

**Minutes
City of Leadville
Regular Council Meeting
November 15, 2016
Leadville City Hall, 800 Harrison Avenue**

COUNCIL MEMBERS

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

**COUNCIL
MEMBERS**

ABSENT: Mike Canty

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, Clint Larsen, Elsa Tharp, Doug Smith, Lisa Zwerdinger, Jackie
Littlepage, Jasmine, Marquel

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

Approval of Agenda.

Move unfinished business to beginning before new business.

Beck moved, Mohrmann seconded.

Public Comments about items not on the agenda.

Elsa Tharpe – Informing council of her Letter of interest for treasurer.

Doug Smith– asked for film commission to be moved to top of agenda.

Unfinished Business

Filming Application Starfish Productions request with revised street closure schedule

Doug Smith – Explained the budget and economic impact.

Mayor Labbe questions: Will the crew actually be here for 22 days? Yes, staying in Leadville.

Gwen Shepherd – Do they need permission to shoot the homes in that area? Doug replied that they will notifying residents homes and going door to door to notify. Agreed to fee schedule of \$55/hour for city services. Labbe moved, CM Chimovitz seconded.

Chief Glenny has requests - need two blocks at a time? Closed to foot and vehicle traffic?

New Business

Presentation with Lisa Zwerdinger & Jackie Littlepage regarding marijuana related infused product manufacturing

Lisa Zwerdinger – Request for them to come and talk about marijuana food product industry.

Currently, there are some guidelines that the state has put together on food production.

Specifically, food product within the city and how it can be brought up to public health standards. Manufacturing of marijuana itself is not something discussed here, but rather how it is handled and put into food product. Extraction process – how do they get active chemical out of plant and is that safe? Once THC removed, how is that put into food product and is the food product safe for human consumption.

Mayor Labbe – assumed that the city could rely on state law to guide the city when marijuana become legal and it cost the city a lot of money. Questions whether or not the city should wait for state to develop guidelines.

* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.

Lisa – there are certain guidelines and state now mandates but it's up to each individual city/county to enforce. Do you want to have production facility in your community? How will Fire Marshall make sure that's safe? Once chemical is out, do you want Health dept to make sure they are adhering to the food safety regulations restaurants adhere to? How can public health help with that process?

Mayor Labbe explained that the two licenses already issued do not contain highly flammable processes.

Lisa – suggested repetitive survey.

Mayor Labbe – issue with where we are going with this? City does not have food safety in current code so why should this be any different?

Lisa – wants to be a resource

Littlepage – need for oversight.

Marijuana is done through department of revenue, rather than through food safety so they have different process.

Mayor Labbe – “reluctant to step into the deep end of that pool.”

Lisa - If the city wants to do the food safety piece they would be willing to help.

Littlepage – Denver does have a program with a long list of guidelines and things we could downscale it and make it appropriate to our city. Enforcement through city's code enforcer.

MPT Duarte – If something in place, will county do inspections.. it would need to be a contract and negotiate a contract for those services.

Jake Mohrmann – best interest of shop to have facility looked at – are your services available to them outside of jurisdictional authority?

Littlepage – has consulted with one. Yes, they are trying to be helpful.

Discussion as to playing catch up.

Presentation with LCPH related lead testing program

Lynn Nikel – Leadville is a superfunds site. Discussed her public outreach, prevention, education about lead, hemoglobin machine, x ray gun and Lead testing. This is due to being a mining district and left behind paint and contaminants left behind. If certain criteria met with child and lead, the state/county/EPA comes together and will remediation be provided in that case. She is surprised at how often she informs people of the amount of lead in their children and they never return for follow up. Talked about hazards and the effects. She talked about the connection with lead and iron levels.

Chimovitz – is it possible that someone could buy a home and not know about this hazard? When a home is purchased, seller/buyer has to sign disclosure about lead.

Nikel – This happens a lot during construction. It is not happening. In this particular case, they did not received this book and were not aware that Leadville was a superfund site. Public Health wants to provide this information to realtors, but it is not well received by the real estate agents.

CM Beck – understanding that if a seller is not aware of lead, the buyer has a period of time to test and back out of contract.

Please consider rental guidelines to help combat this and protect the tenants. Is there any information given to her when a new family moves in? So that she may better reach families.

CM Mohrmann – would like to see something beyond a disclosure informing buyers/renters of history of Leadville and potential for lead.

Does city have authority to create ordinance?

Discussion of research on lead issues and lead history in the City of Leadville

Resolution 20, Series 2016 formally accepting deed of sale on Tabor Opera House

Closing took place on Friday November 11, 2016 and the City is now the owner.

Mayor Labbe read into record the resolution. Beck moved, Mohrmann seconded. 6-0 in favor.

