

**REGULAR COUNCIL MEETING**

Town Hall
8720 Spruce Mountain Road
Larkspur, Colorado 80118
February 06, 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: Appeared at 1817

II. PLEDGE OF ALLEGIANCE: Recited**III. SCHEDULED PUBLIC APPEARANCES:** (10 min limit)

- Senator Jim Smallwood District 4: Addressing Town. Senator Smallwood gave an update on what is happening both in Washington D.C and here in Colorado. Gave a brief introduction into who he was, his district boundaries and outlined his insight into the next calendar year with state business and what to expect. The Senator is running for reelection. He is one of the ranking members on the health committee. Senator Smallwood noted a positive outlook for working on partisan goals and reaching partisan agreements in some areas. Focused on paid family medical leave and free preschool, transparency in medical costs, and the death penalty repeal that did pass Senate chamber which he did oppose. Climate in the State Capital is friendly across the aisle; most are working on finding common ground.
We appreciate Senator Jim Smallwood for coming and speaking with our Town Council and Town Members
- Nikki Harris: Water and Sewer Tap: called out last minute did not show

IV. UNSCHEDULED PUBLIC APPEARANCES: (3 min limit)**V. Walter Korinke added a presentation of thanks to Wanda and Lee Staab for their**

dedication to helping the town. We want to thank both for their service to the town. Colonel Lee Staab for his unmatched wisdom and knowledge. Wanda for allowing us to access her husband during retirement.

VI. ACCOUNTING (Heather McCumiskey)

- Financial Update: Heather provided an update on the bank account balances. Questions occurred on the deficit and the upcoming Renaissance fair. Walter Korinke mentioned that the FAB is conducting an in-depth review into all the Renaissance financial processes and looking into how to get proper reporting from the Renaissance Festival vendors.
- **Motion: to give Heather McCumiskey authorization to transfer \$97,618.59 from General Fund Operating to General Fund Savings (Sidewalk Reserve) on February 7, 2020 for the purpose of getting the Sidewalk Reserve balance to \$165,000.**

Council Member Sandy McKeown motioned to approve the Transfer. Council Member Isaac Levy seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.

- Bills to Pay
 - ✓ General Fund: Review of the general fund bills to be paid took place.
 - **Council Member Shannon Buss made a motion to approve town of Larkspur general fund bills. Council Member Paul Bowers seconded. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
 - ✓ Water & Sewer Fund: Review of the water and sewer fund bills to be paid took place.
 - **Council Member Shannon Buss made a motion to approve town of Larkspur Water and Sewer Fund bills. Council Member Paul Bowers seconded. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
- Discussion over bills and expectations took place with the following highlights
 - ✓ Town Council request line items for legal Bills.
 - ✓ Any expense over \$100 by James is to be reported to the Mayor
 - ✓ Council Member Shannon Buss suggested mayor oversee maintenance and inventory log.

VII. LEGAL UPDATES:

- Legal Counsel Request for Proposal Update (Lee Staab)
 - ✓ Mayor briefed on his recommended firm.
 - ✓ Council Member Sandy McKeown asked about their opinion. She discussed what was she liked about the firm interviews

and her recommendation.

- ✓ Discussion took place over the options and Colonel Lee Staab would recommend Hoffman, Parker, Wilson and Carberry firm which also had a high reputation.
- ✓ Colonel will draft a contract for final approval for next Town Council meeting 20 Feb 2020.
- ✓ Discussion took place over who could contact the town Counsel. Currently it was agreed that Town Council can speak with the attorney. Each council member limited to two hours per month. Colonel mentioned that there will be a \$195 dollars per hour labor rate for the use of the lawyer and \$95 per hour labor rate for the use of the paralegal. The interview did lead to the clarification that any call under 3 tenths of an hour (18 minutes) the call would be free. Any bill should specify who made the call and how much for each call.
- ✓ We will be requesting all town legal records upon termination of contract
- ✓ **Council member Isaac Levy made a motion to have Colonel Lee Staab draft up a contract and termination letter for legal counsel changes. Council Member Paul Bowers second the motion. In a six (6) to zero (0) vote, the Mayor affirmed. THE MOTION CARRIED.**

