



## REGULAR COUNCIL MEETING

Town Hall  
8720 Spruce Mountain Road  
Larkspur, Colorado 80118

**August 20, 2020**

6:00 PM

### **AGENDA**

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

Join Zoom Meeting

<https://us02web.zoom.us/j/83874010479>

Meeting ID: 838 7401 0479

One tap mobile

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**Please mute your phone by pressing “\*6.” Everyone wishing to speak will be afforded the opportunity to do so. Please come prepared with your statements. The public will be allowed to speak during public comment only.**

### **I. MEETING CALLED TO ORDER/ROLL CALL:**

Mayor Marvin Cardenas: Present

Mayor Pro-Tem Isaac Levy: Present

Paul Bowers: Present

Shannon Buss: Present

William Teague: Present

Brian Cook: Present

Sandy McKeown: Late

**Posted: 09-04-20 NLH**

- II. PLEDGE OF ALLEGIANCE: Recited**
- III. MOTION TO APPROVE AGENDA:**
- IV. Councilmember Shannon Buss made a motion to approve the agenda for the August 20th, 2020 Regular Council Meeting, seconded by Paul Bowers. No discussion. In a Six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.**
- V. MOTION TO APPROVE MINUTES: (1805-1810)**
- **Meeting Minutes Aug 06, 2020 Regular Meeting Draft**  
**Councilmember Shannon Buss made a motion to approve the Minutes from the Regular Council Meeting of August 6th, 2020 with one amendment stating that she has thanked the Mayor, William Teague and Bill Lucero for working their tails off in the park, seconded by Councilmember William Teague. No discussion. In a six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.**
- VI. SCHEDULED PUBLIC APPEARANCES: (10 min limit)**
- **401K ADP Presentation: Emma Rossetti**  
Emma Rossetti gave a presentation about the ADP's 401K and retirement package. ADP 401K Retirement Plan easily adapts to the payroll system. The lack of benefits has hurt the town in attracting and retaining qualified employees.
  - **Been Family Donation to the Park: The Been family has raised \$1200 that they would like to donate toward a Town Park Project. Mayor will be meeting with the family to help them choose a project they would like to donate toward. Gerry Been's memorial bench is in town hall if you want to stop by to see it.**
- VII. ACCOUNTING: (1820-18:30)**
- **Finance Update: Donnelle Johnson gave presentation about the status of the Town's finances, bank account balances, financial audit and SEP protect. Mayor suggested with the extra fees that the council agree to more trees for the extra funds in the SEP project. Council Member Isaac Levy made the motion to get more trees with the extra funding. Councilmember William Teague seconded the motion. In a Six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.** Mayor thanked Dana Fuller with Moondance Gardens for all her hard work in the park
  - **Bills to Pay**
    - ✓ **General Fund**  
**Councilmember Shannon Buss made a motion to approve the outstanding bills in the General fund in the amount of \$6,592.74, seconded by Councilmember William Teague. In a Six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.**
    - ✓ **Water & Sewer Fund**

**Councilmember Paul Bowers made a motion to approve the outstanding bills in the Water and Sewer Fund in the amount of \$15,215.26, seconded by Councilmember William Teague. In a Six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.**

✓ SEP Fund

**Councilmember Shannon Buss made a motion to approve the outstanding bills in the SEP Fund in the amount of \$4,845.24, seconded by Councilmember Paul Bowers. Councilmember Shannon Buss wanted to make sure the town knew that the money for the SEP project came from Tim Dumler. In a Six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.**

Town Clerk gave a presentation about the impending water issue, mill levy and TABOR finding. The agreement that was made for the well by the past town council could mandate raising the water rates an additional \$130.00 per month. The agreement broke down how the water should be getting funded, how it is being funded and how the agreement dictates the town make up the difference between the revenues and expenditures. The Town Council will need to get creative to find solutions and to be proactive for future replacements.

**VIII. COMMISSION & BOARD REPORTS: (1835-1840)**

- Planning Commission (PC) Report – Matias Cumsille, Chair:  
Did not attend
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair:  
Did not attend
- Parks & Recreation Board (P&R) Report – Randy Johnson, Chair: Did not attend. The Mayor noted that the board is looking for a place to put the sundial for Cindy Cramer’s husband—Cindy has a place she likes. We will decide by next council meeting.

