



REGULAR TOWN COUNCIL MEETING

April 20, 2023 at 6pm

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

MINUTES

VIRTUAL MEETING LINK: <https://us02web.zoom.us/j/86386057826>

Meeting ID: 863 8605 7826

One tap mobile

+17193594580,,86386057826# US

+16699009128,,86386057826# US (San Jose)

Find your local number: <https://us02web.zoom.us/j/86386057826>

1. CALL TO ORDER / ROLL CALL – 6pm

	Present	Absent
Mayor Sherilyn West	<u>X</u>	<u> </u>
Mayor Pro-Tem Sandy McKeown	<u>X</u>	<u> </u>
Ruth Ann Arfsten	<u>X</u>	<u> </u>
Mindy Kazurova	<u>X 6:05pm</u>	<u> </u>
Jim Landon	<u>X</u>	<u> </u>
Isaac Levy	<u>X</u>	<u> </u>
Lynn Pfaff	<u>X</u>	<u> </u>

2. PLEDGE OF ALLEGIANCE

3. APPROVE AGENDA

MOTION: Jim Landon made a motion to approve the agenda for the April 20, 2023 Regular Meeting. Lynn Pfaff seconded the motion. No discussion. Six (6) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:23

4. APPROVE MINUTES

MOTION: Sandy McKeown made a motion to approve the minutes for the April 6, 2023 Public Hearing. Ruth Ann Arfsten seconded the motion. No discussion. Five (5) ayes, zero (0) opposed, one (1) abstained – Isaac Levy. Motion passed.

Audio Time Stamp: 1:59

MOTION: Lynn Pfaff made a motion to approve the minutes for the April 6, 2023 Regular Meeting. Sandy McKeown seconded the motion. No discussion. Six (6) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 3:04

5. SCHEDULED PUBLIC APPEARANCES (10 Minute Limit)

Posted: 4-17-2023 by HLY

Page | 1

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Sheriff Darren Weekly gave a report on what he has done so far in his term as Douglas County Sheriff, went over our first quarter crime report, and fielded questions on Renaissance Festival traffic, sheriff department staffing issues, and the travel center. He stated that he would be preparing a formal memo to the mayor on the travel center. **Audio Time Stamp: 3:34**

6. ADVISORY BOARD REPORTS

- Planning Commission - Heather Yanda, Secretary **Audio Time Stamp: 20:00**

Heather Yanda pointed out the draft Accessory Dwelling Unit Ordinance from the Planning Commission and asked that the Council review it for discussion at next meeting.

MOTION: Sandy McKeown made a motion to direct staff to follow through with drafting an ordinance in response to the Planning Commission's Resolution 2023-01, a resolution recommending an amendment to section 11-1-20 of the Larkspur town code regarding grading permits. Mindy Kazurova seconded the motion. Discussion – Isaac Levy asked why the Planning Commission had sent their recommendation as a resolution of the Planning Commission. Is that in their scope? Dan Krob responded that he had directed the Planning Commission to do it that way so that the Council could see word for word what the recommendation was. This is a more formal way of making a recommendation. Ruth Ann Arfsten asked for clarification on how this resolution applies to single family dwelling and commercial projects. Mayor West and Dan Krob clarified that single family dwellings could get a grading permit if needed but that commercial, under no circumstance, would get a grading permit until they have an approved site plan, removing the power of the town engineer to approve a grading permit prior to site plan approval. Six (6) ayes, one (1) opposed (Ruth Ann Arfsten). Motion passed.

Audio Time Stamp: 31:02

On behalf of the Planning Commission, Heather Yanda asked the Council to comment on whether or not the grading of the proposed travel center property was being overseen by our engineer (or by anyone) and being graded to plan. The mayor said that it was not but that she would check with GMS to see at what point they would inspect.

- Water & Sewer Board – Lynn Pfaff, Council Liaison. **Audio Time Stamp: 40:57**
They did not meet in April due to not having a quorum but will be scheduling a special meeting in the next two weeks.

- Parks & Recreation Board – Mindy Kazurova, Council Liaison. **Audio Time Stamp: 41:14**
Mindy Kazurova said that the Parks & Rec Board is waiting on the results of the survey to get community input for the five year plan. Mayor West said that Archer completed the survey last Monday; he should have it completed in the next two weeks.

