



## REGULAR COUNCIL MEETING

Town Hall  
8720 Spruce Mountain Road  
Larkspur, Colorado 80118

**January 16, 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. OATH OF OFFICE: Town Clerk (Mayor Marvin Cardenas)**

- **Mayor Marvin Cardenas conducted a roll call to approve the signing on of the new Town Clerk Natasha Holland. In a six (6) to zero (0) roll call, the Mayor affirmed, the new Clerk was approved.**
- Introduction (Natasha Holland): New Town Clerk gave a brief introduction into her background.
  - ✓ Training Request (Lee Staab): Training requirements for the town clerk were proposed with a possible need to fund additional training for the town clerk. Natasha Holland will present these needs at the next town council meeting.

#### **IV. SCHEDULED PUBLIC APPEARANCES: (10 min limit)**

No scheduled public appearances

#### **V. UNSCHEDULED PUBLIC APPEARANCES: (3 min limit)**

**Sean Dower:** The new Fish and Game Warden for the area introduced himself to the town council and meeting attendees

#### **VI. MINUTES:**

- Meeting Minutes-December 19, 2019 *Draft*  
**Sandy McKeown motioned to approve the December 19, Meeting Minutes. Isaac Levy seconded the motion. Roll call resulted in a four (4) approved, two (2) abstained and zero (0) opposed, the Mayor Cardenas affirmed, THE MOTION CARRIED.**

## VII. COMMISSION & BOARD REPORTS:

- Planning Commission (PC) Report – Matias Cumsille, Chair
  - ✓ No update
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair
  - ✓ No update
- Parks & Recreation Board (P&R) Report – Randy Johnson, Chair
  - ✓ Proposal for the design, build out and funding of a concession stand at the Larkspur park baseball field. (Bill Fischer and Bill Kramer): Bill Fischer and Bill Kramer proposed a sketch for Town Council consideration of the concession stand near the baseball field. Discussion of further options on location and design took place. Bill Fischer will paint out the location for the purpose of providing a visual for Town Council. Council member Isaac Levy requested that the planning commission review the plan. Council member Paul Bowers requested more information into charter Health and Food Safety requirements that should be included for further consideration. Walter Korinke mentioned that Tony's is willing to set up other concession options for the Town Council to consider.

### ✓ Update

- Park Ordinances (Randy Johnson and Bill Kramer):
  - Bill Kramer went over ordinance changes which included time the park will be open, drone policy and staffing changes.
  - Time park was open and drone policy, changing from town staff definition
  - Council member Shannon Buss questioned resident group definition. Mayor Cardenas mentioned that there were no changes to that portion of the ordinance which dated from 1981.
- Veterans Monument (Randy Johnson and Bill Kramer): Bill Kramer gave an oral brief on the veteran's monument. Four local artists were contacted to submit a proposal all mentioned and it was agreed upon to use a local artist. Two proposals will be from Eric Usher and Dana Fuller which will be submitted soon. Shannon wanted the veterans committee to agree to the design. Discussion took place over the location, with the final site being north of the firepit for because it provides both a quiet location and a place of solitude for the veterans. The goal is to have this project completed and ready for Memorial Day.
- Proposed Park Benches (Bill Kramer): Bill Kramer proposed five different benches for the honorary fundraising bench project in the park. Council member Sandy McKeown wants to consider uniformity,

maintenance and total costs related to maintaining the proposed benches. Council member Paul Bowers does not want all benches to be fundraising benches and mentioned that he would like only half of them to be allocated to fund raising benches. Further discussion took place over the parking lot, foundation for the benches, and the progress made related to placing the cabins.

Bill Fischer explained the plans for the parking lot and moving of trees to expand parking.

