



**TOWN OF LARKSPUR
REGULAR COUNCIL MEETING
SUMMARY MINUTES
October 4, 2018
6 PM
Town Hall**

MEETING CALLED TO ORDER by Mayor Gerry Been at 6 p.m.

PRESENT	ABSENT	NON-VOTING
Tabitha Parks		Town Attorney – Not in Attendance
Paul Bowers		Town Clerk/Manager -
Isaac Levy		Matt Krimmer
Heather Sanchez		
Jennell Waggle		
Mayor Pro-tem Jeremiah Holmes		
Mayor Gerry Been		

TOWN STAFF PRESENT: Michelle Wagner, Arlen Goertzen, Susan Kerry, Paul Grant (SEMOCOR)

PLEDGE OF ALLEGIANCE: Recited.

PUBLIC ATTENDEES: Toni Reynolds, Lisa Bowers, Gary Abel, Marvin Cardenas, Brian Cook, Vernice Fesing, Janet Been, Tricia Bernhardt, Marty Perrien

MOTIONS:

Isaac Levy made a motion directing Town Staff to have a traffic study performed on Spruce Mountain Road at the Larkspur Station Mobile Home Park entrance and on Perry Park Avenue at Douglas Blvd. to address traffic flow and vehicles speeding through those intersections and propose traffic management and control solutions. The motion was seconded by Tabitha Parks. A roll call vote was taken. Four (4) in favor, three (3) against (Paul Bowers, Heather Sanchez, Jeremiah Holmes); motion carried.

Isaac Levy made a motion to approve regular council meeting minutes for September 20th, 2018. The motion was seconded by Paul Bowers. Motion carried by unanimous voice vote 5-0-2.

A motion was made by Jennell Waggle and seconded by Paul Bowers to allow a Town staff member to take and record minutes of Town Council, Commission, and Board meetings and hearings, as required, transcribe minutes and place minutes on the Town’s computer share (S) drive. This duty will be considered part of the staff members normal work hours and will not be subject to overtime pay. A voice vote was taken. Six (6) in favor, one (1) against (Isaac Levy); motion carried.

Isaac Levy made a motion to approve a donation of \$300 to the Larkspur Elementary School Parent Teachers Organization (LES PTO) for their annual Fall Festival fundraiser on October 27th. Tabitha Parks seconded the motion which than passed by unanimous roll call vote seven (7) in favor, zero (0) against.

Tabitha Parks made a motion to approve Resolution 18-15, A RESOLUTION SUPPORTING DOUGLAS COUNTY SCHOOL DISTRICT'S BALLOT INITIATIVES 5A & 5B. The motion was seconded by Jennell Waggle. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.

A motion was made by Mayor Gerry Been and seconded by Jeremiah Holmes to adjourn the Council meeting. Motion carried by unanimous voice vote 7-0-0. Mayor Gerry Been adjourned the Council meeting at 8:10 p.m.

SCHEDULED PUBLIC APPEARANCES:

- **Gary Cooley, DCSD** – Presented a brief summary of the issues related to Douglas County School Districts Funding Challenges and Needs and urged DC residents to support the school districts ballot initiatives 5A & 5B.
- **Arlen Goertzen, Town Public Works Mgr.** – Presented his concerns about placing new stop signs on Spruce Mountain Road at the entrance to the Larkspur Station Mobile Home Park and presented traffic volume and speed data for North and South bound traffic past that intersection. Arlen also presented data regarding the number of speeding vehicles on Perry Park Avenue near Douglas Blvd. noting that section of road was more dangerous than Spruce Mountain Road. Arlen proposed several alternative options including conduct of a traffic study which the Council approved and directed be done as soon as possible.
- **Ed Blanchard, Town Resident** – Commented on concerns and issues related to the Town's new water treatment plant, future increased costs for water and sewer, sale of water to American Federation of Human Rights, Town's non-compliance with the 2006 Master Plan, extended absence of the Mayor from Council meetings, attitude and behavior of Council members to the public at meetings, and new developments on the North end of Town.
- **Michelle Wagner, Deputy Town Manager/Controller** – Updated the Council on the complaint and business operations issues regarding Bob Boardman's Larkspur Auto Body Shop. Paint fumes coming from the shop being used by a renter of the property continue to be a health concern and are continuing to affect the neighboring properties. Also, although Larkspur Auto Body has a State of Colorado business license good through 2019, the business has not had a Town business license since 2012 and Mr. Boardman is refusing to obtain a Town license claiming he is not operating a business but is working in the shop is a hobby. Michelle asked the Council for permission to have the Town's attorney review the matter and provide legal counsel.

UNSCHEDULED PUBLIC APPEARANCES:

- **Brian Cook** handed the Council a questionnaire requesting members of the Council complete the questionnaire and return it to him at the end of the meeting.
- **Vernice Fesing** informed the Council that members of the Federation (AFHR) were seen hauling and dumping slash materials (branches, grass clippings, weeds, etc.) from Federation property across Douglas Blvd. and dumping it on railroad property and Town's right of way. Vernice asked if this was permissible and if not, requested action be taken with the Federation.

ACCOUNTING:

- **2019 Preliminary Draft Budget** – Michelle Wagner summarily reviewed the draft preliminary budget for 2019 and reminded Council of the Budget workshop on October 25th at Bear Dance Golf Club.

