

**Minutes
City of Leadville
Regular Council Meeting
September 5, 2017
Leadville City Hall, 800 Harrison Avenue**

COUNCIL MEMBERS

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

**COUNCIL
MEMBERS**

ABSENT: None

STAFF PRESENT: Bethany Maher, (Deputy City Clerk), Sarah Dallas, (Administrative Services Manager)

PUBLIC

PRESENT: Marcia Martinek, Leslie Cook-Knerr, Carl Schafer, TJ need last name, Gary need last name, James Tekavak, Paul Mueller (via telephone), Kit Williams, Jasmine Marquez,

6:30 PM CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE

Approval of Agenda & Agenda Revisions.

Mayor Labbe explained the agenda item I and the ballot initiative.

ASM Dallas suggested moving it to old business. Mayor Labbe moved to add a discussion regarding the ballot initiative first.

Public Comments about items not on the agenda.

None

Consent Minutes

- a. Approval of the Minutes from May, 2017
- b. Approval of the Minutes from June, 2017

CM Shepherd questioned how the minutes are done and if they include everything everyone says. Clerk explained that they are a summary of what was discussed. Council requested the vote counts back on the minutes.

COA Hearing for 510 Elm Street Demolition Tekavak

Mayor Labbe read public hearing transcript into the record.

James Tekavak - garage has been around since 1960 and over time they wanted to update with a newer building and put in on the same footprint it sits on at the front of their property line.

Carl Schafer spoke in favor as he is not changing the footprint.

CM Shepherd questioned the process of rebuilding once this building is torn down. ASM Dallas explained they do not need to go through HPC and that they set back requirements would require them to come before City Council for a variance.

MPT Duarte questioned the permit process as well. CM Linebarger moved, CM Gowing seconded.

CUP Hearing for Paul Mueller 212 E 7th Street

Mayor Labbe read public hearing transcript into record. ASM Dallas called Paul in to the meeting. Mayor Labbe explained to CM Shepherd that the sale fell through on the first one.

Paul Mueller - Take old convent and turn it into a bed & breakfast for short term, overnight and also exploring short term rental for folks trying to move to town. Has someone who will be running the property. Parking will be put in part of the yard so they will not be contributing to the parking issue on the street. CM Shepherd questioned the parking being behind the fence.

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Wants the parking to be behind the blue line. ASM Dallas explained what Planning & Zoning had discussed. CM Shepherd questioned that a curb cut would be needed for this proposal. CM Beck explained that if there is a curb cut than there wouldn't be parking out there. Mayor Labbe explained that Planning & Zoning rejected this diagram. CM Beck also explained the concern with the snow and the alley. Discussion over alley access. CM Beck expressed confusion. Mayor Labbe explained that this is a land use issue and ASM Dallas also explained the process. CM Beck explained they entering and exiting requirements from the first application. CM Shepherd explained that parking is a concern and would like it in the motion. Mayor Labbe would like to add the curb cut requirement to be in the motion as well. ASM Dallas suggested applicant submits complete parking plan that takes into account the parking discussion from tonight. Discussion over time frame and building permit process. Paul and ASM Dallas to work together on this. CM Beck moved with the conditions in staff report in addition to constructing a curb cut off East 7th Street and 5. Applicant to submit designs for final parking plan before a building permit is issued. Mayor Labbe seconded. CM Shepherd said yes but does not want a curb cut due to historical value of area.

TUP request for Delaware Hotel for the Grand Pit Stop Vintage Car Show

Kit Williams and Jasmine Marquez – Explained the CO Grands approach them for coffee and visitation stop in CO. It consists of 100 cars from around the US & Internationally. Given \$1500 donation for a 501(c) (3). They will leave Salida, come here and then on to Eagle county. They don't all come through at the same time, but about 40 at max at one time. CM Gowing moved, CM Roti seconded.

TUP request for Rocky MTN Family Practice Community Fair

Lisa Zwerdinger explained community health fair. Explained the closure for the helicopter. CM Roti moved, CM Gowing seconded.

Consultant Agreement Fee Negotiations with City of Leadville and High Country Developers, LLC

ASM Dallas explained that the staff report is from the city attorney, not R G Associates, but are specifically here for item g. Mayor Labbe asked applicant to explain the cap on consultant fees. John Lichetnegger – does not want to pay consultant costs and thinks the city should pick up the costs on those. He has 4 engineering firms. Leavdille Sanitation directing and controlling how sewers go into the community, as with Parkville water. The city does not really have rules regarding those utilities which leaves streets, sidewalks and fire hydrants. He would recommend the city also put a limit on the consulting fees and a matter of negotiations. John explained many of the costs that he is incurring and cost overruns on this project and the need to be cost conscious. He would like to spend his money on the housing.