VIII. NEW BUSINESS:

- Finance Audit Request for Proposal (Lee Staab): Lee Staab gave a briefing on the Audit RFP. Recommended that Town Council hire the number 1 or number 5 firm. Affirming that either firm would do a good job.
 - ✓ Level of effort is less the price will be less.
 - ✓ Hinkle & Company was listed as the Colonel's number one choice.

Council Member Shannon Buss, Council Member Paul Bowers seconded the motion to draft up a contract for the Hinkle and Company. Council Member Sandy McKeown wanted discussion and opinion from the Accounting Manager. Heather McCumiskey mentioned that some firms reached out for more information. After discussion open motion was voted on. In a (6) to (0) vote mayor affirmed the motion to hire Hinkle and Company, THE MOTION CARRIED.

- NEW ADD Lee Staab Briefing of the Jelly Stone Update
 - ✓ Colonel Lee Staab gave an update on the Jelly Stone issue regarding water rights. 54-acre feet that is still owned by the Town but a new well would have to be dug to access those acre feet. It was determined that the town was in fact paid the \$300,000.00 and the transactions were found.
 - ✓ Recommended that the developer must come into council and report the water that will be used for the following year
 - ✓ Colonel gave a quick speech of thanks for working with the town. We would like to thank the Colonel again for all his

invaluable work to making our town better.

- Resolution 2020-04: Request to Approve Walk-in Polling Ballot for April 2020 election. Brief explanation was provided.
Council Member Shannon Buss motioned to approve the Resolution 2020-04. A Resolution to approve a walk-in polling place election for April 07, 2020. Council Member Brian Cook seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.
- CDOT Maintenance and Operations Contract Decision. Mayor stated what the town would be responsible for within the contract.
Council Member Isaac Levy motioned to approve the Signing of the CDOT contract. Council Member Shannon Buss seconded the motion. In a six (6) to zero (6) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.
- Ordinance 2020-01: Approve Primary and Alternate Election Judges Compensation
 - ✓ It was noted that rates were reflecting previous payouts from past elections**Council member Shannon Buss motioned to approve the Ordinance 2020-01. An ordinance that approved the compensation of the primary and alternate election judges. Council member Isaac Levy seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

IX. CONSTRUCTION & DEVELOPMENT PROJECTS:

Nothing to report.

X. CONTINUING BUSINESS:

- Resolution 2020-02: Request for Approval of 2020 Employee Holiday Schedule.
Council Member Shannon Buss motioned to approve the Resolution 2020-02. A Resolution to approve the 2020 holiday schedule for town employees. Council Member Isaac Levy seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED
- Resolution 2020-03: Request for Approval of 2020 Town Council Meeting Schedule
Council Member Shannon Buss motioned to approve the Resolution 2020-03. A Resolution to approve Town Council Meeting schedule for 2020. Council Members Isaac Levy and Brian Cook seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED
- Clerks Training Brief (Natasha Holland)
 - ✓ 3-year training for all Clerk
 - ✓ Time: July 13-17 Training
 - ✓ Where: Regis University Campus in Denver

- ✓ Estimated preliminary Price \$750 for week-long training final numbers will be set in spring 2020.
- ✓ \$100 a night for Hotel. Live 1 hour away (recommend no hotel).
- ✓ Accounting Manager Heather McCumiskey has agreed to completing the meeting minutes for Town Council meeting 7-16-20

Discussion occurred over the importance of this training. Council Member Shannon Buss noted the organization conducting the training is a great organization.

Council Member Shannon Buss motioned to approve the clerks training not to exceed \$900 per year for three years training.

