

**CITY OF LEADVILLE**  
**Tuesday, October 3rd, 2017**  
**REGULAR COUNCIL MEETING MINUTES**

**COUNCIL MEMBERS**

**PRESENT:** Domenic Roti, Mayor Labbe, Gwen Shepherd, Jane Gowing

**COUNCIL MEMBERS**

**ABSENT:** Shoshanah Beck, Max Duarte, Excused

**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 Glenny (Police Chief) (Absent)

**PUBLIC PRESENT:** Marcia Martinek, Al Slavin, Keith Bouma, Gary Campbell, Rod Weston, Jill Hall, Brenda Marine, Steve Whittington, Robert Sjoden, Angie Ajoden, Steve Prestash, Cory Mankin

**CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE**

**Approval of Agenda:** CM Gowing moved, CM Roti.

ASM Dallas would like to move Our Lady Guadalaloupe to another meeting and move BBQ to the beginning.

**Public Comments about items not on the agenda**

Al Slavin – Trying to start an initiative to repeal the hospital mill levy. He explains other purposes is too vague and is poorly written. Encourage a law to retain an expert company.

Keith Bouma – Used to work at Leadville hospital but now works for Centura in Front Range. They are a cutthroat organization. He supports the levy and healthcare is important.

Gary Campbell – CEO of current hospital and would like to invite anyone in the community to come by and call. Centura is only an affiliate hospital only.

Rod Weston – Thank for support of summer activities. Hopes council will take time on budget and that is where visioning happens. It sets the ground rules, the future and hopes and dreams for community and direction for staff. Owns two homes with two banks and the one in Vermont is 5 times as much in taxes as the one here. The police department need to renew licenses and need fingerprints from time to time. Leadville Police Department service was positive and had opposite experience at Sheriff office. The Streets department plowed in an 84 year old's driveway. There is no place for it.

**Consent agenda**

a. Approval of the Minutes from September 5, 2017

b. Approval of the Minutes from September 19, 2017

Linebarger absent. CM Roti moved, CM Gowing seconded.

**Chamber of Commerce 2018 BBQ TUP**

Jill Hall & Brenda Marine & Keith Bouma – Thanked City Council for Work Session on BBQ and for working with them on TUP. Explained that the BBQ'ers are excited for the competition to come back next year. He brought in a map to show how they would like to lay out this year.

CM Shepherd – wish they could do it off of Harrison Avenue. It is their first big weekend of the summer and Harrison Ave is closed. It can bring between 7-10,000 for this and it can help business.

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Mayor Labbe understands that there will be space available in the bbq area for businesses on Harrison. Mayor Labbe questioned if space will be available off of Harrison and Keith responded that space might be a concern for off Harrison businesses. Jill Hall explained that yes they would work with all businesses. Brendan explained that one of the purposes of the Chamber is to bring people into town and see shops and to come back and go to our local businesses. Mayor Labbe explained that he would like a two person city council committee to work with BBQ Committee. CM Roti questioned the concern the street department has regarding grease. Jill explained that they agree and that they will make sure that the areas behind them will be required to be clean. Brenda explained that the BBQ'ers are required to leave the space the way they found it and it will be highlighted in their information packet. It will be a dog free event. Jill explained that it's not just dog free, but is pet free. Mayor Labbe explained that they've seen some competitors bring dogs and asked how they would deal with that. Keith explained that some are service dogs and some competitors do, but they keep them close by and have not had any issues in past. CM Gowing questioned how the incident action plan would be put together and Mayor Labbe explained that Mike McHargue will do it. CM Linebarger questioned anticipation of any trouble filling spots for next year and Keith explained that the BBQ'ers are stoked Leadville is coming back. CM Gowing moved, CM Linebarger seconded. CM Gowing & CM Linebarger have volunteered to be the committee to work with the layout.