CM Shepherd questioned the costs to TJ of RG & Associates. He explained the process of accepting information, presenting to the Planning Commission, communication with developer, completing review of zoning regulations, coordinating agency referrals, looking at drainage, grading, access, meeting city standards. TJ explained that the requirement for consultant fees is considered best practices. The number is skewed a little high. Confirmed that this is just for phase one, PUD (zoning), Major subdivision process (3 phases), recommending to have a streamlined platt process. The firm is reviewing it on behalf of the city to make a staff recommendation. CM Roti does not think the city should have to pay for any of the fees. Mayor Labbe shocked by the numbers and was led to believe they were much lower from executive session. ASM Dallas explained about \$7000 to RG and about \$2-3k to others. TJ explained what is seen here is throughout the entire process, not just the PUD. The number presented prior was just for the zoning itself. It is a much more expanded process. CM Beck confirmed that the city would have to pay roughly between \$23-46k, if a cap is set at \$10k. She does not think the city has that kind of money. Discussion over the city being able to incur such a cost and the potential risks of putting a cap. Discussion over the experts John has hired, ideally making the costs lower

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for RG & Associates since they should be plans that aren't difficult to review. Discussions over the lack of expertise in house to review plans and the issues with other developments. Gary – As far as sewer lines, etc. they would not evaluate sizes, capacity, etc. as that is the districts. They would look at how it fits into the overall road layout, traffic study, storm line, etc. CM Shepherd questioning if RG & Associates is doing the same thing as the districts. John explained that they are doing the same work. Gary disagreed that they are doing duplicate work. Concerns over how to decipher who is right and who is wrong. John explained he doesn't need a decision tonight. Mayor Labbe explained obligation to control oversight. ASM Dallas suggested postponing this decision and get more points of clarification, get Mr. McAskin here to explain, especially if Mr. Lichtenegger is okay with waiting on a decision. CM Roti thinks that there are separate issues here. CM Beck questioned whether or not the city has the money or should spend the money on this. Thinks council should be careful with what they do with the people of the city's money. CM Shepherd would like Marcus to come. CM Shepherd questioned why the cap matters as to how much the city will pay. No problem with delay at this point, to make sure everyone is okay with the plan.

CM Roti moved to deny, CM Shepherd seconded.

Waiver request for public improvements with City of Leadville and High Country Developers, LLC ASM Dallas explained the fact that Kum & Go was initially responsible for half and now John is taking on the full cost. CM Shepherd confirmed that the addition of a bond or security. John clarified that the intersection at 24 and he will be depositing \$400k, awaiting \$430k from CDOT. This is just the intersection piece of the puzzle. CDOT advised him that the opportunity won't be there in future if the opportunity is not seized now. His request was that in light of the \$300k to sewer, etc., the request is just that he does not need to put deposits down for the city. The streets and sidewalks will be the very last to go in.

CM Beck moved, CM Gowing seconded.

Resolution 17, Series 2017 waterline utility agreement between High Country Developers & City of Leadville

ASM Dallas explained what this resolution is necessary for. Mayor Labbe gave hypothetical about the sewer line regardless of the development of the property. CM Shepherd suggested that any downside might be to Parkville water, not to the city. CM Beck questioned any risk to city and ASM Dallas explained there would not be.

CM Gowing moved, CM Linebarger seconded.

Resolution 11, Series 2017 recognizing Cities and Towns Week 2017

Mayor Labbe explained the city events during that week. CM Roti moved, Mayor Labbe seconded.

Resolution 18, Tabor Ballot Initiative

Mayor Labbe explained the two ballot initiatives on the prior resolution. A conversation over the weekend revealed the total publishing costs were not very high, \$2000-2700.

CM Shepherd would like to see it on the ballot to see if the citizens care about it. CM Beck would also like to see what the public thinks. CM Roti sees no harm in letting the people decide. If they don't. CM Linebarger initially thought it would be more of a cost savings to the community. He is not sure whether it is worth it to put it out there. Mayor Labbe doesn't think it's worth it to put it on the ballot. CM Linebarger feels like there is a need to speak up for those who may be the minority. MPT does not know if it is beneficial.

Carl Shafer – Clarified that the question is whether or not the full ordinance should be published. He believes that it is still valuable to publish regarding any type of ordinance. CM Beck explained that it is not taking away the opportunity, but changing the way it could be reviewed. Suggests it be available online and every way possible to get out to the public.

Eric Lane? – Print media is going out but as Marcia pointed out it goes online to another site.

CM Linebarger moved, Mayor Labbe seconded.

