



CITY OF LEADVILLE
Tuesday, January 2nd, 2018 – 6:30 P.M.
REGULAR COUNCIL MEETING MINUTES
800 HARRISON AVE, LEADVILLE, CO.

COUNCIL MEMBERS

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

COUNCIL MEMBERS

ABSENT: None

STAFF PRESENT: Bethany Maher, (Deputy City Clerk), Sarah Dallas, (Administrative Services Manager) Roy McGinnis, (Finance Director) Steve Boyle (Fire Marshall), Jim Schneiter (Street Dept. Supervisor)(Absent), Robert Glenny (Police Chief)

PUBLIC PRESENT: Steve Prestash, John Lichtenegger, Craig Schrieber, Marcus McAskin, Rachel Woolworth, Mike Bordogna, Rachel Pokrandt, Sarah Mudge, TJ Dulbac

CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE 6:46 PM

Approval of Agenda. CM moved, MPT Duarte seconded.

City Housekeeping Items

Mayor Labbe explained this new item to talk about small items. Mayor Labbe would like to remind everyone that the City will have Harassment training next week. PD will be doing their own, but the rest of staff will have a CIRSA training.

Would like to have a council visioning session. City Council decided to schedule on January 30th at 5:30 pm. CM Beck wanted to remind everyone that there are not public comments on the agenda at the end of the meeting. Add public comments to the end of the agenda as well.

Public Comments about items not on the agenda.

Steve Prestach – Voiced URA concerns. Expressed his emotional toll from meetings and his continued litigation. Made a complaint about CM Gowing and an encounter at a yard sale.

Mike Bordogna – Received his letter regarding the EDC funding request. Discussed connectivity with broadband, a business enhancement survey and a potential shuttle with Chaffee County.

Rachel Pokrandt – Brought a 50th Anniversary Poster gift for City Hall.

Consent Agenda

- a. Approval of the Minutes from December 5, 2017
- b. Resolution 3, Series 2018, Designating the Public Places for Posting of Notices of Regular and Special Meetings of Local Public Bodies of the City of Leadville
- c. Proclamation National Mentoring Month



Mayor Labbe read the Proclamation into the record. CM Beck moved, CM Roti seconded.

New Business

Swearing in of Part Time Officer Amy Reyes

Swearing in of Officer Justin Collins

Service Awards: Mayor Labbe explained that Mayor Pro Tem Max Duarte is concluding his term on city council. Mayor Labbe also gave Council Member Gwen Shepherd a service award for concluding her term on city council, as well.

Railyards at Leadville Sketch Plan Development Phase 1, City Council Public Hearing

Mayor Labbe read the Public Hearing script into the record.

Staff Report Review and Highlights from TJ Dublac. Explained the first the stages/phases of the major subdivision process. Utility layout is preliminary and easements will be determined down the road and not necessary for the sketch plan. Based on the review of the sketch plan submitted and additional items, staff feels confident that this meets the requirements of moving forward with the Sketch Plan. Received multiple comments from the referral agencies and those were included in the packet. On December 20th, P& Z recommended approval with 2 conditions in their motion. CM Gowing questioned Fire Marshall Boyle regarding alley's and verify if City of Leadville adopted 2012 fire code and that the alleys and roads will comply with fire. TJ explained that a traffic study will be conducted later on in the process, but not necessary at this point. It will be required and they have already been done and RG & Associates is in receipt of them and will review them. Fire Marshall Boyle explained that certain widths will not be negotiable. TJ explained that from the city code side, they could come to City Council for a waiver/variance. This is separate from the fire district and fire code. It will need to be worked out through the fire department. CM Gowing questioned the length of the hoses on the fire trucks. Carry at least 550 feet. Also questioned easements. TJ explained that those will be during the preliminary plan process. Alleys will need to be public rights of way or a public easement to allow access to public.

