



## CITY OF LEADVILLE

800 HARRISON AVE.  
LEADVILLE, CO 80461

### REGULAR COUNCIL MEETING MINUTES

Tuesday,  
August 1, 2023

6:00 P.M.

Council Chambers & Zoom

1. **Call to order** of regular council meeting at 6:04 p.m.

2. **Roll call:**

- a. **Present:** Mayor Labbe, CM Hill, MPT Greene CM Thomas, CM Lauritzen, CM Luna-Leal, and CM Grant
- b. **Absent:**

**Staff Members Present:** Deputy City Clerk Hannah Scheer, Administrative Assistant Lori Tye, City Administrator Laurie Simonson, Planning Director Chapin LaChance

3. **Approval of the agenda:** CM Luna-Leal **moved** to approve the agenda as amended, and CM Hill **seconded**. All present were in favor.

**Agenda Revisions:** Add PB Swims as 8C

4. **Housekeeping Matters:**

- a. CM Luna-Leal:
  - i. Proposition 123 - the City and County have not yet opted in
  - ii. The City is missing out on a lot of money by not doing this, urges council members to focus on Proposition 123. It's a short application and would allow a diverse amount of applications within the City.
  - iii. There is a limited amount of funding available - should we make this an action item? Intergovernmental agreement or Resolution?
  - iv. There is a Leadville Urban Renewal Authority meeting on 8/3 at 6:00 p.m.
- b. CM Grant
  - i. Asked to add property management for 809 Spruce as a discussion item to the next meeting

5. **Public comments for items not on the agenda:**

- a. Steve Prestash
  - i. Said the Pledge of Allegiance with most of the attendees
  - ii. Discussed the term "de-meur" - not answering clearly or truthfully - feels this is how he has received answers from City and County officials
  - iii. Mentioned the Labbes are listed as owning 4 properties in Leadville. There is an LLC that owned the Brew Pub that is also owned by the Labbes. Would like to know who owns the LLC's that own property in town.

## 6. Consent Agenda

CM Luna-Leal **moved** to approve the minutes of July 18, 2023, CM Lauritzen **seconded**. All present were in favor.

## 7. Action Items:

- a. **Re-appointment of Marcia Martinek and Scott Spillman as Historic Preservation Chair and Commissioner Respectively**

Mayor re-appointed Marcia Martinek and Scott Spillman as Historic Preservation Chair and Scott Spillman as the Historic Preservation Commissioner.

- b. **Consideration of a Conditional User Permit (CUP) for Engelbach Change of Use from Commercial Office to Residential Duplex; 610 Front St.**

Public hearing was opened at 6:16 p.m.

Public comment opened at 6:27 p.m.

CM Grant **moved** to close the public hearing at 6:30 p.m., CM Thomas **seconded**.

CM Grant moved to approve the **Conditional User Permit (CUP) for Engelbach Change of use from Commercial Office to Residential Duplex; 610 Front St.**; CM Thomas **seconded**.

	YES	NO	Abstain	Absent
CM Lauritzen	*			
CM Luna-Leal	*			
MPT Greene	*			
Mayor Labbe	*			
CM Grant	*			
CM Thomas	*			
CM Hill	*			

- c. **Resolution No. 16, Series of 2023, a Resolution Authorizing the Purchase of Real Property Known as 117 W. 10th Street and Ratifying a Contract to Buy and Sell Commercial Real Estate for Municipal Purposes, Including but Not Limited to a Potential Community Center**

CM Luna-Leal **moved** to approve **Resolution No. 16, Series of 2023, a Resolution Authorizing the Purchase of Real Property Known as 117 W. 10th Street and Ratifying a**

**Contract to Buy and Sell Commercial Real Estate for Municipal Purposes, Including but Not Limited to a Potential Community Center; MPT Greene seconded.**

	YES	NO	Abstain	Absent
CM Lauritzen	*			
CM Luna-Leal	*			
MPT Greene	*			
Mayor Labbe	*			
CM Grant	*			
CM Thomas	*			
CM Hill	*			

**d. Certification of Deputy City Clerk Hannah Scheer as a Designated Election Official**

Mayor Labbe declared Deputy City Clerk Hannah Scheer as a designated election official for the 2023 municipal election.

