

**Minutes
City of Leadville
Regular Council Meeting
January 17, 2017
Leadville City Hall, 800 Harrison Avenue**

COUNCIL MEMBERS

PRESENT: Dave Chimovitz, Greg Labbe, Max Duarte, Gwen Shepherd, Jane Gowing

**COUNCIL
MEMBERS**

ABSENT: Jake Mohrmann, Shoshanah Beck

STAFF PRESENT: Bethany Maher, (City Clerk), Sarah Dallas, (Administrative Services Manager) Roy McGinnis, (Finance Director), Dan Dailey (Fire Chief), Jim Schneiter (Street Dept. Supervisor)(Absent), Robert Glenn (Police Chief)

PUBLIC

PRESENT: Ryan Fitzmaurice, Sarah Mudge, Cameron Millard, Sophie Garza, Debbie Harmon, Francine Webber, Destinee Lukianoff, Clint Larson, Rob Holmes.

6:44 PM CALL TO ORDER, ROLL CALL & PLEDGE OF ALLEGIANCE

Approval of Agenda

Mayor Labbe recommended moving item 12 to 10H due to the Executive Session and striking 9F (Silver Dollar Saloon renewal) due to potential violations.

CM Chimovitz moved., MPT Duarte seconded.

Public Comments about items not on the agenda

CM Shepherd asked for an update on snow. Mayor Labbe explained that it was a difficult snow event due to a limitation of hours. He also explained that contractors were brought in, as well as El Paso County aided with extra help.

No Public comments.

Approval of the Minutes from January 03, 2017

Mayor Labbe moved, CM Chimovitz seconded.

Proclamation Mentoring Month 2017- Representation from Full Circle

Sophie Garza presented on behalf of Full Circle. She explained that she was representing the mentors (28 mentors and 38 youth matches)

Mayor Labbe read the Mentoring Proclamation into record and took a photo with Ms. Garza.

Proclamation Radon Awareness Month 2017- Presentation by Cloud City Conservation

Cameron Millard of Cloud City Conservation presented on the pervasive issue of radon in Colorado.

He explained the issue with radon and that Lake County received funding for test kits in 2015.

He encouraged folks to take advantage of these resources to test and discussed the effects.

Mayor Labbe read the Proclamation into record.

Ordinance 08, Series 2016 Accessory Dwelling Unit 3rd Reading

Mayor Labbe read the Public Hearing Notice into record.

County Commissioner Mudge reminded council that community members came to P&Z and due to housing strain asked for these changes – reduction in required square footage, addressed design aesthetics, primary owner must reside in one and defined foundation.

Public Comments in favor – Debbie Harmon said everything last time but thought this was mostly about ownership.

No public comments in opposition.

CM Chimovitz moved to close the public hearing, CM Gowing seconded.

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CM Chimovitz asked if there was anything to revise in the future. Commissioner Mudge responded that nothing came up except short term rental enforcement.

CM Gowing asked about existing structures in which Commissioner Mudge responded that it would be up to the City and that enforcement is complaint based and is always an issue.

ASM Dallas explained the complaint based system the city uses and explained the issue with parking that came up a lot.

Chief Glenn explained that he wanted to renew his objection to the no parking requirement because parking is already a problem.

Mayor Labbe explained that having a parking restriction would make it nearly impossible for anyone to qualify to have one since these new restrictions already make it harder. MPT Duarte agreed.

Mayor Labbe moved, CM Chimovitz seconded.

Discussion about Main Street program

Destinee Lukanoff explained the quarterly update, Small Business Saturday, a \$2500 grant from LCBAG and the paint project that is almost complete. She also explained that they submitted a grant to Climax to help activate Zaites Park. Ms. Lukianoff also explained the status of the EDC and the possibility of moving into the City Hall next to ASM Dallas. She also discussed the Main Street Boot Camp in April, as well as transportation.

Mayor Labbe suggested a shuttle from the City to the trailer parks, hiking, etc. CM Chimovitz questioned the economic feasibility of such.

Resolution 2, Series 2017 Public Notice Location and Newspaper

Mayor Labbe explained resolution 2. CM Chimovitz moved, Mayor Labbe seconded

Nature's Spirit Renewal

Chief Glenn said he had no issues with this renewal. Mayor Labbe moved, CM Gowing seconded.

