

LEADVILLE CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday March 15, 2016

CITY COUNCIL PRESENT:

Greg Labbe, Mayor
Absent: Jake Mohrmann,
Councilmember
Mike Canty, Councilmember
Max Duarte, Mayor Pro Tem
Gwen Shepherd, Councilmember
Shoshanah Beck, Councilmember
Absent: Greg Douglas, Councilmember

STAFF, DEPT HEADS, & COMMISSIONERS PRESENT:

Sarah Dallas, Administrative Services Manager, HR and Planning Official
Roy McGinnis, Finance Director
Absent: Dan Dailey, Fire Chief
Saige Bertolas, Acting Police Chief
Pam Andrews, City Clerk
Jim Schneiter, Supervisor Street Dept.
Alyssa Hack, Police Dept Admin
Others Present:
Ryan Fitzmaurice, reporter for Herald Democrat

City Council met in a regular public session in the Council Chambers of City Hall.

6:30pm Council Discussion Previous to Agenda, Including Public:

Councilmember Shepherd brought up the subject of when pages do not get into the Council notebooks then they should be tabled for the next meeting. The Mayor and Council came to the deadline of noon on Friday before the Tuesday Council meeting for items to go into Council packets. ASM Dallas said Department reports should be to the City Clerk by the 10th of the month so they can be ready for the second Council meeting of the month.

Mayor Pro Tem Duarte wanted to make it mandatory that all City employees should live within the city limits or at least in Lake County in case they needed to be called in for an emergency. Councilmember Beck asked if this had been a problem in the past. It was discussed that these employees might not be spending money in the City, rather in other towns. The Mayor suggested that there be a work session the second week in April and that this could be a discussion item for that meeting. Chief Bertolas added that employees off time is their own and unless we plan to compensate them for being on-call, they might not be available to come in. Roy McGinnis added that even if people work here, they may not always be spending their money here.

Mayor Labbe called the meeting to order at 6:46 PM with the Pledge of Allegiance. Roll Call was taken. Councilmember Douglas was absent due to illness, Councilmember Mohrmann was absent due to vacation.

Public comments about items not on agenda: None

Agenda revisions: Approval of the March 2, 2016 minutes will be moved to the April 5th Council meeting (Labbe). Canty moved to approve minutes 3/2/16 at next council meeting, Labbe seconded. All were in favor by show of hands.

Mayor Labbe Adjourned the City Council meeting & began meeting of the Local Liquor Licensing Authority

Council considered the special liquor event for the Lake County Civic Center Association: ASM Dallas read into the record a letter from Carl Schaeffer who could not make the Council meeting to represent the LCCCA due to weather changing travel plans. This dinner is a fund raiser for the group (Labbe). Councilmember Canty moved to approve the special event liquor permit for the LCCCA annual meeting at the Old Church, Center for Arts & Humanities 801 Harrison Ave, Leadville CO. To be held April 1, 2016 5pm – 12am. Mayor Pro Tem Duarte seconded. **Roll Call: unanimous yes**

Council Considered the special liquor event for the National Mining Hall of Fame & Museum: Francine Webber is the event manager for the Mining Museum. She made the presentation to Council. The event is to celebrate a new exhibit called “Eat, Sleep, Mine”. Councilmember shepherd asked about serving alcohol to students and Francine said those who are under age will have a wrist band and will not be served. Councilmember Beck moved to approve the special event liquor permit for the Eat, Sleep Mine event at the National Mining Hall of Fame & Museum. Councilmember Canty seconded. **Roll Call: unanimous yes**

Mayor Labbe Adjourned the Local Liquor Licensing Authority meeting and reconvened the regular City Council meeting.

Unfinished Business: Council considered amending Resolution 04, Series 2016 to appoint Linda Michow and her new firm, Michow Cox & McAskin LLP as the City Attorney. (Linda Michow and members of her previous firm had already been approved in January by Council to act as City Attorney. Council needed to approve Linda Michow and her new law firm for the same.) Mayor Labbe moved to adopt on March 15th 2016 Resolution 06 Series 2016 (had been resolution 04). Councilmember Canty seconded. **Roll Call: unanimous yes**

New Business: Council considered a temporary use permit for the Flaming Foliage Relay Race. Paul Vanderheiden spoke on behalf of the Relay Race. He said this is the 4th year doing the relay. This is a team event and only one runner on the course at a time. It will be after dark when they go through Leadville (Vanderheiden). The route comes into town on the highway, a portion of the race is on the mineral belt trail. He said there is a runner exchange at the high school and he already has permission from the school for that. Then they are off to the fish hatchery (Vanderheiden). Shepherd said it doesn't really impact us since the runners are not here the whole time. Paul Vanderheiden said he tries to not be in the way. Mayor Labbe wanted to know if they will be camping at the high school. Vanderheiden said yes, the school had given them permission for that. Previously they were at CMC whereas now they are at the high school (Vanderheiden). Councilmember Beck moved to approve TUP for the Flaming Foliage Relay on September 9th-10th, 2016. Mayor Labbe seconded. **Roll Call: unanimous yes**

