

**Minutes  
City of Leadville  
Regular Council Meeting  
August 16, 2016  
Leadville City Hall, 800 Harrison Avenue  
6:30 PM**

**COUNCIL MEMBERS**

**PRESENT:** Gwen Shepherd, Dave Chimovitz, Mayor Greg Labbe, Mayor Pro Tem Max Duarte, Mike Canty, Shoshanah Beck, Jake Mohrmann

**COUNCIL MEMBERS**

**ABSENT:** None

**STAFF PRESENT:** Bethany Maher, (City Clerk), Sarah Dallas, (Administrative Services Manager & Deputy City Clerk) Roy McGinnis, (Finance Director), Dan Dailey, (Fire Chief), Jim Schneiter (Street Dept. Supervisor), Robert Glenny (Police Chief)

**PUBLIC**

**PRESENT:** Ryan Fitzmaurice, Paul Backes & Bille from McMahan & Associates, Ilc., Karen Onderdonk, Rob Smith, Jackie Hawkins, Susan McCotter, Rohn Bertolas.

**6:30 PM CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

1. Agenda Revisions, if any.

Mayor Labbe wants to continue the Casa Sanchez items because he would like more time to talk more with Chief Glenny and CDOT.

Mayor Labbe moved, CM Mohrmann seconded 5 in favor-1 abstain

CM Mohrmann – Asked if it was currently a “Free for all?” Mayor Labbe said Yes and that is has been.

**PUBLIC COMMENTS** - None

**NEW BUSINESS**

**2015 City of Leadville Financial Audit, Presentation by McMahan & Associates**

Paul Backes, CPA from McMahan and Associates, I.I.c., described the process of an audit.

Billie described financial statements. Clean and unmodified statements. They can be materially relied upon to make decisions. Healthy financial position. CM Shepherd questioned the ability to use reserve funds for things that need to get done. Mayor Labbe suggested that the discussion gets moved to the work session on August 30<sup>th</sup>. Paul explained the letter included and that is required for them to include. He further explained issues with payments in police department, likely resulting from issue from former police chief. Mayor Labbe and CM Chimovitz discussed that this is likely the total loss amount for insurance for the former chief, in addition to firearms. He mentioned how they suggested again, as they did in prior audit, that the city create a committee for property seizure as well as evidence handling procedures. He suggested that getting cash receipting on hand at the Tabor Opera House would be really helpful. Clarified that donations are tax deductible and most likely would be coming through with donor agreement, not cash receipting.

Software issue – one payroll account not set up correctly... mapped incorrectly, not a huge issue but would be helpful to get it cleared up.

It's a good idea to deposit daily if you receive cash in the amount of \$600-1000.. otherwise weekly is appropriate.

CM Canty moved, Mayor Labbe seconded. 6-0 in favor

### **Adjourn Meeting of City Council Convene Local Liquor Licensing Authority.**

#### **St. Vincent Hospital Special Events Permit Birthday Celebration**

Karen Onderdonk – Party for celebration of anyone born at St. Vincent hospital and public party.. serve wine and beer. Soft groundbreaking and barbeque. They plan to use two tables to issue bracelets for over 21 years old and will have volunteers and signage to inform attendees not to take alcohol off site.

CM Canty moved, CM Chimovitz seconded. 6-0 in Favor.

### **Adjourn Local Liquor Licensing Authority meeting – Convene Board of Adjustments.**

Susan McCotter 225 E 9<sup>th</sup> Street Variance request for front setback relief.

Mayor Labbe read public hearing script.

Open public hearing at 6:34 pm

Susan McCotter – 225 East 9<sup>th</sup> Street – She would like to turn the handicap ramp into a front deck. The ramp goes almost to sidewalk now. It will have some sort of railing but not sure exactly what that will look like. It won't be higher than it currently is. Everything will be in compliance with building codes. Mohrmann - Feedback from neighbors? They were supportive and were curious about why she was going through this process. Ramp was there when she purchased home.

