



**CITY OF LEADVILLE**  
**Tuesday, August 28, 2018 – 6:00 P.M.**  
**CITY COUNCIL WORK SESSION MINUTES**  
**800 HARRISON AVE, LEADVILLE, CO.**

**Call to Order of work session & Roll Call:**

Present: Kevin Linebarger, Jason Hagen, Beverly Lauchner, Jane Gowing, Dana Greene, Mayor Labbe

Absent: Mayor Pro Tem Beck

**Public Comments**

Shannon Grant: Urge City Council to reconsider Private Parking signs in downtown area. Lives in the first block of West 7<sup>th</sup> Street. She doesn't think they are right because that property in front of her house isn't owned. She also doesn't think it's welcoming for visitors. Explained that most everyone on her street has them. She sees the frustration when they are empty and people can't park there. She explained that there are only 5 weekends a year that the city is inundated with people. Explained there is a lot of explaining to do regarding where to and not to park. Thinks the signage we have is confusing.

Mayor Labbe explained that West 7<sup>th</sup> has the most of any block in the city.

CM Greene explained that as we get more signage to public parking would possibly make private parking less necessary.

ASM Dallas explained that we have received memos from city attorney and that the city should not be issuing these permits and are at risk of possible litigation.

Mayor Labbe explained that it should be a priority in 2019 and it seems to cause more problems than it solves. He explained that the police department is also against it and the towing companies are not able to tow so the city is at an impasse with it.

ASM Dallas explained that it is something that Planning & Zoning is working on too.

**a. SRO IGA**

Mayor Labbe explained that the IGA is between city, county and school district. ASM Dallas explained that city attorney is drafting the resolution. Mayor Labbe explained that there are four people who applied to the job and they have narrowed it down to one and pending background check, they will get the okay from the school district. Hiring committee was comprised of Sgt. Bertolas, Undersheriff Kirkland, Mike Vager, Mayor Labbe and Alissa Hack. Mayor Labbe pointed out paragraph 16 which was the major change and it was simplified to address the crux of the issue which was the relationship with the sheriff.

**Odor Ordinance/Moratorium discussion**

Mayor Labbe, CM Gowing & CM Linebarger met and discussed. They sent the ordinance to legal and waiting to get it back. They hope to have 1<sup>st</sup> reading on September 18<sup>th</sup>. CM Gowing explained that they need to make sure there is agreement throughout code. They discussed the number of complaints and came up with a certain number per month, such as 3 verifiable complaints by someone who lives nearby. Mayor Labbe explained that it was an overall odor ordinance, not just marijuana. CM Linebarger wanted to avoid

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additional regulation on things that have not come before council before. The current problem is that current marijuana ordinance does not allow odor at all. CM Hagen questioned whether or not this is residential or commercial. CM Gowing and CM Linebarger explained it was all marijuana. They explained there are other mechanisms in place for other types of odors. They don't want a business getting picked on because of one resident, but at the same time if the business isn't taking the appropriate steps to mitigate the odor, they need to be able to address it. CM Gowing explained that they want to be fair and pragmatic and that there are steps that the business owner needs to take. After the third violation they would need to come before Marijuana Licensing Board for a show cause hearing. CM Greene questioned if there is language to protect the business from one disgruntled resident and CM Gowing explained that there is based on address and different dates. Mayor Labbe explained that the chief doesn't have a problem with not having a moratorium right now. There is an 18 day gap for not having a moratorium. CM Greene questioned whether or not there should be a formal record of not having a moratorium. ASM Dallas explained there was a moratorium related to the license which council already reissued and reapproved.

#### **Southern Fire Station Financial Commitment**

Mayor Labbe explained MOU that he handed out. It will not be signed until city council agrees to this in the budget. It should be part of budgetary conversations. Mayor Labbe explained there is \$655,000 from DOLA, County has agreed to a \$400,000 loan and a \$70,000 commitment on top of that, with the city giving \$30,000 and the fire fund balance has \$80,000, Climax granted \$50,000 and Friends of Twin Lakes came up with \$51,850. ASM Dallas questioned the 70/30 split with city and county. Mayor Labbe explained that they are actually going to take that out of their general fund, not a loan. They had decided not to do that. Mayor Labbe explained that legal will review before this document gets signed and finalized. Mayor Labbe explained that although the upfront cost for the city is minimal, the ongoing cost would be beginning in 2020 and is just over \$100,000 and the city would be responsible for 30%. Mayor Labbe explained that the majority of that cost is for staffing and the SAFER grant may be for another three years and may be a 2022 consideration in terms of staffing. This is not in MOU, but a consideration for budgets. Mayor Labbe also explained that part of their current budget is a \$19,000 amount for storage that they will no longer need and there is a considerable savings against that. ASM Dallas questioned whether or not this is being requested out of 2018 or 2019. Mayor Labbe explained that it would be out of 2019 and they may need to release a letter. DOLA will not release all at once and will be on a reimbursement basis as fire station is being built.