Council Considered an extension request for CUP at 220 E 11th Street: Victor Christian said he had asked Council for a CUP to build a 4-plex two years ago. Since that time he said he has been in litigation with an architect and he was having a hard time finding anyone who is knowledgeable about building with shipping containers. He wanted to build the project himself but realized that he does not have the knowledge. Mr. Christian asked Council for a two year extension on the CUP. He said he wants to build a project that is "green and sustainable". Mayor Labbe asked about the difference between the original concept and the proposed shipping containers. He wanted to know that they were not going to look like shipping containers. Mr. Christian said he considered several modes of construction. There's no one doing it now (shipping containers). In CO there are maybe 8 or 9 private homes that are shipping containers (Christian). They will not look like shipping containers, he explained, that is just the base, he will add chinking and wood siding and other things so that it will not look like a box. Councilmember Beck moved to approve to extend the CUP for the owner Victor Christian, dba Thelchrest LLC and the property located at 220 E 11th Street for two years' time. Mayor Labbe seconded. **Roll Call: unanimous yes**

Council discussion: Ski Joring Event Councilmember Canty pointed out that the event got done early. Councilmember Beck said there were issues with recycling, communication and the timing with removing snow early. They did not let street department know they started early and then finished early (Canty). Councilmember Beck said she is ok with giving them leeway with recycling this year since it was so close when they approached council and then contacted the Barb Brink (Cloud City Conservation) the day before the event. Beck said she also saw some random horse droppings; they were contacted the next day to pick it up. ASM Dallas said they were sent a letter including the criteria from Council the day after the Council meeting when the special event was approved. Councilmember Shepherd wondered what their options were since the Ski Joring had been given a three year permit and they did not meet the conditions of the permit. ASM Dallas said Council could set a meeting with them, or ask them to come before Council again next year before letting them continue with the 3 year permit. Councilmember Shepherd asked if Jim Schneider had issues with the Ski Joring this year. He said it is always the same craziness every year, he thought they need an event coordinator to take charge of this and have rules (Schneider). Jim said he reached out to the Ski Joring group and asked if someone could take it over. He said all three of them are tired but they don't want to see it die (Schneider). The trucks to lay down the snow sat and ran for an hour and we paid extra people (Shepherd). Snow fence was only on the west side of the road to keep crowds back (Schneider). Councilmember Canty suggested that prior to their application, that Council needs to sit down with the group, maybe in a work session so that things are made clear. Councilmember Shepherd said she is not sure they would come to a meeting. Mayor Labbe said he would go to them to give them a list of things that Police and Street have issues with. Merchants in town have told Mayor Labbe that Ski Joring and Boom Days are their biggest weekend events, he said. We need to find a way for these races to

be run properly (Labbe). Maybe this could be turned over to the Ski Joring Association Labbe suggested. They (Ski Joring group) called C4 the day before the event. Cloud City Conservation said they could provide the containers for recycling but not the staff. The Ski Joring people blew that off and it was part of the permit. They did not communicate with the Chief Bertolas even though she gave them her phone number, or Jim Schneider (Labbe). The Mayor said he called them and the event had been over for a while. Mayor Labbe said there were dogs all over the event and no signs to say it was a dog free event. Chief Bertolas and Officer Dawe made signs, bought steaks and put up “no dogs” signs themselves (Labbe). We cannot give the permit again without assurance that there will be a veterinarian on site to deal with the horses (Labbe). Chief Bertolas said she arranged with a veterinary technician to get medication for an injured horse from Mount Princeton. Mayor Labbe commended the Street Department for the well done detours. Mayor Labbe thought he might meet with them (the Ski Joring group) within the month. ASM Dallas said she and others might be able to let them know about organizations who are willing to help as part of that conversation. Mayor Labbe asked Council if he could meet with them (Ski Joring group), to make the issues clear, offer solutions and if they are not able to improve then Council will have to revoke the 3 year permit and invite them to apply for a new permit. Council members agreed. Councilmember Beck wanted to be sure that Mayor Labbe conveyed the fact that City Council was willing to work with Ski Joring to solve these problems.

Upcoming Meetings: Mayor Labbe said he wants to have a Council work session Tuesday April 12, at 6pm in the City Council Chambers. Items to be discussed include hiring practices & pay raises so that Council can let department heads know ahead of time (Shepherd).

Police report: Chief Bertolas explained that data has not been tracked historically so the Police report will be more accurate for comparison going forward. Councilmember Canty and Mayor Labbe said they liked the new format the police report is using. Councilmember Shepherd asked about Calls For Service from the report. Chief Bertolas explained that Calls For Service may just be something like a Civil Standby and do not need to have a formal case report made. Chief Bertolas said when they are short staffed they immediately become reactive instead of as proactive as they want to be. Councilmember Shepherd asked Alyssa to note on the report how many officers there are each month. Alyssa agreed. Chief Bertolas said that County tickets are when they issue state charges vs municipal. Alyssa said she’d be glad to make any changes Council wants. Councilmember Beck wanted to be able to compare statistics, not necessarily finances in order to see trends. **Unanimous approval by show of hands**

Animal shelter: Chief Bertolas said that Debbie told her that the internet has been a huge help in adopting out animals. She said that many people are coming from out of town to adopt animals at our shelter.