Public comment in favor or opposed? None

Close public hearing – Canty moved, Beck seconded 6-0 to close public hearing

No discussion from council. Motion to approve by CM Canty, MPT Duarte seconded

Chimovitz moved to adjourn, Beck seconded 6-0 in favor

### **Adjourn Board of Adjustments meeting – re-convene City Council meeting.**

#### **Resolution 12 Cities & Towns Week**

Mayor Labbe read the resolution in its entirety.

CM Chimovitz asked about the event's economic liability and how much the event will cost, referring to the open house. Clerk Maher confirmed it would cost a couple of hundred dollars. He suggested thinking about what it would take to get children here. CM Beck suggested budgeting for this in the future to make this a bigger event. Mayor Labbe suggested that this could help the public better understand how government works. CM Mohrmann suggested a dunk tank for the Mayor.

Mayor Labbe moved, CM Mohrmann Seconded. 6-0 In favor

#### **Resolution 13 Personnel Policy PTO Accrual Correction**

Put the wrong table in in prior version, but they have corrected that to what they had all agreed to last year.

Accrual table on page 3. Mayor Labbe moved, CM Canty seconded. 6-0 in favor.

#### **Resolution 14 Adoption of Model Municipal Record Retention Schedule**

Discussion regarding the reason for this manual, the details of the manual and record retention and destruction. CM Chimovitz discussed concerns with destruction of historical documents and certain time limits. Chief Glenn spoke in favor of the need for a retention policy and explained why. Clerk Maher discussed the excessive records in the city's possession and the potential for liability and cost to the city to keep unnecessary documents.

CM Canty moved, Mayor Labbe seconded. 6-0 in favor.

#### **8:22 pm break**

**Discussion and decision regarding IGA for City Clerk position with County and ballot questions for 2016 ballot**

## **8:27 Council Meeting called back to order**

Mayor Labbe - Discussed how he felt strongly about this matter and it has come to his attention that most cities do not have city clerk as elected official because of need for a professional in that position. The City Clerk is elected and term limited – he believes they lose institutional knowledge and procedural knowledge. It would have to be on the ballot this year to go in effect for the next election in 2017. He suggests to keep it as a part time position. City Council would decide what the role would be. Two steps – sign IGA with county (very simple) IGA in place by August 30<sup>th</sup> deadline. Second is ballot language and usually go to attorney for that.

CM Chimovitz would like Ms. Dallas here to discuss.

Mayor Labbe said it would cost about \$4000. MPT Duarte suggested that is taking the voice away from constituents.

CM Beck – has anyone looked at city clerk job description? Also acts as an elected official.. watchdog or voice for it's constituents.. not elected, you would lose that. Historically, clerks asked to do things that are not within scope of work. Mayor Labbe said that the current description includes a statement about additional duties and that that is what they have done to determine what those extra duties should be. It leaves it open-ended. He continued to stress that the city loses the professionalism with term limits. It was suggested that the city could potentially approach this as an elected official who serves as very part time or volunteer, and create Deputy City Clerk position to do duties of City Clerk. CM Beck suggested that finding part time employees might be more difficult and asked about expanding the position to a full time position. Positions within the city that have more than they get paid for. Council decided on not putting this issue on the ballot. Mayor Labbe wants to put this on the agenda for the work session on August 30<sup>th</sup>. CM Chimovitz suggested seeing some models of this. Mayor Labbe suggests we have a model that is the Treasurer and the Deputy Treasurer. Asked Clerk Maher to research but CM Beck suggested that was a conflict of interest.

## **DEPARTMENT REPORTS**

### **Report of upcoming meetings**

6PM Work Session on August 30<sup>th</sup> – primary discussion is pay equalization.

### **Fire Report**

No representative from fire and there were several fires and several questions.

### **Administrative Services Report**

Mayor Labbe suggested we discuss the workload she has. CM Mohrmann suggested that this is what CM Beck was recommending with the clerk position. Mayor Labbe suggested we are getting busier and busier and there is more of a need for more employees. CM Chimovitz suggested that we may have been inefficient in prior years.