### **CUP Mining Hall of Fame for Outdoor Storage**

Mayor Labbe read script into the record. Mayor Labbe went to property and discussed nature of equipment and stuff behind mining hall but not the CUP. Asm Dallas explained that P&Z recommended approval for one year and then it would be revisited. Steve Whittington – explained that the public view is restricted and looked into a fence and the cost was roughly \$5000. Attempting to work with jails & prisons locally for help to remove. The mining equipment is a more long term project and will try to find other organizations that would be willing to take them. Requesting an extension to get them moved and plan is to not put anything back there in the future. No comments in favor or against. CM Shepherd questioned why none of the equipment could just be moved around to be part of the museum. Steve explained that they do not have the resources to do it and that many have rotted. Cm Gowing moved with one year stipulation suggested by P & Z and then to review at that time, Mayor Labbe seconded.

### **BOA Public Hearing Variance Robert Sjoden**

Mayor Labbe read the Public Hearing Script into the record. CM Roti explained he lives next door and received one of the letters. ASM Dallas explained that the adjacent property owner inquired about the new structure and if there was a building permit. She explained that building permits do not require buildings under 200 square feet to get a building permit. When a structure comes down, the rebuilding after that would require a variance to rebuild in that same footprint. ASM Dallas explained her process. Neighbor pulled a special inspection permit regarding a gas concern. ASM Dallas explained the inspectors report. Chris and Angie Sjoden explained that the existing shed was lost through the winter and had collapsed. The new structure was higher so that the water would drain correctly and wouldn't cause so much snow build up and moved it away from the house. It is 8' x 9' which is smaller than the prior one. The new structure is within 3 feet of the property line. The current structure is encroaching on the set back requirements. CM Gowing questioned what the shed is used for. He explained it is used for storage. No water, sewer or gas into shed. ASM Dallas read neighbor's letter into the record. Deborah Palmeri listed next door and explained that both properties are within National Historic District. Her primary concern is regarding gas issue and secondarily it is closer to her property and larger and higher. It is a stretch to call it a shed rebuild and should be required to comply with current setbacks. There is no evidence of following any required procedures. Explained concerns of snow and ice, explained there has been no problem with drainage in the past, explained 5 calls for gas issues since the structure was built. The cause from the multiple leaks is unknown. An inspection has been requested. Safety concerns with covered gas

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lines. Rebuttal from applicant. Explained that the concrete was already there and they did not cover anything that was not already covered. The new structure is actually a few inches further away from her house not closer. The new structure is goes with the architecture of the house. Public hearing closed. Robert explained that when Scott Blamey tore out old concrete, he had a gas line locate which comes from the alley. Mayor Labbe questioned the 4x4 pad. It is on their property but they assume it was an entrance to her house at some point so they've left it. ASM Dallas explained that the gas line should be reinstalled based on the inspection report and placed up against the house. CM Roti does not think that this problem is the result of the work, as was the opinion of Dan Weed from Colorado Consulting. The concrete is in the exact place of the old one. It is roughly 18" from her house and he can walk through and he used to not be able to, as it might have only been 8". CM Roti thinks that most things said in the letter seems inaccurate and the allegations. CM Linebarger does not think the City Council has any place in gas line, but would like to see them work with neighbor to remedy the issue. The snow from her roof was going down on the top of their shed.

CM Linebarger moved for relief of setback requirement for the purposes of encroaching the side setback for the shed structure, CM Shepherd seconded.

Resolution 20, Series 2017, URA Firm to create a URP

ASM Dallas explained that this was a recommendation from the Council subcommittee that was set up. This is a result of that committee and based on the qualifications and rubric grading, this is the recommendation. CM Roti explained how experienced Ricker and Cunningham are and they will be teaming up with our current city attorney. One of the important criteria was local knowledge and teaming up with city attorney. Mayor Labbe wants to entertain Thursday meetings. ASM Dallas will send out a doodle poll. The cost will be incurred by the city first and that was discussed when the decision was made by council to launch and rfq. It would be the plan for TIF to be set up and to pay those back down the road. Steve Prestash – ongoing court case regarding these issues right here. Explained some health issues to explain need for additional time. With regards to URA, poor are often viewed with contempt, targeted and displaced. What is being looked at here is making money on real estate, not the people. Thinks we are going in the wrong direction with this and making things harder for people. CM Shepherd – agrees with Steve and explained that she was talking with Deon and they created the National Historic Landmark District because of what Urban renewal authorities were doing. Mayor Labbe said URA's have nothing to do with buildings or tearing down buildings. They are to help renovate our downtown historic district. CM Roti moved, CM Gowing seconded.

