

CITY OF LEADVILLE
 JOINT CITY COUNCIL AND PLANNING & ZONING COMMISSION
 SPECIAL JOINT MEETING
 Tuesday, May 26, 2015

<p><u>City Council Members Present:</u> Max Duarte Gwen Shepherd Jaime Stuever Greg Labbe Mike Canty Jake Mohrmann <u>Absent:</u> Luke Finken</p>	<p><u>Planning & Zoning Commissioners Present:</u> Cindy DeMarco Sarah Mudge Jaime Stuever Julie Lundgren Joseph Swyers James Anderson <u>Absent alternates:</u> Caroline Koehler Victor Christian</p>	<p><u>Staff Present:</u> Sarah Dallas, Planning Official, Administrative Services Manager (ASM) Joseph Swyers, City Clerk <u>HPC Commissioners Present:</u> Barnabas Kane Andy Wuenschel Mary Bender Peggy Matthews Forney <u>Also Present:</u> Nicole Thompson, Lake County EDC Shoshanah Beck</p>
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Leadville City Council and Planning & Zoning met in a special public session in the Council Chambers of City Hall. Mayor Stuever called the meeting to order at 6:00 PM. Roll Call was taken.

(6:01 PM) Youth Vision of Lake County High School Presentation

Gavin Laing and other student representatives and their advisors Kelly Hofer, Carrie Quinlan gave a presentation about easy access to marijuana, locations of pot shops, substance abuse, space for youth hang out, youth nights at restaurants, Need a supporting organization since the school district won't be it. Not, at the moment, requesting support from the City. Jim Anderson suggested using CMC facilities which are underused. Councilmember Labbe suggested a grant proposal to Build A Generation.

(6:21 PM) Packet/Book briefs for council meetings.

Mayor Stuever recognized efforts by Clerk Swyers in getting books or packets ready by Friday for councilmembers to have time to review the materials over the weekend before meetings. Clerk Swyers noted that there are council books not touched until the meeting. Some questions from councilmembers during the meeting have made it clear that they have not read the materials. Councilmember Mohrmann admitting to not picking his book up and said that he did not have a key to city hall. Councilmember Labbe also did not have a key. Both will check with ASM Dallas for keys. Clerk Swyers stressed the importance of reading before the meeting the reports and advisories from staff and city attorney. Materials regarding statutes and legalities must be read beforehand because ignoring them will cause us trouble. Generally items to be added to the agenda after Friday have to go through the mayor or mayor pro tem. Additional documents will be distributed by email or in council mail trays or put in books which are not yet picked up and some may be right before a meeting. He tries to have books or packets done by 5 pm on Fridays. Anyone wanting something on the agenda should have documents describing to council what they want.

(6:27 PM) Building code adoption – what councilmembers need to read.

Planning Official Dallas announced a meeting on Thursday, May 28th at 11 pm in city hall with Fire Chief Dan Dailey, Fire Marshal Steve Boyle, Building Code Inspector Gary Pringey and ASM Dallas regarding proposals for code amendments to the upcoming adoption and asked interested councilmembers to attend. If all goes well, the adoption ordinances may be on the agenda for the 2nd meeting in June. Councilmember Labbe emphasized looking at the amendments such as those by the county commission which adopted the 2012 building codes. He added that he found, by talking to building owners, the codes are debilitating and cited old buildings in Leadville which cannot meet the codes. Clerk Swyers reported on the owner of the building where Manuelita's is refusing to bring the building up to code to allow Manuelita's to expand. Mayor Stuever commented on the burden it adds to owners.

(6:31 PM) 2015 Comprehensive Plan.

