



REGULAR COUNCIL MEETING

Town Hall
8720 Spruce Mountain Road
Larkspur, Colorado 80118
August 19, 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 19, 2021, 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88423250011>

Meeting ID: 844 2325 0011

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Meeting ID: 844 2325 0011

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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.

PRESENT

ABSENT

Mayor Isaac Levy

X

Mayor Pro-tem Sandy McKeown

X (Present for beginning only)

Sherilyn West

X

Paul Bowers

X

Ruth Ann Arfsten

X

Mindy Kazurova

X

Lynn Pfaff

X

- I. PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited by all present councilmembers.
- II. The three new Councilmembers, Lynn Pfaff, Mindy Kazurova, and Ruth Ann Arfsten were sworn in as the new Councilmembers.**

Posted: 9-3-2021 SBH

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III. MOTION TO APPROVE AGENDA: Councilmember Sherilyn West made a motion to approve the Agenda for the Regular Council Meeting of August 19, 2021, seconded by Councilmember Sandy McKeown. No discussion. In a roll call vote of Seven (7) approved, zero (0) opposed, Mayor affirmed. Motion Carried.

IV. MOTION TO APPROVE MINUTES

- Regular Council Meeting Minutes from August 5, 2021. A Motion was made by Councilmember Paul Bowers to approve the minutes of August 5, 2021. Councilmember Sherilyn West said there was one correction before Continuing Business where Paul Bowers made a motion to approve the sidewalk grant and then the Council wanted to have a public hearing. Councilmember Paul Bowers made a motion to approve the minutes as corrected, seconded by Councilmember Sherilyn West. No further discussion. In a roll call vote of Four (4) approved, Three (3) abstentions Mindy Kazurova, Ruth Ann Arfsten, Lynn Pfaff, Mayor approved. Motion Carried.

V. SCHEDULED PUBLIC APPEARANCES:

None.

VI. COMMUNITY WILDFIRE PROTECTION PLAN:

Presentation by Keith Worley, Forester and Wildfire Mitigation Specialist. Keith proposed a Wildfire Protection Plan between the Town of Larkspur, Larkspur Fire Protection District and the Douglas County Sheriff's Office of Emergency Management. The Plan is not mandatory, it is just a recommendation. The Plan allows the fire department to work closely with residents. This Plan is the tool that allows you access Grant Funding and helps the Town partner with County and State fire districts. Councilmember Sherilyn West made a motion to adopt the Community Wildfire Protection Plan presented by Keith Worley, seconded by Councilmember Paul Bowers. No discussion. In a roll call vote of Seven (7) approved, zero (0) opposed, Mayor affirmed. Motion Carried.

MICHAEL ZAHORIK Town Annexation Digital Sign: Concerning the property owned by Boulderwood LLC, Lot on the corner of I-25 and Spruce Mountain Road. Mr. Zahorik is asking that the property be annexed into Larkspur so that he can erect a digital sign that would be a welcome mat to the Town of Larkspur. He is promoting advertising for the Town and development of the property that is now used as a transit location for construction on I-25, parking or dumping. He said the Town will receive the tax benefits for the annexation. He asked the Council to approve the annexation and the sign that would be visible to travelers going north and south on I-25. There were comments from Bill Lucero and Marvin Cardenas and neither of them were in favor of the sign. The Council was not on board with the sign but welcomed Mr. Zahorik to present a different use for the property for annexation to council.

VII. COMMISSION AND BOARD REPORTS:

- PLANNING COMMISSION: Matias Cumsille was not present for comments.

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- WATER & SEWER BOARD: Will Parker was not present for comments.
- PARK & RECREATION BOARD: Kat White had two items for the council to consider:
 - Dennis Gutenberg wanted the Council to approve a variance for the food trucks to move from the North end of the park to a location next to the horseshoe pits. An Ordinance was passed to put them at the North end of the park. The Park & Recreation Board is not in favor of them moving the food trucks because they would be on the grass and could cause damage to the sprinkler lines. Councilmember Paul Bowers made a motion; however, Dan Krob ruled against passing a variance until we can research it further.
 - The second item is the groundbreaking ceremony for the Veterans Monument. It will be held Saturday, August 28 at 10:00 a.m. There will be a symbolic groundbreaking of breaking ground and pictures will be taken of the founders of the monument. The event is open to the public and there will be speeches and refreshments served afterwards. There will be dedication when the monument is finished sometime after October 19th.