**8. Presentations and Discussions:**

**a. City Administrator's Report:**

- i. Proposition 123 - Intergovernmental agreement needs to be looked over by legal council
- ii. The City Attorney asked that City Council members attend the next Leadville Urban Renewal Authority meeting.
- iii. Bag Fee
  1. C4 is interested in being the recipient of part of the bag fee - this would be approved by ordinance.
  2. There are samples from other cities that can be used to guide how we use the fee.
  3. Right now the fee is being retained by merchants.
  4. Big R is probably the largest store within the City that collects the bag fee.
- iv. Working with Lexipol on an updated employee handbook with HR director Erin Lusin. The new handbook will need to be ratified by City Council. Expected to finish by the end of 2023.
- v. 809 Spruce
  1. Requests for Proposals for a property management company have been out for a while and no one has applied to be the property manager for the house.
  2. Set for discussion on 8/15

**b. Presentation Regarding Childcare in Leadville - Brooke Carlson**

- i. The childcare coalition was created under Lake County Build a Generation
- ii. There has been a lack of care, creating undue hardships for Leadville families
- iii. There are no care slots for children under the age of one

- iv. There are several at-home providers, many are not licensed
- v. Would like regulated childcare in our community with a sustainable funding source
- vi. Childcare providers would ideally be educated and certified, providing a safe and educational environment focussing on childhood development while keeping it affordable for our community.
- vii. Unregulated childcare leads to negative outcome for the children, families, and other members of the community
- viii. Would like to have a committee of professionals to manage the funds and the care providers

**c. PB Swims**

- i. Would like to re-vamp the pool at the intermediate school
- ii. Suggested a sales tax to support the restoration of the pool
- iii. Asked the Board of County Commissioners as well, they were not interested because they felt rushed
- iv. The pool was renovated and re-opened in 2004, closed in 2020 and never re-opened.
- v. A full renovation would be about \$10 million over 10 years
- vi. Unsure what the cost of regular maintenance and operation would be

**d. Discussion Regarding the Pledge of Allegiance at City Council Meetings**

- i. Mayor commented that he is agnostic on this subject - can live with or without it. Feels like there is a feeling of indoctrination
- ii. MPT Greene asked for this to be on the agenda and commented on the following:
  - 1. The Pledge was routinely said before Covid
  - 2. We've heard from the public and the Interim Chief of Police and the makeup of council has changed
  - 3. Some council members have been adhering to the previous decision not to say the Pledge
  - 4. The Pledge of Allegiance was developed by a gentleman in the late 1800s as a simple chant to teach patriotism to children and has a quality of indoctrination
  - 5. City Council is "civics in action"
  - 6. The Pledge of Allegiance is something that is common to us all, it's something we all share, a statement of unification in a way
  - 7. Said she understands why it could be a good thing to say before meetings as we all sit down together to discuss civics in action
- iii. CM Grant thinks we should say it at each meeting
  - 1. Noted that schools still say it in the morning following announcements
  - 2. It is every person's right to remain respectful and not participate, just because it appears on the agenda doesn't mean it's required and shouldn't have bearing on whether or not one says it as an individual
  - 3. Is saying it to be in unison with the group
- iv. CM Luna-Leal has mixed feelings growing up as a primarily Spanish-speaking person.
  - 1. As a child of immigrants he felt an aggressiveness that came after 2001 accompany the Pledge, which has left a sour taste in his mouth and has influenced how he and his community have been treated in association with the patriotism it is trying to instill.

