



**CITY OF LEADVILLE**  
**Tuesday, February 4, 2020 – 6:00 P.M.**  
**REGULAR COUNCIL MEETING MINUTES**  
**800 HARRISON AVE, LEADVILLE, CO.**

**Call to order of regular meeting – 6:02 p.m.**

**Pledge of allegiance**

**Roll call**

**Approval of agenda –**

- CM Gowing, moves to approve agenda, CM Greene, seconds, unanimous approval

**Housekeeping matter –**

- John McMurtry, Director of the Lake County Community Fund, presented Sarah Dallas with a plaque, thanking her for all of her work on the We Love Leadville tribute sign.

**Public comments about items not on the agenda – No public comments**

**Consent agenda**

**Agenda of minutes**

a. Minutes from January 21, 2020

- Mayor Labbe, requested 2 changes: (1) the meeting on 2/6, in the Planner be changed to say, Fire Management Board and (2) at the end of the minutes, before council reports that it states; that staff was instructed to create two resolutions for the 2/4 city council meeting. One for a 2year term for the appointment of the Municipal Court Judge, and one for a 90day interim appointment of the Municipal Court Judge.
- CM Forgensi, moves to approve Jan 21, 2020 minutes with suggested changes, CM Gowing seconded, unanimous approval

**A. Hear from Megan Jackson, discussion about ADU's and STR's**

- Background information:

“In 2016 the Leadville Planning Commission and City Council passed Accessory Dwelling Unit language. Part of that deliberate discussion and conversations centered around long-term vs. short-term rental properties and adding a rental unit on a property, included whether the ADU's should be long-term or short-term rental options. The discussion and current code states that ADU's cannot be rented for less than 30 days.” ASM Dallas, staff report 2/4/2020  
Now that the city is requiring all Short-Term Rentals apply for a license, we are now seeing that this issue needs to be addressed. Due to the law, staff has not processed any ADU STR applications and are asking council how to proceed. Meghan Jackson, expressed her frustration with staff and was asked to share her thoughts with council.

- Mrs. Jackson, explained to council that she and her husband purchased their home in 2017, with the intent of short-term renting the carriage house on the back of their property for additional income. Mrs. Jackson had two requests for council, (1) that there be a six-month moratorium put on her property so that they can fulfill current reservations and (2) that during that six-month period that council grandfather in their property for short-term rental use.
- Council recommended that this discussion go back to the Planning Commission for review and that during that time staff will come up with a way for owners of ADU's



that are short-term renting those properties to self-report, in good faith, so that they are not fined during this review process for noncompliance.

#### **B. CUP for 700 E 11<sup>th</sup> Street Telecommunications Tower**

- CM Gowing, informed council of ex parte communication that she had with Sheriff Reyes, at the end of the Open House, inquiring if there would be more information available. CM Gowing, confirmed that she would still be able to make an impartial judgment on the CUP
- CM Forgens, moves to approve the Conditional Use Permit and Height Exemption for the Lake County Emergency Services telecommunication tower and accessory equipment installation subject to the following conditions:
  1. A legal description of the property prepared by a licensed Colorado land surveyor as required by Ordinance 17.72.070 (inclusive of the land area contained in the scope of this application. (Lots 17, 18, 19, 20, 21, 22, and 23 Block 35, North Leadville Addition to the City of Leadville, County of Lake, State of Colorado. (7 lots @ 25' x 110'= 19,250 sq. ft or .44 acres more or less).
  2. A title commitment and title search of any easements or encumbrances of record.
  3. Formal lease agreement with the City of Leadville to grant authority for the use of city owned property including the construction of the tower, subject to the CUP conditions. There is currently no record of the uses and improvements on this property as a public facility containing VHF and HAM radio facilities.
  4. Improvement costs, whether to be paid by Lake County or monies given by the State, shall be determined to assure compliance with the commitments noted in the CUP.
  5. Provide the necessary signature blocks for Planning Commission and City Council approval.

#### **Additional Planning Commission Recommended Conditions:**

6. The tower height shall not exceed 75 feet and whip antennas shall not exceed an additional 10 feet for a total height of 85 feet.
7. Site layout and landscaping shall reflect the site plan illustrations provided in the application.
8. The tower should remain unpainted and communication disk to be painted at the discretion of staff.
9. Electronic shed(s) will approximate the color of surrounding EOC buildings.
10. Re-review/consideration of the CUP for any future co-location facilities on the site or lease agreement for co-location will be required.
11. Should the tower become obsolete, the tower will be removed by the County, at the County's expense.

- MPT Lauchner seconds, unanimous approval

#### **C. Resolution 6, Series 2020, Bank Authorizations**

- CM Gowing, moves to approve Resolution 6, Series 2020, Bank Authorizations, CM Hill seconded, unanimous approval

#### **D. Resolution 7, Series 2020, Reappoint N. Reynolds as Municipal Judge**

- Mayor Labbe, moves to approve Resolution 7, Series 2020, Reappoint N. Reynolds as Municipal Judge, no one seconded, resolution dies

#### **E. Resolution 8, Series 2020, Municipal Judge Interim Appointment**



- CM Gowing, moves to approve Resolution 8, Series 2020, Municipal Judge Interim Appointment, CM Lauritzen seconded, six votes in favor, one not in favor, resolution passes

**F. Discussion about Council Retreat**

- March 10, 2020 at 6:00pm
- Requested discussion topics from council
  1. Future vision for city manager/administrator position
  2. Solve capacity issue
  3. Past fallen off issues, 5-10-? Year vision
  4. Paving plan (short term, all of the moving pieces)

**G. Request for letter of support from council, for Deputy City Clerk's CML scholarship application -**

- Mayor Labbe, said he would write a letter of support

**Public Meetings Planner -**

- City Council 2020 Retreat - March 10, 2020, at 6:00 p.m., at City Hall

**Mayor's report -**

- Mayor Labbe, requested \$1000 for donation to the High School Musical to come out of the contingency line item
- The State of the Community this year is being co-sponsored by the City of Leadville and the Herald Democrat. Mayor Labbe, requested \$500 up to \$1000 for the State of Community event to come out of the contingency line item
- Both amounts where approved by council

**Council reports -**

**Public comments about items not on the agenda -**

- Chris Floyd, spoke for three minutes expressing her concern of the Municipal Judge

**Adjournment - 8:58 p.m.**

Councilmember	Roll Call	Approval Agenda	Approval of Minutes from Jan 21, 2020	Cup 700 E. 11th St	Resolution 6	Resolution 7	Resolution 8
CM Forgensi	Present	Yes	Yes	Yes	Yes		Yes
CM Hill	Present	Yes	Yes	Yes	Yes	Resolution	Yes
Mayor Labbe	Present	Yes	Yes	Yes	Yes	dies,	No
CM Gowing	Present	Yes	Yes	Yes	Yes	see	Yes
CM Lauritzen	Present	Yes	Yes	Yes	Yes	minutes	Yes
MPT Lauchner	Present	Yes	abstained	Yes	Yes	above	Yes
CM Greene	Present	Yes	Yes	Yes	Yes		Yes