**IX. CONTINUING BUSINESS: (1840-1900)**

- **Resolution 2020-25:** A Resolution Calling for a Special Election  
**A motion was made to approve Resolution 2020-25 by Councilmember Sandy McKeown, seconded by Brian Cook.**  
**Discussion:** Council Member Brian Cook noted that they had 50 signatures to show the support of the town residents and wants the people to make the decision through an election. William Teague referenced training from CML and believes the charter should not be changed and a personal pursuit. Councilmember Sandy McKeown stated that the charter change was brought up by the lawyer as something to investigate and was not personal. She believes it should go to the people. Councilmember Isaac Levy believes it should go to the vote of the people. Councilmember Paul Bowers noted that the Council voted to not make the Mayor a figurehead and increased his salary. He believes this is a waste of resources. Councilmember Shannon Buss noted the \$1.5

million dollars that was wasted by the last administration under a town manager that was grossly mismanaged, and the Town should not go back to that. The Council was split on the need to proceed with the charter change. **In a roll call vote, three (3) approved (Sandy McKeown, Brian Cook, Isaac Levy), three (3) opposed (Shannon Buss, William Teague, Paul Bowers), Mayor opposed. MOTION FAILED.**

- **Resolution 2020-26:** A Resolution Approving the IGA with Douglas County and appointing the Town Clerk to be the Designated Election Official. No motion was made  
Mayor made a statement submitted for the record. Please see attachment  
Councilmember Brian Cook asked about meeting minutes and questioned the process. Town Clerk gave an explanation as to the process and noted that they are looking into options.
- **Ordinance 2020-09:** Submitting Ballot Question to the Electors of the Town of Larkspur. No motion was made
- **Resolution 2020-27:** Extending the Disaster Emergency  
No motion was made

**X. NEW BUSINESS: (1900-1910)**

- **Moderator for Budget Cycle:** Councilmember Sandy McKeown suggested we have an impartial moderator from another governmental agency to act as moderator. **Councilmember Sandy McKeown made the motion to have a moderator for the budget workshop from CML, DOLA or the county and have the workshop in September. Councilmember William Teague seconded the motion. Council Member Shannon asked if Donnelle to be the moderator. However, Sandy wants someone that is not part of the town. In a roll call vote, six (6) approved, zero (0) opposed, Mayor affirmed. MOTION CARRIED. A tentative date for September 24<sup>th</sup> was suggested.**

**XI. CONSTRUCTION & DEVELOPMENT PROJECTS: (1910-1915)**

- No updates were provided

**XII. MAYOR'S REPORT: (1920-1940)**

- Council To-Do List: Mayor went over the council To-do list items that need to be addressed and updates on the items that have been addressed. **Councilmember Shannon Buss made a motion to move forward with the ordinance violation procedure. The motion was seconded by Councilmember William Teague. Discuss over the reason why the motion was made took place. In a Six (6) approved, zero (0) opposed, roll call vote, the Mayor affirmed. MOTION CARRIED.**
- Deferred Payment Update: The town is still waiting for the USDA
- Town of Larkspur Water System AWARD \$11,250.00: The town received the \$11,250 Award from the Energy Mineral Assistance Fund from the Colorado Department of Local Affairs.
- Town to Build a 6ft Fence at Park Boundary line. No dice

### **XIII. COUNCIL COMMENTS: (1940-1950)**

Councilmember Brian Cook would like to go on the record about his displeasure with the meeting minutes and division of the council, the concern of nepotism and lack of a newsletter. He would like a discussion on multifamily zoning and a commercial tap fee. Asked for clarity on the Bill Fischer for the dirt. The Mayor stated that he gave him permission.

Councilmember Paul Bowers noted that he has his own opinions when it comes to the multifamily home and his disapproval of the ordinance violations. He also noted his disapproval of the site plans on the major projects in town. Wants commercial water taps to increase.

Councilmember Shannon Buss asked about a few vehicles she saw in the town and tow those if needed. She believes that Councilmember Brian Cook abused his position by taking truck loads of dirt. She would like items not used by the maintenance yard in the maintenance yard to be auctioned off and the oil spill cleaned up. She reiterated that town is saving approximately \$270,000 in wages.

Councilmember Brian Cook noted that he believes he did not abuse his power, was not on council at that time, cleaned up the road himself and had permission to take road base.

The Mayor made a statement about the road base and asking Jesse Trueblood to stop taking the frontend loader to get road base for Brian Cook.

Councilmember Isaac Levy noted he represents the people and wanted to look into businesses being allowed to vote.

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

Formal councilmember Jennelle Waggle made a statement about businesses being allowed to vote.

Spur owner Barbara Sheldon made a statement about her disappointment in the council division, the charter change not going to the vote of the people and wants the council to stop looking in the past.

### **XV. ADJOURN: (2000) Paul Bowers made the motion to adjourn. Brian Cook Seconded the motion. All ayes, meeting adjourned**

Please note: The meeting minutes are a summary of the events that occurred during the meeting and are not a complete transcript of the meeting. If you would like to receive the transcript or audio recording you may file a CORA request with the Town Clerk's Office at Town Hall.