Resolution 2020-07. Council Member Isaac Levy seconded the motion. In a (6) to (0) vote, Mayor Cardenas affirmed MOTION CARRIED.

XIV. COMMISSION & BOARD REPORTS: (1940-200)

- Planning Commission (PC) Report – Matias Cumsille, Chair
 - ✓ Ordinances presented at previous regular Town Council Meeting 2-20-20. No one was present to discuss and review.
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair
 - ✓ Nothing to report
- Parks & Recreation Board (P&R) Report – Bill Kramer, Chair
 - ✓ Bill Fischer/Bill Kramer Ball Field Concession stand.
 - Thanked Council for approving the name for the concession stand.
 - ✓ Baseball season kicks off this week with the Douglas County Raptors who will be using the field weather pending.
 - ✓ GOCO ballfield lights grant update. Town did not get the grant but are looking into other options.
 - ✓ Veterans Monument update
 - Moving forward with the Greg bid and funding for the memorial.
 - ✓ Park Board will review the relocation of the memorial tree and rock in the park.

- ✓ Discussion of the banners for sponsors for the ballfield took place. Council gave permission for Bill to go ahead and renew some of the banners and seek further funding from others who would like to sponsor.
- Financial Advisory Board (FAB) Report-Walter Korinke, Chair
 - ✓ Nothing to report

XV. MAYOR'S REPORT: (2000-2010)

- Mayor Cardenas gave an update regarding the Town's seniors and the senior program that the town is trying to implement. He went over partnerships and had staff member Ruth Ann provide an update as well. The plan is to have the senior's meet over lunch. Mayor noted that some concerns regarding attendance and money availability. Ruth Ann provided an update on all the great events and activities that are happening in Larkspur regarding the seniors. Discussion took place over the town donating some funds to help start the program, there was an agreement to do this once per quarter to help the seniors.
- **Council Member Sandy McKeown moved to make a motion. Council Member Isaac Levy Second the motion. Discussion took place and it was decided to give 15 dollars per person not to exceed \$300. In a six (6) to zero (0) roll call vote, Mayor Marvin Cardenas affirmed MOTION PASSED.**
- Town's Person Gary Abel wanted to make sure that there was a senior list to invite all of the seniors. The hope was to get the information out to all of the town's seniors.

XVI. COUNCIL COMMENTS: (2035-2105)

- Council Member Isaac Levy noted his disappointment about the drama and lack of teamwork over the last couple of weeks. He noted a fear of backsliding. Had a conversation with the Colonel stated that the council needs to figure out the wages and the nepotism. The lawyer cleared up that there was no nepotism. He wants to make sure that the Town Council can move past the issues.
- Jennell: nothing at this time.
- Council Member Sandy McKeown wants the town to tighten up and make sure we are following the rules. Other than scheduled and unscheduled appearance, the Council does not need to call on the towns people. Discussion took place over what we can do to allow town members to speak. Council member Jennell Waggle wants a timer set for the expectation. Mayor Cardenas will work on tightening it up. Council Member Sandy McKeown believes following meeting protocol is everyone's responsibility. Council Member Brian Cook wants to ensure that the elected officials are making the call and discussing the topics. Include some information into the newsletter regarding the new procedures. Council member Sandy McKeown would like the newsletter to have a picture of Larkspur on the cover and would like to make sure newsletter puts council meeting information back into

newsletter.

- Council Member Paul Bowers: Grant writing wants Dorothy to start looking for sidewalk grant. Suggested that we make an offer for Lee Staab regarding Town Manager Position. Asked questions regarding the contract for people with Chamber of Commerce for lifetime Christmas tree copy. Brought up self-sufficient wage for staff member Ruth Ann and allowing Ruth Ann to take over newsletter to provide greater value to position.
- Council Member Brian Cook: Nothing
- Council Member Shannon Buss: wants to note that she would like council to enforce that “loud speech and boisterous behavior from the audience members is not permitted and constitutes grounds for removal.” Discussion took place over how to enforce this within conflict of the free speech.

XVII. ADJOURN: 2105

Council Member Brian motioned to adjourn the meeting. Council Member Isaac Levy seconded the motion. All ayes. Motion Approved Meeting Adjourned.

Please note: This agenda may be subject to change. Items may be added or deleted as required. The Town of Larkspur has adopted rules governing the public participation process in Town Council Meetings. All audience members must refrain from commenting during meetings unless recognized to speak. Loud speech and boisterous behavior from audience members is not permitted and constitutes grounds for removal from the meeting. Please deactivate all cell phones during the meeting.

Town Council meetings can be adjusted plus or minus 15 minutes from the timelines outlined within the Agenda.