

LEADVILLE CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday April 19, 2016

CITY COUNCIL PRESENT:

Greg Labbe, Mayor
Jake Mohrmann, Councilmember
Mike Canty, Councilmember
Absent: Max Duarte, Mayor Pro Tem
Gwen Shepherd, Councilmember
Shoshanah Beck, Councilmember
Greg Douglas, Councilmember

STAFF, DEPT HEADS, & COMMISSIONERS PRESENT:

Sarah Dallas, Administrative Services Manager, HR and Planning Official
Roy McGinnis, Finance Director
Absent: Dan Dailey, Fire Chief
Saige Bertolas, Acting Police Chief
Pam Andrews, Former City Clerk
Jim Schneiter, Supervisor Street Dept.
Alyssa Hack, Police Dept Admin
Joe Swyers: P & Z Commissioner
Steve Boyle, Asst Fire Chief
Others Present:
Ryan Fitzmaurice, reporter for Herald Democrat

City Council met in a regular public session in the Council Chambers of City Hall.

6:30pm Council Discussion Previous to Agenda, Including Public:

Councilmember Douglas brought up that he thought the building code cannot be changed unless it is made more stringent. Mayor Labbe agreed but also said that we can eliminate items from the code.

Mayor Labbe called the meeting to order at 6:33 PM with the Pledge of Allegiance. Roll Call was taken.

Public comments about items not on agenda: None

Agenda revisions: None

First before Anything Else: None

Approval of minutes of the special meeting: March 22, 2016 City Council. Councilmember Canty moved to approve, Councilmember Douglas seconded, **Roll Call: unanimous yes**

Presentation on affordable housing: Sierra Smith, Chase Mott, Walker Hill all Colorado Mountain College made a presentation to Council on Affordable Housing along with their instructor, Susanne Spaulding.

Temporary Use Permit for Annual Buena Vista Bike Fest: Ronald Axel and Robert Martinez spoke on behalf of the Buena Vista Bike Fest. This will be the 18th annual 100-mile ride Buena Vista Bike fest. It is a ride not a race. Rotary club of BV is now taking over the bike ride. The Bike Fest is a fund raiser for the Rotary Club. The Rotary Club provides 3rd grade dictionaries every year in Leadville. They also donated 2000 car seats for needy families. They provide free tax prep for low-income families. They are an international organization but they have local outlook (Axel & Martinez). There is no rotary club in Leadville. The revenue generated from the bike ride funds these projects. There are aid stations, the first one is in granite. It is pretty laid back he said. The Rotary Club cleans up and will use Cloud City Conservation for recycle for the event. Chaffee County search & rescue will provide safety on the course. Councilmember Beck moved to approve the TUP for the Buena Vista Bike Fest. Mayor Labbe seconded.

Roll Call: unanimous yes

2nd Reading Ordinance 1, Series 2016, Medical Marijuana Code Change: Councilmember Shepherd said she thinks we need to have 2 optional cultivation licenses and if not then we need to get rid of one of the Medical Marijuana licenses. She would like to get rid of the medical marijuana center or else change it back to two optional grow licenses. ASM Dallas said they must produce 70% of the product that they sell. They might word it so that the businesses could be co-located so that there will not add to the spread of businesses (Dallas). Councilmember Mohrmann said would be ok if they grow here if they have to sell here. He does not want to be a center for growing here and have people selling in other communities. Mayor Labbe said he did not care if we had medical marijuana at all but now. ASM Dallas read letter from Luke Finken into the record. Councilmember Mohrmann pointed out that there is no local tax benefit from medical marijuana. Mayor Labbe is in favor of leaving ordinance 1 as it is. We need to think about our population including kids and would this increase their access to marijuana (Beck).

Police Officer Toby Sheers spoke against medical marijuana sales in Leadville. He said you can already smell it around town and he does not think it is the kind of opinion that people need to have of Leadville. Mayor Labbe said there can only be one more medical marijuana business. Councilmember Morhmann moved to adopt Ordinance 1, Series 2016, Medical Marijuana Code Change. Mayor Labbe seconded.

Councilmember Beck voted no. Council members Canty, Douglas, Mohrmann, Shepherd and Mayor Labbe voted yes.

Councilmember Shepherd wants to know if she gets a complaint from a constituent, who she should send them to. Chief Bertolas said it should be brought to the police. Every complaint will be addressed by the Police Dept. (Bertolas). Joe Swyers said as he walks around town that all the odors that people are smelling are coming from home growers and might get blamed on the marijuana businesses.

