



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
January 23rd, 2014
6PM
Town Hall**

MEETING CALLED TO ORDER: Mayor Gerry Been called the meeting to order at 6:00 PM.

ROLL CALL:

PRESENT	ABSENT	NON-VOTING
Lester Burch	Jennelle VanGorder	Town Attorney- Scott Krob
Sandy McKeown	Joseph Jeske	Town Clerk/Manager-
Matias Cumsille		Matt Krimmer
Mayor Pro-tem Shannon Buss		
Mayor Gerry Been		

PLEDGE OF ALLEGIANCE: Recited.

OTHER ATTENDEES: Paul Grant, James McVaney, Kristine Cutbirth, Tim Johnson, Florence Burch, Leroy Cruz, Kevin Archer

UNSCHEDULED PUBLIC APPEARANCES: **James McVaney** addressed the Council about the petition items for the April 2014 Larkspur ballot regarding adding a ballot question proposing a tax of 5% on recreational marijuana product growth, manufacturing, testing, and sales, and potential revenue which could be generated for the Town. He also commented on the proposed regulatory Ordinance for recreational marijuana.

SCHEDULED PUBLIC APPEARANCES: None.

NEW WELL PROJECT: Engineering – Matt briefed the Council on the well engineering RFP planning meeting held Friday, Jan 17 attended by Leroy Cruz, Kevin Archer, Mayor Been, Scott Monroe, Paul Grant, and Matt. The consensus of the participants was to not rebid the well engineering and use WWE since they prepared the Preliminary Engineering Report (PER) and had the background needed to proceed with the design and construction. Both Kevin and Leroy stressed the fact that using WWE would save time and money over having to bring a new engineer up to speed and possibly redo a portion or all of the PER. Leroy also noted the lending agencies favored using the engineering firm which prepared the PER.

A motion was made by Matias Cumsille and seconded by Lester Burch to have the Town Attorney draft a contract to engage Wright Water Engineering (WWE) to perform the engineering design for the new well and provide engineering specifications to proceed with drilling the well and related construction for the

water treatment and delivery system. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

PARK UPDATES: Matt presented a citizen proposal to designate parking spaces on the east side of the Park center parking lot as “restroom only” parking. Following a brief discussion Council determined such designation was not needed.

MINUTES: Public Hearing January 9th and Council Meeting January 9th.

Matt presented minutes for the January 9th, 2014 Public Hearing on the OSI property subdivision for approval.

Sandy McKeown made a motion to approve the January 9, 2014 minutes from the Public Hearing on the OSI property subdivision. The motion was seconded by Matias Cumsille. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Matt also presented minutes for the January 9th, 2014 regular Council meeting for approval.

Matias Cumsille made a motion to approve the January 9, 2014 regular Council meeting minutes. The motion was seconded by Sandy McKeown. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

BILLS TO BE PAID: \$48,613.48

Matt presented bills to be paid in the amount of \$48,613.48.

A motion was made by Shannon Buss and seconded by Matias Cumsille to approve payment of bills totaling \$48,613.48. A roll call vote was taken. Four (4) in favor, zero (0) against, one (1) abstention on payments to Fischer Enterprises (Mayor Been); motion carried.

SEMOCOR REPORT: Paul Grant informed Council of the need to drill new monitoring wells as required by State of Colorado health inspectors. The current wells are not in the right locations and new wells need to be drilled. Mayor Been pointed out the current well locations were approved by CDPHE and Paul explained over time new locations need to be sampled and therefore new monitoring wells have to be drilled.

CONTINUING BUSINESS:

- **OSI Subdivision** – Matt informed Council that the Town Attorney is modifying the OSI Agreement to include the Town’s use of the access road on the south side of their property west of Plum creek to the property east of Plum Creek being deeded to the Town. The revised agreement should be ready for signature next week.
- **2014 Water Rates** – Matt reminded Council of the need to address 2014 water rate increases.
- **Dump ID Key Cards** – Mayor Been informed Council of his discussion with Joe Yavorski regarding key cards and Joe’s offer to extend his key card contract for his new building to include the Town’s dump site at a considerable cost savings if the Town is willing to wait until later this year. Council agreed it was worth waiting for.

- **Election**

- ✓ **Ballot Question Petitions** - Matt provided copies of proposed ballot question petitions pertaining to recreational marijuana regulation and taxation and recommended Council members become familiar with the Ordinances being proposed by those petitions. If and when petitions with required number of eligible signatures are received and accepted by the Town Clerk they will be submitted to the Council for approval or for placement on the April 8th election ballot.
- ✓ **Ballot Language** – Scott Krob, Town Attorney, presented a draft of Ordinance 3.108 approving the recreational marijuana ballot question for the April 8th election.

A motion was made by Matias Cumsille and seconded by Lester Burch to approve Ordinance 3.108 submitting a question of whether to permit marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores in the Town of Larkspur to the electorate at the municipal election April 8, 2014. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

- ✓ **Nomination Petitions** – Matt reminded Council that nomination petitions for three Council seats would be available beginning February 18th.

LEGAL UPDATES: None.

NEW BUSINESS: None.

MANAGER’S REPORT: Matt reported that ads for the vacant maintenance position have been placed in the Colorado Community Media (CCM) papers, the Perry Park Sentinel, and with Colorado Arapahoe/Douglas Works. The CCM ad will run for two weeks beginning January 23. The PP Sentinel ad will be in their February edition, and the A/D Works ad will remain on their website until February 28 unless taken down sooner.

COUNCIL COMMENTS: **Sandy McKeown** asked what business was going into the old Monkey Face ice cream building. Matt explained it was a home décor and outdoor yard ornament business. The owners are local and although currently living in Castle Rock have roots in Larkspur.

MAYORS COMMENTS: **Mayor Been** informed Council the meter in front of the old ice cream shop froze in the meter pit and had to be replaced. This was due to inadequate depth of the meter pit and its location. He also commented the same problem existed with the meter pit in front of Spruce Mountain Wine and Spirits several years back. Mayor Been stated that any future homes being converted to a business with similar type of meter pits and locations need to be addressed by the Town and meter relocations required to avoid future problems.

A motion was made by Shannon Buss and seconded by Matias Cumsille to adjourn. Motion carried by unanimous voice vote and Mayor Been adjourned the Council meeting at 7:03 PM.

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 digital recording of the meeting, maintained in the office of the Town Clerk.