



CITY OF LEADVILLE

Tuesday, July 18th, 2017

REGULAR COUNCIL MEETING MINUTES

COUNCIL MEMBERS

PRESENT: Gwen Shepherd, Kevin Linebarger, Domenic Roti, Mayor Labbe, Max Duarte, Jane Gowing, Shoshanah Beck

COUNCIL MEMBERS

ABSENT: None

STAFF PRESENT: Bethany Maher, (Deputy City Clerk), Sarah Dallas, (Administrative Services Manager) Roy McGinnis, (Finance Director), Dan Dailey (Fire Chief), Jim Schneiter (Street Dept. Supervisor) Robert Glenn (Police Chief)

PUBLIC PRESENT: Ryan Fitzmaurice, Domenic Roti, Kevin Linebarger, Katy Warner, Brad Segal, Erin Lang, Victor Christian, Stephanie Spong, Steve Whittington, Elsa Tharpe, Amanda Ackerson, Billy McAllister, Rob Holmes, Josh Myers

CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE

Approval of Agenda.

CM Beck moved, CM Gowing seconded.

Public Comments about items not on the agenda.

Admin manager – Dave Eason letter to Council into record. Cease spraying herbicide. Explained stories about Robins who reside on their property and have now died due to the herbicide.

Council discussed looking into this issue going forward. Mayor Labbe would like to see research and make this a future agenda item.

New Business

Final Tabor Opera House feasibility study presentation by PUMA

Brad Segal, President of PUMA & Erin Lang – Explained the findings of their study and the draft handout of their findings. They do have a much more comprehensive, almost 70 page document, completed study. TOH should be a catalyst for future revitalization of Min Street. Explained the market data, use options, case studies, project cost, and funding. Explanation of Grants, tax credits, private donors and critical source of funds would be an expansion of the lodging tax to create a sustainable revenue source. This should be considered because it is paid by visitors, not residents. They suggest doubling the tax and take most of it and dedicate it to the Tabor. The following 4 reasons: Primarily paid by visitors, clear connection between source of revenue and tourism, critical demonstration of local support that will be key to attracting capital grants, and provides a steady stream of operating revenue to reduce risk as a property owner. This dedicated source of revenue will greatly reduce risk of the city having an asset of that scale.

Mayor Labbe – Is there a minimum phasing that would allow functionality and the draw.

Stephanie Spong – The board worked closely with PUMA on the financials. \$400k architecture and engineering drawing. She would like to raise that this year. \$150k to get heater in. Until they get an external envelope, they can't go through winter, but could extend to the shoulder seasons.

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\$200k for operations next year.

\$500k façade. Need to protect to avoid deterioration.

Lodgers tax should be considered next November. Bets guess is an additional \$135k per year, which is assuming no additional hotel rooms. There will be no resident tax increase.

Voting appointment of Councilmembers to Ward 2 & 3 for vacancies

Ward 2:

Andy Mention – scheduled on a long term vacation to Maine. ASM Dallas read letter into the record on his behalf.

Dominic Roti – Had a long time interest in politics and more recently has decided he would like to be more local about things he cares about, which starts with frequent letters and calls to congressman. He has been paying more attention to his local government. He really enjoys the community and would like to do anything he can to help the people of the town.

Steven Whittington – Director of the Mining Hall of Fame. Has been involved in the community since he arrived here in 2014. He thought this would be a new way to give back to the community at a different level and act as a bridge between the city and the county. He would like to work on behalf of what he knows to make Leadville the best.

Mayor Labbe – very pleased that there were 5 letters of interest. Hopes those who don't get chosen will run in the vacancies this fall.

Vote – Ward 2: Tie vote between Domenic and Steven. Re vote between the two. 3-2 Domenic Roti.

Kevin Linebarger – Lived here for 6 years and is a software developer. Has the opportunity to live anywhere he'd like and has a house here in Ward 3. Serves on the Recreation Advisory Board.

Katy Warner – Moved to Leadville 1 year ago to work at CMC. Has really enjoyed opportunities to get involved in the community and it seems like it's a very exciting time in this community.

Vote – Kevin 3 – 2 Katy.

Oath of Office – Dominic Roti & Kevin Linebarger.

Variance for Victor Christian setback for 4-plex 220/222 E. 11th Street

Victor Christian – Asking to allow 4 units, code indicates 3. They already have a CUP for 3. Asking for 100% compact car space, instead of 30%. Each unit will have one space.

Amanda Ackerson – owns the single family home next door. They are all for the 4-plex due to the lack of housing. Parking is a concern. Chief Glennly responded they will be ticketed in the event of parked cars in front of their driveway. Questioned smoking policy. Victor responded that that would be owner policy.

Trying to do this as an affordable housing initiative. All for the project.

Billy McAllister – lives across the street. The two trailers he referred to have at least vehicles. Suggests there will be 16 cars somewhere. Looks forward to the mess being cleaned up but parking is a real concern.

ASM Dallas explained that code indicates the only requirement is one parking space per unit.