2. There were consequences in school for not saying it
3. If we are to be inviting to our entire community, he doesn't think this is the necessary space to use it, although he does understand the value of it regarding comradery and bringing the community together.
4. Has a hard time saying yes to having the Pledge City Council meetings because of how he grew up and the consequences people who weren't born here face.
- v. CM Thomas supports saying it at meetings
  1. She commented that we are all here to be of service, it's a volunteer position
  2. She said it's simple and puts us all on common ground and reminds us why we're here - good government and doing the best we can for the City
- vi. CM Lauritzen isn't comfortable with saying it
  1. It puts peer pressure on everybody in the room, people might feel they have to stand up and say it whether they believe it or not, maybe they're not citizens
  2. Doesn't like the implication of the loyalty pledge that came out of the 1950s
  3. All council members took an oath to uphold the Colorado Constitution and US Constitution and holds strongly that she doesn't feel she needs to come in and repeat a childhood chant every meeting to prove her loyalty
  4. Proposes a compromise as a moment of silence
- vii. CM Hill feels placing the Pledge on the agenda makes in mandatory and therefore is compelled speech and directly infringes on his personal freedoms
- viii. It was decided that on future agendas it will appear as "Optional Pledge of Allegiance or Moment of Silence"

**Council Reports:**

- e. CM Lauritzen:
  - i. City did a great job finish the work on the road on E. 7th - but the weather today washed away the surface and will need to be repaired
- f. CM Thomas:
  - i. ADA parking in public lots is not sufficient - received a comment from a community member that has brought this to our attention
  - ii. Laurie Simonson commented that more blue paint is being ordered - working on updating ADA parking around town
- g. CM Grant:
  - i. Summit County is getting rid of single use plastics
  - ii. We should ideally not be selling single-use water bottles
- h. CM Luna-Leal
  - i. Working with Emily as a contractor to help out CMU for their \$40,000/unit refurbishing of mobile homes
  - ii. Only mobile home parks within the City, starting with CMU mobile home parks
  - iii. Applies to any manufactured home within City limits

**9. Mayor's Report:**

- a. Next Tuesday, August 8th, the Mayor is flying to Ireland to our "Twin City" Alaheise
- b. Representatives from that City in Ireland came to Leadville last year and would like to return the favor by visiting their home as well.
- c. All paid for personally by the Mayor, no City money was used

- d. Bought some Melanzana's as gifts
- e. 3 people will be coming back in September for the dedication of the memorial

**10. Public Meetings Planner:**

- a. 8/3/23
  - i. Leadville Urban Renewal Authority Meeting
  - ii. Music at Zaitz Park
  - iii. BOCC meeting at Pitts at 4:15pm regarding the pool
- b. 8/8/23
  - i. Julie McClusky will be in town for a meeting with the Mayor and will also be at Boom Days 8/4-8/6
- c. 8/15/23
  - i. Mayor and CM Lauritzen will not be able to attend the regular City Council meeting

**11. Public Comments:**

- a. **Sofie Garza**
  - i. Licensed child care provider in Leadville since 1996 - "Sofie's Home Childcare"
  - ii. Serves about 20 children per year, even though the need is closer to 100 children
  - iii. "Rope-Team" concept for funding sustainable operation
  - iv. Is happy to train people - 719-486-3023
  - v. Willing to help people learn the licensing process so they too can be licensed child care providers
- b. **Abby**
  - i. Showed support for childcare coalition and Sofie Garza
  - ii. Almost had to quit her job because there is no childcare for children under 1 that do not yet walk
  - iii. Had to move her 75 year old parents out for several months to help out for this reason - the cost was double than regular childcare
- c. **Hannah Scheer**
  - i. Speaking as a private citizen would like to make the community aware that there have been cases of bacterial pneumonia and 2 dogs in Summit have contracted and passed away from it
  - ii. Symptoms are:
    - 1. Fever
    - 2. Difficulty breathing
    - 3. Decreased exercise tolerance
    - 4. Lethargy
    - 5. Coughing
    - 6. Nasal discharge
    - 7. Loud breathing/rapid breathing
    - 8. Rapid weight loss
    - 9. Dehydration

d. **Steve Prestash**

- i. Made comments on group dynamics and rationalization
- ii. Strongly supports licensing childcare in the community, it would help keep the children of our community safe

**Adjournment: 8:51 pm**

**APPROVED** this 15th day of August by a vote of 5 in favor 0 against, 0 abstaining, and 2 absent.

CITY OF LEADVILLE, COLORADO

ATTEST:

By

  
Deputy City Clerk



