

**Minutes  
City of Leadville  
Regular Council Meeting  
June 07, 2016  
Leadville City Hall, 800 Harrison Avenue  
6:30 PM**

**COUNCIL MEMBERS**

**PRESENT:** Gwen Shepherd, Jake Mohrmann, Mayor Greg Labbe, Mayor Pro Tem Max Duarte, Mike Canty, Shoshanah Beck.

**COUNCIL MEMBERS**

None

**ABSENT:**

**STAFF PRESENT:** Bethany Maher, (City Clerk) Sarah Dallas, (Administrative Services Manager) Roy McGinnis, (Finance Director), Steve Boyle, (Fire Marshall), Jim Schneiter (Street Dept. Supervisor), Saige Bertolas, (Interim Police Chief)

**PUBLIC**

**PRESENT:** Melissa Ponce De Leon, Ryan Fitzmaurice, Victor M. Christian, Jim Duke, Keith Bouma, Allen Clubb, Joel Payne and other members of the public interested in today's Agenda items.

**A. Council Discussion Previous to Agenda, Including Public**

- Building codes moved due to posting requirements

Mayor Labbe - Will be gone for 10 days as of tomorrow and Mayor Pro Tem Duarte will be filling in. He can help with any complaints.

Discussion regarding the new format for council packets:

MPT Duarte wants numbered tabs

CM Shepherd does not want a tablet

CM Canty wants numbered tabs as well

Mayor Labbe- Would like each new subject on a new page, regardless of them being double sided.

Labbe - No book, stapled sections and agreed to by others.

**B-D. 6:39 PM CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE**

Mayor Labbe called to order the Regular Meeting of the Leadville City Council on Tuesday June 07, 2016 at 6:39 PM.

**E. Public Comments about items not on the agenda.**

James (Jim Duke) - Asked for the Mayor and council to reconsider official title as the town greeter.

Mayor Labbe - There is a volunteer form in place now but when he returns from his trip, he will make that happen.

Melissa Ponce-DeLeon - Thank city for enforcement of banners, but city has banners on light poles down Harrison.

Mayor Labbe - The banners are decorative, not commercial and not sure they apply.

He will follow up with Ms. Ponce De Leon.

CM Shepherd - Thinks we should take them down if they do not comply with banner law.

Victor M. Christian - Officer Reynolds approached him about a call regarding suspicious behavior. His officer that was with him agreed he was doing no wrong. He was dancing and he did not think Officer Reynolds should have approached him due to ignorance by those who call. Should focus on dance center not justice center.

## **F. Agenda**

### **1. Agenda Revisions.**

Move 3 to 7b, after marijuana. CM Mohrmann moved, CM Canty seconded.

Put sale of Chesnut Street to 7c.

## **G. First before anything else**

## **H. Clerk – Minutes.**

### **2. Approval of minutes of the regular meeting of May 17, 2016**

Change Jeremy to Jaron. CM Canty moved, CM Beck second.

## **I. Unfinished Business:** \_\_\_\_\_

## **J. New business**

### **4. Proclamation June as State and local Bike Month, National Bike to Work Day June 22<sup>nd</sup>, 2016**

Mayor Labbe read the Proclamation exactly and then discussed with Clerk Maher what events would be taking place for the Bike to Work Day/Month.

The Brew pub is giving a discount, Cookies with Altitude is giving a discount, there will be a water table and Clerk Maher is working with the county on water bottles.

### **5. Resolution 10, Series 2016, Authorized Signatures for Tabor Opera House/City of Leadville bank Account**

CM Shepherd: Money made from concerts goes to City or Bland's?

It goes to the City except a certain percentage that was on the lease agreement. 10 percent of ticket receipts minus the performers costs and lodging. All money goes to bank account and tour guides. Other tour guides contract at \$10/hour.

CM Canty moved, CM Mohrmann seconded.

CM Shepherd - Can business people in town sell passports?

Mayor Labbe – Yes, and he will set her up, but want to be careful not to get it too disbursed. Already have four places to sell.

### **6. Second Reading, Ordinance 04, Outdoor Food Sales**

Mayor Labbe - Main purpose was to extend from 4 months to 12 months.

CM Shepherd – Do they have banners on the mobile food carts?

ASM Dallas – No they are not allowed and that is in the ordinance.

Mayor Labbe – Asked if any public comments for or against and there were none.

CM Beck moved, CM Canty seconded.

Mayor Labbe – Discussed the need to consider how we manage the mobile food carts prior to next year and whether they should be encouraged or discouraged. Discussed whether or not there should be a limit or reasonable number of them and the proximity of them with each other.