### **Trick or Treat Street TUP**

Bethany Maher explained that the event will be the same as last year for the first two blocks of West 7<sup>th</sup> Street. CM Gowing moved, Mayor Labbe seconded.

Discussion about Calcon Construction request for permit refund for St. Vincent Hospital fees  
ASM Dallas explained he process of permitting and Colorado Code Consultants, in which the city keeps 25%. Code allows for up to 80% refund for work that has not been done. The 180 days is past due, however ASM Dallas was in contact with Calcon and that is because hospital was unsure and due to the new building codes that were passed. Colorado Code Consulting will refund 80% of the permit fee. ASM Dallas explained that the plan review was done and thinks it is fair to give back the 80%. Gary Campbell explained the situation and the financial turnaround, but the reality of the impossibility of a new plan. Financing still available until 2021 in case they should change their mind. It did put hospital in 1 plus million debt for plans, etc. Calcon made agreement with hospital for partial payment for review fee, hoping that they could receive the 80% fees back from city and Co Code Consulting. They are writing off the rest of what the hospital owes as a gift. Cory with Calcon explained they are in recovery mode and would be appreciative of a refund. City Council agreed and advised staff to proceed with refund once the money is refunded from Colorado Code Consulting.

### **Adjourn Meeting of City Council Convene Local Liquor Licensing Authority**

#### **Periodic Brewing Renewal**

CM Gowing led the discussion. No issues. CM Roti moved, CM Linebarger seconded.

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**Wilde’s Green Hour Renewal**

No issues. CM Gowing moved, CM Roti seconded.

**Wilde’s Green Hour Report of Changes**

CM Shepherd questioned the change and Mayor Labbe explained that Ben Dallas has been removed. CM Gowing moved, CM Roti seconded.

**The Manhattan Renewal**

No issues. Mayor Labbe explained that there have been no issues since last year when they came before council because there were issues. CM Roti moved, Mayor Labbe seconded.

**Adjourn Local Liquor Licensing Authority Convene City Council**

**Report of Upcoming Meetings**

Special Meeting with P&Z and would needs city council there. Mayor Labbe intends to write a letter to City Council and he has certain priorities going into council and the lines in which he is thinking, but is a city council decision. He is not inclined to dip into the reserve again, since they have done it for two years. Roy will email by the end of next week and the agenda. ASM Dallas explained that the city sent out requests for nonprofits who come with regular requests to submit them by yesterday. They want to give that info in advance but not sure how they will do that.

**Treasurer Report**

Sales Tax Report through June. Over \$100k over last year and every month has been better. Mayor Labbe explained that we cannot assume this trend will continue and erring on side of a conservative estimate. Mayor Labbe moved, CM Roti seconded.

Bills to be approved – Move to meeting on the 17th

Mayor’s Report – Housing Now Conference information. Steve Prestash spoke regarding affordable housing.

Council Reports – None.

Adjournment 9:26 PM

	Roll Call	Agenda	Minutes	COC TUP	CUP Mining Hall	BOA Variance Robert Sjoden	Res 20	Trick or Treat Street TUP	PB Renewal	Wilde's Renewal	Wildes Change	Manhattan Renewal	Treasurers Report
CM Shepherd	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES
Mayor Labbe	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
CM Gowing	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
CM Roti	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
CM Linebarger	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
CM Beck	NO	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
MPT Duarte	NO	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT

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