Mayor Stuever emphasized the number of meetings and amount of public outreach for over a year. He added that it is a guideline, not law. Commissioner Mudge asked council to adopt it and move on. Commissioner DeMarco expressed her disappointment that not one city councilmember attended the hearing on comprehensive plan. Commissioner Anderson cited examples of towns which were bulldozed by developers because they had no comprehensive plan, and that parts we don't like can be changed. Councilmember Labbe stressed the need to have a plan to limit what people can do when they come over the hill from Eagle and Summit County. They have destroyed Breckenridge and Aspen. This is a good start to protect what we value in Leadville. Mayor Stuever stated that new people can look at the plan as representing what was wanted, but that times and people change. Commissioner Lundgren expressed concerns about the difficult times in Leadville and questions about whether to stay or leave. Councilmember Labbe added that it is a razor's edge between being a prosperous fun place to live but not go over the line to selling out. He added that Leadville has been redeveloping for 130 years

Councilmember Labbe moved to adopt Resolution 7. Series 2015, a resolution of The City Of Leadville, Colorado ratifying the 2015 City of Leadville Comprehensive Plan as adopted by The Planning and Zoning Commission. Councilmember Mohrmann seconded and added that it is a tool to identify things for which grants could be sought. Commissioner Mudge agreed with the plan being a means to pursue grants. Councilmember Labbe added that money follows a plan, that a plan does not follow money. Commissioner Swyers asked council to keep in mind for the 2016 budget some revisions of the comprehensive plan. ASM Dallas said that we could make some changes without additional cost but we do have limited staff. Mayor Stuever suggested that could cost \$5000 at most.

Steve Prestash commented on his problems with the comprehensive plan which does not address gentrification which is a predator on the poor in the community and the lobbying by the Lake County Economic Development Corporation.

Nicole Thompson, director of the private not-for-profit 501(c)(6) Lake County Development Corporation said the LEDC supports the plan and recommended that, though the plan can be modified, that it not be modified for a year. She stated that if redevelopment results in displacement of businesses or residents there are federal requirements concerning that.

Councilmember Shepherd asked councilmembers if they read what she provided them. Several councilmembers answered affirmatively and Mayor Stuever added that her comments could be taken into consideration.

Commissioner Swyers that there have been changes identified by planning & zoning which need to be made during the next year. That amendments can be made by resolution. Eventually after enough changes then a fully revised version should be adopted.

Shoshanah Beck commented on the inclusion of Health Living and Active Living in the plan.

Roll Call on adoption of Resolution 7, Series 2015, adopting the 2015 Comprehensive Plan.

Councilmember Shepherd voted no. Councilmembers Duarte, Stuever, Labbe, Canty and Mohrmann voted yes.

(7:01 PM) Ballot Initiatives.

Councilmember Mohrmann reported on updates of proposed language. Discussion included the following points:

- Need for sidewalks along Harrison Avenue over Capitol Hill, and along Hwy 24 to the CMC road.
- Hospital and County will have tax issues on ballot in 2015 and 2016.
- The City has no paving equipment, the County's equipment has been unused for several years and operating that equipment requires specially trained personnel.
- Streets need to be milled down or reconstructed.
- The longer we put off taxes to fund repairs, the further behind we get.
- Without ability to publish excise tax revenues, how do we put a number in proposed ballot language.
- Councilmembers did not understand why have a number in the language.
- TABOR limitations are inflation and assessed property change – either growth or decreases.
- Sales tax: Canty: yes. Shepherd: no. Mohrmann says only if backed by a solid plan which integrates Safe Routes. Stuever say only if with a plan. Duarte: we had a plan but the money was spent on something else.
- 1985 ballot issue to increase sales tax from 2% to 4% required that one quarter of the increase, about \$100,000 per year, be earmarked to street improvement, but City Treasurer Betty Schacht decided that the requirement was not binding. There has been no paving since 2006.
- The previous 20 year paving plan needs to be updated. Include Safe Routes to School.
- Excise tax on marijuana is the easier ballot issue.
- To those people who question why their property taxes are not paying for streets, property tax revenue is about \$310,000. The city's part of the fire department cost is about \$310,000.
- We don't have the resources, equipment or funds to adequately patch the present badly cracked pavement.
- Decision to get on the November ballot must done in August.
- Mayor Stuever said we have to have the ballot language and support planning for the July 21st meeting.
- How do we put a value on the transfer of marijuana from a cultivator to their own retail stores.
- Wait until they get going to find out what they are producing.
- Need answers for ballot language for the July 7th meeting.
- Councilmember Mohrmann to ask for help at the Rural Philanthropy Days to fix our streets.

(7:48 PM) City Council to have joint meeting with Historic Preservation Commission Tuesday, June 9th at 6:00 p.m. about the municipal code changes they want to present to city council.

(7:50 PM) Mayor Stuever adjourned the meeting.