- Advisory Board Appointments. **Audio Time Stamp: 42:10**
 - Janell Walter, Water & Sewer Board
 - Michael Swearingen, Water & Sewer Board
 - Rachel Stevens, Water & Sewer Board
 - Randy Johnson, Parks & Rec Board
 - Kat White, Parks & Rec Board

Posted: 4-17-2023 by HLY

Page | 2

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- Chelsea Dey, Water & Sewer Board Alternate

MOTION: Isaac Levy made a motion to reappoint Janell Walter, Michael Swearingen, and Rachel Stevens to the Water & Sewer Board for two-year terms. Lynn Pfaff seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 43:34

MOTION: Mindy Kazurova made a motion to reappoint Randy Johnson and Kat White to the Parks & Rec Board for two-year terms. Sandy McKeown seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 44:08

MOTION: Mindy Kazurova made a motion to appoint Chelsea Dey to the Water & Sewer Board as an alternate for a two-year term. Ruth Ann Arfsten seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 45:07

7. CONTINUING BUSINESS

MOTION: Sandy McKeown made a motion to approve Ordinance 2023-02, an ordinance amending section 6-3-40 of the Larkspur municipal code exempting town sponsored mobile vendors from the monthly mobile vendor permit fee. Jim Landon seconded the motion. Discussion – Isaac Levy asked Mindy Kazurova about her thoughts on this. Mindy replied that as a community member she thinks it is a great idea; as a business owner she is not 100% on board with it. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 54:34

MOTION: Sandy McKeown made a motion to approve Resolution 2023-08, a resolution amending the fee schedule regarding temporary business licenses. Jim Landon seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:01:15

MOTION: Sandy McKeown made a motion to approve Dave Gardner's request to waive park fee for free shredding event on September 16, 2023. Jim Landon seconded the motion. No discussion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:02:47

8. ONGOING CONTINUING BUSINESS

Regarding the lift zone, Mayor West gave an update that Comcast came out and toured the library to make sure it could be done, and now we are just awaiting approval from Comcast.

Mayor West reported that the Pasha Kazmer had said he is fine with the easement agreement that had been given to him and that he would sign it and get it to us. Ruth Ann Arfsten had concerns about the plan coming prior to them knowing what is going to happen at their property. Mayor West offered that Archer could come out to talk to her prior to the plan being drafted. **Mayor West will talk to Archer about that.**

9. NEW BUSINESS

- Town Clerk position

Mayor West discussed the resignation of Sean Hogan and recommended that Heather Yanda be appointed the new Town Clerk and then find a new person to fill her position. A job description for an Administrative Coordinator/Deputy Town Clerk was given to the Council. Mayor West requested a \$2 per hour raise to reflect the increase in responsibility. Ruth Ann Arfsten questioned whether there was something in place that called for a three-month probationary period prior to a raise. Dan Krob responded that it is up to the Council as the employer and could be dependent on whether it is someone who has already been doing the job or if it is someone you're not familiar with. Discussion of Heather's hourly rate ensued.

MOTION: Mindy Kazurova made a motion to appoint Heather Yanda as the Town Clerk with a \$2 per hour pay increase starting the next pay period. Jim Landon seconded the motion. Discussion about Sean Hogan's departure. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:13:23

Mayor West administered the oath of office, swearing Heather Yanda in as Town Clerk.

- New staff position

Discussed that new position would be posted on website, social media, and CML "clerkserve" site for two weeks and then post on Indeed and other sites after that period if needed.

MOTION: Sandy McKeown made a motion to direct staff to begin looking for people to fill Administrative Coordinator/Deputy Town Clerk position. Mindy Kazurova seconded the motion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:19:51

- Board of Adjustment

Mayor West discussed Board of Adjustment. If anyone knows of someone in town who would be interested, please let them know. We have to appoint a board of five.

- Semocor report

Regarding the Semocor report, Mayor West pointed out that those living on Frink or Frank road may have noticed a smell. This is due to them getting the aerators up and running after the winter. They are adding hydrogen peroxide, but there may be a stronger smell for a couple days.

