

CITY OF LEADVILLE
Tuesday, November 7, 2017
REGULAR COUNCIL MEETING MINUTES

COUNCIL MEMBERS

PRESENT: Mayor Labbe, Gwen Shepherd, Jane Gowing, Shoshanah Beck, Max Duarte, Kevin Linebarger

COUNCIL MEMBERS

ABSENT: Domenic Roti, Excused

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

PUBLIC PRESENT: Steve Prestash, Jeff McGuinness, John Lichtenegger, Ronnie Pelusi, Kim Easton, Gabby Voeller, Howard Tritz, Craig Schrieber, Dan Osborne, Marcus McAskin, Bill Perkins, Rachel Woolworth

CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE 6:31 PM

Steve Prestash – Challenge comprehensive plan and explained concerns regarding development and issues with police.

Jeff McGuinness – Strongly suggest that the Visitor Center be funded at \$5,000 because of the value of the visitor center and the return on investment for the businesses and taxes.

6. **Minutes from October 3rd, 2017**
Minutes from October 17, 2017

CM Gowing moved, CM Linebarger seconded.

6:45 PM

Old Business

a. **Continuation of Public Hearing Planned Unit Development – High Country Developers for Leadville Railyard Phase 1**

Mayor Labbe read the public hearing script into the record. ASM Dallas explained the information that TJ provided in his staff report included in the city council packet since he cannot be here.

John Lichtenegger: Update on property having water line tapped in and weather is cooperating. There will be an informational session at Vertex Thursday evening from 5:30-7 and everyone is invited. Craig Schrieber will be working on possible park design and hopes the city will accept those.

Ronnie Pelusi – Opportunity for a legacy project and a valuable property. Explained the first phase for this PUD which is what is being approved today and explained the commercial use along the highway, the vehicular orientated layout at north and becoming more pedestrian orientated toward the south end. As you move toward downtown, the buildings will become more like the fabric of the historic downtown, the buildings will be smaller, more service oriented, etc. Went through the design of the plans and explained

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how the development will fit into the community. The homes are meant to fit into the architectural style of Leadville.

Mayor Labbe – Questioned that the narrowest of streets would not have on street parking and Ronnie confirmed that those are alleys and the cars would be in the garages. Mayor Labbe questioned what the per unit cost would possibly come in at. Ronnie cannot speak to that but did explain the efficiencies that could help keep costs down on the smaller units. Concerned about affordability.

CM Gowing – confirmed there would only be one side with a sidewalk due to all of the curb cuts on the side of the driveways. Questioned snow removal past the other phases and lot coverage. Code is written to exclude the porches, etc. and they write that to not dissuade those who want to build those and want to incentivize that. Issues with current codes in regards to open space and some contradictions that they believe go against their vision and not the best for the city and that is what explains why they are different than current code. Future phase site will be used for snow storage until it is developed, but there are snow storage opportunities on the site. There will be setbacks and snow stacking easements throughout the property, in addition to right of ways and open space areas. A snow stacking diagram will also be forthcoming. John explained they would be working with the people of Leadville who've been doing it for years and will have a plan that is developed with the City of Leadville.

Public Input – In Favor

Steve Prestash – Conditionally in favor and is concerned how this will accelerate gentrification. Wants this halted until City Council address house flipping and gentrification issue.

Kim Easton – New projects underground all utilities, therefore there will not be lopsided telephone poles and wire in the sky scape. This is beautifully designed and well thought out and will be an elite community. The surrounding ones will be slums because they are “wrapped in wire.” Every other neighborhood has utility lines and they are feeding this project. The historic homes will have lower values and this property will have higher values. Will the burden of supporting a new project in town, be placed on people who are already at risk of being condemned, moved out and marginalized. This will be a center of elitism and will cast a dark shadow on everyone around it. Will the remainder of the community be burdened by having to support utilities for this elite community while the rest is wrapped in wire?

Gabby Voeller – Generally in favor and will help with affordable housing issues. Want to make one additional recommendation and in the application it has use by right for short term rentals. Thinks that whatever city ends up with for short term rental policy should also apply to this PUD.