CM Canty – Confirmed with ASM Dallas that being on private property would be just a business license and administrative approval.

CM Beck – Discussed that some communities encourage congregation of the food trucks and that is a form of community engagement

Mayor Labbe – Could be setting the stage for something we have no control over. Does not agree about food trucks with CM Beck because of local business with brick and mortar prices.

CM Beck – Discussed how the demand is too high for restaurants and maybe food trucks help alleviate that demand in the summer.

MPT Duarte – Explained how people would go to Buena Vista last year because of a lack of places to eat.

ASM Dallas – See table in Ordinance A.. Districts you may think about the map and zoning and think about where you would allow or disallow based on residence, etc. Already had one come in to get permit for catering off of private property.

CM Mohrmann – Discussed with ASM Dallas that they are required to have a commissary kitchen through health department but not sure of exact criteria.

MPT Duarte asked about them collecting tax and Keith Bauman answered yes.

CM Canty explained how the City of Aurora has a Food Truck Rodeo weekly.

**Adjourn Meeting of City Council – Convene Local Marijuana Licensing Authority.**

**7. Annual Renewal for Earl’s Marijuana Retail Store at 115 Harrison Ave**

Joel Payne – Thanked the city, Bethany and Sarah, for helping with renewal process. He said it was seamless this year.

Saige Bertolas – Has no concerns.

CM Mohrmann moved, Mayor Labbe seconded.

**Adjourn Local Marijuana Licensing Authority meeting – Re-convene Meeting of City Council.**

**7A. Update on CDOT meeting about the cross walks, parking space at each intersection, and the flag program**

Allen Clubb- Representative of region 3 for CDOT discussed the cross walks, parking and intersections. Operations dept will handle the crosswalks. They will have other reps, Zane and Andre, come up to discuss details and likely available soon based on City’s schedule.

ASM Dallas – It is looking like mid July.

Mayor Labbe – we discussed Mcwethy and college side walk comes out.. hope to have a crosswalk there and an additional sidewalk.. about two miles worth.

Andre initially agreed to do 4 of the crosswalks.

Stop bars are all illegal except the one at the tracks. Andre has agreed to McWethy and 4 that Jim chooses and remove all illegal/inappropriate stop bars. Will allow city to use yield signs.

Allen Clubb– Discussed seeing this as a positive and also requests changing parking spaces to remove spots just before each crosswalk.

Jim – Allen said he’d come up and help with requirements from the manual, saying that if you don’t do it it’s negligent. 20 feet prior, 20 feet after. At signals it’s 30 feet each way. Again, offered to come up and help.

CM Beck – Asked what the current buffer is now.

Jim Schneider – It’s not right.. just a little yellow, but not near the right amount.

Allen Clubb - There’s a distance required. We will work with Jim on that.

Some cities ignore it, but you are liable being that you know that requirement.

MPT Duarte – South on Harrison.. if a pedestrian is going East to West.. technically you have to have a refuge to continue driving if someone is in middle of road.. once stepped into road they are a pedestrian. Can mitigate this by putting a refuge in middle or at least a temporary one.

CM Shepherd – Asked if we could use that space for motorcycle parking, but Allen Clubb confirmed you cannot. Site distance starts at 42 inches above the asphalt.. remember heavy pedestrian traffic.. make sure to keep clear. Will address if a complaint.

Mayor Labbe and Allen Clubb – Suggested creating signs on street that point to businesses because sandwich boards needs to be addressed.. they have to be attached to a business.

Allen Clubb – Said that it is up to town if a business has a sandwich board, but the issue is due to obstruction. If it is in front of a business it pertains to as a general rule they do not address it unless there is a complaint. It is a scenic byway and obstruction of view is where the problem lies.

Mayor Labbe – Discussed turning Harrison Avenue from 4 lanes to 3 lanes with a dual turn lane. This will slow traffic down, help with pedestrians, etc.. CDOT enthusiastic of that.

Allen Clubb– Explained how CDOT was supportive of this idea due to people feeling nervous, wanting traffic to flow better, it’s easier to get off highway and back on and just a better overall experience. He explained how backing into the right of way is illegal in Colorado so diagonal parking will not be part of a redesign. CDOT can help with off street parking such as a parking garage/ lot. CDOT will also have information on bikeways, walkways, etc..

**7B. Property at 201 Chesnut Street – It was never actually listed.**

Jim Schneider – Mentioned how a land swap was what they hoped for.

Mayor Labbe – There are three lots across from city street dept facility that we want to swap for that property and the owners are willing to discuss. May bring a proposal to council to swap.

Discussed the idea of having the space for an impound lot.