Mayor Cardenas mentioned that March was the goal for passing the final decision

- Financial Advisory Board (FAB) Report-Walter Korinke, Chair  
✓ **No update**

## VIII. CONSTRUCTION & DEVELOPMENT PROJECTS:

- Jellystone at Larkspur
  - ✓ Mayor Cardenas confirmed that the Planning Commission reviewed site plan of the campground and met the with architect about placing more trees, with the proposal of planting 1500 trees and shrubs in the area. Shannon wants the promise to plant more trees in writing.
  - ✓ Well #3 (Lee Staab): Briefed Council on the need for Jellystone to dig a new well #3 and the open permit that is currently valid. Sufficient water is not currently being produced by well 3 for water sewer compliance. Recommended that in November that Jellystone make a formal request for their estimated water requirements for 2021.
  - ✓ Water Rights (Lee Staab): Briefed Town Council on his findings regarding water rights that was identified early this week. Planning Commission Board, as well as the Water and Sewer Board are reviewing this issue. This issue is a priority to determine what happened with the water rights when the annexation of the Steyn and Bear View property took place. Water from Steyn is believed to have been sent to Perry Park Water and Sanitation District. Mayor Cardenas mentioned that all water rights go to the town following an Annexation. The water rights should be with the town but currently the town does not have the rights. Further discussion and questions occurred to ensure full understanding of the issue.
- Water Treatment Plant:  
No report or updates at this time.
- Dumler Travel Center:  
Mayor Cardenas spoke with Dumlar, Colorado Department of Health, GMS and determined it was necessary for all entities to meet in order to reach an agreement.
- Moltz Constructors:

## IX. CONTINUING BUSINESS:

- Park Ordinance 2019-02 (Continued from 12-19-19 RM)
  - ✓ **Council member Shannon Buss motioned to approve the Park Ordinance 2019-02. An ordinance that amends Chapter 11 Article 2 of the Town of Larkspur Municipal Code. Council member Brian Cook seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
- Town of Larkspur Staffing Plan (Lee Staab): Briefed on new proposed employee FTE and savings with new payroll and financial outlook. Sandy asked about the librarian position being a Douglas County position paid for by Douglas County. Discussed the proposal of goals and objectives for an annual performance review for all town employee which would be the basis for a development plan and processes for improvement.
- 2020 Audit RFP (Lee Staab): Reviewed the Audit request for proposal. Accounting Manager will be presenting on the Audit proposals.
- Administrative Procedures (Lee Staab): Outlined key components on how to conduct an effective meeting. Not talking over each other, executive sessions requirements, how to amend an agenda, table of common motions were highlighted.
- Resolution 2019-12: Increase Water Rates (Continued from 12-19-19)
  - ✓ **Isaac Levy motioned to approve the Resolution 2019-12. A Resolution to increase water service fees. Sandy Mckeown seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

## X. LEGAL UPDATES:

- Legal Counsel RFP (Lee Staab): Legal counsel request for proposal has been prepared and we hope to have the new legal counsel approved in February. Advised Town Council they should make the decision on who will be providing legal counsel for the town.

## XI. NEW BUSINESS:

- Resolution 2020-01: Annual Designation of Public Notices Posting Location
  - ✓ **Council member Sandy Mckeown motioned to approve**

**the Resolution 2020-01. A Resolution to approve the posting location of public notices, an annual requirement of the Colorado Open Meeting Law. Council member Isaac Levy seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

- Resolution 2020-02: Request for Approval of 2020 Employee Holiday Schedule
  - ✓ After discussion over the proposed paid holiday dates outlined in the Personnel Policy that was passed by council in September 2019, Town Council decided to push the request to the next town council meeting for further review.
- Resolution 2020-03: Request for Approval of 2020 Town Council Meeting Schedule
  - ✓ Town Council continued Resolution 2020-03 to the next regular meeting. Town Council requested that the meeting in July be cancelled rather than rescheduled. The changes to the resolution are passed to be reconsidered at the next Town Council Meeting.
- Ordinance 5.38: An Emergency Ordinance amending Ordinance 5.37
  - ✓ Accounting manager explained the changes that were suggested by this amendment. Ordinance is needed for loan approval.
  - ✓ **Sandy Mckoewn motioned to approve the Emergency Ordinance 5.38. An ordinance that Amends defined terms, makes revisions and declares why the ordinance is considered an emergency and is deemed necessary for loan approval. Isaac Levy seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
- CDOT Maintenance and Operations Contract
  - ✓ **After brief discussion Mayor Cardenas suggested pushing to the next meeting in order to gather more information about the contract. CDOT to come and report to the Town Council to explain. Walter Korinke would like legal counsel to review the contract.**
- Replacement of Town Computer Hardware and Operating System for staff member Lynn Pfaff by recommendation of Paul Gustafson IT (Natasha Holland)
  - ✓ Council member Isaac Levy motioned to approve the purchase of a new computer for the Finance Assistant Lynn Pfaff at the recommendations of IT consultant Paul Gustafson. Council member Jennell Waggle seconded the motion. Sandy questioned the purchase due to past knowledge of computer upgrade. Discussion of IT upgrades were discussed between council and staff members. It was