Howard Tritz – In favor of this project from the Mineral Belt Trail. Ask that the Mineral Belt trail be multi-use and connect the Railyard trail to Mineral belt and would be a huge benefit. Explained a side walk between highway and property, which is already proposed, but would like it to be multi-use. Would like to move Mine car and low profile exhibit.

Craig Schrieber – In favor of this project and excited to see something sophisticated come to this town. Tax benefits, new commerce and people. This neighborhood will fit right in with network of current paths.

- Dan Osborne – would like language regarding short term rentals to include something to the effect to the regulations of the City of Leadville which may change from time to time.
- ASM Dallas read a letter from Peggy Forney into the record to support the project. This will help move the community toward economic stability and much needed housing.
- ASM Dallas – one letter of concern from Joe Swyers regarding lack of adequate snow storage on the narrow streets.
- Rebuttal from applicant – affordable housing issue. The most important component of the affordable housing issue is the cost of construction in the mountains. Has been discussing with Main Street in Buena Vista about this same issue. They will be market affordable, but there is no funding in this town now to help subsidize at this point. Goal is to create affordable market rate house that is not governed by regulations of sale. Shooting for \$325-350k average. It will not be an elitist place and will have public parks and do everything possible to make it accessible to everyone. Close public comment portion. CM Gowing moved, CM Beck seconded.
- CM Beck concerned that affordable housing equating to smaller units brings up the concern of how a family would fit into that and the quality of life. Concern of using lower cost materials, creating an inequity issue. Likes the idea of Mineral Belt Trail have an extension and there are city laws regarding multi use on city sidewalks so not sure how that could be addressed. That is only on the downtown corridor. Chief explained you could post it as a multi-use trail. Concerned that snow storage would potentially go into parks and kids still use the parks in the winter. Can the city take care of the parks, financially?
- CM Linebarger – Discussed the walkability corridor on the West side. Currently 4 roads and 11 places where cars could conflict with pedestrians and thinks that we can easily manage the three crosswalks. Wants to encourage this smart development and would encourage a multi-use trail on th West side to encourage the access.
- Mayor Labbe – explained second home ownership being a huge problem. Explained the need for prices to come back down for affordability for workforce.
- ASM Dallas explained the recommendations from P&Z regarding the sidewalk that has been discussed tonight. Ronnie explained where the Mineral Belt trail goes along the south side of the property and then comes through the property at the corner. They discussed it coming across at a light and it will still sit on private property. Dedicating an easement for the Mineral Belt along the south side of the property and added an easement along the East side for the Mineral Belt extension.
- Marcus McAskin – Understanding that the PUD doc removed the vacation rental as use by right It would be subject to short term regulations that City Council will likely consider in 2018, or later. Ronnie agreed that that was his understanding. The current PUD document does dedicate the intent for those parks to be given to the city. Points out that applicants for PUD rezoning approval will be dedicated to an organization or entity, but important to note that the code currently on applicant/developer and not the city. Not sure you want to accept that responsibility without discussion. Mayor Labbe – rather have the city have control than another organization that the city doesn't control. Marcus suggested there could be a separate funding mechanism. This will be a part of the SIA conversation and will be

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ongoing. Marcus explained that TJ's staff report discusses the appropriate place to address this. CM Linebarger would like to have the multiuse designation on the West side. CM Gowing agreed that due to the tradeoff of ten percent of open space rather than twenty, this would be a good alternative. Discussion regarding the Mineral Belt trail extension. Marcus suggested including sidewalk/multi-use trails, rather than just sidewalks to preserve that for later discussion. City staff can work with applicant through major subdivision process.

Marcus suggestions: Under Railyard PUD, sheet 3, 3rd paragraph of site and design elements be amended to sidewalks/multi-use trail.

On Mclarey Park, Mineral Belt green and Match stick green be dedicated to an entity to be identified by the developer and acceptable to the City of Leadville through the Major Subdivision process.

c. Second Reading Ordinance No. 13, Series 2017, Railyard Rezoning

Mayor Labbe moved with following conditions: Under Railyard PUD, sheet 3, 3rd paragraph of site and design elements be amended to sidewalks/multi-use trail.

