



## REGULAR COUNCIL MEETING

Town Hall  
8720 Spruce Mountain Road  
Larkspur, Colorado 80118

**March 19, 2020**

6:00 PM

### **MEETING MINUTES**

*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.*

Dial-in number (US): **(425) 436-6381**

Access code: **317995#**

*\*personal phone rates will still apply*

**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 Paul Bowers:

Present

Shannon Buss: Present

Jennell Waggle: Present

Brian Cook: Present

Sandy McKeown: Present

Isaac Levy: Present

#### **II. PLEDGE OF ALLEGIANCE: Recited**

#### **III. MOTION TO APPROVE AGENDA:**

**Council Member Sandy McKeown motioned to approve the March 19<sup>th</sup> Regular Town Council Meeting Agenda. Council Member Brian Cook seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED**

#### **IV. Declaration of Emergency Adopted by Town Council: (1808-1820)**

- **Resolution 2020-09: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR CONSENTING TO THE ORDER**

**Posted: 04-03-20 NLH**

OF DECLARING A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF LARKSPUR, COLORADO

**Council Member Sandy McKeown motioned to approve Resolution 2020-09. A resolution to declare a disaster emergency for the COVID19 crisis. Council Member Jennell Waggle seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED**

**Resolution 2020-10: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR APPROVING A REMOTE PARTICIPATION AND REMOTE MEETINGS POLICY Council Member Sandy McKeown motioned to approve Resolution 2020-10. Council Member Brian Cook seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED**

#### **V. QUESTIONS FOR LEGAL TEAM: (10 min limit)**

- Sandy McKeown asked about a part-time Town Manager and what would need to legally be done to proceed in hiring a town manager. The legal team noted the following:
  - ✓ Currently the responsibilities of the Town Manager are already being described under the Mayor.
  - ✓ A typical town manager would be appointed and therefore would be added to the code/charter.
  - ✓ Recommend amendment to the charter or code. An Amendment to the charter would require an election.
  - ✓ Recommend that the Town Council wait until November for a coordinated election.
  - ✓ Could hold a special election as well.

Mayor believes that we could simply have an assist and not amend the charter. Sandy wants to add a consistency to the code and wants a change.

Isaac believes the town clerk can take on some of the roles as she gains more experience.
- Paul Bowers has a question regarding legal question regarding a moratorium and whether to postpone council meetings. Attorney advised that the decision was up to the Council. Paul Bowers does not believe a raise at this time should happen.
- Brian Cook believes that we need to move forward with the Town Manager Position. It was noted that an advisor to the Mayor would not need to be included into the town charter/code
- Attorney asked about drafting some terminology. Brian believes that its not necessary to have a special election and just move forward with current issues. Sandy wants to put this on the November Ballot.
- Shannon Buss is against the town manager position and believes that we should move forward and discuss this later. Ruthie will pursue this topic soon.

#### **VI. SCHEDULED PUBLIC APPEARANCES: (10 min limit) None at this time**

**VII. UNSCHEDULED PUBLIC APPEARANCES:** (3 min limit): Steven Gonzales was recognized to speak. He noted his opinion on hiring a Town Manager and believes that both the Mayor and the Town Clerk already have the duties of a Town Manager covered and states that it would not be prudent or beneficial to hire a town manager at this time.

**VIII. MOTION TO APPROVE MINUTES:** (1838-1845)

- Meeting Minutes-March 5, 2020 Draft  
**Council Member Jennell Waggle motioned to approve the Town Council Meeting Minutes for 3/5/20. Council Member Sandy McKeown seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**
- Meeting Minutes -March 11, 2020 Draft Special Meeting
- **Council Member Shannon Buss motioned to approve the Town Council Meeting Minutes for 3/11/20. Council Member Sandy McKeown seconded the motion. In a six (6) approved, zero (0) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

**IX. TOWN HALL UPDATE:** COVID19 (1845-1850) Natasha Holland

- Town Clerk gave an update covering the COVID19 developments, the town businesses, and website updates.
- Council Member Paul Bowers questioned business openings. It was noted that most businesses are attempting to remain open at this time.

**X. ACCOUNTING:** (1850-1900) Mayor Marvin Cardenas a briefing regarding finances and possible postponing expenses and the USDA water bill. Paul Bowers asked about the Renaissance Fair and their opening. The Mayor will contact Jim Paradise and Darla Smith regarding their opening.

- Bills to Pay
  - ✓ General Fund  
**Council Member Isaac Levy motioned to approve the General Fund Operating Expenses for \$4,104.29. Council Member Sandy McKeown seconded the motion. In a six (6) approved to zero (0) opposed roll call vote, Mayor Marvin Cardenas affirmed, MOTION CARRIED.**
  - ✓ Water & Sewer Fund  
**Council Member Jennell Waggle motioned to approve the Water & Sewer Fund for \$14,864.10. Council Member Paul Bowers seconded. Council Member Brian Cook questions what could be deferred in the future? Jennell does not believe we should defer, Paul Bowers, Isaac Levy, Sandy McKeown and Shannon Buss believe we should pay now. In a six (6) approve to zero (0) opposed, Mayor Marvin Cardenas affirmed, MOTION CARRIED.**
  - ✓ Water Engineers

Council Member Shannon Buss to approve the Wright Water Engineering's final bill of \$2,882.25. Council Member Isaac Levy seconded the motion. Council Member Brian Cook wanted more discussion. Discussion took place and it was determined that Council wanted a more in-depth review. Council Member Shannon Buss rescinded motion.

