

**Minutes
City of Leadville
Regular Council Meeting
May 16, 2017
Leadville City Hall, 800 Harrison Avenue**

COUNCIL MEMBERS

PRESENT: Dave Chimovitz, Greg Labbe, Max Duarte, Shoshanah Beck,
Gwen Shepherd, Jane Gowing, Jake Mohrmann

**COUNCIL
MEMBERS**

ABSENT: None

STAFF PRESENT: Bethany Maher, (Deputy City Clerk), Sarah Dallas, (Administrative Services Manager) Roy McGinnis, (Finance Director), Dan Dailey (Fire Chief)(Absent), Tyler Henning (Street Dept.)Robert Glenny (Police Chief)

PUBLIC

PRESENT: Ryan Fitzmaurice, Bill Perkins, Connor Camp, Josiah Horning, Chandler Smith,

6:34 PM CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE

Approval of Agenda & Agenda Revisions.

None.

Public Comments about items not on the agenda.

Bill Perkins

Consent Agenda

Approval of Minutes.

New Business

Youth research presentation on substance abuse

Connor Camp gave a presentation to City Council regarding substance abuse & alcohol in our community. He identified the areas of concern and what the ATOD group and LCBAG are doing to try to combat this issue.

Lemonade stand TUP

Made a lot of money and it was successful. Fridays & Saturdays. CM Chimovitz moved, CM Beck seconded.

4th of July Parade TUP

Announcement stand – Tyler suggested to coordinate Announcement stand with Dave Tenyck. CM Gowing moved, MPT Duarte seconded.

Firecracker 5K 2017 TUP

CM Mohrmann questioned the use of spray paint. Chalk or flour – not permanent.

CM Chimovitz moved, CM Mohrmann seconded.

Mavic Haute Route Rockies 2017 TUP

Chandler Smith – Ride the Rockies last year, comparable 7 day bicycle tour – Boulder to CO Springs – June 28th in Leadville (stage 5). 1/6 the size of Ride the Rockies – 350 registered so far. Rules of the Road ride. Juvenile Diabetes fundraiser. 75% of audience coming from Europe. This event is very popular in Europe and have a few events in French Alps and this is the 1st event in US – Beauty of this area, a community that encourages recreation, as well as a notorious climb. There is no overlap of the Leadville Race Series Camp of Champions. Chief Glenny has no issues and very pleased. One officer per intersection and should be able to staff that. Will do directional

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signs, usually with zip ties to existing signs, the night before and stripped down after the last cyclist. Very few traveling with cyclists because of most of riders coming from Europe. Those that do will come will be provided with alternate driving directions – in this case they will be encouraged to go up to Glenwood Springs. Mayor Labbe moved, CM Beck seconded.

Sayer McKee 3 parking spot request TUP

Clerk Maher explained Kyle's excused absence. Tyler explained that Alan Clubb from CDOT had no concerns. CM Beck moved, CM Chimovitz seconded.

Resolution 9, Series 2017 IGA with CDOT for Mt. View Light Pole Extension

Mayor Labbe explained the process and the ability to pull out of contract. The resolution allows the IGA to be signed by the city. CM Shepherd questioned the lightpole placement. Mayor Labbe explained the intersection will be larger, -way and lightpoles instead of 2. CDOT takes responsibility for the intersection. Chief Glenn explained that it will be LED powered and will use less power and will have battery back up with power outage. CM Gowing moved, CM Mohrmann

Scarlet Encroachment License

Chuck Williams – Due to the stairway he would like to maintain 5 feet in front of the building. He would also like the planter/flowerbed. The portion that has flowers will remain, will remove rocks, anticipate adding a person to staff to accommodate seating area and looking at rope barrier. Mayor Labbe enjoys the ambiance of outdoor seating. In terms of rope barrier, find consistency for the barrier. Does not anticipate doing after dark. CM Chimovitz questioned smoking issue. Mayor Labbe explained that patrons cannot smoke within 15 feet of the door. CM Mohrmann questioned who would be liable. Chuck explained he puts out ash trays and cleans them up. Tyler also explained the liability portion.

Tyler from Street Department questioned the seating in grass area with trees – need for trimming, but no need for removal. No increase to trash at that corner.

Lee Trujillo – Clarified questions. Mayor Labbe questioned if city council would be willing to change language in here to make sure that Scarlet has no responsibility in bullets and chains. CM Chimovitz said no,

Chuck Williams explained he would have done those things otherwise. CM Beck suggested that liability would be difficult to determine who's watch damage happened on.

Mayor Labbe suggested to approve the encroachment and reconsider liability if need be, so that the liquor portion can move forward.

Mayor Labbe moved with the understanding that upon the attorney's opinion city council would be willing to amend contract, CM Beck seconded.