John Lichtenegger – Seeking approval of the Sketch Plan, with the condition that they provide the traffic memo. The person who did the traffic work will do that and provide in January and possibly prior to filing preliminary plan. Has architects available by telephone and chief civil engineer and they assure him that they do and are compliant with international and local fire code. The alleys were not designed for fire fighting. The distance between fire hydrants and potential hazards are in compliance and can resolve concerns to their satisfaction. It was designed to a strip center environment. Believe they have complied with or have information to respond to all referral agency concerns. The Geological survey concerns – there is nothing they haven't already done. Emergency Services – these are all issues that might be concerns when a city grows. Almost every item mentioned should be taking care of through general marketplace or taxes that would be available to meet the needs of these folks. Data from EDC – 70 % of sales are going to people on the Front Range and hopes that it will go to those locally, like homes and sales here. There are things that he hopes will naturally happen that are not part of this plan, but will hopefully fill the needs. They are market forces, business community and public schools. CDOT – questioned crosswalks on US 24 at 13 & 15 and he would like them. They will show one, as well as ADA ramps. They will be on the preliminary and final plans. They will be ready in a few weeks. They will be retaining all water on site. Paul Clarkson comments from various folks – there will be off street parking for at least 2 vehicles per unit and many cases, there will be 3. Open Space has already been determined. Discussing issues that already went over. If URA report is at all close to accurate, there will be plenty of money. They will be doing all roads, signs, etc to get the development done. Snow storage will be addressed in preliminary and final plans and easements. Sidewalk already comes 140 feet south at a width of 5 feet. This is being worked on and will be completed when they go to final plat. Townhomes do not have frontage parking and he explained the ample parking available. The alignment of road at 15th



street was suggested by P & Z and that will be taking place. Explained that there are dead ends in phase one and they could rough grade a cul de sac for fire trucks etc. beyond those. Hoping to get plans from CDOT for 13th & 15th and should be part of the final plan and will be given the easements for that. Craig has been working on the walkway and that will use of the highway right of way and even back to 12th. It will likely be located on their property for public right of way. Mentioned a sewer line question brought up at P&Z, and the change will be shown in the final plan and Leadville sanitation is okay with it. They received approval for Brownfield tax credits to help remove cinders, coal, etc. and fill top soil where needed. In addition, they will be doing a massive amount of soil testing for every single lot and will be bringing 20,000 cubic yards of top soil from up by Mosquito Pass. CDPHE will give some tax credits which will be helpful and would look favorably on a grant from city for the parks at no cost to anyone. The last piece will be undergrounding electrical. Explained sewer project and water contract.

Open Public comments: Steve Prestach – Reservations about the double walkways. Thinks that one at 14th would make more sense for traffic flow.

Mike Bordogna – appreciates patience of developer and council and staff since this hasn't been done in a long time and will send a message for future potential developers. Explained economic benefit of jobs, housing, gateway, etc.

John – rebuttal on crosswalk. Believes a crosswalk at 15th Street is important, but would not put on at 14th since it goes to nowhere. One at 13th if everyone wanted one. Understands that the City & Mineral Belt will work on one at 12th. Mayor Labbe explained that the sketch plan is just a rough idea. The preliminary and final plats will be more detailed and comprehensive. ASM Dallas explained that they have set up a meeting with developer this Thursday. Also working on getting a meeting with referral agencies and developer prior to submitting preliminary plan.

CM Beck moved to close public comments portion, CM Gowing seconded.

Marcus McAskin read the sample motion. CM Beck moved with the two conditions in staff report, CM Gowing seconded.

Resolution 1, Series 2018

Roy McGinnis explained the general fund balance overages for snow removal, LURA, workman's compensation, street lighting repairs, and a retirement payout. He continued to explain the fire fund and the unplanned expenses of the safer grant, a truck that was budgeted for 2018 etc.

Resolution 2, Series 2018

Clerk Maher explained very few changes. ASM Dallas explained that she would be working with Clerk Maher on an ordinance to remove fees in code and refer to a fee schedule.

Discussion over the high cost of vin inspections. Chief Glenny explained that he does not need city council approval and he sets the fees. ASM Dallas reviewed code and confirmed that the chief and mayor may change police fees.

