



REGULAR COUNCIL MEETING

Town Hall
8720 Spruce Mountain Road
Larkspur, Colorado 80118
August 05, 2021
6:00 PM

MINUTES

Pursuant to the emergency declaration all Town Council members, including the Mayor, and Town Clerk shall be attending the meeting by Zoom Meeting or telephone and members of the public shall have the ability to attend and monitor the meeting by Zoom Meeting or telephone as well.

Sean Hogan / Town Clerk is inviting you to a scheduled Zoom meeting.

Topic: Reg Town Council Meeting Town Clerk's Zoom Meeting

Time: Aug 5, 2021, 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82204111194>

Meeting ID: 822 0411 1194

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MEETING CALLED TO ORDER/ROLL CALL: The meeting was called to order at 6:00 pm and all members were present.

	<u>PRESENT</u>	<u>ABSENT</u>
Mayor Isaac Levy	X	
Mayor Pro-tem Sandy McKeown	X	
Sherilyn West	X	
Paul Bowers	X	

- I. PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited by all present councilmembers.
- II. MOTION TO APPROVE AGENDA:** Councilmember Paul Bowers made a motion to approve the Agenda for the Regular Council Meeting of August 5, 2021, seconded by Councilmember Sandy McKeown. No discussion. In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.

Posted: 8-20-2021 SBH

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III. MOTION TO APPROVE MINUTES:

- Regular Council Meeting Minutes from August 5, 2021. Councilmember Paul Bowers made a motion to approve the July 22, 2021, Council Meeting Minutes, seconded by councilmember Sherilyn West. Discussion: Councilmember West wanted the outcome of the Executive Session put in the minutes. The minutes were corrected by the Town Clerk. **In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed, Motion Carried.**
- Mayor Levy presented information on the election. The three finalists at this point are Mindy Kasurova, Lynn Pfaff and Ruthann Arfsten. The final results will be given on Friday, August 13, 2021.

IV. SCHEDULED PUBLIC APPEARANCES:

- Ed Blanchard: He was not available.

V. ACCOUNTING:

- Finance Update: Donnelle Johnson gave a financial update and reviewed the bills to be paid for the General Fund: A motion was made by Councilmember Sandy McKeown to pay the outstanding general fund bills in the amount of \$39,420.01 which includes ACH payments, seconded by Councilmember Sherilyn West. Discussion: United Site Services had two invoices fall in the same accounting cycle. The bobcat died and it had to be taken out of commission. Donnell will change the billing cycle as requested by the Council. Donnell will also charge against the credit Tim Dumler has and request that he add more money to build it up. **In a roll call vote, Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.** A motion was made by Councilmember Sandy McKeown to approve the outstanding water and sewer bills in the amount of \$16,228.77, seconded by Councilmember Sherilyn West. **No discussion. In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**

VI. COMMISSION AND BOARD REPORTS:

- PLANNING COMMISSION: Zoning changes will be addressed later in the meeting.
- WATER & SEWER BOARD: The Town Clerk read an email from Tricia Bernhardt saying she will chair the September meeting and then her term is up. She is asking for volunteers for the Board.
- PARK & RECREATION BOARD: There was no one present to report.

VII. CONTINUING BUSINESS:

- TOWN HALL REPAIRS: These repairs are not in the budget so we will have to amend it. We are still waiting for a bid. The Town Clerk is afraid the porch or walkway will collapse and cause injuries.
- Larry Armbruster Asphalt Repairs (Bids): The Council was concerned about the price of the bids and if we had money in the budget. Donnelle Johnson verified that we had bumped up the Road Repairs line item to \$80,000.
- Front Range Trail: The Council wants to see where the original trail began versus where it is now. The Town Clerk will have the information for the next Council Meeting.
- DRCOG Sidewalk Grant: Art Griffith, with Douglas County DRCOG gave a presentation on the

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sidewalk grant. He said he and the former Mayor, Marvin Cardenas had a conversation about de-federalizing this grant. Right now, the Town will receive Federal funding for \$400,000, but there are some options he wanted to present Council. The first option would be for Larkspur to manage the project and enter into an IGA with CDOT and there's a lot of paperwork and you would have to hire someone to manage all the paperwork. If you go with that option, they will help the Town find a consultant to help with the project. Even if the Town does not receive construction funds for bicycle and pedestrian walks, everything has to go through the CDOT Review process, this can be very cumbersome. The second option is to have Douglas County swap the \$400,000 and use the funds for Federal highway projects and the County would come up with 400,000. So basically, the Town would swap out Federal money for County money and do away with all the Federal paperwork that the Town would have to hire a consultant to complete. The Town Clerk has a copy of the Town's Completed Approved Application for the Grant. **A motion was made by Councilmember Sherilyn West to have A Public Hearing to discuss sidewalk alignment in the Town of Larkspur on August 26th at 6:00. No discussion. In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**

