



REGULAR TOWN COUNCIL MEETING

April 6, 2023 at 6pm

Town Hall, 8720 Spruce Mountain Road, Larkspur, CO 80118

MINUTES

VIRTUAL MEETING LINK: <https://us02web.zoom.us/j/85489852527>

Meeting ID: 854 8985 2527

One tap mobile

+17193594580,,85489852527# US

+16694449171,,85489852527# US

Find your local number: <https://us02web.zoom.us/j/85489852527>

1. CALL TO ORDER / ROLL CALL

	Present	Absent
Mayor Sherilyn West	X	
Mayor Pro-Tem Sandy McKeown	X	
Ruth Ann Arfsten	X	
Mindy Kazurova	X	
Jim Landon	X	
Isaac Levy	X	
Lynn Pfaff	X	

2. PLEDGE OF ALLEGIANCE

3. APPROVE AGENDA

MOTION: Sandy McKeown motioned to approve the agenda for April 6, 2023 Regular Meeting. Seconded by Lynn Pfaff. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:04

4. APPROVE MINUTES

MOTION: Sandy McKeown motioned to approve the minutes from the March 16, 2023 Special Meeting. Seconded by Mindy Kazurova. No discussion. Five (5) ayes, zero (0) opposed, two (2) abstained (Isaac Levy, Lynn Pfaff). Motion passed.

Audio Time Stamp: 1:38

MOTION: Sandy McKeown motioned to approve the minutes from the March 16, 2023 Regular Meeting. Seconded by Ruth Ann Arfsten. No discussion. Six (6) ayes, zero (0) opposed, one (1) abstained (Isaac Levy). Motion passed.

Audio Time Stamp: 2:44

Prior to addressing the minutes for March 23, 2023, Ruth Ann Arfsten issued apology to Heather Yanda concerning correspondence that took place after the March 23, 2023 Special Meeting.

Posted: 4-3-2023 by HLY

Page | 1

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.

MOTION: Sandy McKeown motioned to approve the minutes from the March 23, 2023 Special Meeting. Seconded by Lynn Pfaff. No discussion. Six (6) ayes, zero (0) opposed, one (1) abstained (Isaac Levy). Motion passed.

Audio Time Stamp: 4:18

5. SCHEDULED PUBLIC APPEARANCES (10 Minute Limit)

- Postmaster Jason Walker, Larkspur USPS – Update on Mailboxes **Audio Time Stamp: 5:12**
Jason discussed the process and the requirements for the town to have mailboxes for each residence.
 - Congress must make the decision for this to happen
 - All or nothing – all residents would be required to participate
 - Not individual boxes to homes; it would be a Centralized Box Unit (CBU)
 - Town accrues all expenses related to putting in CBU's and any upkeep
 - Would change all routes for drivers
 - People on Frink and Frank Roads may have to drive to Pines for CBU, which they already have to go to USPS

Mayor West brought up other issues, including whether there is land to do this, us having to pay for any damage. Council decided to stop pursuing individual mailboxes and not to take it to congress.

- Heather Yanda **Audio Time Stamp: 12:43**
Heather Yanda accepted Ruth Ann's apology and read a letter documenting the interaction that she had with Ruth Ann on March 23, 2023.
- Mindy Kazurova **Audio Time Stamp: 14:51**
Mindy provided a letter from Sam Doyle outlining his qualifications and willingness to help the town with financial matters.

6. ADVISORY BOARD REPORTS

- Planning Commission - Heather Yanda, Secretary **Audio Time Stamp: 23:42**
 - Master Plan Survey went out with the water and sewer bills, and the greater 80118 community was given a link via the Larkspur Sentinel and Perry Park Metro District to be completed electronically
 - Planning Commission is also looking at some ordinance changes that will be coming as recommendations to Town Council soon.
- Water & Sewer Board – Lynn Pfaff, Council Liaison; no update
- Parks & Recreation Board – Mindy Kazurova, Council Liaison **Audio Time Stamp: 24:49**
 - Changes were made to the play structure design to address Council concerns; it was ordered and anticipated to arrive in November

7. CONTINUING BUSINESS

- BidNet Update on Town Hall Repairs – April 25 Deadline **Audio Time Stamp: 25:32**

8. ONGOING CONTINUING BUSINESS

9. NEW BUSINESS

- Mobile Vendor Permit License Pricing Structure **Audio Time Stamp: 25:55**

Heather Yanda presented a new designation of mobile vendor permit for Town and Town/Chamber sponsored events that would exempt mobile vendors from paying the monthly \$25 fee to vend in Town. This would be for events such as the food trucks that we bring in on Mondays, Music in the Park food trucks, and farmers market vendors – programs/events of the town.

Heather also pointed out that in our code there is a Temporary Business License that allows people to do business in Larkspur for seven or fewer days in a calendar year for no fee and requested that this be added to the Town's fee schedule.