Jaime Steuver – Appointed as the TOH Preservation Foundation president. Explained who is on the board. Discussed preserving the TOH and keeping it intact. The main component of the foundation is getting grants and funding. They are hoping to get lease in place soon and they

* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.

need to start thinking about shows and entertainment for next summer. They are considering Scott Carroll. The Foundation has very little ability to get grants as a private company but now that they are non profit, they have a lot of work to do and opportunity. They are really needing start up funds.. seed funding. They will have insurance, legal fees, have it open, etc. Asking for \$15k from the city. This would cover the expense of hiring Scott Carroll, shows. They will have to look at sound equipment, etc. They have about 20k now. CTF funds cannot be used for operations. Talked about need for funding and budget.

and the budget. City of Leadville basically broke even for 2016 operating the Tabor Opera House. Mayor Labbe – counter-argue that the city did not have the feasibility study in operation this year and running of it for next year would not require that.

Jaime Steuver – time is important in deciding this to be able to book good quality shows.

Discussion regarding request for funds.

MPT Duarte – want to support

CM Chimovitz – want to see it go forward but on fence.

Mayor Labbe – would hate to see them fall short because they don't have money to get it started.

CM Shepherd – willing to give 15k.

Mayor Labbe moved that we grant out of City's general fund 15k to TOH Preservation Foundation pending a signed lease agreement, out of 2017 budget finalization. MPT Duarte seconded.

CM Beck – wants something on paper in future beforehand for budget requests. Stevuer responded that they could add in the condition that they review budget.

Mayor Labbe withdrew

Mayor Labbe moves that The City of Leadville grants 15k from the general fund from 2017 pending lease agreement and review of foundations budget. MPT Duarte seconded. 6-0 in favor.

Resolution 21, Series 2016 ACCEPTING THE RESIGNATION OF WARD 1 COUNCIL MEMBER MIKE CANTY

CM Beck moved, CM Chimovitz seconded.

Resolution 22, Series 2016 ACCEPTING THE RESIGNATION OF THE CITY CLERK AND CITY TREASURER AND APPOINTING MIKE BORDOGNA AS THE CITY CLERK UNTIL THE NEXT REGULAR CITY ELECTION ON NOVEMBER 7, 2017

ASM Dallas add clarification – apprised this am that there was a conflicting thought between two attorneys whether or not city has authority to do that. State statute allows that. Attorney Michow did not think it was in code. Marcus felt like we did meet that. Decided early this am not to move forward for both. Will need to call a special meeting in next day or two to not have to call a special election for this appointment. You heard from Elsa Tharp this evening and has heard there may be one or two more coming in tomorrow am. Mayor Labbe read resolution in its entirety. Labbe moved, Chimovitz seconded. 5Y-1A

Resolution 23, Series 2016 APPOINTING BETHANY MAHER AS THE DEPUTY CITY CLERK AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF THE DEPUTY CITY CLERK POSITION

Mayor Labbe read in it's entirety. Mayor Labbe moved, CM Mohrmann seconded.

Adjourn Meeting of City Council Convene Local Liquor Licensing Authority.

Renewal of Liquor License for Delaware Hotel & Report of Changes

Clerk Maher explained the Report of Changes and renewal.

CM Mohrmann moved, CM Chimovitz seconded.

CM Beck moved, Mayor Labbe seconded.

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

Report of upcoming meetings

Fire Report – 5 fires. CM Chimovitz asked about policy on woodstoves in trailers and Chief Dailey confirmed they are allowed and there are the same code requirements as houses.

Administrative Services Report

Crazy busy – New website will go live in 15 minutes.

Police Department Report

* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.

Property and evidence audit has started and old room empty and moved to new room and accounted for. In process of complete inventory. Very good feedback from providing service at HS Football games. Busy and administrative stuff going well. Mentioned Sgt Bertolas son diagnosed with leukemia earlier this week. They will do everything they can to support her. Their facebook page is back up and running and will update. Beards for Bertolas.

Animal Shelter Report

Very good at getting animals adopted out. CM Chimovitz wants to put grants searches out there for the shelter. He would like to get it on the agenda for a work session.

Street Department Report

Christmas lights up. ASM Dallas mentioned email Clerk Maher received regarding free decorations from Montrose. Talk about a line item for décor in the future. Begin lighting day after Thanksgiving.

Show of hands to approve all reports. All in favor.

Treasurer’s Report.*

We are at 90% and are only 83% through the year primarily due to police department expenditures, Tabor Opera House and lighting repairs. Council will get supplemental budget at next meeting for this and for the fire fund due to the wild fire. Labbe moved, Beck seconded.

Bills to be approved.*

CM Beck moved, CM Chimovitz seconded.

Mayor’s Report.

Will attend URA Training and will report back to city council.

Council Reports.*

ASM Dallas handed out Holiday party invite and explained that we will have a potluck with appetizers so that our party funds will be donated to the Bertolas family. Family event and bring entire family.

Adjournment. 9:13 pm

Agenda Item	Agenda	Film Permit	Res 20	TOH Request	Res 21	Res 22	Res 23	Callaways	Reports	Treasureres Report
CM Shepherd	YES	YES	YES	YES	YES	ABSTAIN	ABSTAIN	YES	YES	YES
CM Mohrmann	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
CM Chimovitz	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Mayor Labbe	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
MPT Duarte	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
CM Beck	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.