VIII. NEW BUSINESS:

- Contract Planner, Kum and Go Project (Dan Krob): Dan talked about a potential developer. We talked about hiring a town planner and Joy does a thorough job. Under a PUD zoning, with no development plan, we have a lot of small decisions to be made. Mr. Gorrell, Tim Dumler's attorney was on the phone and explained. Tim Dumler plans to have 6 site applications. The #1 site is his gas station. We have to subdivide the rest into single tracts and zone them commercial. Right now, it is PUD. The process was started but never completed so they are working on the details and Dan Krob is looking for a Planner to put together this Plan. **A motion was made by Councilmember Sherilyn West to have Dan Krob pursue a Planner Proposal to line someone up for the Council to review, seconded by Councilmember Paul Bowers. Discussion:** Dan would not hire anyone; he would present applications to the Council for their approval. **In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**
- IT Liability Coverage payment: Paul Gustafson our IT company, wanted the Town to waive or reduce the insurance liability payment for his services. Dan Krob said to use one contract for all insurance requirements and make sure the Town never pays out of pocket. He will give the basic contract to Isaac to review. Insurance benefits should vary by the services provided. The Town Clerk and Town Attorney will look over each of the contracts to see what amount of insurance should be provided to each contractor.
- Larkspur Pizzeria Liquor License Transfer: The new owners are requesting a transfer of the liquor license. The Town Clerk asked if the Council wanted to have a Public Hearing. **A motion was made by Councilperson Sherilyn West to approve the transfer of liquor license to the new owner, seconded by Councilmember Sandy McKeown. No discussion. In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**

IX. CONSTRUCTION AND DEVELOPMENT PROJECTS:

- Consideration of Quit Claim Deed to Tracts (E)(F): Tim Dumler's attorney, Mr. Gorrell explained they are trying to clean up all the items to proceed with the development of Tim's property. They are sorting everything out so he can subdivide 7 lots so they could be retained, leased or sold off. All utilities will have to be installed and by subdividing, the parcels can be put under commercial zoning and each lot subject to same rules imposed by the Town. The two tracts (E)(F) at the bottom were platted as Douglas Valley Estates in 1993 and

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dedicated to the County; however, there were no legal steps or signatures completed. Off the Chain II owns all this property. IREA wants these tracts, but they are in private ownership.

Doug and Rachel Small gave a quit claim to Tim Dumler. The County quit claimed these parcels to the town but they didn't own them so that is no good. To proceed with Title Insurance evidence, the Title Company wants to clear all clouds on the Title by having the Town quit claim the parcels to Off the Chain II. Dan Krob is neither against nor for this proposal, but he agrees with the analysis. It has to be done by Ordinance and the Ordinance was in your packet. **A motion was made to approve the Ordinance 2021-07 to Quit Claim the Town's interest in these tracts to Off The Chain II by Councilperson Sherilyn West, seconded by councilperson Paul Bowers. No discussion. In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**

X. LEGAL UPDATES:

- Dan Krob asked about waiving the \$12,000 drainage study for Great Western Tree Company. It was agreed for Mayor, Town Clerk, GMS, Town Attorney and Great Western Trees to get on the phone and talk about this next week in the interest of expediting this matter so Great Western Tree Company can move on.
- **Resolution 2021-11 Hazard Mitigation Plan Adoption:** Referend Mitigation plan not in Packet so Town Clerk will send to council for review for vote at next Town Council Meeting.
- **Resolution 2021-12,** A Resolution of the Town Council of the Town of larkspur Extending the Local Disaster Emergency in and for the Town of Larkspur, Colorado. **A motion was made by Councilperson Sandy McKeown to approve Resolution 2021-11, seconded by Councilperson Sherilyn West. No discussion. In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**
- **Ordinance 2021-06 Zoning Uses By Right:** **A motion was made by Councilperson Sherilyn West to approve Ordinance 2021-06, An Ordinance Amending the Larkspur Municipal Code Section(s) 16-1-60, 16-7-400, 16-7-410, 16-7-470, 16-7-480, 16-7-540, 16-8-550, 16-7-620, And 16-7-630 Regarding Uses By Right and Uses By Special Review in Various Zoning Districts, seconded by Councilperson Sandy McKeown. Discussion:** Dan Krob went through the Ordinance. **In a roll call vote of Four (4) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**
- Possible Executive Session for advice on specific legal question: It was determined that no executive session was necessary.

XI. MAYORS REPORT:

- **\$500 PTO Donation:** The PTO Donation was used for a family barbecue. Also, a letter was written to the Town describing the parking problem during Renaissance and the trash that was littered throughout the parking lot. The PTO is now charging \$30 for people to park in the school lots and the money will go to the PTO Club.
- CRF is going well this year and receipts are at a record high.
- Mayor commended James on getting the remotes for the dump sorted out. He was responsible for getting them paid for under the CARES Act. Good job James.
- The speeding question was brought up and continues to be a problem, but it will be addressed after we get a full Council.

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- We are nearing the end of Music in the Park and will hold a raffle at the last event to give away a bicycle.
- The Water Rate Study was revisited, and we still need the Water Study done to raise commercial water rates. Mayor Levy is working with the Town Engineers.

XII. COUNCIL COMMENTS:

- There are some illegal vehicles parked on property in Town and the Ordinances need to be enforced if they are illegally camping. In one case the person who lives on the property is a renter and has others living in temporary vehicles.
- ATV use in the Town of Larkspur was discussed and some councilmembers were in favor of having the ordinance reviewed. Dan Krob said other towns have approved their use on town streets and he will bring ordinances to the next meeting for the Council to look at.

XIII. UNSCHEDULED PUBLIC APPEARANCES: (3 min limit):

- None.

XIV. ADJOURN: A motion was made by councilperson Paul Bowers to adjourn the meeting, seconded by councilperson Sandy McKeown. Meeting adjourned.

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