



CITY OF LEADVILLE
Tuesday, June 5, 2018
REGULAR COUNCIL MEETING MINUTES
800 HARRISON AVE, LEADVILLE, CO.

1. Call to Order of regular meeting
2. Pledge of Allegiance.
3. Roll Call. MPT Beck absent.
4. Approval of Agenda - Agenda Revisions, if any. None.
CM Gowing moved to approve, CM Roti seconded.
5. Housekeeping Matters
CM Gowing questioned the update on the Boast estate and Mayor Labbe explained that he does not have an update at this time.
CM Gowing questioned the adopt a corner program and the what will happen with the paving project. ASM Dallas explained that most of the sidewalks will not be changed at all. Mayor Labbe explained that Community Cleanup went well on Saturday and that 6 out of 7 council members were there.
6. Public Comments about items not on the agenda.
None.
7. Consent Agenda
 - a. Approval of the Minutes from May 1st: CM Greene moved, CM Roti seconded.
 - b. May 15th 2018 CM Greene moved, CM Roti seconded. Only two in attendance that were at that meeting so this may need to be on the next agenda for approval.

New Business

8. **TUP Lemonade Stand in front of County Courthouse on sidewalk**
 - a. Jaren Peters and Josiah Horning asked for their lemonade stand. Staff recommends that this be a 3 year approval.
Mayor Labbe moved to approve the TUP to have a lemonade stand during the summer months and be effective through 2020, CM Gowing seconded.

Adjourn City Council Convene Local Marijuana Licensing Authority

Applicant is not here yet, but is expected. It will be moved to later in the meeting at this time to give applicant time to arrive.

Adjourn Local Marijuana Licensing Authority Convene Local Liquor Licensing Authority

9. New Liquor License Hearing – Freight, LLC

- a. Elsa Tharp: Managing member of Matilda Enterprises, dba Freight. This is the operational businesses that is known as Freight 910 who is doing the construction. They plan to be open for their first wedding and a grand opening on September 22nd, 2018. No comments in favor or in opposition. CM Gowing moved to close public input, CM Linebarger seconded.
Mayor Labbe explained that this is the first of this new license type that we are issuing. CM Roti moved, CM Greene seconded.

Adjourn Local Liquor Licensing Authority Convene Board of Adjustments

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10. Variance Public hearing for 612 E 11th Street side setback request for new construction- Susan Fishman

- a. Andy Baldassar: Builder for Susan Fishman, asking for variance to reduce setback by 1 foot on 1 side based on the eve of the building. Andy explained the fire code with the eve and that there must be fire blocking that would not allow the fire to travel from one building to other and it is designed to meet those standards.
- b. Jaryn Bradford: co-owner of lots adjacent to this property and is very supportive and has no objections. CM Roti moved to close hearing; CM Greene seconded. CM Gowing explained the reason for the side setback is due to fire. She questioned any additional reasons for the setbacks. ASM Dallas explained that is the only reason and that there are conversations with the county to adopt similar variance regulations as them to make it more flexible. CM Greene moved to approve the variance to grant relief from the setback from 3 feet to two feet, CM Gowing seconded.

Adjourn Board of Adjustments Convene Local Marijuana Licensing Authority

11. 145 Front Street-DBA Roots Rx New MIPS Marijuana License hearing

- a. ASM Dallas explained that Roots Rx applied for several licenses so they could be vertically integrated at each location back in 2015. CUP are typically two years before it must be operational. There were several factors in addition to some miscommunication that led to this licensing hearing. They will still need to be in compliance with building permits. CM Gowing questioned whether or not they will need to come back to the licensing authority. ASM Dallas explained it would be on an annual basis for annual renewal.
- b. Rob Holmes: Explained they have 5000 square foot building/garage and about 3500-4000 square foot greenhouse. This is the last component of their vertical integration which is MIPS. This is basically a kitchen and what they intend on doing is having a building to extract and have put on hold for now. They will be using this facility
- c. Brittany Penno explained they will be using a water-based extraction, similar to a washing machine with a concentrated product out of that and will add that back to joints and things like that. It will be a dry final result.
- d. Rob Holmes: Explained they will be making caviar joints which is where they would add kief.
- e. There will be no explosions. This would be the front half of the building and put cameras in.
- f. Brittany Penno: Explained that they are using water instead of gas and create a concentrated form of marijuana. The biproduct must be mixed with coffee grinds or garbage and it is not distinguishable and they use wood chippers.
- g. Mayor Labbe questioned a potency limit for a joint. Brittany explained that there is not, but the potency is required to be labeled.
- h. No public comments in favor or against.