VIII. CONTINUING BUSINESS:

- TOWN HALL REPAIRS: The bids were given to council members, and it was discussed that we could only do emergency repairs. We do not have the budget to fix everything right now. Councilmember Paul Bowers was in favor of doing emergency repairs only, putting caution tape in the back deck area and at some point, redesigning the ramp to shed water.
- Larry Armbruster Asphalt Repairs (Bids): The Council looked at the bids from A-1 Chipseal, Seals and Stripes, and Skynova. James Stockstill explained the bids and a motion was made by councilmember Sherilyn West to accept the bid from Seals and Stripes in the amount of \$9,701.25 to seal Town roads and repair the property at 9531 Spruce Mountain Road, seconded by Councilmember Lynn Pfaff. **Discussion:** It was pointed out that the quote expires today. **In a roll call vote of Six (6) approved, Zero (0) opposed, Mayor affirmed. Motion Carried.** Since the bid is expiring today, James Stockstill called Seals and Stripes to notify them they got the bid.
- Front Range Trail: The Council wants to see where the original trail began versus where it is now. The information is in each Councilmembers packet. The portion that was approved in 2017-2018 are included. We have no pictures of how it appears now. The dotted lines show the trail as we want it to look. The bridge is holding up progress and the cost is shown on the last page. Sherilyn West said we put in a temporary bridge because you don't have to follow so many guidelines if you do temporary. Marvin Cardenas thinks we should stay on the west side of the creek. Paul Bowers would like to see a plan for crossing Plum Creek. The Mayor said if Archer is delaying this project, we should get someone else. We approved \$5,000 for Archer to provide topography maps. Everyone who walked the trail said it makes sense and Mayor Levy encouraged everyone to walk it. The fire department needs access in and out and the topo map will show the access points. We have more costs to evaluate due to steep grades. We will ask Randy for interpretations. We are scheduling a proposed walk of the trail; call Sean and he will put

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it together. If Archer can't do the mapping, we need to find someone who can so Mayor Levy can move on the land assessments and applications.

- DRCOG Sidewalk Grant: We have a Public Hearing scheduled for August 26. We will show 2017-2018 approvals. Sidewalks will go along the west side of Spruce Mountain Road around liquor store to Town Hall. We want to get the public's comment

NEW BUSINESS:

- IT Liability Coverage: CIRSA says they are not aware of any requirements. They are in line with what was told to us by Dan Krob. Dan says for professional liability we should require \$387,000 each, for \$1,093 million aggregate. With small contracts you should choose people who are insured but be aware they will build the cost of insurance into their proposals. Dan agreed to go through all the contracts and verify we are covered. It was decided we will not pay anyone's insurance.
- Contract Planner, Kum and Go Project (Dan Krob): Dan talked about Joy McGee who was on the phone call. He has worked with her in small communities and large cities. He said she is very responsive, and he would recommend her for 'at will' contract work. She gets through the intricacies of the project. Kum and Go is working on the Dumler project. This will be a reimbursable agreement paid by the developer not the Town. Dan Krob recommended RG & Associates for all phases of development because they are on of projects not to exceed \$15,000. **A motion was made by Councilmember Sherilyn West to use RG & Associates as planners for Off the Chain II for a reimbursable contract at no cost to the Town, seconded by Councilmember Lynn Pfaff. No discussion. In a roll call vote of Six (6) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**
- GREAT WESTERN TREE CARE UPDATE: Great Western Tree Care is working on items for their site plan. It was mentioned that they have supplies on the property. Mayor will have the Code Enforcement Office look into it since you cannot have supplies on property when you don't yet have an approved site plan.
- SPEED BUMPS: Now that we have a full Council, we can decide on the speed bumps; however, since Councilmember Sandy McKeown is out of town right now, she has requested the Council wait until she returns. The Speed Bump issue will be revisited when she returns.
- LODGING TAX: We have a share back for lodging tax with Jellystone where we collect 2% and keep 1% and give Jellystone 1%. Sean Hogan and Dan Krob are researching other towns and they are collecting 10%. Castle Rock is considering moving to 10% also. If we increase lodging tax, we can do some of the planned projects. Dan Krob was tasked with drafting a ballot question. When the total lodging and sales tax reaches \$650,000, the share back drops off. Councilmember Sherilyn West wants to know where we are moneywise now. Dan Krob says we may get pushback from Jellystone if we try to increase it 10%, Councilmember Sherilyn West suggested starting out at 4% and then increasing it to 5% in 3 years. Dan Krob wants to reach out to his consultant. He will draft up some language for the Council to review. Jellystone closes October to March.
- HAZARD MITIGATION RESOLUTION 2021-011: This is the part of the Plan that covers thunderstorms, flooding and other disasters that affect our community. **A motion**

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was made by Councilmember Sherilyn West to adopt Resolution 2021-11, A Resolution of the Town council of the Town of Larkspur, Colorado adopting a multi-hazard Mitigation Plan, seconded by Councilmember Paul Bowers. In a roll call vote of Six (6) approved, zero (0) opposed, Mayor affirmed. Motion Carried.