If you have seen the black trash bag over the fire hydrant, the reason for this is because they are waiting on a fitting to arrive so they can fix it. It should be fixed soon.

10. CONSTRUCTION & DEVELOPMENT PROJECTS

- 233 Perry Park Ave – no new update
- 9138 Spruce Mountain Road – Had pre-application meeting on 4/7/23
- Travel Center – Waiting on review comments from CDOT and Douglas County; it will take about two weeks to get their review comments.

Posted: 4-17-2023 by HLY

Page | 4

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Sam Doyle said that he had talked to the railroad, and they didn't know about this project. Mayor West gave names of who she has been talking to and gave an update on the status of the railroad review. Dan Krob said we can give him the inquiry number as well.

- Jellystone/Steyn – no new update

Mindy Kazurova has been fielding questions from the community. Mayor West clarified that no work should be taking place currently. Mindy said that there is a lot of concern about the noise there and wondered if a noise study had been done or if there is any type of enforcement. She brought up that people thought that the Joey Edge house had been torn down. Mayor West said that she would follow up on that.

11. ACCOUNTING

- Payroll report **Audio Time Stamp: 1:31:09**

- General Fund (including Road & Bridge and Park funds)

MOTION: Isaac Levy made a motion to approve the general fund bills in the amount of \$63,307.69. Mindy Kazurova seconded the motion. Discussion – Ruth Ann Arfsten questioned some of the permits listed on general fund, GMS, Krob Law, and Verizon charges. Six (6) ayes, one (1) opposed – Ruth Ann Arfsten. Motion passed.

Audio Time Stamp: 1:37:55

- Water & Sewer Fund

MOTION: Isaac Levy made a motion to approve the water and sewer fund bills in the amount of \$89,965.67. Sandy McKeown seconded the motion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 1:43: 39

12. LEGAL UPDATE

- Planner for consideration. **Audio Time Stamp: 1:44: 36**

Two planners have come forth as options. Dan Krob talked through items related to hiring a planner and answered questions pertaining to our code and the process with regard to a site plan. Ruth Ann Arfsten suggested that we use Sam Doyle's expertise to assist us with this process.

MOTION: Mindy Kazurova made a motion to appoint Sam Doyle to interview and vet potential planners along with Council representation and to bring a recommendation to Council for the travel center project. Lynn Pfaff seconded the motion. Six (6) ayes, one (1) opposed – Jim Landon. Motion passed.

Audio Time Stamp: 2:14:52

13. STAFF COMMENTS

14. MAYOR'S REPORT. Audio Time Stamp: 2:19:16

Mayor West sent an email regarding the airport project to add a comment to that file stating that we were not interested in that project.

Mayor West asked Council if they would like to do a statement on the travel center, stating where we are in the process and why Council is not making comment on it yet.

MOTION: Mindy Kazurova made a motion to do a short public service update to the community on social media and website on the travel center project. Sandy McKeown seconded the motion. Six (6) ayes, one (1) opposed – Ruth Ann Arfsten. Motion passed.

Audio Time Stamp: 2:25:40

15. COUNCIL COMMENTS

Jim Landon – Resigned from Council due to wife’s health concerns and the fact that they will be moving soon. **Audio Time Stamp: 2:36:22**

Isaac Levy – Asked about clean-up day; 6/10 from 10 to 2pm. **Audio Time Stamp: 2:39:01**

Ruth Ann Arfsten – Stated that the reason she is on Council is to protect people from being abused as her family was abused. Stated that she is being followed. Mayor West encouraged her to call the police.

Audio Time Stamp: 2:39:36

16. UNSCHEDULED PUBLIC APPEARANCES Audio Time Stamp: 2:41:54

Sam Doyle – travel center

Tricia Bernhardt – travel center

Shawn Carol – travel center

Marvin Cardenas – Requested that log in front of cabins be moved and replaced with boulders

MOTION: Mindy Kazurova made a motion to move the log at the cabins and replace with boulders. Lynn Pfaff seconded the motion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 2:51:29

17. ADJOURN

MOTION: Mindy Kazurova made a motion to adjourn. Lynn Pfaff seconded the motion. Seven (7) ayes, zero (0) opposed. Motion passed.

Audio Time Stamp: 2:51:29