



**REGULAR COUNCIL MEETING**

Town Hall  
8720 Spruce Mountain Road  
Larkspur, Colorado 80118  
**February 20, 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: Absent  
Brian Cook: Absent  
Sandy McKeown: Absent  
Isaac Levy: Present

**II. PLEDGE OF ALLEGIANCE: Recited**

**III. LEGAL COUNSEL: (1802-1817)**

- Approval and Signing of new Legal Counsel Contract
- Introduction of the new Town Legal Counsel

**Council Member Shannon Buss motioned to approve the Town Counsel Contract. Council Member Paul Bowers seconded the motion. In a four (4) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

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

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

Matias Cumsille: Went over the Jellystone site plan with the following recommendations

1. Row of tall evergreens and low shrubbery planted to screen water tank
2. 3 trees per campsite
3. Line of trees and shrubbery between highway and park-screen
4. All buildings in phases II, III, IV must be submitted for review and council approval
5. All buildings must follow design criteria.

Discussion took place over time frames and clarifications. Further the

development of the site plans. **Motion was made to approve the five above conditions: Council member Shannon Buss motioned to approve the recommend site plan conditions for Jellystone Campground Site. Council Member Isaac Levy seconded the motion. Developers need to be aware of the new design criteria. Roll call resulted in a four (4) approved, zero (0) opposed vote, the Mayor Cardenas affirmed, THE MOTION CARRIED.** Presented two ordinances that were pushed off for approval and final amendments and further review. Discussion took place over ADU with questions and legal counsel clarifying questions. Town's person mentioned their concern regarding the use of ADU for Senior and Disability Care. Variances or emergency urgency would be an option. Matias presented a site plan for the federation to include four cabins for people to stay. Requisitioned the use of one tap for water and sewer to supply all the cabins. Discussion took place over the requirements that the campground. Towns member wanted parking to be considered. Approval for cabins was moved to next meeting. Town counsel recommended that we pass this decision on to the Planning and Commission Board and they come back with a final recommendation.

**VI. MINUTES: (1830-1835)**

- Meeting Minutes-February 6, 2020 *Draft*

**Council member Isaac Levy motioned to approve the February 6, 2020 Meeting Minutes. Council Member Paul Bowers seconded the motion. Roll call resulted in a four (4) approved, zero (0) opposed vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

**VII. TOWN CLERK UPDATE: (1835-1845)**

Town clerk gave a presentation over the below subject matters.

- Meeting and Agenda Guidelines: to ensure proper meeting etiquette, reviewing packet material prior to meeting. Walter Korinke mentioned to legal counsel that we need to be updated on various codes that affect our Codes and Ordinances.
- Legal counsel and hourly consulting services procedure were discussed to ensure that what is being documented and reported matches up with the billing statements received by the town.
- Election Update: identified conflicting dates that make it difficult to ensure overseas military members have an opportunity to vote. It was recommended to council to update the election dates to match state statute.
- Emergency Ordinance 2020-02: Amendment to update the election dates that conflict with the State Statute.

**Council member Isaac Levy motioned to approve the Emergency Ordinance 2020-02. An ordinance that amended the election dates to match state statutes to avoid conflicting deadlines and allow overseas military the opportunity to vote. Council member Shannon Buss seconded the motion. In a four (4) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

- Legal Counsel Procedure
- Highlights for Upcoming Town Council Meetings

#### **VIII. COLONEL LEE STAAB BRIEFING: (1845-1700)**

- Rocky Mountain Fisher House ribbon cutting ceremony will be soon.
- Veterans located within the town can get information about obtaining some furniture and home appliances for need for veterans in town.
- 24 apartments in the Fisher House. Family remembers whose Veteran is receiving treatment at VA can stay at the fisher house for free.

#### **IX. ACCOUNTING: (1900-1910) (Heather McCumiskey)**

- Financial Update: update will be provided at the next Town Council Meeting 5 March 2020.
- Bills to Pay
  - ✓ General Fund
  - ✓ **Council Member Isaac Levy motioned to approve the general fund bills. Council Member Paul Bowers seconded the motion. Discussion was opened. Question over a lift for Christmas Lighting. Dorothy mileage was discussed. Council Member Shannon Buss wants accountability regarding mileage. In a four (4) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
  - ✓ Water & Sewer Fund
  - ✓ **Council Member Shannon Buss motioned to approve the water and sewer bills. Council Member Isaac Levy seconded the motion. In a four (4) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
  - ✓ Colonel mentioned the need to release all claims from Wright Water Engineers.
  - ✓ MOTION: To give Heather McCumiskey authorization to initiate the following transfers: \$81,124 from W/S WTP Lease Reserve to W/S Debt Reserve on February 21, 2020 for the purpose of meeting USDA requirements.
  - ✓ **Council Member Paul Bowers motioned to approve the Transfer. Council Member Isaac Levy seconded the motion. In a four (4) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
  - ✓ MOTION: \$24,053 from W/S WTP Lease Reserve to W/S Short Lived Asset Reserve on February 21, 2020 for the purpose of meeting USDA requirements.
  - ✓ **Council Member Shannon Buss motioned to approve the Transfer. Council Member Isaac Levy seconded the motion. In a four (4) to zero (0) roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

#### **X. NEW BUSINESS: (1910-1915)**

**Posted: 03-09-20 NLH**

- **Resolution 2020-05:** A request to amend the Larkspur Fee Schedule to include the reservation of the park band stand.