Old Business

Resolution 28 , 2017 use of Xcel 1% underground fees, Continued from 12/5/17

Mayor Labbe explained the continuation. From 12/5/17. ASM Dallas explained her updated staff report. Any questions. ASM Dallas explained there is no internal policy. CM Gowing questioned if it is a one-time use for developer or if they could come back. ASM Dallas explained that it has to go through Xcel's process and City Council doe not currently have any policies. Marcus explained that it has to be used on city property or within dedicated easement. It does need to be an existing city right of way. In this case, there are lines within the Highway 24 right of way and that is what is in consideration. CM Linebarger questioned that the use of this for Zaitz Park lighting. ASM Dallas explained that it would



have to be for undergrounding. CM Shepherd called and spoke with Xcel and explained that they indicated they hadn't had enough time but if they had more time, they could work with street department for other locations for improvement. Explained that the poles themselves were their responsibility but putting lines under would be. ASM Dallas explained this being an opportunity for a public/private opportunity and it is not guaranteed with CDOT past mid-year this year. Thinks council needs to weigh that. CM Beck thinks it is a gesture of participating with CDOT and developer and city, also that making improvements to this intersection will incentive developer to improve this property which creates tax increment for the plan area. Thinks this can be leveraged into the future to put back into improvements in plan area and community in general. Complete a gesture to developer without taking money out of city general fund. CM Linebarger would like to see preliminary plan first and negotiate. CM Roti doesn't trust this as being a goodwill. Would like to see if developer would like to offer something in exchange for the city. Does not think it is a city problem. Mayor Labbe does not think this is a proper time to negotiate with this money because it is not the city's, it is xcel's. Thinks the intersection is important not only to that development, but to the city. There is \$440,000 in that account and dedicate \$400,000 to this, leaving \$40,000 in the account. CM Shepherd questioned what if the final phases never happened. Discussion regarding intersection being for phase 3 and strictly for this development. CM Beck questioned potential tax increment use later. Marcus clarified that council could dedicate x amount from the undergrounding fee and promise to use the other half to be reimbursed to the developer via LURA funds if and when the development happens. Mayor Labbe does not want to use this as a bargaining chip. The subdivision agreement should be the bargaining chip and negotiate then and tax increment with LURA. CM Roti does not think this fund should be eaten up for a for-profit developer that may not get to phase 3. Marcus clarified that we could make the agreement with the developer a development agreement to put in stipulations in the development for use of this fund. Mayor Labbe moved with the following conditions:

CM Beck moved with conditions: \$400,000 from 1% fund specifically for undergrounding of utilities, and enter into an agreement with the developer where the developer will cover the excess amount due for undergrounding and in that agreement it will include a sidewalk with a 2 foot buffer and at least 8 feet from 12th Street to Mtn View. CM Linebarger seconded. ASM Dallas clarified that the project has already been approved.

Department Reports

Report of Upcoming Meetings

City Council Work Session on January 30th, Fire Planning on Jan. 17th.

Mayor Labbe explained there will be a community supper at the high school Jan 11th. ASM Dallas explained that EPS, Housing Assessment will be here February 7th & 8th.

Mayor's Report.

None.

Council Reports.

Transportation meeting on February 7th at Dr. Lisa's office. MPT Duarte gave parting words. Steve Prestach – Discussed gentrification and a recount of his interaction with police chief, in addition to concept of change.

10:04 PM – 11:48 PM

EXECUTIVE SESSION – Pursuant to C.R.S. 24-6-402(4)(b) AND 4(e) to discuss specific legal questions regarding Municipal Code Section 16.36.010, requiring subdivision improvement



agreement for any subdivision for which on-site or off-site public improvements are to be constructed.

Mayor Labbe moved, CM Beck seconded.

Adjournment. 11:49 PM

Councilmembers	Roll Call	Agenda	Consent Agenda	Sketch Plan	Resolution 1	Resolution 2	Resolution 28, 2017
CM Shepherd	YES	YES	YES	NO	YES	NO	NO
CM Linebarger	YES	YES	YES	YES	YES	YES	YES
CM Roti	YES	YES	YES	YES	YES	YES	YES
Mayor Labbe	YES	YES	YES	YES	YES	YES	YES
MPT Duarte	YES	YES	YES	YES	YES	YES	YES
CM Gowing	YES	YES	YES	YES	YES	YES	YES
CM Beck	YES	YES	YES	YES	YES	YES	YES