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Adjourn City Council convene Local Liquor Licensing Authority

Golden Burro Liquor License Renewal

Clerk Maher explained that the Police Chief left a note that there were no issues.

CM Beck moved, Mayor Labbe seconded.

Manuelita’s Liquor License Renewal

No problems or issues. CM Gowing moved, CM Roti seconded.

LCCCA Special Event Permit

Carl Shafer – The event is an evening of entertainment. It will be held at the Old Church and request to be able to serve beer and wine for cost. They have done events similar in the past. This will be Sept. 15th. Clerk Maher requested a waiver for the \$25 fee. CM Moved with waiver, CM Beck seconded. Carl added it is free, just accepting donations.

LCCF Special Event Permit

Leslie Cook-Knerr – explained the event to celebrate community and offering community members an opportunity to come together and share memories of the sign and a vision for a iteration of it elsewhere in the community, offering food, wine & beer for donation and help collect funds at the community fund to go toward a homage to the sign elsewhere. The commissioners approved the use of the park for alcohol. Everyone is invited. Clerk Maher explained a request for a waiver for the fee as well. CM Beck moved with waiver of fee, CM Linebarger seconded.

Adjourn Meeting of Local Liquor Licensing Authority and Convene Local Regular Meeting of City Council

Report of Upcoming Meetings

Community Market on Sept. 9 & 16.

Hpc Meeting on the 12th will include a presentation

Work Session on Sept. 12 – Mayor Labbe explained he has been attending the BBQ Meetings.

October 22 & Nov. 12 tentatively. Remove Sept. 26th.

Bills to be approved

Mayor Labbe explained the expenditures for the SAFER Grant. Explained the check to Nancy Boeve for \$1000 was returned. CM Shepherd confirmed this is the last payment to Pinnacol. CM Beck moved, CM Gowing seconded.

Mayor’s Report

Snow brochure went out with water bills – 1800 went out in water bills and another 200 went out electronically. Attending CO Mayor’s summit this Friday.

Council Reports

CM Beck received a phone call that the Career Fair is Oct. 11th at the High School and wanted to extend the invitation.

CM Shepherd – spoke to people about the report HPC is going to do. Suggested being there for the report. ASM Dallas confirmed it is just for Harrison Avenue.

CM Roti – went door to door to collect signatures and heard many complaints about striping. One positive thing was a woman who said cars now stop for her. General complaint is that traffic gets backed up.

Adjournment 9:20 PM

<i>Agenda Item</i>	<i>Rollical</i>	<i>Agenda</i>	<i>Minutes</i>	<i>COA</i>	<i>CUP</i>	<i>TUP Delaware</i>	<i>TUPRMFP</i>	<i>Consult Agreement-deny</i>	<i>Waiver</i>	<i>Resolution Cities & Towns</i>	<i>Resolution Ballot</i>	<i>Golde Burro</i>	<i>Manuelita's</i>	<i>LC CA SEP</i>	<i>LC CF</i>	<i>Bills</i>
<i>CM</i>	<i>Y</i>	<i>YES</i>	<i>YES</i>	<i>Y</i>	<i>Y</i>	<i>YES</i>	<i>YE</i>	<i>YES</i>	<i>YE</i>	<i>YES</i>	<i>YES</i>	<i>YE</i>	<i>YES</i>	<i>YE</i>	<i>Y</i>	<i>Y</i>

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<i>Shepherd</i>	<i>E</i> <i>S</i>			<i>E</i> <i>S</i>	<i>E</i> <i>S</i>		<i>S</i>		<i>S</i>			<i>S</i>		<i>S</i>	<i>ES</i>	<i>E</i> <i>S</i>
<i>CM Lineberger</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>ABS</i> <i>TAI</i> <i>N</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>Y</i> <i>ES</i>	<i>Y</i> <i>E</i> <i>S</i>
<i>CM Roti</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>ABS</i> <i>TAI</i> <i>N</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>Y</i> <i>ES</i>	<i>Y</i> <i>E</i> <i>S</i>
<i>Mayor Labbe</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>NO</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>Y</i> <i>ES</i>	<i>Y</i> <i>E</i> <i>S</i>
<i>MPT Duarte</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YES</i> <i>Abst</i> <i>ain</i> <i>5/2</i> <i>0</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>Y</i> <i>ES</i>	<i>Y</i> <i>E</i> <i>S</i>
<i>CM Gowling</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>Y</i> <i>ES</i>	<i>Y</i> <i>E</i> <i>S</i>
<i>CM Beck</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>Y</i> <i>E</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>YES</i>	<i>YE</i> <i>S</i>	<i>Y</i> <i>ES</i>	<i>Y</i> <i>E</i> <i>S</i>

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