Unanimous approval by show of hands.

Street report: Councilmember Shepherd wanted to know who we had to hire to help with the snow. Jim Schneider answered that they had to hire Webster with 2 trucks to help with snow. Next year Jim said he’d only bring on one extra truck. Mayor Labbe said from the public’s point of view, the street department appears to be running smoothly and that was a compliment to Jim Schneider. **Unanimous approval by show of hands**

Fire Department report: Chief Daily Dan had a family medical emergency (Labbe). Councilmember Beck suggested having the fire department report info in a spread sheet. Mayor Labbe and Councilmember Canty agreed. **Unanimous approval by show of hands**

Admin Report: Councilmember Beck asked about the family dollar building situation. ASM Dallas explained that there had been numerous, anonymous calls from the public about problems with the roof. the inspector hesitated to call the building unsafe as that would shut the Family Dollar down completely and employees would be unable to work. The corporation who manages the building is different than corporation that is Family dollar (Dallas). Both the Mayor and Mrs. Dallas have been in contact with them, trying to get them to move forward on taking care of their building. They finally did hire a contractor from out of town to deal with the hole in the ceiling, the heating and the electrical box (Dallas). The heat works in the building. The hole in the roof is letting cold air in (Labbe). They will repair the hole in the roof now and replace the roof later when the weather will allow. Then also need to replace electrical box. Mayor

Labbe said he intends to follow up with the contractor as he does not want Family Dollar to close and have employees be out of work.

ASM Dallas announced it is the Celebration of the Young Child month. She put up new art from preschoolers at the Center on the walls of the Council Chamber. A proclamation will be coming in April. Councilmember Shepherd asked where City Council stands on the new building codes. ASM Dallas said she and the Mayor met with Steve Thomas who agreed to review our codes. Mr. Thomas gave them changes for the code. ASM Dallas is preparing those code changes for a first ordinance reading in April. Mayor Labbe said we have the code changes for the fire code, international building code, existing building code, fuel code, mechanical code & plumbing code. There will be an ordinance implementing and codifying those changes to code (Labbe). He said building codes are a complicated issue but we have to have them. Mayor Labbe said that Steve Boyle is advising them how to make detailed changes such as exempting our historical buildings from sprinklers. Steve Boyle has helped with fire code changes (Labbe). Mayor Labbe said we may not get it right the first time but we have to do something, rather than nothing. Steve Thomas is the owner of Colorado Code Consulting, who the City has hired (Dallas). Mr. Thomas is helping the City find the proper exceptions (Labbe). **unanimous approval by show of hands.**

Treasurer's Reports: Roy McGinnis said we are up \$36,000 due to December sale taxes being up. 2015 financials are now closed. Severance tax was also up but is estimated to drop in the future (McGinnis). Pay raises can't be wholly dependent on new revenue (Labbe). Roy McGinnis said most departments were under budget although police and street were over 3% and 4%. General expenditures were at 96.4 so we came in under our budget for 2015 (McGinnis). Mayor Labbe said the City has replaced the janitorial staff with contracted labor and that should fall into place similarly in the budget. McGinnis answered yes. Shepherd asked if we contract that work out, will that meet budget amounts that would have been spent on salary, overtime and holiday pay. ASM Dallas said yes, the intent is to meet the budget. For 2016 financials are budgeted by 1/12 per month but revenue doesn't come in that way so either revenue or expenses may be up or down in first few months. Councilmember Shepherd asked when we get sales tax money from the State. Roy McGinnis explained that we get sales tax money from the County each month and that it is 3 months behind. Councilmember Shepherd asked McGinnis to explain what the term "unearned" means in the budget. He said it means money we still expect to get. Mayor Labbe moved to accept the financial report, Councilmember Canty seconded. **Roll Call: unanimous yes**

Bills: McGinnis has broken the bills down by department now. Mayor Labbe pointed out that the Conservation Trust Fund paid for a contractor to put in power at Zaitz Park for events. Roy McGinnis pointed out that the Pinnacle Assurance payment is the 3rd payment of 9 that we have to make, which will be roughly \$9000. There will be a small rebate at the end of the year since ASM Dallas got the Cost Containment Certification done with departments doing safety training.

Mayor's report: We are in process of hiring a new Police Chief, 4 interviews have been done (Labbe). Mayor Labbe said they may have a meet & greet with city council and the public and the final candidates. The Tabor Opera house will have an opera May 21st put on by Scott Carol. The high school will be involved and this will be the kick off with the Blands handing off the opera house to the City symbolically at the event (Labbe). Mayor Labbe encourages anyone who wants to, to participate in the police ride along experience. Chief Bertolas said you can ride along any time day or night.

Council Reports: Councilmember Beck mentioned the Spring Art Show April 29th. She also came up with a list of things she's involved in.

Adjourned 8:25pm