determined that the motion was not necessary for purchases under \$2,000 and the purchase was allocated in the budget.

## **XII. ACCOUNTING (Heather McCumiskey)**

- Financial Update: Accounting manager provided a financial budget update on the current spending accounts and balances and projected spending.
    - ✓ USDA Refinance Update: Account manager provided a USDA refinance update with requests to approve the following motions:
      - **Council member Sandy McKeown motioned** to allow the Mayor to sign closing loan documents between the Town and USDA for a bond in the principal amount of \$ 2379000, plus interest on the unpaid principal balance at the rate of 1.625 % per annum. The said principal and interest shall be paid in the following installments on or before the following dates: \$ 40562 semi-annually on 5/1 and 11/1 beginning in 2020 until the principal and interest are fully paid except that the final installment date of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and payable 40 years from the date of signing. **Council member Shannon Buss seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
      - **Council member Jennell Waggle motioned** to give Heather McCumiskey authorization to transfer the following funds on behalf of the Town in order to have the funds necessary in the Water & Sewer Operating account to process a wire to Community Banks in the amount of \$212581.41, as the first step to complete the loan refinance process between the Town and USDA:
        - Transfer from General Fund Operating to Water and Sewer Operating in the amount of \$75,000 on January 17, 2020.
        - Transfer from Larkspur Tap Fees Reserve Escrow to Water and Sewer Operating in the amount of \$140,000 on January 17, 2020.”
- Council member Shannon Buss seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas confirmed, THE MOTION CARRIED.**
- Bills to Pay
    - ✓ General Fund: Discussion about certain line items were challenged. Bobcat of the Rockies invoice was taken out. The push for the bill is under further investigation. Mayor Cardenas will make it mandatory that James report expenses

to the mayor before purchasing.

- ✓ Council member Shannon Buss motioned to pay \$34,558.65 from the General Fund. Council member Paul Bowers seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.
- ✓ Water & Sewer Fund
- ✓ Council member Isaac Levy motioned to pay \$10,248.30 from the Water & Sewer Fund. Council member Sandy McKeown seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.

### **XIII. COUNCIL COMMENTS:**

**Paul:** Questioned the holidays resolution and the number of holidays and the price of the veteran's memorial. Veteran's memorial was projected to be about \$30,000 to be raised in a fund raising.

**Isaac:** Questions about Perry park incident. Walter gave him information about the incident involving law enforcement.

### **XIV. MAYOR'S REPORT:**

- Squad car location and role in slowing down traffic.
- Ordinance Violations was brought up and explained to the council. Five separate violations were brought up to council. Mayor Cardenas mentioned how the town plans to respond to the violation. Council and Mayor discussed solutions to all violations and how to take Council wants resolutions.
- ✓ Council member Jennell Left meeting before adjourned.
- ✓ Shannon Buss motioned for Brian to remove the water line. Paul Seconded the motion. Decision was made to allow Brian Cook to submit a letter for resolution. In a five (5) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.

### **XV. ADJOURN:**

- Council member Isaac Levy motioned to adjourn. Council member Paul Bowers seconded all ayes. All council members seconded the motion. In a five (5) to zero (0) voice vote, Mayor Cardenas affirmed the "ayes" carried it.

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

**Posted: 01-15-20 NLH**

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.