**XI. NEW BUSINESS: (1900-1905): None**

**XII. CONSTRUCTION & DEVELOPMENT PROJECTS: (1905-1910)**  
Amendment to site plan will be going to the Planning Commission

**XIII. CONTINUING BUSINESS: (1910-1925)**

- **Ordinance No. 2020-04: AN ORDINANCE TO PROVIDE COMPENSATION TO THE MAYOR OF THE TOWN OF LARKSPUR, COLORADO**

Paul Bowers sought to push off the compensation increase till after the coronavirus crisis. Ruthie Goff (legal team) stated that waiting is not possible because of the ordinances outlined in the charter. Council discussed their options of voting now and Ruthie Goff noted that there could be a resolution drafted to pay the Mayor 90 days after. Council Member Sandy McKeown states that the COVID19 has no end and would like to vote about putting into place now. Council Member Brian Cook believes that the position of the mayor should be more than \$1000 a month and would like deeper discussion. He noted that these are tough times and wants strong leadership to help the community. Discussion took place over postponing the decision; however, the timeline will not allow the decision to be made after next meeting. Council Member Jennell Waggle stated that an appointed position and election official are two separate entities and believes that you are elected into the pay that is there, the mayor is not required to work x number of hours. Further discussion took place over the salary. It was noted that minimum wage would result in the \$24,960 per year salary. Further discussion took place over wages, noting this is not a minimum wage job and a possible \$30,000 per year. Council Member Isaac Levy recommended the salary to be increased to \$28,800. Council Member Sandy McKeown wanted more clarification on whether Lee Staab would help. Council Member Isaac Levy noted that Lee Staab would want the Council to come together collectively and decide. He wanted to show that the council could come together during this time. Further discussion took place over what would happen if future Mayor's do not uphold the duties of the position. Legal Counsel stated again that the only recourse for the lack of performance by a Mayor would be a recall as they are an elected official. Further discussion took place over recourse and accountability options. Paul Bowers noted that Marvin Cardenas is doing a great job but does not

believe we should sign this over the phone. He would like legal counsel to rewrite the ordinance then sign after the ordinance has been adjusted. Further discussion took place over the decision, putting it off until we have the correct verbiage and can show unity. Sandy McKeown noted the need to have a workshop regarding the scale down of the town during the COVID19 epidemic. Council Member Brian Cook noted we should vote on this tonight. Council Members made the decision that it would be the best idea to vote on this tonight to show that Council is working together to solve this issue.

- **Council Member Isaac Levy motioned to amend Ordinance 2020-04 to provide compensation as amended in section 1 for 28,800 dollars per year paid monthly. Council Member Brian Cook seconded the motion. In a five (5) approved, 2 abstains roll call vote, THE MOTION CARRIED.**
- **Ordinance No. 2020-05: AN ORDINANCE TO PROVIDE COMPENSATION TO TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO**  
Council Member Sandy McKeown would like to stay at \$50 per meeting. Council Member Brian Cook would like \$100 per meeting. Council Member Jenell Waggle reminded them that we agreed on \$75 dollars. Council Member Isaac Levy wants to stay at the current pay level.  
**Council Member Jennell Waggle motioned to approve Ordinance 2020-05 in the amount of \$75.00. Council Member Sandy McKeown seconded the motion. Further discussion took place over who was authorized to vote, and the amount. In a three (3) approved, two (2) abstained, one (1) opposed roll call vote, Mayor Cardenas affirmed, THE MOTION CARRIED.**

#### **XIV. COMMISSION & BOARD REPORTS: (1925-1935)**

- Planning Commission (PC) Report – Matias Cumsille, Chair  
✓ Nothing to report
- Water & Sewer Board (W&S) Report – Tricia Bernhardt, Chair  
✓ Nothing to report
- Parks & Recreation Board (P&R) Report – Randy Johnson, Chair  
✓ Nothing to report

#### **XV. MAYOR'S REPORT: (1935-1945)**

Noted the need to put up signage in the park warning against contamination in playing at the playground during COVID19

Mentioned that the next workshop meeting will likely require the need to go into executive session regarding ways to save money in town.

#### **XVI. COUNCIL COMMENTS: (1945-1955)**

Council Member Brian Cook: No comment

Council Member Sandy McKeown: would like to know if we are having a workshop about council members Tues or Wed for a workshop for 6 pm. It was decided that Wednesday, March 25<sup>th</sup> will be the day for a workshop.

Ruthie Goff required that we post the workshop in compliance with normal meeting requirements.

Council Member Paul Bowers: mentioned a non-essential employee plan

Council Member Jennell Waggle: No comment

Council Member Shannon Buss: asked legal a question regarding emergency ordinance and extending the emergency declaration. Ruthie explained that the resolution covered through April 16<sup>th</sup> and will need to be extended during the Town Council Meeting that night.

Council Member Isaac Levy: Wanted to remind everyone to be careful

#### **XVII. ADJOURN: (1950)**

**Council Member Isaac Levy made the motion to adjourn, Council Member Jennell Waggle seconded the motion, all ayes. 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.