Resolution 08, Series 2016 signatures for City Bank Accounts: Resolution to add Bethany Maher as the new City Clerk, onto the City bank accounts as a signature. Councilmember Canty moved to adopt Resolution 08, Series 2016 adding Bethany Maher to City of Leadville bank accounts. Councilmember Douglas seconded. **Roll Call: unanimous yes**

1st Reading Ordinance 2, Series 2016 adoption of 2012 Building Codes: Mayor Labbe said the building code is written for wide interpretation. Fire Marshall Boyle said that the code is supposed to be in the property owner's favor and is the intent for an owner to be able to do the project they want to and have safety for the owner or possible future owner of that property. Marshall Boyle said most of what he deals with are commercial structures. They look at occupancy type and how many people are going to be in the building. ASM Dallas said that 1st reading will be different from 2nd reading. We will keep moving forward and will probably have a 3rd reading as well since there have been lots of changes (Dallas).

Councilmember Beck asked if they can see the differences as they change. ASM Dallas said we cannot make changes that would make the code less restrictive although we can opt to not adopt entire sections of the code. Mayor Labbe said they have a committee working on this and they have sought advice as much as they can. Lake County is on the 2012 code so we thought we would be consistent with them (Dallas). David Chimovitz asked if we could have an appellate process for the code. Mayor Labbe said ideally that appellate board would be staffed by people who are familiar with the code. The county has a board of adjustments with 5 on the board (Dallas). Councilmember Canty moved to adopt on 1st reading Ordinance 3, Series 2016 for 2012 Building Code. Councilmember Shepherd seconded. Councilmember Douglas voted no. Councilmembers Beck, Canty, Mohrmann, Shepherd, and Mayor Labbe all voted yes.

1st Reading Ordinance 04, Series 2016, Changes to the mobile food vendor requirements:

Councilmember Beck moved to adopt on 1st reading Ordinance 04, Series 2016, an ordinance of the City Council of the City of Leadville, Colorado repealing and re-enacting Chapter 17.64.010 and 17.64.030 of the City of Leadville municipal code concerning the regulation of temporary use permits and outdoor sale requirements. Councilmember Morhmann seconded. **Roll Call: unanimous yes**

Fire report: Asst. Chief Boyle said that with the Police Chief they attended the 9 News health fair. They were also at CMC to put 30 people through fire extinguishing training. **Unanimous approval by show of hands.**

Police report: Chief Bertolas said the interview room in the Police Dept. has poor acoustics, she has put some foam pads for noise control since sound quality is poor when recordings are played in court. All the Sergeants are now in the west office together so they can communicate better and store paperwork that needs locked up. They have added a conference table in the Police Dept as well so they can have meetings. There are 6 officers and they have now accumulated all their leave time. PTO is maxed out for everyone because they can't take time off since they are short staffed (Bertolas). The new Code Enforcement Officer will graduate 5/6 (Bertolas). **Unanimous approval by show of hands.**

Animal Shelter: Animals are getting adopted out. Outside kennels will be repaired this spring. The current part time shelter employee will leave mid-May and they are running an ad for a replacement person in the newspaper. The shelter is building a new software program so they can send out reminders for city licenses. **Unanimous approval by show of hands.**

Admin report: ASM Dallas said people are looking for housing. Councilmember Shepherd asked about the hospital building permit. ASM Dallas will meet with them soon and they might pull their building

permits through the City of Leadville. It could be \$50,000 to the city of Leadville (Dallas). **Unanimous approval by show of hands.**

Street: Jim Schneider said they have started on replacing light poles, they are working on the 3rd one. They got jackets out of the clothing allowance with embroidery that says City of Leadville for Street Dept employees. **Unanimous approval by show of hands.**

Bills: Unanimous approval by show of hands.

Mayor's Report: The Mayor thanked the Police Department for stepping up under difficult conditions to take care of the people of Leadville.

Public Comments about items not on the agenda: Officer Toby Sheers spoke about how some ordinances are vague and hard for them to enforce. Parking was a good example since it can be difficult to tell how wide a street is, where a property owner's space ends and if there should be parking diagonal or parallel. Mayor Labbe wants the Police Dept. to bring these problems to Council so that they can make changes to ordinances to make them easier to enforce.

Adjourned 9:46pm

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