### **Police Department Report**

Chief Glenn spoke about the 3 new cars and they are being received well by staff and community. Cars were paid for in prior years and just got ordered by interim chief.. just ordered 2 more to replace the Impalas which have leases up in October.

Pitbull from attack was euthanized at shelter. That dog could not safely be adopted. Owner was cited with a municipal violation. He paid surrender fee and other things. Lives in county and came into city to kill dog. CM Chimovitz asked if there is a statute. Had a few Boom Days related, but still fairly calm for all of the events. Officers have mandatory time to be on Harrison doing foot and traffic patrol.. lots of good response to see police officers out talking to people and being out. Gaining trust back. Boom Days.. More issues of dogs than scooters and bikes. Dog bite at start/finish area at bike race. Zero tolerance approach to dogs at large and dog bites because of dog calls. System is very outdated and old. County has E Force and it would be

much more efficient. \$40k cost.. cannot track things properly now. Reduction in report time, search time, records, etc. It will integrate municipal court information.

Mayor Labbe suggested that the more important part of that is that the county is on that and we do not have access to that now. Annual fee of \$5-6k. It is server based and have computers in cars and have internet access. Suggested we discuss at the meeting on August 30<sup>th</sup>. Lack of this allowed former chief to do what he did. The current software was purchased.. not sure how much and the yearly maintenance fee is about \$1200/year. Current system not robust enough to track modern evidence. CM Beck asked council to ask Chief Glennly to put together a proposal that outlines cost, benefits, etc. Also asked if there is possibility of any supplemental funding.. can give \$5k discount to purchase by October.. finance options. Most grants- federal and technology will be open between January and April next year.

Priority of Chief is to get system in. Asked to work with Roy on finance option. It was roughly \$13k/year in lease option

### **Animal Shelter Report**

### **Street Department Report**

Discussed the bike race – lost 14 stands and 4 signs.. discussed gps trackers on those. Lost 4 poles in front of the Chinese restaurant.. Mayor Labbe said they were broken. Wants council to look at Special Events permits closer. Mayor Labbe gave two examples – one of the Transrockies run. The problem was the parking was blocked off for two blocks. CM's suggested put this feedback into file for following year. Feedback form suggested by CM Beck and CM Chimovitz. Mayor Labbe suggested that we look closely at this. Other events required roll offs but these races do not. They need a dumpster to dump into. Two trucks and two runs to the dump. Asked to remind us next year. Mayor Labbe said he will start doing follow-up's. CM Chimovitz asked about having a public meeting beforehand.

All in favor by raise of hand of all reports.

### **Treasurer's Reports**

#### **Financials**

Roy McGinnis - All within normal limits for this time of year with exception of certain individual line items.

CM Canty moved, CM Chimovitz seconded

#### **Bills to be approved**

Mayor Labbe moved, CM Canty seconded. All in favor by raise of hands.

### **Mayor's Report**

Passed out current state of funding for Tabor Opera House. Got DOLA grant for \$315k.

CM Mohrmann got clarification on the \$100k the city matched. DOLA said they didn't care where the match came from. Mayor Labbe said that is currently for acquisition, maybe council will consider using it for matching funds for grants in the future and that it should stay in the reserve fund. Met with National Trust today – City will become owner and foundation will become responsible and city will oversee.. city will have two seats on board.

Land Swap agreement – Jim has already talked to land owner and going through it now. If both parties sign, we can move on to closing and then pursue other pieces. Survey has come back and all pieces coming together.

### **Council Reports**

CM Canty – On Saturday August 17<sup>th</sup> the Advocates are having a special training.

**Public Comments** – Rohn Bertolas – Eagles Lodge ran into problems with CO Southern Railroad – decided they were going to block off part of parking lot – building a wall – is there any wall or variance he needs to do this? Cannot control who parks there like on Boom Days. Does the city have any type of ordinance for this? Installing a culvert as well. Issue with snow in winter. Mayor Labbe said he would go look and take street department with him.

**ADJOURNMENT 9:57 pm**