



CITY OF LEADVILLE
Tuesday, October 19th, 2021 – 6:00 P.M.
REGULAR COUNCIL MEETING MINUTES
800 HARRISON AVE, LEADVILLE, CO.

Call to order of regular meeting at 6:02 p.m. in Council Chambers and via Zoom.

Roll call: Mayor Labbe, MPT Greene, CM Gowing, CM Lauritzen, CM Hill, CM Forgens, CM Tharp were all present.

Approval of the agenda: CM Gowing moved to approve the agenda. MPT Greene seconded. Passed unanimously.

Housekeeping matters: Mayor Labbe shared the County's implementation of giving a \$150 bonus to employees who have been vaccinated. Council agreed it was a good idea to implement for the City. Mayor Labbe shared that an IGA between the City and County for a Housing Director is being considered in preparation for that position.

There were no public comments for items not on the agenda.

Approval of the Minutes for 10/5/21. CM Tharp pointed out that a correction was needed on page 2, 9th paragraph which should read "There were no comments." MPT Greene pointed out CM Forgens's name was misspelled. CM Tharp moved to approve to the minutes from the regular council meeting for Tuesday, October 5th, 2021 with the suggested changes. CM Hill seconded. Passed unanimously.

Approval of the Minutes for 10/12/21. CM Gowing moved to approve the special meeting minutes for Tuesday, October 12th. CM Forgens seconded. CM Lauritzen abstained. Passed by all other members present.

Department Reports.

- Police Department report presented by Police Commissioner, Hal Edwards. They have received five applications for police officer with LPD. LPD is also considering a new position category called Community Guardians.
- The Police Commissioner addressed the letter from Lake County's Sheriff's Department. Council also discussed the letter and the invoices to the City.
- Fire Department report reviewed.
- Street Department report reviewed.
- Liquor Licensing report reviewed.
- Building Department report reviewed.
- Sales Tax Comparisons presented by Dawna Schneiter.
- Financials presented by Dawna Schneiter.
- Bills presented by Dawna Schneiter.



CM Forgenski moved to approve paying the bills. CM Tharp seconded. Passed unanimously.

Quarterly Update from Tabor Opera House Preservation Foundation. Presentation by Amy Tait.

Executive Session: Held pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes for the purpose of receiving legal advice regarding Railyard Phase 2 deed restrictions.

Mayor Labbe moved to go into Executive Session under Section 24-6-402(4)(b) of the Colorado Revised Statutes for legal advice concerning deed restrictions related to the Railyard Phase 2 PUD application. I further move to reconvene the October 19th regular City Council meeting at the conclusion of the executive session in order to proceed with the remaining items on the agenda for the October 19th regular meeting. CM Gowing seconded. Passed unanimously.

City Council went into Executive Session at 7:28 p.m. and returned at 8:12 p.m. The participants in Executive Session were CM Forgenski, CM Hill, CM Tharp, Mayor Labbe, MPT Greene, CM Gowing, CM Lauritzen and City Attorney, Christiana McCormick. No one had any objections about what was discussed at the Executive Session.

CM Gowing moved to reconvene the October 19th public meeting. MPT Greene seconded. Passed unanimously. The regular meeting was reconvened at 8:13 p.m.

Ordinance No. 9, Series of 2021: An Ordinance Conditionally Approving a Planned Unit Development (PUD) Overlay District Zoning for Certain Land Known as Railyard Leadville Phase 2 and Amending the Official Zoning Map of the City (second reading – continued from October 5, 2021).