#### **Department Tactical Tender Purchase**

Mayor Labbe said that quotes were received from First Mountain Bank for that purchase. Chief Dailey left for Oregon today to check out the piece of equipment. It is just over \$175,000. He explained that this tender could be sent out with just one person with less certification than the current tender that requires three. It

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is expected to pay for itself in a very short period of time. It should pay for itself in about two years. Tender one was sold last Friday. It had problems and it had a willing buyer. There is currently no tender, but the city street department does have a water truck as a back up for right now. They have also put out notice to surrounding districts to hopefully be ready to support us. Finance Manager McGinnis has all of the paperwork he needs. ASM Dallas explained the process for the financing and that a resolution will come before council. This will be a lease purchase, as required by TABOR. Mayor Labbe also mentioned that if this works out, he and Chief Dailey would love to get a second one the following year because they will really bring in capital. The current capital investment fund has roughly \$137,000 plus the additional \$30,000 from the piece of equipment just sold. \$80,000 of that balance is committed to the southern fire station. There is about \$10,000 in training funds and \$7,000 for radios committed from those funds. Lease payments will come out of the fire fund balance.

#### **Paving of Mountain View Dr**

Mayor Labbe explained that the Railyards Developer wants to pave off of the Mtn View Intersection now because his deal with Stop and Save is contingent on that. He is asking for a waiver request on the front end before the Minor Subdivision is completed.

ASM Dallas explained the update to Mtn View Drive with CDOT, the fallout of Kum & Go and that the developer has submitted the Minor Subdivision submittal. In order for him to move forward on that, he has a short period of time. He can get this done September and/or October, but it needs to be prior to approval. They discussed with TJ, the city's planner, and he gave a timeline of two weeks and it would be completed by September 10<sup>th</sup> and that an approval would need to be given beforehand. RG & Associates is reviewing the road and making sure that it could be approved again as it was for Kum & Go. Kum & GO had signed an SIA AND TJ would likely be including a SIA. ASM Dallas explained that it's already gone through this process with approval and it is basically the same that it seems like a no brainer to work with the developer since there will need to be access either way. CM Gowing questioned whether or not it could just be a plug and play SIA from the with a prior SIA from Km & Go. ASM Dallas explained this this will likely be on the 18<sup>th</sup> as well.

#### **Council/Mayor Reports**

Mayor Labbe explained remediation of buildings around town and brought up an example of a home on Chestnut that he and several entities had gone to with a search warrant and they recently received a report back. They cannot find the owner and they need to go to the municipal judge to board it up and secure the property to make it safe. It will then need to be declared a public nuisance and take possession of it or remediate it and lien the property. He also explained a property on Toledo that the property owners are travelling here to deal with for about 6 weeks.

Mayor Labbe reminded everyone of the STR Meeting tomorrow night. ASM Dallas explained what the evening will look like and how it will be laid out with multiple station

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tables. ASM Dallas said they would gather as much information and share out.

Mayor Labbe said that the city has applied for a crosswalk permit through CDOT and they have received that design and he passed it out. ASM Dallas explained that the BOCC and the developer made an agreement as to the realignment. This will have beacons on both sides of the crosswalk as well as part of the safe routes to school.

CM Gowing asked for a status on the Old Conoco at the south end of Harrison. There is a contractor sign on the fence. CM Gowing recalls that there was an extension last year and ASM Dallas noted that December of this year is when the permit expires.

CM Gowing also questioned tiny homes. Has someone who wants to set up a tiny home and how does that work if they are going to live in it while they build a home. ASM Dallas explained that if plans are submitted, a waiver request could be considered. ASM Dallas said that ADU/Tiny homes cannot be the primary structure. Mayor Labbe brought up that this came up years ago and they had discussed having two tiny homes on a lot and there was not the political will to go forward with that at that time. They thought it could encourage affordable housing. CM Gowing brought up the need for affordable housing and the need for things like Tiny homes and the fact that we are not allowing these types of housing. CM Gowing would like to recognize this issue and get ahead of the curve or think about it so people can be accommodated to have a place to live. ASM Dallas requested that CM Gowing email a letter to ASM Dallas to forward to Planning & Zoning to consider. CM Linebarger also expressed support in this. CM Hagen questioned the tiny homes across from Pastime. ASM Dallas explained that he is grandfathered in as an RV Corral. He has a vision for tiny homes on foundations and has come before Planning & Zoning to discuss.

CM Gowing questioned fences and city right of way. Mayor Labbe brought up an example of someone who had put up a fence in the city right of way and Joe and the Mayor are working with him on that.

**Adjournment. 7:15PM**