Council Member Paul Bowers seconded the motion. In a six (6) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED

XI. COMMISSION & BOARD REPORTS:

- Planning Commission (PC) Report – Matias Cumsille, Chair
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair
- Parks & Recreation Board (P&R) Report – Randy Johnson, Chair

Bill mentioned to hold off on a decision to wait for Bill Fischer to assist in any questions. Decision was pushed off until the next Town Council Meeting.

1. Veterans Monument Update; Randy Johnson, Bill Kramer
 - a. The committee has settled on two proposed renditions; see power point slides
 - b. Final proposal to the council may incorporate both proposals into one with the vets committee working with to two vendors to design a hybrid of both submissions.
 - c. Goal is to complete this project and dedicate it around July 4, 2020
2. Park Benches
 - a. Motion to approve marketing of the following benches in the park is requested
 - i. Cassidy Arch Back, metal, \$410.00 (sale price) _____
 - ii. Gateway, metal, \$538.00, _____
 - iii. Patterson Precast Concrete, \$798.00 _____
 - iv. Georgetown (existing in the park, Combination, \$698.00 _____
 - v. Sterling, combination, \$768.00 _____
 - b. Marketing price will be determined based on the cost of the bench times
 - c. Special circumstances will allow for a bench to be donated at 0 cost as specified from the council.

No final decision was made. It was determined that it would be best to make this decision on March 5th when the University of Denver Park Plan is to be presented to town council. The Town Council is looking for uniformity in the park benches and wants to review.

3. Ball Field Reservation Update

- a. Field Reservations
 - i. Raptors - Monday thru Friday March 2 thru June 12
 - ii. Tri Lakes L.L. - Saturday April 4 thru Saturday June 13
 - iii. Adult Softball - Monday-Tuesday June 15 thru August 31
 - iv. Adult Kickball - TBD
- Financial Advisory Board (FAB) Report-Walter Korinke, Chair
 - ✓ Walter handed out meeting minutes from the FAB meeting.
 - ✓ Directive to start studies on the water and sewer pipe replacement
 - ✓ Employee benefits, retirement and healthcare options
 - ✓ Sales tax for the Renaissance Fair

XII. MINUTES:

- Meeting Minutes-January 16, 2020 *Draft*
Council member Isaac Levy motioned to approve the January 16, 2020 Meeting Minutes with said correction of Tony to Tony's. Council Member Sandy McKeown seconded the motion. Council Member Shannon Buss mentioned that the minutes and packets were great. Roll call resulted in a six (6) approved, zero (0) opposed, the Mayor Cardenas affirmed, THE MOTION CARRIED.

XIII. MAYOR'S REPORT:

- Ordinance violation progress is being made. Some discussion took place over a site being suitable to inhabitants, and demolition permits as well as making the property livable. Procedure for permitting and the use of SafeBuilt was discussed.

XIV. COUNCIL COMMENTS:

- Council Member Brian Cook no comment
- Council Member Shannon Buss wanted to thank the Colonel Staab and Wanda again.
- Council Member Paul Bowers brought up ordinance violation. Discussion lead to council members agreeing that a procedure needs to be put into place for further review and approval. Colonel mentioned the use legal counsel opinion, time limits and the ability to establish a violation, public addressing of violations, procedures and the use of law enforcement for hand delivery of violation letter.
- Council Member Sandy McKeown wanted to show council to review the street plan for their information for the presentation that will take place on March 5th town council member. Email suggestions to Sandy so she can have them to DU before their presentation in March.
- Council Member Jennell Waggle does not believe that public announcing of ordinance violations is not okay. No other comment.
- Council Member Isaac Levy no comment

XV. ADJOURN: Council member Paul Bowers motioned to adjourn. Council

member Jenell Waggle seconded all ayes. All council members seconded the motion. In a six (6) to zero (0) voice vote, Mayor Cardenas affirmed the “ayes” carried MEETING ADJOURNED.

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.