They following recitals were recommended by the City Attorney, Christiana McCormick:

1. WHEREAS, the regional trend toward increasing housing prices is resulting in inadequate supplies of affordable housing in Leadville for low, moderate, and middle income households, which has a negative effect on the ability of local employers to maintain an adequate workforce and adversely impacts the economy of the City; and
2. WHEREAS, because land appropriate for residential development within the City is limited, it is essential that a reasonable proportion of such land be developed into housing units that are affordable to low and moderate income residents and working people; and
3. WHEREAS, Developer and the City have mutually agreed, as evidenced by a letter from the Developer to the City dated October 19, 2021, to incorporate affordable housing into the development on the Property via deed restrictions, the terms of which will be set forth in a development agreement between the City and the Developer;

And changing Condition H in the ordinance to state the following:

The Developer shall add the following statement to the “Applicable Codes and Regulations” section of the Phase 2 PUD: “Development within the Railyard Leadville



Phase 2 PUD shall be subject to a voluntary development agreement between High Country Developers and the City to be executed by Developer and City, as voluntarily agreed to by Developer by letter to the City dated October 19, 2021, at the time the Developer files a land development application for the Phase 2 Parcel (Outlot B, Railyard Leadville, Filing No. 1 Amendment No. 1, Minor Subdivision Plat). Such development agreement shall at a minimum include the requirement that at least five (5) dwelling units shall be subject to City-approved deed restrictions for affordable housing, as defined under Colorado law, and such restrictions shall be consistent with community housing guidelines if such guidelines are adopted by the City prior to applicant's submission of such land development application.”;

Kristi Galarza, Augustina Remedios, Amy Tait, and Jaime Seiffer made public comments regarding the ordinance in support of deed restricted housing. Mayor Labbe also read letters from Sara Edwards, Susan Fishman, Gabby Voeller and Jeff Fiedler supporting deed restricted housing.

CM Hill moved to close the public input portion of the public hearing. CM Forgensì seconded. Passed unanimously.

CM Tharp moved to adopt Ordinance No. 9, Series of 2021: An Ordinance Conditionally Approving Planned Unit Development Overlay (PUD) District Zoning for Certain Land Known as Railyard Leadville Phase 2 and Amending the Official Zoning Map of the City, as amended, on second reading, with the amendments that Christiana proposed. CM Lauritzen seconded. Passed unanimously. (8:13 p.m. – 8:51 p.m.)

Resolution No. 29, Series 2021: A Resolution in Support of Ballot Issue.

CM Forgensì moved to approve Resolution No. 29, Series of 2021, A Resolution in Support of Ballot Issue 2A Appearing on the November 2, 2021 Ballot Regarding Implementing a City Accommodations Tax. CM Tharp seconded. Passed unanimously.

Kristi Galarza with the Housing Coalition gave a brief update on the campaign to educate the community on this ballot issue. CM Forgensì asked for an update on the initiatives (planning grant, community guidelines, land donation policy, utility negotiations for affordable developments, fast tracking affordable housing development) needed for the \$1 million DOLA grant.

Public Meetings Planner. The LURA meeting is Tuesday, October 28th, at 2:00 p.m. City Council Special Budget Work Session Meeting was moved from November 23rd to the following week, November 30th.

Mayor Report: Mayor Labbe gave a presentation at the housing conference last week with Noah Sosin, Stephanie Cole and Sam Gilman about what the community of Leadville did to help families with housing needs. Mayor Labbe met with Parkville on the bathroom project scheduled for May/June next year. Parkville is supportive of the project. Mayor Labbe will talk to Leadville Sanitation next.

Council reports. CM Hill asked for an update on the EV Charging Project. Mayor Labbe said Xcel plans to finish the project sometime in November. CM Gowing asked for an update on the Short Term Rental (STR) program. CM Tharp shared that the Colorado State Legislature is considering increasing taxes on



STR properties to a commercial rate. CM Gowing inquired about the size of the lots at HDC. Mayor Labbe shared that hasn't been determined at this time.

There were no additional public comments about items not on the agenda.

Adjournment: 9:10 p.m.

APPROVED this 3rd day of November, 2021 by a vote of 6 in favor, 0 against, 0 abstaining, and 1 absent.

CITY OF LEADVILLE, COLORADO

ATTEST:

By

Diane Kiss, Deputy City Clerk