Chief Bertolas – Ideally have the impound lot and cover the fencing so everyone doesn’t have to see. Concerned about the look and the potential concerns of neighbors.

Mayor Labbe – Make a decision to spend that money out of reserve fund because it is not in the budget.

ASM Dallas – Need to look at municipal code and make sure.

Roy McGinnis– Budgeted sale of Chesnut as \$25k a few years ago.

Mayor Labbe – wants to pursue that in Earnest with Council’s permission and is guessing it’s only \$10-12k per lot. Will find out for sure to continue conversation.

MPT Duarte – Asked if the swap could be done without the approval of voters.

ASM Dallas – Not sure. Had the exact issue with Leiter field and Elm street and will explore.

CM Shepherd – Suggested having a parking lot for people.

ASM Dallas – Asked about pursuing new real estate agent.

Bring back on June 21<sup>st</sup> as swap

CM Beck – Asked how much space the Police Department anticipates needing.

Saige Bertolas – 10 vehicles max space but may need to get a more exact number.

MPT Duarte and Interim Chief Bertolas discussed the removal of impound cars.

### **8. Received City Council Vacancy Applications review and discussion.**

ASM Dallas – We will make the decision on June 21<sup>st</sup> meeting. You have received one application. The deadline has closed, but you could extend application acceptance.

Will have the one applicant, Dave Chimovitz, available on June 21 on a phone conference.

If an appointment isn’t made within 60 days, it goes to election.

ASM Dallas will send him questions via email from councilmembers and he can answer any questions at that meeting. Other interests but people hadn’t lived in that ward for the 12 month requirement. Council might consider eliminating wards in the future.

CM Mohrmann - Not segregated and wards don’t make sense. This conversation should be had at a work session.

### **9. Upcoming Meetings:**

CM Mohrmann – Is it appropriate to have special events on the calendar?

Clean up day? Sponsored by the city or related to city so yes it should be on the calendar.

Mayor Labbe - Need volunteers from city council for Tabor Opera House and city driven events

CM Beck - This is an easy way to encourage a relationship with community.

ASM Dallas – Democratic meet the candidates June 14<sup>th</sup> at 6pm at CMC.

### **10. Unscheduled late busines**

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Jim Schneiter asked about BBQ question. Mayor Labbe said not appropriate to discuss now, but can discuss after meeting with Keith Bouma.

Allen Clubb – Discussed that until the city has certified people, they cannot do lane closures and there must be a traffic control supervisor. The BBQ is closing the entire road, not just a lane and it went fine last year.

Mayor Labbe – Discussed getting someone from CDOT up here for training before summer season. LT100 will pay for it.

Colorado Contractors Association has a training in Denver in June.

## **K. Department Reports and upcoming meetings.**

### **11. Department Reports**

- We will review the fire reports at the June 21st meeting.

Mayor Labbe – Make sure this does not become a recurring thing.

## **L. Treasurer’s Reports.**

### **12. Bills.**

Labbe moved, Canty second

### **13. April Financials**

These are coming in late because he was out for the previous meeting. Will get another for May at the next meeting.

Roy McGinnis – Discussed the following items: Building maintenance due to the plumbing and electric in basement, Herald Democrat ads expenses are from all of the openings and RFPS, Computer software for business licenses, Travel up from Hanson and Hack for training for the Police Department, Ads for the new police chief and officer which had to run for quite a while (no current expense line but should probably have one), travel for the candidates in there as

well, PTO Payout in street dept was a payout for someone who left because that wasn't budgeted (maybe budget for rotation in future), computer – bought new software for the animal shelter which was a little less than anticipated, and park expenses – electric panel and snow removal at a park in lieu of salary which is why salaries are down. The city is on target and at 33 percent.

Mayor Labbe – previous years budget for park went down. Last year the parks maintenance budget was cut by \$11k.

Roy McGinnis– It could have been due to donations to other projects to the county, but not sure. Auditor came through and was pleased with their findings and will likely be here in July to present financials.

Mayor Labbe – The auditors were complimentary of work here. We are one of the only cities that has no debt and a very healthy reserve. Asked whether a bond could help get things done and said it is something to think about.

#### **M. Mayor's Report.**

##### **14. Mayor's Reports.**

Mayor Labbe: Will be gone for a week but nothing else to report. Trying to finalize numbers for Opera at Tabor Opera House. It's about \$396 to the Bland's out of about \$7000 made a tthe event.

#### **N. Council Reports**

##### **15. Council Reports.**

CM Canty – thanks Mayor and MPT Duarte for coming to Quincy's mural unveiling. Business After Hours will be at the Mining Hall of Fame at 5:30 June 16th.

**Q. Adjournment.** 8:22