**Council Member Isaac Levy motioned to approve the Resolution 2020-05. Council Member Paul Bowers seconded the motion.**

Discussion took place over the fee schedule. It was recommended that we take a damage deposit in place of including a new fee into the fee structure.

Isaac withdraws the motion for a 3<sup>rd</sup> time. After discussion and at the recommendation of the Colonel, it was determined to put the band stand off until the next budget approval for the fee structure approval. Can offer the rental of the band stand as a donation.

- Mayor and Town Council compensation Discussion: NEED AMOUNTS decision
  - ✓ Salary structure. In the 2020 budget that was approved a \$50,000 and \$100 up to and was in the approved budget for 2020. Fulltime Town Manager at \$75,000 per year.
  - ✓ Mayor serves two functions: Town Manager and Mayor. Colonel's opinion that with Mayor taking on both positions and that the requirement for the fulltime manager will not exist, with other small towns of similar size not having fulltime mayor. Recommends the salary of the Town Managers portion would be at two days per week at 40 percent and include the mayor salary for a total of \$30,000 understanding that although the mayor works full time now, the future mayor will not be required to work full time. Colonel Lee Staab recommends that the level of effort match the compensation.
  - ✓ Legal Counsel recommended the Shannon Buss abstain from the vote for the conflict.
  - ✓ Discussion took place over what is necessary for accountability and staffing as well as meeting work requirements.
  - ✓ Town members spoke their opinion.
  - ✓ Legal Counsel was consulted about manager and mayor function tier pay and was not sure about the legal path will get back with an answer.
  - ✓ It was decided that a special meeting to resolve the issue would be held.
  - ✓ Town council member pay increase will take effect when the new town council members that are sworn in after April 7th.

## **XI. CONSTRUCTION & DEVELOPMENT PROJECTS: (1915-1920)**

- Dumler Project: discussion with developer and Corridor landowners took place. The developers will be responsible for paying sewer bill and next week's meeting will hopefully resolve this issue.

## **XII. BREAK: (1920-1925)**

### **XIII. CONTINUING BUSINESS: (1925-1935)**

- Code enforcement procedures for Ordinance Violations (Walter Korinke)
  - Walter gave a presentation over the violation procedure that was created to help resolve the ordinance violations
  - Discussion and clarification took place over the procedure
  - Legal Counsel was asked about setting up a municipal court and asked questions about how to handle municipal court.

### **XIV. COMMISSION & BOARD REPORTS: (1935-1950)**

- Planning Commission (PC) Report – Matias Cumsille, Chair
  - ✓ Presented earlier in the meeting
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair
  - ✓ Nothing to report
- Parks & Recreation Board (P&R) Report – Randy Johnson, Chair
  - ✓ Randy Johnson gave a quick overview on what is going on the Parks & Recreation Board
  - ✓ Bill is going to be moving forward with the concession stand at no additional fee to the town
  - ✓ Question on the memorial rock being moved to a new location
  - ✓ Bridge funds get allocated to Douglas County and cannot be applied for.
  - ✓ Working to connect trails
  - ✓ Veterans Memorial Meeting is happening this Friday 21 February.
  - ✓ Ball Field update: bookings are happening
  - ✓ Discussion over the Boy Scout sign. Follow up might not be possible. Larkspur section of the trail should stand out, they want to establish ideas.
  - ✓ Bathroom location will need to be included

**VOTE ON CONCESSION STAND: Council Member Shannon Buss made a motion to name the concession stand after Bill's family. Council Member Isaac Levy second the motion. In four (4) to zero (0) roll call vote, Mayor Cardenas affirms and the MOTION CARRIED.**
- Financial Advisory Board (FAB) Report-Walter Korinke, Chair
  - ✓ Nothing to Report

### **XV. MAYOR'S REPORT: (1950-2000)**

**Updated Council on the Travel Center and the sewer main**

**Updated on County Meeting:** Noted the County Commissioner's Meeting went well and relationships are developing. Sheriff Car: Conversation with sheriff's office and discussed traffic numbers. Started building great relationships with County.

**Senior Resources:** Douglas Senior Center partnership and meeting to help our seniors.

**Put together a maintenance schedule and inventory control**

#### **XVI. COUNCIL COMMENTS: (2000-2010)**

- **Council Member Shannon Buss: No Comment**
- **Council Member Isaac Levy:** Thanked the Mayor for all the work he has performed for free this year.
  - ✓ Asked about any progress on current violations
  - ✓ Mayor mentioned that he is still working with those that are in violation to create documentation and establish dates for violation correction.
- **Council Member Paul Bowers:** wanted to make clear the he is the Mayor's biggest supporter and comments were not a personal attack
  - ✓ Mentioned that there needs to be a special meeting to figure out compensation for the mayor and council members
  - ✓ Randy's Corner Market approved liquor license to sell liquor. Mayor noted that he contacted Randy about the issue and said to have Randy bring in his records so we can issue a license if state already approved the license.

#### **XVII. ADJOURN: 2010**

**Council member Isaac Levy motioned to adjourn. Council member Paul Bowers seconded all ayes.** Town members thank maintenance guys for all their work and helping to clear out gate. **All council members seconded the motion. In a four (4) 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.

Town Council meetings can be adjusted plus or minus 15 minutes from the timelines outlined within the Agenda.