Adjourn Meeting of City Council Convene Local Liquor Licensing Authority

Scarlett annual renewal and Encroachment Modification

Annual Renewal. Several calls to the Scarlet but from the Scarlet so it is a good thing. No issues. CM Gowing, CM Chimovitz seconded.

Permanent Modification – CM Beck moved, CM Gowing seconded.

Chamber Special Event Liquor for BBQ

Brenda Marine explained the BBQ Barriers to prevent people from leaving event area, using recyclable cups, License scanners to check id and given a band. Beer vendors will be spread out. Everything has been run smoothly in the past. Map will reflect the TUP. Mayor Labbe explained he likes the idea of open carry of alcohol. CM Gowing moved, CM Beck seconded.

Adjourn Local Liquor Licensing Authority Convene City Council

Old Business

Chamber BBQ Confirmation of receipt of letter

Confirmation of receipt of letter. Clerk Maher explained the businesses having sidewalk sales during the event. Chief Glenn has no problem with that. Mayor Labbe explained that due to the layout, there is less concern for blockage of sidewalk. The businesses also have the opportunity to have a spot out on Harrison Avenue. Mayor Labbe hopes that the Chamber will make this a

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better experience for the downtown merchants. CM Chimovitz asked for the Chamber to keep council abreast of electrical layout.

Building Code, ordinance 5, Series 2017 2nd Reading

Mayor Labbe will open once for all of these second readings for the sake of efficiency. Mayor Labbe read the Public Hearing script.

No public comments in favor or in opposition. Close Public Hearing. Mayor Labbe moved, CM Chimovitz seconded.

HPC Design Guidelines, Ordinance 6, Series 2017 2nd reading

Trevor Mark & Peggy Forney – HPC chair and commissioner. Pointed out that this applies to new residential construction only, not existing residences. These guidelines do not apply to current homes. This is to address architectural continuity and a lot of this already exist but is an effort to preserve those and our architectural heritage. New construction will be required to have the design reviewed by HPC, currently there is no requirement for design for infill. This would be a first step toward encouraging design that is aesthetically compatible with neighboring properties. These are guidelines and standards that are subject to discussion. Peggy explained that the guidelines are modifiable by HPC. CM Beck complimented the good examples.

No public comments in favor or against.

CM Shepherd questioned the new housing project and Mayor Labbe explained that they do not fall within the National Historic Overlap District.

CM Chimovitz moved, CM Beck seconded. CM Shepherd suggested existing design guidelines.

Mayor Labbe would like to seep & Z follow suit.

Second Reading Loitering Ordinance, 4 Series 2017 Continuation

Chief Glenn explained that some of the sections in the prior ordinance were moved to trespass code and this one is enforceable and doesn't violate caselaw. CM Shepherd understands the need due to ACLU, but are there any issues here? Chief Glenn explained that it is not a real issue and they would likely charge under state law not this code.

No comments in favor or in opposition. CM Gowing moved, MPT Duarte seconded.

Department Reports

Public Meetings Planner – Tourism Panel on May 23 at 9:30 am

Fire Department

Chief Dailey was unable to make it and Mayor Labbe would like to move until June 6th.

Police Department, Municipal Court & Animal Shelter

Appreciate that Deb is tracking the in kind donations. Chief Glenn that the worry has been expressed because of the money going into the city general fund. Roy confirmed that and explained that this is something that Council could consider at budget time. It does go to the animal shelter when you budget it to the animal shelter each year. CM Chimovitz suggested that there is a mechanism to earmark donations for the animal shelter. Dog was attacked and mauled today.

Administrative Services/ Main Street program

Mayor Labbe explained why ASM Dallas was unable to attend. Clerk Maher gave update on Main Street members attending Main Street Now conference, Planter project, ORDIT grant funding for marketing, LCCF Grant for Shop Leadville, Boom Summit & Banners.

Street Department

Tyler explained busy time and patching holes all over town and update on the Mack Truck. CM Chimovitz questioned the bump at West 3rd & Harrison. CM Chimovitz explained he needs to go wide to avoid it and it's a 6 inch bump. Mayor Labbe asked Tyler to prioritize it if it's that bad. Tyler explained that he would need to use hot patch and would order some in the next 3-4 weeks. MPT Duarte questioned the red truck sale. Tyler explained that they traded for a side by side with several attachments. There were no bids and value was about \$7500. The value of side by side was around \$17000 without the attachments, which included buckets, snowplow, etc. They also sold the 4 wheeler. Mayor Labbe moved, CM Chimovitz seconded.

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Bills to be approved

CM Shepherd moved, CM Mohrmann seconded.

Mayor's Report

Tabor Opera House got the water on and no leaks and will be hosting the Central City Opera House.

Council Reports

Public Lands Day party at CMC.

Tabor Opera House lease has been signed as well as the operating agreement.

Adjournment 9:31 PM