On Mclarey Park, Mineral Belt green and Match stick green be dedicated to an entity to be identified by the developer and acceptable to the City of Leadville through the Major Subdivision process.

Second Reading Ordinance No. 11, Series 2017 Concerning Liquor License – Open public hearing. No comments in favor. In opposition: Steve Prestash – Would like to see new applicants retroactively conform with building codes. Close that portion. CM Beck moved, Mayor Labbe seconded.

Second Reading Ordinance No. 12, Series 2017, Major Subdivision

Applications- No comments in favor or opposition. CM Beck moved to close, CM Gowing seconded. CM Gowing moved, CM Beck seconded. Marcus McAskin gave a brief summary of a 3 step approval process.

New Business

7:45 PM

a. Bill Perkins 10th Mountain Division Signage Request

Bill Perkins – Discussed his project of the 10th Mtn Street sign designation and the collaboration with the school children. Would like a dedicating ceremony for Feb/March. Would like council to fund initial signs. Mayor Labbe would like to suggest involvement with 10th Mtn Hut, 10TH Mtn Division and VFW. City Council could pass it but want other sto be interested. ASM Dallas explained the current signage/wayfinding project.

b. Parade of Lights 2017 Chamber of Commerce

Clerk Maher – Same as prior years. Police & fire have no issues. CM Gowing moved, CM Beck seconded.

c. Resolution No. 23, Approving an Intergovernmental Agreement by and between the City of Leadville and the Leadville Urban Renewal Authority (“LURA”)

CM Shepherd – questioned that the URA does not have money to pay at this point. Mayor Labbe explained that the city has already paid and that the URA would need to pay back. CM Gowing moved, Mayor Labbe seconded.

d. Resolution No. 22, Approving an Assignment of the Agreement between the City of Leadville and Leland Consulting Group, Inc. (doing business as Ricker Cunningham) to LURA (Joint Resolution with LURA)

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Mayor Labbe moved, CM Gowing seconded. Marcus explained that abstaining is not a vote and should be a vote of no.

- 8:05 PM 7. Old Business
Adjourn Meeting of City Council Convene Local Liquor Licensing Authority
 a. **Eagle's Renewal**

CM Gowing moved, CM Beck seconded.

- b. **Elk's Renewal Continued from October 17, 2017**

Marcus explained that conflict of interest is due to a direct financial impact and assisted in how to proceed. No one is on the board of directors and they would not have a financial penalty. CM Linebarger and CM Beck are members, but not a conflict. Mayor Labbe moved, MPT Duarte seconded.

Adjourn Local Liquor Licensing Authority Convene City Council

- 8:15 PM 8. a. Report of Upcoming Meetings
 ASM Dallas explained that City P& Z not meeting tomorrow, but next Wednesday at 6PM. Mayor Labbe announced the Alpine Orchestra. All in favor.

9. Mayor's Report.

10. Council Reports.

ASM Dallas – Elsa Tharp elected as Treasurer and all others, and ballot initiative passed. ASM Dallas gave finance director update. Explained a sub-committee for that. Interviews will be Wednesday November 29th.

Steve Prestash – complained about city official laughing during conversation. Doesn't want his property seized from him.

- 8:30 PM 11. Adjournment.

Council member	Roll Call	Agenda	Minutes	Ordinance 12	Ordinance 13	Ordinance 11	Parade of Lights TUP	Resolution 22	Resolution 23	Eagles	Elks
CM Shepherd	YES	YES	Abstain/YES	YES	NO	YES	YES	YES	YES	YES	YES
Mayor Labbe	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
MPT Duarte	YES	YES	ABSTAIN	YES	YES	YES	YES	YES	YES	YES	YES
CM Beck	YES	YES	YES, Abstain	YES	YES	YES	YES	YES	YES	YES	YES
CM Gowing	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

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CM Roti	NO	ABS ENT	ABSE NT	ABSE NT	ABSE NT	ABSE NT	ABSEN T	ABSEN T	ABSE NT	ABS ENT	ABS ENT
CM Linebar ger	YES	YES S	YES	YES	NO	YES	YES	YES	YES	YES	YES

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