MOTION: Sandy McKeown motioned to separate out Business Transient License into two type – Mobile Vendor Permit, which is already in place, and a Special Event Mobile Vendor Permit, which would be exempt from a permit fee and to amend the Town's fee schedule to say a Temporary Business License is \$0. Seconded by Lynn Pfaff. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 36:59

- Resolution 2023-06, a resolution of findings of facts relative to 233 Perry Park Avenue Annexation Petition
Audio Time Stamp: 38:43

MOTION: Sandy McKeown motioned to approve Resolution 2023-06, a resolution of findings of facts relative to 233 Perry Park Avenue Annexation Petition. Seconded by Mindy Kazurova. No discussion. Six (6) ayes, zero (0) opposed, one (1) abstained (Isaac Levy). Motion passed.

Audio Time Stamp: 39:11

10. CONSTRUCTION & DEVELOPMENT PROJECTS

- 233 Perry Park Ave **Audio Time Stamp: 40:17**
Mayor West discussed next steps.
- Fox Farm - Meeting with Staff **Audio Time Stamp: 40:48**
Heather Yanda gave update on meeting with developer. Mayor West asked Council if they wanted a future concept review to go to Planning Commission and Town Council as it did previously, or do they want it to go through Planning Commission. Council consensus was that it would go through Planning Commission alone.
- 9138 Spruce Mountain Road – Update **Audio Time Stamp: 43:55**
Mayor West updated that Town will be having a second pre-application meeting with a builder who is helping owner to discuss steps in site plan process.
- Travel Center – Update **Audio Time Stamp: 45:14**
Dan Krob recommended that the Town hire a professional planner to match what our municipal code requires. Discussion of code interpretation. Community members in the audience and Councilmembers asked questions about process, which were answered.

MOTION: Mindy Kazurova motioned to begin the process of getting referrals for Town planners. Discussion and clarification ensued. Seconded by Isaac Levy. No further discussion. Five (2) ayes, two (2) opposed – Jim Landon, Lynn Pfaff. Motion passed.

Audio Time Stamp: 1:04:48

Dan Krob discussed the role of Board of Adjustment as stated in the Town's code and recommended that we solicit applications for a Board of Adjustment. **Audio Time Stamp: 1:11:09**

- Jellystone/Stein – Update **Audio Time Stamp: 1:24:08**

11. ACCOUNTING

- Payroll Report **Audio Time Stamp: 1:24:45**

12. LEGAL UPDATE

Dan Krob informed Council about Senate Bill 23-213 and passed out a draft of Resolution 2023-07. He

Posted: 4-3-2023 by HLY

Page | 3

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.

recommended that we oppose it. **Audio Time Stamp: 1:29:35**

MOTION: Sandy McKeown motioned to approve Resolution 2023-07, a resolution in opposition to statewide land use and zoning preemptions in Senate Bill 23-213. Seconded by Isaac Levy. Question was asked about CML and Dan Krob gave update on CML's process and position and of his perception of the state's position. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:32:00

Dan gave out CML Land Use Basics for Elected Officials and Bob's Rules of Order for the Council's review.

13. STAFF COMMENTS

Heather Yanda offered assistance with finding information about planning and development projects on the website, in the newsletter, and within the municipal code. **Audio Time Stamp: 1:28:02**

14. MAYOR'S REPORT

Do all Councilmembers have access to and check their Town email? Reminded Council to complete a Master Plan survey. **Audio Time Stamp: 1:38:35**

Mayor West addressed Paul Bowers comments from earlier in the meeting about what she believed to be the development that came to the Town who wanted to develop and was discussed in executive session. The Town has not heard back from that developer, and there are no plans to put anything across the street. **Audio Time Stamp: 1:39:38**

15. COUNCIL COMMENTS

Isaac Levy **Audio Time Stamp: 1:40:28**

- Asked question about a condition regarding the sale of Tim Dumler's purchase of 255 Upper Lake Gulch Road. Mayor West and Dan Krob stated that an ordinance was approved that extended the date.
- Stated that we need to figure out if the travel center property is use by right or special review

Ruth Ann **Audio Time Stamp: 1:43:52**

- Offered explanation to audience on how to determine if one was in the incorporated limits of Larkspur
- Stated that she is often approached by the community, and she would like to help and stated that there are things she cannot discuss

Mindy Kazurova **Audio Time Stamp: 1:45:48**

- Talked about grading permit that is being reviewed by Planning Commission and reiterated that she would like to see those changes; Dan Krob told them that they could write the draft themselves rather than waiting for Planning Commission; Heather Yanda said that the Planning Commission would be presenting the recommendation at the next meeting

16. UNSCHEDULED PUBLIC APPEARANCES (Per Resolution 2022-27, each person will have 3 minutes to speak. If there are more than 15 people signed up to speak, the time limit may be lowered to 90 seconds per person.)

Community members offered their thoughts and concerns on the development of the travel center. **Audio Time Stamp: 1:48:02**

17. ADJOURN

MOTION: Isaac Levy motioned to adjourn. Seconded by Lynn Pfaff. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 2:29:36