CM Roti moved to close public comments, CM Greene seconded.

ASM Dallas explained that Earl's does have vertical integration component and has several approvals for other entities for do MIPS. CM Roti moved to approve MIPS at 145 Front Street for Rob Holmes, dba Roots Rx also known as RFSC LVM, LLC, CM Gowing.

12. Main Street Program By-laws Resolution 14, Series 2018

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- a. Destinee Lukianoff explained the process of creating bylaws and creating a board of directors that they plan to bring to City Council in July. There will be 5 board members and two alternates. Destinee explained that moving up a tier, with this board, will allow them to receive additional funding from 2500 to 5000 dollars per year that is non-competitive. ASM Dallas explained that the intent of the program is to move through the end of the program and become a graduate community which will be displayed on our signage, etc. Mayor Labbe explained how the city has taken the Main Street Program under the city's wing in the past year. CM Gowing questioned if the Main Street program could go under a different entity in the future such as EDC or Chamber. Mayor Labbe explained that it is allowed and that it is different in many cities and it depends on who is manifesting their influence to bring it under their umbrella. ASM Dallas explained that this could be a conversation down the road. Explained that this is similar to creating the Planning and Zoning Commission or Historic Preservation Commission. CM Gowing moved to approve the resolution, CM Roti seconded.

13. Supplemental 2017 Budget Resolution 15, Series 2018

- a. Roy McGinnis explained that the expenditures went significantly over by about \$80k, but because of increased revenues, that number is only roughly \$30k out of the general reserve fund. Roughly \$60k will be refunded over time, \$33k of that already has been. ASM Dallas explained that we learned that typically you would adopt a supplemental budget by the end of the year. It needs to be done by December 31st of that year. It does happen frequently to all clients and that is not uncommon or unusual because the books aren't closed until March. It is still good practice to have this conversation to be transparent and have this process.

CM Linebarger moved with change to remove unanticipated revenues and add expenditures, CM Greene seconded.

14. Proclamation for Bike Work Day June 2018

- a. Mayor Labbe read the Proclamation aloud.

Old Business

15. 2nd Reading Ordinance 2, series 2018 Construction Standards public hearing

- a. ASM Dallas explained that it was found that our existing construction and drainage was not appropriate with what is happening with development and would protect the city with correct standards. Creating standards from scratch for our own would have been around \$10k or more and they adopted the county adopted construction standards by reference and added additional drainage standards. It was created by City Attorney's office in collaboration with RG Associates. Some of the language was changed since the first ordinance. She explained the clarification with RG & Associates regarding Railyards plan who has already submitted their plans but concerns about some errors and deficiencies with what was already submitted. The secondary option of language has been embedded in the ordinance to still note the difference. ASM Dallas had explained that we are trying to be as consistent as possible with the county in general.
- b. Mike Bordogna: Explained his support of this and think it will help ease of development understanding.

CM Roti moved to close, CM Gowing seconded. CM Greene moved to approve Ordinance 2, series 2018 and adopted Lake County Roadway Designs Standards and Urban Drain Storage manual on second reading, CM Gowing seconded.

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16. Public Meetings Planner

- a. Addition of LURA and Main Street Meeting and LURA Meeting. Mayor Labbe added Southern Fire Station meeting next Monday June 11th at 9am. 10th Mtn Huts has moved their headquarters to Leadville and will have a Grand Opening on Sunday June 16th at noon. Mike Bordogna explained that Executive Director, Ben Dodge, wants to expand the hut system to this area and 4 of their staff already reside here. Steve Smith of Evergreen Land Co. donated the land to them.
- b. ASM Dallas explained that Housing Needs Assessment, EPS, is coming back on Monday July 16th at 6PM and give final findings and report and would like to engage council and commissioners.

17. Mayor's Report.

- a. None.

18. Council Reports.

- a. CM Roti explained that this is likely his last council meeting due to the sale of his house.

19. Public Comments about items not on the agenda

- a. Mike Bordogna: Commend City on Main Street effort and see the staff person that the city is providing. Explained that the EDC and Chamber is continuing that conversation and taking next steps. Talked about a Dig Ones policy for all utility updates. Worked with Tourism Panel on the Blueprint 2.0 and worked with Film Commission on a Film Festival. Discussed blight prevention. Explained the idea of moving into the Northwest Council of governments instead of Upper Arkansas Valley Council. Explained the next business training. Lastly, working with a subcommittee of the housing committee for development process. Explained they are ready to release first batch of information for business retention.
- b. CM Gowing: CM Linebarger and her met with the BBQ Committee and they went over which type of vendors would go where and showed gaps to get in and out.

20. Adjournment. 7:44 PM