CM Beck – appreciates the effort to provide off street parking and this is a product of our growing pains.

CM Beck moved, CM Gowing seconded.

Relief for Lake County Advocates for Lot Consolidation application fee of \$125 requested

Relief for Advocates for the application fee. The advocates have a home on East 11th Street.

Elsa Tharpe – Explained what the Advocates can do with \$125 this year.

CM Gowing recused herself as she is the secretary on the board.

CM Beck moved, MPT Duarte seconded.

Memo and draft language regarding 2017 potential ballot questions

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ASM Dallas explained why this is necessary and the need for the Councilmembers to advocate to the constituents.

Break until 8:35 to review ballot language.

Straw poll to determine which ballot language choice is preferred. CM Beck, CM Gowing, MPT Duarte want no. 1. Kevin thinks 2 would be best with a little tweaking. Mayor Labbe suggested not clarifying what it would be used for due to past issues with that. CM Shepherd thinks no. 2 is best. Mayor Labbe votes for no.3. Decision to ask city attorney to insert no. 1 in resolution and it can be tweaked when presented as resolution.

Ordinance by Title only – straw poll. Ask city attorney for resolution.

Break until 8:35 to review ballot language.

Straw poll to determine which ballot language choice is preferred. CM Beck, CM Gowing, MPT Duarte want no. 1. Kevin thinks 2 would be best with a little tweaking. Mayor Labbe suggested not clarifying what it would be used for due to past issues with that. CM Shepherd thinks no. 2 is best. Mayor Labbe votes for no.3. Decision to ask city attorney to insert no. 1 in resolution and it can be tweaked when presented as resolution.

Discussion about Marijuana Odor Moratorium for Roots Rx at 145 Front street and next steps regarding odor and odor violations.

Rob Holmes – Explained the money they have sent to mitigate odor. It was always their intention to best control odor. There are some things that are unfair about the ordinance such as the inability to smell anything outside the building. He did not know that this would be the only industry or product that would be targeted. Marijuana that is being commercially produced is the only one being regulated. Those that are being cultivated at home are not being regulated. He questioned what a practical solution is. Spent close to 2 million dollars on the first facility and not prepared to spend money on the additional 10 acres until this is figured out. Ask Council to extend moratorium and create a subcommittee.

Josh Myers – Owner of other cultivation facility in town. Can honestly say that Rob cares about this issue and finding a resolution. No proper way to identify where odor comes from.

Dominic Roti – in favor of extension. Zero tolerance is unrealistic.

CM Beck – Odor ordinance flopped. Would like to have a moratorium until there is a solution.

ASM Dallas – cannot set unlimited time, must set time.

Mayor Labbe – suggested a one year moratorium and believes it is a non-issue at this point.

CM Roti moved for one year and with condition of passage of an odor ordinance this moratorium would be lifted, CM Linebarger seconded.

Department Reports

Police Department – Explained new officers, community resource officers, parking and abatements.

Fire Department Report – Has given Joe Swyers info and ability to get the homeowners out of a structure they are unable to do anything with, the ability to use for fire training. It's another option. They have 8 fires in June, many rescues. Working on 3 audits right now. Transferred Decon 1 to Chaffee County.

Street Department Report – Spraying weeds. The state requires it. Mayor Labbe would like some research about the requirements for spraying.

Administrative Services – Been busy. ASM Dallas explained that she has had some concerns over her availability for permits due to other duties. ASM Dallas explained she is working on the IGA. The county is concerned over the redlines the city attorney has made. Explained the need for one building department with city and county, rather than two. Working on workman's comp hike. Discussion over the tracking down of credit card receipts. Mayor Labbe explained he would like one card per department.

Main Street – lightpost project, volunteer hours and upcoming events.

All in favor of approving all reports.

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Bills to be approved

Roy – explained where we sit on the line items.
 Pay bills, MPT Duarte moved, CM Gowing seconded.

Mayor’s Report

Working with county to give code enforcement officers a discount to take items to landfill if the landowners need relief and will set a limit of \$2000. It is like a pilot program.
 Working on dog ordinance and are very close. Hoping to get it in front of city council, ideally on August 15th.
 Attended TIF training with others. Need to issue an RFP for an attorney for a URA.

Council Reports

CM Beck has been hearing comments on new road diet. People seem to like the idea of removing stop signs on side streets.

Adjournment 9:50 pm

<i>Roll Call</i>	<i>Agenda</i>	<i>BOA - 220&222 E. 11</i>	<i>Relief - Advocates</i>	<i>Marijuana Moratorium</i>	<i>Treasurers Report</i>	<i>Bills</i>
<i>CM Shepherd</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>
<i>CM Linebarger</i>	<i>N/A</i>	<i>N/A</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>
<i>CM Roti</i>	<i>N/A</i>	<i>N/A</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>
<i>Mayor Labbe</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>
<i>MPT Duarte</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>
<i>CM Gowing</i>	<i>YES</i>	<i>YES</i>	<i>Abstain</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>
<i>CM Beck</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>

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