- **ATV ORDINANCE:** Dan Krob provided a link for Councilmembers to look at concerning the use of ATV or other recreation vehicles on Town roads. He stated there were some general provisions that most home rule communities adhere to such as a 16 to 18 age limit, licensed driver, insured, follow speed limits and sometimes specified areas where vehicles could be ridden. Dan Krob asked the councilmembers to review the link, give him some limits and he will draft up some verbiage for the Council to look at. There was a conversation where some Councilmembers were in favor of limiting the areas where the ATVs could ride. The issue will be discussed at the next council meeting.
- **BEAR ORDINANCE:** The Council wants to amend the Bear Ordinance to say plastic lids are not adequate for keeping bears out of the dumpsters. They want to specify metal lids. Dan Krob will provide some verbiage at the next meeting.
- **BOARDMAN MEMORIAL:** A motion was made by Councilmember Paul Bowers to waive the park rental fee for the Boardman Memorial Event, seconded by Councilmember Mindy Kazurova. **Discussion:** Council discussed a Resolution to waive Park fees for all memorials for Town Residents who pass away and perhaps a discounted rate for outlying communities. In a roll call vote of Six (6) approved, zero (0) opposed. Mayor affirmed. Motion Carried.
- **BOARDMAN FLOWERS:** It was decided the family could benefit more by a cash donation of \$300 rather than flowers. Dan Krob cautioned about giving cash. It was decided to give a food donation rather than cash. A motion was made by Councilmember Sherilyn West, to provide the family with a donation of food totaling \$300, rather than flowers, seconded by Councilmember Lynn Pfaff. No discussion. In a roll call vote of Six (6) approved, zero (0) opposed, Mayor affirmed. Motion Carried.
- **SPECIAL EVENT LIQUOR LICENSE FOR AUTUMN FEST:** The Town was asked to issue a special event liquor license to the Veterans Monument Group for the Autumn Festival. A motion was made by Councilmember Sherilyn West to issue the Special Event Liquor License to the Veterans Memorial Group for the Autumn Festival, seconded by Councilmember Mindy Kazurova. No discussion. In a roll call vote of Six (6) approved, zero (0) opposed, Mayor affirmed. Motion Carried.

IX. ACCOUNTING:

- **Finance Update:** Donnelle Johnson was asked to provide a number for the Council. She said the amount was \$1,273. She also stated she would check on the share back for Jellystone reimbursement and email the amount spent to date on lodging and sales tax. The Town usually provides reimbursement in May, but they have not asked for it yet.
- **CABIN UPDATE:** Regarding the cabin project, we approved \$1500, and Marvin overspent so Donnelle wanted the Council to either approve or deny the overspent amount. A motion was made by Councilmember Paul Bowers to approve the amount not to exceed \$1500 to wire the cabins and to provide a spending plan for any other items

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that need to be done, seconded by Councilmember Mindy Kazurova. **Discussion:** Mayor Levy wants Sean Hogan not to give his card to anyone in the future. **In a roll call vote of Six (6) approved, zero (0) opposed, Mayor affirmed. Motion Carried.**

X. LEGAL UPDATES:

- Best Practices: Dan Krob reported that CIRSA will do a half-hour presentation for Council on September 2. Dan will contact CIRSA to see if the meeting can start at 5:00 rather than later. He will schedule the meeting.

MAYORS REPORT:

- CAMERAS IN PARK: Mayor reported that cameras have been installed in the Park and should cut down on nuisance activities.
- RENFAIR PARKING PLAN FOR 2022: We plan to work in conjunction with Renaissance on a parking and traffic plan for 2022 Renaissance.
- TRI COUNTY HEALTH: Due to the Delta Variant, Tri-County Health is requiring masks in schools. There is rental assistance available if you qualify for it.
- CHARTER CHANGES: Karen is not available until October but when she returns, we will get an update on the details for charter changes.
- CODE RED: Set up Code Red on all your phones, contact Town Hall if you need help.

XI. COUNCIL COMMENTS:

- Sean's To Do List: Sean Hogan wants to keep all unfinished items on the agenda whether they are discussed or not. That way, nothing will drop off the radar. Council agreed with this practice.
- Sherilyn West warned about cell phone scams going around and Mayor Levy warned that if you get an email or text asking if you are available, it is not from the Town of Larkspur.
- Mindy Kazurova said the reviews on social media concerning the traffic and parking problems at Renaissance were not very favorable and some would not come back next year.
- Paul Bowers wanted to get some lighting pollution ordinances in place to keep electronic signs from sprouting up.

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

There were people from the audience that mentioned the traffic, parking and people darting across the roadways during Renaissance—a dangerous situation. Bill Lucero wanted to know why there were no capacity limits for Renaissance. Martin Cardenas questioned the mayor's pay.

XIII. ADJOURN: A motion was made by councilperson Lynn Pfaff to adjourn the meeting, All Ayes. Meeting adjourned.

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