COMMISSION AND BOARD REPORTS:

- **Planning Commission (PC) – Marvin Cardenas, Chair**, had nothing new to report. Matt Krimmer confirmed the PC public hearing for the OSI subdivision being held on October 8th, 6 p.m., at Town Hall.
- **Water and Sewer Board (W&S) – Trish Bernhardt, Chair**, had nothing to report as the W&S board needs to schedule a board orientation session with the Town Attorney prior to holding its first meeting.
- **Parks and Recreation Board (P&R) – Ralph Marsh, Chair**, was unable to be present. Matt Krimmer reported that P&R board members visited the DC Libraries gazebo in Castle Rock to determine feasibility of moving it to Larkspur. They are obtaining moving cost estimates.

TOWN OPERATION REPORTS: Matt Krimmer presented Planning and Building Department reports and status summaries of the development projects:

- **Construction & Development Projects -**
 - ✓ **Jellystone at Larkspur**
 - Lift Station CDPHE approval remains on hold awaiting feedback from Sun-Jelly on the Town's newly calculated financial commitment for Sun-Jelly toward the cost of a new Wastewater Treatment Plant a new Service Agreement with new operational ground rules for monitoring and managing flows from camp/RV sites
 - CDPHE has reviewed the Town's analysis and concurs with the proposed operational procedures for Sun-Jelly
 - ✓ **Dumler Travel Center** – Fill dirt and grading work continues and plans for construction of retaining walls underway
 - ✓ **Moltz Constructors** – Building construction underway
- **Building Department** – Building permit report provided

TOWN PROJECTS: Matt provided a status summary:

- **Water Treatment Plant (WTP)**
 - ✓ WTP building wall panels delayed from manufacturer. New delivery date is November 6th
 - ✓ We are waiting for USDA's response for imposing penalties spelled out to Velocity at September 7 meeting
- **Wastewater Treatment Plant (WWTP)**
 - ✓ On hold pending outcome of discussions with Sun-Jelly
- **Front Range Trail**
 - ✓ Nothing new to report
- **Crosswalk and Stop Bar Striping** – still trying to find contractor to respond

CONTINUING BUSINESS:

- CDOT I-25 GAP Project update – nothing new to report
- Marvin Cardenas will work with Tabitha Parks in acquiring information on “video recordings” for Council and Board meetings and present to the Council at the next meeting
- Matt Krimmer provided Council with an article and several municipality comments on a U.S. Circuit Court of Appeals ruling which states municipalities cannot ban sleeping on public property and overnight camping in public parks and open space

NEW BUSINESS:

- Council approved a request from the Larkspur Elementary School PTO for a donation of \$300 to their Fall Festival coming up on October 27th
- Council passed resolution 18-15 supporting DC School Districts Ballot Initiatives 5A & 5B

LEGAL UPDATES:

- Matt Krimmer reported an agreement has been reached with Douglas County on repayment of uncollected County Use Tax

MANAGER UPDATES:

- **LFPD Open House will be held this Saturday, October 6th from 10 a.m. to 4 p.m. along with the LVFA Chili Cook Off from noon to 4 p.m. at the fire station**
- **Larkspur Chamber Mixer will be held at Crooked Willow Farms, 10554 S. Perry Park Road on October 8th at 5:30 p.m.**
- **Planning Commission public hearing October 8th, 6 p.m. Town Hall**
- **Parks & Recreation board meeting October 9th, 4:30 p.m. Town Hall**
- **Next Council meeting October 18th, 6 p.m. Town Hall**
- **2019 Budget Workshop October 25th, 6 p.m., Bear Dance Golf Club**
- **LES PTO Fall Festival October 27th, 11 a.m.- 4 p.m., CRF**
- **Larkspur Community Blood Drive October 27th, 10 a.m.- 1 p.m., Town Park**

COUNCIL COMMENTS:

Isaac Levy – asked about monitoring trash and dumpster use at JS Enterprises and commented on trash dumpster use behind Charitos.

Jeremiah Holmes – commented that Planning Commission Board members need to stop questioning past and present Town Council decisions and focus on development of an updated Comprehensive Master Plan. **Jeremiah** also commented on the excessive amount of dust being generated by the contractors at the Jellystone campground and asked the Town Manager to take action to correct it.

Heather Sanchez – asked about reconciliation of sales taxes reported by the Colorado Renaissance Festival and year to date from Yogi Bear Jellystone Campground. **Heather** also commented on asphalt dumping on the side of the road near the mobile home park and on the property at the North end of Spruce Mountain Road.

Paul Bowers – informed Council of broken concrete dumped next to Plum Creek on the North side of the Plum Creek Avenue bridge. **Paul** also asked Town staff to look into the legitimacy of vehicles parked on Joe Rock’s property and inquired about the contract agreement being re-negotiated with Sun-Jelly.

MAYOR’S COMMENTS: **Mayor Been** informed the Council of funeral services being held for long time Town resident, Sarah Luchese, this coming Saturday, at 1 p.m.

MEETING ADJOURNED at 8:10 p.m.

Respectfully submitted,
Matt Krimmer
Town Clerk/Manager

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the audiotape recording maintained in the office of the Town Clerk.