Extension Request from Roots Rx at 145 Front Street as warranted during renewal hearing on 8-2-16

Mayor Labbe explained that Roots Rx was having some odor issues and that Council had given them a 6 month moratorium on citations to work on odor mitigation. The City did not give Roots Rx notice that there were continued issues until about a month ago due to poor communication. It will take 2 months to agree on an ordinance and get it published and in place. It would be fair to give a 90 day opportunity to comply to all businesses in Leadville.

CM Shepherd explained that this type of thing just happens when people are producing something, just as it did recently with the brew pub and she doesn't necessarily have a problem with it.

ASM Dallas explained that she received 1 complaint and discussed it with the Police Chief, Mayor and city attorney regarding the next steps. Chief Glenn said that he checks frequently and keeps a log of documentation. They will be setting up a system where an officer is responsible for that and will handle it and bring it to the chief which he doesn't necessarily agree with but will handle it that way.

Mayor Labbe discussed the issue of residential growing and Chief Glenn said that he had come up with a plan to require a permit for residential grows.

Mayor Labbe, Chief Glenn and ASM Dallas all discussed the possibility of purchasing a Nasal Ranger to detect the odor. The instrument would cost roughly \$1700.

CM Chimovitz mentioned that issue of tolerance.

Chief Glenn said that these businesses knew the rules and that if the code said zero odor they should have to comply. However he did mention that Roots Rx is very responsive. He believes it will be easier to enforce at zero.

Clint Larson and Rob Holmes explained the many improvements they have made to work towards odor mitigation. Some of these efforts include adding carbon filters, 2 internal fans that take in air from the outside, building negative pressure system. They have a few more items to install such as air locks in front of the doors which they expect will happen within 5-6 weeks. They have been looking at every possibility and spent a lot of money.

Council discussed what they would need for time. It was decided that they would have until August and would need to show a catalog of improvements because of discussions of what is fair.

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They discussed what the goal is. Mr. Holmes explained that it was hard to work toward a goal, not knowing what the goal is and continuing to put money into things without having an end goal. He prefers not to be a test case. Council told him zero is not reasonable so he would like to know what is reasonable. CM Shepherd thought the goal should not be zero.

ASM Dallas thinks they should have a moratorium on that part of the code. She will ask Attorney Michow to work on that part of the code. An Odor Nuisance Code Subcommittee will be formed to work on this code. CM Gowing and Mayor Labbe will be on that committee. Mayor Labbe moved with extension, CM Shepherd seconded.

Special Events Permit National Mining Hall of Fame

Francine Webber explained the event is the same as last year's. She also mentioned that it would be much easier to have these administratively approved which she has discussed with Clerk Maher. CM Gowing moved, CM Chimovitz seconded.

Report of upcoming meetings

Fire Report

Chief Dailey explained that they didn't have any fires but many auto accidents.

Administrative Services Report

Police Department Report

Chief Glenn explained that there was a high number of calls and walk-in's. He explained that all of the officers were Narcan trained and equipped. CM Chimovitz questioned the heroin problem and Chief Glenn explained that Meth was more of the problem here. He explained that it is not so much in schools and that the police department has a good presence in the schools. Chief explained that he was losing one officer to the Sheriff's department due to a personnel issue and another possibly to the Front Range so they will be short-handed very soon. He would like to bring in retirees but that would be expensive.

Animal Shelter Report

Debbie explained that she was losing a part-time worker who worked about 16 hours per week at 9.32/hour. She mentioned that workforce pays one worker \$10/hour and they get High School Credit for it which is great.

Street Department Report

Mayor Labbe excused Jim due to his work schedule.

Treasurer's Report.

Roy McGinnis explained that we budgeted 10% higher than in 2015 and still came in higher than that. It was a banner year and although we can't know for sure what exactly aided that it could likely be due in part to the liquor store and Shopko. Discussion regarding asking the county for categories of tax revenue.

Executive session pursuant to C.R.S. Section 24-6-402(4)(e) for purposes of determining positions, developing strategies and instructing negotiators regarding agreements related to the operation and leasing of the Tabor Opera House.

Bills to be approved.

All in favor.

Mayor Labbe moved, MPT Duarte seconded.

Adjournment.

9:56 PM

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Agenda Item	Roll Call	Agenda Revisions	Minutes	ADU - 2nd Reading	Resolution 2	Extension for Roots RX	Special Events Permit - Mining Hall fo Fame
CM Shepherd	YES	YES	YES	YES	YES	YES	YES
CM Mohrmann	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
CM Chimovitz	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 Beck	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT

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